**PROTECTION: EXIT STRATEGY FROM EMERGENCY RESPONSE TO RECOVERY AND DEVELOPMENT**

**GOOD PRACTICES / LESSON LEARNED FROM THE FIELD**

**BACKGROUND**

1. Transition refers to the period between the immediate aftermath of crisis and the restoration of pre-crisis conditions (recovery), or their improvement to as satisfactory level (development). Transitions are characterized by a shifting from lifesaving activities to restoring livelihoods, achieving the internationally agreed developments goals, including the MDGs1 and by an increasing reliance on national ownership through national development strategies. The special nature of recovery programs requires an understanding of complex issues:
   - What are the differences and similarities between phases and how do they relate to government capacity and ownership?
   - How can the hand-off to protection approach from the humanitarian phase to development best be handled and what institutional choices does the UN have to make in this regards?
   - How can funding best be organized so that short term operational needs are met and long term development funding is available, should government capacity allow?

2. In addition, the issues of the pre-condition required during the period of emergency coordination remain an aspect that needs improvement for transition in term of:
   - Better consolidated funding mechanisms and more predictable funding.
   - Clearer mandates for cross cutting issues in particular durable solution for IDPs in the aspect of shelter and protection.
   - A better management for risk reduction, early warning and contingency planning.

3. Protection Clusters and agencies, particularly at country level, have stressed the need to concrete and comprehensive examples of good practices in phasing out from humanitarian type of management to recovery and development coordination. This short analysis is based on lessons learned; in which post conflict and post disaster livelihood strategies were implemented. These countries Uganda, Burundi, Haiti, and Philippine are diverse and the experiences described in the five cases differ in term of the depth of analysis and strategy implemented. This report put a focus on the following questions:
   - Description of the steps taken to complete the process and how transition strategies are phased and timed on the achievement of particular benchmarks?
   - How were these steps completed? What were the resources required, available and utilized?
   - What partnerships and partners were engaged during the process? What was the role of government? Civil society? Private sector? Others? And, what are the capacity building needed for transition strategy?
   - Described data collection and any issues related to that collection.
   - What factors contribute to or hindered the overall process?

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I. PLANNING FOR TRANSITION

A. Durable solution

a) Processes

4. The framework for Durable Solutions for Internally Displace Persons is an important part and the most common approach of a transition strategy. As part of the United Nations Development Framework, the Common Country Assessment (CCA) more often and when appropriate includes an analysis of the causes of the population displacement and its impact upon the poverty and other development challenges facing the country, especially the persistence, severity and scope of the displacement as well as mid and long term resilience process. Particular attention should also be given to any negative trends as well as opportunities to integrate displaced persons into host communities. A multitude of causes can lead to displacement or constitute an obstacle for the research of durable solution. In addition to more immediate ones, such as violent conflict, persecution, serious human rights abuses, and natural disasters, attention should be given to the root causes, such as exclusion and inequality among groups, competition for access to natural resources and discriminatory policies and practices.

5. Opportunities to solve displacement situations can be seized through various channels, such as:
   - Negotiating peace agreements and amnesties;
   - Promoting self-reliance and poverty reduction strategies;
   - Increasing respect for human rights and the rule of law, including minority rights and rights at work;
   - Enhancing participation in the institutions and processes of governance; and
   - Promoting justice, tolerance and reconciliation among divided communities.

6. Data collection and analysis is the first step in ensuring a coherent analysis in the context of transition and durable solution. However, existing data collection on displaced persons and host communities is geared toward shorter-term relief-recovery activities. Due attention should, therefore, be given to collecting and analysing data relevant to implementing durable solutions strategies. Among the key variables are:

   - **Demographic data:** to establish a profile (including a gender and age breakdown) of the displaced population and the host community, to identify vulnerable populations (e.g. the disabled, female-headed households, and separated children), and to assess the priorities of the displaced persons and the host communities;

   - **Socio-economic data:** to understand the livelihood and assess/prioritize the needs of the host community in relation to, e.g., access to land and natural resources, skills requirement, employment and income generating opportunities, the environment, housing, health and education infrastructure, and farming systems;

   - **Protection data:** to identify gaps in the protection of human rights and identify specific protection issues, e.g. the legal status of displaced persons (residence permits, nationality), the presence of discriminatory regulations and practices (freedom of movement, right to return, property ownership); and continued threat of violence, restricted access to social services, economic rights, and to participate in public affairs; and

   - **Institutional data:** to assess the capacity of the national and local authorities as well as civil society to implement a durable solutions strategy.
7. Based upon an analysis of the causes for displacement, the opportunities for a solution, and the available data, the Protection Cluster should stimulate incentive within the UNCT to undertake an assessment of the impact of displaced persons and of a durable solutions strategy upon the other development challenges/priorities identified, in particular upon cross-cutting issues such as human rights, gender equality, employment and the environment. At the same time, the UNCT should ensure that the other development challenges/priorities take into account the needs of the displaced and their host communities.

b) Strategic Planning for Durable Solutions

8. When developing strategies to address displacement, several operational gaps need to be overcome. These include:
   - **Institutional**: Among international agencies and government institutions different operating modalities and cultures exist (see examples part of the *lesson learned from the field* chapter).
   - **Financial**: Funding is often either for emergency/humanitarian or development assistance.
   - **Temporal**: Gaps can appear immediately after a crisis subsides and widen when emergency assistance declines and before long-term development activities begin.
   - **Different programme formulation processes and budgeting cycles**: Whereas development partners use multi-year planning and budgeting cycles, humanitarian actors work with shorter-term perspectives and tools.

9. Harmonizing and simplifying the sometimes disparate interventions of humanitarian and development actors can be better achieved through joint assessments, results-based programming, and undertaking joint resource mobilization strategies as well as monitoring and evaluations. Although each situation is unique and must be analyzed and tailored according to the specific circumstances, planning and implementation strategies should be:
   - **Integrated**, emphasizing the linkages among the emergency/humanitarian, transition and development phases. Isolated interventions in a single or even a few sectors or focusing on a specific group of population will not have the desired impact/outcome. It also requires that programmes focusing on displaced persons and their host communities are harmonized to avoid discrepancies and tensions, which can be achieved through a joint planning and implementation strategy among UNCT agencies.
   - **Participatory**, through providing the displaced persons and their host communities with the necessary tools to make their own decisions.
   - **Community-based**, ensuring that the needs of the community as a whole are addressed to reduce the stigma of the ‘displaced person’ label and to share responsibilities for hosting/integrating displaced populations.
   - **Encouraging self-reliance**, to reduce dependency upon external assistance through developing technical, entrepreneurial and organizational skills to assist the community as a whole and to promote income-generating initiatives that enable displaced persons to contribute to the development of the host country.

c) Framework for durable solutions

10. Based upon operational experiences, three approaches have been developed to facilitate strategic planning for durable solutions:
   - Pending the identification and implementation of durable solutions, recovery programmes should promote self-reliance for displaced persons through emphasizing capacity building and

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2 UNDG, Guidance Note on Joint Programming, October 2003
3 Inter-agency programmes have been initiated in Afghanistan, Armenia, Burundi, Eritrea, Liberia, Serbia and Montenegro, Sierra Leone, Sri Lanka, Uganda, and Zambia amongst others.
empowerment. Such policies will prepare the displaced for their eventual return and integration, as well as alleviate the burden on — and, where applicable, reduce the poverty of — the host communities.

- Return is the most desirable solution, but integrated approaches are essential to link shorter-term humanitarian relief with longer-term development strategies, as well as the four different phases of repatriation, reintegration, rehabilitation, and reconstruction.
- For the displaced population for whom return is not an option, local integration into their host communities should be considered. Local integration of long-term displaced persons is often a very complex and sensitive issue, but one that can be eased by applying self-reliance strategies (see bullet above). The socio-economic and political dimensions need to be carefully assessed.

11. Pursuing any of the three approaches requires careful assessment of the role of the various actors. Ownership and active engagement by the national/local Government is critical. As the timing of a transition process is being aligned with the formulation of national development plans and the PRSP, concerted efforts should be made to incorporate durable solutions for displaced persons into these instruments.

   d) The outcomes of a durable solutions strategy

12. In line with the UNDAF Guidelines, the results-based matrix sets the outcomes and the manner in which the UNCT seeks to attain them in line with the national goals. Examples of expected UNDAF outcomes are that:

- MDG and poverty reduction strategies incorporate the needs of displaced people and their host communities;
- The causes that led to the displacement as well as the impact upon the displaced people and their host communities are addressed;
- Human rights, including rights at work and gender equality, of displaced persons are fully respected;
- Social and community development programmes include displaced persons;
- Environmental policies are sustainable by taking into account the impact of displaced persons; and
- Efforts toward reconciliation and conflict prevention among divided communities are strengthened.
13. When designing the country programmes and the project outcomes, particular attention should be given to the following areas:

(a) **Protection**: Effective protection depends upon resources and national institutions that aim to uphold these standards. Among the protection gaps that UNCTs should address are:

- Developing national and regional legislation and administrative practices (e.g. documentation, the granting of citizenship; freedom of movement and residence; access to the labor market, education and social services; right to own/use property/land);
- Supporting national and local government institutions;
- Promoting tolerance and respect among communities and groups in society, including through the media;
- Promoting and supporting the role of civil society, including human rights organizations and assisting specific groups to overcome their vulnerabilities.

(b) **Livelihood**: Promoting self-reliance entails that displaced persons have access to livelihood, employment and can own/use property and land. In addition, to help create the necessary legal and administrative framework, the UNCT can also ensure that their development and poverty reduction programmes give due priority to areas and communities hosting displaced persons in line with the national priorities. Among the concerns of national and local authorities is the lack of capacity to absorb/integrate displaced people. Specific steps to be considered should include:

- Settlement programmes that include provisions for land restitution and/or compensation, land and natural resource management, environmental protection, and housing assistance;
- Micro-finance schemes and income-generating projects, including food-for-work, cash-for-work programmes, and small-business schemes;
- Involvement of private sector to facilitate reconstruction and reintegration of communities through non-discriminatory employment;
- Community driven development through empowerment projects aimed at strengthening capacity, assets and technical services and that are sustainable without external assistance;
- Steps to ensure equal access to services and targeting of vulnerable groups, in particular female- and child-headed households, youth, HIV/AIDS affected households, the disabled and the elderly.

14. Particular attention should be given to the contributions that displaced persons can make to socio-economic growth. To mobilize their productive capacity, the UNCT can assist national and local authorities in designing skills training programmes prior to the return/integration of the displaced persons. During the emergency and the transition phases, every effort should be made to develop programmes that will help displaced persons become self-reliant.

- **Institution and capacity building**: Government authorities are the primary actors in programming for the displaced and must have the capacity to do so. Where they do not, the UNCT must provide assistance to relevant ministries through existing/related programmes. It is important that relevant national and local authorities responsible for different issues (health, labour, housing, documentation, etc.) are all linked up. As a rule, integrated approaches for displaced persons and host communities should be mainstreamed into the policies/practices of line ministries and local authorities. If the number of displaced persons is very high and/or the integration strategies are complex, the establishment of a dedicated government department at national and local levels may be desirable, as in the case of Afghanistan and Rwanda. In addition, the UNCT should make available technical expertise and provide learning opportunities for government, civil society and the host communities.
- **Coordination**: Phasing out from cluster coordination to recovery and development framework
has more often failed to ensure a coordinated transition. Existing coordination mechanisms set-up between UNCT, national and local authorities, NGOs and civil society should be used to facilitate the mainstreaming of durable solutions into the key outcomes and activities of transitional process. In addition, these mechanisms should seek to build upon the work of the coordination mechanisms established during the humanitarian and transition phases. If necessary, sectorial and inter-sectorial activities managed by clusters should be handed-over to national committees. In countries hosting large numbers of displaced persons, it may be useful to set-up formal or ad-hoc entity in charge of establishing a durable solutions policy and conducting programming or transitional reintegration.

• **Monitoring and Evaluation:** In line with the CCA/UNDAF Guidelines, monitoring and evaluating the durable solutions policies and programmes are critical and a work-plan should be agreed upon stakeholders. Benchmarks and indicators need to be identified and integrated into the monitoring and evaluation frameworks of national development plans and agency-specific programmes. To the extent possible, existing indicators should be used but the UNCT must ensure that displaced persons are included in the measurements. Specific indicators may be useful to monitor and evaluate progress toward addressing specific protection issues.

• **Resource mobilization strategies:** To ensure an effective mobilization of financial resources it is essential that durable solutions for displaced persons are included in national development plans and integrated into resource mobilization strategies. These financial resources should be in addition to existing development assistance. The concern among countries hosting displaced populations is that scarce development aid may be redirected. These concerns should be alleviated by emphasizing the additional value of the programmes and the positive contributions that integrating displaced persons can make toward local development. In recent years, significant progress has been made toward more flexible funding strategies through gradually de-compartmentalizing humanitarian and development aid. In some situations, the establishment of a trust fund may be the most appropriate approach. In countries emerging from conflict, joint needs assessments will ensure that funds may be raised through donor or reconstruction conferences. The 2003 Guidelines on Joint Programming also outline different options for organizing the administration of financial resources among agencies participating in joint programs.\(^5\)

### B. Transitional Justice and displacement

#### a) Humanitarian assistance and Transitional Justice: Mutual Concerns

15. The humanitarian actors that work directly with displaced populations have traditionally focused on the immediate aims of providing life-saving assistance and protection. In contrast, actors that work to promote transitional justice generally embrace a set of different, longer-term goals. Transitional justice refers to a set of measures that seek to redress the legacies of massive human rights abuses that occur during conflict and under abusive regimes, primarily by giving force to Human rights norms that were systematically violated. Transitional justice aims to provide recognition for victims, foster civic trust, and strengthen the rule of law. Transitional justice measures have in certain contexts been part of the response to displacement:

- **Restitution** of housing, land, and property is the form of redress perhaps most directly connected to displacement. In postwar Bosnia, for example, the restitution program processed 200,000 claims for lost homes, most of which were decided in favor of the displaced claimants. The utility of restitution has been less clear, however, in contexts such as Afghanistan, the

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\(^5\) UNDG, Guidance Note on Joint Programming, October 2003
Democratic Republic of the Congo, and Timor-Leste, where restoring the property-distribution patterns that existed prior to displacement would not necessarily be just or practicable.

- **Reparations** programs can provide benefits to victims of abuses that led to displacement, to displaced persons for harms they suffered while displaced, or for the experience of displacement itself. There have been only a few examples, though, of reparations programs providing benefits directly for displacement. In Guatemala and Peru, for instance, reparations programs include displacement as a crime that merits reparation, and in Colombia, the administrative reparations program established in 2011 anticipates providing redress for forced displacement as such.

- **Truth commissions** increasingly recognize and investigate displacement as a serious human rights problem. Commissions such as those in Liberia, Sierra Leone, Timor-Leste, and Guatemala have examined the role of displacement in conflict and occupation, as well as the suffering and stigma endured by the displaced. Truth commissions have also made recommendations that respond to the concerns of displaced persons regarding issues such as the resolution of property claims and acceptance of dual nationality.

- **Criminal prosecutions** can target the perpetrators of human rights violations that led to displacement and may also target forced displacement as a crime in itself. An international legal framework exists to prosecute forced displacement when it qualifies as a war crime or crime against humanity, including the statutes of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Court (ICC), and the Geneva Conventions. Some states, such as Colombia, have prosecuted the crime domestically.

- **Justice-sensitive SSR** seeks to prevent the recurrence of human rights violations, including displacement, through the transformation of safety, security, and justice institutions and the governance systems that control and oversee them. In Bosnia and Herzegovina and Kosovo, for example, reforms seeking to remove perpetrators of human rights abuses from police forces that were paired with efforts to recruit from underrepresented minority groups made a concrete contribution to enabling returns.

**b) Partnership for resolving displacement**

16. Humanitarian, development, and peacebuilding actors have been involved in transitional justice efforts that responded to displacement. For example, restitution initiatives often engage a range of actors. The UN’s Human Settlement Program (UN Habitat) has taken a leading role in coordinating responses to housing, land, and property issues, including restitution, while actors such as UNHCR, IOM, and the Norwegian Refugee Council regularly work on restitution issues in the field. IOM also provides technical assistance and expert advice to governments implementing reparations programs, and providers of medical care such as Médecins Sans Frontières can help to establish people’s status as victims by certifying that an act of violence occurred. In general, information gathered by governments or humanitarian agencies in the course of registering displaced persons is potentially valuable to reparations programs seeking to identify potential beneficiaries, although this raises difficult questions regarding issues such as confidentiality and the comprehensiveness of agencies’ registration records.

17. Humanitarian actors also at times support truth-telling processes. UNHCR has assisted truth commissions in Sierra Leone, where it helped to facilitate refugee participation, and in Timor-Leste, where it sought to promote return, reintegration, and reconciliation of displaced persons. Actors from different fields also sometimes work together in justice-sensitive SSR. In Chad, for example, a joint program run by the United Nations Development Program (UNDP) and UNHCR provided funding, training, and equipment to a special national police unit set up to provide protection to displaced persons and escorts to humanitarians. In Kosovo, a Joint Task Force on Minorities, with representatives from the security, justice, and humanitarian sectors, worked to change the policing dynamic as it related to displaced populations. Humanitarian organizations also generally support and promote efforts to fight impunity, but they worry...
that public cooperation with criminal justice processes may compromise their neutrality, undermine their access to vulnerable populations, and put their staff at risk. In 2009, for example, the government of Sudan accused 16 organizations of collaborating with the ICC and expelled them from the country. Nevertheless, some agencies, such as UNHCR, have engaged with criminal tribunals, and a number of tools or protective measures exist to minimize potential negative effects, including witness confidentiality and nondisclosure of information to the public. Nonetheless, cooperation between humanitarian agencies and criminal justice processes remains a sensitive proposition that must be carefully timed and implemented.

c) Transitional Justice as part of durable solution process

18. The most important long-term contribution that transitional justice can make to resolving displacement, arguably, is in ensuring the reconstruction of a sustainable environment facilitating the integration or reintegration of displaced persons. Whether refugees and IDPs voluntarily return, remain where they sought shelter, or resettle elsewhere, (re)integration is a critical aspect of achieving a durable solution. However, (re)integration can be significantly hindered by legacies of past abuses, which can affect both individuals and their societies. Yet the primary actors working on displacement do not generally focus on dealing directly with past abuses and their impact. Transitional justice can therefore play a positive role in supporting reintegration in various ways:

• Criminal justice and justice-sensitive SSR can facilitate reintegration by improving the safety and security of formerly displaced persons, and make (re)integration more durable by helping to prevent the recurrence of the abuses that led to displacement. They can do this by contributing to the reform of security and justice institutions, including vetting to remove the individuals responsible for such abuses from power.

• Reparations and restitution can facilitate economic reintegration and the rebuilding of sustainable livelihoods. Restitution is often seen as a precondition for return because it enables (re)integration by increasing access to shelter and land for agriculture or other economic activities. Financial compensation can also help displaced persons to access resettlement or local integration opportunities by supporting the construction of new homes and businesses. Reparations and restitution may be especially crucial to the well-being of households headed by female returnees.

• Truth-telling efforts can contribute to social reintegration by reducing tensions between those who stayed and those who were displaced, revealing and validating the experiences of the different groups. Truth-telling can also bring low-level offenders among the displaced together with communities to determine what steps may lead to their (re)integration. In Timor-Leste, for example, the truth commission facilitated a process through which displaced perpetrators of “less serious” crimes could acknowledge their violations, undertake reparative actions agreed upon by the community, and then return home.

• Transitional justice measures can facilitate the political reintegration of formerly displaced persons at a broad level by reaffirming basic norms that were systematically violated and by strengthening displaced persons’ rights as citizens. Transitional justice can help empower the displaced through the inclusion of their voices in national narratives that frame how societies move forward.

C. Preparedness and protection contingency planning

19. In post disaster context, preparedness and protection contingency planning is an essential part of an exit strategy from humanitarian coordinated protection to recovery and development. International humanitarian coordination bodies shall ensure that Governments implement measures and structures to
prepare for emergency disaster, response to internal displacement and mitigate its consequences especially in situation of recurrent natural disaster. These measures may include:

- Mapping and updating of risks.
- Pre-identification of safe sites.
- Assessment of country specific vulnerable groups (including minorities and marginalized groups).
- Protection mainstreaming into Ministers and public services responsible of emergency response (Civil Protection, National Army, etc...).
- Constitution of national contingency stocks taking into account specific vulnerabilities (shelter, NFI, etc…).

20. For the scenario of post conflict setting, the (re)establishment of a human rights based governance and management of public services especially security sector and justice is essential to ensure a national own preventive and responsive policy for the protection of civilian. Such actions are mainly contain into durable solution process and transitional justice mechanisms as example:

- Establishment of a national IDP policy including protection for specific vulnerable groups (women, children and ethnic minorities).
- Demobilization, Disarmament and Reintegration programmes including vetting of perpetrators or accomplices of grave Human rights violations.
- Security sector reform.
- Institutional and legal reform including law and public management of house, land and property.
II. LESSON LEARNED FROM TRANSITIONS

A. Uganda: Transition from cluster leadership to a national protection capacity

a) Partnership for transition

21. Protection Cluster: The Uganda Protection Cluster was established in 2006 by UNHCR with three sub-clusters focused on technical and operational areas of responsibilities: 1) Gender-based violence sub-cluster (led by UNFPA); 2) Human Rights and Rule of Law Sub-cluster (led by OHCHR); and Child Protection sub-cluster (UNICEF-led) with three broad strategic objectives established to guide its interventions: (i) effective protection of IDPs, (ii) effective and efficient delivery of appropriate assistance to camp-based populations, and (iii) advocate for freedom of movement to enable IDPs to pursue sustainable durable solutions.

22. Uganda Human Rights Commission (UHRC): National authorities are the primary responsible for effective protection leadership, service delivery and coordination in line with the intentions and core strategic objectives of the Government’s 2009-2011 Peace, Recovery and Development Plan (PRDP) Framework to stabilize the North as it transitions from relief to recovery. The Uganda Human Rights Commission (UHRC) has been mandated to take over from the Protection Cluster to effectively lead, coordinate and advocate for sustainable durable solutions to remaining IDPs, in particular Extremely Vulnerable Individuals/Persons with Specific Needs (EVIs/PSNs), and those who have effectively returned but have to overcome conditions inherited from their former situation.

23. Sub-Clusters and government bodies: A separate plan for handover of child protection and GBV coordination to the concerned government body was elaborated following extensive consultative processes. For the child protection sub-cluster, the coordination functions for humanitarian and recovery efforts will be fully taken over by the Department of Children and Youth of the Ministry of Gender, Labour and Social Development (MGLSD). MGLSD, with the continued support of UNICEF, will be leading a Child Protection Coordination forum that will continue to engage all child protection agencies and government departments addressing the protection of children in Northern Uganda. For SGBV the ministry of health is the above-mentioned ministry are ensuring the coordination.

24. District Local Government authorities: UNHCR established working relationships with District Local Government authorities in districts within its area of operations in the IDP context. In the transition process the cluster approach transitioned to a district-led sector approach, UNHCR began to co-facilitate monthly coordination meetings with the district authorities, which were greatly appreciated by protection cluster partners. Each month, challenges, lessons learned and recommendations were shared so that other partners would not experience the same challenges. Partners were also involved in the planning, review and feedback processes so as to design effective strategies each year. Excellent working relationships developed between UNHCR staff members and the staff of the district local governments, but there was a need for UNHCR and partners to strengthen relations with the Government at national level. Challenges were noted between the districts and national governments due to the decentralized nature of the national power structure. Issues to be resolved locally were handled effectively in most districts. The respective District Disaster Management Committees (DDMCs) formed District Durable Solutions Task Forces to develop and agree-upon the data collection tools for a large-scale survey of the Acholi Sub Region. This

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6 The National Child Protection Working Group operates within the framework of the CHILD PROTECTION RECOVERY STRATEGY FOR NORTHERN UGANDA 2009-2011.
was done very effectively in accordance with the Eight Conditions for the End of Displacement outlined in the Inter-agency Standing Committee’s Framework for Durable Solutions.

25. **Beneficiaries:** Beneficiaries were involved in planning processes through Age Gender Diversity participatory assessments and approaches as well as community sensitization and feedback meetings conducted throughout the years of operation. Regular field visits with community groups, common interest groups and focus groups were coordinated jointly by UNHCR and partners, and also independently by partners. Individual household visits to beneficiaries took place regularly to verify the projects and ask the beneficiaries about their situation to gauge their level of satisfaction. In general, implementing partners are strong in interacting with the beneficiaries on a daily basis throughout their areas of operations where activities are ongoing.

26. **Funding:** Initially in the Uganda IDP operation, donors were represented at national level in the Protection Cluster where they were kept informed about new information and developments in the field at the monthly meetings. Following the transition of cluster leadership to a national protection capacity, donor representatives began to spend more time engaging in decreasingly formal field visits. Donors are informed through agreed upon report of each activity, including progress report, either upon demand or while coming during field visits. They are also informed of any potential or real changes to the targets that should be taken into consideration at any relevant point throughout the period of implementation.

b) **Transition methodology and Protection Cluster strategy for durable solution**

27. **Protection needs assessment and establishment of protection priorities:** UNHCR and its Protection Cluster partners in collaboration with UHCR conducted a profiling exercise that estimated the extremely vulnerable individuals/persons with specific needs (EVI/PSNs). In general, their vulnerabilities were related to age, gender and diversity. UNHCR and Protection Cluster engaged the displaced community in selecting those among IDPs who were most in need of return and reintegration assistance. The identified persons of concern were verified by UNHCR and partners and prioritized by the community to receive coordinated assistance on a case-by-case. Each year, a percentage of the identified beneficiaries were selected for assistance based on the available funds and prioritized according to need.

28. **Information Counselling and Legal Assistance (ICLA):** Many of the most vulnerable were facing land access challenges preventing their return. UNHCR partnered with the Norwegian Refugee Council’s ICLA project to provide legal counseling and assistance, including resolution of land disputes/issues, provision of Certificates of Customary Ownership (CCOs), mediation, and even in-court settlements when necessary. EVI/PSNs who chose the option of local integration at the site of displacement were provided with support in acquiring land ownership or other legal arrangements. ICLA also provided legal services to EVI/PSNs in resolving land disputes, and other land issues in areas of return arising from lack of information and knowledge on land rights. ICLA’s approaches included community sensitization and counseling sessions to determine whether there were any land issues to be resolved, the nature of the claims, and also to disseminate information to the greater community. Once a land issue was identified, UNHCR and partners referred the beneficiary to ICLA. EVI/PSNs received one-on-one consultations on issues like land ownership disputes, encroachment, and the benefits of obtaining a Certificate of Customary Ownership (CCO) for their land. Cases that could not be resolved using the grassroots mechanisms were referred to the courts for legal redress with representation by ICLA.

29. **Shelter and durable settlement:** UNHCR and partners piloted return and reintegration assistance to EVI/PSNs by providing shelter (grass-thatched huts) to return 1,700 individuals in 2008. Noting challenges faced during the pilot project, UNHCR established a holistic community-driven process that coordinated return and reintegration assistance for over 11,700 individuals identified by a community-driven selection process by the end of 2011. Supporting agency’s strategy was also based on reintegration needs, advocating for instance for the development of a national social security system to integrate support
to persons with special needs, and implementing (as a bridge) activities to support persons with specific needs. UNHCR and partners coordinated the formation of community-based Construction Committees to gather building materials (e.g. grass, mud bricks, poles, water, and tools) and provide labor. Each shelter construction complied with standards agreed upon by the multi-functional team (size, height and quality); latrines had to be located at least 15 meters from the hut in order to meet hygiene standards. UNHCR and partners then provided the missing components (doors, shutters, nails and tools). Upon completion of each shelter, the beneficiaries were presented with their new home and a household start-up kit (consisting of blankets, jerry-cans, a mosquito net, a hoe, saucepans, cups, plates, a sleeping mat, basins and soap).

30. **Humanitarian assistance to EVI/PSN and linkages to other Development Programs:** UNHCR fostered linkages between EVI/PSN humanitarian assistance activities and long-term development programmes, such as the Northern Uganda Social Action Fund II (NUSAF 2), World Vision Area Development Program, and Agricultural Livelihoods and Recovery Program. This was accomplished through the provision of reintegration assistance to 185 common interest groups (CIGs) at community level/transit sites. Each common interest group consisted of about 15 members out of which five (5) were recommended to be EVI/PSN shelter assistance beneficiaries. Coordinated interventions were intended to add value to the community and uplift their status, thus increasing their chances to benefit from other development programmes.

31. **Strengthening the National Human Rights/Protection Capacity.** UNHCR and protection partners strengthened the national UHRC as part of the exit strategy from the IDP operation. The district Protection Clusters then merged with District Human Rights Protection Promotion Sub-committees (DHRPP). UHRC has a limited capacity and limited resources (human, financial and equipment). The IDP National Policy already entrusts the UHRC with the IDP mandate. UNHCR began by co-chairing the DHRPP meetings with UHRC, which was strengthening through material and logistics support under a sub-project agreement funded by UNHCR. Midway through 2010, UHRC began chairing the DHRPP meetings independently and working with protection partners to develop annual strategies. The DHRPP consists of all human rights and protection partners and stakeholders, including male and female IDP representatives. IDP representatives used to participate by sharing practical information related to the situation at the camps and their immediate protection needs. This provided direct insight into the practical protection concerns faced by IDPs. Other key personnel present at DHRPP meetings work for the Uganda Police, the UPDF, the Community Development Office, the Probation Office, Prisons and the Amnesty Commission. Through the DHRPP at national level, UNHCR, UHRC and protection partners advocated for the Kampala Convention for the Protection and Assistance of Internally Displaced Persons in Africa by the African Union – a framework and process led by Uganda.

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B. Burundi: Integrated UN strategy for peace building

a) Partnership for transition

32. **Protection Cluster**: The Protection Cluster was established in Burundi in 2008 by UNHCR and co-lead with the Human Rights Office of the UN Office in Burundi (BNUB) until early 2012. The Protection Cluster and the Cluster system as a whole have been deactivated in Burundi early 2012. An IDP working group which had been created within the Protection Cluster comes now under the umbrella of the Groupe Sectoriel arly recovery chaired by the MSNDPHG (Ministère de la Solidarité Nationale, des Droits de la Personne Humaine et du Genre) and is co-chaired by UNHCR and UNDP.

33. **Programme national de réhabilitation des sinistrés (2004)**: This programme was established to contribute to peace and reconciliation through the reintegration of displaced persons, rehabilitation of social services in areas of return and the creation of durable solutions (Art. II.1). The Ministry for Repatriation, Reinstallation and Reinsertion of Displaced and Repatriated Persons is the lead organization responsible for overall implementation of the Program. The CNRS constitutes the Technical Secretariat (Ch. V). Priority areas of focus include: humanitarian assistance; voluntary return; reintegration; and the creation of professional opportunities for the displaced, particularly in the area of agriculture (Art. II.D.1). Protection activities identified in the Program include: demining; and creating access to social services including education, health, water and sanitation, and nutrition (Ch. III). The Annexes to the Program set out details of recipient assistance packages, including food rations and sheeting.

34. **Protocol for the Creation of a Permanent Framework for Consultation on the Protection of Displaced Persons (2001)**: In December 2000, the UN Senior Inter-Agency Network undertook a mission to Burundi led by the UN Special Coordinator on Internal Displacement. The mission urged the establishment of a Committee to act as a forum for discussion and collaboration on issues relating to the provision of protection to displaced persons. The Permanent Framework is comprised of two bodies, the Committee for the Protection of Displaced Persons (CNRS) and the Technical Group for Follow-Up (TGF). Composed of Ministers of relevant national authorities and humanitarian organizations, the Committee role includes implementation of rapid intervention mechanisms to ensure access and protection of displaced persons. The Technical Group is charged with follow-up and analysis of issues arising in the Committee. The Preamble to the Protocol states that the government of Burundi and the international community are ‘bound by the United Nations Guiding Principles on Internal Displacement’. One function of the permanent framework is to disseminate the Guiding Principles.

35. **Groupe Thématique Chargé de la Recherche de Solutions Durables pour Les Personnes Déplacées Internes au Burundi (GTPDI)**: The working group in charge of durable solution is led by the Directeur de la Réinsertion des Déplacés et des Repatriés, du Ministère de la Solidarité, des Droits de la Personne Humaine et du Genre in partnership with UNHCR, UNDP, UNICEF and human rights civil society. This working group is in charge of leading a national strategy of durable solution for IDPs and repatriated refugees in term of return, resettlement, relocation and reintegration.

36. **Bureau des Nations Unies au Burundi (BNUB)**: A political mission overseen by the Department of Political Affairs, BNUB was established in 2011 as part of a process of slimming down and refocusing the UN presence in the country in accordance with Burundi’s post-war needs. Its mandate set by the UNSCR 1959 focuses on:

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9 http://bnub.unmissions.org/LinkClick.aspx?fileticket=k8k6b6lkRUY%3d&tabid=2962&language=en-US
(a) Strengthening the independence, capacities and legal frameworks of key national institutions, in particular judicial and parliamentary institutions;
(b) Promoting and facilitating dialogue between national actors and supporting mechanisms for broad-based participation in political life, including for the implementation of development strategies and programmes in Burundi;
(c) Supporting efforts to fight impunity, particularly through the establishment of transitional justice mechanisms to strengthen national unity, promote justice and promote reconciliation within Burundi’s society, and providing operational support to the functioning of these bodies;
(d) Promoting and protecting human rights, including strengthening national capacities in that area, as well as national civil society;
(e) Ensuring that all strategies and policies with respect to public finance and the economic sector, in particular the next Poverty Reduction Strategy Paper (PRSP), have a focus on peacebuilding and equitable growth, addressing specifically the needs of the most vulnerable population, durable solution and advocating for resource mobilization for Burundi;
(f) Providing support to Burundi as Chair of the East African Community in 2011 as well as providing advice, as requested, on regional integration issues.

37. **United Nations Peacebuilding Fund (PBF) assistance to Burundi:** After decision of the UNSG, Burundi was declared eligible on June 2006 to receive support for the Peacebuilding Fund (PBF). Some $80 million was allocated in two phases to priority set of:
   (a) Governance.
   (b) Rule of Law and Security Sector Reform.
   (c) Rule of Law and Protection of Human Rights.
   (d) Property and Land issues.
   (e) Socio-economic reintegration of the populations affected by the conflict in Burundi

38. **Beneficiaries:** Beneficiaries were involved through a Profiling exercise conducted in 2011 (see bellow: JIPS profiling).

   b) Transition methodology

39. **National strategy for the durable solutions:** The initial phase of the National strategy for durable solutions lead by the Groupe Thematique Chargé de la Recherche de Solutions Durables pour Les Personnes Déplacées Internes au Burundi (GTPDI) was set by the conduct of a Profiling exercise of the IDP situation in Burundi in 2011. The overall objective of the profiling exercise was to collect data necessary to inform the development and implementation of a policy of durable solutions for internally displaced people in Burundi. The specific objectives of the profiling exercise were:
   • To compile a final list of sites for the internally displaced population in Burundi.
   • To collect demographic information of people living on these sites, including the number of individuals and households, disaggregated by sex and age.
   • To collect socio-economic information of people living on the sites, their status, land issues and specific intentions in terms of durable solutions.
   • To assess the viability of the sites themselves, including the land situation, access to basic services and the relationship with host communities.

40. The profiling found that of the 78,800 IDPs who were still seeking durable solutions, 85 per cent wanted to integrate locally, whereas fewer than eight per cent wanted to return to their hills of origin and the same small percentage wanted to be resettled elsewhere in the country. The second phase of the strategy is currently under process.
41. **Information Counselling and Legal Assistance (ICLA):** While most provinces have enjoyed relative security, the number of IDPs and refugees returning to their homes has remained low in Burundi. This may be explained by harsh economic and agricultural conditions, lack of sufficient social infrastructure, lack of means to rebuild houses and lack of sufficient trust among communities. UNHCR partnered with the Norwegian Refugee Council’s ICLA project to provide legal counseling and assistance with the focus on long-term safety and security, non-discrimination and equal access to services and rights, and reintegration.

42. **Shelter and durable settlement:** An ad hoc task force on house land and property has been set-up within the GTPDI in partnership between UNHABITAT, UNDP and UNHCR. The work of this task force is to provide technical support to the National Commission for Land and Other Possessions (*Commission Nationale des Terres et autres Biens* or CNTB), a government body set up to find solutions for people who lost their possessions due to the conflict. The task force support the government in establishing a new comprehensive land code enacted in August offers rural communities a more flexible and appropriate process for ensuring security of tenure, and could therefore help IDPs certify their land, regardless of whether they return, integrate locally or settle elsewhere.

43. **Strengthening the National Human Rights/Protection Capacity.** The Bureau des Nations Unies au Burundi (BNUB) with its core mandate of rule of law capacity building, Human rights and Transitional Justice is supported by programme of education to peaceful conflict resolution, peaceful coexistence, reintegration and local integration coordinated by UNDP and UNHCR with the involvement of UNIFEM, UNFPA and UNESCO. However, Human rights integrated office is facing obstacles with the Government of Burundi in establishing Transitional Justice.
C. **Haiti: Transition from cluster leadership to a national protection capacity**

a) **Partnership for transition**

44. **Protection Cluster:** The Protection cluster in Haiti was established following the earthquake that struck Haiti on 12\textsuperscript{th} January 2012. The forum is led by OHCHR with sub-clusters lead by UNICEF (child protection) and UNFPA (SGBV).

45. **CCCM Cluster:** The CCCM cluster has coordinating the GoH to facilitate return and relocation in order to progressively closing down camps. The cluster has also worked with the DPC to establish a preparedness strategy for emergency shelter and NFI.

46. **Early recovery cluster:** UNDP leads the early recovery cluster with a focus on reconstruction of infrastructure, reestablishment of livelihood and social reintegration of IDPs.

47. **Unité de construction de logements et de bâtiments publiques (UCLBP):** The Unité de construction de logements et de bâtiments publiques (UCLBP) attached to the Prime Minister Office works together with the early recovery cluster in reconstruction, rehabilitation and development of neighborhoods of origin with three divisions:
   (a) Public infrastructure division.
   (b) Housing division.
   (c) Rehabilitation and re-accommodation division.

48. **Ministry of Social Affairs and labor (MAST) and Direction of Civil Protection (DPC):** The MAST and DPC have been working together with the Protection Cluster in three main areas:
   (a) Protection mainstreaming in return and relocation programmes.
   (b) Dissemination of protection standards in emergency preparedness: Implementation of a technical working group for the diffusion and integration of protection standards in emergency preparedness co-chaired by the protection cluster and the DPC.
   (c) Transition of protection coordination to national counterpart: Creation of a Strategic task force co-facilitate by protection cluster and the MAST (protection focal point).

49. **Funding:** Recovery and transition remain funded through the CAP. However, within the 23 projects submitted through the CAP in accordance to the transitional approach only 4 received funding and the Protection Cluster sector to date has only received 30\% of the request.

b) **Transition methodology**

50. **Support to return and relocation of IDPs:**
   - Protection, CCCM and early recovery clusters support the UCLBP and its three housing divisions to facilitate the return and reintegration of IDPs by providing transitional shelters, rental Support Cash Grant Programs, shelter repairs and construction of permanent accommodations. This approach resulted in the closure of 200 IDP camps of 800. Part of this approach the rehabilitation and re-accommodation division of the UCLBP implemented a reintegration programme, the so-called “16/6” programme, whereby residents of six selected camps who are offered incentives to relocate to their original neighborhoods identified among 16 localities. These incentives range from a one year rental grant (some 500 USD) to the rehabilitation of housing (only yellow houses, i.e. those with a low to medium level of destruction).
   - Early recovery cluster supports durable settlement of returnees and relocated IDPs by the provision of micro credit schemes, implementation of income generating activities for the
most vulnerable especially women households including the creation of short and midterm employments and support to micro entrepreneurships.

- Protection Cluster initiated hand over of protection coordination by the creation of a Strategic Task force within the MAST and at provincial level. This task force is in charge of identifying specific vulnerable groups within IDP population in order to prioritize return and relocation programmes.
- The Protection Cluster initiated protection mainstreaming into return and relocation programmes by the establishment of protection checklist, dissemination of human rights standards for return, relocation and integration.
- The Protection cluster is supporting the national and provincial authorities in the restitution of civil documentation.

51. Preparedness and protection contingency strategy: The technical working group for the diffusion and integration of protection standards in emergency preparedness established by the Protection Cluster and the Direction of Civil Protection has conducted training and sensitization for national and local authorities in the integration of a Human rights based approach for emergency preparedness which included the focus on vulnerability criteria for evacuation and assistance as well as specific measures based on gender, age and handicap. The early recovery and protection clusters support the Système national de gestion des risques et des désastres (SNGRD) in the preparation of evacuation simulation exercises integrating protection standards.
D. Philippines: Joined National and International protection coordination

a) Partnership for transition

52. Governmental and international leadership: The Government is involved in the co-lead of three clusters Shelter, Camp Coordination and Management (CCCM) and Protection under the Department of Social Welfare and Development (DSWD) of Region X. The international Co-Lead of Shelter was the International Federation of Red Cross Societies (IFRC) for the first 6 weeks, subsequently taken over by UN Habitat. The international Co-Lead for CCCM was the International Organization for Migration (IOM) and for Protection the UN High Commissioner for Refugees (UNHCR).

53. Protection Cluster: In the Philippines, the Protection Cluster has been established in partnership between the National Disaster Coordinating Council (NDCC) and UNHCR for the coordination in response to the natural disasters in October 2009, with membership from UN agencies, international and national humanitarian, human rights and development agencies and participation from the Philippine Human Rights Commission. Activities are coordinated with counterparts under the government’s own national coordination mechanism, and primarily the Department of Social Welfare and Development (DSWD) and the two protection sub-clusters (gender based violence and child protection) which are co-led by government counterparts with UNFPA and UNICEF. A Housing, Land and Property Sub-Cluster is being established. The cluster is required to establish and maintain effective coordinating mechanisms, undertake needs assessment and analysis, ensure emergency preparedness, ensure planning and strategy development, ensure the application of standards, establish monitoring and reporting standards, initiate advocacy and resource mobilization and undertake training and capacity building.

54. Civil society: The protection approach has a focus to increase participation of national actors, in particular of beneficiary’s representation, civil societies, and grass-root networks with a large geographical coverage.

55. Beneficiaries: Participation of affected persons and displaced were ensured in consultative approaches to various protection concerns and through participatory assessment.

b) Coordination methodology

56. National response and IDP framework: At the initial phase of the crisis, the engagement of UNHCR with governmental counterpart has resulted in active dialogue, engagement, and shared coordination with government, inclusion of NGOs and other key stakeholders on protection issues related to the natural disasters. Joint advocacy and monitoring activities were coordinated and facilitated with member-agencies, while working closely with government counterparts, particularly DSWD, National Disaster Coordinating Council (NDCC) and the Commission on Human Rights of the Philippines, and various local governments in addressing identified protection concerns.

57. House, land and property: On 16 January 2012, an Executive Order of the Mayor created the Local Inter-Agency Committee on Permanent Housing (the LIAC), headed by the LGU. Four sub-committees were simultaneously created, on (a) beneficiary selection, awards and arbitration; (b) site selection; (c) social preparation; and (d) relocation and transfer. While the key Regional governmental housing offices -- e.g., Housing and Urban Development Coordination Council (HUDCC), National Housing Authority (NHA), Presidential Commission on the Urban Poor (PCUP), Housing and Land Use Regulatory Board (HLURB) – redirected much of their work through the LIAC, it was a process quite separate from the coordination through the Shelter Cluster. To complicate matters further, in CDO, there was another parallel process.

around shelter involving mostly civil society actors coordinated by the Archbishop, with the Church prepared to contribute substantial land both for transitional and permanent shelter. In CDO, a grievance procedure was elaborated and attached to the LIAC Code of Policy permitting anyone who believed that the beneficiary selection was wrong or unfair to challenge the procedure by filing a written complaint and receiving a hearing. These rules established a panel that could decide, hear and act on complaints filed by internally displaced persons and other persons severely affected by TS Sendong on the decisions of the LIAC on the selection of beneficiaries for free housing by the Local Government of Cagayan de Oro City. The panel was composed of three persons: (1) the City Legal Officer of CDO; (2) a legal officer of the DSWD; and (3) a representative of the Housing, Land Use and Regulatory Board. While the actions and decisions of the Grievance and Appeals Panel are final and executory, persons who are unhappy with the result may take the case to the courts should they so desire.

58. Information and counseling: CCCM and Protection Clusters cooperated in the establishment of a Working Group on Information and Consultation led by the Information Officer of the Department of Social Welfare and Development. UNHCR, IOM and UNICEF provided funds to permit DSWD to publish, in Besayan, a two-age weekly news bulletin for IDPs, with a particular focus on HLP issues. The bulletin was distributed to all families in the tent cities and evacuation centers, but also to the barangays where IDPs were living with host families. The bulletin proved enormously useful and the example of CDO was then emulated in Iligan. The News Bulletin for the displaced and affected population in the local language was a good practice that can be easily replicated in other similar situations. A low cost operation, its impact was very substantial in providing information that both lowered the anxiety level of IDPs regarding their housing situation and helped them make informed decisions.

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11 LIAC CDO, “Rules of Grievance and Appeals Panel”. I believe a similar procedure was established in Iligan.