The members of the IASC invite and encourage all
humanitarian actors to comment on the collection of
field practices presented in the book, add any relevant
experiences they have gained through their own work,
and provide feedback on what kinds of activities have
worked in what situations. To this end, the following
website can be consulted:

http://www.reliefweb.int/iasc/rghr.html

Growing the Sheltering Tree

PROTECTING RIGHTS THROUGH HUMANITARIAN ACTION

PROGRAMMES & PRACTICES GATHERED FROM THE FIELD

CHAPTER 1
*Introduction.
We Work & We Witness*

CHAPTER 2
*Humanitarian Assistance
& Protection: Developing
an Integrated Approach*

CHAPTER 3
*Broader Initiatives
& Approaches to
Strengthen the Protec-
tion Environment*

CHAPTER 4
*Preserving & Protecting
Life, Health & Dignity
through Humanitarian
Action*

CHAPTER 5
*Practices That Promote
& Protect the Rights of
Specific Groups*

CHAPTER 6
*Remedial Activities
& Action to Ensure
Accountability*

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*Growing the
Sheltering Tree*

Growing the Sheltering Tree

PROTECTING RIGHTS THROUGH HUMANITARIAN ACTION

**PROGRAMMES &
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*There is no freedom
from want here;
no freedom from fear.
The danger has not
passed; there is no
promise of peace in
this long war.
You ask: Who will
protect them?
And then you ask
yourself:
Is there not more that
I can do?*

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Growing the Sheltering Tree

PROTECTING RIGHTS THROUGH HUMANITARIAN ACTION

PROGRAMMES & PRACTICES GATHERED FROM THE FIELD

Growing the Sheltering Tree

Inter-Agency Standing Committee

Table of Contents

Preface

Those of us born in the twentieth century – the information age – cannot claim we did not know of genocide, of atrocities committed in war, of the oppression of peoples, of the exploitation of innocents. We cannot pretend ignorance of an epidemic linked to poverty and discrimination; we have seen the growing gap between rich and poor in a time of overwhelming prosperity for a few.

Humanitarian workers of all nationalities consistently responded to cries for help. They found themselves on the front lines, and as they struggled to safeguard basic rights to food, water, shelter, and medical care, they witnessed the deliberate starvation of civilians; abductions and slavery; the imprisonment and execution of those of the 'wrong' ethnicity or religion; the humiliation of older people once revered; and the destruction of culture and tradition.

They came to realize that humanitarian assistance involves far more than saving lives through the provision of material aid. It includes saving lives in other ways: by helping people to realise rights not yet achieved, by empowering people to regain rights that have been taken away – and by protecting people to the best of one's ability from suffering directly caused by armed conflict, repression and exploitation. Protection is now understood as encompassing all activities aimed at obtaining full respect for the rights of the individual in accordance with human rights, humanitarian and refugee law.

This book describes some practical methods developed – often against overwhelming odds – to promote respect for fundamental rights and human dig-

nity. It is a testament to the ingenuity and courage of humanitarians, the majority of whom don't fly in on jet planes but are members of affected societies. Humanitarians have begun to recognize that the impact of protection is many times greater when joined with that of others, and that suffering people are not helpless victims but are fellow travellers who often know the way but lack the means to get to their destination.

Growing the Sheltering Tree: Protecting Rights Through Humanitarian Action is not meant to sit on the shelf as a one-time publication – it is intended to provide a way to exchange, test and create new information on the promotion and protection of rights through humanitarian work.

With our care and tending, the roots of these small seeds will intertwine and a mighty tree will grow; one that will offer sustenance to those in need and refuge from the winds of war. A sheltering tree. Let's grow it together.

YOUSSOU N'DOUR
Singer / Humanitarian Advocate / UNICEF Special Representative for the Performing Arts

A Note on the Generation of This Collection of Field Practices

The Inter-Agency Standing Committee (IASC), a body created by UN General Assembly resolution 46/182 to strengthen inter-agency coordination in emergencies, was particularly interested in promoting the Secretary-General's call for the integration of human rights into the UN agenda – and with good reason. Members of the IASC, which includes UN agencies and (as standing invitees) the International Committee of the Red Cross (ICRC), the International Federation of Red Cross and Red Crescent Societies (IFRC), and two major coalitions of non-governmental organizations, had together faced ethnic cleansing in Bosnia and Herzegovina, genocide in Rwanda and its aftermath in the Great Lakes region, and then the outbreak of a terrible conflict in Chechnya. In the meantime, conflicts in Sudan, Afghanistan, Colombia, Sri Lanka and elsewhere raged on, but were neglected in large part as new crises erupted. The turn of the century brought horrific atrocities in Sierra Leone, a crisis in East Timor, and renewed violence in Angola, Eritrea and Ethiopia and other countries, stretching even further the ability of the international community to respond.

The terrorist attack in New York City and the subsequent actions of the United States in Afghanistan raised additional questions about humanitarian access and response.

The humanitarian community was hit hard by these realities. Humanitarian assistance had become a very complex endeavour with the potential for doing both good and in some cases, considerable harm. Some humanitarians recognised that "throwing wheat flour" at conflicts when deliberate attacks upon civilians was

the central issue was not only an ineffective response but a smokescreen for political inaction.[1] Many humanitarians believed that more could be done in the field to mitigate violations in the absence of political will to stop violence against civilians.

In 1998, an IASC working group called the *Reference Group on Humanitarian Action & Human Rights* was formed, tasked with designing projects that would encourage "putting into practice" the protection of human rights.

The Reference Group was especially interested in helping humanitarians work more effectively in environments where civilians were suffering because of violations of international humanitarian, human rights and/or refugee law. Recognizing that people working in zones of conflict or under oppressive regimes had already developed many innovative methods and programmes to prevent or mitigate abuses, it was decided to identify and share these practices in the hope that they could be adapted for use by humanitarian colleagues also working in difficult circumstances.

This collection of humanitarian practices that protect or promote rights was gathered through field studies conducted in four countries/areas: Afghanistan, Kosovo (Federal Republic of Yugoslavia), Sierra Leone, and Sudan. The aim of this publication is to share the unique, often ingenious methods those working under nearly impossible conditions have developed to help people under threat survive. Practices from other areas such as Colombia, Angola, Sri

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1 ICRC delegate Urs Boegli first put the situation in Bosnia & Herzegovina in these terms to *The Washington Post.*

Lanka, Mozambique, Tanzania, and other countries have also been included.

The work of a variety of national and international, secular and faith-based, independent and governmental, humanitarian relief and human rights organizations to meet the needs of civilians under threat during and following conflict is presented through these practices. A number of examples involve collaborative efforts between organizations – efforts that hopefully represent a trend toward complementarity in humanitarian work.

Two caveats are necessary:

FIRST: This collection of field practices is not at all exhaustive; it presents only 'snapshots' of projects and programmes. The practices serve as examples but would obviously not work in all places or at all times. Each one must be adapted to the situation at hand, based upon solid analysis of the unique conditions and windows of opportunity that exist at a particular time in a particular place. The way the examples are adapted or 'translated' in order to make them relevant to the current context will depend upon the organization and its background – and the determination of the individuals involved.

The practice examples are for the most part written in the past tense (despite the fact that many programmes are ongoing) in order to avoid confusing the reader who may pick this up years from the time of publication. The possibility of adapting the practices for use in other situations does not degrade with time. Specific dates, statistics, acronyms and names of rebel forces and individuals have generally been deleted to improve clarity for the reader.

SECOND: This presentation of field practices does not include an evaluation of their effectiveness. Thus, it is a fair criticism to say that some of these practices may have had some unintended negative effects or were merely 'small drops in an ocean of water' – in other words, well-meaning, but not necessarily effective in

the sense of serving large numbers of people or changing human rights conditions. The criticism, however, does not justify only trying 'proven methods'. The same practice will not work everywhere in the same way, nor will it work every time it is attempted in a particular place. Conflicts are by their nature dynamic events and are constantly changing, although events are not necessarily unpredictable. In order to meet the challenge of protection under such conditions, humanitarians must develop a flexible approach that marries solid analysis and other professional skills with creative ingenuity, always guided by humanitarian ethics or principles. This means combining the substantial knowledge gained in past decades of humanitarian work with new ways of thinking about that work.

Our hope is that this collection of practices will become a 'living work' – that you, the reader, will provide additional examples and information about the adaptation of practices in the places you work. (See Appendix 2, *Interact! How to Contact Us with Your Ideas.*)

Humanitarian actors cannot hope to effectively address violations of international law if there is a lack of political will by governments and the international community to prevent and stop abuses – and to hold perpetrators accountable. But by their actions across conflicts they have, thanks to their courage and ingenuity, saved a multitude of lives. It is in this spirit, and in their honour that these small parcels of hope are offered.

The sacks of grain have been distributed. The well has been dug. The nutritional survey is completed. The children have been immunized. The crops are being planted; there is hope it will rain soon.

There is great pride in the face of the villagers; they have worked hard to accomplish these tasks. But there is still the suffering that cannot be relieved by any of these things. You are there, and you have seen it.

The images and sounds don't leave you. The woman begging for a scrap of information about her son, who has been taken away by soldiers. A small girl wandering aimlessly about the smoldering ruins of a village seeking her mother; a mother who cannot answer. The look of fear from a doorway. The blank stare of starvation and despair when the convoy of food has again not been allowed to pass. The empty eyes of the child with a rifle at the checkpoint.

There is no freedom from want here;

no freedom from fear.

The danger has not passed; there is no promise

of peace in this long war.

You ask: Who will protect them?

And then you ask yourself:

Is there not more that I can do?

WE WORK & WE WITNESS

1

working &

witnessing

Introduction

The world failed to stop the genocide, war crimes and crimes against humanity committed in the last decades of the twentieth century. These crimes were often carried out against people by their own governments or fellow citizens, in places whose names now evoke strong images of suffering – Cambodia, Sudan, Afghanistan, Colombia, Bosnia, Rwanda, Chechnya, Kosovo, Sierra Leone. And the list goes on. Violations of international human rights and international humanitarian law have continued for decades in some of these regions.

Genocide and crimes against humanity – which have at times been committed outside the context of armed conflict – claimed millions of lives in the past few decades. Nearly three million human beings were slaughtered in the Rwandan and Cambodian genocides. They were mercilessly killed solely on the basis of their membership or perceived membership in a particular group. Authorities of repressive regimes often commit violations of international human rights law with complete impunity. Torture, forced disappearance, attacks upon human rights defenders and journalists are commonplace in many countries.

While historically most wars were fought among states, the vast majority of armed conflicts today are internal, pitting government forces against armed non-state actors or armed groups against each other. The vast majority (some estimates are as high as a staggering 90%) of the victims of such conflicts are civilians; people not taking part in hostilities. Deliberate attacks against civilians or civilian property, forced displacement, rape and other acts of sexual violence, intentional starvation and certain other acts commit-

ted during armed conflict constitute war crimes – serious violations of international humanitarian law that incur individual criminal responsibility.

As a result of armed conflict and campaigns of terror, millions of people have been internally displaced (were forced to abandon their homes but remained inside the borders of their own country) or have crossed international borders in search of protection (thus becoming refugees). The number of internally displaced persons has now surpassed that of refugees. People displaced within their own countries are especially vulnerable to further harm, and many are displaced more than once. The traditional support communities provide has been lost to them. They often lack the economic resources and political connections that enable escape or recovery and are frequently discriminated against. Respect for international laws that protect refugees has weakened in recent years as nations shut their doors to those seeking protection. It is often the poorer countries that give the warmest welcome to refugees.

Although many 'frontline communities' have managed to remain despite ongoing fighting and very poor living conditions, the members of those communities still suffer dramatically and need support and protection in order to avoid displacement. Those living in urban areas may face discrimination and a bleak economic future.

International law is clear that governments are responsible for the welfare of all persons on their territory or within their jurisdiction, but some governments are unwilling or unable to fulfill their obligations. A breakdown of legitimate authority may

Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever does.

– Margaret Mead,
Anthropologist

lead to chaotic conditions where people in danger have absolutely no one to turn to for protection. They are left to the mercy of whoever happens to seize power.

Prolonged armed conflict in countries such as Afghanistan, Sudan and in the Great Lakes region, with the accompanying massive destruction of whole communities – indeed, whole ways of life – has disrupted development in education, training, agriculture, industry and legitimate trade. And this during a period when other parts of the world have enjoyed unprecedented economic prosperity and improvement in the realization of economic, social and cultural rights.

Corruption and the takeover of assets such as diamonds and oil by regimes or rebel groups have stripped many countries of natural resources (and growth potential) and have enabled the continuation of the brutal tactics used to seize them in the first place. The wealth derived from these assets – and from illegitimate trade in drugs and arms – often forms the primary base of support for such groups. The proliferation of small arms and the failure of the international community to control arms trade in general have contributed significantly to the death toll.

The extreme discrimination against particular groups that inevitably occurs during armed conflict or under repressive regimes has combined with drought and other conditions to push millions of people over the edge into abject poverty and then death from starvation and disease. Rights that might have been achieved long before were it not for armed conflict – or that were once enjoyed – have slipped further and further from grasp. In the vicious downward spiral of war, the poor and the marginalized of these societies continue to suffer disproportionately and are weakened further by each new fighting season.

Even when conflicts end, transition to a just legal system and rule of law is very slow and the need for protection from violations due to a weak and/or corrupt legal system may continue for decades. A significant 'protection gap' continues to exist long after

the guns fall silent.

Despite all the odds against them, people under threat work bravely in every crisis to assist others in danger. Humanitarian relief workers are often first in line to help. Long before any peacekeepers arrive, long before international criminal tribunals are created, humanitarians work on the front lines, serving as human 'buffer zones' between civilians and those with guns. As such, they witness terrible atrocities firsthand, and some fall as casualties alongside those they seek to aid.

Humanitarians have come to be central figures in the response to armed conflict, but as their presence in the midst of war has become more commonplace, their engagement has at times been used as a convenient substitute for political and other action by the international community to stop violence.

The reluctance to hold governments and individuals accountable for violations of international law, to arrest persons indicted for war crimes by international tribunals, to order peacekeepers to take action in the field to stop attacks on civilians, and to address the underlying causes of armed conflict has placed humanitarians – especially the national staff of humanitarian organizations – in extremely dangerous circumstances. Hundreds of aid workers have lost their lives in just the few years.[1]

To make matters worse, humanitarian assistance is often misused by belligerents and corrupt authorities. Relief workers have found themselves fortifying the very people attacking those they came to help.

For all these reasons, the humanitarian community has come to question whether the delivery of relief supplies or humanitarian 'business as usual' represents a sufficient response to the violations of rights and disregard for the safety of the civilian population that are

1 See http://www.reliefweb.int/library/documents/2001/chronology_15jan.htm for a chronology of deaths and injuries to humanitarian aid workers. Statistics are available on deaths for prior years as well as from Dennis King atUN Office for the Coordination of Humanitarian Affairs (OCHA).

We are better informed and more professional than ever before, and yet we seem unable to mobilize sufficient political will to change the course of those human tragedies... But, mobilizing world indignation in the light of atrocities and misery can never be enough. We, human rights and humanitarian organizations, are entrusted by our civil societies with a mission to have an impact through our actions.

– Jacques de Milliano,
Medecins sans Frontieres, 1996

Zaire (now The Democratic Republic of Congo), 1996 Standing in shallow water, a boy holds a pan filled with stones to be sifted for diamonds in a mine in the south-central city of Mbuje-Mayi. Corruption and the takeover of assests such as these diamonds by warring parties has not only fuelled brutal conflict, but stripped countries of valuable resources that could have bettered the lives of their children, women and men.
©UNICEF HQ96-0620 / D. MAILLEFER

often the primary cause of suffering.

The answer is a decided no. An ever-increasing number of humanitarian organizations now acknowledge that assistance without protection from attack, persecution and other rights violations are not enough. Although humanitarians cannot be expected to fill the protection gap left by governments that evade their responsibilities, they can often make an important difference on the ground, mitigating and sometimes preventing violations.

The relationship between humanitarian action and international humanitarian, human rights and refugee law has thus become a topic of growing interest. Many humanitarian organizations agree that new approaches to the protection of rights through humanitarian action must be explored.

Even seasoned aid workers, however, sometimes lack concrete ideas about what to do in the field to assist those under threat. They often feel constrained because of operational limitations or perceived restrictions related to mandates. Collaborative efforts that draw upon the strengths of each humanitarian organization involved are necessary if effective protection is to occur – in addition to some 'soul-searching' about the intent and focus of humanitarian action.

The complementary relationship between the work of human rights and humanitarian relief organizations is of special importance. Both are concerned about the protection of people from the violation of rights and the achievement of those rights guaranteed to every human being under international law that have gone unrealized. For this reason, protection partnerships between humanitarian, human rights and other kinds of organizations must be further explored and developed.

A. Humanitarian Assistance & Protection: Two Sides of the Same Coin

Just what is a 'humanitarian'? According to a definition found in a popular dictionary, a humanitarian is "a person promoting human welfare and social reform."[2]

The primary goals of humanitarian work are to protect life and health, prevent and relieve suffering, and ensure that human beings are treated with dignity. The right to receive humanitarian assistance – and the right to offer it – are fundamental humanitarian principles underpinned by international law.

Just as the provision of material assistance, medical care and development projects can alleviate the suffering caused by monsoon or drought and help decrease future vulnerability, humanitarian assistance can offer some relief from the effects of armed conflict, forced displacement, discrimination and other violations of rights. Relief and development work can also greatly contribute to the achievement of those rights that have never been realized. And importantly, humanitarians can assist in *preventing* violations through specific actions in the field.

It cannot be assumed, however, that humanitarian programmes always consciously aim to prevent or stop violations of international humanitarian, human rights and refugee law or seek to assist people in achieving those rights. Programmes may not be strategically designed to enhance the protection of civilians. The inextricable link of protection and assistance must be recognized and understood if humanitarians are to play a significant role protecting the rights of those participating in their programmes.

2 *Webster's New Collegiate Dictionary.*

This collection of field practices demonstrates some of the ways humanitarian assistance programmes have moved beyond the provision of material assistance in an effort to enhance protection.

It has been noted that the negotiations involved in delivering material assistance, for example, may be used to create an opening for dialogue, drawing antagonists into discourse with external observers. This interaction may allow the international community to influence potential perpetrators to exert some restraint on behaviour that contradicts international standards. Such dialogue sheds light on the precise motivations of the belligerents, providing clues about how to influence them (possible 'intervention points' can be identified). Knowledge of how belligerents and others perceive the situation may provide 'early warning' to humanitarians. A key to effective protection and planning is anticipating and responding to next moves.

The use of material assistance as an entrée to dialogue with those who control access or who are suspected of committing abuses is only one part of the picture, however. There exists a myriad of other ways that humanitarian action can be used as a vehicle to reach and enhance the protection of people in danger.

Programmes that seek to reach the 'most marginalised of the marginalised' are especially relevant to this collection of practices. When humanitarian organizations specifically focus on assisting people facing discrimination/persecution, they extend an important form of protection. This protection is substantially heightened when the ability of the population to develop their own protection pro-

The power of [material] humanitarian assistance is not sufficient... International organizations have to focus on rights that the Afghans want to realize... Security – national and individual – is about physical security from war, execution, detention, loss of shelter, losses of dignity.

– An Afghan relief worker

Humanitarian organizations should all concur that humanitarian assistance includes the protection of civilians.

– Cornelio Sommaruga, former President, ICRC

grammes involving a variety of activities (see *Definition of Protection*) is strengthened.

People may be rendered doubly vulnerable (or worse) given their membership in certain classes or groups of people. For example, a woman who is elderly, disabled and a member of a minority population may be at high risk on four counts.

A note of caution: since there may be some security implications for the people concerned when we focus attention on a particular group of people, it is important to ensure that full consultation with the group in question takes place.

Albania, 1999
Surrounded by child refugees from Kosovo, Ferida Rushiti (centre), a
Kosovar doctor living in Albania, holds the hand of a boy refugee during a
psycho-social rehabilitation programme in which children receive counselling
and play games to help them cope with their war experience.
©UNICEF HQ99-0209 / R. CHALASANI

B. Preventing Discrimination: A Critical Component of Protection Work for Humanitarian Organizations

The term 'discrimination' refers to any distinction, exclusion, restriction or preference based on race, colour, religion, ethnicity, gender, disability or other characteristic that impairs the recognition, enjoyment or exercise, *on an equal footing,* of rights. It is a fundamental principle of international humanitarian, human rights and refugee law.

The Code of Conduct for the International Red Cross and Red Crescent Movement and non-governmental organizations (NGOs) in Disaster Relief, endorsed by many humanitarian organizations and NGOs, asserts that "[Humanitarian] aid is given regardless of the race, creed or nationality of the recipients and without adverse distinction of any kind," and emphasizes that aid priorities should be calculated on the basis of need.

Humanitarian action may just as well be justified on the basis of the need for protection from specific violations as the need for food, medicine and blankets. Needs assessments can take into account conditions relating to respect for human rights and international humanitarian law, making special note of discriminatory treatment.

Humanitarians have also pledged to undertake activities with respect for the principle of *neutrality,* meaning they will not take sides in hostilities. Nor will humanitarians engage in controversies related to politics, race, religion, ideology, etc., except to point out the humanitarian effects or consequences of these issues (the effect of sanctions, for example).

Adhering to the principles of neutrality and impartiality does not mean that humanitarians must take a passive stance in the face of violations of international law, however. On the contrary, humanitarians are on solid ground in vigorously seeking protection for those people in danger – as long as they pursue protection for victims or potential victims without discrimination. A vigorous approach need not involve public denunciations of violations by those organizations that do not feel comfortable 'going public', although exposure of violations is an important component of an overall protection approach. Each organization can find a methodology consistent with its mandate and mission. And, as this collection demonstrates, action can be taken on multiple levels.

The effectiveness of protection efforts is undoubtedly enhanced when a complementary, collaborative approach is developed that draws on the strengths of each actor. The collaborative approach allows flexibility of roles. For example, one organization may choose to publicly report and denounce violations, while another may choose to pass on information quietly. Some may choose to engage in active advocacy while others work 'behind the scenes' to protect and promote rights, often by maintaining a presence with people at risk.

This collection provides some examples of the wide range of actions that can be taken by a variety of actors.

Ensuring the full participation of those receiving assistance from humanitarian agencies is a critical component of humanitarian action. Has extra care been taken to consult, engage in implementation, and respond to the concerns of participants, especially those groups or persons who may be experiencing discrimination or other human rights or protection

Afghanistan, 1995
IDPS *and Returnees. Department
for Handicapped War Victims,
Kunduz.*
©UNHCR / A. HOLLMAN

problems? Have the strengths of marginalized groups been taken into account and the capacity for self-protection strengthened?

C. Toward a Shared Definition of Protection

The word 'protect' literally means 'to cover or shield from injury or destruction', but has special meaning in humanitarian work.

A Protection Workshop process involving some 50 humanitarian organizations and human rights NGOs was initiated by the International Committee of the Red Cross (ICRC) in 1996 and continued in subsequent years with a view toward examining legal, practical and policy issues relevant to protection work, including achieving a widely acceptable consensus regarding a definition of protection. The objectives also included attempts to develop ethical guidelines for protection work, establish professional standards governing humanitarian action in the field of protection, and promote complementarity among organizations working in protection and to enhance the quality of their dialogue.

The participants defined protection in terms of its purpose (what is protection all about?), and its activities (what type of activity is a protection activity?).

The purpose of protection was defined as follows:

The concept of protection encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e., human rights, humanitarian and refugee law).

Human rights and humanitarian actors shall conduct these activities impartially and not on the basis of race, national or ethnic origin, language, gender, etc.[3]

Protection activity was defined as:

Any activity – consistent with the above-mentioned purpose – aimed at creating an environment conducive to respect for human beings, preventing and/or alleviating the immediate effects of a specific pattern of abuse, and restoring dignified conditions of life through reparation, restitution and rehabilitation.[4]

Protection is thus composed of three types of activities:

- RESPONSIVE ACTION: any activity undertaken in connection with an emerging or established pattern of abuse and aimed at preventing its recurrence, putting a stop to it, and/or alleviating its immediate effects;

- REMEDIAL ACTION: any activity aimed at restoring people's dignity and ensuring adequate living conditions subsequent to a pattern of abuse (through rehabilitation, restitution, compensation and reparation);

3 'Workshop on Protection for Human Rights and Humanitarian Organizations: Doing Something About It and Doing It Well'. Report of the workshop held at the International Committee of the Red Cross, Geneva, 18–20 January 1999, published 1999, p. 21.

4 Ibid., p. 25.

ICRC is an impartial, neutral and independent organization founded in 1863 whose exclusively humanitarian mission is to ensure protection of the lives and dignity of victims of war and internal violence and to provide them with assistance. It directs and coordinates international relief activities conducted by the International Red Cross and Red Crescent Movement in situations of armed conflict. It also endeavours to prevent suffering by promoting and strengthening international humanitarian law and universal humanitarian principles. ICRC's protection activities include visiting persons deprived of their freedom (including prisoners of war), acting on behalf of the civilian population (including internally displaced persons [IDPS]) and restoring family links. The ICRC also monitors violations of humanitarian law and makes usually confidential representations to parties to a conflict in order to ensure compliance with its rules. In situations of armed conflict, the ICRC is available to provide information to humanitarian actors and NGOS on international humanitarian law and to discuss protection concerns.

The ICRC Protection Egg
At the third workshop on protection for human rights and humanitarian organizations held at the ICRC in Geneva in 1999, the protection framework was represented graphically through the so- called 'protection egg'.
©ICRC
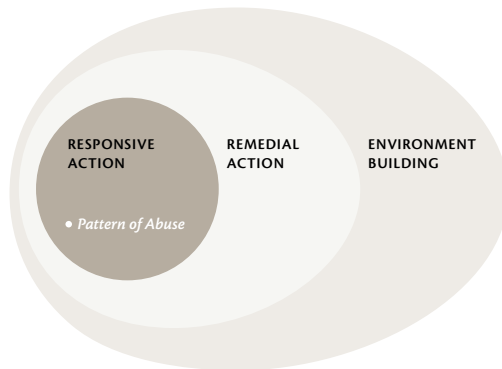
• ENVIRONMENT-BUILDING ACTION: any activity aimed at creating and/or consolidating an environment – political, social, cultural, institutional, economic and legal – conducive to full respect for the rights of the individual.[5]

The protection framework may be represented graphically as follows:

The egg-like shape of the framework reflects the fact that protection activities are not chronological: the three components of a protection operation overlap and do not exclude or *a priori* contradict one another. They are relevant at all times, although their degree of relevance depends on timing, as well as on the nature and gravity of the actual pattern of abuse.[6]

The protection framework provides a holistic approach that helps each organization integrate the three types of activities when devising and evaluating its protection strategy. However, that does not mean that one and the same organization would have to engage in all three types of protection approaches. It increases awareness of the fact that any specific action – or absence thereof – may have a significant impact on the whole situation. It incorporates 'assistance' and 'protection' as specific facets of one and the same action.

The protection of specific individuals or groups who are in danger from those who wish to harm them (accomplished through conscious decision-making based on assessment and ongoing analysis combined with determined action) are important components of the above activities. It is important that emphasis be placed on prevention strategies wherever possible.

Justice and reconciliation activities are also critical issues that may be advanced by the involvement of humanitarian organizations. All action should involve consultation with affected persons.

5 Ibid., p. 25.
6 Ibid., p. 26.

D. Modes of Action in Protection[7]

According to proposals put forward during the ICRC Protection Workshop process, there are four possible modes of action that can be taken to address protection problems and needs, grouped under two headings: *securing compliance* and *providing direct services.*[8]

SECURING COMPLIANCE FROM AUTHORITIES (WHETHER STATE OR NON-STATE ACTORS)

Two modes of action are possible in securing compliance: DENUNCIATION & PERSUASION.

The DENUNCIATION MODE means pressuring the authorities, through public disclosure, to take action to fulfill their obligations and to protect individuals or groups exposed to abuse.

> **FEATURES:**
> • *particularly suitable when violations are deliberate;*
> • *mobilises outside actors;*
> **BUT**
> *may lead to restricted access and/or block direct dialogue.*

7 Adapted from 'The Challenges of Complementarity', Fourth Workshop on Protection for Human Rights and Humanitarian Organizations, 16–18 February 2000, ICRC, Geneva, published in December 2000; pp. 58–60.

8 Specific types of protection activities (examples of responsive action, remedial action, and environment building) are discussed in Chapter 4. *Preserving and Protecting Life, Health and Dignity Through Humanitarian Action.*

The PERSUASION MODE means convincing the authorities through dialogue to take action to fulfill their obligations to protect individuals exposed to and affected by abuse.

> **FEATURES:**
> • *particularly suitable when there is a will to limit or stop violations;*
> • *favours access and direct dialogue;*
> **BUT**
> *may restrict public disclosure of the truth.*

PROVIDING DIRECT SERVICES

Two modes of action in the provision of direct service are possible: SUBSTITUTION & SUPPORT TO STRUCTURES

The SUBSTITUTION MODE (directly providing services or goods to the individuals exposed to and affected by abuse).

> **FEATURES:**
> • *particularly suitable during emergencies and/or when there is a lack of response by the competent authorities or when insuffcient resources are available;*
> • *does not necessarily require dialogue with the perpetrators of violations;*
> **BUT**
> *its impact could be short-lived.*

Afghanistan, 1999
Children benefitting from bread
distribution in the context of an
ICRC pilot project.
©ICRC / S. HORVATH

The support-to-structures mode (empowering existing national and/or local structures through project-oriented cooperation to enable them to carry out their functions).

Most organizations have developed an operational identity that favours certain modes of action over others. It is important to note that all four modes of action can be undertaken simultaneously if a collaborative approach is employed that involves agreements between a variety of NGOS and intergovernmental organizations (IGOS) to take on specific roles or responsibilities.

E. General Activities to Consider in Protection Planning

Protection activities can include three primary types of action: RESPONSIVE ACTION, REMEDIAL ACTION, & ENVIRONMENT-BUILDING.[9]

RESPONSIVE ACTION is defined as any activity undertaken in the context of an emerging or established pattern of abuses, aimed at preventing its recurrence, putting a stop to it, and/or alleviating its immediate effects by:

- Pressuring the authorities concerned, through public disclosure, into taking the required measures to stop and prevent the abuse;
- Convincing the authorities concerned, through dialogue, into taking the required measures to stop and prevent the abuse;
- Providing direct services to the persons exposed to abuse by means of presence (in the affected areas, displaced persons/refugee camps, places of detention, etc.); transfers/evacuations (including relocation of refugees or IDPs farther from conflict zones or borders); registering persons; re-establishing/maintaining family links (tracing missing relatives, organizing family visits, exchanging messages and/or letters); information and communication (i.e., about human rights conditions, conditions for return, information about the

work of various organizations, location of resources, etc.);
- Alleviating immediate suffering by means of appropriate material assistance to affected persons and their families; medical assistance to affected persons and their families; psychosocial care for affected persons and their families; support/technical help to local structures (public and private);
- Contributing to obtaining respect for judicial rights of the individual by providing legal assistance/support to the persons subjected to a judicial process and their families; supporting and protecting institutions (governmental, local NGOS, etc.) working toward respect for rights as well as individuals working as human rights defenders.

REMEDIAL ACTION refers to action taken with a view to restoring dignified living conditions subsequent to a pattern of abuse through activities such as:

- Pressuring the authorities concerned, through public disclosure, into taking the required measures;
- Convincing the authorities concerned, through dialogue, into taking the required measures;
- Providing direct services to the persons affected by abuse by means of: presence (in affected areas, displaced/refugee camps, places of detention, etc.); help in repatriation/resettlement/integration/final arrangements; maintaining family links; (contributing to the) setting up of mechanisms to clarify the fate of missing persons; facilitating information and communication;
- Alleviating the suffering of affected persons by

9 'Workshop on Protection for Human Rights and Humanitarian Organizations: Doing something about it and Doing it well'. Report of the workshop held at the International Committee of the Red Cross, Geneva, 18–20 January 1999, published 1999, pp. 26–7.

Colombia, 1999
In Antioquia, the most violence-plagued department in the country, a girl and a boy from the Colombian Children's Movement for Peace talk about the movement to an armed soldier. In 1998, the Children's Movement for Peace was nominated for the Nobel Peace Prize.
©UNICEF HQ00-0240 / J. HORNER

Afghanistan, 2001
Internally displaced boy in
makeshift camp in Baghlan
Province of Afghanistan.
© B.V. NYLUND

means of appropriate material assistance and rehabilitation to affected persons and their families; medical assistance and rehabilitation services to affected persons and their families; psychosocial assistance to affected persons; support/technical cooperation to local structures (public and private);
- Promoting and/or supporting the due process of law and justice for both perpetrators and victims;
- Proceeding with a 'lessons-learned' exercise aimed at feeding and reinforcing 'environment building' type activities.

ENVIRONMENT BUILDING involves contributing to creating a social, cultural, institutional, and legal environment conducive to respect for the rights of the individual, in accordance with the letter and the spirit of the relevant bodies of law, in particular by:

- Promoting the drafting and adoption of treaties and the development of customary law;
- Promoting the implementation at national level of the relevant international legislation (harmonizing national and international laws, institutionalizing those measures);
- Promoting the administration of a fair system of justice providing for the punishment of and reparation for violations of international human rights and international humanitarian law;
- Creating a public culture consistent with human rights and humanitarian values;
- Promoting knowledge of and adherence to the human rights and humanitarian law instruments and principles among all groups concerned;
- Contributing to the development/establishment of institutions, both governmental and non-governmental, at the national and international level which, by their role and function, can enhance respect for human rights and humanitarian law;
- Creating and consolidating control mechanisms (visiting mechanisms, designation of ombudspersons, etc.).

Environment building does not take place in a vacuum. It is important that the planning of environment-building activities occur at the outset of a crisis or when anticipating a crisis.

Thinking about the human rights aspects of peace agreements, capacity building initiatives and other activities related to environment building should not be delayed until there is a specific peace plan on the table. Similarly, codes of conduct, ground rules and other agreements with parties to a conflict should be developed sooner rather than later in a crisis.

Of course, agreements that may compromise human rights must always be avoided, even in crises. Human rights belong to individuals; it is not the right of any organization or body to negotiate them away. Collaboration with experts in international human rights, humanitarian and refugee law is critical when drawing up such agreements. Finally, the wisdom of making agreements that may be seen as granting legitimacy or recognition to authorities who have clearly demonstrated little interest in respecting international standards should be carefully considered.

HUMANITARIAN ASSISTANCE & PROTECTION: DEVELOPING AN INTEGRATED APPROACH

2

assistance &

protection

A. Leadership & Collaborative Work in Protection

It is possible to 'raise the profile of protection' in the field and to encourage action to anticipate and address the physical protection needs of those of concern to humanitarian agencies through the development of an integrated (multi-agency) and creative approach [See *complementarity mapping*, Chapter 2.D.5. *Evaluation*]. But leadership is a necessary component of effective action.

An organization willing to act as a conveyor of interested parties can act as a catalyst for effective action. Some of the ways headquarters-level and country-level operations have initiated a more integrated approach to humanitarian action and protection are described below.

1. HEADQUARTERS-LEVEL PROTECTION PARTNER-SHIPS

FP1 *ICRC Workshop on Protection (1996–2000)*
In November 1996, the ICRC organized the first workshop on protection in order to initiate a debate on the protection of victims of violations of international law – *international humanitarian, human rights and refugee law.* The workshop brought together organizations from different backgrounds working in the fields of human rights, humanitarian law and relief. The objective was to enable ongoing reflection on issues fundamental to protection activities: what exactly is 'protection' when carried out by human rights and humanitarian organizations? How can the difficulties and hard choices constantly faced by such organizations be overcome? What concepts and terms of reference are shared by humanitarian *and human*

rights organizations? In the past four years, this process has gone some way to answering most of these questions, as evidenced by the definition of protection provided in the introduction to this manual. The most recent workshop, held in 2000, dealt with complementarity between organizations involved in humanitarian work.

FP2 *The Consolidated Humanitarian Appeals Process*
Recent years have seen significant change in the attention to human rights within the United Nations Consolidated Humanitarian Appeals process (CAPS). The Consolidated Appeals Process now treats human rights as a cross-cutting theme relevant to the entire humanitarian agenda for any given country. This represents an important development in the stated goal of the UN Secretary-General to mainstream human rights in all UN programmes and sends an important message to donors and UN staff alike: the promotion and protection of human life lies at the very heart of humanitarian activity. CAPS also include specific human rights project proposals submitted by both UN staff and NGOs. Donors have responded to this development; the level of financial support for the human rights elements of CAPS has increased in recent years.

FP3 *Partnership in Action Process*
Partnership in Action (PARINAC) is a framework intended to enhance partnership between NGOs and the Office of the United Nations High Commissioner of Refugees (UNHCR) and to improve protection and solutions for refugees and others of concern to UNHCR. One PARINAC initiative was the production of

In our experience, we must say that to become a focal point on protection requires [not only preparing] to open a space for protection facilitation activities, but [a willingness to engage in] promotion and advocacy activities and even to be ready to put pressure ("elbows") on the topic of protection.

–Luis Enrique Eguren,
Peace Brigades International

a publication, *Protecting Refugees: A Field Guide for NGOS*. The *Field Guide* was a collaborative effort between UNHCR and a number of humanitarian relief and human rights NGOS. It contains information about the legal basis for refugee protection, provides examples of NGO protection-related activities, and useful checklists for NGOS working to address the recent arrival of refugees, mass arrivals, special protection needs of certain refugee groups such as women, children and adolescents, the elderly, IDPS and others. The *Field Guide* is available on the UNHCR website at: www.unhcr.ch

FP4 *Collaborating with Governments and NGOS in Protection*

UNHCR's 'Reach Out' Initiative: In 1997, UNHCR launched its Reach Out Initiative, a project aimed toward reinvigorating support for the international refugee protection system and for UNHCR's protection mandate in particular. The Initiative was created in response to concern about the nature of conflict in the international environment and the trend toward increasing barriers to the admission of refugees in North America and Europe. The first step of the Initiative involved extensive consultations with key member states of UNHCR's Executive Committee. Later, the Reach Out process evolved to include engagement of humanitarian and human rights NGOS and other non-state actors in dialogue about strengthening collaboration in the protection sphere.

In Kosovo, UNHCR initiated a Reach Out Programme to mobilize inter-governmental organizations such as the Organization for Security and Cooperation in Europe (OSCE) and NGOS to join UNHCR as partners in carrying out protection tasks such as reporting and advocacy of human rights, thus strengthening the coordination of protection activities in Kosovo. An example was the creation by UNHCR and the OSCE of the Ad Hoc Task Force on Minorities, a task force that used joint reporting (called 'periodic assessments') on conditions for minorities in Kosovo. (See Section 4. *Protection Working Groups and Other Collaborative*

Measures.)

UNHCR is especially interested in how collaboration might be strengthened in certain areas, such as:

- Protection of returnees to areas of origin during post-conflict periods;
- Legal and judicial capacity-building affecting the rights of refugees and the stability and security of returnee populations;
- Monitoring of violations of the rights of refugees and returnees;
- Protection and advocacy on behalf of categories of persons with special protection needs;
- Encouraging the promotion of accessions by States to the 1951 Refugee Convention and its 1967 Protocol.

FP5 *Senior Inter-Agency Network on Internal Displacement*

In order to ensure that the UN system responds effectively to the protection and assistance needs of IDPS, the Senior Inter-Agency IDP Network was established. The Network's goals are to reinforce the operational response and coordination arrangements in critical crises of internal displacement by conducting special field missions to assess field operations and recommend follow-up action by UN country teams, agency headquarters, and the wider humanitarian community on the ground. Recommendations may also be made regarding the activities to be undertaken by concerned governments and non-state actors. The Network, which began its work in 2000, hoped to provide support to UN Humanitarian Coordinators/Resident Coordinator and Country Teams in further developing an effective response to protection and assistance needs of IDPS. Members and Standing Invitees of the IASC participate in the country reviews as and when appropriate.

The Senior Network on Internal Displacement's second mission (to Burundi in December 2000) provides an example of how an inter-agency mission that includes protection as a primary focus can provide impetus to strengthen the protection milieu. One of

the main objectives of the mission was to assess the nature and magnitude of the assistance and protection needs of IDPS, to identify gaps, and to review the operational capacity of UN agencies and other humanitarian actors on the ground to respond to such needs. The team made a number of recommendations following the mission, including the identification of a clear focal point within the UN for internal displacement and improved collaboration between the UN system and NGOS through strong support for the assistance and protection work of NGOS. The Network noted that security in Burundi was affected by the fact that some humanitarian agencies may be viewed as partial by non-state actors and that this was compounded by the fact that there was no structured UN humanitarian dialogue with non-state actors. The team recommended that dialogue be opened with these groups and that common ground rules for humanitarian action be developed and promoted with all armed actors. The mission also found that, despite the best efforts of a wide variety of organizations, including a Burundi-based IDP working group, there was not a clear strategy nor consensus amongst actors regarding principles and priorities. Further, there was a lack of detailed information available on the displaced.

One concrete result of the mission to Burundi was the establishment of a Working Group on IDP Protection, chaired by the Burundi Minister of Human Rights. A Protocol establishing a *Permanent Framework for Consultation on the Protection of IDPS* was signed by the UN Humanitarian Coordinator and the Minister in early 2001. The Framework was created to implement one of the main recommendations of the Senior Inter-Agency Network's Burundi mission: the creation of an ad hoc commission on the protection of IDPS. The Framework was formed with representatives of various governmental and UN agencies and NGOS. A Follow-Up Working Group was established, with plans to conduct joint field missions to assess protection concerns.

FP6 *The NGO Reference Group on the Former Yugoslavia*
In the context of refugee protection, an interesting initiative that linked operational and asylum/refugee/advocacy NGOS was the European Council on Refugees and Exiles (ECRE)/International Council of Voluntary Associations (ICVA) reference group on the former Yugoslavia. The reference group brought agencies together to exchange information on protection issues (e.g., the different types of status afforded by different European countries, data on conditions of return for refugees considering return, etc.)

FP7 *Leadership and Collaborative Action Through Shared Policy to Prevent Mass Relocation*
In August 2000, insurgents from neighbouring Uzbekistan infiltrated Kyrgyzstan, leading to armed clashes inside Kyrgyzstan between rebel and government troops. The Kyrgyz government requested help from United Nations agencies to relocate over 25,000 people, including many women and children, from their homes in the conflict area. The UN country team decided that supporting forced location would establish a dangerous precedent for the region. By acting in unison, UN agencies attempted to sway the government to reconsider its proposal and to approach IDP issues in full conformity with the Guiding Principles on Internal Displacement.

Copies of the Guiding Principles were sent to the government in English and Russian and UN concerns with the proposed relocation were raised. In mid-September, the government responded that it had reconsidered its earlier intention to relocate 25,000 people from the border areas and would instead relocate them within a 25 kilometre radius and only outside areas of planned military activity rather than along the entire border. The government also promised that the relocations would be conducted in full accordance with the Guiding Principles. As of early November, reports indicated that only about 1,000 people had been relocated and that the fighting had ended. Male household members had been permitted

to remain with grazing livestock and to harvest their crops (an important food source for the coming winter). No reports of family separation or harsh treatment were received from those who had been temporarily relocated. Some 900 inhabitants from the conflict zone, almost all women and children, would remain in rural town centres with relatives and local hosts for the winter.

The success in this particular case was very much related to the consensus on a common approach in the UN country team. It is doubtful that any one UN agency would have succeeded by acting alone, but a complementary approach and informal contacts, when pulled together, provided a successful way to build supportive action from the government.

2. COUNTRY/FIELD-LEVEL MODELS FOR PARTNER-SHIPS IN PROTECTION

FP8 ***Building Consensus on Human Rights Within the Humanitarian Community in Principle and Practice***
The *Strategic Framework*, an effort unique to Afghanistan, was the result of a joint UN headquarters and field exercise that included detailed workshops in the field with a wide variety of humanitarian actors, both UN and non-governmental. The impetus for the development of the new approach was the sense that 'business as usual' was no longer a viable approach in Afghanistan and that the link between peacemaking, assistance and human rights required significant strengthening.

The *Strategic Framework* was described as "both a tool and a process …defining the principles, general policies and institutional arrangements …while simultaneously providing a conceptual tool to identify, analyze and prioritize key issues and objectives." Importantly, the *Strategic Framework* provided leadership, space and opportunity in bringing the humanitarian community together to focus specifically on the human rights dimension of its work.

The advancement of human rights was one of five core objectives of the Strategic Framework, thus repre-senting one of the central strategic aims of the aid effort in Afghanistan. The five objectives have been reaffirmed each year since the inception of the Strategic Framework in 1998. A human rights advisor was designated to assist the aid community in strengthening its capacity to address the human rights dimension of humanitarian work.

A *Thematic Group on the Protection and Advancement of Human Rights* composed of NGO, donor and UN stakeholders functioned as part of the Strategic Framework to pursue a common human rights strategy. A smaller subgroup made up of a cross-section of humanitarian organizations included colleagues involved in child and women's rights, NGO and UN, Afghans and non-Afghans, women and men is called the *Consultative Group on Human Rights.*

A Human Rights Training Package was developed in consultation with the Consultative Group in response to strong interest from the humanitarian community working in Afghanistan. Gaps in human rights training and (importantly) the practical aspects involved in implementing human rights goals were identified through extensive dialogue with policy makers and practitioners. The majority of aid agencies stressed not only the importance of exposing staff to general human rights information but also expressed strong interest in exploring the moral and legal sources of human rights within the Afghanistan context and their practical relevance to humanitarian aid work in Afghanistan. Relevant resources and specific expertise available within the humanitarian community were identified. The second phase of the human rights capacity-building programme included translation of the modules and background material into Dari and Pashtu and assisting Afghan NGOs to conduct the training programme in the local languages. The third phase of the plan was to develop tools for applying human rights concepts to practice (to be developed with aid staff). For more information about Afghanistan programmes and human rights, see the Assistance Afghanistan webpage: http://www.pcpafg.org. This website reflects developments follow-

Afghanistan, 1996
Afghanistan, Kabul: agricultural
tools made from weapons of war.
©ICRC 194-7 / Z. AHAD

ing the 11 September 2001 terrorist attacks in the United States and the subsequent conflict and crisis in Afghanistan.

Through the process of consultation, it was recognized that a principal challenge faced by those interested in strengthening respect for human rights in Afghanistan is the need to underline the universality of human rights norms while understanding the cultural and political complexities that affect the potential implementation of international standards.

The Strategic Framework sought to implement policy and ensure attention to human rights issues through *Principled Common Programming* (see FP10).

FP9 ***Supporting Human Rights, Community Decision Making and Action Through Inter-Agency Programmes*** Principled Common Programming and the Poverty Eradication and Community Empowerment (P.E.A.C.E.) Initiative: The Principled Common Programming approach emerged from the Ashkabad Conference in January 1997. The goal of Principled Common Programming is to ensure that agencies identify and address needs in close consultation with Afghan constituencies in a clear and ethical (principled) manner.

FP10 ***An Example of Principled Common Programming Relevant to the Promotion and Protection of Rights*** The P.E.A.C.E initiative is an example of Principled Common Programming in Practice. The P.E.A.C.E. Initiative focused on the poorest and most marginalized community members: women, children, people with disabilities and the displaced. The Initiative included three implementing agencies: the UN Office of Project Services, the UN Centre for Human Settlements/Habitat Rebuilding, and the Food and Agricultural Organization. It consisted of five projects:

1. Strengthening the Self-Help Capacities of Rural Communities
2. Food Security Through Sustainable Crop Production

3. Rebuilding Communities in Urban Areas
4. Comprehensive Disabled Veteran's Programme
5. Livestock Development for Food Security

The overall objective of the Initiative was to strengthen grassroots cohesion and participation in decision-making; encourage good governance through giving a voice to the poor and marginalized; promote financial sustainability of community-owned projects; ensure education and communications (to enable informed decision-making and life skills). For specific examples of how P.E.A.C.E. projects intersect with the protection of human rights see FP118, Capacity-Building for Self-Protection ['Recognizing the link between mobilization of soldiers and food security'].

FP11 ***Engaging Humanitarian Actors as Partners with Human Rights Organizations Can Help Ensure Credible Reporting, Better Coverage and More Effective Advocacy*** Credible human rights reporting may provide the documentation needed to ensure effective advocacy and create movement toward enforcement of legal accountability in local and international courts and tribunals. Yet, the number of trained human rights monitors on the scene in Sierra Leone (as in most conflict and post-conflict areas) dwarfs in comparison to the number of humanitarian aid workers and peacekeepers. At the initiative of the Human Rights Section of the United Nations Observer Mission in Sierra Leone, a very wide range of these organizations came together as the *Sierra Leone Human Rights Committee* in an effort to improve human rights monitoring, ensure that information was better used and disseminated, and address other issues as needed. The Committee met on a bi-weekly basis and developed several working groups and ad-hoc task forces. Training on monitoring and reporting principles and techniques was offered to all staff of those organizations represented on the Committee. The coming together in the Human Rights Committee of so many groups, many of which were not 'human rights organi-

International assistance providers must ensure that all those who participate in its programmes are protected from the arbitrary use of force.

– Principled Common Programming, Afghanistan "Principles and Operating Guidelines"

30

zations' per se, greatly improved the level of human rights advocacy in Sierra Leone during the critical years of 1999 and 2000 and certainly contributed to the levels of international attention to the situation. Human Rights Watch stated in its 1999 World Report that the United Nations Mission in Sierra Leone (UNAMSIL) had led "a significant effort to bring about the unity and solidarity of purpose among the government and non-governmental Sierra Leonean human rights community" and that this had been formalized by the creation of the Human Rights Committee, "which brought local human rights groups, international NGOS, the governmental National Commission for Democracy and Human Rights and UN agencies together for information-sharing and advocacy."

Donor Leadership: Funding Initiatives That Link Human Rights to Aid Programmes
In an interesting donor initiative, the British Embassy in Sudan shown specific interest in funding human rights projects and especially those that link human rights to aid programmes:

- In 2000, the Embassy sponsored a series of training programmes through the Sudanese NGO Child Rights Watch to train police officers in Khartoum on the Convention on the Rights of the Child (CRC).
- Through the International Rescue Committee (IRC), the Embassy supported a project in Wau (a government-controlled town in southern Sudan) to provide training on the issues of gender, the CRC and HIV/AIDS from a human rights perspective. The target audience included members of the Government of Sudan Humanitarian Assistance Commission (HAC), army intelligence officers, security personnel, police, staff from the Ministry of Justice, and NGOS and UN staff. As of early 2001, the training on HIV/AIDS and human rights had already been initiated.
- Through Child Rights Watch, the Embassy planned to support development of a human rights unit in

the police academy (Khartoum) in 2001.
- The British Council worked with the Embassy to support development of training on constitutional drafting for Sudanese lawyers.

Other embassies have also been very active on human rights issues in Sudan. (See Chapter 6. *Remedial Activities and Action to Ensure Accountability*, C. *Reconciliation Projects and Programmes*, for information about an extraordinary project on music as a form of reconciliation sponsored by the Royal Netherlands Embassy.) Other projects include:

- The creation of the first English language daily independent newspaper in Khartoum, *The Khartoum Monitor*, supported by the Royal Netherlands Embassy and the Embassy of Germany – a major accomplishment;
- A project sponsored by the German Embassy to print all Sudanese laws with the idea of disseminating legal principles and making it available to lawyers who experienced difficulty accessing the law;
- Support of a training series on international human rights law (with the same target group as the example in Wau, above);
- Support of a theatre play called *The Ultimate Choice* presented by a southern Sudanese drama society from Juba. The play portrayed the effect of war on southern Sudanese society. The group's members were all residents of Juba and gave ten performances in Khartoum. The play was widely attended by diplomats and government officials;
- Support of women's empowerment programmes.

Sudanese human rights observers have noted, however, that the willingness of international diplomats to speak out about violations is equally as important as the generous support they provide to human rights and humanitarian organizations.

Mozambique, 2001

Adriano Matsinhe (left), the founder of the NGO Kindlimuka in the capital Maputo, uses HIV/AIDS awareness and prevention posters and a flipchart during a training session for peer educators. In addition to activities to promote HIV/AIDS awareness and prevention, Kindlimuka, as an association made up of people living with HIV/AIDS, provides counselling and home-based care for those with HIV/AIDS.

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FP13 *Guidelines for Evacuation of Children from War Zones Can Prevent Harm Caused to Children by Separation from Families and Poor Planning*

During the war in Bosnia and Herzegovina, and later during the genocide in Rwanda and subsequent refugee crisis, UNICEF and UNHCR joined with the ICRC and the International Federation of Red Cross and Red Crescent Societies to issue joint statements emphasizing key principles and providing practical guidelines relating to the evacuation of children from war zones. The statements stressed the need to preserve family unity whenever possible and emphasized that if separation was unavoidable, careful records of all evacuated children separated from their families should be kept to assist later in reunification.

The guidelines noted that the trauma experienced by children upon separation from family is often greater than the trauma of remaining with the family in an area affected by hostilities. The guidelines strongly urged that priority be given to providing adequate protection and assistance to enable families to meet the needs of their children in place, but also stressed that every effort be made to abide by the parents' wishes. It was emphasized that children should be afforded the opportunity to have their opinion heard and considered.

The guidelines emphasized that when evacuation of children did proceed, special emphasis should be placed on keeping siblings together, maintaining communications links with the family of origin, and ensuring that the child's knowledge of his or her culture, language and religion is preserved. As a practical matter, proper procedures require that personal and family particulars, with photos, should be recorded in a personal profile and history file. Copies of the file should be given to the family, the child (to travel with him or her), the national authorities, the agency to whom the child is entrusted, and to a neutral monitoring agency such as the Central Tracing Agency of the ICRC.

3. GLOBAL INFORMATION-SHARING ARRANGEMENTS

FP14 *An Example of Focused Global Information Sharing That Promotes Protection*

The Global IDP Database Project. An interactive (participatory) global database on internal displacement serves as a useful tool in planning programmes to protect and assist the displaced. A project of the IASC (implemented by the Norwegian Refugee Council – NRC), the Global IDP Database, part of the *Global IDP Project*, is now widely used. The database uses a country profile and presents information based on the Guiding Principles on Internal Displacement. (See Bibliography for description of the Guiding Principles and how to obtain them). The information is organized in categories common to all countries, and includes data on the number of displaced persons, who and where they are, and from where they originated. One category, *Protection Concerns*, covers the right to life, rights related to physical security, freedom of movement, etc. Other categories provide information on protection indicators such as 'Access to Education', 'Issues of Self-Reliance and Public Participation', and 'Issues of Family Unity, Identity and Culture'. Maps, electronic links to sources of information and to organizations, and a search mechanism are provided.

A section on best practices enables the sharing of information about what seems to be working where. The database provides an important tool for the development of complementary approaches in that it enables organizations to learn about what others are doing. In Myanmar, reports were published by ethnic minorities on the database even in the early phase of the project. In Peru, where returnee associations had their own web sites, the associations linked in to the database.

Over time, the database has helped create a network of organizations interested in the protection of IDPs. The Global database is only one part of the Global IDP Project, which has continued to expand with the focus of streamlining information practices through the

promotion and dissemination of common standards for definitions and needs of IDPS, common standards for data collection in IDP studies, and further standardization of methodology for charting the IDP situation worldwide.

4. PROTECTION WORKING GROUPS AND OTHER COLLABORATIVE MEASURES

FP15 *Creating Multi-Organizational Commissions or 'Complementary Tables' to Monitor Agreements Between Government Institutions and Populations in Danger*
The *Mixed Commission of Verification for the Cacarica River IDP* (*Urabá*) in Colombia is a unique example of what is referred to as a 'coordination space' with protection of IDPS as the central focus. The Commission was created in 1998 because of strong advocacy by the Colombian NGO Justice and Peace and representatives of IDPS from the Cacarica River (Urabá) area. The mandate of the Commission was to closely follow and verify the fulfilment of agreements between the Cacarica IDPS and the Government in order to ensure the possibility of return for the IDPS. The Commission continued its work over a period of years and became a crucial tool for the integration of protection activities relating to IDPS. The primary focus of the Commission was human rights in relation to land issues, humanitarian aid, health, and education and infrastructures. The Commission met in Bogotá but made visits to the field. Participants included IDP representatives, government and state officials, UNHCR, diplomats from various embassies, and national and international NGOS. At times, the non-governmental components of the Commission met independently to define joint approaches to work in the field and work relating to the Commission. Such complementary meetings added flexibility and working capacity to the Commission. Although the outcome of the Commission's work did not fully meet expectations of some participants, the Commission and the support gained by the IDPS from external sources provided a great deal of hope for improvement within the IDP population.

The Complementary Table for the Magdalena Medio Region was initiated by international organizations (including Peace Brigades International) with the aim of developing advocacy and protection activities (among other objectives). The *Complementary Table* was developed in 1999, drawing upon the experience of similar groups: the Urabá and Atrato Tables ('spaces' where national and international NGOS and church representatives could meet about problems faced by IDPS), the Mixed Commission of Verification, and DIAL (*Dialogo Inter Agencial en Colombia*). DIAL is a five-agency group working toward improved coordination of response to IDP needs in Colombia. The *Complementary Table* was created in a conscious attempt to overcome some of the difficulties experienced by the other groups. Given the existing social fabric (civil society) in the Magdalena Medio region, emphasis was placed on supporting their work. The members of the Table were only internationals given the complex situation in the region, but the focus was on developing joint strategies with national organizations. Meetings were held in Bogotá and in the Magdalena Medio; joint field missions and joint advocacy efforts aimed toward the Government and security forces were undertaken.

FP16 *Ad Hoc Task Force on Minorities*
In Kosovo, working on the basis of UN Security Council resolution 1244, the UN Mission to Kosovo (UNMIK) was charged with the protection of minorities. The Deputy Special Representative for the Secretary General (called the 'Humanitarian Affairs Pillar') chaired the UN Mission to Kosovo *Ad Hoc Task Force on Minorities*, which met on a weekly basis to coordinate the provision of security, protection and assistance in a strategic and mutually reinforcing manner. UNHCR was an important participant (UNHCR's mandate in Kosovo included IDPS). An associated effort involved joint reporting by UNHCR and the

FP17 *Creating a Special Task Force Can Encourage Rapid Assessment and Response*

In Afghanistan, an large inter-agency task force pulled together to work during a period of forced displacement from Shomali in 1999. After a time, the group realized it would be more effective as a smaller, more closely knit unit that could meet regularly. Emergency Task Force teams were then set up in additional areas (i.e., Islamabad, Kabul and in the Panjshir Valley) so that information could be relayed back and forth. One of the initial decisions the Task Force made was a difficult one. A group of people displaced during a military offensive was stopped in a place with inadequate conditions for any length of stay. The Task Force passed along the message to the *de facto* authorities that food assistance beyond immediate needs would *not* be provided to the IDPs because the site was difficult to access and not viable for the survival of the IDPs over time. Eventually, the IDPs were allowed to move to another site. The Task Force met every day while the situation remained at the crisis point and continued to meet every two weeks, holding open the option of meeting more frequently when events on the ground required it. The Task Force liaised with the ICRC, which played the primary role in responding to displacement in Afghanistan and in raising violations of international humanitarian law with the military and civil authorities. Although the Task Force was initially created in response to displacement, its members came to realize that it needed to focus on others affected by conflict, drought and other threats to safety and well-being.

A key success of the Task Force was that the aid community came together and collectively decided on a joint strategy, which provided greater leverage vis à vis the authorities. Further, the Task Force was useful in that it helped produce an overall as well as localized strategy(ies). A similar joint policy was pursued during a later period when Afghan refugees were unable to cross over into Pakistan, and the authorities were pressuring aid agencies to create yet another IDP camp. (See Chapter 5. C., *Practices to Protect Displaced People*, 2. *Protection During Flight and Displacement* for more details on this incident and response.)

Later, the IDP task force evolved into the Emergency Task Force incorporating issues arising from conflict and drought. The Emergency Task Force operated from various locations, contributing to a consultative, strategic decision-making mechanism.

FP18 *The Inclusion of Protection or Rights Specialists in NGO Operations/Humanitarian Experts in Human Rights Organizations*

A number of humanitarian organizations, including Medecins sans Frontieres (Doctors Without Borders) (MSF), the International Rescue Committee, Save the Children International, CARE and others have hired specialists or created special units or postings to promote rights and encourage the development of programmes in the field that incorporate protection as part of assistance programmes.

FP19 *Inclusion of Human Rights as a Regular Agenda Item in Country Representative Meetings Can Bring Humanitarian and Human Rights Organizations Together Around the Same Table and Encourage Participation of Humanitarian Actors in Other Human Rights Activities*

The country directors of international NGOs in Sierra Leone included a human rights agenda item in every one of their weekly meetings. The international NGOs were also active members of the Sierra Leone Human Rights Committee (described in a previous example). Human rights discussion at these meetings included as standard practice representatives of human rights NGOs and the human rights section of UNAMSIL. The discussions had a clear impact on humanitarian practice and greatly assisted the partnership between the humanitarian and human rights communities.

Because of the historic dichotomy between economic, social and cultural rights on the one hand, and civil and political rights on the other hand, there has been a traditional divide between human rights NGOS (which tended to focus more on civil and political rights) and the rest of us (who were mostly focusing on delivery of services, i.e., economic and social rights).

– Relief worker, Sudan

Human rights work is not just about violations; human rights have suffered from inattention to economic, social and cultural rights.

– UN Human Rights Advisor, Afghanistan

Kosovo, 1999
A long line of Kosovar refugees who have just arrived by bus from the border town of Blace, walk towards a new encampment near the town of Brazda, a UN and NATO assisted camp further inside Macedonia. Having arrived by train or on foot between 31 March and 7 April, thousands of refugees spent more than a week in Blace without access to international assistance, helped only by local NGOs.
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FP20 ***Legal Aid Centres and Inter-Agency Collaboration***
The Norwegian Refugee Council, a humanitarian
NGO, established a network of civil rights projects pro-
viding free legal aid/information on issues related to
refugees, IDPS, returnees and minority groups in
Kosovo. Each centre ran additional mobile teams
offering legal information in the surrounding district.
The centres were staffed with local lawyers and legal
assistants.

B. Negotiating Access to Persons Under Threat & Ensuring the Right to Humanitarian Assistance

Persistence is the key. On access to the Nuba mountains, the issue didn't get dropped. The need for access was made in every meeting, and was made the last point every time.

– UN staff, southern Sudan

As noted in the March 2001 *Report of the UN Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict*, safe and unhindered access to vulnerable civilian populations is granted only sporadically and is often subject to conditions, delayed or simply denied. Entire communities and sometimes whole regions are therefore deprived of even basic assistance and protection, with devastating consequences. In situations such as Sierra Leone, where many people suffered terrible atrocities out of sight of witnesses, or in Somalia, where people were deliberately starved to death, access was the unmet prerequisite for any action to protect civilians. Given the slow process of political action and peace processes, humanitarian organizations are forced to negotiate access under very difficult conditions with a whole host of actors from government ministries to soldiers in the field to armed non-state actors without any agenda other than to terrorize and rob the population. The complexity of the situation on the ground calls for flexible approaches, common standards or ground rules, complementary negotiation strategies and the availability of skilled negotiators. It is now generally agreed that engagement with the parties on the ground is necessary, but this raises difficult ethical issues when those parties are deliberately inflicting starvation or other violations upon the civilian population, or when even finding the right contacts is difficult. The fact that so many humanitarian actors independently negotiate access also creates difficulties because the various parties manipulate any divisiveness to their advantage.

The Secretary-General called for several measures to be taken to address access to populations in danger:

- The IASC was asked to develop a manual for access negotiations and strategies, including benchmarks for the engagement and disengagement of aid agencies, demands of conditionality, clearance procedures, needs assessments, and other principles.
- The Emergency Relief Coordinator was asked to work with the IASC to develop models for better coordination of access negotiations on the ground.
- The Security Council was urged to actively engage the parties to conflicts in a dialogue aimed at sustaining safe access for humanitarian operations, and to demonstrate its willingness to act where such access is denied.
- The Security Council was encouraged to conduct more frequent fact-finding missions to conflict areas to identify specific requirements for humanitarian assistance and to obtain safe and meaningful access to vulnerable populations.

FP21 *Reaching Populations in Danger Through Sheer Determination*

The Afghanistan Mule Caravan: In the dead of winter in January 2000, an extraordinary event occurred that went unnoticed by most of the world. A massive effort was launched to reach and provide desperately needed food aid to an isolated minority community in the Samangan Province of northern Afghanistan.

The Darra Souf district in the Province had been

the scene of heavy fighting in 1999 and many of its inhabitants had lost everything. They fled to the mountains for protection in temporary shelters at high elevations. With the coming of winter many people came down to lower elevations, but they were still living in a highly inaccessible area. With fighting going on much of the year, the United Nations programme for Afghanistan had been unable to reach them. Even after the fighting abated, however, access was difficult because those who had been displaced lived in an opposition area and the de facto authorities on the other side of the front line would not allow humanitarian workers to cross.

Following discussions with both sides by the UN, an agreement was reached by the parties to the conflict that they would allow the passage of certain supplies. This was a major breakthrough – as the UN staff member who negotiated the terms put it, "This principle of the right to humanitarian assistance for IDPS is now firmly established." But agreement on safe passage was only the first hurdle to cross. By then, winter had set in. Sub-zero temperatures were daunting and roads through the mountain passes were impassable for vehicles because of deep snow – and they were also mined. A solution came from a local truck driver, who suggested using donkeys (provided during the Afghan resistance to Soviet occupation years ago by the United States) to negotiate the mountain passes. Donkeys could not only carry a great deal of supplies but could also avoid mines laid on the sides of the road.

About 1,500 donkeys (contributed by villages along the road) made several treks over the snow-covered mountain to transport some 6,000 donkey loads of assistance. The donkey drivers were paid the equivalent of $1US for each trip. Villagers worked day and night for one month to move the aid across the snow-covered passes, risking exposure to sub-zero temperatures and packs of wolves. Michael Semple, UN official in charge of assistance to the area, attributed the success of the operation primarily to the efforts of Afghan civilians in the area and a national NGO (the

Cooperation Centre for Afghanistan). Semple noted, "Despite conflict, many Afghans in the area proved ready to cooperate to help fellow Afghans. The will to war is not universal." When the donkeys passed in the long caravans, the soldiers even waved their guns and cheered. The situation in Afghanistan in the fall of 2001 brought world-wide attention to the critical issue of access to civilians on humanitarian grounds.

FP22 *Promoting the Principle of Humanitarian Access and Advocating for a Concerted and Coordinated Approach*

The Committee on Food Aid in Sierra Leone held extensive discussions about how to overcome access constraints, and developed a definition of a common strategy regarding negotiations relating to access. The Committee, chaired by the World Food Programme (WFP), includes NGOS, a government counterpart, the UN Office for the Coordination of Humanitarian Affairs (OCHA), donors and the ICRC. At both the Country Office and New York level, WFP made repeated efforts to ensure that the issue of humanitarian access was discussed as a priority by the UN Special Representative to the Secretary-General. More concretely, prior to assessing food needs, joint security and logistics missions were carried out by WFP with OCHA in rebel-controlled areas to increase compliance with the basic commitments on humanitarian access made in the Lomé Peace Accord and reaffirmed by the leaders of the main factions in Freetown. WFP staff used the 'Code of Conduct for Humanitarian Assistance in Sierra Leone' as a tool for promoting the principle of humanitarian access. The Code of Conduct noted that the neutrality of humanitarian actors should be "in accordance with international law" – a formula intended to ensure that neutrality was not interpreted in a manner inconsistent with international human rights standards. (See Chapter 3.D.1. *Promotion of Ground Rules and Codes of Conduct Based on International Legal Standards and Humanitarian Principles*).

You have to be clear about why a group is not receiving assistance – and who is blocking it.

– UN staff, southern Sudan

FP23 *Private Contractors Can Sometimes Venture Where UN Vehicles Cannot, Enabling Improvement of Delivery Access to People in Need*

In Somalia, wfp developed a plan in the late 1990s to address the problem of banditry. wfp devised a system (which the ngo care also adopted) whereby transporters to whom contracts were given posted a bank guarantee (referred to as a 'performance bond' usually by means of a letter from their bank) guaranteeing that in the event of failure to deliver they would reimburse wfp the value of any food lost. In effect, this meant they were required to post the value of the entire contract. This resulted in a *de facto* zero loss en route, although the transport rates were high. Food was delivered by transporters to pre-designated partners – an ngo, village/community elders or in some cases, wfp field staff. The performance bond was not released or the transport service paid until the food reached the distribution point. Ensuring that the implementing partner distributed food to the 'targeted beneficiaries' was a more difficult problem, but progress was made through tightened monitoring where possible as well as the judicious use of 'sanctions' for poor performance, etc.

FP24 *National Immunization Days and 'Days of Tranquillity' Can Be Key to Accessing Hard-to-Reach Populations and Can Bring Humanitarian, Political and Military Actors Around the Same Table*

National Immunization Days, also called 'Days of Tranquillity' (a cease-fire negotiated between both sides in a conflict to permit the vaccination of children) and 'Peace Corridors' are arranged by unicef, the World Health Organization (who) and Rotary International in many countries today, but in Sierra Leone, National Immunization Days negotiated by the who and unicef Missions became a concrete example of a method to 'expand humanitarian space'– a way to gain access to a previously inaccessible population – and represented a small step in moving the peace process forward. Shuttling between clandestine audiences with the different rebel commanders,

unicef and who staff worked to get across the message to rebel commanders that immunization could prevent disability and death from polio. In the end, commanders not only allowed teams of UN-backed government health workers to immunize children in areas previously closed to humanitarian and human rights workers, but mended roads previously impassable to allow teams to get through, and in one case rounded up forty bicycles to allow the teams to reach areas unreachable by car.

In the year 2000, the National Immunization Day in Sierra Leone resulted in the rebels themselves requesting the humanitarian community to work with them to bring basic health services to populations isolated by the conflict. It was hoped that the programme would open the door for humanitarians to introduce new programmes to reach those previously cut off from assistance.

In early 2001, more than 1,000 health workers and volunteers carried out the first round of Sub-National Immunization Days in the rebel-controlled areas of northern and northeastern Sierra Leone. This was the *first time in 10 years* that children in that region received polio vaccine – insecurity due to the ongoing conflict had prevented access. The Rotary Foundation supported the campaign, and as of 2001 had contributed more than $1.3 million toward polio eradication in Sierra Leone.

In Sudan, National Immunization Days (Days of Tranquillity) conducted in 1999 and 2000 provided the first opportunities in a decade to reach the population living in the Nuba mountains. Some of the areas visited had never been accessed for any reason by humanitarian agencies before.

In Afghanistan, National Immunization Days/Days of Tranquillity provided the opportunity to achieve a temporary cease-fire for polio vaccination, permitting access to many children in a previous 'no-go' zone. Although the access for vaccinations was only temporary, participants believed that link during immunization days to other projects could extend presence in these areas and open up new programme

possibilities.

UNICEF and WHO also negotiated annual 'days of tranquillity' for nation-wide immunization campaigns in Sri Lanka between 1996 and 2001 (and planned to continue the programme). These efforts require complex negotiations involving all the key agencies and with all parties to the conflict, but have succeeded in maintaining high levels of coverage for vaccine-preventable diseases in Sri Lanka, despite the long conflict and shifting conflict zones.

The World Health Organization (WHO) works to strengthen the capacity of governments and health workers in general to integrate human rights principles in the design, implementation, monitoring and evaluation of public health programmes and policies. WHO is strengthening its work in this field by developing tools, guidelines, and training modules aimed primarily at enabling health workers to achieve the greatest possible synergy between public health and human rights.

Vaccination campaigns save millions of lives but the campaign can be life-threatening for the thousands of volunteers who take part in a country where both terrain and political difference or perceptions can kill. Nine health workers died in the 1999 polio campaign in Ethiopian Somali; four from land mine explosions, three from gunshot wounds, and three in road accidents.

C. Conscious Presence:

The Strategic Implementation of Programmes to Promote Protection & Prevent Violations

I am 100% sure that presence has made a difference.

– Relief worker, Afghanistan

I believe that 80% of the time I am invited to go places with people just for the sake of my presence with them.
– Civil Affairs Officer, Afghanistan

As noted in the quote to the left, presence alone will not provide protection. Conscious presence is required: presence that has the specific aim of preventing or reducing violations and that seeks to exploit what may be very narrow windows of opportunity.

It should not be forgotten that just as humanitarian organizations engage in 'strategic planning', so do those who are participants in armed conflict or campaigns of violence. It is important to determine what the goals of the parties are and how this will affect presence and protection activities in general.

Humanitarians are unarmed and are morally committed to respect for international law – those engaging in abuses, on the other hand, do not place restraints on their behaviour. For this reason, presence will not always prevent violations. Those perpetrating violations are often conscious that humanitarians are witnesses and may limit access for this reason. They may deliberately attack humanitarian aid workers in order to force the withdrawal of aid operations or may otherwise manipulate the situation (by demanding presence in one area while denying access to another, for example).

The presence of international witnesses who fail to act may be taken as a sign of acceptance of violations and may further embolden perpetrators, thereby further increasing risk. It is critically important that would-be perpetrators are aware that some action will be taken when they violate the law.

Irrespective of the above caveats, people in danger confirm that presence is an essential protection tool and may have other benefits, such as preventing flight due to panic and maintaining a sense of hope. Its effectiveness as a protection strategy will vary according to time, place and circumstance, so it is important to consider the specific situation at hand and plan accordingly.

Peace Brigades International (PBI), which has extensive experience in the use of presence through the protection strategy of accompaniment (physical presence with endangered persons) notes that given the limited resources available to many organizations, it is important to focus the work very carefully – how can the most be gained from field presence? According to one PBI expert, the only way is to select the major nodes of the social fabric of the community, and concentrate protective efforts on them. These nodes are usually individuals (natural leaders, elders, etc.), bodies (internal or tribal councils, for example), or organizations (NGOs providing support to those in danger). If an attacker hits these nodes, the protection of the whole community is thrown into question. But if these social structures are able to go ahead with their integrative work, probably the whole community will move ahead, even if they suffer attacks or repression. This is a strategic and operative choice (of course, all lives, whether of leaders or ordinary citizens, are equally valuable). Obviously, it is not always easy to implement this in daily work. For example, PBI provided round-the-clock presence in the Peace Community of San José de Apartadó in Urabá, Colombia. It was impossible to protect the 2,000 inhabitants – most of them IDPS – in the community or to protect the entire perimeter. In an agreement with the Peace Community, it was established that PBI would provide international presence with a focus on

members of the Internal Council of the community and the Missionary Team accompanying them.

FP25 *The Presence of Outsiders Provides a Measure of Protection for Individuals or Communities Threatened with Displacement in Colombia*

In the Colombian 'violencia', individuals or entire communities often received direct threats that they will be killed or removed from an area. Those receiving warnings face life-or-death decisions about whether to comply with the threats and join the legions of displaced, or remain to risk beatings, torture or murder. Often these decisions were made with little succour from civil authorities, who lacked the capability or will to provide protection.

Colombian and international organizations, primarily NGOs, and in particular PBI, partially filled this protection gap by providing volunteers to reside with threatened individuals or within at-risk communities in a number of areas in Colombia. The presence of volunteers on a 24-hour a day basis ('accompaniment') deterred attacks by armed forces who fear outside witnesses. Although volunteers, especially those from international organizations, have occasionally been criticized for lacking in-depth knowledge of local culture or political situations, presence was frequently used as a protection tool in the Colombian conflict and has been widely acclaimed as successful.

FP26 *The Presence of Unarmed Official Monitors Can Help to Prevent or Mitigate Abuses Under the Proper Leadership*

In the fall of 1998, the Serbian leadership, under rising threat of NATO intervention, agreed to allow the deployment of unarmed 'verifiers' into Kosovo under the mandate of the Organization for Security and Cooperation in Europe (called the KVM - Kosovo Verification Mission). Although not humanitarians, there was a nexus between the work of the verifiers and humanitarians – part of their job was to ensure access for humanitarian aid. It was also understood that part of the mission was to provide protection of civilians

through presence. John Fawcett, a veteran humanitarian aid worker in war zones, notes that while sceptical of the effectiveness of unarmed or even lightly armed monitors in protecting civilians when armed groups are determined to harm them is limited, one unit in Kosovo that was particularly effective. The Prizren KVM personnel had a clear mission defined by their commander: to be as aggressive as possible in protecting people. In one example of how this mission was carried out, KVM personnel were instructed that at the first sign of an outbreak of violence, they were to immediately proceed toward the threatening Serb military installations and into the village under threat itself. Their presence was intended to head off any escalation of violence. This action stood in direct contrast to the reaction of other KVM units, which withdrew to barracks at the first sign of trouble. Fawcett points out that the action of the Prizren unit was risky, based upon analysis and calculated risk and was effective at the time. KVM also created a 'drop-in centre' for UN and NGO humanitarian agencies in order to share information and to keep their finger on the pulse of what was happening in the field.[1]

FP27 *Established Field Presence and Widespread Contacts with Contending Groups Provides Protection*

The ICRC programme in Colombia illustrates how protection activities must sometimes be built on the foundation of a major field presence, and on a major investment in ongoing dialogue with contending parties. The ICRC established some 16 offices and sub-delegations across Colombia, by far the largest international presence in the nation. Its regular contacts include civilian authorities, local and international NGOs, the high command of the Colombian military, every military brigade or division of the Colombian army, battalions of the anti-guerilla units of the army, the major self-defense and private secu-

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1 John Fawcett conducted a study of the KVM in 1998 under the auspices of the International Rescue Committee and the International Crisis Group.

A communiqué dated 24 May 1999 from human rights activist in Belgrade who courageously visited the Kosovo province several times since the bombing started reads:
"After mass expulsions of Albanians from surrounding villages, the targets have now shifted to doctors, professors, lawyers, political activists and Albanians who worked for the OSCE [Organization for Security and Cooperation in Europe] or rented their houses to OSCE personnel. They are questioned by police and then expelled to Albania (from Kosovo) by force… Some of the expelled sent signals they were safe… others disappeared leaving no trace behind… Everybody fears paramilitary groups, unmarked cars, police questioning, possible expulsion, and, as of late, hunger… They do not know what to do. If they go, this will mean leaving behind their homes, property, and the town they love. If they stay, all they can expect is humiliation. If only there were some international organization in the area, they say, they would feel more secure and this would give them strength to persevere and stay there."

In most or all the cases we have been engaged in, international presence is a factor that enters into the political calculations of costs by the attackers.

– Luis Enrique Eguren,
Peace Brigades International

Peace Brigade International's presence has made protective mechanisms more effective, and has also contributed to a recognition of State responsibility for security and protection… In the midst of barbarity their presence has enabled us, the citizens and inhabitants of this country, to continue accompanying the displaced communities, those in the process of return, and the peace communities …has prevented the numbers of assassinated, disappeared, tortured and newly displaced person from multiplying even more than they have already done… It has meant protection for us, but more importantly the chance for the communities to rebuild all that was destroyed.

– Danilo Rueda,
Inter-Congregational Justice and
Peace Commission, Colombia

rity groups, most of the one hundred or so 'fronts' of rebel forces, the directors of more than 150 prisons, the 'Defensoria del pueblo' (Ombudsman for Human Rights), numerous 'cabildos' or native population municipalities, all autonomous branches of the Colombian Red Cross and the different actors within the Catholic Church. In urban areas, ICRC contacts were expanded to numerous militias and youth gangs. Overall, extensive ongoing representations to this array of contacts, underpinned by a large field presence, served as the basis for protection activities.

FP28 *Relocating Humanitarian Operations/Increasing Presence Can Increase Stability for Programme Participants in Isolated Areas*
OXFAM moved its operations base from the Rumbek area of southern Sudan to another region once a number of other NGOs began to operate out of Rumbek. "OXFAM moved to the western part of the area because there was a need – the presence of any agency gives the sense of stability in a location. Whenever NGOs move out, the population feels really threatened," an OXFAM representative explained. The biggest challenge in being 'the only kid on the block', OXFAM says, is to ensure the security of local staff, who may become more exposed. OXFAM recalled that when one of the local staff was arrested OXFAM took action, which later became included in staff training about what to do in these situations. It was agreed that certain steps should be taken: someone must go talk to the local authorities, and if release is not possible, should suggest the person be permitted to stay in the compound on house arrest rather than in the detention facility. In more isolated areas such as Rumbeck, however, staff security was more difficult, particularly for medically trained staff, who were of particular interest to the military, which forcefully recruited them. NGO compounds were being violated and staff who tried to protect them beaten.

FP29 *'On the Spot' Interventions (Presence During an Incident) Can Mitigate and Sometimes Prevent Violations:*

· When forced relocations of IDPs took place in Khartoum, foreign embassy representatives sometimes arrived at the scene to try to discourage the relocation through presence and public statements.
· Immediately following the signing of the Dayton Peace Accords, Serb residents of some Sarajevo suburbs were pressured and threatened by their own authorities to leave Sarajevo. Tactics included setting fire to apartment buildings to force residents out. Unfortunately, but understandably, many Serbs who would otherwise have stayed were so afraid that they departed. UNHCR, realizing there were some residents who wanted to stay on regardless of the threat, set up a small 'safe house' in one block of apartments so that at least some people, many of them elderly, could remain. A Serb woman donated her apartment for the effort. The safe house was staffed round the clock for a short period. The safe house was not touched because of the presence of international UNHCR staff. After a short period of negotiations, NATO troops agreed to provide some security outside the building.

FP30 *Unity and Presence in Setting up Programmes to Reach Minorities Under Threat*
With the exception of only one international NGO, all international agencies and NGOs interviewed by this field study's mission to Kosovo had initiated programmes in enclaves inhabited by minorities. Escorted by the Kosovo Force (NATO peacekeepers) or UN Civilian Police, humanitarian agencies and NGOs conducted regular visits to minority areas to monitor humanitarian needs, including protection from harassment and violence.

Azerbaidjan, 1996
*Distribution of family packages
and vegetable seeds at Vaghuas.*
©ICRC 23-34 / B. HEGER

We need people with integrity
and courage who are not afraid
to be honest.

– Experienced relief worker,
Afghanistan

FP31 *Purposefully Locating Programmes Where There Is Ethnic Discrimination or a Population in Acute Danger*
OXFAM's biggest programme in Afghanistan was based in the Central Highlands area, the scene of numerous, ethnically motivated violations. The terrain is very difficult. Humanitarian assistance projects were often disrupted or stopped because of fighting in the area, meaning people's access to food and medical care were cut off. OXFAM, as a part of its focus on social justice, often makes a point of placing operations where others are not working or where a particular group is under threat. A number of Afghan NGOs also operated in the Central Highlands and maintained a more continuous presence than OXFAM or other expatriate agencies, but as is often the case with national NGOs, were much more exposed to risk of harm.

FP32 *Setting Up Alternative Distribution Mechanisms Can Enhance Access and Accessibility to Specific Populations at Risk or Prevent Violations*

• International agencies and NGOs identified alternative distribution mechanisms to enhance access for minorities in Kosovo not able to enjoy full freedom of movement during the post-conflict period because of insecurity. Orthodox churches in or near Serbian enclaves, for example, were often designated distribution centres.
• In Burundi, people who had to travel far to reach food distribution sites often faced 'taxation' of their food aid, or looting from armed groups or people not eligible for food assistance. The WFP tried to limit the exposure of people to these threats by establishing distribution points as close to communities of displaced persons as security and road conditions permitted, and by placing distribution points away from 'rival' populations. Smaller rations (7-day rations rather than 15-day rations) were used so that IDP sites were less attractive to looting by rebel or military forces. On occasion, WFP provided a token quantity of food to rival populations who, while vulnerable, were not assessed as

a top priority for food assistance in order to limit the looting of food designated for a higher risk population.
• During the war in Bosnia and Herzegovina, UNHCR did not have a sufficient number of staff to effectively monitor all distributions. In some communities, they placed placards on the walls of the distribution centres that provided information about the date and amount of food to be delivered, the criteria for distribution (including entitlement), and the name of the official responsible for distribution. This went a long way toward preventing diversion by local authorities and decreasing suspicion of diversion.

FP33 *Expatriates Can Discourage Abuses by Living Amongst People Under Threat*
In the Bosnian town of Banja Luka, some international UNHCR staff chose to rent apartments in the homes of families who were being targeted for expulsion because of their ethnicity. As long as the expatriates remained in the household, expulsions were prevented. While only a limited number of families could be protected in this way, this did assist some families in holding on to their property throughout the war, meaning that extended family members and others had a place to go when they were expelled from their houses. A caveat is that in some situations, such as in Kosovo, persons who hosted international staff were the first to be targeted by hostile forces following the evacuation of international staff.

FP34 *Programmes Can Promote Human Rights and Reach Marginalized Groups Through Community-Based Youth Centres and Other Services*
The International Rescue Committee (IRC) supported a large psychosocial response programme for the children and youth of Kosovo, establishing youth centres in Gnjilane/Gjilan, Prizren, and Pec/Peja. Sports and recreation, computer and language training, art and music, human rights and tolerance building, and apprenticeship programmes for adolescents who had

dropped out of school were offered. The centres also provided a venue for the development of clubs, associations, and peer support groups. Importantly, the IRC conducted extensive outreach to minority communities with little or no access to social services through the youth centres. The programme addresses the post-conflict needs of adolescents by offering psychosocial support training for teachers and other youth service professionals.

FP35 *Increasing Presence and Working Closely with Community Committees Can Ensure Access to 'Forgotten' or 'Invisible' Vulnerable Groups*
When Burundi's Bujumbura Rural was a Phase IV (highly insecure) environment, humanitarian assistance was constantly blocked because of the insecurity. Missions were regularly cancelled at the last minute as front lines shifted. Access problems made it nearly impossible to maintain normal programme activities, such as validation of recipient lists through random samples or the establishment of food committees. The WFP recognized that groups with special protection needs (the elderly, child-headed households, unaccompanied minors, the sick, etc.) were not receiving sufficient food. People with special needs were often forgotten or deliberately excluded by authorities responsible for distribution lists, were not physically strong enough to travel to register, fell victim to theft of their food entitlement by the person designated to pick it up, or faced other problems. Despite the risk involved, WFP staff decided to increase field presence in order to establish closer links with communities and create food committees to ensure that those in need not only appeared on distribution lists but also received and managed to hold onto the food. Committees became very active in a number of sites in Bujumbura Rural, resulting in improved access to food for special populations at risk and decreased corrupt behaviour by local authorities during list preparation.

FP36 *Posting Protection Staff in Adjacent 'Friendly Territories' Can Help Ensure Access During Crises*
There were very few opportunities for international presence in Eastern Bosnia and Herzegovina during the years 1992–1994, especially during periods of active 'ethnic cleansing' – those committing the abuses did not want witnesses. It was extremely difficult to get into the area from what was considered hostile territory. In order to gather a picture of the abuses occurring during this period, UNHCR deployed mobile protection staff from the area from the Federal Republic of Yugoslavia (FRY). This was considered less threatening to the authorities, who perceived the FRY as 'friendly territory'. The continued provision of material assistance by UNHCR also contributed to the acceptance of the visits and in some cases the ongoing presence of protection staff in the area.

FP37 *Continued Presence When All Around Is Descending Into Chaos Offers Moral Support to Civilians and Helps Allay Fears of Total Abandonment*
During the rebel advance on Freetown in May of 2000, almost all humanitarian actors were evacuated to Guinea, but the Heads of Mission for WHO, UNICEF and WFP stayed behind. They assessed their ongoing presence on an hour by hour basis, moving first from their office and homes to the more protected area of Cap Sierra Hotel and then to a boat offshore in order to avoid suspending programmes serving desperate civilians. Their continued presence, local people and politicians said later, also offered the populace a small but important signal of reassurance that amid all the disaster they were not being deserted.

Georgia
BORIS HEGER, *1997*
Providing protection for the civilian population, ICRC delegate B.
Weber is the only regular visitor for these two elderly women in
Georgia.
©ICRC

D. Programme Process: Assessment, Planning & Evaluation

Discussions related to 'planning protection programmes' might most often be heard in the offices of those humanitarian organizations with specific protection mandates, but thinking and planning about the protection of participants in assistance programmes from physical violence and the ill effects of unrealized human rights is just as important an issue for all humanitarian organizations as planning how many metric tons of food will be needed in the coming season or in planning a vaccination campaign.

In any given 'protection crisis', specific groups and particular individuals within those groups are targeted by those perpetrating abuses. 'Targets' may shift during a particular crisis, meaning that vigilance is required in order to anticipate and prepare for attacks on new targets. There may be a hierarchy of targets, with different sets and subsets of people in danger. Thus, a range of protection strategies must be considered and then tailored to meet different protection needs. Assessment and analysis are crucial to effectively meeting protection challenges. An understanding of what is happening and why is necessary if effective protection approaches are to be developed.

Assessment and analysis must take into account a number of different factors. Humanitarian organizations may need to coordinate with human rights groups and others to undertake the following assessment activities:

- Determining the types and patterns of abuses (when, where, and how);
- Determining who is at highest risk (groups and individuals);
- Determining the source of threat to civilians (and to humanitarian aid workers) and the *modus operandi* /goals of the perpetrators of abuses;
- The dynamic nature of the situation (how are conditions likely to change?);
- The reaction of perpetrators of violence against civilians to interventions;
- The level of risk to humanitarian staff, both local and expatriate;
- The collection of information about the strategies those under threat are engaging in or propose;
- Identification of potential 'protection allies';
- Decision-making about issues related to access to services and protection assistance (including, whenever possible, periods when the offices of humanitarian organizations are closed);
- Determining the number and skills of women available to assist in protection programmes;
- Clarifying what field personnel should do when they observe human rights violations;
- Clarifying the relevant law for all actors;
- Identifying measures that might be taken to address issues related to justice and ending impunity.

Effective action to enhance the protection of people at risk cannot occur if there is not specific attention paid to protection needs/risk evaluation both during humanitarian assessment missions and on an ongoing basis afterward. The assessment of risk involves an understanding of the dynamic nature of events (how risk increases or decreases over time and under certain

conditions). For an example of an assessment methodology that identifies protection needs along with other assistance needs see "Senior Inter-Agency Network on Internal Displacement, (Chapter 2.A. *Leadership and Collaborative Work in Protection*).

Despite the emphasis on capacity-building for national and local institutions in program proposals, international organizations do not always realize the goal of tapping the potential of civil society (including NGOs, civic and religious institutions, etc.) in promoting and protecting rights or in supporting locally-initiated protection efforts. (See Chapter 3.B. *Capacity Building* and 3.F. *Supporting Community-Initiated Protection Strategies* for field practice examples). Members of civil society may have ideas about how to access endangered persons or may have influence over those who control access. Again, analysis is important to determine who within a particular society may be in a unique position to liaise with those in control on behalf of affected persons or to gain *entreé* into a particular area. Such persons may also enable the establishment of safe contact with populations or persons at risk during the early stages of an operation.

If international actors were to achieve a greater level of integration with the work of local organizations (in a joint and mutual process of learning) the effectiveness of external aid – and specifically protection – would be enhanced. From a political and ethical point of view, local societies and individuals are after all the protagonists of their own lives and conflicts, and they are the only ones who can solve their society's problems. While external help may be needed, too often conflicts have in fact been generated by the societies of the expatriates sent to help. Expatriates should not forget this or that they are themselves the 'local population' of another country.[2]

The culture of silence has got to stop.

– One humanitarian relief worker's view on human rights and the humanitarian community

Humanitarian staff should be given information about relevant and key aspects of human rights conventions, international humanitarian law, and the Guiding Principles on Internal Displacement and their role in reporting or responding to violations should be communicated in precise terms.

– Sphere Project Minimum Humanitarian Standards in Disaster Response

2 This paragraph was drafted by Luis Enrique Eguren, MD, author and experienced Peace Brigades International volunteer.

1. ASSESSMENT & ANALYSIS

FP38 *Use of a 'Protection Matrix' as an At-a-Glance Tool Can Help in the Formulation and Evaluation of Protection Programmes*
UNHCR Sri Lanka, using the Guiding Principles on Internal Displacement, developed a matrix that provides in brief format critical information about specific protection problems and responses. General topics appear as headings on each page ('Protection from Displacement', 'Protection during Displacement', and 'Return, Resettlement and Reintegration'). The section on Protection during Displacement has sub-headings entitled 'Enhancing Protection of Physical Security and Freedom of Movement', 'Preserving Family and Community', 'Protecting Economic, Social and Cultural Rights', and 'Protecting Civil and Political Rights'. Each page has columns with the following headings:

- Brief Statement of the Protection Problem
- Guiding Principle (relevant principle from the Guiding Principles on Internal Displacement);
- Description of the situation (in brief)
- UNHCR intervention (presented as brief points);
- Legal framework (relevant law);
- Impact (of UNHCR intervention);
- Further action required (tasks identified are presented briefly); and
- Critical assumptions/comments.

An example of the use of the matrix for preventing displacement appears in Chapter 5.C. *Practices to Protect Displaced People.*

FP39 *Assessing the Needs of Older People During Crises*
New guidelines published by HelpAge International aim to assist agencies working with older people in humanitarian crises. The guidelines note that older people, especially older women, are significantly vulnerable during crises, and that discrimination and unnecessary hardship can result from a failure to focus

Zaire (Now the Democratic Republic of Congo, DRC), 1997
The late afternoon sun filters through the trees amidst which stand the tents
of Rwandan refugees who have temporarily settled there, between the city of
Kisangani and the town of Ubundu.
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specifically on addressing their needs (see Appendix 1 for how to obtain a guide).

2. EARLY WARNING & CONTINGENCY PLANNING

FP40 *Mobile Communications at Low(er) Cost Could Help Make Humanitarian Action More Effective*
The UNHCR office in Kassala, Sudan, made extensive use of mobile phones during a refugee influx from Eritrea. Mobile phone communication networks provide an alternative method of communicating during crises that may be superior to other communications given the poor quality or expense of other systems (i.e., satellite phones). Whereas expensive radio handset communication systems (typically used by humanitarian organizations in the field) serve only the humanitarian community, mobile telephone systems can be utilized by local businesses and NGOs that remain behind when internationals leave. As mobile phone communications are not secure, however, their use to transmit information about violations can be risky, and potential users should be informed of the risk.

FP41 *Displacement 'Early Warning Systems' Can Alert IDP Communities and Assist with Contingency Planning*
With support from UNICEF, European Community Humanitarian Office (ECHO) and other international organizations, a Colombian research institute developed an early warning analytical tool to measure situations with a high risk of displacement. Using community-level 'sentinel sites', the *Consultoria para los Derechos Humanos y el Desplazamiento* (the Human Rights and Displacement Consultancy, or CODHES) gathered indicators that suggest increased likelihood of displacement within a given geographic area. The data was shared with community leaders, officials and organizations working with the displaced in order to generate prevention measures or to spur contingency planning activities. The rapid data gathering system was also used in areas of reception

immediately after the arrival of displaced families so that emergency relief efforts can be appropriately planned and targeted. The CODHES early warning system proved useful in establishing baselines to measure the effect of programme interventions intended to benefit IDPS.

FP42 *Creating Contingency Plans by Decentralizing and Preparing for Use of Alternative Routes May Permit Ongoing Access During Disruptions of Assistance Caused by Outbreaks of Violence*
In Sierra Leone, security deteriorated throughout 2000 along the main route connecting Freetown with the interior, and the threat of a coup or violence within the capital increased. Many IDPS fled toward the southern province as it was considered less risky. It was expected that operations could continue there even if the rest of the country again became inaccessible. In light of this (and in view of past experience when field offices were cut off from Freetown and left with no food supplies for several weeks) WFP activated a contingency plan creating alternative routes to access the southern region from Freetown and neighbouring countries (in case Freetown became inaccessible). Key bridges and roads along routes from Freetown to the south were repaired in preparation, and a WFP sub-office was opened in the southern port of Nitti. Repairs of the port facilities were made to permit access to the south by sea either from Freetown, Conakry or Monrovia. The initiatives taken by a major UN agency benefited the entire humanitarian community and increased the ability to reach people in other parts of the country as well.

3. ONGOING ASSESSMENT (MONITORING AND REPORTING)

One or more organizations present in a crisis situation may have a specific international mandate to monitor and report (although not necessarily publicly) violations of international humanitarian, human rights and refugee law.

The systematic monitoring of violations reveals important patterns and trends, and is useful for a number of purposes:

• anticipating conditions based on analysis of these patterns and trends and developing prevention/contingency plans;
• producing credible and reliable reports for purposes of discussing the alleged violations with the authorities of the area in which they are occurring;
• producing credible and reliable reports for public advocacy campaigns.

FP43 *Early Field Monitoring of Human Rights: Collaborative Work Between Human Rights and Humanitarian Organizations.*

Credible human rights reporting may provide the documentation needed to create movement toward enforcement of legal accountability in local and international courts and tribunals, yet the number of trained human rights monitors on the scene in Sierra Leone – as in most conflict and post-conflict areas – was dwarfed in comparison to the number of humanitarian aid workers and peacekeepers. Human Rights Watch (HRW), an independent international human rights organization, cognisant of the poor reporting on Sierra Leone's civil war, established a full-time 'early warning' field presence in Freetown (as of April 1999) so it could quickly relay credible reports in order to stimulate international attention and action on human rights abuses while they were occurring. The HRW monitor in Sierra Leone spread her reach by integrating a wide array of humanitarian and local human rights groups into the reporting system. Training in monitoring principles and techniques was offered to local human rights and humanitarian NGOS.

In 1997, 27 groups formed a coalition called the *National Forum for Human Rights*, but according to HRW, it was difficult for national members of the Coalition to report publicly on violations given fear of retribution. None of them, for example, publicly denounced the peace accord's general amnesty. Unfortunately, these groups lacked proper funding and institutional support. At the same time, they provided critical social work services for victims and general education programmes for the public on human rights. Importantly, they also established a legal clinic that focussed on violations of economic and social rights unrelated to the war.

The United Nations Observer Mission in Sierra Leone (UNOMSIL) offered human rights training to human rights groups, humanitarian workers, government officials and military units: government, rebels and international peacekeepers. In this way, human rights actors were able to collect relevant information throughout much of the country as well as provide information to armed forces and authorities about their obligations.

4.INCLUSION OF PEOPLE AT RISK IN PROTECTION PLANNING

FP44 *Planning Food Distributions in Contested Areas with Local Traditional Leaders in Order to Address Risks to Physical Security and Prevent Displacement*

In Sierra Leone, to improve safe access to vulnerable populations residing in those zones not controlled by any identified faction, a collaborative arrangement was reached between communities, local traditional leaders (Paramount Chiefs), nutritional NGOS and WFP following extensive discussion about the risks and benefits of food distribution. The nutritional situation was such (it was the middle of the hungry season) that the communities were in favour of distribution despite their concerns that food might attract rebel attacks. Given these concerns, WFP has been taking a cautious approach to food distributions, including postponing or cancelling distributions when rebel activity was detected nearby. Members of the community asserted that they would develop their own means of protection (mainly by hiding the food in the bush or keeping it with relatives in a safe village on the main axis). It was agreed that registration/ screening and food distribution would take place on the main road axis, ensuring that the various sites were at a walking distance from the villages and also that the distribution would not create a permanent displacement of populations. Although the aid agencies were unable to affect the security of beneficiaries after the distribution, post-distribution monitoring visits revealed there had been few incidents reported, and the majority of people receiving food claimed to have retained it. Consultation with the communities at all stages of the operation was a crucial element of the success of the distribution plan.

The Office of the High Commissioner for Human Rights (OHCHR) has opened field offices in many countries. Some of these offices are charged, among many other duties, with monitoring human rights conditions and making regular reports back to the High Commissioner for Human Rights, governments, and treaty bodies. OHCHR can provide humanitarian actors with information and training materials on human rights, including the various aspects of the UN human rights protection and promotion machinery. OHCHR field presence may also be in a position, depending on their precise mandates in a particular country, to deliver training and otherwise help build up the human rights promotion capacity of the local humanitarian community.
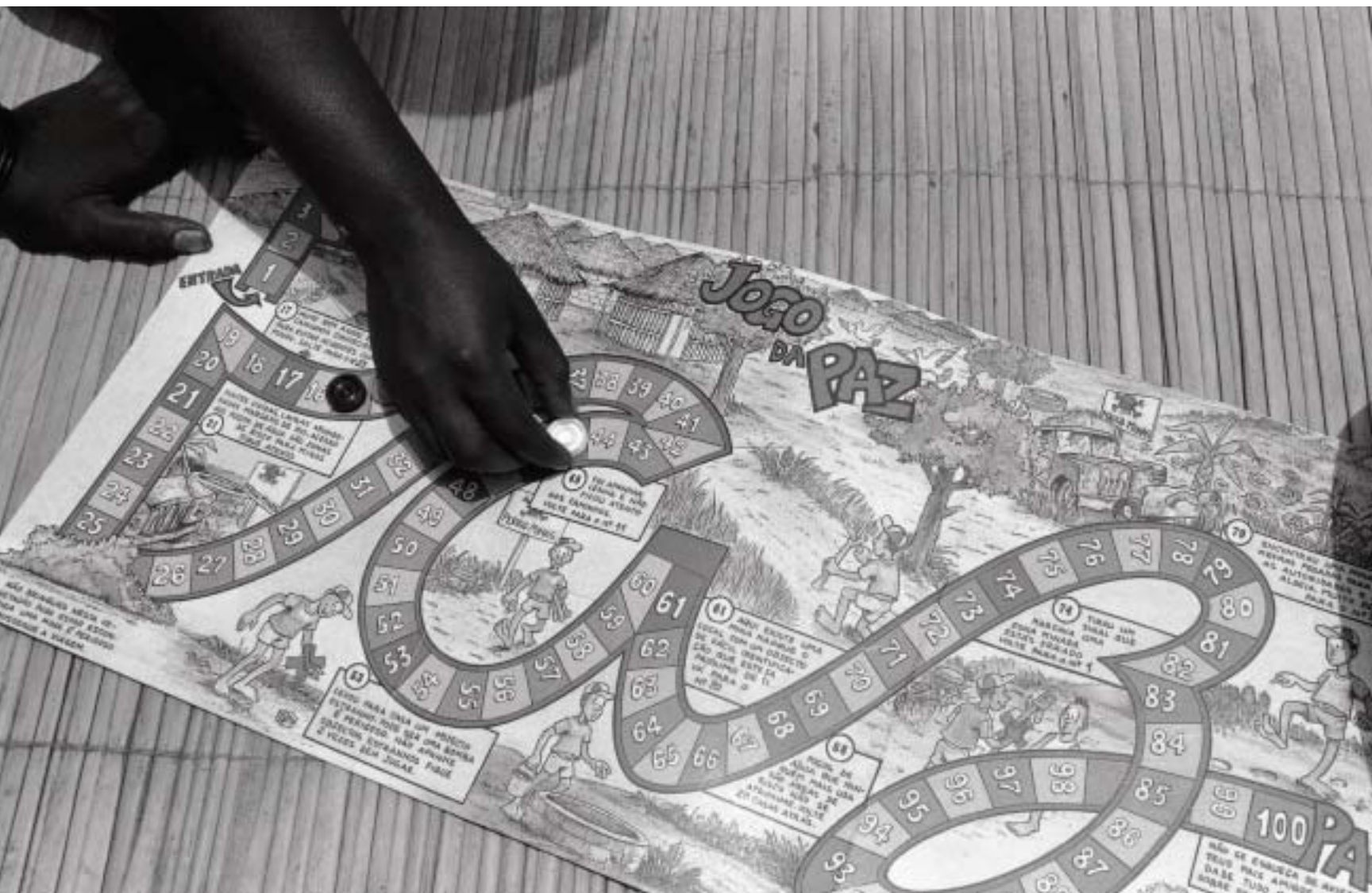
Angola, 1998
A child's hand places a game token on the board of a landmine awareness 'Peace Game' during
a landmine awareness session for children in a camp for persons displaced by the war, outside
Luanda, the capital. The game, which teaches children how to avoid landmines and what to do
if they encounter a mine, is printed and distributed by UNICEF as part of the country's landmine
accident prevention campaign.
©UNICEF HQ98-1148 / G. PIROZZI

FP45 *Soliciting the Opinion of Participants in Specific Projects Can Be Critical to Its Success*
Several international organizations working with the displaced in Sri Lanka worked collaboratively to conduct detailed surveys of IDP perspectives. Save the Children Fund and OXFAM, for example, completed three in-depth surveys of IDP views, and included the perspectives of displaced children. The ICRC completed a dwelling-by-dwelling visit of each IDP family participating in its programmes. These agencies report that insights gained from the studies greatly enhanced their understanding of the displaced community, thereby benefiting programme design.

5. EVALUATION

FP46 *The 'Strategic Monitoring Unit' in Afghanistan*
The Strategic Monitoring Unit (SMU) initiated in 2000 by the UN Afghanistan Country Team in partnership with NGOS, donors and UN agency partners, helped the assistance community measure overall progress against the strategic objectives of the Strategic Framework for Afghanistan (see in this chapter, A. *Leadership & Collaborative Work in Protection*). The SMU planned to document, through baseline and stock-taking exercises, how principles are being applied on the ground.

FP47 *Developing an Integrated, Multi-Agency Approach (Creating a Protection Alliance)*
Complementarity mapping is a conceptual model that may be used as a tool to identify activities and clarify the terms of strategic complementarity (defined as the identification of the added value provided by each specific player).[3] Planning protection activities can be conducted on an individual organizational basis, but joint or *complementary* planning between organizations present in the field can produce a synergistic effect where the strengths of each are magnified through

3 'The Challenges of Complementarity', Fourth Workshop on Protection for Human Rights and Humanitarian Organizations, 16–18 February 2000, ICRC, Geneva, published in December 2000.

mutual purpose – not unlike a chemical reaction.

The concept of complementarity mapping follows three steps, which correspond to three questions:

· What activities are relevant to the protection effort for this target group?
· What mode of action best applies to each specific activity?
· What is the responsible authority's attitude toward the abuse (in terms of willingness to address it and the capacity to do so)?

Once these three questions have been addressed, the areas of added value provided by each specific player appear with more clarity – and thus can facilitate a shared strategic approach, based on each agency's capacity and modus operandi, rather than on a strict mandate-based logic. Responsible self-analysis and knowledge of the other players are required.

FP48 *Technical Training of Government Authorities May Be Required to Improve Performance on Behalf of IDPS*
The Bogota office of the United Nations High Commissioner for Refugees (UNHCR) assisted in the provision of basic, practical, technical training for Colombian government officials in managing internal displacement. Recognizing that even well-intentioned government agencies have little preparation for managing large-scale displacement, staff members from the UNHCR emergency office in Geneva were dispatched to conduct training in basic emergency procedures. Among the topics covered in this training were the logistics of displacement, management of return, and planning for water and sanitation needs.

BROADER INITIATIVES & APPROACHES TO STRENGTHEN THE PROTECTION ENVIRONMENT

3

strengthening the protection

environment

Introduction

As previously noted, environment-building activities focus on creating a political, social, cultural, institutional, economic and legal environment conducive to respect for the rights of the individual.

Initiatives to strengthen the protection environment can begin early on in a crisis and would ideally form part of a strategy to prevent or mitigate violations that might be expected to occur based upon analysis of patterns of violations. Too often, such activities are delayed until the crisis is full-blown or even until there is a specific peace plan. Preliminary planning to build capacity and strengthen civil society can begin long before a peace agreement is signed.

Similarly, codes of conduct, ground rules and other agreements with parties to a conflict should be developed sooner rather than later in a crisis. Agreements of Memoranda of Understanding (MOUS) that may further compromise human rights must be avoided, even under the pressure of crisis. Collaboration with experts in international humanitarian, human rights and refugee law is critical when drawing up such agreements. Agreements that grant legitimacy or recognition to authorities who have clearly demonstrated little interest in respecting international standards should be carefully thought out.

A. Dissemination of International Humanitarian, Human Rights & Refugee Law

FP49 *Understanding a Culture Is a Key to Understanding Where and When to Intervene to Protect Human Rights*
Operation Lifeline Sudan's (OLS) Communications office, run by UNICEF, offered training on Sudanese culture for anyone working in the OLS consortium of organizations. The orientation training was often held back-to-back with training conducted by the Humanitarian Principles Programme (human rights and humanitarian principles workshops) and Security training. The training helped people understand who was most at risk and why.

FP50 *Increasing Interest in International Humanitarian Law Through Awareness-Raising Campaigns*
The effective ICRC slogan 'Even Wars Have Limits', created for the ICRC's People on War Project, appears on calendars and other materials that present humanitarian law concepts in culturally familiar and interesting ways.

FP51 *Comparative Studies of the Law and Religious Precepts Can Be Useful Tools for Supporting or Complementing International Law*
The Faculty of Law and Women's Study Centre at the University of Peshawar, Pakistan, supported by Rädda Barnen and UNICEF Pakistan, produced a book entitled *The United Nations Convention on the Rights of the Child, Islamic Law and Pakistan Legislation: A Comparative Study.* The book firsts lists the articles of the UN Convention on the Rights of the Child (CRC) and then uses an easy-to-read format (three columns on a page) to present relevant text from the CRC, Pakistani Law, and Koranic Verses/Hadith. The final part of the book examines other related issues and identifies gaps.

FP52 *Religious Scholars Can Be Effective Advocates*
In 1997, UNHCR engaged a Sudanese religious scholar as a consultant in Afghanistan to help communicate and negotiate with the *de facto* authorities. The negotiations led to an declaration signed by the authorities that included an amnesty for returnees; a commitment to accord full respect for "the human rights and fundamental freedoms of returnees;" an agreement not to conscript returnees for a period of one year following return; a promise to assist returnees in regaining property and allow them access to land for resettlement and agricultural use; and full access for UNHCR and "other international organizations as appropriate" to returnees.

FP53 *Drawing Examples from Religious Faiths to Support the Rights of Vulnerable Groups*
A document entitled *Child Care in Islam*, based on the Koran and Hadith, was written by a working group of prominent religious leaders from Al Azhar, Egypt, in 1985. *Child Care in Islam* identifies many tenets of Islam that are relevant to the CRC. It has been translated into many local languages in a number of different countries and is a widely sought after document. UNICEF sponsored the publication.

I am sceptical that an 'army' of humanitarians trained in human rights can do the job [of protection]. They must have values – they must be able to relate to those they are trying to help. These values can only grow through living with those who are suffering.

– relief worker, Afghanistan

FP54 *Using Historical Examples of Peace and Security to Create a Link to Contemporary International Humanitarian Law*

The ICRC Egypt delegation produced a beautifully illustrated book entitled *Peace and Security* that includes photographs of paintings, archaeological finds and manuscripts that represent humane treatment of foreign nationals or the enemies of a State or sovereign. The book skillfully interweaves bits of information about international humanitarian law with historical examples.

The book notes that:

"Examining these texts demonstrates that centuries went into developing the ideals that dictate respect for human beings and that became the object of accords between the Parties to a conflict at the end of wars. It is only in modern times that the fundamental principles imposing respect for human beings during armed conflicts were finally codified and acquired a universal bearing… From Antiquity to the Middle Ages, belligerents showed no mercy and their declared goal was to destroy the enemy. Victory did not mark the end of the enemy's sufferings, but perhaps their beginning. Prisoners were killed or mutilated and, in the best of cases, reduced to slavery. To draw information from them, they were sometimes subjected to the most abominable forms of torture. The women and children were also taken as pawns by the enemy and, with material goods, they were part of the booty on a par. As to looting, it was the rule rather than the exception. In this sombre picture, some sparks of hope glimmered at different epochs and their traces were preserved on the stelae, reliefs, tablets, manuscripts and the documents of the different Civilizations which succeeded each other in the Middle East. These testimonies which history has provided can be considered the foundations underlying the edifice of International Humanitarian Law as it exists today. They comprise treaties and accords concluded by sovereigns, edicts guaranteeing salvation [the sparing of life] and protection, decrees protecting the refugees and the minorities, pacts and truces."

FP55 *Discussing Human Rights on Religious Radio*

Inside Afghanistan, there have been discussions about human rights with mullahs (Islamic religious clergy) on Radio Shariat with international guests.

FP56 *Using Contemporary Culture to Communicate Concepts. Dissemination by Circus*

Circus Ethiopia, a non-profit organization registered in Ethiopia since 1993, represented a unique and very special initiative in that all the performers (some 200) were street children or children from very poor families, aged between six and 20. The Circus has run five project sites (in Addis Ababa, Jimma, Mekele, Nazareth and Jari), each featuring a circus school and a performing troupe. Through interactive entertainment, the Circus communicated information about problems facing many youngsters in post-civil war Ethiopia: poverty, parental violence, life on the street, HIV/AIDS, landmines, tuberculosis, etc. The aim was to promote communication between parents and children, as well as among the country's various ethnic groups, and to provide information about the role of the Ethiopian Red Cross and the ICRC. Given Ethiopia's linguistic and cultural diversity, combined with a sizeable illiteracy rate, the Circus proved an ideal medium of communication. It won the support of organizations such as UNICEF and the ICRC, who saw it as an innovative and effective way of spreading the message about respect for human dignity and for international law.

As part of its long-standing cooperation with the Ethiopian Red Cross Society (ERCS), the ICRC provided support for the Circus. In 1997, the ICRC supported a joint ERCS-Circus dissemination programme in Harar (eastern Ethiopia), organised by the local chapter of the ERCS that attracted 18,000 spectators. That same year, a half-day session on humanitarian law organised for some 500 officers and soldiers in the barracks of the 1st Corps of the Ethiopian Defence Forces was combined with a special Circus show in the afternoon. The Circus promoted the principles of the Red Cross and its work across
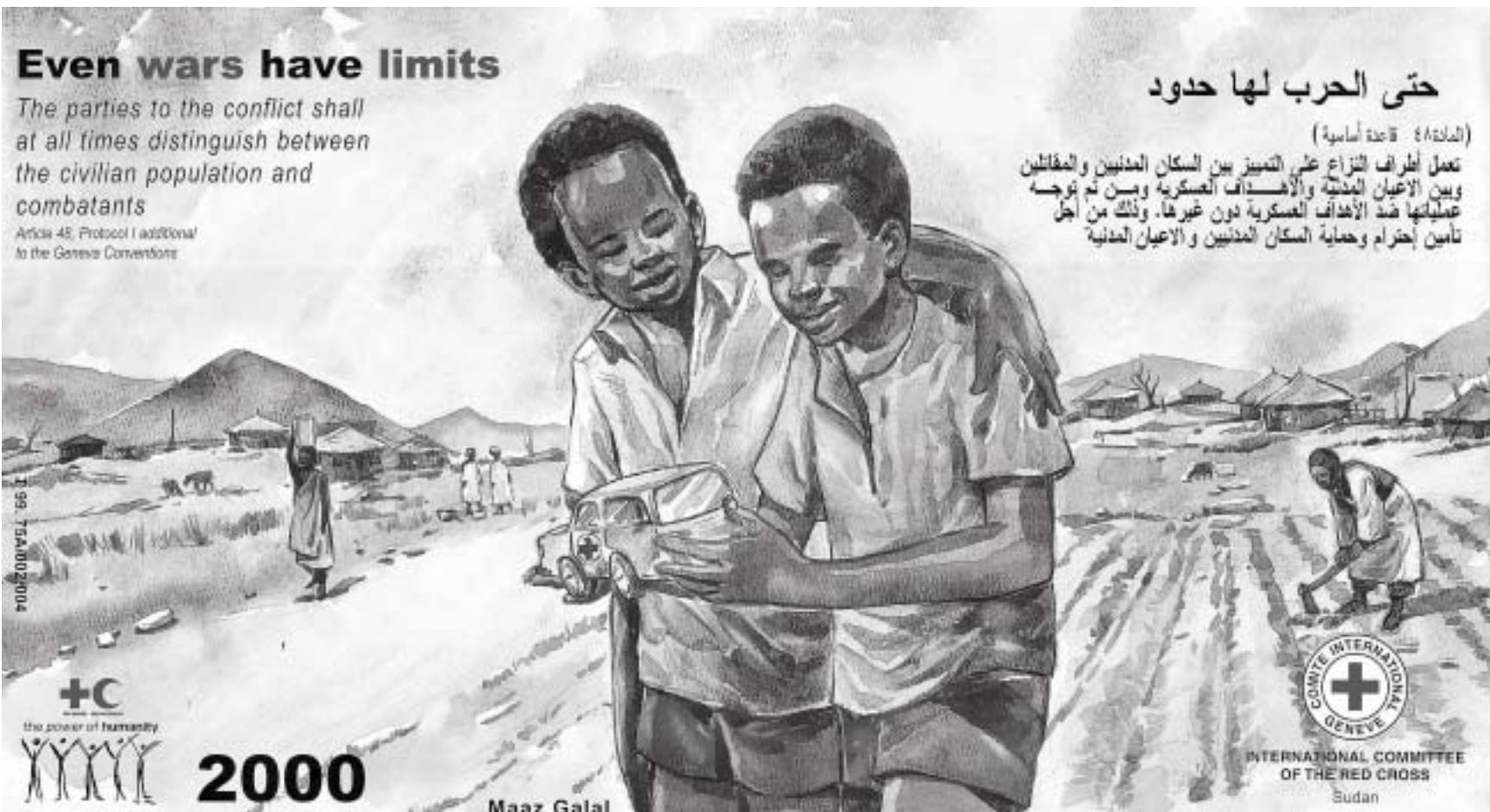
Even wars have limits

The parties to the conflict shall at all times distinguish between the civilian population and combatants

Article 48, Protocol I additional to the Geneva Conventions

حتى الحرب لها حدود

(المادة ٤٨ قاعدة أساسية)

تعمل أطراف النزاع على التمييز بين السكان المدنيين والمقاتلين وبين الأعيان المدنية والأهداف العسكرية ومن ثم توجه عملياتها ضد الأهداف العسكرية دون غيرها. وذلك من أجل تأمين إحترام وحماية السكان المدنيين و الأعيان المدنية

+C

the power of humanity

2000

Maaz Galal

I 99. 75A.002 2004

INTERNATIONAL COMMITTEE OF THE RED CROSS

Sudan

In this poster, children from northern and southern Sudan play together with a symbol of neutral assistance (the Red Cross ambulance); their traditional homes are represented in the background.

The centrepiece of the People on War Project was a world-wide opinion survey, which presented in an emotionally moving way the views of people caught up in armed conflict. The aim of the survey was to listen to what people had to say about limits in war and thereby to learn how to improve respect for international humanitarian law. The findings demonstrated that most people – civilians and combatants alike – believe that certain acts should never be permitted, but that they still accept certain practices that put both civilians and persons no longer taking part in hostilities at risk. In order to publicise the findings and to generate discussion on international humanitarian law, the ICRC devoted a website to the project (www.onwar.org). A key feature of the website was 'Crossfire', an interactive multimedia segment, in which users were invited to explore the dilemmas people face – and to think about what they themselves would do – in specific armed conflict situations. Powerful photographs provided a visual backdrop to the site.

Another example of awareness raising, carried out by means of photography, was the publication of a book, *People and Places with No Names*. A famous photographer, Michel Compte, joined with the ICRC to produce this extraordinary testimony to the suffering of civilians in 'forgotten' conflicts.

Sudan
Even wars have limits.
©ICRC

Ethiopia, and the ERCS branches provided a crucial nation-wide network facilitating mutual understanding and the exchange of ideas among the various regions and across cultural and linguistic boundaries.

FP57 *'Play Clean!': Addressing Root Causes of Internal Displacement by Creatively Promoting the Law*

The primary cause of internal displacement in Colombia has been direct or indirect armed attack (or threats) upon civilian populations; displacement is not caused by civilians being caught in the crossfire. Displacement could have been significantly reduced if the armed forces respected the essential elements of international humanitarian law (IHL) – a primary goal of the ICRC programme in Colombia and in other zones of conflict around the world. ICRC's programme to promote IHL was notable in its creative use of material relevant to the interests of combatants in Colombia such as football. Through the use of posters, training material and pocketsize summaries of key elements of IHL (written in plain language, and laminated in order to survive the weather), the ICRC reinforced its *Play Clean!* campaign by analogy to football matches. Given the intense interest in football in Colombia, IHL promotional materials displayed artwork of football games as an introduction to the rules of warfare. The *Play Clean!* campaign and the use of culturally relevant symbols to attract the target population – youthful male fighters – proved a good way to communicate rights and obligations in a language young people could understand.

FP58 *Teaching Children How to Avoid Landmines and Unexploded Ordnance Through Puppet Shows*

Children living in areas infested by mines and unexploded ordnance (UXO) need to know where these deadly weapons are lying and what to do should they come across one. In 2000, the ICRC launched a puppet show in Nagorno Karabakh aimed at teaching children how to react to these weapons in their everyday lives. The real challenge was to deliver the right message to children without arousing their curiosity to the extent that they would go looking for mines or UXO and without laying down prohibitions that they might be tempted to disobey. Puppets have universal appeal to children, and have proved quite effective in conveying serious messages to young audiences. Rather than imposing rules, the actors and puppets succeeded in focusing the children's attention on the risks involved. Indeed, the audiences were quickly drawn into the play and took an active part, identifying with the scenario and absorbing essential information while having fun. While shouting out to characters what not to do and how to handle themselves, they were actually demonstrating that they were learning.

FP59 *Innovative Media and Training Programmes Can Make Knowledge of Rights and Obligations More Attractive and Accessible*

Television, radio, special workshops and specialised booklets (such as comic books or cartoons for children) have been adapted or created to communicate important messages about human rights, humanitarian and refugee law. Many of these programs began with health and education-related ideas, and have found it natural to begin including rights-related information.

Radio remained a key channel for dissemination to a largely illiterate community with little or no access to written sources of information in Afghanistan or to television, which is prohibited in most areas of Afghanistan under the Taliban regime. In 2001, the ICRC updated the drama series 'Help' produced in 1997–1999 for the Afghan community, in two languages, Pashtu and Dari. The ICRC also re-established a radio programme on the local radio Shariat Balk in Mazar, with plans to broadcast eventually in Kabul. The aim was to promote a better understanding of international humanitarian law.

'New Home, New Life', a thrice-weekly radio soap opera produced by the BBC Afghan Education Unit in Peshawar, Pakistan, was developed by more than 100 Afghan writers, editors, actors and actresses. The story followed life in two fictional villages in Afghanistan.

The series raised levels of education and social awareness on a number of themes through culturally relevant drama. Although it avoided politics, the effect of conflict upon families, a village and even conflict between the two villages conveyed important ideas about conflict resolution.

The programme has been extremely popular – surveys indicated that up to 80% of Afghanistan's radio listeners (an estimated 75% of all Afghans) tune in. The soap opera has been popular even among officials of the authorities. Refugees in Pakistan also listened in. An anthropologist who studied the project noted that the role of everyday talk and gossip was crucial to the circulation of educational messages throughout villages and noted that both women and men found much to identify with in the radio play.

The UN spokesperson for the Afghanistan country team from United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) and her staff have been closely engaged in providing material and information for new segments of the show, as have the Mine Action team, the WHO and others. 'New Home, New Life' has also received guidance from UNICEF regarding new episodes on children's and women's rights themes.

Reports from aid agencies working in Afghanistan indicate that people responded to the program in positive ways; for example, one clinic reported that more children had come in for vaccinations after a segment on that topic. There were also reports that women had obtained radios specifically to listen to 'New Home, New Life' – the only source of information on many topics available – although some said immediate male kin had forbidden them to listen.

A young Afghan in Khost, who had lost his leg in a mine operation, said his hopes had risen when he was fitted for a leg by a local humanitarian agency. He eventually established a bicycle shop, and told surveyors from the project that he had drawn much of his inspiration from the plight of Jandad, a character in 'New Home, New Life' who had suffered a similar fate but had triumphed to begin his own tailoring business.

The production team has developed a dedicated monitoring and evaluation team that regularly surveys audience reactions and ensures that feedback is transmitted to the scriptwriters.

In order to reach young militia men and youth with a message focused on behaviour they should adopt as fighters and on respect for the humanitarian mission, the ICRC, in close cooperation with the Somali Red Crescent Society (SRCS), launched a cartoon booklet in 1996. The booklet was designed and written by different Somali cartoonists from various regions of Somalia, using humour and reflecting on current events. It attracted much attention and generated much reaction. Soon after its release, the impact of the booklet was reinforced by other means of dissemination: drama presentations created and performed by the Mogadishu SRCS drama group, a cassette-tape reproducing songs from the drama and a series of ten billboards erected in prominent spots in Mogadishu.

FP60 *Enjoyable Activities for Youth Can Be an Opportunity to Introduce Rights Concepts*
The Youth Crisis Project, a local NGO in Sierra Leone, was developed to provide a place where youth could go to enjoy sports activities – an important cultural pastime. In the lulls between practice and games, local NGOS worked together to conduct workshops on human rights, health education, and other topics.

FP61 *Promoting Respect of Humanitarian Principles Through Theatre*
With the final performance of *Askari*, a tragicomedy by Ben Tomoloju, the Nigerian Red Cross Society and the ICRC regional delegation in Nigeria concluded a three-month-long campaign to promote humanitarian principles through the theatre. After its première in Lagos and a set of 10 performances in popular quarters, *Askari* toured 20 of Nigeria's 30 states. For each of the three main regions, the theatre piece underwent some adaptations in order to integrate elements of local tradition and culture. Travelling by train from one state capital to another, the cast gave a total of 30

We learn about history, about wars that have happened, but they don't teach us what was permitted and what was forbidden. So if a war should break out, then we might be influenced by things that have happened in the past and we should be taught what kind of lessons can be drawn from these wars.

– a youth in a school debate sponsored by the ICRC on international humanitarian law

performances to some 30,000 enthusiastic spectators who flocked to schools, open-air centres and regular theatres. In Nigeria, the theatre is a popular medium for promoting social dialogue and spreading new ideas. In the case of *Askari*, although the performances were open to everyone, the message was mainly targeted to reach young people. A videotape and a radio version of *Askari*, featuring some of Nigeria's most popular actors and actresses was also completed, and television and radio documentaries exploring the theatre's potential for mass communication were produced.

FP62 *Promoting Respect for Life and Dignity Through Theatre*
A similar approach to that used in Nigeria was used in Kenya against the background of political-ethnic clashes following the presidential elections of 1998. As part of a drive to promote respect for human life and dignity during internal disturbances, the ICRC regional delegation in Nairobi, Kenya, commissioned a play by celebrated Kenyan playwright Kithaka wa Mberia entitled *Flowers in the Morning Sun*. The première of the play in Nairobi was attended by over 200 special guests from the diplomatic corps, government departments, the armed and security forces, UN agencies, religious organizations and academic circles and was extensively covered by the international and national media. The play went on tour through the country, including areas where clashes had occurred, and was seen by a broad cross-section of the population, ranging from policy-makers, representatives of local administration and community leaders to victims of ethnic violence. By the end of the year, the 14-member cast had staged 34 performances for over 15,000 people in public places and universities.

FP63 *Creating Curiosity in a Topic Is One Way to Get People Interested in Rights Issues*
A Save the Children/UNICEF workshop held in Afghanistan to mark the occasion of the 10th anniver-

sary of the CRC was successful in that local (*de facto*) authorities, including religious clergy, attended. Humanitarian organizations strongly promoted the workshop within the community and the authorities became very interested in what was going on. It was made known that a translation of the CRC had been made into the local language and was going to be distributed – but that copies of the translated version would be made available only to those who attended the workshop! Since the authorities didn't know what the CRC was about, they decided to attend the workshop. By the end of the training, the authorities began asking questions and showing interest in the issues. The mullahs (religious clergy) were impressed, according to one observer. They asked why they had never seen the CRC before.

FP64 *Including Humanitarian Law in School Curricula*
In an attempt to teach young people that human dignity and life are to be respected at all times, including during armed conflict, in 1995 the ICRC launched a school programme in several Commonwealth of Independent States (CIS) countries, working closely with Ministries of Education in seven countries (Russia, Armenia, Azerbaijan, Georgia, Uzbekistan, Tajikistan, and Kyrgyzstan) to ensure that international humanitarian law was included in official school curricula or programmes. Mixed local and expatriate teams worked together to develop schoolbooks for both teachers and students. The aim was to raise awareness and understanding of the need for limits in war and of the importance of humanitarian gestures. Depending upon the country, lessons were integrated into existing programmes on national literature, civic education, geography or history and cover between one and five grades at the secondary school level. More than seven million books were distributed in the above countries in just four years.

In order to build on the success of this teenage-oriented programme, as well as to expand its reach, plans

Ethiopia, 1995
The "Cirque Ethiopie" (Ethiopian Circus) raises awareness of International
Humanitarian Law among the youth of the country.
©ICRC 213-12

were made by the ICRC to launch a new educational package in mid-2001 called 'Exploring Humanitarian Law'. The modules were developed in close collaboration with about 20 countries from all regions of the world with help from local educators and National Red Cross and Red Crescent societies. They will be implemented by interested local actors, mainly Ministries of Education and National Red Cross and Red Crescent Societies. The lessons – some 20 hours in total – include different materials ranging from photo collages to videos and posters and draw on historical and contemporary examples from around the world. A methodological guide based on interactive pedagogic settings and an implementation guide should facilitate the adaptation and integration of the proposed material into local structures. More than thirty countries have already expressed their interest in implementing 'Exploring Humanitarian Law' into their school programmes.

FP65 *Working with Students to Build Awareness and Improve Their Knowledge of IHL*

The ICRC regularly organises a student moot court competition – named after F.F. Martens, a famous Russian lawyer who played a pivotal role in the early stages of the development of modern international law – with the participation of law and international relations faculty from all the CIS states. The competition is organised as a series of role-playing exercises relating to an imaginary situation of armed conflict. In 2000, the format of the competition was expanded in order to increase the number of participants. Three competitions were held simultaneously in Kiev, Moscow and Tashkent for higher education institutions of, respectively, the Western Zone (Belarus, Moldova, and Ukraine), the Central Zone (Azerbaijan, Armenia, Georgia, and Russia) and the Eastern Zone (Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan). As a result, 31 teams from various higher education institutions took part in the competition. During the competition lectures focusing on the latest develop-

ments in international humanitarian law were delivered by international experts serving as judges.

FP66 *Child Rights Training for Police Not Only Raises Awareness, but May Bring New Ideas*

In northern Sudan, an NGO (Child Rights Watch), supported by the British Embassy and UNICEF, initiated a police project to train police on ways of implementing the CRC. The training programme has since been included in the police academy's curriculum. A child rights manual for police was also developed. Some ideas to improve police relations with street children came from police themselves, who suggested, for example, that police not wear khaki when working with children (as many children were frightened by men in uniform), that social workers work with police on cases, and that special units to address street children issues be formed.

FP67 *Teaching the Most Marginalized About Their Rights and Advocating for Those Rights*

The Mutawinat Benevolent Society, a women lawyers' NGO in Khartoum, has for some years offered free legal services to women and children. The vast majority of the people served by Mutawinats have been IDPS living in extreme poverty. Many cases have involved internally displaced women imprisoned under Shari a' law for brewing alcoholic beverages. These women often had their children with them in prison and were unaware of their and their children's rights. Mutawinat has helped bring attention to their plight. The organization has also worked to provide legal training at the grassroots level for all Sudanese women and to educate judges, police and others on the Convention on the Rights of the Child. Importantly, members of the organization have visited the women in the prison and have advocated for their release.

Kenya, 1993
ICRC's Lokichokio surgery hospital. Child being fed intravenously.
©ICRC 124-12A / L. CHESSEX

FP68 *Focusing on 'Delivering' Both a Message and the Services Related to Economic, Social and Cultural Rights Can Provide an Important Entry Point in Strengthening the Awareness of Human Rights Among Local Populations*

The Praise Foundation in Bo, Sierra Leone, focused on the causes of the conflict in Sierra Leone, poverty in particular. Praise Foundation sought to address a wide range of economic and social rights, including the right to education. While delivering humanitarian materials, the Praise Foundation simultaneously engaged in a dissemination campaign to teach local populations about human rights, in particular raising issues related to economic, social and cultural rights. This small community-based NGO found that delivering both goods and a message is a good combination to make people listen.

FP69 *Training Organised Around Particular Topics of Interest to the Community May Provide an Opportunity to Introduce Difficult Topics*

In Montenegro (Federal Republic of Yugoslavia), UNHCR worked closely with a national counterpart (the Belgrade Centre for Human Rights) to organise a three-day workshop on International Refugee Law. Given the number of refugees in Montenegro and the number of Montenegrin refugees in other countries, the authorities were more open to discussion about the rights of refugees. Sessions were designed to introduce concepts related to international humanitarian and human rights law through refugee law. In addition, representatives from all sides of the conflict were invited, as were representatives from potential areas of conflict. Apart from disseminating the legal framework, the agenda provided space for dialogue between the parties. Reconciliation was one item on the agenda, causing debates that released tension and encouraged exploration of common problems. Representatives from all sides were invited to speak about refugee issues affecting their communities.

FP70 *Dissemination by Example*

The famous ICRC surgical hospital in Lokichokio, Kenya, treats people injured in southern Sudan. Originally intended to stay open only six months, the hospital observed its 14th year in 2001 – a sad commentary on the protracted nature of the conflict. The children's ward in Lokichokio has always been full. Many of the children and other patients have become amputees, victims of gunshot and other wounds that became so infected during the often long wait for medical help that they would not respond to less radical treatment (some travelled for days, severely wounded, to reach the landing strip and then had to wait at the landing strip for the ICRC plane that would evacuate them to the surgical hospital). Flight restrictions and other difficulties caused by the parties to the conflict have contributed to the difficulty in reaching patients more quickly. The hospital has sometimes held tracing and international humanitarian law dissemination programmes for patients, but in fact, the ICRC hospital in Lokichokio is a living dissemination program, its staff and patients the most expert dissemination delegates one could ever meet. And they don't have to say a word.

FP71 *The Creation of a Special Protection Team in a Humanitarian Relief Organization to Train and Advise Field Staff on Operational Issues Related to Protection*

The International Rescue Committee (IRC) created a special protection team at its headquarters in New York to support more effective and more consistent cooperation on protection issues among agencies that serve refugees and to integrate protection issues fully into its own programmes. This unit provided 'protection training' to all IRC coordinators in Kosovo following the deployment of NATO troops there. Staff were familiarised with protection/human rights and given some parameters on "where to draw the line" in humanitarian action so as not to jeopardise the work. IRC also planned to hire a human rights lawyer to

advise staff and locals. IRC has expanded its protection efforts to include the secundment of qualified staff as protection officers to UNHCR (Project Surge) and has expanded its protection work to other countries such as Pakistan.

FP72 *Ensuring That the Protection of Women Under International Humanitarian Law Is Understood and Emphasised*

In the Republic of Congo, the ICRC has promoted the awareness and application of international humanitarian law, including law applicable to the protection of women, among all ranks of the armed forces. The ICRC has made a special point of ensuring that obligations inherent in international humanitarian and human rights law, including taking specific protective measures for women, form part of the training, work and procedures of the police and gendarmes.

In Sierra Leone, the ICRC held workshops for representatives of women's associations participating in the ICRC community vegetable seeds programme in order to raise their awareness of international humanitarian law and Red Cross principles, so that the women could disseminate this knowledge in their communities.

FP73 *The Universal Declaration of Human Rights: Truly One of the Most Universal Documents in the World*

One of the most useful tools for the promotion of awareness of human rights is the Universal Declaration of Human Rights, which has remained since its adoption over 50 years ago the clearest, simplest and most powerful statements of what human rights are all about. The Universal Declaration is the most widely translated of all human rights texts – and one of the most translated texts in the world (it has been translated into more than 300 languages). All 300 language versions of the Declaration can all be accessed from the website of the UN High Commissioner for Human Rights, http://www.unhchr.ch/.

B. Capacity Building

FP74 *Creating for a Representation of Threatened Peoples*

In Kosovo, a *Platform of Joint Action* was developed with the leaders of the Roma Ashkalija and Egyptian communities in Kosovo, facilitated by UNHCR with close support from the UNMIK. The announcement of the initiative, designed to improve co-existence between Roma and the majority community, received a positive response from majority community leaders.

FP75 *National and International Organizations Can Take Concrete Steps to Improve the Bargaining Power of Displaced Communities*

Organizations working with IDPS in Colombia – primarily church-related and other Colombian NGOS – have taken concrete and creative steps to empower displaced communities and to enhance their capacity to protect rights. These supportive interventions have included training for community leaders in negotiating techniques, programmes to heal rifts within communities, and assistance in uniting scattered IDP communities.

In the Uraba region of Colombia, IDPS fleeing violence and seeking shelter in nearby towns initially encountered official attitudes ranging from indifference to outright hostility. Local authorities and military commanders initially blocked their attempts to reach safer areas, then repeatedly pressured them to leave the towns and return to their homes. The IDPS did not believe that security conditions were acceptable for return.

With the support of Colombian Catholic groups and Colombian NGOS, displaced community leaders organised a series of formal meetings with government authorities to make known their needs, request assistance and seek government guarantees before they would consider return. These sessions took on the character of bilateral negotiations, with formal, written lists of requirements presented by the IDP communities. In the town of Pavarando, for example, negotiators for the displaced presented a formal document containing 16 points related to land titles, security issues and conditions for return. Such negotiations, which often resulted in a signed contract between IDP leaders and government authorities, both improved the material conditions of IDPS and gave the displaced communities a sense of control over their futures.

NGO and church workers also promoted an awareness of IDP rights guaranteed under a special Colombian law relating to IDPS and conducted training in negotiating strategies. These same workers sponsored travel by IDP community leaders to Bogota to meet with members of the national and international communities, deepening these leaders' capability to argue their case. Funding was provided for documenting (in printed publications) and publicising the situation of displaced communities. In other communities, joint action was made difficult by rifts between community members who supported opposing factions in the armed conflict. In those communities, NGOS acted as negotiators to bridge differences in political positions for the sake of meeting the needs of IDPS.

FP76 *Re-Uniting Communities Separated During Displacement to Build an Alliance for Rights*
Displaced persons originating from the same areas in Colombia were scattered to different sites during flight. Despite their shared origin, culture, and experience of displacement, each of the scattered communities had initiated a separate dialogue with government officials where they found themselves, and each scattered group was at a different stage of negotiations for assistance and return. A joint meeting among the leaders of dispersed groups of IDPS allowed each to learn from the others' negotiating experience, and empowered the entire community to act in unison in the pursuit of their rights.

FP77 *Linking Women's and Children's Issues to Designated Senior Executives in the Country May Provide a Vehicle for Focus and Change*
In February 2000 the Government of Sudan established an Advisory Body for Women's and Children's Affairs. The position of Advisor to the President for Women's and Children's Affairs was created and directly attached to the President's office, and a woman appointed to the position. The Advisory Body created a coordination forum for NGOS working with women and children in the Sudan and provided a place for NGOS to meet with the government to establish priorities and policies on behalf of women and children. The Advisory Body was also tasked to ensure that women's and children's issues were mainstreamed throughout government systems and authorities. The creation of this body and official position offered the potential to address many human rights issues in the country, using the rights of women and children as an entry point.

FP78 *Consistently Raising the Need to Focus on Child Protection Can Make Rights Activities a Part of the Culture*
Protecting the rights of children in Sierra Leone is not just about 'Days of Tranquillity' with National Immunization Days to 'Kick Polio out of Africa'. *The Child*

Protection Network led by the Government and UNICEF in Sierra Leone has been active both at central and local levels. In addition, *The Child Rights Violation Monitoring Network* (run by the Council of Churches in Sierra Leone in association with UNICEF) gradually worked toward operating freely in the country. By utilising social mobilisation programmes that had been operating for years to distribute health and other information, and making the effort one which is community-based, the Child Protection Network became sustainable, requiring little or no outside input or support. There is no stigma around talking about the Convention on the Rights of the Child at any level in society.

Guided by the Convention on the Rights of the Child, UNICEF is committed to ensuring special protection for the most disadvantaged children – victims of war, disasters, extreme poverty, all forms of violence and exploitation and those with disabilities. UNICEF works in 161 countries, areas and territories, and has made the "first call for children" an essential strategy. UNICEF looks to cooperate with appropriate partners: other UN agencies, government authorities at different levels, NGOS, research and training institutions, community groups, media, business and donors to ensure the protection of children's rights. You can call on UNICEF to assist in identifying and tackling child protection issues, and to provide information and training on child rights and child protection, as well as humanitarian principles.

Afghanistan, 1996
Returnee IDPS brickmaking in
Rabatkabuli Village, near Herat.
©UNHCR / S. WOLFSON

C. Inclusion of International Human Rights & Humanitarian Law Conventions, Treaties & Standards and Humanitarian Principles in Peace Agreements

FP79 *The General Framework for Peace in Bosnia and Herzegovina – An Agreement with Strong Foundations in Human Rights (the Dayton Agreement)*
The Dayton Peace Agreement for Bosnia and Herzegovina (formally called the *General Framework for Peace in Bosnia and Herzegovina*) of 1995 contains elaborate provisions relevant to concerns of both humanitarian and human rights organizations. The Agreement binds its signatories to respect a wide range of human rights treaties and conventions. The Agreement includes not only the major human rights treaties, but the Convention on the Rights of the Child; the Geneva Conventions and the two Protocols Additional to the Geneva Conventions; and the Convention on the Prevention and Punishment of the Crime of Genocide. The Agreement also established a Human Rights Commission (composed of the Office of the Ombudsperson and a Human Rights Chamber). The human rights provisions set important precedents in that they obliged not just the national government but its constituent entities to observe the Agreement (and thereby the relevant treaties). The Agreement also set out the right to return and obligations of the Parties relevant to the protection of returnees. Some of the human rights elements subsequently found their way into other peace agreements.

There were a number of human rights-related 'lessons learned' during the implementation of the Dayton Agreement. For example, a critically important accountability and access clause was unfortunately not applied consistently in the years immediately following the signing of the agreement. Annex 7 of the Dayton Agreement, "Agreement on Refugees

and Displaced Persons" obliges the Parties to take certain confidence-building measures meant to reassure the population. Annex 7 requires, among other things, that the Parties ensure "the protection of ethnic and/or minority populations wherever they are found and the provision of immediate access to these populations by international humanitarian organizations and monitors" and further, that they ensure the *"prosecution, dismissal, or transfer, as appropriate, of persons in military, paramilitary, and police forces, and other public servants, responsible for serious violations of the basic rights of persons belonging to ethnic or minority groups."* Annex 10 refers to the right of the international community to monitor the compliance of local police forces with the Agreement. Unfortunately, the mandate of the International Police Task Force (IPTF) sent to monitor the police did not initially include conducting independent investigations in cases where police officers were the alleged perpetrators or in cases where local police failed to conduct a proper investigation. Further, the Annex did not specify that police officers and police chiefs who committed abuses or failed to ensure proper investigations could be immediately decertified. Eventually the Office of the High Representative and IPTF did take some action to remove those officials who obstructed the return of refugees and displaced persons or failed to protect minorities, and to decertify police officers who violated certain aspects of the Agreement in relation to the obstruction of return or involvement in violations of other rights. Humanitarian and human rights organizations have since been strong advocates for the inclusion of measures to address impunity in peace

You must agree that certain things are to be excluded from politics... There are absolute rights that must be maintained for the people [and should never be negotiated away].

– A Sudanese relief worker

agreements. The Lomé Peace Accord brought this issue to the fore given the amnesty offered to armed forces for violations commited during the civil war in Sierra Leone. (See FP80)

FP80 *The Peace Agreement Between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone (the Lomé Peace Accord) – Provisions for Humanitarian Relief*
Although the Lomé Accord has been roundly and justifiably criticized by human rights organizations and others because of the inclusion of amnesty for members of the rebel movement who committed abuses prior to the signing of the Accord, the agreement does include some important provisions relating to international humanitarian law, human rights, and humanitarian assistance that provide an opportunity for advocacy for compliance with specific provisions. In other words, the peace agreement states simply and clearly in 'usable language' some of the obligations of the Parties.

Article XXVII of the Accord, for example, focuses on humanitarian relief. The agreement places the burden on the State to request appropriate international humanitarian assistance for the people of Sierra Leone in need, and also guarantees "safe and unhindered access by all humanitarian organizations." The agreement has been used as a tool in negotiating access by several NGOS in Sierra Leone. Relief agencies have presented copies of the signed agreement at checkpoints and to authorities that all parties have agreed to safe and unhindered access by all humanitarian organizations.

FP81 *Incorporating the Concerns of a Particularly Vulnerable Group, Such as Children, in the Peace Agreement Represents an Important Step Towards Protecting the Rights of Vulnerable Groups in Subsequent Processes*
The 1996 Machel Study emphasised the lack of consideration for the rights of the child in demobilisation processes all over the world. The Lomé Peace Accord of 7 July 1999 for Sierra Leone was the first peace

agreement to include specific references to the rights of children in armed conflict. The Accord states that "the children of Sierra Leone, especially those affected by armed conflict, in view of their vulnerability, are entitled to special care and the protection of their inherent right to life, survival and development, in accordance with the provisions of the International Convention on the Rights of the Child."

Article XXX of the Accord stipulates that "[the Government] shall afford particular attention to the issue of child soldiers. It shall, accordingly, mobilise resources, both within the country and from the International Community, and especially through the Office of the UN Special Representative for Children in Armed Conflict, UNICEF and other agencies, to address the special needs of these children in the existing disarmament, demobilisation and reintegration processes."

FP82 *The Inclusion of Provisions for Recognition of the Rights of Women and Children in a Peace Agreement*
The Arusha Peace Accords for Burundi mediated by South African statesman Nelson Mandela include a provision for the inclusion of a Women's Charter in the new constitution for the country. It was proposed that the Charter contain explicit reference to women's land and property rights, special measures to protect women and children living in regroupment camps, and mechanisms to punish and prevent war crimes such as rape. The proposals were outlined at an all-party Women's Peace Conference held in Arusha during peace talks. The UN Development Fund for Women (UNIFEM) noted that the inclusion of the women's proposals in the accord made the peace agreement a model for future agreements in terms of the centrality of women's rights and that Burundian women had made a substantial positive contribution to the peace process through their direct involvement in negotiation and facilitation of the talks.

Sierra Leone, 1995
During a visit to a UNICEF-assisted camp for demobilized child soldiers
near Freetown, the capital, Graca Machel speaks with a boy, one of some
25 former child soldiers who had been forcibly conscripted by rebel forces.
©UNICEF HQ95-0948 / R. GROSSMAN

Reminding Parties of Their Commitments Just Prior to the Distribution of Relief Supplies May Decrease Access Problems and the Diversion of Aid and Places Authorities on Notice Regarding Their Obligations

In collaboration with the UN Office for the Coordination of Humanitarian Affairs (OCHA) country office in Sierra Leone, the WFP established dialogue with the leaders of various rebel factions to improve and facilitate access. WFP staff regularly sensitised its interlocutors about its mandate and procedures for assisting people in need as well as the commitments made to donors. General principles of international humanitarian law were consistently referred to, but more specifically, statements made by the leaders of armed groups and commitments agreed upon in the Lomé Peace Accord were repeatedly raised. One of the limits of this strategy was the fact that some factions had not been represented during the peace negotiations and were therefore less willing to observe the agreements. Moreover, the weakness of the authority of some of the leaders and/or lack of communication with their local commanders also hindered this approach. To address this issue, major inter-agency food distributions involving WFP (as in the Makeni general food distribution in September 1999) were preceded by a sensitisation of forces on the ground to relevant humanitarian principles carried out by rebel forces themselves.

D. Working with Parties to the Conflict Toward Respect for International Law & Humanitarian Principles

1. PROMOTION OF GROUND RULES AND CODES OF CONDUCT BASED ON INTERNATIONAL LEGAL STANDARDS AND HUMANITARIAN PRINCIPLES

FP84 *An Operation Founded on Humanitarian Principles: No Easy Answers; Persistence Is the Key*

In 1988, OLS, a broad consortium of UN agencies and NGOS, negotiated with government and rebel forces to enable the provision of humanitarian assistance throughout Sudan. This unprecedented agreement meant that for the first time, NGOS working in the areas in southern Sudan under rebel control could do so legally.

When three OLS workers and a journalist were killed early in the operation, OLS negotiated formal 'Ground Rules' with both sides to address security for field staff and to establish clear rules for use of OLS radios and vehicles. It was soon realised, however, that the Ground Rules might be useful in addressing the failure of armed opposition groups to respect humanitarian and human rights law.

UNICEF – a major player in founding OLS – had already perceived the need to address the abuses of human rights and diversion of assistance occurring in areas of operation. Put in the words of one of the founders of OLS, "UNICEF recognized the immorality of 'trading' access for an agreement not to speak out about these abuses. It recognized the inadequacy of humanitarian assistance that provides goods and services without protecting civilians… [UNICEF] would be praised for feeding people but not for questioning the behaviour of warring parties that created their hunger."

OLS decided to engage the parties to the conflict in a revision of the Ground Rules to include agreement to respect certain treaties, conventions and humanitarian principles. The revised Ground Rules referred specifically to the CRC and to the Geneva Conventions (GC) and its two Protocols, but spelled out in practical rather than legal terms the obligations of the parties. The revised Ground Rules included recognition of the right to receive humanitarian assistance and the need to protect civilians and relief staff in accordance with the CRC and international humanitarian law. The Ground Rules also committed OLS to conduct humanitarian operations in a neutral, impartial and transparent manner and to hold itself accountable to donors and beneficiaries.

After six months of negotiation, both the government and the main rebel movement signed the Ground Rules. A year later, another armed opposition force in the south signed. The process of negotiating the rules was instructive in that it became an important opportunity to discuss in depth what humanitarian principles were and to respond to the question "What's in it for us?" OLS took the approach that the protection and well-being of women and children were just (fair) concepts that were compatible with Sudanese culture and worked to identify specific examples from Sudanese tradition and tribal practices. Some individual members of the armed groups expressed a strong sense of responsibility to protect the civilian population–and also saw their cooperation as a means to demonstrate their "just cause". OLS seized upon the fact that the parties wished to gain credibility and legitimacy in the eyes of the interna-

tional community. Although such an approach to a rebel force was unique at the time for the UN and NGO community, there has since been wide acceptance that engagement with such forces may be the only hope of reaching many war-affected people and is necessary in order to transmit information about international standards and obligations.

Once the Ground Rules were negotiated, the next step was to disseminate them; a process that has been ongoing by necessity. OLS has since trained thousands of soldiers and civilians on humanitarian principles, the CRC and other international treaties and standards.

The later creation of the OLS Humanitarian Principles Programme expanded the training capacity of OLS and made humanitarian principles training an integral part of the operation. OLS Humanitarian Principles (HP) officers provided training to NGO staff, local authorities, administrators, military leaders and soldiers on international human rights law and humanitarian principles. They linked up with security teams to brief newly arrived NGO staff going into southern Sudan and provided technical advice and support to Sudanese institutions, including lawyers and women's groups. Humanitarian Principles Officers followed up violations of the Ground Rules with commanders in the field, placing emphasis on rapid response. In recent years, the Humanitarian Principles Programme spearheaded an important study on the diversion of food aid during a famine.

The OLS experience has played an important role in exploring the role of humanitarian relief organizations in armed conflicts – and has suffered plenty of bumps and bruises along the way. One of the weaknesses of the Ground Rules is the lack of enforcement mechanisms and the reluctance of commanders to hold their forces accountable. The Ground Rules have often been violated, and the humanitarian community working in Sudan has been bitterly divided at times about how to handle violations. OLS has been criticized by some for focusing more on operational access and protection of its own staff than the protection of civilians. OLS continued to evolve in an attempt to address these

concerns. One later development was the signing of a "beneficiary protocol" by the government of Sudan, the main rebel movement and the UN to (once again) reinforce international standards and humanitarian principles.

While the success of OLS has been uneven, it is recognized as the first model for a truly 'integrated approach to protection' – one which involves the majority of humanitarian actors on the ground and the parties to the conflict in placing the protection and rights of civilians at the heart of humanitarian operations in an armed conflict situation.

FP85 *Ground Rules Can Provide a Platform for Holding* de Facto *Authorities Responsible*
The UN-negotiated Ground Rules for Somalia underscored the fact that *de facto* authorities can and should be held accountable under customary law for abuses committed against civilians. The Ground Rules clarify the responsibilities of both the *de facto* authorities and international aid agencies. For example, they state that "the main role of local authorities is to assist and protect civilian populations under their control as well as to ensure the realisation of their fundamental rights and freedoms" and note that local authorities should refrain from "such acts that threaten the life, safety and dignity of men, women and children who are not taking active part in the hostilities." The Ground Rules also reminded local authorities that they were legally bound to respect customary humanitarian and human rights law as embodied in a number of instruments and that they were responsible for the acts of all groups and militias in the area over which they claimed control. The Ground Rules included specific references to Common Article 3 of the Geneva Convention, genocide, crimes against humanity, the use of landmines and prohibitions relating to the death penalty.

The Somalia Ground Rules broke with past patterns of narrow interpretations of humanitarian action as primarily the provision of material assistance, stressing the protection of civilians as falling within the humanitarian mandate. The agreement states, "The

role of humanitarian aid agencies is to protect civilian populations and to provide humanitarian assistance to vulnerable populations which cannot be adequately supported by the local community or authority…"

FP86 *Articulating and Publishing Codes of Conduct to Encourage Humanitarian Principles*
The UN in Sierra Leone helped create the Code of Conduct for Humanitarian Assistance in Sierra Leone. The Code of Conduct spells out in three pages of non-legalistic prose a delineation of the rights and responsibilities of different actors: aid recipients, parties to the conflict (government and rebel soldiers) and humanitarian organizations. It states, for example, that government and non-state actors must make every effort to ensure the security of those providing humanitarian assistance, and must not block, redirect or siphon off humanitarian aid. It also specifies that aid organizations must be accountable to aid recipients and donors. They must respect, cooperate and share appropriate information with other humanitarians, refuse to barter for access to communities, and carry out their operations with neutrality and impartiality. They must agree not to carry arms. While in and of itself not legally enforceable (but based upon and noting enforceable international law), the Code provides a simple framework for principled action.

FP87 *Apprising Rebel Leaders of Their Obligations Under International Law – and Clarifying Issues of Accountability*
The Code of Conduct for Humanitarian Assistance in Sierra Leone served notice to rebel leaders that they could and would be held accountable for violations of international law. During talks between rebel factions in Togo in 1999, UNAMSIL took the opportunity to formally distribute an Aide Memoire entitled 'Respect for Human Rights and International Humanitarian Law' to delegates of the talks. The purpose of the Aide Memoire was to inform rebel forces of their obligation to refrain from acts that violated international and national laws and to remind them that "there are serious criminal sanctions in place internationally for all perpetrators of gross human rights violations and that the international community has resolved to bring to justice all such perpetrators in order to break the cycle of impunity that has spurred the commission of human rights violations around the world."

Importantly, the Aide Memoire (written by the Human Rights Section of UNAMSIL) used clear, simple language with specific examples of violations as well as the legal basis for prohibitions against such acts as applicable to the Sierra Leone situation. The Aide Memoire made specific note of violations carried out as part of strategic, deliberate campaigns of violence against civilians, including abductions, mutilations and amputations. Sexual violence and abuses against children were also noted. The Aide Memoire contained equally clear, concrete proposals for action by the rebel forces: the immediate release of all abductees, the demobilisation and release to UNICEF of all child soldiers, and guarantees of immediate and unrestricted humanitarian access to civilian populations within rebel-held areas. It also noted that UNOMSIL had an obligation to report on violations of international law. UNOMSIL distributed the Memoire to the field commanders of the rebel forces in order to ensure that they were informed of the prohibitions against violations and their obligations toward civilians and humanitarians. It was reported that one senior rebel leader subsequently left the rebel forces because of his awareness that the forces were violating the law.

The Aide Memoire stated in clear terms that persons committing violations after the signing of the accord could be punished by a domestic or international court. As such, the document provided a warning to belligerents by clarifying publicly and without doubt their obligations. A few months after the above meeting, the Lomé Peace Accord was signed by the rebels and the Government, giving all soldiers "absolute and free pardon and reprieve" from punishment under domestic law for any violations committed to that point. Since it is not legally possible for a

The more you isolate them, the more they will shut out the outside.

– an Afghan relief worker, on working with the de facto authorities in Afghanistan

El Salvador, 1993

Although El Salvador's 12 year civil conflict has ended, people are still at risk from landmines and other explosives left over from the war. In a unique initiative, the Salvadoran Army and the Farabundo Marti Liberation Front, formerly adversaries, are cooperating to de-mine the country. Here, a mobile educator discusses a landmine awareness brochure with a boy, at a community meeting in a rural part of El Salvador.

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government to excuse persons for violations of international law, those committing such crimes remain open to criminal prosecution by an international court or through the exercise of universal jurisdiction by other states.

FP88 *Negotiations with Opposition Groups Can Gain Important Protection for IDPS*

In situations of internal displacement, negotiations with opposition groups that control portions of national territory will always be sensitive. Nonetheless, active engagement with the opposition by international organizations operating in Sri Lanka substantially expanded the protection available to the internally displaced. The Special Representative of the Secretary-General for Children and Armed Conflict (SRSG-CAC), during a 1998 visit to Sri Lanka, sought a number of commitments from rebel leaders regarding children's rights. These commitments included limitations on recruitment of children, and an agreement to train fighters in the Convention on the Rights of the Child. The ICRC sought and achieved commitments from the rebels on adherence to key portions of the Geneva Conventions. The ongoing challenge has been to implement these commitments on both sides.

FP89 *Codes of Conduct Can Be Useful for Humanitarian Organizations in Conducting Their own Operations as Well*

The Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations in Disaster Relief has since 1994 been promoted by the ICRC and the International Federation of Red Cross and Red Crescent Societies. The aim of the Code of Conduct is to maintain, on the part of organizations having voluntarily endorsed it, a standard of behaviour that guarantees the independence and effectiveness of the humanitarian response to disaster situations. Approaches were made to numerous non-governmental organizations and several governments with a view to having them endorse the Code and to encourage compliance with its provisions in the field.

The Code was initially elaborated and approved by eight of the largest humanitarian organizations: Caritas Internationalis, Catholic Relief Services, the International Federation of Red Cross and Red Crescent Societies, the International Save the Children Alliance, the Lutheran World Federation, OXFAM, and the World Council of Churches (members of the Steering Committee for Humanitarian Response), together with the ICRC. Since 1995, apart from the above-mentioned organizations, over 200 NGOS have also declared their acceptance of the principles embodied in the Code of Conduct. (The Code of Conduct and registration information may be found at http://www.ifrc.org/publicat/conduct/index.asp.)

Although not addressed specifically in the above Code of Conduct, there has been increasing recognition among humanitarian organizations that humanitarian ethics require 'due diligence' to ensure that humanitarian action does not worsen the situation and increase the level of danger to the people affected. They must therefore remain aware of and assume full responsibility for the potential consequences of their acts. One of the most significant challenges relates to the consequences of material assistance. Relief work is known to have the potential to distort or prolong conflicts. Examples of security problems that can arise in connection with relief operations include hijacking, theft, and misappropriation of supplies and equipment, especially to those engaging in armed conflict or those groups suspected of committing violations.

During the protection workshop process, actions to prevent humanitarian assistance from leading to increased vulnerability of the target population(s), and/or strengthening the position of the perpetrators

of violence were identified. Workshop participants concluded that humanitarian organizations should *inter alia*:

- assess the possible negative repercussions of their work carefully before acting and undertake a comprehensive risk assessment of the impact of their work;
- pay special attention to the risks of having assistance used to prepare or fuel a conflict and be aware that making short-term concessions to authorities or armed groups regarding their claims for assistance may worsen things in the long term;
- reject any direct participation in illegal activities that could run counter to the victims' interests;
- always remain attentive to other possible negative effects of their work, by means of closely and regularly monitoring their own activities and analysing their impact;
- be as knowledgeable as possible about the underlying causes of a conflict and continuously gather information about those causes;
- carefully study what influence donor policy may have on their operational decision-making;
- give priority to meeting immediate needs, especially in situations where survival is at stake;
- forego action if they do not have the required know-how, funds and staff to see a programme through to its conclusion;
- remain informed about the work of other organizations in the same domains;
- ensure that their own work does not contradict or undermine the activities of other organizations;
- share their experience and knowledge as effectively as possible with other organizations;
- be open with other organizations about problems and concerns;
- acknowledge the fact if they cannot meet the needs;
- carefully consider before withdrawing (if an organization is no longer in a position to work under conditions that it deems acceptable, it might decide to disengage. A careful assessment of the situation should be undertaken before any decision is made).

FP90 *A Beneficiary Protocol Signed by the Parties May Reclarify Important Principles*

The UN, the Government of Sudan and rebel leaders signed the Beneficiary Protocol in Geneva in 2000, an agreement on the implementation of principles governing the protection and provision of humanitarian assistance to war-affected civilian populations. The agreement reiterated previous agreements and identified and discussed seven areas of agreement: 1) war-affected civilian populations have the right to receive humanitarian assistance; 2) war-affected civilian populations have the right to retain all humanitarian assistance they were intended to receive; 3) beneficiaries have the right to receive protection; 4) humanitarian action must respect and promote the human dignity of beneficiaries; 5) beneficiaries have the right to protection from forcible relocation from their legal or recognized place of residence; 6) monitoring and evaluation is to be permitted to prevent diversion of aid, looting, etc.; and 7) the agreement may be modified only by agreement of all three parties.

UN operations staff was hopeful that the protocols might breathe new life into the ability to hold the sides accountable for violations of the previously negotiated Ground Rules (in the south) and past agreements with the Government in Khartoum. The agreement did not (and could not) modify existing law. Rather, it clarified certain principles and reiterated the responsibility of the government and rebel forces under applicable treaty and customary humanitarian/human rights law. The agreement listed six relevant human rights treaties and noted the protections from armed conflict "as accorded by the international humanitarian law, including the Geneva Conventions." As a practical matter, the Beneficiary Protocol was printed with two other protocols signed on the same date by the parties

Somalia, 1997
As supplies are unloaded from a World Food Programme airplane, a man
carries a sack of 'Super Unimix' – a protein-rich nutritional supplement –
at the airstrip in the southern town of Bardera.
©UNICEF HQ97-0751 / R. CHALASANI

(humanitarian staff and property security and minimal operations for rail corridors) in a very small handbook easily carried in the field, each volume written in both Arabic and English.

FP91 *Action by NGOS and National Legislation to Prevent Human Rights Violators from Profiting from the Sale of Diamonds Obtained Through Campaigns of Terror and Violence*

The sale of diamonds feeds the armed conflict in several African nations by providing the primary source of money to rebel groups (money used to purchase arms and to enrich persons who have committed war crimes). On 5 October 1999, the largest international diamond merchant De Beers announced that the company had decided to suspend the purchase of all diamonds from Angola, in line with United Nations sanctions against UNITA, the rebel group in Angola that controlled the diamond mining area and was protecting De Beers production of diamonds in the country. The De Beers announcement followed the launch of a European NGO campaign called Fatal Transactions (http://www.niza.nl/uk/campaigns/diamonds) designed to alert the public to the fact that funds from the diamond trade go to fuel wars in Africa. The campaign grew to include two other countries with similar issues, Sierra Leone and Congo-Kinshasa. The Campaign represented the combined efforts of five human rights and humanitarian NGOS: Global Witness (Britain), Intermon (Spain), Medico International (Germany), Niza (the Netherlands Institute for South Africa), and Novib (Netherlands).

On the other side of the Atlantic, American NGOS created the Campaign to Eliminate Conflict Diamonds (http://www.phrusa.org/campaigns/sierra_leone) a coalition of human rights, humanitarian, religious, peace and development organizations dedicated to the eradication of international trade in diamonds whose proceeds fuel conflict, suffering, and destruction in Africa. Coalition partners included Physicians for Human Rights, Amnesty International, OXFAM Amer-

ica, World Relief, and the Commission on Social Action of Reform Judaism.

Some 70% of diamonds are sold in the US. The Campaign advocated for the passage of the Hall-Wolf-McKinney bill (the Clean Diamond Act) in the US Congress, which called for a certificate of origin on diamonds as a way to discourage trade in diamonds from Sierra Leone, where limb amputations and other violations have been committed by rebel forces who control the diamond mines. It was hoped by the sponsors of the bill that the measure would wrest control of the diamond trade from illegitimate middlemen and ensure that some of the profits from the sale of diamonds could begin to flow into social programmes for the people of Sierra Leone.

FP92 *Promoting Human Rights Through Financial Accountability of Governments for Humanitarian Losses*

Above all other actors, governments have a duty to protect and promote the human rights of their citizens. The WFP gave this duty greater force through a written, commercial agreement with the government in Sierra Leone that simultaneously promoted better oversight of the commercial sector and more effective distribution of food. In the contract, the local government agreed to pay WFP for humanitarian items lost or stolen while in transit or storage by official or private companies. WFP's country director felt the formal and financial aspect of the contract was having a long-term, psychological impact: because of the contract, government officials had become more aware of their humanitarian and human rights responsibilities.

FP93 *Ensuring the Right to Health by Instituting Oversight of Collection of Charges for Medical Care to Prevent Bribing System*

In Sierra Leone, the WHO teamed up with the NGO MERLIN and Medecins sans Frontieres (MSF, or Doctors without Borders) to set and collect fees for medical care charges. This system helped discourage the practice of bribes (which prevented people who

couldn't pay bribes from receiving care), improved access of the most vulnerable to medical care, and helped keep the health care system afloat financially.

FP94 ***Engaging in the "Ethics of Refusal" to Protest Lack of Action to Protect Populations in Danger***
In his acceptance speech for the 1999 Nobel Peace Prize for MSF, president James Orbinsky asserted that it was sometimes necessary for humanitarians to engage in "the ethics of refusal"– the refusal to remain silent when human dignity is assaulted. Some months later, MSF carried out the 'ethics of refusal' in Kosovo by pulling out operations from the troubled province. MSF believed that the UN and NATO troops were not addressing the ongoing intimidation and violence against ethnic minorities in Kosovo and announced the withdrawal of its programmes.

From a medical perspective, we couldn't remain providing medical care for people whose most significant complaint is profound and legitimate fear.

– MSF President James Orbinsky on the decision to pull operations out of Kosovo following repeated attacks on the Serb minority despite NATO presence.

E. Protection & Peacekeeping:
Links to Humanitarian Work

FP95 *Work at the Highest Advocacy Level May Also Have an Impact on Work in the Field: UN Security Council Resolutions 1296 and 1265*

UN Security Council resolution 1296 (19 April 2000), drafted by the Government of Canada, may be one of the most promising protection-related developments in decades – but only if the concepts expressed in the resolution are translated into action. Resolution 1296 (unanimously adopted by the Council) communicates the willingness of the Security Council to consider actions related to the protection of civilians in situations where the threat of genocide, crimes against humanity, and war crimes exist. The Security Council acknowledged that deliberate violations of international laws protecting civilians might constitute a threat to international peace and security, and invited member states and the Secretary General to bring any such matters to its attention. The Council also "affirmed its intention to ensure, where appropriate and feasible, that peacekeeping missions are given suitable and adequate resources to protect civilians under imminent threat of physical danger," and stressed the need to strengthen the UN's rapid deployment capability for peacekeepers, civilian police, and humanitarian personnel.

Many of the provisions in the Security Council Resolutions on the protection of civilians have been used in advocacy efforts in the field. Importantly, resolution 1296 also recognized the need to consider the special protection and assistance needs of children, women and other vulnerable groups when drafting peacekeeping, peacemaking, and peace-building operations. The need for clear terms relating to the disarmament,

demobilisation, and reintegration of soldiers, with special provisions for child soldiers, was emphasised. UN Security Council Resolution 1265 noted the Security Councis' "willingness to respond to situations of armed conflict where civilians are being directly targeted or humanitarian assistance to civilians is being deliberately obstructed..." and "emphasizes the responsibility of states to end impunity and to prosecute those responsible for genocide, crimes against humanity and serious violations of international humanitarian law."

FP96 *Designation of Child Protection Advisers for Protection in Peacekeeping Operations: UN Security Council Resolution 1261*

The Special Representative for the Secretary-General on Children and Armed Conflict (SRSG-CAC), Olara Otunnu, pressed for the inclusion of a senior Child Protection Advisor in every UN peacekeeping operation, and the UN Security Council adopted this recommendation in UN Security Council resolution 1261. The deployment of Child Protection Advisors as part of peacekeeping missions in Sierra Leone, the Democratic Republic of the Congo and East Timor represented concrete follow-up to resolution 1261 – and a real breakthrough for children affected by those conflicts, giving them advocates right at the heart of the missions.

Child Protection Advisors are included on the central staff of the peacekeeping missions, providing advice on child protection matters directly to the Commander of peacekeeping forces on the ground.

The role of child advocates is to ensure that chil-

dren's interests are not marginalized in the policy-making, resource allocation and priority-setting of peacekeeping operations. Under the overall authority of the heads of field missions, Child Protection Advisors are directed to coordinate closely with relevant UN agencies, especially the United Nations Children's Fund (UNICEF), the UNHCR, the United Nations High Commissioner for Human Rights (UNHCHR), national authorities and NGOs. The Child Protection Advisor's role includes highlighting core issues such as the demobilisation and reintegration of child combatants; the resettlement of displaced children and families; mine awareness and rehabilitation of child victims of landmines; physical and psychosocial rehabilitation for injured, maimed and traumatised children; and the rehabilitation of basic medical and educational services. Another important responsibility of the Child Protection Advisor is to organise appropriate training on the rights of children and women for peacekeeping personnel, both civilian and military.

FP97 *Specialised Workshops or Training Courses Can Help Peacekeepers Understand Their Role in Protecting and Promoting Child Rights*
In response to the United Nations General Assembly and Security Council call (through resolution 1261) for UN field operations to reflect concern for children affected by armed conflict, the Social Services Department of the UN mission in East Timor (UNTAET) initiated workshops for UN peacekeeping commanders from 22 different countries on the Convention on the Rights of the Child and the need to incorporate the protection of children, refugees, and women into the peacekeeping mission. The Force Commander of Peacekeeping Forces and Peace Education-Child Rights engaged UNICEF and other organizations in organising the workshops. The trainers worked hard to consider the cultural differences among battalions from different countries in terms of language, religion and tradition in order to best facilitate their understanding of the Convention on the Rights of the Child. They also tested the commanders' knowledge of child

rights, and learned that while nearly everyone mentioned the rights to education, health and nutrition, children were still considered objects of assistance rather than human beings with rights. Commanders were aware of the problem of the sexual exploitation of children, however, and indicated that they viewed this as an especially terrible offence. After presenting and discussing rights, the commanders were asked to identify specific actions that peacekeepers could take to protect and promote respect for child rights.

FP98 *Protecting Minorities Under Threat Through Informal Cooperative Arrangements Between Peacekeepers and Humanitarian Organizations*
Some 3,000 to 4,000 KFOR (Kosovo Force, NATO peacekeepers) troops out of some 40,000 were specifically designated to protect minorities and cultural/religious sites in Kosovo following deployment in Kosovo. Humanitarian agencies and NGOs worked closely with KFOR and many reported informally to KFOR on human rights problems observed in the course of their work. Depending on the need, KFOR responded to these reports with increased patrols and, when required, evacuation. The peacekeeping operation in Kosovo was one of the first that mandated a specific protection role for peacekeepers. The mandate proved to be complex and difficult, and many humanitarian actors were both disappointed and frustrated by the failure of KFOR to respond adequately and to more effectively prevent violations. Despite the significant shortcomings of the mission, however, it represented an important step toward recognition of the international obligation to address the protection of civilians on the ground during a transition to peace.

Sierra Leone, 1998

An instructor teaches girls to prepare for weaving in a vocational training workshop at a centre run by the Christian Brothers, a local NGO that works with unaccompanied, abused and street children, as well as former child soldiers, in the southern town of Bo.

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F. Supporting Community-Initiated Protection Strategies

FP99 *Facilitating Grassroots Decision-Making Can Lead to Self-Initiated Human Rights Activities*
The *Rebuilding Communities in Urban Areas* component of the P.E.A.C.E. project in Afghanistan (described in Chapter 2. *Humanitarian Assistance and Protection: Developing an Integrated Approach*) was conducted through the Community Forum Programme of the UN Centre for Human Settlements. The Community Forum Programme supported the development of local decision-making bodies that included women and men (although meeting in separate groups). Since decision-making at the local level is extremely important in Afghan society, but has broken down after years of armed conflict and political upheaval, strengthening capacity and determination for local decision-making enhances both civil/political rights and economic and social rights. Importantly, the community fora have been used successfully by some communities as an advocacy tool to regain internationally recognized rights enjoyed in the past that had been revoked (such as the right to education and health for girls and women). Local authorities who had initiated stringent restrictions that denied these rights seemed unable or unwilling in some cases to directly challenge the determination of members of the community to remove those restrictions or may have realised that they could not enforce the restrictions if the community pulled together against them.

FP100 *An Act of Resistance Against Armed Conflict by the Internally Displaced: Communities of Peace*
Several communities in Colombia, caught between warring factions, attempted a unique and creative response to the conflict: they declared themselves 'communities of peace'. Communities of peace have essentially opted out of taking part or taking sides in the multifaceted 'civil war' which involves many factions. Members of these communities pledged not to carry arms or participate directly or indirectly in armed actions and agreed not to provide information to any of the parties to the conflict. Communities of peace, whose members also pledged increased cooperation in community affairs and production, were encouraged by activists within the Catholic Church and by some Church-related social agencies. Community members were issued identity cards indicating their neutrality in the armed struggle, and communities of peace often chose to erect signs that publicly stated their chosen course. Such a declaration becomes, in the words of one Colombian NGO, an "act of resistance" by displaced communities "searching for alternative strategies for survival" in an environment where the government is unable to provide basic security.

A concern was raised by some organizations regarding the communities having to give up their freedom of expression. This concern is important, as individuals have the right to freely express their opinion or to associate with whom they wish. Nonetheless, creating communities of peace is an extraordinarily courageous attempt by the civilian population to take control of their own destiny.

The strategy generated mixed results in displaced and returnee communities. Some communities reported that community of peace status deterred armed incursions, while others continued to face attacks.

FP101 *Important Steps to Promote Protection and Peace Are Often Taken Out of the International Spotlight*
In the summer of 1999, chiefs of the Sudanese Dinka and Nuer tribes held talks for 10 days in Wunlit, Sudan. They came together to try to end further devastation caused by in-fighting among southern Sudanese. The visit to Dinkaland by a Nuer chief was also meant to build confidence among the Nuer people that it was safe to travel there. During the talks, participants noted that the proliferation of small arms in the south had vastly worsened the level of abuses during cattle raids. Before the introduction of small arms, cattle raids had resulted in a much lower loss of human life. The breakdown in culture fed on itself as killing became an act that became easier to commit and carried fewer moral consequences, as killing with a gun did not involve hand-to-hand combat. The chiefs present committed themselves to addressing this. The outcome of the talks was the *Wunlit Dinka-Nuer Covenant*, which named the terms of a cease-fire and called upon all in the south to adopt it. When Nuer people were later forcibly displaced from their homes due to conflict based on exploitation of oil resources, some went toward Wunlit. "Without the peace processes, these Nuers would have had nowhere to go," one observer noted. Humanitarian organizations and donors could approach groups involved in similar initiatives to learn more about how they might provide support.

FP102 *Mobile Peace Units Can Engage Ex-Soldiers and Reach Fighters Who Have Not Yet Given up Their Arms*
Messages for peace do not reach remote areas without a concerted effort. The NGO ActionAid in Sierra Leone organised a Mobile Peace Unit (MPU), which travelled to remote areas in a vehicle equipped with a big-screen TV, videos, etc. for entertainment purposes – and for the dissemination of important messages related to peace. The MPU also disseminated a popularised version of the peace agreement, and recorded oral histories and the memories of youth about the war.

FP103 *Engaging the Public in Demobilization Programmes*
The Children's Committee for Disarmament in Freetown, Sierra Leone, produced a call-in radio programme to get the public's views on how to spend public monies to achieve disarmament.

FP104 *Children Vote for Peace in a National Referendum: Voters Show Up by the Millions*
In Colombia, a large-scale, national effort to support the peace process called the Children's Mandate for Peace and Rights involved an astonishing 2.7 million Colombian youth – and was nominated for the Nobel Peace Prize.

The Children's Mandate for Peace effort was supported by the National Peace Network (REDEPAZ), the Catholic Church, the Scout Federation and UNICEF, among others. The project centred on a national referendum by Colombia's children and was organised around a formal voting process in more than 500 electoral districts. Accompanied by extensive media coverage and public organization efforts, the ballots cast by young voters emphasised two points: a vote for peace in Colombia, and a choice of which guarantee provided in the Convention on the Rights of the Child was most essential in the Colombian context. The children voted overwhelmingly in favour of the right to life and the right to peace.

The voting process and related publicity significantly raised awareness of the needs of Colombian children affected by war and displacement. Moreover, the Children's Mandate for Peace had other lasting benefits: it stimulated a legislative debate on increasing the age for military recruitment in Colombia; helped stimulate subsequent advocacy for peace by the adult population; and encouraged many Colombian youth to become active in ongoing peace and social justice movements.

Sudan, 2001

*A 16-year old boy, walks arm in arm with a woman and girl, both relatives with whom
he has just been reunited, in the province of Northern Bahr el Ghazal. He has just
arrived, with other demobilized child soldiers, transported by aeroplane by UNICEF from
a transit camp in Rumbek, capital of the nearby province of Lakes. After each 50-minute
flight, the plane returns to Rumbek for other children, transporting several hundred a day.*
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Neighbourhood or Village Watches Can Provide a Basic Early Warning System

This tactic involves the assignment of watches (periods of observation) in high-risk areas. Persons on watch are instructed to report any unusual activities to a central point in order to get help. Systems enabling round-the-clock notification of international organizations (if present) must be devised whenever feasible, especially in cases where the police or other authorities are responsible for carrying out abuses or are not able or willing to protect citizens. Warning systems need not be 'high tech'. In Rwanda, according to a human rights monitor, discussions with Tutsi residents in villages near the border or in other areas subject to attack by returning Hutu militias following the genocide in Rwanda revealed that Hutu militias knew the villages well, even down to where each person was sleeping. Villagers, with the support of the human rights monitor, developed a basic civil defence system, where lookouts were assigned just outside the village to keep watch. If any suspicious movement was noticed, the lookouts banged loudly on jerry cans as a warning to those sleeping. The word would be passed on to other villages and an alarm system set up to notify local defence forces if there was an incursion.

Similar watches have been set up around the perimeter of refugee or IDP camps, and could be important in protecting refugee women from sexual assault by outsiders. Humanitarian organizations could encourage the development of such watches and perhaps work with the community to provide incentives for those willing to keep watch and to develop strategies to approach authorities regarding any incursions into the camp or attacks upon camp residents.

PRESERVING & PROTECTING LIFE, HEALTH & DIGNITY THROUGH HUMANITARIAN ACTION

4

life, health &

dignity

Introduction

Realizing the link between assistance and protection, many humanitarian organizations have begun to consider new approaches that incorporate thinking about protection into regular programming.

A relief worker delivering bags of wheat flour understands that her actions support the right to food. As she becomes more knowledgeable about rights and the need to both promote and actively protect rights, however, she realises that supporting the right to food by delivering material assistance alone is not a sufficient response to the many problems faced by those receiving the flour. Participants in her programme have been directly attacked and forcibly displaced. Many women were sexually assaulted during flight and upon return to their village continued to fear for their safety. The elderly and disabled were in some cases left behind by families fleeing the violence, and some remained alone upon the return of other villagers because their families did not come back.

Some of those on her distribution list belong to an ethnic minority, and are fearful of coming to the distribution centre to collect their food entitlement. She has heard that other people were targeted coming back from distribution by bandits, who preyed on the elderly, women and children.

She starts thinking about what her programme is doing in a new way. She knows that since the aid might attract bandits, she must learn how to set up a distribution plan so that these problems are minimised.

Upon consulting with the village elders, she learns that a number of children have been enticed to join the armed forces because the commanders promised to provide food for them and for their families. The villagers are convinced that the presence of programme staff as witnesses will discourage abuses, and that access to food (and to education programmes) will discourage children from joining the soldiers (and will help families discourage the practice).

She begins to consider ways to distribute food in a way that will reach the poorest and most marginalized of the people. She consults with the women in the village, who inform her that she must be careful how the food is distributed – otherwise the most vulnerable will be left out. They suggest the best way to help elderly and disabled people is to arrange for village women to take the food directly to their homes rather than expect them to come to the distribution point. They discuss ways of ensuring that the food reaches the intended recipients.

The aid worker also consults with members of the minority group to explore possible alternative distribution sites that would be more accessible to them. One person suggested that the home of a respected elder sympathetic to their plight might be used as a temporary storage facility for the relatively small amount of aid they received. They indicated that this person was unlikely to be targeted given his stature in the surrounding area. The aid worker agreed to speak with him.

The villagers – both women and men – stress that they are anxious to go about growing their own food again but have no tools or seeds.

Later, the relief worker consults with other organizations and asks UNICEF about setting up an education programme in this village staffed with a teacher who lives in the village. She discusses the

return problems with the UNHCR protection officer and contacts the ICRC about a programme they have supported which turns weapons into farming implements and about their seeds programme. She speaks with several international NGOS including OXFAM and MSF about visiting the village to help address assistance needs, including protection through increased presence. She consults with other colleagues to learn more about how to ensure the long-term sustainability of capacity-building projects.

In this section, field practices relevant to humanitarian service sectors have been gathered from a variety of sources to provide examples of ways humanitarian activities can further protection. As emphasised earlier in this collection of practices, it is the way these activities are planned and carried out that makes the difference. The focus is not solely on the delivery of a particular service (i.e., digging a well) but how that service can prevent or mitigate protection problems.

This chapter is based on the sectors included in the Sphere Project Minimum Standards in Disaster Response (water supply and sanitation, nutrition, food aid, shelter and site planning and health services), but three humanitarian sectors that do not appear in the Sphere Project Standards are also included in this discussion: family unity and tracing, education and income-generating activities.

Croatia, 1993
Ensuring that the elderly are kept together with their families during times of displacement secures the needs of all family members.
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A. Family Unity & Tracing

Families are often separated during armed conflict, and family members may not know what became of their loved ones. The 'pain of not knowing' can never be assuaged. People continue searching long after the war is over. Tragically, many will search for the remainder of their lives. It is important that families are made aware of the services offered by the International Red Cross and Red Crescent Movement and other organizations. While one doesn't want to raise false expectations, many people have learned news of family members and have sometimes been reunited thanks to these services.

International humanitarian law provides for the right of families to know the fate of relatives separated from them due to armed conflict. The parties to an armed conflict are responsible for gathering all information which may help establish a missing person's fate, for providing a response in individual cases, for drawing up death certificates when death has been confirmed and for taking all measures to obtain a ruling on the legal and administrative status of missing persons and their families. Human rights law, too, in particular the Convention on the Rights of the Child, contains detailed standards on family unity which are applicable in times of war and peace.

The Worldwide Network of the International Red Cross and Red Crescent Movement Helps Keep Family Links Intact
Assistance to family members who have been separated by armed conflict, internal violence or imprisonment can take different forms, such as collecting and delivering family messages, organising family reunification, arranging for family members to visit relatives in prison or across front lines, or searching for information about people reported missing.

RED CROSS/FAMILY MESSAGES: Family messages, initiated during the First World War, still comprise a major part of the services offered by the ICRC and National Red Cross and Red Crescent Societies. Family messages transmitted 'across the lines' thanks to the unique network of sister National Red Cross and Red Crescent Societies supported by the ICRC have proven to be a simple, swift and effective way of helping separated relatives renew and sustain contact. Hundreds of

thousands of Family Messages are exchanged each year.

TRACING: The International Red Cross and Red Crescent Movement around the world works cooperatively to trace individuals separated from their families because of armed conflict, internal disturbances and tensions and imprisonment. Searches are carried out in many different ways: by collecting and delivering family messages, sending Red Cross/Red Crescent staff to places where the individuals sought are thought to be staying, contacting those who may have information on their whereabouts, and publishing names and/or photos. This work depends on the meticulous gathering, analysis and transmission of information about individuals. Those people who are successfully traced are put in touch with their families thanks to the world-wide network of 176 National Red Cross and Red Crescent Societies. The ICRC's Central Tracing Agency in Geneva acts as a clearinghouse for tracing requests sent across international borders. The Central Tracing Agency holds information about hundreds of thousands of displaced people, refugees, detainees and missing persons in its tracing files.

In Bosnia and Herzegovina, the ICRC set up and chaired a Working Group to implement a process of tracing persons unaccounted for in connection with the conflict in the territory of Bosnia and Herzegovina. The ICRC also instituted a missing persons programme that includes an on-line Internet database with a list of persons unaccounted for and information about them (name, father's name, and date of birth and place of origin). The ICRC asks people to help clarify the fate of the missing by providing accurate information if available. The list has also been

published in book form. BBC radio participated in tracing by conducting call-in radio and other programmes to inform families about tracing services and allow people to announce they are alive and looking for family members. Following the massacre of some 7,000 to 8,000 men in Srebrenica, Bosnia, a book containing photographs of articles of clothing and other items recovered during the exhumation of mass graves was published and placed in places open to the public so that the dead might be identified.

FAMILY REUNIFICATION: The ICRC and National Societies, where possible and necessary, make arrangement for the return home of persons located through tracing efforts. In Somalia, Croatia, Cambodia and Sri Lanka, for example, several hundred cases were resolved and families were reunited in each country.

A number of NGOS are also engaged in tracing and reunification efforts (both in partnership with the ICRC and National Societies and independently). Many of these programmes provide assistance to child soldiers and their families.

FP107 *The Building of Partnerships Combined With New Technology Can Help Provide Answers to Some Families Desperate for Information*

The International Commission on Missing Persons (ICMP) was founded in 1997. The objectives of the ICMP included persuading responsible governments to intensify efforts to resolve cases of persons missing as the result of conflicts in the former Yugoslavia, supporting specific projects of agencies involved in missing persons issues, and assisting family members of the missing and their associations. A key project of the ICMP (carried out by the human rights NGO Physicians for Human Rights) was the Ante-Mortem Database, a mechanism to collect information about the physical characteristics of the missing person at the time of disappearance by conducting interviews with family members. The Identification Project compared ante- and post-mortem data and investigated other clues to the identification of mortal remains. DNA testing has been conducted when necessary and

possible. Unfortunately, the process of identification was extremely painstaking and the location of many mass and individual graves remained a secret. A number of missing persons associations were founded in the former Yugoslavia to provide support for the many families anxiously awaiting the results of exhumations and/or tracing requests and to advocate for the resources needed to continue the identification process.

FP108 *On-Line Services Help Reunite Families and Track Information About Persons Separated From the Their Families*

The on-line Family News Network developed by the ICRC with the assistance of national societies includes a searchable database of persons missing due to the conflicts in Bosnia and Herzegovina and Kosovo and has been expanded to include persons missing due to certain other events. The website has accelerated the process. The website for the Family News Network is http://www.familylinks.icrc.org. In November 2000, the ICRC published a guide for National Red Cross and Red Crescent Societies called 'Restoring Family Links' to assist in family messages, tracing and reunification. The book can be ordered from the ICRC. [1]

FP109 *Assisting Families of Missing and Killed Persons in Understanding Their Legal Rights*

In order to help families resolve problems related to the legal status of their missing relatives (and subsequently their own legal status), the ICRC prepared a manual summarising the relevant legislation and the rights of families of missing or killed during the armed conflict. The 'Manual on the Rights and Entitlements of the Families of Missing and Killed Persons in the Republika Srpska/Bosnia & Herzegovina' assists families in making representations to administrative bodies.

1 The book can be ordered for a fee by emailing pkammer.gva@icrc.org

With the help of Red Cross and Red Crescent National Societies, the ICRC assists in the collection of tracing requests from families, helps authorities set up and run official mechanisms for collecting and processing such requests, offers technical advice based on its extensive experience in tracing, and encourages and supports the parties in the work of exhuming communal graves and identifying human remains. The ICRC defines a missing person as anyone who goes missing as the result of armed conflict – civilian or military – whose relatives remain without news in spite of all efforts, including those by the ICRC and the International Red Cross and Red Crescent Movement, to trace them or clarify their fate. The ICRC 's duty to try to determine the fate of such persons stems from its mandate to assist all victims of armed conflict.

Rwanda, 2000
Family reunification in Gisenyi under the auspices of the ICRC.
© ICRC RW-N-00174-01 / M. LONGARI

FP110 *Spreading the Word About Family Messages and Tracing Services Through Entertainment*

The ICRC delegation in Addis Ababa, Ethiopia, established cooperation with Circus Ethiopia (see Chapter 3.A. *Dissemination of International Humanitarian, Human Rights and Refugee Law*) in 1995 to highlight specific activities carried out by the ICRC and The Ethiopian Red Cross Society for people separated or otherwise affected by war, such as the Red Cross family message service.

FP111 *Tracing and Reuniting Child Soldiers with Their Families*

Humanitarian organizations in Sierra Leone, led by UNICEF, created a database of missing children and cross-matched it with names of ex-fighters registered in demobilisation centres. Since much of Sierra Leone's population had become internally displaced or taken refuge in neighbouring countries, the data-base includes information from IDP and nearby refugee camps.

FP112 *Satellite Telephone Communications Provided by an International NGO for Displaced Persons and Aid Workers Help Maintain Family Unity (and Could Enhance Protection for Marginalized Communities)*

Telecoms sans Frontieres' (Telecommunications Without Borders, or TSF) mission is to quickly establish satellite communications in areas struck by war and natural disaster. TSF worked (with the assistance of UNHCR) to assist refugees in Albania forced from their homes in Kosovo in informing family members remaining in Kosovo of their survival. TSF teams use Inmarsat satellite phones, which are the size of a laptop, are easy to use, and work anywhere in the world. Over a one-year period, TSF provided over 130,000 telephone calls, enabling refugees to renew contact with family members outside the Balkans, locate missing family members, and obtain needed documents. (The TSF website is http://www. tsfi.org).

FP113 *A Mobile Family Communication System Helps Re-establish Contact and Mobilises Local Communities*

The ICRC established a Family Communication System in Kosovo composed of 10 mobile units. The mobile units were equipped with satellite and/or mobile phones and travelled throughout the province. Their arrival in towns and villages was announced over the local radio. People who knew the telephone numbers of their relatives were able to call them to inform them of their situation; others filled out traditional Red Cross message forms; still others registered their names on the ICRC's Family Links website (see A. *Family Unity and Tracing* in this chapter). The work was carried out in cooperation with volunteers from all the communities visited.

We saw that for people directly affected by disasters, the need for communication was almost as vital as food.

– President of the NGO Telecoms sans Frontieres, quoted by Veronique Mistiaen in *The Guardian*

B. Nutrition/Food Aid & Food Security

The problem was sometimes not a problem of food availability, but of access to the food by certain groups.

– UN relief worker, Afghanistan

FP114 *Imaginative Use of Relief Food Resources Can Multiply Benefits for Displaced Communities*
In Sri Lanka, the WFP provided dry ration food assistance to IDPs living in camps in government-controlled territory. In order to maximise the impact of the food assistance provided, WFP undertook an imaginative program to stimulate economic activity within the IDP community. The bags and containers in which the food comes were collected and sold, and the money used for interest-free loans for small income-generating projects.

FP115 *Coming to a Different Concept of Fair Share Through 'Proportional Piling'*
In Sudan, the ICRC used proportional piling to determine the amount of assistance that should be provided to particular areas. The first step in the system involved an assessment mission (usually of one week in duration) to the area with an agronomist, nutritionist, and other specialists as needed. ICRC delegates then travelled to the area again to meet with village chiefs and other representatives for a day or longer to discuss a distribution plan. The goal was to facilitate a discussion where all present came to a distribution agreement based on need, not on equity. Beans were used to represent the food during the exercise. Often, the group began the process by dividing the beans into equal piles, but after exploring possible distribution plans thoroughly, realised that certain clans or families among them needed more than others at that particular time. The meeting was not closed until an agreement is reached and signed. The delegates travelled back at the time of distribution to ensure that agreements were kept.

FP116 *Representation of Women on Relief Committees*
In 1995, the WFP in Sudan began utilising relief committees composed of 55% women to participate in distribution planning. These relief committees were seen as a vehicle "to get women into the debate" and the decision was reached to select women to serve as chairpersons. WFP asked the designated chair of the relief committee to determine who was most in need, then asked community representatives if they agreed with her assessment. The group was asked to come to agreement about who should receive the first distribution, based on need. On distribution days, villages divided into groups and the chief was asked to ensure law and order during the distribution process. Post-distribution meetings were held to review whether anyone fell between the cracks. Importantly, WFP examined traditional kinship relationships to determine how they were affecting distribution. Household food economy teams used local counterparts to learn about how households accessed food and to learn more about vulnerability.

FP117 *Ensuring the Right to Food, Right to Work and Right to Enjoy Just and Favourable Working Conditions for Women and Female Ex-Soldiers*
The Food and Agriculture Organization (FAO) in Sierra Leone supported women's food cooperatives to produce vegetables and provide vehicles to take them to the market. They were conscious of the need to take special care not to treat ex-soldiers differently from other civilians.

Niger, 1993
Women in a cooperative use stones
to build a terrace to prevent soil
erosion, in the village of Tshinkaki.
©UNICEF 93-1973 / G. PIROZZI

Afghans eat meat, drink milk or yogurt, use wool for carpets and use leather for all kinds of things. If they lose their animals, they lose their ability to support themselves. People are then rendered more susceptible to recruitment – but I don't think the donors understand this one bit.

– Livestock Development for Food Security in Afghanistan staff member, Afghanistan

When people are self-reliant they won't need to go join the warlords. We found that in areas where we had been working for five years consistently, people resisted sending their sons to fight, [but] if you are starving, you have to go and fight.

– an Afghan relief worker

FP118 *Recognising the Link Between Mobilization of Soldiers and Food Security*
The Afghan Rural Rehabilitation Programme and the Livestock Development for Food Security Programme (two programmes in P.E.A.C.E. approach; see FP10 description in Collaborative Efforts) noted a critical linkage between food security and the mobilisation of soldiers not always perceived by donors and others. The Livestock Programme, the survival of which was seriously threatened due to lack of funding and drought during 2000/2001, was vital not only to the livelihood and sustenance of families but to the ability of men to resist joining the fighting. Loss of livestock renders people more susceptible to joining in the fighting out of desperation to support their families.

In one village, the local shura (traditional governing council) gave a staff member a list of men who were to be mobilised. P.E.A.C.E. targeted the area for a micro-credit project for agriculture, enabling the farmers to garner more courage to resist the demand to surrender their sons to the militia. They told the militia they needed their sons to help farm the land and that they could not be spared. To their surprise, the militia backed off.

FP119 *Livestock and Recovery from War: Success in Somalia*
Two million animals were treated under the ICRC veterinary program in Somalia. Care of their livestock has enabled the nomads to survive. At the same time, thanks to the concurrent distribution of food aid and seed, lands formerly devastated by war are turning green again. Run by the ICRC from 1991 to 1993, a strategy was devised and tested for the subsequent transfer of these programmes to development agencies.

FP120 *Finding Ways for People on the Move to Provide Food for Themselves*
The National NGO Sudan Production Aid distributed fishing kits to IDPs given poor or no access to agriculturally produced goods, and because the kits are 'movable resources', they enable people on the move to

sustain themselves.

FP121 *Reaching the Marginalized Through the Marginalized*
'Widow Bakeries' in Afghanistan: In Afghanistan, many women were denied freedom of movement under the Taliban regime because of edicts issued by the *de facto* authorities. In one programme, the WFP hired men and women to conduct surveys in the community. The men conducted surveys of public places suitable for bakeries. The women, working in groups of four, conducted house to house city-wide surveys, enabling WFP to reach women they otherwise would not have been able to reach. Many bakeries were established and run by women, serving primarily female-headed households (a vulnerable segment of the community) and thus became known as 'widow bakeries'. Unfortunately, these bakeries were at times targeted for closure given their high profile and importance to women when the *de facto* authorities wished to assert their authority.

FP122 *Advocacy for Access to Land Benefits IDP Communities*
Few IDPs in Sri Lanka, despite their primarily agricultural backgrounds, enjoyed access to garden plots. Space considerations within displaced camps and ownership patterns outside have restricted IDPs' ability to supplement their livelihoods by growing consumables or cash crops. CARE's office in the Wanni region of Sri Lanka successfully advocated with local authorities to allow IDP access to fallow agricultural lands within walking distance from their settlement. Access to garden plots both increased income and provided a sense of normalcy to IDPs. CARE provided first-year agricultural inputs to jumpstart the garden initiative.

FP123 *Focusing on Assistance to Indigenous People with a 'Special Dependency on and Attachment to Their Lands' Within Displaced Communities*
In Colombia, many indigenous families have been among the displaced, usually as a result of entire communities fleeing violence in ancestral homelands. Even

before joining the ranks of the internally displaced, Colombia's indigenous communities – composing about 5% of the rural population – were at-risk, and were experiencing a high degree of poverty with its attendant problems: an infant mortality rate triple that of other groups within Colombia and a 60% illiteracy rate. In response to these facts, and recognising that displaced indigenous communities would encounter special difficulties integrating within urban or semi-urban areas outside their ancestral homelands, WFP targeted its assistance to IDPs from indigenous communities in Colombia. This assistance began with the provision of emergency rations of traditional, culturally appropriate food-stuffs at displacement sites. In some cases, while returnee communities were re-establishing themselves, WFP worked to adapt its national plan for poverty alleviation for indigenous communities (consisting of rural infrastructure construction, rehabilitation of degraded micro-watersheds, and support for income-earning activities, including credit access and technical assistance) to displaced/returning communities.

FP124 *The Use of Wet Kitchens in Somalia*
In Somalia, the ICRC addressed the problem of bandits stealing humanitarian aid by setting up 'wet kitchens' that served people prepared porridge directly rather than through distribution of sacks of food or parcels. Security was provided at the feeding sites.

FP125 *Discouraging Men from Diverting Food from Women*
Biscuits Most Men Wouldn't Eat: One NGO faced the problem of diversion of food from women and children by men in a creative way: they stamped the words 'Women's biscuit' on biscuits. The men did not take them.

FP126 *Knowing Food Entitlements Can Help People Assert Their Rights*
In Sudan, OXFAM recognized that it was important for people to know what their food entitlements are "because they cannot assert their rights if they don't know their entitlement." OXFAM joined a working group to look at the issue of food diversion. Although diversion is viewed by OXFAM as a law and order issue, the organization believes it is responsible to look at the distribution system so that they can determine where the problems are and do what they can to decrease diversion.

Addressing the Misuse of Food Aid

Although some humanitarians realised early on that humanitarian assistance was not always helpful or even benign, the misuse by participants in the genocide in Rwanda of humanitarian aid in UN border camps (in then Zaire) brought home to humanitarian organizations in a dramatic way the potential negative effects of humanitarian action. Those who had perpetrated the genocide in Rwanda used aid extorted from legitimate refugees (many of them women and children) to buy arms and feed militias in order to conduct incursions into Rwanda from Zaire with the intent of continuing acts of genocide. They intimidated anyone who stood in their way, including Hutus who wished to return to Rwanda to live in peace with their remaining Tutsi neighbours.

The theft of food aid by bandits in Somalia and Liberia, the benefits warlords in Bosnia reaped from humanitarian assistance and black market activities (and later reconstruction aid) and other examples demonstrated to humanitarians the need to take a close look at the potential negative repercussions of humanitarian aid. Over time, it has become accepted that it is better to do nothing than to contribute to the harm being done to a civilian population. This is easier said than done in terms of practice, however, given the ethical dilemmas humanitarian organizations face in deciding when to provide assistance and when to decline to provide it.

We were not always sure about the least harmful approach to take.

– relief worker, Afghanistan

Rwanda, 1999
A girl smiles as she collects water from a water point installed with UNICEF
assistance in the town of Nyamata, east of Kigali, the capital.
©UNICEF HQ99-0575 / G. PIROZZI

C. Water & Sanitation

FP127 ***Water, Women and Freedom of Association***
The NGO AgroAction worked with women in Afghanistan to identify where they wanted to put community wells. This helped avoid the placement of wells in areas unsuitable to meet the needs of women. Women wanted wells that were strategically placed so they could gather and talk with one another. Women in many communities were not permitted to leave their homes without a male relative, but since collecting water was a necessity – and was usually left to women – the collection of water provided an opportunity to obtain the social support needed in difficult times.

FP128 ***Sanitation Projects Can Be Used to Further the Participation of Women***
Some 12,000 families were supported to construct family sanitary latrines (FSLs) in Afghanistan, supported by a strong female mobilisation component through home visits utilising female volunteers. The initiative was so effective that multiplication of FSL construction projects started without any UNICEF financial or material support.

FP129 ***Repairing an Urban Water System to Prevent Shooting of People by Snipers***
The IRC, led by American disaster expert Fred Cuny (later killed in Chechnya while on a humanitarian mission) developed a water project in Sarajevo during the war in Bosnia and Herzegovina to prevent people from having to go to the river or stand in long lines for water from trucks, where they were exposed to sniper and artillery fire. The water project ingeniously used very old water pipelines under the city to get water to particular areas. The water project played a key role in summer of 1995 in providing clean water when the external water supply to the city was completely cut off by the Bosnian Serb military laying siege to the city.

> The amount of water a person receives may not be as relevant to that person's needs as the placement of the water supply …women [are expected to] go and get the water.
>
> – relief worker, southern Sudan

D. Shelter & Site Planning

FP130 *Humanitarian Assistance with Protection in Mind: The Protection of IDPS in Sri Lanka Through Site Planning*

An escalation of hostilities in Sri Lanka in November 1999 resulted in the further displacement of many families. Close to 1,000 families were unable to return to their homes and were in need of shelter. The families had a tough choice to make: to go to a Welfare Centre where conditions were known to be difficult or to stay under generally difficult circumstances outside the centres. UNHCR, which has a long history of working with IDPS in Sri Lanka, offered to accommodate IDPS in groups in various locations of their choice. 'Standard practice' would have been to provide the IDPS with construction material to allow them to establish a 'village' as best they could (in any form, shape or design). Past experience had shown, however, that this created a host of other problems – with some areas not even having the required minimum amount of land for a village. UNHCR undertook to design various site plans with a focus on protection and respect for human dignity. The factors considered included the following:

- PARTICIPATION: All residents participated in the design of the sites and were remunerated with a small reward for the lost time of daily labour – this ensured that all residents felt included and a sense of ownership;
- LAND ALLOCATION: As a first step, UNHCR ensured that minimum land (30 to 45 sq. metres per person) was made available before any work began;
- OVERALL SITE PLAN: Site plans that were developed had two distinct sections. Each family was

provided access to a 'common area' and a 'private area'. It was agreed that the common area would be kept clean and could be used by all residents, whereas the private family areas would be exclusively used by families for cooking, washing, and a small vegetable garden;

- EMPHASIS ON PRIVACY: Despite the number of families housed in relatively small areas, housing was designed so that front doors did not directly face one another;
- FEELING OF CLOSENESS: Private areas were deliberately kept close to one another so that families were not isolated;
- ACCESSIBILITY TO WATER: The wells were situated in the middle of the villages so that women would not have to walk far for water (in order to reduce vulnerability to sexual assault and for general convenience) – the wells were situated in open spaces that could be seen by all;
- ACCESSIBILITY TO LATRINES: Latrines were also placed nearby, but in locations where they would not contaminate the water source or family huts;
- ACCESSIBILITY TO EDUCATION: Care was taken to ensure that sites were close to education facilities;
- AWARENESS: The sites were designed so that a form of 'neighbourhood watch' could occur, where residents would be able to note unusual movements or problems;
- SENSE OF SECURITY DUE TO PRESENCE OF AID WORKERS: Regular visits of humanitarian aid workers provide IDPS with a sense of security and comfort. The villages were therefore designed so that when aid workers or others came down the

road, or entered the village, everyone could see them from their huts;

- PROTECTION UNDER THE 'FLAG' OF UNHCR: A signboard with 'UNHCR' written on it in bold letters discouraged outsiders from disturbing residents of the village;
- FREEDOM OF MOVEMENT: Residents of these villages generally enjoyed more freedom of movement than those living in Welfare Centres;
- INCOME GENERATION: In some locations, the adjacent land was cultivated by the residents, providing them work and extra income.

This approach may be used again in the near future as the Government of Sri Lanka has agreed to help plan other such sites to enable people in the Welfare Centres to find relief from the difficult conditions there.

FP131 *Refugee or IDP Camps Set up on the 'Cluster Principle' Encourage Social Stability Despite Displacement*
During the creation of the safe haven in Northern Iraq, camps were set up on a cluster principle instead of the 'fire hazard straight line' system as was commonly used at the time. This permitted groups of people, generally from the same extended family or clan, to place their tents in groupings of their choice in order to preserve family and community ties. They generally chose circular groupings.

E. Health Services

Discrimination isn't just an effect, it's actually a root cause of the disease.

– Jonathan Mann, leader in the fight against HIV/AIDS

FP132 ***Promoting the Right to Health: Youth to Youth on AIDS***

Before the civil war in Sierra Leone, the incidence of HIV/AIDS was relatively low – about 7% according to an official from WHO. Health officials believe that the percentage rose significantly because of the widespread abduction and rape of women and girls by rebel troops. Even if these violations were to stop, the spread of AIDS through unsafe sexual practices would still effectively sentence many women to an early death. The Sierra Leone Red Cross developed a program to change sexual practices by spreading the message in a particularly effective way: from youth to other youth in their communities. Health and education specialists teach adolescents selected for their communications abilities about reproductive health and HIV/AIDS and train them to train their peers to make responsible decisions.

FP133 ***Mobile 'Health Brigades' Reach Isolated Returnee Communities and Communities at Risk of Displacement***

Given the generally rural nature of the conflict in Colombia and problems of insecurity in the countryside, isolated communities often faced two types of threats: direct attack or threats from armed groups, and restricted access to markets, health care and other important services because of insecurity. Both types of threats entered into the community calculus of whether to flee and join the ranks of the displaced, and whether, after return, to remain in the home area.

Mobile health brigades, a project of the ICRC, the Colombian Red Cross, and the Colombian Ministry of Health, sought to address the issue of access to health services in isolated communities. For example, in both the Caguan River valley in the south of Colombia and along the Atrato River in the north-west, ICRC 'health boats' navigated the waterways to reach communities in regions of conflict. The health boats remained on the river for weeks at a time, and had served more than 11,000 patients by 1999. The availability of these health services may support community resolve to remain in their place of origin.

In Sri Lanka, the deterioration of the health infrastructure in conflict zones, the wide dispersion of the displaced, and concerns with security and transportation made it difficult for IDPs to access adequate health care. UNICEF and program partners addressed this complex problem in part by supporting mobile health clinics that travelled to areas where the displaced were concentrated to provide basic diagnostic and curative services and referrals. The ICRC also supported a mobile health brigade run by the Sri Lanka Red Cross Society to ensure that civilian war victims, residents and IDPs frequently on the move continued to have access to basic health care. When security conditions deteriorated in certain areas, ICRC staff temporarily took over the running of teams in those places. The ICRC furnished material support to the steadily growing number of primary health care centres run by the Sri Lanka Red Cross in isolated areas.

FP134 ***Decreasing the Risk of Landmine Injuries to Children Through Peer Education Programmes***

The Child to Child (ages 8 to 15 years) and Youth to Youth (15 to 24 years) programmes of the UN Mine Action Coordination Centre in Kosovo (MACC) have

Iraq, 1999
Five-year old Zeki Karith, who weighs only 12.2 kg as a result of severe malnutrition, is measured by health workers in the Nutrition Rehabilitation Centre of Kadumia Paediatric Hospital in Baghdad, the capital. UNICEF assists the centre with training for health workers, supplementary food, equipment and other supplies.
© UNICEF HQ99-0575 / G. PIROZZI

widely decreased the incidence of landmine injuries to a group (children) that is most vulnerable to land mine injuries. This was accomplished effectively and at low cost by training youth to pass along information about the danger of landmines to other youth. MACC Centre staff worked with communities and youth to identify areas where it was safe for children to play and to mark safe routes to school. Ten children from each school (50% females and 50% males) were selected as peer educators and were taught songs, games, and role-playing on mine safety to pass on to others. As part of the programme, the peer educators were to make sure that children stuck to safe play areas and routes. The MACC Centre developed signs to mark these areas.

MACC also developed a clever public education campaign by distributing T-shirts that say 'Watch Your Step' on the outside and 'Mines are Invisible' on the inside (where no one could see the words).

Finally, MACC adapted the sophisticated computerised Global Information System (GIS) to provide information on known locations of mines, patterns of injuries inflicted by landmines, victims, mine clearance activities and public education. MACC also worked with UNHCR and other UN agencies and NGOS to map conditions related to health services, shelter, agriculture, and availability of food and non-food provisions. The system has helped MACC target high-risk areas and prioritise mine clearance.

FP135 ***The Provision of Reproductive Health Kits in Emergency Settings Can Reduce the Effects of Human Rights Violations and Help Ensure the Right to Health***
In Congo/Brazzaville, the Minimum Initial Service Package (MISP) was provided to families when the displaced population returned after a five-month civil war to the largely destroyed city of Brazzaville. The International Federation of Red Cross and Red Crescent Societies teamed up with the US-based NGO International Rescue Committee to distribute the kits and to conduct training for local health staff on HIV/AIDS precautions, family planning, safe delivery,

handling sexual violence, and other topics.

The MISP "is designed to prevent and manage the consequences of sexual violence, reduce HIV transmission, prevent excess neonatal and maternal morbidity and mortality [disease and deaths], and plan for the provision of comprehensive reproductive health services…" [1] The MISP should be implemented by appropriately trained staff from the start of the emergency intervention. Implementation should be coordinated with other agencies and sectors and should include reporting of cases of sexual violence to health services..." MISP kits were initially developed and field-tested by the United Nations Population Fund. They contain material resources to supplement services, including essential drugs, supplies, basic surgical equipment; guidelines, manuals and importantly, human resources in the form of a reproductive health coordinator.

FP136 ***Mental Health Service Issues May Help Keep Communications Lines Open Between Divided Communities***
In the divided city of Mitrovica in Kosovo, Albanian and Serb communities lived on opposite sides of the town, mental health proved to be one of the first subjects both communities agreed to talk about. International health NGOS joined WHO in setting up a series of mental health coordination meetings for the Mitrovica region to discuss the future organization of mental health services in Kosovo and the principles of community-based care, and the planning of mental health seminars that would include speakers from the two communities. The meetings did not always run smoothly; sometimes the political situation prevented one or the other of the parties from attending; sometimes the needed military protection for one group to

1 *The Sphere Project Humanitarian Charter and Minimum Standards in Disaster Response* (Geneva: The Sphere Project) p. 253. Available from The Sphere Project, P.O. Box 272, 17 Chemin de Crêts, CH-1211 Geneva 19, Switzerland. The website is http://www.sphereproject.org.

cross the river dividing the town was not forthcoming. Still, the initiative was a successful and valuable first step to better communications across the communities concerning mental health. The initiative led to cross-community training in child psychiatry, a discipline that has received little attention in Kosovo, and to plans to allow a day care centre for children of both communities affected by psychiatric and psychological disorders to be set up in the town. It is important to note that subsequent developments made it difficult to continue these efforts, but at the very least contact had been initiated between groups with common goals.

FP137 *New Freedoms Exist in Post-Conflict Situations, but Old Problems Haunt; Discussions Within Communities May Reveal Need for New Approaches to the Problem of Violence in a Society*

Very soon after the return of the ethnic Albanian population to Kosovo, local and international NGOs working with WHO began to develop a framework in which women and men could explore the effects of the violence in individuals and society and begin identifying those support and services crucial to helping people cope. A series of group discussions conducted separately with randomly selected women and men (not patients evidently suffering from the effects of violence) were held. Facilitators used a series of questions that drew out the participants' perceptions of social change since the crisis regarding gender roles, definitions of health (particularly mental and reproductive health), forms of violence and the methods and services available to help people cope with war-related and domestic violence. The groups shared the belief that although the war was over, violence persisted throughout society in a variety of ways. Local health worker facilitators, trained by Mercy Corps International, led the focus groups, a move that helped empower local professionals to act on their findings. The report from the focus group discussions served to identify needed health and social services, including counselling and the specific needs of women, and became the basis of a multi-sectoral workshop on vio-

lence prevention. WHO continued to support the work technically and financially, but the local professionals were the driving force behind the project.

FP138 *Easing the Pain of Unwanted Pregnancy in Conflict or Post-Conflict Zones*

Unwanted pregnancies occur in every society. How women and their families deal with the situation depends partly on what choices they have and the support they receive for any decisions they might make. In Kosovo, as in other societies where pregnancies may be the consequence of rape during conflict, the fact that a birth is unwanted often comes to the attention of medical and social services only after the child is born. UNICEF and the WHO conducted a trainers workshop for nurses to assist health workers in offering appropriate psychological support and counselling at such times and to increase their capacity to identify those women troubled by their pregnancy for whatever reason. The course covered issues such as the detection of warning signs, grief and loss, simple baby care (which unwilling mothers often find almost impossible to do without help), domestic and sexual violence, rights to privacy and confidentiality, ethics, and interviewing and communication skills.

FP139 *School Children Can Take the Lead on Issues That Threaten Health and Can Act as a Powerful Force to Show City Authorities That They Must Do More*

The children of Pristina, Kosovo's capital city, decided to tackle the city's waste problem. Children from 26 primary and secondary schools decided to take the capital's waste problems into their own hands in a city-wide school clean-up intended to spur the city's administration to sort out the municipal rubbish collection which had totally collapsed during the crisis. Classes brought out brooms, bags, gloves, shovels and good spirits to clean up their school premises and the surrounding areas in the 'Youth and Clean Environment Campaign' orchestrated by the Kosova Independent Trade Union of Elementary and Secondary Schools and supported by WHO and British

KFOR. The Campaign was based on a simple premise: to get out and clean up the rubbish that was in and around school premises, then keep it clean with regular waste patrols by 'Waste Champions'. Teachers also focused classes on environmental issues and their health effects and pupils were encouraged to draw, paint and write stories on the theme 'We want our town to be clean!'

Mrs. Mejrme Shema, a teacher at Shtatë Shatatori School who was the driving force in the campaign, said "Our action for a clean environment will send a message for the citizens to keep our town clean and for other officials to take the initiative not only to clean up the city but to plant grass and flowers and create some parks." The WHO environmental advisor, who put together a patchwork of donors to help re-establish local waste contractors, said the campaign would boost efforts to solve the two key problems hampering good waste collection.

FP140 *Ensuring Access to Health Care for IDPS Experiencing Discrimination*

At the Konjic displacement camp in Podgorica, Montenegro, camp clinics were established by Intersos, an NGO. Although the Montenegrin government was initially reluctant to have separate camp clinics in light of the policy to integrate all refugees and IDPS into the community health care clinics, in this case, it agreed to allow the clinics because it was demonstrated that displaced persons of Roma ethnicity were experiencing discrimination. Roma clearly did not have equal access to care compared to other ethnic groups. The clinics were staffed by personnel from local institutions who provided daily consultation, treatment and referral in general practice and paediatrics. A pharmacist and epidemiologist/hygienist were also present. The clinics served some 3,600 Roma IDPS and around 600 Bosnian refugees.

FP141 *Ensuring Isolated Populations Are Not Cut off from Medical Supplies in a Zone of Violence: Shepherding of Medical Supplies to Palestinian Self-Rule Areas*

The physical accompaniment of medical supplies to their destination may require that medical coordinators become shipping and transport agents as well. In the case of the Palestinian Self-Rule Areas, the WHO special coordinator spent many hours physically on the receiving dock getting medical emergency kits cleared through security and customs, and then transporting them in WHO vehicles through road blocks to cut-off communities. The physical presence of WHO medical officers not only ensured the supplies reached the Palestinian communities in need, but offered powerful reassurance to the Israeli authorities that the goods were truly humanitarian.

FP142 *The Desegregation of Data Allows Analysis of Access to Health Care from a Gender Perspective*

The collection of data desegregated on the basis of gender (collection of separate health information for women and men) helped WHO ensure that health conditions most suffered by women are understood and addressed in Afghanistan. This has been important because many of the health problems and needs of women in Afghanistan were not obvious from the country's normal published data and therefore gaps in service were not highlighted.

FP143 *Conscious Efforts Must Be Made to Reach Women in Indigenous Communities*

In Mexico/Chiapas, the ICRC organised training courses for traditional midwives to ensure that all women, especially in indigenous communities, received adequate prenatal care.

F. Education

FP144 *Creative Application of National Standards Can Direct Resources to the Internally Displaced*
Many IDPs in Sri Lanka were displaced to remote and/or marginally secure regions of the country, making the recruitment of teachers to overcrowded schools in those regions a difficult process. The Ministry of Education, which administers the national teacher qualifying exam and manages teacher transfers, waived the teacher exam qualifying score for those applicants willing to teach in schools with large numbers of IDP students. Applicants scoring just beneath the normal qualifying mark were accepted as teachers, provided they agreed to work in these hardship posts for a specified period, thereby expanding educational opportunities for displaced children.

The Ministry also took steps to encourage volunteer teachers to work with IDP children. A number of international and Sri Lankan organizations instituted volunteer teacher programmes, sometimes recruiting among IDPs themselves, to fill gaps in teacher rosters in overcrowded schools. Although these volunteer programmes were useful, they were plagued with high turnover, since volunteers received neither pay nor official standing as educators. The Ministry helped by awarding bonus points to any volunteer teacher who subsequently applied for a regular teaching job, increasing the chances that volunteers would gain full-time employment as teachers.

FP145 *Giving Local Population Opportunities with International Organizations May Provide an Incentive for the Community to Place Children in School*
The local population in Wau, Sudan, lived in a war-stricken country for many years. It had not gone unnoticed by the local community that international and local NGOs in Wau have hired educated people. This provided an incentive for children to go to school. Through these campaigns, community leaders realised they had lost everything, and that the best future for their children was to have an education so they might have some skills and perhaps an opportunity to work in the future.

FP146 *Floating Classrooms in Cambodia Move with the People During the Rainy Season and Are an Agent for Reconciliation*
The Cambodian government, in cooperation with UNICEF, established a core group of 'cluster schools' in seven rural areas – schools that serve a population that is forced to move each year because of heavy seasonal rains. The cluster schools were houseboats that could be temporarily moored and moved easily. The cluster schools proved so popular that many villages demanded their own, and by 1999 there were over 600 such schools in the country. The major objective of the clusters was to redress imbalances in school quality by sharing resources, administrators and teachers to improve weaker schools without diminishing the work of stronger ones. Enrolment rates at these schools were higher than at other schools. In one village, parents travelled for more than two days to insist to a government office that they come to the village to discuss the need for a cluster school. When the officials came a few months later, they learned that the parents had already initiated a parent-teacher association – despite the fact that all the parents were illiterate. There has

> When people have access to food – the next thing they want is education.
>
> – Afghan relief worker

Protection is when I am allowed
to go freely to school or to work
without someone asking me
'Why are you going there?'

– a female Afghan relief
staff member

been an important side benefit to the floating schools: given the genocide that took place in Cambodia and the resultant psychological suffering of survivors, it has been difficult for people to trust their neighbours. A Cambodian UNICEF officer noted, "Since 1979 people do not talk freely to each other, or share things with each other. The cluster's concept of sharing resources, materials and ideas between schools and villages can only help. We look at the school as an agent of change in the community. It is one mechanism we can use to build harmony in society; a willingness to share and develop together."

FP147 *'Child Friendly Spaces' Can Provide Support to Families and Create a Safe Place for Reconciliation*
The 'Child Friendly Spaces' initiative (operated by the Christian Children's Fund with UNICEF support) began in East Timor with a centre in Comoro, a suburb of Dili. Nine Timorese staff members provided services and care to more than 800 children aged three to eight years old and their parents in the Comoro Centre. Services included health care for mothers and children (with special emphasis on expectant mothers), age-appropriate educational and recreational activities for children and adolescents, and a light meal for pre-school aged children. Child Friendly Spaces, however, provided another important service – they became an ideal place to carry out activities promoting peace, tolerance and reconciliation. Parents from different backgrounds met together with the interest of their children as common ground. Community theatre, art, and music brought people together to encourage expression. Training seminars on child rights and early childhood united parents further.

FP148 *Advocating for the Displaced Child's Right to Education*
Displaced and returnee children attempting to re-enter school in environments where crowded facilities and teacher shortages are the norm can face significant barriers to enrolment. The cost of school uniforms and other materials, registration or documentation

issues, malnourishment, issues of stigmatisation of displaced children, and resistance by local communities that already face shortages lessen the likelihood that displaced children will be permitted to continue their education. UNICEF and program partners in Sri Lanka advocated vigorously and designed program interventions to break down barriers to education for displaced children. For example, advocacy efforts led to the issuance by the Sri Lankan Ministry of Education of a national circular aimed at lifting registration barriers, and UNICEF financially supported training for teachers regarding the special needs of children who had lost several years of education during their displacement.

FP149 *Mobile Education Facilities May Provide an Opportunity for the Children of Nomadic Peoples to Attend School*
In El-Obied, Sudan, a community initiative 'Nomadic Schools' (also called 'Nomadic Education') provided education for children of nomads by training mobile teachers who stayed with the nomads. Educational materials and other supplies (foldable tables and chairs, a tent, solar lamp, etc.) were provided. Participation of the nomadic community in this programme was high: the community supported the teacher with one head of cattle and 10 sheep. Teachers agreed to serve for four years and during that period, the community agreed to provide housing, meals, milk and some cash. Such programmes could be very useful for addressing educational needs during displacement.

FP150 *Offering Educational Opportunities to Local Schoolchildren Through a Child Soldier Reintegration Programme Can Help Open the Door to Acceptance and Reduce Resentment Over 'Special Treatment'*
Schooling was part of the interim care centre routine for recently demobilised child soldiers in Sierra Leone. Some reintegration centre schools were opened up to the local community, a process enabling former child soldiers to become re-aquainted with other children in the community. This initiative helped eliminate the
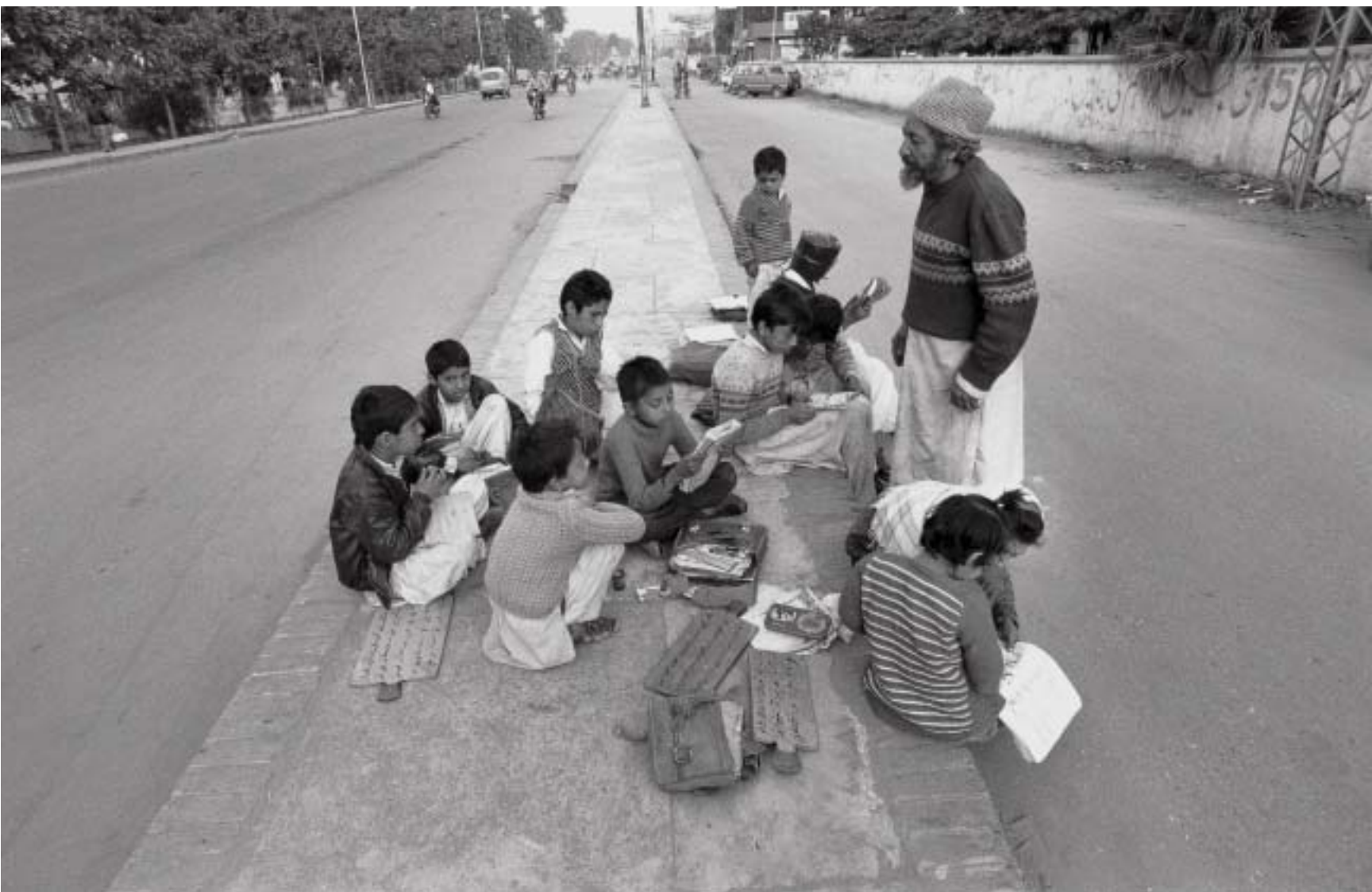
Pakistan, *1992*
In the middle of a large boulevard in the eastern city of Lahore, an older
man holds informal classes for a group of neighbourhood children, while
also tending his nearby store.
©UNICEF HQ92-0961 / J. ISAAC

appearance of discrimination in favour of the former soldiers (education, even at the primary level, is too expensive for many families in Sierra Leone). The provision of education only to child soldiers in a particular community would in fact be discriminatory (representing a violation of several human rights laws, including the Convention on the Rights of the Child, which the Lomé Peace Agreement specifically recognized) and might interfere with the community's reception of former child soldiers.

FP151 *Linking Non-Emergency Assistance to Programmes That Fulfill Human Rights*

As in many developing countries, even primary education in Sierra Leone is not universal. Parents often allocate their limited resources toward educating sons rather than daughters. Although this discrimination was not a product of Sierra Leone's civil war, helping girls achieve realisation of their rights to food, education and equality for women could help diminish the likelihood of future poverty-based strife there. WFP ran a program in Sierra Leone that simultaneously and effectively addressed these rights. WFP agreed to deliver food to schools – but only if at least 30% of the students were girls, a figure well above the 12% in the countryside. Parents sent their daughters so they would have something to eat and both boys and girls eagerly attended school because of interest in the food and education. The food for schools programme was so popular that many children brought their own benches and travelled long distances to go to school. Later, children asked their parents to participate in a food-for-work program that focused on the building of schools and roads to the schools. The programme has faced challenges, however. Parents sometimes with-drew children because the school feeding programme in a particular place had ended, leading to questions about sustainability.

G. Income Generation

FP152 *Creating Employment Opportunities for IDPS Can Address Immediate Needs for Local Communities*
In many parts of Sri Lanka, UNHCR implemented micro-projects to provide employment opportunities for the displaced, often in partnership with NGOS like CARE. These activities could be linked with other programmes seeking to stabilise conditions to prevent displacement or assisting in early return. For example, many micro-projects involved the restoration or rehabilitation of the many irrigation tanks that dot the Sri Lankan landscape, work that could contribute to future agricultural productivity. Micro-projects provide a way to remain in close contact with the local population and to develop participatory programmes that improve prospects for a sustainable return.

FP153 *Micro-Credit Programmes Can Be Extended to the Displaced Community*
CARE, with UNHCR funding, designed small-scale loan programmes for IDPS in Sri Lanka's Wanni region to encourage economic activity. Despite great poverty, limited familiarity by IDPS with the local economy, and multiple displacements, CARE reported a high rate of loan repayment. The loan program was structured to favour single heads-of-household, especially war widows. Many women-headed households started small businesses such as selling food on the street, making soap, etc. These activities provided a source of income for families who did not have any means of support and contributed indirectly to stability by enabling families to send children to school.

FP154 *Careful Targeting of Economic Sectors Can Improve IDP Incomes and Stimulate Reconstruction*
Fishing is a major economic activity in Sri Lanka, as well as an important source of protein in the diet of most citizens. Large-scale population movement, destruction of equipment including nets and boats, ongoing security concerns in coastal regions, and disruption of markets all contributed to a reduced catch, however. This resulted in declining access to nutritious seafood, especially for internally displaced persons. International organizations working with IDPS in Sri Lanka, based on careful analysis of important business sectors, have supported a number of activities to stimulate fishing. The UN Development Programme, for example, began constructing markets in coastal areas of the Jaffna Peninsula as part of its reconstruction program.

FP155 *Small Projects to Grow Food and Generate Income Can Have a Large Cumulative Effect on the Lives of IDPS*
After 30 years of conflict in Guatemala, an estimated 1.5 million IDPS faced special constraints on their right to earn a decent living. To respond to the need for a decent standard of living that would provide future stability as well, the International Organization for Migration (IOM), over a period of five years, initiated more than 1,000 small projects that benefited an estimated 20,000 IDPS. The projects included:

- the purchase of agricultural land;
- the promotion of projects that would make products more useful;

Economic stability improves protection.

– Afghan relief worker

- technical assistance to participants in credit pro-
  grammes;
- the promotion of soil conservation and forest devel-
  opment.

FP156 *A Database of the Specific Needs of Individual
Demobilised Soldiers to Promote Peace and Discourage
Remobilization*
The UNHCR office in Sierra Leone initiated a database
project profiling every demobilised person, including
training and education needs to enable demobilised
soldiers to seek employment. Each demobilised soldier
receives an identity card that will link with benefits.

FP157 *Unity of Effort to Reach Groups with Special
Protection Needs*
In Burundi, the ICRC, in collaboration with 20 associ-
ations representing vulnerable people (street children,
single women, former detainees, etc.) began planning
in 2001 a project to provide material support for suit-
able income-generating projects (i.e., sewing
materials, farming and carpentry tools).

H. Identification & Documentation

FP158 *'Registration Brigades' Can Help Guarantee IDPs the Right to a Legal Identity*

As in many environments of large-scale displacement, Colombians forced to flee their homes often encountered problems with identification documents. Documents were lost, children were born in circumstances where registration is difficult or, in some cases, fear of being recognized by persecutors drove displaced individuals to destroy their identity cards. The loss of identity cards meant one could not work or obtain public services.

A cooperative program between UNICEF and Colombian government agencies, supported by ECHO, organised one-stop registration campaigns that made it easier for IDPs to regain identity documents. Materials developed by these registration brigades were written clearly, in simple language, and widely distributed to encourage participation. Multiple sites were selected for visits by the registration brigades, to overcome transportation difficulties faced by displaced families. And, of special note, registration programmes were targeted at border areas – like the Colombian-Ecuadorian border region – where temporary displacement across national boundaries may confuse registration requirements. During one registration campaign, dozens of registration sites were opened in border areas and individuals carrying either Colombian or Ecuadorian citizenship were eligible to participate at any centre, on either side of the frontier.

FP159 *Assisting Refugees, IDPs and Stateless Persons Without Travel Documents in Reaching a Place of Safety*

The ICRC Travel Document is intended for the use of internally displaced, stateless persons and refugees who have no valid identity papers and cannot return to their country of origin or of habitual residence or travel to a country of their choice when such travel is necessary generally for the purpose of permanent resettlement. It is issued on the basis of statements made by the applicant or any document, which he/she is able to produce (identity card, driving licence, etc.). The document is neither a passport nor an identity card. Its issuance neither establishes nor alters the status or nationality of its holder and only the ICRC may issue it. UNHCR also issues travel documents for refugees without identity documents.

FP160 *Inventive Approaches Can Assist IDPs With Important Documents (Helping to Ensure the Right to Recognition Before the Law)*

The loss of important documents can be one of the most damaging results of displacement. Without a birth certificate, identity document, school registration form or other important papers, IDPs may face discrimination, loss of citizenship rights, suspicion, limited employment opportunities, loss of inheritance or other consequences. In Sri Lanka, after studies indicated many children were without birth certificates, Save the Children Fund (SCF) undertook a creative remedy. SCF advocated with government authorities for the deployment of mobile registration

clinics to IDP centres. These mobile clinics are intended to provide IDP children with at least basic identity documents on which school registration and other important activities are based.

FP161 *Government Initiatives Can Open Educational Opportunities for More Displaced Children*
School admissions, even for primary school, are carefully regulated in Sri Lanka through residency requirements and requirements for documentation. Many internally displaced children, especially those who endured multiple displacements or who had to flee quickly without important papers, subsequently faced barriers to school enrolment either during displacement or upon return to their homes. Recognising this widespread problem, the Government of Sri Lanka issued a nation-wide circular easing administrative requirements for admission. Although not implemented perfectly, the government initiative created an enabling environment for efforts to enrol displaced children in school.
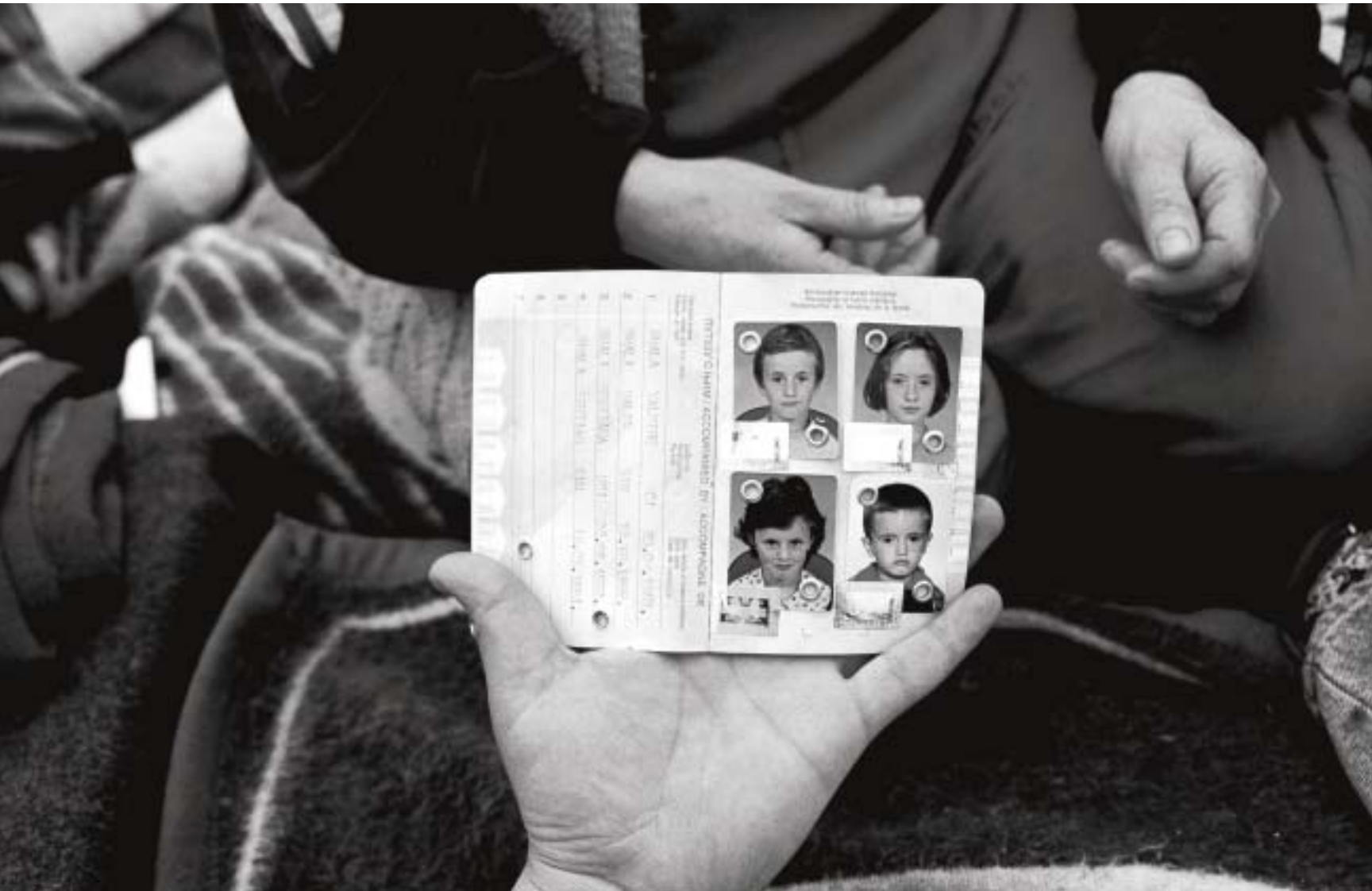
Macedonia, 1999
An identification card shows the four children of Fikrije and Rexshep
Shala, Kosovar refugees recently arrived in Macedonia and now living
in the Radusa refugee camp, run by the Macedonian government.
©UNICEF HQ99-0011 / M. BRANDT

I. Preventing & Responding to Threats to Life
Arbitrary or Summary Execution, Disappearances, Indiscriminate Attack

To speak of the importance of Peace Brigades International presence in the region over the last five years is to speak of the possibility of life itself… attacks and threats have come up against the solid wall which Peace Brigades International has become in the region. The death sentences against each and every one of us have not been carried out, only because we are not alone, because we have Peace Brigade International's accompaniment and unconditional defence.

– Francisco Campo, Regional Corporation for the Defence of Human Rights (CREDHOS)

FP162 *'Accompaniment' Can Prevent Assassinations and Disappearances*

Accompaniment refers to a strategy where foreigners and others provide unarmed, protective presence to those under threat. At times, accompaniment involves a round-the-clock effort for lengthy periods of time. PBI has the explicit mission to provide protective international accompaniment for individuals and organizations who have been threatened by political violence or who are otherwise at risk. PBI works closely with local human rights or political activists, but refrains from advising them on how to conduct their activities. Accompaniment, as described by PBI, can involve many activities, including providing 24-hour escort, being present at community events, holding vigils, and so on. PBI's volunteer staff members are trained in non-violence and all are committed to political neutrality during their service. PBI has a number of sister organizations around the world. PBI has used the strategy of accompaniment in Guatemala, El Salvador, Sri Lanka, Colombia, Haiti, North America, and elsewhere. PBI has also participated in joint projects with other NGOS in the Balkans and in Chiapas, Mexico.

PBI has maintained a significant field presence in Colombia (39 expatriates and seven local staff) for six years. The primary focus, following PBI's mandate, is to advocate for the inclusion of protection for human rights defenders and IDPS in the agenda of organizations, both governmental and non-governmental. PBI provided services to more than 25 NGOS and IDP organizations in at least seven regions of Colombia. In the year 2000 alone, PBI held over 500 meetings with government ministries and the Vice-Presidency, high officials of security forces, and the diplomatic corps. PBI worked closely with UN agencies and with an extensive network of international and national NGOS. Discussions got underway in 2001 for a Memorandum of Understanding between PBI and UNHCR to encourage collaboration between representatives of the two organizations in the field. PBI set up an Early Warning/Action/Reaction System (EWARS) in order to set into motion advocacy action aimed at mobilising political action by the authorities in case accompanied IDPS came under threat. The EWARS was based on field presence (early warning by being on the spot), codification of the early warning (the operative 'translation' of this warning into identification of a specific risk in concrete, easy-to-understand and transmittable terms), and the activation of formal and informal networks (in coordination with local NGOS and IDP organizations). The focus of EWARS is to ensure that concrete results are achieved by measurable steps taken by national and foreign governments, UN bodies and others for IDPS at risk.

FP163 *A Complementary, Integrated Approach to Advocacy Combined with International Presence May Prevent Political Killings*

In October 1999, there were several threats by paramilitaries in Colombia to enter returnee communities in Urabá to kill all the civilians the paramilitary regarded as 'guerrilla supporters'. These threats were analysed by considering a similar scenario that had occurred several months before when paramilitaries had entered some communities and killed several per-

sons and by reviewing the situation in the field as reported by IDPs, local NGOs and PBI observers. The conclusion was reached that there was measurable risk of a new attack. PBI, together with IDP organizations and local and international NGOs, set up a preventive plan that included extensive presence in the field; advocacy meetings with government officials and security forces, diplomats and UN representatives; contact with international NGOs outside the country and governments closely following events in Colombia. Several dozen meetings were held within a short period of time, and among other preliminary results a joint delegation of the diplomatic corps visited the affected area and some of the IDP communities. Whatever the plans of the paramilitaries, no attack took place. It was believed that a strong message was sent that there would be a high political price to pay if the IDP communities were attacked at that time. Luis Enrique Eguren, who set up PBI's programmes in Colombia, states that while there have been many attacks on IDP communities, "In most or all the cases, the international presence is a factor which enters into the political calculations of costs by the attackers."

Forced disappearances occur both during armed conflict and in peacetime. Within the human rights community, the term 'to disappear someone' means to arrest and hold someone in detention or prison secretly, and/or to secretly kill them.

Peace Brigades International believes that it would be extremely beneficial for other international organizations to become involved in accompaniment work in Colombia as the demand for the service highly exceeds the capacity of two or three international NGOs.

J. Preventing & Responding to Torture and Mutilation

Humanitarian Health Organizations Can Provide Critical Information on the Nature and Frequency of Violations Relating to Health, Leading to Public Demands for International Responses to End Violence and Pursue Justice

Throughout 1998, the staff of MSF (Netherlands) based in Freetown, Sierra Leone, chronicled hundreds of cases of mutilation by amputation of hands, arms, lips, legs and other body parts by rebel forces. Rather than address the issue as a medical crisis alone, they ensured that the data was made available to the UN human rights bodies as well as to the world's media. The information provided by MSF played a central role in the decision to establish a UN human rights team in Sierra Leone and helped enormously in generating the will of the international community to take action to address the situation.

FP165 *Programmes That Assist Survivors of Sexual Violence Can Promote Public Awareness of the Problem and Break Down Stereotypes*

The Forum for African Women Educationalists (FAWE), a pan-African NGO, ran a programme for survivors of sexual assault of both women and men. The provision of services to males who have suffered sexual assault is important (just as with women who have experienced sexual assault) because revealing or reporting sexual violence may carry a social stigma. Sexual violence toward men is much more common – especially during armed conflict and periods of government oppression – than many people are aware. The FAWE programme provided counselling and a reintegration programme (education and vocational training), and sought to sensitise the public about sexual assault, explaining how important it is that survivors be accepted back into the society.

FP166 *Taking Practical Measures to Protect Women and Girls from Attack in Camp Settings*

In a study conducted in Tanzania in 1995, the Women's Commission on Refugee Women and Children found that refugee women from Rwanda and Burundi faced the same problems that Somali refugee women had faced in camps along the Kenyan border two years earlier: women were being sexually assaulted when collecting wood and water. An NGO worker told the Commission that such attacks were so common they were even expected. And as was the case in Kenya, attacks were often being committed by government soldiers/security forces who were not well supervised and did not receive clear directives from superiors regarding their duties. Alcohol abuse and personal

gain from robbery was often involved. Very young women were often the target of attacks given the perpetrators' desire to avoid getting HIV/AIDS. The initial response to attacks upon women was often to set up psychological support programmes for survivors rather than to focus on prevention. Over time, however, more action was taken to prevent assaults, and to address other issues that affected women in camp settings such as domestic violence. In 1999, the Women's Commission returned to evaluate Sexual and Gender-Based Violence Programmes, but again found many difficulties. Despite many shortcomings in the approach to the problem of violence against women in the camps, however, there were a number of positive initiatives – and the previous visits of the Women's Commission seemed to have spurred some action. Initiatives included the following:

- UNHCR staff in the Mukgwa camp in the Kigoma region of Tanzania took action to decrease attacks upon women through practical measures as cutting the grass on a route which women frequently travelled, providing women with torches, educating women to walk in groups, and assisting communities in setting up 'neighbourhood watches'. The organization also developed an information campaign to inform women about ways they could protect themselves, resulting in an improved security situation. Precautions were also taken to ensure that latrines were placed in safer areas. There was an effort to bring community-based service workers and protection officers together to discuss protection strategies, emphasising the UNHCR *Guidelines on the Protection of Refugee Women and Girls.*

UNHCR's Guidelines on the Protection of Refugee Women (1991) and the publication *Sexual Violence Against Women, Guidelines on Prevention & Response* suggest valuable, practical approaches to the protection of women, such as:

- The installation of lights in dangerous areas;
- The strategic location of hygiene, water, garbage and other facilities to prevent the need to walk in unprotected areas;
- The placement of fences or barbed wire (in some remote camps, even thorn bushes have been used with success to keep out intruders);
- Implementation of security measures such as night patrols by security personnel;
- The location of sleeping quarters in protected areas which can be locked;
- Separation of unrelated families in sleeping and communal spaces;
- Special accommodations for unmarried or single women heads of households;
- Full consultation with women at risk when developing protection plans;
- Emphasis on hiring and placing of female staff and interpreters;
- Training of field personnel.

- 'Drop-in Centres' had been created as part of the International Rescue Committee's Sexual and Gender-Based Violence Programme (SGBV) in four area camps at health facilities, and some of the staff had taken it upon themselves to provide safe houses for women in danger (although the Commission felt this dangerous for the staff, UNHCR did not wish to set up actual Crisis Centres, arguing that they were unsuitable in emergency situations). Although UNHCR initially did not place emphasis on programmes focused on gender-based violence, the organization did later reinforce protection staff. The Commission found that the SGBV programme raised awareness about the problem as a human rights issue and about how to report violence; built strong community participation and empowered women within the community in a culturally sensitive way; developed support within the male population for the programme; convinced more women to take legal action; was universally regarded as helpful by survivors of SGBV and their families; encouraged the development of complementary programmes; and increased the awareness of Tanzanian authorities about SGBV.[1]
- In Kenya, UNIFEM's African Women in Crisis NGO developed a training module for Kenyan military units in an effort to stem abuses and encouraged the placement of a police post near the camps. UNHCR also established a programme to plant 'live' fences to discourage incursions into the camp area, and involved the women in developing responses. The number of reported rapes dropped significantly as a result of these programmes (nearly 50 per cent), although it is unclear how many rapes went unreported. Young girls continued to be the primary rape victims, however, and impunity for perpetrators continued to undermine protection.
- In another project, CARE employed environmental liaison officers to patrol the areas where women collected firewood and arranged for the community to collect firewood in groups.

1 See Women's Commission for Refugee Women and Children, 'Refugee Women in Mozambique', Delegation Visit to Rwandan and Burundian Refugee Camps report, May 27-June 1995. See also Sylvia Gurrola, 'Evaluation of the Sexual and Gender-Based Violence Program, Kibondo, Tanzania, Final Report', Women's Commission for Refugee Women and Children and the International Rescue Committee, 5 April 1999.

Bangladesh, 1994
In 1994, a woman passerby is
attacked by angry men in Dhaka,
the capital.
©UNICEF HQ94-1533 / S. SALIM

L. Preventing & Responding to Forced Recruitment, Trafficking, Abduction & Slavery

The Lomé Peace Agreement provided for the release of all abductees in Sierra Leone. Estimates were that the number of abductees ran into the thousands, the vast majority of them women and children. It was clear from the outset that the formal peace agreement was only a tentative small step toward addressing the problem of abductions in Sierra Leone. Intensive local advocacy work would be required to ensure actual releases from camps all over the country, and a wide range of humanitarian services was needed to meet the needs of returning abductees for shelter, food, counselling and tracing services. In an attempt to address these issues in an integrated and comprehensive manner, the humanitarian community, together with the human rights and military components of the UN mission, created the *Prisoner Release Committee*. The Committee sought to raise the profile of protection by focusing attention on protection problems and acting as a catalyst in resolving them through an integrated (multi-disciplinary and multi-organizational) approach. In one innovative and successful endeavour, the Committee fielded an integrated release negotiation team composed of humanitarian workers, UN human rights officers and UNICEF representatives, that successfully negotiated the release of children from camps in central and eastern Sierra Leone.

FP168 *The Creation of a Government and Inter-Tribal Committee to Address Abductions and Slavery*
In Sudan, the government, with the support of UNICEF and Save the Children, agreed to establish the

Committee for the Eradication of Abduction of Women and Children. The Committee functions under the Ministry of Justice and, importantly, includes a Dinka group that has worked for years on the problem of abductions and slavery (the Dinka people have often been targeted). The Committee, chaired by a member of the Dinka tribe, works with tribal committees from a number of different tribes at the village level. Local people are trained in the tracing, retrieval and reunification of abductees.

FP169 *A Joint Programme Against Trafficking in Persons for the Purpose of Forced Prostitution Helps Women Return Home Safely*
Through a programme initiated in 1999 by the International Organization for Migration (IOM), the United Nations Mission in Bosnia and Herzegovina (UNMIBH) and the office of the High Commissioner on Human Rights (OHCHR) developed a system of assistance to victims of trafficking in Bosnia and Herzegovina. In cooperation with the International Police Task Force, OHCHR and IOM assisted in the repatriation of trafficked women. The programme has provided essential protection for persons in need, and also served to raise awareness on the issue of trafficking.

FP170 *Creating Reception Networks to Ensure That Trafficked Women Can Return Home Safely*
In 1998, La Strada, an anti-trafficking NGO in Ukraine, created a programme to meet women returning home to Ukraine after suffering debt bondage and slavery-like conditions abroad. La Strada's leaders negotiated an agreement with the Ministry of the Interior allow-

ing activists to pass behind passport control and customs to meet the women and escort them safely through the airport (returning women risked being met by their traffickers in the arrival hall at the Kiev Borispol Airport). To avoid this danger and the threat of harassment by border control agents often suspicious of the women's irregular travel documents, La Strada sent advocates to meet women as they disembarked from their aircraft. The advocates then accompanied the women through passport control and customs, sneaking them out a back door, thus successfully eluding traffickers and agents waiting for them in the arrival area.

FP171 *The Creation of a Counter-Trafficking Focal Point in Missions to Combat Trafficking and Act as a Catalyst for Inter-Agency Cooperation*
The IOM has appointed a Counter-Trafficking Focal Point for every mission to facilitate implementation and coordination of activities.

In the Balkans, IOM chairs the return and reintegration assistance working group, and co-chairs with UNICEF an awareness-raising working group. With the International Commission for Missing Persons (ICMC) Victim Protection Working Group, IOM has created a database exclusively relating to cases involving trafficking (the database includes information relating to the experiences of trafficking victims, trafficking routes, and the *modus operandi* of traffickers). IOM also developed a Standard Operating Procedure (SOP) – rules and regulations designed to ensure security for victims of trafficking who are being assisted by IOM and for IOM staff. Of special importance is a focus on rapid response to stranded persons, particularly women and children in need of immediate protection even if they do not fall within the defined caseload of existing IOM counter-trafficking projects or comparable assistance schemes.

At the national level, IOM offices have implemented projects to assist in the orderly, safe and dignified return of trafficked women to their home countries. The organization has also engaged in information campaigns targeted to reach potential victims and the general public – as well as potential sexual partners of trafficked women. Support to governments in the development of new legislation to fight against trafficking has been provided and IOM has sponsored a number of meetings among affected countries. IOM has committed itself to closer cooperation with NGOS and regional organizations working in counter-trafficking and has commissioned studies on best practices.

M. Preventing & Responding to the Taking of Hostages

FP172 *A Neutral Intermediary Such as the ICRC can Seek to Ensure That Hostages Are Treated Humanely* In keeping with its mandate, ICRC's involvement in hostage-taking situations is based solely on humanitarian considerations. During one such incident in Colombia, the ICRC delegation there did what the organisation's delegates would typically do when faced with a hostage taking situation – they contacted the captors, ensured an exchange of Red Cross messages between the hostages and their families, visited the hostages, furnished them with material assistance and, where necessary, provided logistical support for their release. The ICRC did not intervene in negotiations relating to the conditions for the hostages' release, nor was it in any way involved in the payment of ransoms. In this, and other cases of hostage taking, the ICRC acts as a neutral intermediary.

Uganda, 1998
A child's drawing depicts a massacre of Sudanese refugees by LRA rebels at
the Achol Pii Refugee Camp in Kitgum District. In the drawing, the victims
are lying on the ground in a semi-circle around a tree, while the soldiers
shoot them and slash them with machetes. Other soldiers attack fleeing
civilians or set fire to buildings in the camp.
©UNICEF HQ98-0321/HORNER

N. Preventing & Responding to Abuses Relating to Detention

Our mission is a mission of hope.

– Sudan Council of Churches, on visiting women in prison

Women have specific rights relating to detention that have been recognized and addressed in international humanitarian law and human rights law (and of course should enjoy the general protections afforded all detainees embodied in those bodies of law). In international humanitarian law, there are special references relating to the treatment of women detained because of armed conflict (i.e., separate accommodation of women from men – at minimum separate sleeping and sanitary arrangements; provision of additional food to pregnant or nursing mothers; medical care for pregnant women; body searches of women should only be conducted by women; special arrangements for the earliest possible release of women who are pregnant or with young children, etc.).

FP173 *Registration by the ICRC of Persons Detained Due to a Conflict Can Decrease the Risk of Summary Execution and Other Violations of Humanitarian and Human Rights Law*
Specially trained ICRC delegates conduct prison or detention visits under a strict set of conditions developed over long experience to protect prisoners from harm. The ICRC requires military or civilian authorities to permit unsupervised visitation of the delegate with detainees and to allow the registration of detained persons. Once registered by the ICRC, the risk of summary execution (or 'being disappeared'), torture and mutilation decreases because the authorities understand the ICRC knows who is being held and where. Detainees are also provided with a special ICRC detainee identification card that helps them to prove their detention later for purposes of compensation, resettlement, etc. Although humanitarian staff should refrain from visiting persons detained due to armed conflict without first consulting with the ICRC (visits conducted on terms other than what may have been worked out by the ICRC with the holding authority could place people in danger by eroding the strict visitation standards ICRC has established over many decades), humanitarians can pass on information to the ICRC about places of detention they learn about or plan interventions that will support ICRC's work to reach detainees.

At the start of the Rwandan conflict in 1991, the ICRC obtained immediate access to alleged Rwandan Patriotic Front (RPF) supporters who had been detained and was able to proceed with the registration of this population at risk. A few years later, following the 1994 genocide, the ICRC was also able to very

quickly access detained persons suspected or accused of genocide by the new RPF authorities. Each detainee was registered and a regular census of the prison population was undertaken. Over 120,000 detainees were visited between 1995 and 2000. The fact that the ICRC was known to the RPF and had demonstrated concern on the behalf of all persons detained because of armed conflict helped open the door for access to detainees.

FP174 *Prison Visits to IDPS Mitigate Poor Prison Conditions and Provide Some Hope*
An informal consortium of national NGOs in Khartoum, mixed Muslim and Christian, along with a number of individual professionals, visited internally displaced women and other women in prison to alleviate poor prison conditions through legal assistance and advocacy, adult literacy training, health care, provision of material needs, and psychological support. Although material support was quite limited, visits by members of the community provided an extremely important presence in the prison that may have helped discourage abuses and the further deterioration of conditions for women and children. These visitors represented an important and unique informal inter-religious network (although they do not necessarily perceive their actions as a combined effort). Their assistance provided important contact with the outside world and gave the women hope for better conditions – and for some women, the possibility of release through advocacy.

FP175 *Protective Documents/Passes May Prevent Arbitrary Arrest, Detention or Disappearance*
Protective documents or passes are documents issued by agencies, governments, organizations or well-known

individuals to persons in danger of arbitrary arrest or detention or disappearance. Such passes may discourage abuses at checkpoints, while in transit, or during periods when roundups or arrests are occurring. A protective pass informs the authorities there is outside interest in what happens to an individual. Obviously, for the pass to have some currency to the authorities or actors in control of an area, the entity that issues the pass must be respected by the authority or be perceived as neutral or 'friendly'.

In 1993 in Croatia, UNHCR issued protection letters to draft-age male Bosnian Muslim refugees in danger of arrest and refoulement (forced return to country of origin). Field staff with another international organization assisted in collecting the necessary documentation and distributing the letters in refugee camps. Recipients were given duplicate copies of the letters and advised to put them in safe places, since police occasionally tore them up. The letters stated that the person carrying the document was under the protection of UNHCR. A photograph of the refugee was attached, and identifying information such as name, date and place of birth appeared on the letter. Importantly, the letter bore UNHCR's official stamp and the signature of an official. In the vast majority of cases, these letters prevented the arrest and refoulment of refugees who carried them. UNHCR protection staff interviewed during later studies of protection strategies expressed interest in coordinating and issuing such passes, working with governments or others interested in developing such a project.

The following factors seem to increase the effectiveness of protective documents:

· The passes or letters are issued by a party – a government, organization, religious or civic group, etc. – recognised and respected by the authorities;
· The documents should have an official appearance (stamps, seals, signatures, etc.);
· A limited number of protective documents should be issued (distribution should usually be limited to the most vulnerable segment of the population at risk as the documents may lose their effect if too

many are circulating. Further, the authorities may become alarmed by the numbers of persons holding such documents or may begin to disregard them;
· The authorities might be prevailed upon to respect the documents, depending upon who issues them. If the authorities agree to cooperate, and issue orders that the documents are to be respected, the chance for success improves. Agreements can be publicised if it will help ensure respect for the documents by soldiers, police, or officials;
· Something has to happen if the document is disregarded – action must be taken by someone, somewhere.

Note: Documents that identify the ethnicity or religion of individuals may place individuals at greater risk.

FP176 *Special Attention to the Needs of Women in Detention Is Critical*
In Rwanda, given the overcrowding of detention facilities, the ICRC pays particular attention to the cases of detained women and children to ensure that their conditions of detention and treatment are adequate. In the Democratic Republic of Congo, as everywhere else, the ICRC is working to ensure that imprisoned women are held in separate facilities from male detainees and are guarded by female prison wardens. This reduces the chances of ill treatment, particularly sexual assault.

FP177 *Using Religious Clergy to Visit Persons Detained by One's Own Forces During Armed Conflict and to Remind Guards of the Rights of the Detainee*
The main rebel movement in southern Sudan created a chaplaincy unit staffed with clergy by the New Sudan Council of Churches. The chaplains underwent nine months of theological training before going out to the field. One of the roles of chaplains was to have a presence in the detention centres to liaise with rebel soldiers about the treatment of detained Government of Sudan soldiers in accordance with international humanitarian law. Military chaplains may be granted access to detained persons where others are not.

Rwanda, 1994

Women, many with their children, crowd a narrow courtyard that is their only access to light and exercise, in the women's section of a prison that now holds five times its prisoner capacity, in Kigali, the capital. Suspected of participating in the mass killings that began in April 1994, the number of prisoners, including these children and women, have overwhelmed a judicial system that was also destroyed in the civil conflict.

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O. Preventing & Responding to Violations of Freedom of Movement

FP178 *A Civilians-Only Passenger Ferry Sails 'Under the Flag' of ICRC Protection*
The passenger ferry 'City of Trinco' regularly carries civilians from Trincomalee to the Jaffna Peninsula under the protection of the ICRC. At the request of the Sri Lankan government, the ICRC agreed to let the ferry fly the ICRC flag on its twice weekly trips to and from the north, provided that only civilians were on board. The ICRC had previously obtained written guarantees for the safe passage of the vessel from both the Sri Lankan government and the major rebel movement. According to the terms of the agreement, the transport of military personnel and arms and ammunition is strictly prohibited and military escorts must not accompany the ship.

FP179 *A Free Bus Service to Enhance Freedom of Movement and Confidence-Building*
In Bosnia and Herzegovina, bus lines were established by UNHCR in partnership with the Danish Refugee Council in the immediate post-conflict period so people could cross ethnic lines (former confrontation lines) to visit friends and relatives and participate in 'go and see' visits to assess whether conditions existed for the return of refugees and IDPs. Buses in Bosnia and Herzegovina were initially driven by expatriates regarded by the Parties as neutral. After some months of operation, the population in Bosnia and Herzegovina became accustomed to the buses and local drivers could be used. The bus service was initially under-utilised, but the need for people to have contact with friends and relatives on 'the other side,' the fact that the service was free, and the low incidence of incidents relative to the number of trips motivated more and more people to use the service until eventually 'cross-ing over' became completely normalised on many routes.

In Kosovo, the NATO peacekeeping force (KFOR) provided support to UNHCR in enhancing freedom of movement through projects such as 'go and see' visits from Serbia (where people could travel in safety to see what living conditions are) and escorting bus lines that crossed inter-ethnic boundaries, enabling people to visit relatives.

FP180 *Removing Practical Obstacles to Freedom of Movement to Enhance Confidence*
In Bosnia and Herzegovina, a law was established by the Office of the High Representative (international overseer of the implementation of the Dayton Peace Agreement) regarding vehicle license plates helping guarantee freedom of movement and increased confidence in personal security. The new license plates made it impossible to identify the origin of the vehicle (previously, the ethnic identity of the driver could be guessed at by the letters on the license plate, which indicated the town in which the vehicle had been registered).

FP181 *Protecting Visitors of Detainees 'Across the Lines' and Escorting Released Detainees*
In Kosovo, the ICRC organised family visits to detention places in Serbia. People, mostly mothers and wives from different areas in Kosovo, were accompanied to Belgrade central prison under the protection of the Red Cross emblem. Priority was given to families who had been unable to visit their relatives for a long time because of financial reasons or because of lack of identity papers. The ICRC also transported released detainees from Serbia home to Kosovo.

P. Preventing & Responding to Arbitrary Expropriation of Property or Discriminatory Property Laws

FP182 *Combating Obstruction of Property Law by Pressing the Neutral Application of Property Law by Local Authorities*

Although the Dayton Peace Accords for Bosnia and Herzegovina required the return of all unlawfully acquired property to the rightful owners/tenants, local authorities (often at the direction of political bosses) continued to obstruct implementation of the property provisions. The first step in overcoming resistance was the repeal of wartime property laws that permitted the reallocation of property 'abandoned' by lawful owners and tenants (property had often been deemed 'abandoned' by the rightful occupants even when they were forced to leave during ethnic cleansing operations, many of them under immediate threat of death). Compounding the problem was that a number of people were forcibly evicted and their property taken even after the Dayton Agreement was signed. Redress within the legal system was rare as the courts and police often acted on behalf of unlawful new occupants or refused to act at all.

Once wartime laws were repealed, a new form of obstruction emerged – the refusal of property commissions and local housing authorities to process claims in a lawful and transparent manner and, again, the refusal of the courts and police to stand behind the claims that were resolved. The international community responded by using a carrot and stick approach, but many officials continued to balk, claiming that it was unfair that they be expected to cooperate when people 'on the other side' were not – thus creating gridlock in many towns.

The Property Law Implementation Plan (PLIP), a partnership including UNHCR, the OSCE and the Office of the High Representative (the office responsible for overseeing implementation of the civilian aspects of the Dayton Agreement), varied from earlier plans by promoting the neutral application of law across the board, insisting that no deviation from equal standards and procedures be tolerated. The message of the PLIP is that property rights are individual, not reciprocal and that they are neither negotiable nor subject to political or ethnic considerations. The PLIP created legal/administrative structures that address property claims in a standardised and professional manner. A number of activities were initiated to improve compliance:

- Clear directives were issued from the International Police Task Force to the Ministers of the Interior (responsible for the police) to ensure that police properly carried out their duties to conduct legal evictions of unlawful tenants (failure of police to enforce court decisions has been a major problem in the past);
- Emphasis was placed on ensuring that police officers, prosecutors and judges were not occupying property that was not legally theirs;
- International organizations participating in the PLIP agreed not to tolerate violations by their own staff in double occupancy (some persons claimed occupancy rights on more than one house or apartment);
- Field officers filled out non-compliance reports when local authorities refuse to abide by the law;
- PLIP members advocated for the prosecution of

Kosovo, 1999
A woman walks down a street past a discarded oven and other refuse in
the town of Vucitrn in the province of Kosovo.
©UNICEF HQ99-0729 / R. LEMOYNE

those who obstructed property law implementation;

- PLIP members undertook to review and disseminate relevant law.

An important aspect of the PLIP was the *Focal Point Scheme*, which involved the assignment of persons to every municipality to provide statistics, keep records, act as information conduits, monitor the conduct and practices of housing staff, provide guidance to housing offices on working practices and ensure transparency of the process to the public.

FP183 **Concentration on Property Issues Promotes Durable Solutions for Displaced Persons and Refugees**
In Georgia, a comprehensive study of housing and restitution issues facing returnees and displaced communities was undertaken by UNHCR. The study helped clarify the dimensions of the problem and offered constitutional and legal options for their resolution. UNHCR also supported a network of jurists to provide advice and counselling to displaced persons on property and related matters.

FP184 **Simple Methods to Document Property Can Facilitate the Return of Property to the Rightful Owner (Photo Files – Documentation of Property for Future Claims)**
Property restitution or the return of housing to the rightful owner following displacement is of great importance for sustainable return. One practical intervention is to act, when possible before displacement, to document property. Photo files include photographs of the property with the owner in front; a written description; witness statements and signatures; any supporting legal documentation such as proof of habitation, deeds, telephone book listings; etc. The original and a copy of the file are given to the owner. If possible, a copy of the file should be kept by neutral international organization such as UNHCR. Local or international NGOs could work with UNHCR to establish such a project. It is important to use pho-

tographic materials that will not deteriorate too quickly as there is often a long period that passes before claims can be made.

FP185 **Pre-War Telephone Directories Provide Proof of Residence in Property Claims**
During the wars in the former Yugoslavia, many people lost documentation of residence or property when they were 'ethnically cleansed' or otherwise uprooted. In addition, many archives and registration centres were destroyed in the fighting or deliberately destroyed or removed to prevent people from reclaiming property. A unique project to collect and microfilm pre-war telephone books was initiated in the late 1990s by a group of librarians and scholars working with a private corporation. Since then, scores of directories have been located and microfilmed. The data can be scanned directly from the films and reformatted for electronic databases, or used in original format (which is already organised by locations, names and dates). The data has been used to bolster property claims – a critical issue for return in the former Yugoslavia.

PRACTICES THAT PROMOTE & PROTECT THE RIGHTS OF SPECIFIC GROUPS

5

specific

groups

A. Practices to Promote & Protect the Rights of Women & Girls

The right of women to be treated equally to men is protected under international law. It should be noted that temporary special measures aimed at accelerating achievement of equality between men and women are permitted and are not considered discriminatory. Similarly, special measures to protect women are highlighted in humanitarian and refugee law. Discrimination against women is prohibited irrespective of marital status.

The Code of Conduct for the International Red Cross and Red Crescent Movement and NGOS in Disaster Relief notes that in implementing a non-discriminatory approach, the crucial role played by women in disaster-prone communities (and we would add, those living in war-torn societies or under repressive regimes) should be recognized and that humanitarians should ensure that this role is supported and not diminished by aid programmes. The experience of war, displacement, loss of family members, etc., is likely to affect social relationships between genders. Women are often affected more dramatically given the social responsibilities they carry in many cultures for the feeding and care of family members including the young, the disabled, the sick and the elderly. Recognition of this reality is an important element of sound action.

1. PARTICIPATION OF WOMEN IN PROGRAMMES, POLITICAL AND CULTURAL LIFE

FP186 *Incorporating Commitments to Women in All Aspects of Food Programming*

The WFP believes that strengthening opportunities and options for women is key to solving the problems of hunger, and continues its efforts to fully implement a set of Commitments for Women launched in 1995 in Beijing through efforts to a) ensure direct access to women to appropriate and adequate food intake measures; b) ensure women's equal access to and full participation in power structures and decision making; c) facilitate women's equal access to resources, employment, markets and trade; d) generate and disseminate gender-desegregated data and information for planning and evaluation; and e) improve accountability for actions taken. WFP has set specific targets to achieve these goals:

- Women will control the family food entitlement in 80% of WFP operations;
- At least 25% of project outputs and assets created with food for work are of direct benefit to and are controlled by women;
- 60% of country programme (development) resources are targeted to women and girls in countries where the gender gap shows a 25% disadvantage for women;
- 50% of education resources target girls;
- Women have a lead role in the design, planning, implementation and monitoring of food aid operations.

FP187 *Raising Awareness of Women Rights by Celebrating and Publicising Women's Day*

The UN Gender Advisor's office for Afghanistan worked with other organizations in Afghanistan to organise a large Women's Day (8 March) celebration in Kabul in March 2000. Some 700 women gathered at a

The people may have a different view of who is vulnerable than we do. The way we approach things must be generally acceptable to the community. When we give blankets [to families in southern Sudan] for children, they should not be small blankets for children – they must be bigger blankets, because mothers sleep with their children.

– Humanitarian aid worker, southern Sudan

Developing countries may have slightly different concepts of human rights than the West, but it is not cultural imperialism to suggest that women should not be mutilated, enslaved or condemned to die in childbirth.

– Nana Agyema Rawlings, the First Lady of Ghana

These programmes are a light in the darkness. They keep the fire burning. These are the things that keep Afghan women alive.

– an Afghan relief worker

local hospital for readings of poetry and essays. The event was well attended by representatives of national and international humanitarian organizations – and by the de facto authorities. It was covered by the international press. In the middle of the ceremony, a male representative of the leader of the authorities gave a welcome speech. Six women were released from prison in honour of the event. This was one of the few times since the takeover of large parts of Afghanistan by the regime in question that men and women were permitted to gather together. Given the violations of women's rights that have occurred in Afghanistan in recent years, this was a highly significant event.

FP188 *The Role of Drama, Song and Dance to Raise Gender Issues Are Popular Because of Their Entertainment Value*
The International Rescue Committee organised a project in and around Kenema, Sierra Leone, which employed women to raise gender issues through drama, song and dancing. The programme raised issues of sexual violence and female genital mutilation, relying on communication mechanisms such as drama that were appealing to audiences. In one example, a troupe of women put on a skit that used comedy to convey the sidelining of women – the method was amusing and interesting to people, but the underlying message was quite serious.

2. PROTECTION AGAINST FORCED MARRIAGE

FP189 *A 'Safe Haven' for the Protection of Women in a Refugee Camp from Forced Marriage, Sexual Assault and Domestic Violence*
When women become refugees, their vulnerability to problems such as rape, domestic violence, and forced marriage substantially increases. A study conducted by Refugees International at Knembwa Camp in Tanzania, for example, revealed that 26% of Burundian women between the ages of 12 and 49, who had already suffered ethnic violence that included rape, had been raped again as a refugee.

Jesuit Refugee Services, in cooperation with UNHCR, implemented an important initiative at Kakuma Refugee Camp in northern Kenya. The agencies constructed a safe haven for the protection of refugee women and girls, most from Sudan, Somalia and Ethiopia. In a fenced compound patrolled 24 hours a day by camp security guards, the safe haven provided room and board, as well as counselling services, for six women and their children. While a modest effort, it was an important one that could be replicated. There is a particular need for programmes for adolescent refugee girls, who often suffer sexual assault and domestic slavery – they are also frequently unable to attend school because they are forced to fetch water and firewood, watch young children and cook food for 'foster families'.

Refugees International has recommended that safe havens such as that described above offer protection to those at risk of gender-related violence as well as those who have already been victimised. It was further recommended that:

- Bureaucratic procedures be streamlined to allow same-day admittance at the recommendation of community service workers, members of the UNHCR protection unit or members of a refugee women's support group, or upon convincing evidence provided by the woman or girl at risk;
- UNHCR circulate admittance guidelines widely among camp personnel and train staff of organizations involved with referrals in uniform procedures;
- Camp authorities ensure that the safe haven compound is secure with barred windows, an indoor toilet and security guards on 24-hour patrol;
- UNHCR allows women to stay at the safe haven until their safety and well-being on their return to their community can reasonably be assured. Community and security personnel should collaborate to ensure that the threat to a woman, once back in her community, is eliminated to the greatest degree possible.[1]

1 From 'Kenya, Safe Haven for Women Opened', by Mary Anne Fitzgerald, Refugees International, 26 April 2000.

Local women used meetings to identify what enterprises they could engage in (what there was a market for) and to discuss community problems such as health…

We kept running into the problem of continually discussing [the problems of the community] with men. It was only when we tried to get meetings with the women to get their opinions that we realised the women had no place to meet.

The women started a clinic in one room of the house, and a tailoring shop in another.

Bangladesh, 1994

In 1994, women, some carrying lighted torches, pause at dusk during a rally
held on International Women's Day – March 8 – in Dhaka, the capital.
Among other issues, the rally called for equality between women and men,
and safety for women while in the street.

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FP190 *Discouraging Early or Forced Marriage Through Education for Girls*
The Lobby Group, a Kenyan women's NGO formed to prevent forced marriage, a common practice among certain tribes, in which young girls are often married off to elderly men in polygamous marriages. The Lobby Group raises money for school and living expenses for girls in order to permit them to finish secondary education. The Lobby Group also seeks to raise awareness about female circumcision. In addition to the physical and psychological effects of forced marriage, female genital mutilation often occurs in forced marriage.

3. ENDING THE PRACTICE OF FEMALE GENITAL MUTILATION

FP191 *A Change in Traditional Practices Is More Likely When the Community Agrees It Is Harmful*
How One Committee Brought About Wider Social Change: In Senegal, a two-year basic active education campaign was conducted by women in the village of Malicounda Bambara (co-sponsored by an NGO, Tostan, UNICEF and the Government of Senegal). Men and women were presented with information on the health and mental health consequences of female genital mutilation and encouraged to discuss their feelings about it. They were asked to decide whether they thought the practice should continue. In the end, the community decided to make a formal pledge to refrain from female genital cutting, an event known as the 'Malicounda Commitment'. The idea caught on. Tostan participants in two other villages discussed the practice with women from Malicounda, and while one of the two villages agreed on their own to stop the practice, the other decided they could not do so without consulting their extended family – in 10 other villages! Two men went together to all the villages, and after some heated discussions, the villagers gathered (in February 1998) and vowed never again to circumcise their girls. Some villages in the south followed. The Government of Senegal has since banned the practice nation-wide.

Tostan's general programming was not solely focused on ending female genital mutilation, but saw it as a part of other problems. Tostan sees education and skills-building as the key to change. Women who learned how to read, write and do math in their mother tongue led the way as others saw that basic education could lead to improvements in many aspects of daily life. The women had discovered new ways to generate income, plan for the future, and protect the health of their children.

FP192 *Celebrating and Promoting Rites of Passage That Do Not Include Harmful Rituals*
In Kenya, a big ceremony was held and was televised to celebrate the rites of passage for young women who celebrated their rite of passage into adulthood without female circumcision.

FP193 *Using Health Repercussions as an Entree to Discuss Female Genital Cutting*
The Sudanese National Committee on Traditional Practices, a women's group based in Khartoum, developed a training curriculum for schools on the health consequences of female genital mutilation, the cause of more health problems for women and girls in Sudan than famine or war. After 10 years of effort, the Committee received permission from the Ministry of Education to introduce the curriculum to teachers in the public education system. The programme includes graphic videos for adult education classes and an illustrated booklet to reach people who are not literate. The NGO has enlisted well-known and respected doctors, religious leaders and politicians to add credibility to its teams – and to its claims. The teams are working to present their case in a clear manner to leaders in government, the judiciary and law enforcement.

Also in Sudan, UNICEF staff came up with innovative ways to address female genital mutilation. It was learned that some religious leaders were not allowing their daughters to be circumcised. One religious leader insisted that the Hadith did not call for circumcision, and it was pointed out that Mohammed's own daughters were not circumcised. These leaders were asked to

Senegal, 1998
Challenging female genital mutilation
(FMG) in senagal.
©UNICEF HQ98-0236 / R. GROSSMAN

speak out in community meetings, and a number of them agreed to do so. During discussions, women sometimes actually confronted the men and accused them of supporting circumcision not out of religious beliefs but because they believed it enhanced their own sexual pleasure. An UNICEF staff member noted that while the incidence of female circumcision has not really decreased in many areas, the severity of circumcisions has decreased. She also noted the importance of substituting income for midwives who were paid to perform the practice in order to ensure that loss of income did note cause resistance to changes in the practice. Incentives could be provided to midwives – the UNICEF worker thought, for example, that hand pumps for water could be a strong motivator as they were very much in demand.[2]

4. ENSURING GIRLS' AND WOMEN'S RIGHT TO EDUCATION

FP194 *Ensuring the Participation of the Community and Women in Programmes*

The WFP in Sierra Leone provides schools and health centres with food, clean water, and sanitation facilities. WFP-funded programmes must have local community supervision, parent/teacher involvement, and maintain 50% female representation on WFP programme committees or they risk the loss of funding.

FP195 *Making School Programme Support Contingent upon a Percentage of Female Students Encourage Equal Educational Opportunities*

Many NGOS in Afghanistan insisted on working with girls and boys on an equal basis in education. Some made it clear that they would withdraw services if this

2 Adapted from example in *Only through Peace: Hope for Breaking the Cycle of Famine and War in Sudan*, Women's Commission for Refugee Women and Children, New York, September 1999, page 5. The website for the Women's Commission is http://www.intrescom.org/wcrwc.html.

were not permitted.

FP196 *Providing an Incentive for Girls to Attend School May Promote Non-Discrimination*

UNICEF in El-Obied, Sudan, provides evening classes for girls so they can catch up on learning missed lessons if they were not able or allowed to attend school before. Girls' schools are not being set up, but the girls are expected to attend regular school as soon as they have had the opportunity to catch up on their learning. Girls are also provided school uniforms as an incentive to attend school.

5. PREVENTING THE MOBILIZATION OF WOMEN SOLDIERS

FP197 *Involving Female Ex-Soldiers in Efforts to Demobilise Female Soldiers*

An *ex-rebel to rebel* campaign was initiated in Sierra Leone with funding from World Vision. Women abducted and then indoctrinated as soldiers fear they will be blamed for their actions and may not return even if they have the opportunity to escape from their captors. An abducted woman trained as a rebel fighter had escaped from rebel forces and returned to her town, where she agreed to make a radio appeal to other abducted women and to the rebel forces to stop fighting and return home. She wanted to let other women know that they could find acceptance back in their home communities.

FP198 *Working Around Cultural Restrictions to Ensure Womens' Right to Health*

In Iraqi Kurdistan, the ICRC pays for travel expenses and accommodation for female patients and their accompanying male relatives to be treated in the physical rehabilitation centre with prostheses and physiotherapy to ensure that women have access to this care.

B. Practices to Promote & Protect the Rights of Children

Children are particularly vulnerable during situations of armed conflict, but they should also not be seen as just victims in need of assistance. Working with children rather than just for children is an important element of promoting and protecting the rights of children.

It is predominantly the same groups of children who become child soldiers in times of armed conflict as become street children or child labourers in peacetime. The groups who form the overwhelming majority of child soldiers are children separated from their families or with disrupted family backgrounds (e.g., orphans, unaccompanied children, single-parent families, child-headed households); economically and socially deprived children (the poor, whether rural or urban, and those without access to education, vocational training and a reasonable standard of living); and other marginalized groups (e.g., street children, certain minorities, refugees and the internally displaced).

The welfare of unaccompanied children has always been a chief concern of organizations such as the ICRC, UNICEF, and certain NGOS such as Save the Children Fund. In Africa's Great Lakes region, activities begun in 1994 to reunite children with their families are continuing. Many refugee children from Rwanda found living in Goma (formerly Zaire, now the Democratic Republic of the Congo) have now been reunited with their parents. The ICRC initiated talks with the Rwandan government authorities to discuss long-term social and legal arrangements for those unaccompanied children not reunited with family members, an especially important issue given that the chances of locating their parents grows slimmer with time. The complexity and scope of the activities undertaken to assist unaccompanied children in the Great Lakes region led to an unprecedented coordination of efforts between the ICRC and other humanitarian organizations, such as UNHCR, UNICEF and Save the Children Fund.

1. INCLUSION OF CHILDREN IN PLANNING AND IMPLEMENTATION

FP199 *Meeting the Psychosocial Needs of Displacement-Affected Children Through Maximum Use of the Community's Resources, Including Adolescents (Trained as Play Group Leaders)*
Since internal displacement in Colombia is often related to violence or the threat of violence, many IDP children – as well as adults – suffer emotional and psychological trauma as well as physical deprivation. A UNICEF-supported programme to meet the psychosocial needs of these children called *El Retorno de la Alegria* (the Return of Happiness) is well regarded. A notable strength of El Retorno is its reliance on participation from within the displaced community, and its emphasis on building capacity among IDPS.

Leaders for therapeutic games and recreational activities – an important component of El Retorno – were recruited from among the internally displaced, and 'production groups' were formed among IDPS to produce shoulder bags, toys and other programme material. Training materials for *El Retorno de la Alegria* included a volunteer's manual that empowered IDP volunteers by providing basic instruction in early

Sierra Leone, 1998

Led by an instructor, boy soldiers (members of the now government allied Kamojor – civil defense forces in the south), one holding a rifle, are awaiting demobilization at a centre run by the Christian Brothers, a local NGO that works with unaccompanied, abused and street children, as well as former child soldiers, in the southern town of Bo.

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childhood development. The manual emphasised the essential role of family and community structures to the child's well-being. Community volunteers were asked to share their experience and training with other displaced or returnee communities, enhancing their status and self-esteem. Of particular note, numbers of displaced teenagers were recruited as leaders of play groups, providing these adolescents with an important anchor to the community and source of self-esteem at a time of considerable stress in their own lives.

2. CHILD SOLDIERS

FP200 *Reintegrating Child Soldiers into Civil Society Takes Extra Care but Can Provide Long-lasting Human Rights Rewards*

Rebel groups in Sierra Leone forcibly recruited many children, potentially creating an enduringly violent substrata of Sierra Leonean society: a large group of young men (and some women) who had spent their formative years on the battlefield. Reintegrating child soldiers successfully into society is critical to reducing the potential for future human rights problems in the country and to meeting the psychological needs of a deeply traumatised population. A programme to disarm, demobilise and reintegrate child soldiers was developed and implemented by four humanitarian NGOS: Save the Children Fund, the International Rescue Committee, Caritas and Coopi, supported by the European Union and UNICEF.

The programme involved a number of steps:

• SEPARATING CHILDREN FROM OTHER SOL-DIERS: Recognising the special needs of children, officials at demobilisation centres were given instructions to question any young-looking soldier. Fighters appearing to be under 18 had to demonstrate proof of age or they were assumed to be under age and were included in the demobilisation programme. Children to be demobilised were

placed for 48 hours in a demobilisation camp. (Although the children would ideally be placed far from the war culture, children were encamped for demobilisation within a section of the adult demobilisation camps.)

• ADDRESSING THE INDOCTRINATION OF CHIL-DREN THAT OCCURRED IN ARMED UNITS: After the initial brief period of demobilisation, children were transferred to interim care centres closest to their areas of origin for counselling and to begin family reunification. The children stayed in the interim care centres at least six weeks.

• REINTEGRATED SCHOOLING (see Chapter 4.F. *Education*, for a description of this component).

• FAMILY TRACING (see Chapter 4.A. *Family Unity and Tracing*, for a description of this component).

• RECONCILIATION: The demobilisation process not only provided essential services to former child soldiers, but contributed to reconciliation. Posters were put up and activities launched to communicate to the local population how badly the young people wanted to become part of Sierra Leonean society again. Accepting these children back into society is an important step in the peace process.

FP201 *Asking for Child Soldiers by Name May Improve Retrieval Rates*

In southern Sudan, the chairman of the rebel movement gave the order to his commanders to demobilise all children. Interviewers (some of them soldiers or ex-soldiers) were trained by Rädda Barnen to use their interviewing skills in the community in order to learn which children had been recruited by which commanders. The commanders were then approached by representatives of the chairman with a list of children's names and were ordered to release them. This was effective because the commanders understood that they could not deny having the individual children in their units – the interviewers knew something about them. Once gathered, the children were interviewed to determine their histories. A caretaker was selected for

each group of children. Each group designated a child representative. UNICEF monitored the project and WFP provided allotments of food to each group to last for a three-month orientation programme. At the completion of the orientation, the children were reunited with their families and a celebration was held to mark the occasion. Some interviewers noted, however, the serious problem of recurrence: whenever displacement occurred and families were separated and scattered, children were often re-recruited into the military units. Further, some demobilised child soldiers ran back to their former commanders because they had been promised an education after reintegration and had been indoctrinated into believing the commander would provide a home and future well being.

Children join the army because they have no education. Some because they lost their families and are traumatised. We cannot wait for 'stabilisation' of the situation – we can teach our children even if we do it under a tree. We can follow them if they become displaced and continue their education.

– a former rebel mobiliser, now a demobiliser of children

3. UNACCOMPANIED CHILDREN

FP202 ***Family Tracing in Rwanda Using a Computerised Database***
In June 1994, the ICRC, the International Federation of Red Cross and Red Crescent Societies, UNHCR, and UNICEF agreed that a coordinated approach to the plight of unaccompanied children from Rwanda was essential. On the assumption that computerised matching would facilitate reunification of children with their families, it was decided to centralise on a database the names and other details of unaccompanied children and of parents looking for their children. The agencies agreed on general criteria for the registration and reunification, and the information for each unaccompanied child was standardised for use. A copy of each paper registration in the field was transferred to the ICRC for entry into its database at the ICRC Tracing Office in Nairobi. A second transfer form was used to register tracing requests, that is, enquiries from parents looking for their children. The information given on such forms was likewise transferred to the central database in Nairobi.

4. STREET CHILDREN

FP203 ***Involving Street Children as Researchers in a Study of Street Children Helps to Ensure That Children's Views Are Taken Seriously***
In Khartoum, Sudan, a consortium of NGOs (local and international) initiated a project to address the problem of street children, at least half of whom became street children after internal displacement due to war or famine. The project focused on two especially vulnerable groups within the street children population: girls and disabled children. An important element of the programme was the involvement of street children as researchers (participatory research). Child researchers were trained in child rights, research methods and facilitation skills. The programme highlighted the Convention on the Rights of the Child – and major emphasis was placed on the views of street children themselves about their fears, hopes and ideas. In the early stages of the project, for example, children identified police raids as one of their biggest concerns. The programme is linked to local NGOs such as Mutawinat, a legal assistance programme in Khartoum. Similar projects in Tanzania, Kenya, Ethiopia, South Africa and Cambodia also use 'participatory action research' methodology. The word 'action' is deliberately used to communicate the need to move from the collection of information to specific action to address needs.

FP204 ***Preventing Violence Against and Exploitation of Street Children***
Casa Alianza, a Latin American NGO, works in several different Latin American countries to address the problems of street children. *Casa Alianza* works directly with street children in a variety of ways. In Guatemala, teams go out on the street every morning in teams of two to make contact with street children. They carry medical kits with basic supplies like disinfectant and cough medicine along with games, pencils and colouring books. Children who wish to do so can

stay at one of *Casa*'s crisis centres, where they are temporarily given a clean bed, shelter and food – and importantly, respect. Children who stay can move to a transition home and then to group homes, receiving education or vocational training along the way. *Casa* also operates a home for pregnant girls and teenage mothers, many of whom had turned to prostitution to survive.

Casa Alianza, in partnership with the Center for Justice and International Law and other organizations, also goes after the perpetrators through the legal system. A legal office was started in Guatemala after a police officer who had witnessed her colleagues kick a 13-year-old child named Nahaman Carmona Lopez (causing his death) came forward because of her guilt about having done nothing to stop the attack. Amnesty International issued an Urgent Action Appeal after a phone call from *Casa*'s director about Nahaman, and thousands of letters started pouring in to police headquarters. The police commander began an investigation, but it was primarily *Casa*'s own research and Amnesty's pressure that led to the trial of four officers. The officers were convicted and received a reduced sentence of twelve years. (Unfortunately, the officers were secretly released after serving less than half their sentences). Since then, *Casa* has brought nearly 400 cases before the court, although only 14 have been resolved. One positive effect of the publicity has been that abuses by the police seem to have decreased, but there are private "security firms" involved in killing street children. These so-called security firms are thought to have links to the police. The staff of *Casa* has received death threats, but they still continue their work.

5. ensuring the economic, social and cultural rights of children

fp205 ***'Child-Friendly Villages' May Provide an Opportunity to Look at Human Rights in a Holistic Way and to Teach the Public About the Rights of the Child***
A project in El-Obied, Sudan, mobilised the community through 'village development committees' to address collapsed public sectors, including health, education and water. unicef provided training in planning, monitoring and management for the community, as well as specialised training for health services. Educational facilities included not only classrooms, but also productive activities for the school, such as gardens and bakeries. Villages wishing to be designated 'child-friendly villages' participated in a community-based monitoring system. Information about progress made toward specific goals was entered into a computer programme and an analysis of the data was provided to the community, which then decided on the next level of action. Seven elements were identified as 'indicators of progress' (the extent to which the village is 'child-friendly'):

- a 90% child immunization and sustainability rate
- safe deliveries of newborns
- an 80% enrolment rate in schools
- safe drinking water
- adequate sanitation facilities
- establishment of a village development committee that prepares activities and keeps records
- awareness activities related to child rights and protection of the rights of the child

6. meeting the mental health needs of children affected by war and displacement

fp206 ***Meeting the Psychosocial Needs of Children Through Community 'Drop-in' Programmes***
Many Sri Lankan children experienced the trauma and disruption of war. When families were displaced or returned home after many years away, children had to adjust to a new environment, one that often included major changes in family and community life. In the Jaffna Peninsula and elsewhere in Sri Lanka, local ngos opened community based drop-in centres for war-affected children where normal play and artistic

activities were encouraged in a calm, supportive atmosphere, reintroducing children (or in some cases introducing for the first time) to normal childhood activities. This helped children adjust to going to school on a regular basis.

FP207 ***Meeting the Psychosocial Needs of Children Through Teacher Training***
Given the importance of formal education in Sri Lanka, enrolling displaced and returnee children in classes is a high priority for IDP families. UNICEF Sri Lanka recognized that many of these re-enrolled students were still deeply affected by the conflict, and that teachers are in a unique position to observe students facing adjustment difficulties. Training programmes were initiated in cooperation with the Catholic Church for primary school teachers to aid them in recognising signs of psychological stress in IDP children and to guide appropriate interventions or referrals.

Macedonia, 1999

An older woman refugee presses a small sign that reads "s.o.s." up to the window of a bus, one in a long line of buses transporting Kosovar refugees from the Blace transit camp on the Macedonia-Kosovo border to UN and NATO assisted camps further inside Macedonia. Having arrived by train or on foot between 31 March and 7 April, thousands of refugees spent more than a week in Blace without access to international assistance, helped only by the local NGO.

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C. Practices to Protect Displaced People

For the purposes of this collection of field practices, the term 'displaced' may refer to either *internally displaced persons* (those who have fled or been forced to leave their homes but have not crossed an international border) or *refugees* (people who have crossed an international border and do not wish to return because of fear of persecution, armed conflict or serious violations of human rights). Many of the examples in this section refer specifically to one group or the other, but most could be adapted for either group.

It must be stressed, however, that IDPS are especially vulnerable to violations of international humanitarian law and human rights abuses during internal armed conflict, often because there is little international presence on the spot when displacement takes place.

When internal displacement occurs as a result of armed conflict, IDPS are, as civilians, protected by international humanitarian law. This body of law aims first to prevent displacement, and second, to provide protection during displacement. IDPS are also protected by national law – which must be in conformity with international human rights standards – on the same basis as persons who have not been displaced. While IDPS are therefore not without sources of legal protection, more must be done to respect and promote their rights. There is now wide agreement within the humanitarian community that what is needed are not new laws but education about the protections IDPS enjoy under international law and the enforcement of existing protections. Toward this end, the UN Special Representative on Internally Displaced Persons, Francis M. Deng, developed the *Guiding Princi-*

ples of Internal Displacement. The Guiding Principles have been widely distributed around the world to governments, humanitarians, and importantly to groups representing IDPS.

Although IDPS do not fall within the mandate of any one organization under all circumstances, it is important to note that those affected by armed conflict – one of the main categories of IDPS – constitute a primary target group for ICRC activities. Indeed, their protection as members of the civilian population in armed conflict situations lies near the core of the ICRC's mandate, and represents a considerable part of its caseload.

As noted in the introduction, there has been erosion of compliance with international refugee law in recent years. Wealthier states often do not want to accept more refugees and in some cases have enacted legislation contrary to the principles stated in international law. UNHCR's ReachOut Initiative, as noted previously, represents an effort to pull countries 'back into the fold' and to improve the protection regimes of states.

The implementation of international humanitarian law would go a long way toward preventing internal displacement, as this body of rules prohibits (among many other things) indiscriminate attacks against civilians, the targeting of civilians or the forcible movement of civilians. While the warning signs of impending displacement are often evident, far too little attention is given to the development of prevention and contingency plans. The need for the protection of frontline communities in order to prevent displacement is critically important, but the international community at large and humanitarian

actors on the ground have often focused on responding after displacement has already occurred.

There is a critical need for protection from violations during and immediately after flight. Displaced persons are subjected to roundups, forcible resettlement, arbitrary arrest and detention, forced conscription, sexual assault, and other abuses during flight. They may not be welcome at their destination, and may face discrimination or lack of access to food, water, and energy sources for cooking and medical care. Too often, families are displaced more than once.

The special protection needs of IDPs and refugees in camp settings has been emphasised in many studies of the conditions in camps. Women in camps are especially vulnerable to sexual assault and theft of food aid.

Another challenge lies in meeting the needs of displaced people dispersed amongst the non-displaced population, especially in larger urban areas. Marginalized or vulnerable groups among the displaced also require special attention.

Returnees also face difficult problems. People often return in the midst of conflict. Even if peace agreements have been signed, the situation usually remains unstable for long periods of time, often years. The same persons who perpetrated the violations that caused people to flee may remain in positions of authority. Returnees who are minorities, disabled, elderly or are otherwise disadvantaged or marginalized face additional problems.

Many returnee families have female heads of household, yet female returnees often face discrimination in receiving rehabilitation/housing materials, equal participation in lending programmes and equal access to job opportunities (due to ongoing societal gender inequities, the assignment of jobs to demobilised soldiers, etc.). Educational and medical systems may not be accessible for many returnees. Long-term sustainability of return through full reintegration into the community is often elusive.

FP208 *A Multi-Level, Focused Approach with Clear Objectives Can Help Prevent Displacement*
UNHCR Sri Lanka, concerned about imminent danger of displacement in a fishing village called Salli, took a number of measures based upon relevant Guiding Principles of Internal Displacement and international humanitarian law to prevent displacement. The population in danger in the village of Salli included some 450 families. The village had on several occasions been caught in the cross-fire of confrontation between a rebel group and government forces, and at one point the property of the villagers was burned and vandalised, apparently because of suspicions that villagers were sympathetic to the rebels. UNHCR's interventions included:

· Facilitation of reconciliatory dialogue between armed forces and the civilian population and advocacy for compensation for property;
· Protection through presence of UNHCR staff;
· Early warning through monitoring of the behaviour of certain patrols in the area;
· Stabilisation of the village through the implementation of micro-projects;
· Close dialogue with commanders of specific military units;
· Discouraging the use of the village road as a supply infiltration route by armed groups.

The effect of these intensive interventions was the prevention of displacement, improved relations between the population and military personnel, and reduced rebel activity near the village. Follow-up included ongoing contacts through regular field visits. (See Chapter 2. *Humanitarian Assistance and Protection: Developing an Integrated Approach* for a description of the use of a Guiding Principles matrix to plan and evaluate such activities.)

Although everybody claims vehemently that human rights are a major concern for the international and national communities, from an operative point of view the protection of human rights is not a mainstream concern when defining strategies and planning activities for IDPs. Too often, assistance action is taken instead of protection action, leaving national NGOs and IDP organizations on their own in the midst of protracted conflicts.

– Luis Enrique Eguren, Peace Brigades International

FP209 *Remaining in an Area When Displacement Seems Imminent May Help Prevent Displacement*
During the approach of armed militias toward a village in Afghanistan, a WFP national staff field officer working in partnership with an NGO to conduct food distribution in the village realised that if the assistance organizations evacuated, they would precipitate flight of the people in the village. He knew that the villagers would head for the mountains, and that it would be difficult, if not impossible, to reach them there to provide assistance later. The WFP staff member had an Afghan colleague with him. They thought through a plan, and decided they had enough contacts and connections between them to try to negotiate with the approaching militia. The NGO agreed to the plan. The two negotiators succeeded in convincing the fighters not only to leave the village alone, but also to guarantee the security of the WFP and NGO staff, and to allow the food distribution to continue. There were no incidents.

The decision to remain in an area where displacement seems imminent must be based upon careful analysis of risks and consideration of relevant UN and other security guidelines.

FP210 *Programme Interventions May Help Prevent Further Displacement*
In areas of Sri Lanka like northern Anuradapura District, Sri Lankan families who lived close to conflict zones faced daily security concerns from government and rebel forces. These families faced difficult choices about whether to join the ranks of the displaced or, as they strongly preferred, to remain on their own land. UNICEF's willingness to support health and education programmes in these border areas, and even the temporary presence of UNICEF staff, have been widely cited as supporting the voluntary choice of many families to remain in their communities.

FP211 *Protecting the Right to Remain Through the Provision of Basic Home Security (Doors and Locks)*
UNHCR and KFOR (Kosovo Force) teamed up to purchase and install strong doors and locks for minority

residents in insecure areas. Prior to this programme, KFOR troops had had to guard many homes around the clock – an expensive and cumbersome effort. When tensions in some areas reduced somewhat, the *Doors and Locks Programme* was initiated, freeing up the troops to attend to others in need of more intensive protection measures.

FP212 *Ensuring Communication for Minorities Under Threat – and Building Confidence Through Communications Equipment May Decrease Isolation and Instil More Confidence in Remaining in the Community*
In another angle on the Telecoms sans Frontieres project (discussed in Chapter 4 under *Family Unity and Tracing*), TSF used technicians from the majority community to install communication equipment in ethnic Albanian Serbian minority villages/enclaves. The minorities under threat warmly greeted the installers, motivated in part by the connection they so desperately needed to relatives outside the country.

2. PROTECTION DURING FLIGHT AND DISPLACEMENT

FP213 *Careful Analysis of the Dynamics of Displacement Improves the Timing and Targeting of Programme Interventions*
Internal displacement is often a two-stage process in Colombia. First, individuals or groups flee their home communities to reach a nearby, relatively safe haven, perhaps the largest town close to their area of origin. Then, because services are not available, or because of continued insecurity or continued threats, they may move to the relatively anonymity of a poor urban neighbourhood in a large city. There, they mix with other people displaced from various rural areas and with economic migrants.

Programme analysts who have studied this pattern have used their research to propel a more rapid response to internal displacement during the initial stage of flight. If resources can be mobilised at the first stage, research indicates that IDPS may be more likely

to maintain supportive ties to their own communities, and may be more likely to return, eventually, to their original homes. If, on the other hand, registration and assistance are delayed until the displaced family decides to flee to a large urban barrio, effective programme design and programme targeting become much more difficult. Analyses by Colombian organizations like CODHES have contributed to this enhanced understanding of the pattern of displacement in Colombia.

FP214 *Rapid International Response While IDPs Are Fleeing Can Ameliorate Conditions of Displacement*
Following a major military offensive, IDPs from the Kilinochche District of Sri Lanka fled westward to the Open Relief Centre (ORC) at Mahdu. Fearing overcrowding of facilities at Mahdu, UNHCR staff responded rapidly, meeting groups of IDPs en route and assessing their security and humanitarian needs. After determining that IDPs were secure in their current location, UNHCR provided programme services in situ. This response avoided overcrowding, allowed IDPs to settle where more land was available, and supported IDP settlements closer to places of origin thereby facilitating visits and potential return.

FP215 *Moving with the Displaced Can Discourage Abuses*
The ICRC, as it has done in other areas, moved along the road in Afghanistan with IDPs in flight in an effort to prevent violations of international humanitarian law. In Bosnia and Herzegovina, UNHCR and ICRC personnel attempted to follow persons who were "ethinically cleansed" or displaced until they could reach a crossing point. Care must be taken, however, not to appear to be condoning through one's presence the behaviour of the parties to the conflict.

FP216 *Presence and a Creative Approach to Assisting a Population in Danger of Displacement Can Provide Relative Safety to Thousands*
UNHCR focused its assistance activities on behalf of IDP assistance activities in parts of Sri Lanka to create and support the model of the Open Relief Centres (ORCS) 'in areas of relative safety'. UNHCR did not operate the ORC at Madhu (a site of several thousand displaced families) as a camp, but maintained a full-time presence in the centre of the ORC with international staff. The UN flag was flown at the camp, and the international staff worked diligently with authorities to maintain a strictly demilitarised environment. Displaced residents of the centre reported they felt more secure because of the UNHCR presence. The fact that Madhu is a recognized shrine and that the camp has the protection of both the church and the UNHCR has been instrumental in the reputation of the ORC as a safe area. The ORC has been in operation for a number of years.

FP217 *International Presence May Prevent Illegal Removal/Closure of an IDP Camp*
In Sri Lanka in 1993, a paramilitary force linked to a political group threatened to close down an IDP camp by expelling from the camp and then destroying it. At the request of the local IDP organization, Peace Brigades International (PBI) sent two observers to the camp. They arrived early in the day and placed themselves at the entrance to the camp, in a clearly visible position. Some local journalists turned up in the meantime. All waited several hours in the morning heat, until eventually two vehicles arrived with people in uniform. They entered the camp shouting but their attitude changed when they saw the international observers and the local press. After a tense meeting with the IDPs in the camp, the paramilitaries left, visibly distressed and threatening that they would be back to evict the IDPs once and for all. They never came

back. IDP leaders told PBI members that the paramilitaries left because of the international presence and scrutiny.

FP218 *Appointment of an IDP Coordinator for Special Circumstances Helps Bring Attention to the Special Needs of IDPS*

An UN IDP Coordinator for Special Circumstances was appointed in Khartoum, northern Sudan. The Coordinator has worked to address the problem of IDP children in reformatories through joint advocacy projects with other organizations.

FP219 *Mapping Urban Neighbourhoods to Identify and Access Concentrations of IDPS Can Lead to Empowerment and Better Services for an Often 'Invisible' Community*

During Peru's long internal conflict, many of the estimated 600,000 internally displaced fled to urban shantytowns around Lima and other major cities. Some groups of displaced settled with others from the same home locale, while others dispersed in vast squatter communities. Fearful of being singled out as deserters from self-defence forces or as traitors, many did not readily identify themselves or their origins, some going so far as to destroy their personal identity cards in a quest for anonymity. To target resources to the neediest communities, international NGOS working in Peru conducted community surveys and interviews – with sensitivity to the legitimate security concerns of individuals – to map concentrations of IDPS in urban areas.

In Afghanistan, the Community Forum Programme worked to support the creation of self-run community groups that would represent the voices of the grassroots level of the community. The initial step in establishing the Forums involved carrying out surveys of urban communities. In the process, the programme found there was concentrations of IDPS in certain areas, and used the Community Forums to conduct outreach to them. This not only helped identify vulnerable persons, but also created contacts with the

local community that had not existed before. These contacts resulted in representation of IDPS in the Forums and improved conditions for IDPS in some local communities, in some cases having direct protection benefits during periods of high tension.

4. PROTECTION DURING AND AFTER RETURN

FP220 *Insertion of 'Positive Conditionality' Into Programme Design May Facilitate Return of Minority Displaced Communities*

The Dayton Peace accord for Bosnia and Herzegovina guaranteed internally displaced persons and refugees the right to return to their homes. Several years after the peace agreement, however, only a small percentage of displaced and refugees had returned to their former communities. The problem was acute for those returning to communities where they were in the ethnic minority, especially when displaced members of the majority group had been resettled from other regions into the homes of others. Attempts to solve this problem included linking international non-emergency assistance in the local community to the return of refugees, including minority returnees. This "positive conditionality" meant that the non-emergency rehabilitation of housing, schools, health facilities, water and electricity supplies, as well as income-generating programmes, were made conditional on the formal acceptance, in writing, by the municipality of the return of minorities, on respect for human rights, and on guaranteed security for returnees. Although not a panacea (cure-all), indications are that positive conditionality caused at least some municipalities to alter their attitudes toward returnees.

FP221 *'Advance Teams' from Displaced Communities, Supported by Outside Organizations Through Their Presence and Assistance, Can Assist in the Process of Return*

After a long period of displacement, certain IDP communities in the Uraba region of north-west Colombia decided to return to their home areas. The community

made this decision after intensive internal discussions about the security situation and the prospects for resuming lives of relative normalcy.

Displaced community leaders also agreed that it made sense for the return process to proceed in stages, with 'advance teams' of several dozen community members – primarily adult males – returning to home villages first. The advance teams accomplished several important tasks: they completed an assessment of recoverable assets; made preliminary repairs to homes; gathered remaining livestock scattered during military assaults; assessed the availability of seed stocks in the area; and began planting essential food crops. After completing these preparatory activities, advance teams returned to the displacement site to escort remaining community members home.

FP222 *Assisting IDPS to Assess Conditions in Home Communities*

IDPS are often eager to ascertain conditions in their home communities. Accurate information on security and other matters is essential to voluntary decisions regarding whether or not to attempt return. Yet, IDPS may lack access to home regions, either because of security concerns or inadequate transportation. In Sri Lanka's Puttalam area, the government sponsored bus trips by leaders of the displaced community to home areas in Mannar District, permitting free access in Mannar to information sources chosen by the IDPS. Such visits empower internally displaced communities with information essential to critical decisions they face.

FP223 *In Returnee Communities, 'Mobile Training Facilities' Can Help Fill Gaps While Educational Infrastructure Is Rebuilt*

Returnee communities in the Rio Atrato area of north-west Colombia faced many critical issues upon arriving in their home areas. Families faced periods of hunger and malnutrition as food supply systems were re-established and farmers – the great majority of them returnee heads of household – were consumed with accessing seed stocks. In this environment of scarcity, with ongoing security concerns, community leaders recognized the need to rebuild schools and resume educational activities, but were unable to devote resources to the effort during the first months of return. Consequently, many children lost valuable educational opportunities.

With support from UNICEF and others, this problem was partially overcome through the intervention of 'mobile training facilities'. Students and faculty from the nearest high school were recruited to visit outlying returnee communities. Classes conducted by these mobile training teams and the educational material they distributed maintained a degree of continuity in education until regular classroom facilities could be re-established. In addition, they provided a psychological boost and symbol of hope to returnee children.

FP224 *Accompaniment of Returnees May Prevent Denial of Access to Humanitarian Assistance*

In mid-1998, returnees in Chalatenango, El Salvador, were forced by the army to leave building materials donated by a humanitarian organization some two miles away from their settlement, at a spot where there was a military checkpoint. This was one in a chain of incidents of harassment of returnees (who had been forced to flee their homes 10 years before by the same army). PBI volunteers, who had followed the returns, immediately asked for permission ('salvoconducto') to visit the settlement in accordance with their international accompaniment programme. Permission was finally given, and the day following the denial of the assistance, five PBI members escorted the settlers' walk back to where the building materials were piled. The army did not show up. The women, men and children walked back to the community, each carrying a load. The same tactic of using presence of international volunteers to gain access to humanitarian aid was used many times by returnees to El Salvador, and although it was not successful in all cases, it became another important step in the struggle to regain dignity and the return to a more normal existence.

"Women, men and children took a piece of the materials each, and walked back to their community, forming a dusty row spotted with the sparkling zinc sheets under the heavy sun. The army didn't show up".

– PBI Volunteer recalling how accompaniment discouraged the army from harassing returnees in Guatemala.

FP225 *A Returnee Monitoring Framework Helps Ensure Ongoing Protection of Returnees*
Following a UNHCR initiative, the inter-agency Returnee Monitoring Framework was established in 1999 in Bosnia and Herzegovina. A Memorandum of Understanding was signed with the OSCE, the European Commission Monitoring Mission (ECMM) and the UN Mission in Bosnia and Herzegovina to ensure inter-agency participation in the systematic monitoring of the situation of persons returning to their place of origin in accordance with the Dayton Agreement. A number of field studies involving the collection of data and extensive interviews of returnees were conducted in 1999 and 2000, and the findings widely disseminated. These studies provided the international community and local authorities with reliable information about the situation for returnees, promoted the rights of returnees, and facilitated the planning of future policy and programmes.

D. Practices to Promote & Protect the Rights of the 'Invisible Vulnerable', Including Older People

When humanitarians speak of vulnerable groups, they are often referring to women and children, or – less frequently, the disabled or elderly. It is important, however, to consider other groups – the 'invisible vulnerable' – who may not come immediately to mind.

The protection of human rights defenders is an especially important issue, for it is they who are the voice of the ordinary people – when they are silenced, fear and impunity reign. Moderate community leaders, human rights workers, independent journalists, and other members of civil society come to mind when the term 'human rights defender' is mentioned, but national staff of international organizations could also be considered 'Human Rights Defenders' and their protection should be included in thinking about humanitarian operations. (See E. *Practices to Promote Staff Security and Protect Human Rights Defenders*).

Some groups may not be vulnerable in most situations but are extremely vulnerable in others. In the former Yugoslavia, for example, male civilians of draft age have been much more likely to be detained, tortured, summarily executed or 'disappeared' than persons in other groups, but with the exception of UNHCR and ICRC, few organizations sought to address their vulnerability. The denial of the rights of civilian men and boys drastically affects family life.

The elderly and disabled (including mentally ill people), although often listed along with women and children as vulnerable, still do not receive adequate attention. Likewise, vulnerable persons within 'traditional' vulnerable categories may not be included in planning or programmes (i.e., widows, child-headed households and adolescents).

Prisoners or detainees and their families are another frequently often neglected group. Although the ICRC has a special mandate with regard to persons detained because of armed conflict, other detainees may be visited by the ICRC depending on the situation in the country. Following consultation with the ICRC and others in the field, humanitarian organizations may decide to engage in activities to complement ICRC's work on behalf of detainees. In cases where the ICRC is not involved, however, detainees may receive few services and may lack advocates.

FP226 *Take Home Rations Can Limit Exposure to Danger for 'Targeted' Groups*

In the Kamenge quarter in Bujumbura, Burundi, MSF and GVC ran nutritional centres for malnourished people predominantly from Bujumbura Rural. Displaced communities tended to form around the centres, and the centres were on occasion subject to military attacks owing to the government's alleged fear of infiltration by rebels into these areas. Young male civilians of fighting age were often the main targets of government troops; therefore, it was not considered safe for them to remain in or around nutritional centres. Consequently, although the centres generally provided wet rations, take-home rations were provided to malnourished young men.

FP227 *Helping Identify Who Is Vulnerable Within IDPs Populations and Where They Can Be Located Through Data Analysis*

By the mid-1990s, the Angolan crisis had led to over one million displaced persons within the country.

We want rights for Afghan men, too. One man told me that he hadn't laughed for four years.

– Afghan female relief worker

Family members are not secure because draft age males are not safe. We need to speak about vulnerable families.

– an Afghan relief worker

Men's rights in Afghanistan are always neglected. Men are insulted, beaten or imprisoned because they don't have a beard. This is not our tradition.

– Afghan female relief worker

Support us where we are strong, not where we are weak.

– An older woman in Rwanda, to HelpAge International

One of the tragic outcomes of armed conflict and flight is the breakdown of family and societal structures, leading to the breakdown of traditional protections for the vulnerable. Older people are the 'standard bearers' of the community. Once respect for their wisdom and authority has diminished, the thread of culture begins to disintegrate. When the fabric tears, the labour of whole generations striving toward a better life may be lost.

Information about the location and condition of the displaced persons was fragmented. The government's National Institute of Statistics, with the support of UNICEF and the United Nations Development Programme (UNDP), conducted a multi-province socio-demographic study of IDPs in cooperation with the National Union for the Total Independence of Angola (UNITA). By looking at the data in relation to gender and age, the study alerted agencies to concentrations of women, teenagers and girls who were vulnerable. The findings permitted more precise targeting of programme efforts to ensure that women's status and views were considered. It was discovered that in the case of one province, women headed some 63% of the households. Because such data may be misused by authorities in some situations, caution should be used to ensure that no one's security will be compromised by the collection or sharing of specific information regarding the numbers, status and exact location of groups.

FP228 *Helping Demobilised Soldiers Return Home*
In Ethiopia, following the overthrow of the Mengistu regime (1991), tens of thousands of members of the armed forces based in northern Ethiopia were demobilised by the new authorities and began to go home by foot. The men were in a situation of extreme destitution so the ICRC and the local Red Cross launched a large-scale assistance programme (including the set-up of transit camps and the provision of medical treatment, food, water, clothing, etc.) The men were also provided transport to return to their homes. More than 240,000 men were taken back to their places of origin.

FP229 *Special Programmes Can Be Developed to Support Disabled People and Promote Awareness of Their Rights*
The Comprehensive Disabled Afghans Programme, part of the P.E.A.C.E. Programme in Afghanistan, has not only provided rehabilitation services to disabled

persons, but has supported the development of disabled people's organizations to advocate for disabled persons. The programme worked toward the reintegration of disabled persons (who have often been isolated) into the society. Five regional programmes were established, each providing physical therapy, occupational therapy, home-based training for daily living, and special education for disabled children. The programmes used local resources and local methods of rehabilitation, working closely with shuras (local decision-making bodies) where they existed and creating community-based rehabilitation committees where they didn't. This approach helped revive traditional helping mechanisms that had been disrupted by the war.

Since the rights and needs of disabled people are often ignored by their own families, community education is an important part of the programme. Islamic principles related to the treatment of the disabled were used in Afghanistan to emphasise rights and the mullahs (religious clergy) were asked to deliver speeches about these rights in the mosques. A local scholar was hired to develop a tool to approach the rights of the disabled by identifying relevant passages from the Koran and other Islamic sources.

Home visits were an important part of the programme because disabled persons were often kept isolated at home. One of the most effective staff members was a disabled man who was injured by a land mine. His presence was both inspirational and non-threatening to people who had been isolated from the community.

FP230 *Requesting the Release of Older People Held in Detention*
Whenever possible, the ICRC requests the release of vulnerable categories of detainees, including the elderly. In 1992, during the conflict in Cambodia, the ICRC secured the release of elderly detainees on the occasion of the Khmer New Year. In July 1998, in Rwanda, the authorities released a number of elderly detainees from Kibuye and Nyanza prisons. Shortly

Croatia, *1993*
An elderly man in an IDP camp in Croatia found new hope when the
IFRC supported him in developing a cottage industry making and selling
brooms. He also taught others his craft and regained a sense of pride
and accomplishment.
© D. PAUL

after the hijacking of an aircraft by an opposition group in Colombia, the ICRC secured the release of a certain number of hostages, some of whom were elderly, following repeated representations to the group's leaders.

FP231 *Involving Community Elders in the Screening of Asylum Seekers May Help Ensure a Fair Registration Process During a Mass Influx – and Reinforce Respect for Older People to Society*

During the early days of a new influx of Eritrean asylum seekers into Sudan, the UNHCR office in Kassala, Sudan, realised that there was fraud in registrations of new asylum seekers (some were Sudanese posing as Eritreans and others were Eritreans seeking to register twice). In order to address this issue, the UNHCR office set up a screening committee that included elders from the refugee community, UNHCR officials and government officials. This programme enabled the engagement of older refugees together with the host community and permitted assistance to be reserved for those for whom it was intended.

FP232 *Going to Where They Are: The Right of Older People to Protection and Assistance Can Be Supported by a Home Visiting Programme*

Since the Kosovo crisis began, age has been no protection from violence and harassment. HelpAge International, a global network that focuses on the needs and strengths of the elderly, initiated a home-visiting programme in coordination with other agencies in the city of Pristina. The programme seeks to ensure that older people from minority ethnic groups receive warm clothing, meals and medical attention in their homes.

HelpAge International also renovated the facilities of the Gerontoloski Centre, which provides care for frail and vulnerable people from all communities. This care centre for the elderly is the only facility in Kosovo that provides long-term care for older people unable to care for themselves. The residents are predomi-

nantly pensioners, many with senile dementia, and others are physically or mentally disabled. Of the 200 residents, 40% are Serb, 15% are Roma/Croat or mixed, and 45% are ethnic Albanian.

FP233 *Helping Older People Unable to Flee Danger Zones*

During the conflict in Bosnia and Herzegovina, older people were regarded as particularly vulnerable, especially when atrocities were being committed against minority groups. The ICRC reached elderly and isolated members of minorities through its food-aid programmes. The combination of assistance and protection activities enabled delegates to visit these elderly people regularly without drawing attention to them. During the visits, the ICRC collected information about problems relating to the protection of the groups concerned so as to make the necessary representations to the relevant authorities. In the Dvor area, where only a few elderly Serbs remained, for example, an ICRC health delegate conducted an intensive health care/protection programme for six months.

E. Practices to Promote Staff Security & Protect Human Rights Defenders

In the humanitarian context, the issue of staff security is closely related to the desire to increase presence on the ground in order to effectively meet the needs of the civilian population. Put another way, investment in measures to protect humanitarian staff is critical not only for their personal safety but also to ensure their ability to remain and continue work that will enhance the protection of the populations they serve. When staff is attacked or threatened, their access to and ability to protect the rights of the civilian population is obviously negatively affected.

Unfortunately, some perpetrators have deliberately attacked, threatened, and even murdered humanitarian and human rights workers in order to continue to carry out violations of international law without interference or witnesses. They have also used the pretence of security concerns to deny access.

The issue of impunity becomes important in terms of justice for acts committed and the need to create a deterrent effect. Attacks on staff and the local population, if tolerated, only embolden perpetrators. Current jurisprudence on universal jurisdiction for serious crimes, national processes for prosecution, as well as the future International Criminal Court will be important in this regard.

A community-based approach to security issues appears to be among the most successful approaches. It is very difficult to have good security measures in place unless personal relationships on the ground are given critical importance.

FP234 *Regular and Direct Contact (Building Relationships) Is a Key to Staff Security*
The OLS (see Operation Lifeline Sudan, FP238) humanitarian programme's security operation in southern Sudan based in Lokichokio, Kenya, notes that the biggest key to success of a security programme is regular and direct contact with commanders in the field to build trust and clarity. Personal relationships – described as " a process of communication and consultation" – go a long way toward preventing incidents involving UN and NGO staff. Developing such relationships can take time, so frequent turnover of security staff is avoided whenever possible.

FP235 *International Accompaniment Has Saved the Lives of Many Human Rights Defenders*
There are many examples of the use of international accompaniment to protect the lives of human rights defenders. Here we present only one case, but PBI can provide additional case examples and guidance relating to the planning and implementation of such activities (see information about PBI and it's website in the Bibliography).

Mario Calixto was the President of the Human Rights Committee of Sabana de Torres, a small town in central Colombia. He was at great risk of attack by local paramilitary forces because of his denouncement of human rights violations they had committed. Given the threats and attacks against other human rights defenders in the community, he was the last remaining person able and willing to speak out against abuses and therefore the only voice that could be heard out-

You must focus on the immediate protection of internally displaced persons – and their leaders, who are often targeted.

– Leader of an IDP coalition in Colombia, addressing a group of American humanitarians

The human rights of the average citizen are in much greater jeopardy when civil rights lawyers are killed with impunity; the threat to the unknown labourer rises dramatically when trade union leaders are 'disappeared'; and peasants or indigenous peoples fighting for land rights are more likely to be brutalised when their spokespeople are arrested and tortured.

– Laurie Wiseberg, 1991

The security of national personnel is still a problem and there is not a lot of confidence in the UN to help us.

– Afghan relief worker

side regarding the human rights abuses being suffered by the displaced population. On the evening of 23 December 1997, two armed men came to his house and began to intimidate and threaten him. They asked him to go with them – the method widely used in Colombia to 'disappear' and then kill human rights defenders. Fortunately, however, two members of PBI were present; they had been accompanying Mario on a regular basis for several weeks. They intervened and asked the gunmen to leave, which they finally did, appearing very unsure of what the consequences of acting before international witnesses (the only foreigners in this small town) might entail. After this incident, Mario and his family felt forced to leave for another part of the country, but Mario continued his human rights work… good news in a country where dozens of human rights defenders are killed every year. PBI points out that the combination of the presence of internationals familiar with a local situation (and who are in constant contact with a variety of actors, including military and civilian authorities) with the frequently encountered uncertainty of the perpetrators about how to act in the presence of witnesses can be a very effective protection strategy.

FP236 *Food for Work to Support Human Rights Defenders*
In Angola, the NGO Trocaire has teamed up with the Human Rights Division of the UN Office in Angola and WFP to build human rights awareness and improve communications between civil society and state institutions on human rights issues. The project involves the training of people as human rights promoters and counsellors who then work with target groups (schools, churches, IDPS, street children, women's organizations, police, military and other members of the community) to build knowledge and awareness of human rights. The promoters/counsellors also provide communities information about institutional resources available to guarantee rights; ensure better community mobilisation in defence of

rights; improve dialogue between the community and local police/justice systems, and reinforce the police and justice systems (capacity-building). The promoters/counsellors volunteer their services, but WFP provides a monthly allocation of food to support their work.

FP237 *Protection From the Psychological Effects of Humanitarian Work in a War Zone*
Humanitarian relief workers working in areas of armed conflict may witness human rights abuses or may be in danger themselves. Expatriate staff should be sensitive to the extreme stress that national colleagues experience as they have families in danger. Relief from psychological stress is an important component of the protection of humanitarian field staff, but is often neglected, according to field personnel working in southern Sudan. Stress counsellors can play an important role in helping relief workers to acknowledge and address stress, they said – but counsellors will be more effective if they have field experience themselves. It is important for staff to support one another – and to have an opportunity to burn off steam if possible. A staff member at the OLS compound in Kenya (that runs operations into Sudan) remarked that there was a need for some kind of physical activity to burn off stress, for example, a squash court or swimming pool (that could be used by national and expatriate staff). While at first mention some thought this would only create problems and be seen as UN extravagance, recreational activities for staff working in a war zone for months on end is important and recreational projects could be organised in a manner that is not ostentatious or expensive. It was noted that staff morale is often low and that there is not a strong sense of camaraderie at times to help carry one through one's emotional reactions to the work. Recreational activities could help promote teamwork and improve staff effectiveness.

East Timor, *1999*
In East Timor, the violence also targeted the UN Mission for East Timor
(UNAMET), which had monitored the election process, forcing most UNAMET
staff and some 1,500 East Timorese to evacuate to Darwin, Australia. The above
photo depicts the burned out shells of four cars sitting in a lot strewn with empty
cartons of relief supplies and other refuse in Dili, capital of East Timor.
©UNICEF HQ99-1002 / J. HOLMES

Clear Incidents Management and Reporting Guidelines Help Staff Assess Situations

The WFP in Sudan, a participant in OLS, has developed a set of guidelines for the management and reporting of incidents affecting delivery of assistance and for the safety of staff and beneficiaries. Incidents are classified from the less serious general incidents (no immediate effect on WFP operations and no threat to lives); to grave or critical (events that impede WFP's activities and/or involve misappropriation of food); to major issues (losses that warrant cancellation of a distribution or impede the process of collecting information); to the most serious category, security incidents (events that are potentially life-threatening to WFP staff in the field and over which staff has no control). Personnel are provided written procedural guidelines describing the levels and the respective steps to be taken at each. OLS Humanitarian Principles Officers are called in immediately in case of any violations of the "Ground Rules" by parties and assist in an investigation of the incident. If a pattern of violations of the Ground Rules exists, the Humanitarian Principles officer intercedes if possible and also informs the authorities that they are obligated to organise workshops for local authorities and others on human rights and humanitarian principles (see section on Operational Lifeline Sudan for description of the Humanitarian Principles Programme and the Ground Rules).

Ensuring an End to Impunity for Attacks on Humanitarians

The West Timor Case: After the killing of three UNHCR staff members in West Timor who were beaten and hacked to death by East Timorese militiamen in September 2000, the UN Security Council demanded that the perpetrators of the attack be brought to justice. The attack led to the pullout of all foreign humanitarian aid workers from West Timor, where more than 300,000 East Timorese sought refuge from the militia violence that erupted in September 1999. In January 2001, six suspected perpetrators went on trial amid tight security at the North Jacarta district court. They were charged with manslaughter or violence leading to the death of the three UNHCR staffers (charges carrying potential sentences of up to 12 to 15 years in jail). Shortly after the trial began, the Indonesian Foreign Ministry encouraged UN relief workers to return to West Timor, saying security had improved following the murders. It was hoped that the trial would serve as a deterrent to future attacks against humanitarian aid workers.

REMEDIAL ACTIVITIES & ACTION TO ENSURE ACCOUNTABILITY

6

ensuring

accountability

Introduction

The goal of remedial action is to restore dignified living conditions, a condition that includes elements of justice *and* reconciliation. Public acknowledgement of wrongs committed and appropriate reparations for survivors of injustice are viewed by many as necessary in order for reconciliation among members of a torn society to take place. Humanitarian and human rights organizations can play many roles in supporting activities related to justice and reconciliation.

Reconciliation among members of a society who have fought each other or have otherwise become estranged may be extremely difficult, especially in early stages. Those victimised or otherwise directly affected by violations of international law often want and expect acknowledgement of their suffering, some degree of admission of guilt, and some form of redress from other members of the society who participated or permitted the abuses to take place. This presents a major challenge to victims and other members of traumatized societies as well as to humanitarian and human rights organizations. It is one thing to preach forgiveness as an outsider; it is quite another to walk in the shoes of a person whose family members have been slaughtered, whose house has been burned to the ground, and whose family inheritance (land or other valuable property) has been confiscated. Sensitivity, patience and humility on the part of humanitarians is important and humanitarian organizations will do well to seek out the opinions of a variety of persons who lived through abuses prior to setting up programmes.

International law is clear on the point that those who commit war crimes, crimes against humanity or genocide must be brought to justice. It is the duty of States to hold individuals accountable for atrocities, but when they fail to do so, the international community must step in. This responsibility was acknowledged at the time of the Nuremberg trials, but has been strengthened greatly through the creation of the ad hoc international criminal tribunals (the International Criminal Tribunals for the former Yugoslavia and Rwanda and other developing ad hoc tribunals) and the new International Criminal Court, whose statute is expected to enter into force within the next few years. It is important that all members of the humanitarian community support the concept of individual responsibility for serious crimes under international law and fair trial rights for suspected perpetrators.

A number of societies have chosen to address wrongdoing through public truth-telling, using a variety of methods to ensure both public acknowledgement of crimes committed and individual accountability for criminal acts.

Some countries will be more concerned with rebuilding/rehabilitation, at least initially. Getting back to normal – or as close as possible to normal life, is important to all countries coming out of conflict or other upheaval.

A. Justice: Ending Impunity

FP240 *NGOS Lobby Successfully for Expanded Definitions of Crimes Against Women as Crimes Against Humanity and War Crimes*

Together with the Women's Caucus and the NGO Coalition for the International Criminal Court, OXFAM lobbied the United Kingdom (UK) delegation to the International Criminal Court to ensure that the new Court would be empowered to prosecute and sentence the perpetrators of sexual violence, which since time immemorial has been hidden behind silence and shame, with individual perpetrators and states complicit in blaming the victims of these horrible crimes. Impunity ensured that the devastation of women's lives was considered a by-product of war, and sexual crimes against women condoned as part of the victorious soldiers' spoils of war. The definitions of war crimes and crimes against humanity now specifically include rape, sexual slavery, enforced prostitution, forced pregnancy and enforced sterilisation. Also included are other forms of sexual violence constituting grave breaches of the Geneva Conventions, opening the way to prosecuting sexual violence as torture or wilfully causing great suffering.

Several landmark decisions by the International Criminal Tribunals for Rwanda (ICTR) and the former Yugoslavia (ICTY) have contributed to the change in perception of sexual violence against women during armed conflict or during genocide. Jean-Paul Akayesu, an ex-mayor in Rwanda, was found guilty of genocide, and of rape and sexual violence as a form of genocide, the first such conviction under international law. But initial charges against Akayesu did not include rape. It was due to the intervention of the Court's only female judge, Justice Pillay, and the legal briefs and pressure brought by women's groups and individual women human rights lawyers that rape was investigated and new charges brought. A decision of the ICTY court in February 2001 found three men guilty of charges all relating to sexual violence; specifically sexual enslavement, and systematic rape and torture – as war crimes and crimes against humanity – another first in international law. [1]

1 This information is adapted from http://www.oxfam.org.uk/policy/gender/99mar/399impu.htm. See the NGO Coalition for an International Criminal Court (CICC) website at http://www.igc.org/icc for information on the status of the ICC and related links to advocacy and other groups.

Zaire (now the Democratic Republic of Congo), 1997 *Having recently re-emerged from the forest into which they had fled to escape fighting after relief workers' access to the encampments was cut off, a Rwandan refugee woman sits and reads, in a crowded transit centre near the airport of the city of Kisangani, where she awaits a* UNHCR-*led airlift back to Rwanda.* © UNICEF HQ97-1093 / ROGER LEMOYNE

B. Truth Commissions

The Intensive Participation of Humanitarians in the Development of Truth and Reconciliation Processes Ensure That Important Needs of Families and Specific Groups Such as Child Soldiers Affected by the Conflict Are Given Full Consideration and That Rich Cultural Traditions Are Incorporated
During the late 1990s and early part of the new century, there were extensive debates in East Timor, Sierra Leone, Bosnia and Herzegovina, and the Federal Republic of Yugoslavia regarding the best form of truth and reconciliation processes to address the specific needs of each country. The humanitarian community played a full part in the debates. Without that participation, many of the issues at the heart of reconciliation processes would be overlooked. In Sierra Leone, for example, childcare agencies have focused attention on the need to calibrate truth and reconciliation activities to the ongoing and very delicate work of rehabilitation of child combatants. In both Sierra Leone and East Timor, it has been recognized that all parts of the humanitarian community must be invited to participate in discussions, including and especially grass roots community-based organizations. Grass-roots organizations are the voice of the people – it is they who can ensure that proper respect is given to the vast number of healing and reconciliation mechanisms that already exist in local popular culture and provide guidance as to how these might be folded into more formal commissions or other mechanisms that often occur at the government level.

C. Reconciliation Projects & Programmes

FP242 *Encouraging Reconciliation Through Music and a Public Showing of Support*

The Royal Embassy of the Netherlands sponsored a musical concert by two Sudanese musical groups, one from the North (Igd Al Galad) and one from the South (Kwoto, a drama and dance troupe). The musicians and dramatists included children, women and men; Christians and Muslims. The largest concert hall in Khartoum was booked for the opening and the event was attended by over a thousand people, including many prominent citizens and diplomats. Two other concerts were held and were open to the public. The media hailed the concert as the most unique event in a whole decade. As the organiser put it, the performance showed the possibility of co-existence. Importantly, the concert has served as a springboard for other ideas. A follow-up concert was held in Juba, the main town in southern Sudan.

One of the two groups, Kwoto, was established with the goal of strengthening the identity of IDPs. It drew its members from southern Sudan and Nuba displaced boys and girls living around Khartoum. Its goal was to strengthen the southern Sudanese identity and to contribute to the Sudanese national culture. Kwoto has performed over 200 shows in Khartoum, many of them in displaced persons camps.

FP243 *Combining a Message of Peace with an Education and Therapeutic Feeding Programme for IDPs*

In the Jaba Rone IDP camp outside Khartoum, the NGO Fellowship for African Relief (FAR) created the *Child to Child* programme to teach concepts related to health, education and peace. The programme used games, songs and drama to raise awareness about the effects of war on children and families and to encourage hope for and movement toward peace. While a number of programmes engage children with the goal of influencing peers, FAR's *Child to Child* programme sought to send a message to parents through their children. "The children go home and sing these songs to their mothers," one facilitator explained. The children and facilitators made up the songs themselves.

Why do we fight?
Why do we fight?
The war is a bad thing
The war brings death
The war brings suffering
In the Sudan many people have died
Others have left their houses and children have left
*   school because of the war*
They are now street boys and street girls
Because of the war
Mothers left their houses
They move on the road from place to place
*   looking for jobs*
These women cannot bring the future to their children
The children are without a future
Our future is doomed
Pray hard that peace comes
Why do we fight?

In another song, the children sing:

You and I
Let us go and stop the war

and live in peace.
Say yeah!
In the north people die
In the south people die
Tell me why.
In the east people die
In the west people die
Tell me why.
You and I
Let us go and stop the war
And live in peace
Say yeah!

FAR also used songs and games to teach internally displaced children about sanitation, hygiene and disease prevention. An associated therapeutic feeding centre for undernourished children and health education programmes for nursing mothers and pregnant women emphasised the benefits of breastfeeding, the importance of immunisations and other methods of disease prevention. The NGO also conducted home visits within the IDP settlement.

FP244 *Popular Musicians as Witnesses and Advocates for Respect for Human Dignity and Principles of International Humanitarian Law*

In 1996, five leading African musicians – Youssou N'Dour, Papa Wemba, Jabu Khanyile, Lagbaja, and Lourdes Van-Dunem – visited some of Africa's most desperate war zones (Liberia, the Sudan-Kenyan border, Angola and KwaZulu-Natal), where they were hosted by Africa's reggae superstar Lucky Dube. Following their journey, the musicians held a concert in Paris to kick off a campaign being launched in Africa for greater respect for civilians in war through a record/CD called 'So Why', a documentary film, and a book, *Woza Africa! (Come on Africa!) Music Goes to War*. The ICRC sponsored the tour and concert.

FP245 *Reacquainting Soldiers with Civilian Life Through the Medium of Music May Help Convince Them to Demobilise and Build Confidence on Both Sides in the Possibility of Reconciliation*

The demobilisation of soldiers is key to rebuilding a war-torn society and promoting confidence and reconciliation. Many months after the peace accord that was supposed to end the armed conflict in Sierra Leone was signed, only a small percentage of the fighters had volunteered to disarm and rejoin civil society. One provincial official came up with a novel plan to lure rebel soldiers out of the jungles and back into civilian life: the 'Peace Disco'. Many observers surmised that demobilisation had stalled because both soldiers and civilians were afraid of each other: the civilians feared the soldiers would not abandon their violence even if they returned to their towns and villages, and the soldiers feared reprisals or rejection from civilians for what they had done during the war. Those who created the 'Peace Disco' thought they could reduce the anxiety by reacquainting the soldiers with their civilian peers gradually, and in a pleasant setting. In a country enamoured of song and dance, the weekly dance was particularly attractive to the fighters, most of whom were teenagers and young adults who had lived through their adolescence in jungle camps without basics such as electricity, much less music. The 'Peace Disco' was apparently quite popular – to both civilians and fighters. According to unofficial reports, the disco experience convinced some soldiers to return to civilian life.

FP246 *Returning Children Across Fighting Lines May Send a Reconciliatory Message to the Other Side*

In Aweil, southern Sudan, a children's transit centre became much more than just a transit centre. It became a place, even in the midst of armed conflict, where people from either side could meet peacefully over issues of mutual interest. Contacts across fighting lines had been useful in tracing children separated from their families. Over time, these contacts and the

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"Even though war reflects lack of understanding among peoples, it still concerns us all." With these words the compelling voice of Ivorian singer Ano Mira soared over the crowd gathered in the open-air theatre at Abidjan City Hall in Côte d'Ivoire (Ivory Coast). The occasion was a three-day cultural festival organised by the Red Cross Society of Côte d'Ivoire in cooperation with the city authorities and the ICRC to mark the 50th anniversary of the Geneva Conventions. Over two days, 50 of Côte d'Ivoire's best groups and entertainers performed on the open-air stage during two non-stop shows of music, dance, theatre and comedy. In addition, seven artists showed their works alongside the ICRC's People on War photo exhibition. Numerous information and activity stands and (of course) local culinary delights gave a real fairground atmosphere to the event, which was designed to raise awareness of the limits that must be placed on war.

Igd Al Galad & Kwoto
Music Concert

Sudan

An invitation to the concert by two Sudanese musical groups, one from the North (Igd Al Galad), and one from the South (Kwoto). The music concert called "This War Has to Stop" showed the possibility of coexistence. The event was sponsored by the Royal Netherlands Embassy in Khartoum.

physical space of the transit centre began to serve another function – it developed as a mechanism for reconciliation. IDPs have upon their return home used the centre as a safe place to meet those with whom they wish to re-establish a relationship.

In East Timor, a former militia fighter who had turned on his own neighbours and destroyed the village school during the fighting of 1999 returned to his home in 2000. He asked the villagers for forgiveness. The villagers decided to welcome him back on condition that he let his home be used as a temporary school. Once he had fully repaired the actual school buildings he would be granted repossession of his own home. He immediately set about repairing the school.

FP247 *Sports Can Provide an Opportunity for Renewed Contact and Mutual Goals*
Athletes from all three major ethnic groups in Bosnia and Herzegovina competed together as a team for the first time since the war at the Sydney Olympics, and the athletes expressed their unity. And for the first time since the war, in another sports event, two ethnic groups living in a divided city came together to play soccer in front of 8,000 fans from both sides.

FP248 *Confidence Building and Reconciliation Through Interfaith Initiatives*
World Vision made some initial attempts in Kosovo toward conflict negotiation/mediation, bringing in an international Islamic expert who brought together Muslim imams and Serb Orthodox priests in the divided municipality of Mitrovica. Eventually, it is anticipated that all religious groups should take an active part in conflict resolution. Some participants suggested that there was a need for a more assertive media campaign aimed at tolerance building.

D. Demobilisation, Disarmament *&* Rehabilitation

FP249 ***Tools for Peace***

The humble tools used for toiling the neglected soils of Afghanistan are a powerful symbol of hope for the people who use them. The steel they are made from has been recycled by the Afghans from the carcasses of Russian tanks and weapons, which still litter the countryside. An international organization has sponsored many such workshops in Afghanistan in recognition of the fact that helping people cultivate their future is as important as emergency relief.

FP250 ***Providing an Incentive to Give up Arms That Provides Benefits Over Time May Help Reduce Violence***

'Wilde Ganzen' (Wild Geese), an interreligious NGO in the Netherlands, works with an implementing partner (Conselho Cristao de Mocambique) in the province of Zambezia in Mozambique to exchange utilitarian objects such as bicycles, sewing machines, wheelchairs, typewriters and other items for small arms. The project is called *Transformacao de Armas em Exadas*. An arrangement has been worked out with the Mozambique Council of Churches so that those wishing to turn in weapons may do so without drawing attention to themselves.

Sudan, 2001
Surrounded by smiling onlookers, a boy grins as he is kissed by a woman
relative after disembarking a transport plane. The plane has brought him
and some 60-80 other demobilized child soldiers from a transit camp in
Rumbeck to the village of Malual Kon to be reunited with his family.
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Notes

Notes

Notes

Index

Numbers refer to field practice (FP) number unless otherwise indicated.

Mozambique 250

Medecins Sans Frontieres (MSF) 18, 94, 164, 226

N

neutrality 86, 100, 172, 178

Nigeria 61

non-governmental organisations (NGOS) 3-4, 6, 21, 25, 120, 127, 145, 240, 243

non-state entities (NSES) 84-5, 87-8, 90-1, 118

Norwegian Refugee Council (NRC) 14, 20

nutrition 125, 226

O

Office for the Co-ordination of Human Affairs (OCHA) 22, 59, 83

Office of the High Commissioner for Human Rights (OHCHR) 96, 169

older people 39, 230-3

Organisation for Security and Cooperation in Europe (OSCE) 16, 26, 182, 225

OXFAM 28, 31, 45, 126, 240

P

Pakistan 51

Palestinian self-rule areas 141

participation of local actors 9-10, 44-5, 75, 85, 90, 99-101, 104-5, 116, 128, 131, 168, 186, 194, 197, 199, 203, 231, 234, *see also* Chapter 1. B

peace agreements 101-2, 167, 220

inclusion of international standards 79-82, 87

peace processes 104

Peace Brigades International (PBI) 163, 217, 224, 235

peacekeeping operations 95-8

peacekeepers 43

Peru 219

police 12, 66-7, 72, 79, 169, 182

preparedness 48

presence 29-30, 163, 217, 224, 235

accompaniment 25

of human rights monitors 26

of humanitarian workers 27-8, 30-1, 33, 36-7, 141, 173, 209, 215-6

prevention of harm and violations of international law 7, 26, 29, 33, 36, 41, 97, 105, 129, 135, 137, 152, 163, 166, 170-1, 173-5, 204, 208-13, 215

privatisation of warfare 91

promotion of international law and principles 8

property, protection of 52, 82, 122-3, 182-5

proportionality, based on need 115-6, 176

protection

data collection 41, 43, 45, 142, 201-2, 219

definition of 1, *see also* Chapter 1. C

leadership 1, 3, 5, 7, 46, 71, 77-8, 94, 98, 100, 218

linkage with humanitarian action 18-9, 68, 79-80, 84-5, 89-90, 94-5, 164, 241, *see also* Chapter 1. A

partnership in 3-8, 13, 15, 24

planning of 38, *see also* Chapter 1.

working group 8

psychosocial impact of war 13, 136, 147, 165, 199, 205-7, 237

psychosocial care 34

R

rapid response 17, 213-4

reconciliation projects 34, 69, 74-6, 99, 101, 137, 146, 150, 179-180, 200, 212, 241-50

Red Cross and Red Crescent Societies 64, 106, 108, 110, 132-3, 228

refoulement 175

refugees 3-4, 6, 40, 69, 71, 166, 231

religion, as an entry point 51-3, 55, 63, 177, 248

reproductive health 132, 135, 137

Republic of Congo 72, 135

Republika Srpska 109

returnees 52, 76, 79, 133, 184, 220-5, 246

Rotary International 24

Rwanda 13, 105, 173, 202

S

safe areas 189, 213-4, 216, 226

sanitation 128, 243

Save the Children Fund (SCF) 45, 63, 160, 168, 200

Security Council of the UN 16, 95-6

security of staff 37, 234-7, 239

Senegal 191

sexual violence 138, 165-6, 189, 240

shelter 130

Sierra Leone 11, 19, 22, 24, 42, 44, 60, 68, 72, 78-80, 83, 86-7, 91-3, 102-103, 111, 117, 132, 150-1, 156, 164, 167, 188, 197, 241, 245

site planning 130-1

slavery 167-8, 197

Somalia 85, 119, 124

Sri Lanka 24, 38, 45, 88, 122, 130, 133, 144, 152-154, 160-1, 178, 206-8, 210, 214, 217, 222

Special Representative of the Secretary-General for Children &
Armed Conflict (srsg-cac) 88, 96

standards development 95

street children 203-4

Sudan 12, 24, 28-9, 40, 49, 52, 66-7, 70, 77, 84, 101, 115-6, 120, 126,
145, 149, 168, 174, 177, 193, 196, 201, 203, 205, 218, 231, 234, 238, 242,
246

sustainability 119

T

Tanzania 166

Telecoms sans Frontieres (TSF) 112

trafficking 169-71

training and learning 1, 8, 12, 48-9, 63, 97, 143, 147, 156

transporting humanitarian assistance 23, 42, 92

travel documents 159

truth commissions 241

U

Ukraine 170

United Nations High Commissioner for Refugees (unhcr) 3-4, 16,
32-3, 36, 38, 40, 48, 52, 69, 74, 96, 112, 134, 152-3,
156, 159, 166, 175, 179, 182-4, 189, 202, 208, 211, 214-6, 225, 231

United Nations Centre for Human Settlements (Habitat, unchs) 99

United Nations Children's Fund (unicef) 24, 37, 41, 49, 51, 53, 63,
66, 78, 81, 84, 87, 96, 111, 133, 138, 146-8, 158, 167-8, 171, 191, 193, 196,
199-202, 207, 210, 223, 227

United Nations Development Fund for Women (unifem) 82, 166

United Nations Development Programme (undp) 154, 227

United Nations Mission in Sierra Leone (unamsil) 19, 87

United Nations Observer Mission in Sierra Leone (unomsil) 43, 87

United Nations Transitional Administration in East Timor
(untaet) 97

United Nations Interim Administration Mission in Kosovo
(unmik) 74

W

water 127, 129

West Timor 239

women 39, 67, 72, 77, 82, 105, 116-7, 121, 125, 127-8, 138, 153, 170,
174, 176, 186-90

Women's Commission for Refugee Women & Children 166

World Food Programme (wfp) 22-3, 32, 35, 37, 42, 44, 83, 92, 114, 116,
121, 123, 151, 186, 194, 201, 209, 236, 238

World Health Organization (who) 24, 37, 93, 136, 137-9, 141

World Vision 197, 248

Y

youth 34, 64-5, 132, 134, 139, 199

Appendices

GLOBAL IDP PROJECT

(http://www.idpproject.org) provides an international database on internally displaced persons, searchable by theme and country. The objective of the database is to gather and disseminate information about the predicament of internally displaced persons and to enable effective advocacy.

RELIEFWEB

(http://www.reliefweb.int/w/rwb.nsf) provides up-to-date information on humanitarian emergencies, reference documents, training programmes and materials, on-line humanitarian community information centres, organization directories, job postings, emergency telecommunications information, and multiple links for information on natural and man-made disasters. The UN Office for the Coordination of Humanitarian Affairs (OCHA) sponsors RELIEFWEB.

REFWORLD

(http://www.unhcr.ch/refworld/welcome.htm)provides daily news on refugee and humanitarian issues and access to newswire services, provides source materials such as legal information, UN documents, reference and teaching materials, bibliographic information, country reports, maps, a research network and valuable related links. REFWORLD is also available on CD-ROM. REFWORLD is a service of the United Nations High Commissioner for Refugees (UNHCR).

THE BROOKINGS PROJECT ON INTERNAL DISPLACEMENT

(http://www.brook.edu/fp/projects/idp/idp.htm) seeks to improve the international community's response to the global crisis of internal displacement. The site also lists numerous articles and books on the subject of internal displacement by the UN Representative to the Secretary-General on Internally Displaced Persons Francis M. Deng, Roberta Cohen, Guest Scholar at Brookings and others.

PEACE BRIGADES INTERNATIONAL (PBI)

(http: www.igc.apc.org/pbi/index.html) is a grassroots organization that explores and promotes nonviolent peacekeeping and support for human rights. When invited, PBI sends teams of volunteers into areas of political repression and conflict. The volunteers accompany human rights defenders, their organizations, and others threatened by political violence. Those responsible for human rights abuses usually do not want the world to witness their actions. The presence of volunteers backed by an emergency response network thus helps deter violence. In this way, we create space for local activists to work for social justice and human rights.

SUGGESTED HANDBOOKS & REFERENCE MATERIALS TO TAKE TO THE FIELD

Buergental, Thomas. 1995. *International Human Rights in a Nutshell.* St. Paul: Westshing Company.

Center for Sustainable Human Rights Action. 2001. *New Media Guide for Human Rights Groups Worldwide.* New York: Center for Sustainable Human Rights Action. (Available in English. Spanish, Arabic and French translations in process.)

Darcy, James. 1997. *Human Rights and International Legal Standards: What do Relief Workers Need to Know?* RRN *Network Paper 19.* Relief and Rehabilitation Network. (Note: RRN is now called Humanitarian Practice Network, or HPN).

Doswald-Beck, Louise and Vité, Sylvain. 1993. *International Humanitarian Law and Human Rights Law, Review of the International Red Cross, no. 293,* March 1993, pp. 94-119.

Gasser, Hans Peter. 1993. *International Humanitarian Law and the Protection of War Victims: An Introduction.* Geneva and Berne: Henri Dunant Institute and P. Haupt. Available on ICRC website http://www.gva.icrc.org/eng/ihl

Gutman, Roy and David Rieff, Eds. 1999. *Crimes of War: What the Public Should Know.* New York: W.W. Norton and Company.

HelpAge International. 1999. *Older People in Disasters and Humanitarian Crises: Guidelines for Best Practice.* London: HelpAge International.

ICRC. 1983. *Basic Rules of the Geneva Conventions and Their Additional Protocols.* Geneva: ICRC. Available on ICRC website http://www.gva.icrc.org/eng/ihl

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Kalshoven, Fritz. 2001. *Constraints on the Waging of War.* Geneva: ICRC.

Mahony, Liam and Eguren, Luis Enrique. 1997. *Unarmed Bodyguards: International Accompaniment for the Protection of Human Rights.* West Hartford: Kumarian Press.

O'Neill, William G. 1999. *A Humanitarian Practitioner's Guide to International Human Rights. Occasion Paper No. 34.* Brown University Thomas J. Watson, Jr. Institute for International Studies.

United Nations Children's Fund. 1999. *Children in Armed Conflict.* New York: UNICEF.

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United Nations High Commissioner for Refugees. 1999. *Protecting Refugees: A Field Guide for NGOs.* Geneva: UNHCR.

United Nations Office for the Coordination of Humanitarian Affairs. 1999. *An Easy Reference to International Humanitarian Law and Human Rights Law.* http://www.reliefweb.int/ocha_ol/

United Nations Office for the Coordination of Humanitarian Affairs and The Brookings Institution Project on Internal Displacement. 1999. *Handbook for Applying the Guiding Principles on Internal Displacement.*

United Nations Office for the Coordination of Humanitarian Affairs, Inter-Agency Standing Committee Policy Paper Series No. 1. 1999. *Manual on Field Practice in Internal Displacement: Examples from UN Agencies and Partner Organizations of Field-Based Initiatives Supporting Internally Displaced Persons.*

United Nations Office of the Secretary General, *Guidance from the United Nation' Secretary-General on the Observance of International Humanitarian Law by United Nations Forces,* Bulletin of 6 August 1999.

van Brabant, Koenraad. 2000. *Operational Security Management in Violent Environments.* London: Humanitarian Practice Network. This publication provides information about how aid agencies can and

should protect staff working in crises. Topics include banditry, kidnapping, sexual assault, landmines, direct attack, etc. Humanitarian organizations are urged to engage in contingency planning and to keep aware of the changing security picture in the areas they are working. The need to recognize and manage stress is also addressed. Importantly, van Brabant makes practical suggestions relating to radio procedures, tracking of staff in the field, identification of landmines, etc.

Williamson, Jan and Moser, Audrey. 1988. *Unaccompanied Children in Emergencies: A Field Guide for their Care and Protection.* Geneva: International Social Service.

THOSE WHO WISH TO LEARN MORE ABOUT INTERNATIONAL HUMANITARIAN LAW MAY WISH TO REFER TO:

Fleck, Dieter. 1995. *The Handbook of Humanitarian Law in Armed Conflicts.* New York: Oxford University Press.

Green, Leslie C. 2000. *The Contemporary Law of Armed Conflict.* New York and Manchester: Manchester University Press.

HOW TO OBTAIN SOME OF THE ABOVE PUBLICATIONS:

ICRC publications can be obtained from many ICRC delegations, or by writing to: ICRC, Production-Marketing-Distribution Unit, 19 Avenue de la Paix, CH 1202 Geneva, Switzerland.
E-mail: webmaster.gva@icrc.org
Fax: ++ 41 22 730 20 82

Center for Sustainable Human Rights Action New Media Guide for Human Rights Groups Worldwide can be obtained for a fee (approximately $20 US) from 122 West 37th Street, 10th Floor, New York, NY 10001 USA. This handbook is based on experiences of human rights activists and journalists around the world, with special focus on the Global South–Africa, Asia and Latin America. Topics include understanding local and international press, the realities of modern coverage, choosing the right media strategy,

monitoring the media and using the media to promote human rights issues and organizations. The website for the Center for Sustainable Human Rights Action is www.ceshra.org.

HelpAge International Publications can be obtained from: Publications, HelpAge International, 67-64 Saffron Hill, London EC1N 8QX, United Kingdom.
E-mail: hai@helpage.org
Web: http://www.helpage.org/publications

Overseas Development Institute/Humanitarian Policy Group (ODI/HPG) publications can be ordered by mail from Overseas Development Institute, ODI Publications, 111 Westminster Bridge Road, London SE1 7JD, UK or through the ODI website www.odi.org.uk.

Humanitarian Practice Network (formerly Relief and Rehabilitation Network) publications are available online or may be ordered online at http://www.odihpn.org or write HPN, Overseas Development Institute, 111 Westminster Bridge Road, London SE1 7JD.
Telephone: +44 (0) 20 7922 0300
Fax +44 (0) 20 7922 0399
Email: hpn@odi.org.uk

Humanitarianism and War Project publications may be ordered online at http://www.hwproject.tufts.edu or from: Brown University. Box 1970, Providence, RI 02912-1970.
Telephone: (401) 863-9384
Fax: (401) 863-3808

UN Office for the Coordination of Humanitarian Affairs publications: OCHA, United Nations Room s-3600, E. United Nations, New York, NY 10017 or via Internet at http://www.reliefweb.int/ocha_ol/ pub/index.html. Inquiries relating to materials can be directed to the Internally Displaced Persons Focal Point by e-mail at ocha-pdu@un.org or by fax to OCHA in New York at 212-963-1040. *The Guiding Principles on Internal Displacement* can be obtained from the UN Office for the Coordination of Humanitarian Affairs (UN OCHA, see above). They are available on the Internet on the OCHA website, the

Global IDP Database website (see above) and at the Brookings Project on Internal Displacement website at: http://www.brook.edu/fp/projects/idp/idp.htm.

UNHCR publications can be obtained from many UNHCR offices, or write UNHCR CP 200, 1211 Geneva 2, Switzerland. Telephone: 41 22 739 8111. Some can be downloaded from REFWORLD.

UNICEF's publications are mostly available on the Internet at http://www.unicef.org/emerg/theme.htm, or you can also write to the UNICEF, Office of Emergency Programmes, Three United Nations Plaza, New York, NY 10017, USA.

Did you know? A directory of international organizations can be found at: http://reliefweb.int/contacts/dirhomepage.html

APPENDIX 2. *Interact! How to Contact Us with Your Ideas*

The members of the Inter-Agency Standing Committee and the Reference Group on Humanitarian Action and Human Rights invite and encourage you to comment on this collection of field practices, add some of your own, and provide feedback on what has worked where.

To keep in touch: our interactive website http://www.reliefweb.int/iasc/. The website will have links to member organizations of the IASC, human rights sites, the Global IDP network, and other protection-related websites.

Acknowledgements