

Key findings

- With the activation of the cluster approach at the beginning of 2006, UNHCR took on responsibility for co-chairing the Protection cluster (with MONUC) and the Early Recovery cluster (with UNDP). This enhanced engagement was in essence a logical expansion of UNHCR's role in the transition process, building on its existing responsibilities in relation to the protection of returning refugees and support for their reintegration.
- UNHCR staff have done a commendable job in delivering on the new responsibilities undertaken by the Office, in providing leadership and strategic direction to a diverse group of actors in a highly complex operational environment, and in developing UNHCR's own IDP programme.
- These efforts have nonetheless been undermined by structural flaws arising from UNHCR's budgetary and staff deployment procedures, which have inhibited UNHCR's effectiveness in the crucial early stages of cluster implementation.
- The Office's enhanced responsibilities for IDPs and for cluster leadership within the new humanitarian response framework were also insufficiently mainstreamed within the Office, resulting in a lack of *esprit de corps* and limited understanding and engagement by staff not directly assigned to IDP-related tasks.
- There is a need further to strengthen ongoing decentralization initiatives in order to enhance operational effectiveness in the east. This process is already under way with the recent delegation of some key programme responsibilities, but additional robust measures are needed.
- The shape and focus of the cluster approach in the DRC are still evolving. Nonetheless, there has been tangible progress in forging a common vision amongst humanitarian actors and in targeting resources more effectively on the basis of jointly identified needs.
- The situation in the east nonetheless remains characterized by uncertainty, with renewed conflict and large-scale displacement continuing to pose a real risk. A crucial test of the effectiveness of the cluster approach, and of UNHCR's role within it, is materializing in North Kivu, where the situation is becoming increasingly precarious.

Recommendations

Protection Cluster

- The national and provincial protection cluster terms of reference should be reviewed and updated to reflect the current context and priorities in each province, and to expand these beyond the initial focus on protection against violence.

- The cluster should review the range of protection monitoring activities currently ongoing and examine the potential for further harmonization, possibly through development of a common monitoring framework.
- The protection cluster should develop clear objectives and mechanisms to assess the impact of its activities.
- MONUC should be urged to standardize its engagement in the protection cluster, with one section acting as focal point for cluster lead responsibilities, and to enhance training of its staff in humanitarian protection.
- Further analysis is needed of the co-chairing arrangement, including clarification of roles and responsibilities as the 'first point of entry' and 'provider of last resort'.
- A protection cluster secretariat should be established, with responsibility for activities such as protection information analysis and reporting, monitoring progress in meeting cluster objectives, follow-up on recommendations and agreed actions, guidance and support to field-level clusters, and enhancing communication between provincial and national clusters.

UNHCR's IDP protection programme

- The Office should continue further to develop its strategic focus on land issues, reconciliation and co-existence, capitalizing on the link with refugee returns and expanding existing projects.
- The Office should actively seek out new partners with expertise on land, reconciliation and co-existence. In particular, the engagement of HABITAT, the Global Cluster focal point on land issues, should be encouraged.
- The Office should seek to develop projects addressing protection needs during displacement, and in particular, support to community-based protection mechanisms in IDP sites.

Early Recovery Cluster (Reintegration and Community Recovery)

- The work of the cluster should be more decisively linked with other transitional processes, including the Poverty Reduction and Strategy Paper (PRSP), the Programme d'Action Prioritaire (PAP), and the community recovery pillar of the Country Assistance Framework (CAF).
- The development of a draft national strategy on return, reintegration and community recovery is commended and should be supplemented with additional tools in order to make it operational.
- Links between the provincial and national clusters should be strengthened, and cluster priorities should be field-driven.

- Data collection and mapping mechanisms should be harmonized, building on the PEAR (Programme Elargi d'Appui au Retour) model, with a focus on identifying key locations and sectors for integrated area-based programming.
- The cluster should continue to encourage the active engagement of the government at both provincial and national levels.

UNHCR's IDP return and reintegration programme

- UNHCR should seek to assert a distinctive role within the IDP return process, based on its expertise in identifying and addressing protection-related obstacles to return and ensuring the protection of vulnerable groups/individuals.
- The Office should continue to pursue a strategy of community-based support in areas of actual or potential IDP/refugee return, and protection-focused reintegration programming.
- Efforts should be renewed to ensure a coherent framework for assistance to returning refugees and IDPs, and individual assistance packages should be harmonized to the maximum extent possible.
- The cluster should continue to promote a coherent community-based approach to the reintegration of returning IDPs and refugees and the reinsertion of demobilized ex-combatants.

Camp Coordination and Camp Management (CCCM)

- UNHCR, in consultation with UNICEF, OCHA and Rapid Response Mechanism (RRM) partners, is encouraged to conduct an immediate and thorough assessment of current gaps relating to camp coordination and camp management (especially relating to site location and layout, protection and shelter) and make a formal recommendation to the Humanitarian Coordinator on whether or not the CCCM cluster should be activated. If not, an alternative means of responding to any gaps should be identified.
- Efforts should be made (either through a CCCM cluster or an alternative mechanism) to better understand and analyze the profile of the IDP population.

Emergency response

- Decisive action should be taken to enhance the capacity of the Office to engage meaningfully in contingency planning and to ensure a robust response to the unfolding crisis in North Kivu.
- UNHCR and the Protection cluster should take decisive action to quantify and mobilize the resources required to engage in an effective emergency response.

General coordination

- The communication flow and cross-fertilization of ideas between national and provincial clusters, and between provincial clusters, should be enhanced, possibly through the establishment of cluster secretariats.
- Cluster leads should take responsibility (with the support of OCHA) for ensuring incorporation of cross-cutting themes.

National capacity

- The Reintegration and Community Recovery cluster should maintain and further develop its efforts to engage national and provincial authorities directly in its activities.
- The Protection cluster should engage in high level discussions with the government on its responsibilities for IDP protection.
- The Protection cluster should continue to seek constructive ways of engaging provincial and district authorities on protection.
- Efforts should be made to build the capacity of national NGOs and other civil society actors on protection issues.

Security

- UNHCR's Field Safety Section should review the extent of security restrictions in eastern DRC and the mechanisms and criteria for decision-making, and should engage the UN Department of Safety and Security (UNDSS) in discussions on whether humanitarian operations could be better facilitated through a more proactive and differentiated approach to security management.

Management

- A senior-level IDP Task Force should be created, composed of the Representative, Deputy Representatives, Heads of Units and a Senior Field Coordinator, to steer the process of developing and implementing the IDP programme, and to ensure that it is firmly embedded in overall operational strategy.
- Recent steps to re-establish regular meetings of Heads of Sub-Office are welcomed. These should be held on a quarterly basis.

Staffing

- Additional staffing is required to enable the Office to discharge its functions under the cluster approach effectively, and to ensure that the substantial contributions of seconded staff are fully consolidated. An Organizational Development and Management Service (ODMS) mission should assist the office in identifying the appropriate locations and functions of these posts.

- Newly-created posts should be filled using accelerated procedures, and time limits rigorously adhered to.
- The Office should continue to pursue robust decentralization measures. The proposed establishment of a position of Senior Field Coordinator in the east is a welcome initiative.
- Staff appointed to posts with IDP-related responsibilities should undertake induction briefings at headquarters.
- Staff with cluster lead responsibilities should have appropriate experience and leadership skills, and should undertake appropriate training.

Funding

- UNHCR should seek to maintain its position on the Pooled Fund Board.
- UNHCR should play an active role as cluster lead in the identification of needs and priorities for pooled fund allocation, and should support cluster partners to develop strong project proposals.
- The Office should continue to pursue an active fundraising strategy at country level, with Heads of Sub-Offices taking an important role in attracting pooled funding at provincial level.

UNHCR Budget

- A decision on budget structure is urgently needed. The current practice of releasing funding for supplementary budgets on a six-monthly basis is seriously hampering operations and undermining the aim of enhanced partnership and predictability.
- Staff should liaise closely with partners, explaining constraints, managing expectations and minimizing delays.