

- REPORT -

**OPERATIONAL WORKSHOP ON PROTECTION IN EMERGENCIES
- LESSONS LEARNED FROM FLOOD RESPONSE**

Organised by OHCHR and OCHA

Date: 14 November

Place: Hotel Himalaya, Kathmandu

Summary:

On 14 November 2008, OHCHR and OCHA jointly organized a protection workshop with the objectives of strengthening the protection cluster in Nepal. Response made by different actors such as the government (Women Development Office, CDO), national, international and community based NGOs (NHRC, NRCS, WOREC) and the UN during the recent flood in eastern and far western regions was discussed and analyzed.

A brainstorming session on lessons learnt- good and bad aspects of protection response during the emergency- was initiated in which assessment of the (emergency) situation, coordination systems, monitoring and response mechanism were discussed.

At the end of the workshop, the group came up with a number of recommendations directed at the Government of Nepal, National Institutions, UN, I/NGOs and the Protection Cluster.

Around 45 participants from eastern and far western regions as well as participants from national and international NGOs, security forces and the UN organizations attended the workshop.

The main points that came out from the workshop include:

1. The cluster approach worked well on the ground.
2. Protection must be seen as wider than just women and children.
3. Information flow from the field to the national level must be improved.
4. Preparation for emergencies must improve and preparations activities must also include protection.
5. Monitoring was too focused on camp population only and missed IDPs in other settlements or with host families.
6. Human rights organizations should be brought into the cluster.
7. Protection needs to be mainstreamed into the work of other clusters, maybe through a focal point system.

8. Response to SGBV must be improved.
9. Coordination meetings at the district should as much as possible be held at the same time in the same place.
10. Field visits from HQ should not divert attention of and energy of local government officials from emergency response.
11. There was a call for the HC to advocate to donors to fund gaps, also by NGOs, that are identified in service delivery to shelters. (for example no UN agency is ensuring care to elderly as a vulnerable group).
12. There was a discussion of the need to standardize relief packages.
13. There was a call for capacity-building of communities and community networks.
14. There was a call for district level emergency funds.
15. There was a request for the UN to acknowledge the work of I/NGOs better.
16. There was a question of what the formal role of WDOs in the protection cluster is? How should WDOs be linked to a protection network? There were also questions raised as per the role of the NHRC and the local peace committees. Do DDRCs have protection focal points?
17. The need for common tools for assessments was still identified.
18. There was a request for further dissemination of international lessons learned for example about the tsunami response.

- **Government's emergency arrangements**

OCHA presentation

The GoN was invited to make a presentation but was unable to do so (key people are out of the country or on leave), OCHA is making brief presentation of some key considerations:

The National Calamities Relief Act, statute passed 20 years ago, created central, regional, district and village structures:

Central Disaster Relief Committee chaired by Minister for Home Affairs with participation of the police, army and line ministries. The committee only meets when there is a disaster response. It doesn't meet for planning or preparedness. Red Cross is a member, other NGOs are not. The UN system has not participated although the UN Humanitarian Coordinator was recently allowed to sit in.

At the Regional level the Act provides for a Regional Committee to be led by the Regional Administrator (RA) but since 2006 the RAs have been inactive and so there is a gap in communications between the central and other levels.

The Act provides for a district committee to operate at that level, Chaired by the CDO with the participation of line Ministries. The Act does not provide for NGOs/UN to participate but, in practice, some CDOs have allowed it over last 1 and a half years.

The Act does not specify a role for political parties but they have sought to participate. Some experience shows that on occasion this has been a negative experience.

The declaration of a 'state of emergency' gives the GoN special powers to act e.g. to use funds, acquire lands, carry out other activities that would normally require special approval.

OCHA concluded that the circumstances are difficult, committees are called to meet on ad-hoc basis so it is difficult to plan or prepare. CDOs are occupied with other things and do not always guide the committees correctly.

The following issues/questions were presented to the group:

- what changes could be made to the Act, to make it more flexible?
- how do the workshop participants fit to the structure?
- how to strengthen the protection response through the state?

Presentations by OHCHR Regional Offices and Women Development Officers

OHCHR Eastern region

OHCHR ER worked with limited success on some key protection issues, overlooked by others:

Discrimination against non-nationals: There was some confusion about the obligations of the state to assist citizens of India eg. should they be included in registration, aid-distribution, verification process?

Participation: Representative camp committees were formed with OHCHR's assistance. Women were included but it was much more difficult to secure the participation of Dalits.

Allegations of abuses: The field office has worked with the protection cluster to raise concerns about allegations from the camps. There is an issue about police accountability for abuses, although not many cases reported.

Eastern Region Women's Development Officer

WDO led protection cluster. On 18 August 2008, the *Koshi* river inundated. Three VDCs, 20 wards were directly affected, some of them were seriously affected. In Sunsari district alone, around 37,000 people were displaced. The situation was so volatile that even after 3-4 days, no one could do anything, no response was there.

The best part was that people came generously and supported. There were issues of camp management, resettlement, religious issue of Hinduism/ Muslim. The Protection Cluster is active and responding to different problems/issues differently- such as women, pregnant women, children in close coordination with NGOs.

Women Development Office's suggestion to the government: A policy in relation to the return of displaced people needs to be prepared.

There are eight clusters at present. Resettlement is being done- WOREC, Plan, UNICEF, UNFPA, involved in this. One main problem is the cold weather and there are huts only. So there's a greater risk of pneumonia among children, women and elderly. Issue of open border and non-nationals coming forth too.

The Sunsari Protection cluster managed adequately, with good support from the UN and government agencies, but there were some problems that were not addressed because of uncertainty at the central level. We have felt the gap. Also there were problems faced by pregnant women and in getting the schools to operate properly. There were also coordination problems across the clusters.

One concern is that more attention was given to Sunsari district than Saptari.

OHCHR Far Western Region

OHCHR in the FWR was also on a steep learning curve in relation to this flood: knowledge and experience of protection issues but not in relation to a humanitarian

emergency of this type. Need to develop our own procedures on this issue and to be actively involved in future trainings.

Important to get the protection cluster established as early as possible after the emergency and to monitoring teams established to get initial basic information of the situation. All information gathering needs to be as thorough as possible to aid future protection efforts.

Importance of UN agencies showing flexibility in the early stages of the flooding and providing logistical support, etc. Some agencies adapted to this process quicker. OHCHR was fortunate as the only substantial UN presence in the region to offer support. Good if other UN agencies adopt similar flexibility to support the efforts of key agencies in the immediate aftermath.

Important for all government administration, UN agencies and INGOs to recognize the seriousness of the situation and the level of emergency and respond accordingly: particularly important over the holiday periods. Most agencies did not continue working over Dashain and Tihar and this had a debilitating effect on relief efforts and put back the provision of support by weeks.

Protection work was also hindered by the lack of a means to raise issues with the decision-makers in the district administration. CDO did not take a direct coordination role in the flood response and only engaged with political parties, deferring most responsibility to the NRCS and relief agencies. However, certain decisions needed district approval and without a DDRC or flood coordination forum (with district leadership participation) these protection issues have been sidelined / not addressed. Issues related to forest encroachment and

Consideration needs to be given to development of the Protection Cluster as an effective means to raise and seek response to all protection concerns. WDO has a specific mandate that only covers some protection issues: agencies with a broader protection mandate, notably the NHRC, may be better placed to take on this coordination role. WDO also has problems regarding resources, staffing, etc. Not well placed to take the coordinating role without additional support. In general there is a lot of specific expertise on women /children's issues on the protection cluster but less on broader issues (discrimination, etc.)

Protection issues need to be properly mainstreamed through the work of the other clusters both through future trainings, revised IRA forms and other assessment tools.

Far Western Region Women Development Officer

Coordination good, national, NGOs and international NGOs. However NGOs provided assistance according to the geographic areas they currently cover, should have helped everyone.

Human trafficking 'watch groups' formed in at risk areas, to watch and inform concerned authorities.

After the flood, a meeting was called up. Organizations such as WOREC, INSEC, OHCHR, NHRC were teamed up. A flood response committee was formed. A checklist provided by OHCHR on Rapid Assessment tools was very useful. Issues of children, women and many cross-cutting issues were discussed. Coordination with UNICEF, WFP, DDRC was good.

The Government didn't meet its responsibilities, less serious response in FWR compared to ER. People should have worked together to take issues to the central level.

Comments from the floor:

- About Watch Group: Info centre established including Watch Group, 100 households in Khaida VDC in forest area living, their safety during night in concerning as they live in huts, a small group is formed from within the household and people are given orientation. FAYA, Maiti Nepal and WOREC are involved.
- Another problem- some 3000 population in forest area- Basanta corridor have no taps, lights, there is one phone, people are staying in tent.
- Koshi vs Flood in far west ?- Less government response in FWR, delayed response, no PM rescue fund.
- In Saptari many HR violations take place, real explanation of protection to be defined, Areas where Pahadis live are more prioritized than areas where Terai people (Madhesis) live.
- Many cases of sexual violence against women went unreported in OCHA's report.
- There was missing a formal forum/mechanism for discussion.
- Coordination at Kathmandu level to be increased.
- Return strategies for Indians need to be in line with international humanitarian frame.
- The Government's assessment team was formed on an ad hoc basis with inexperienced team members.
- It was clear how to use the Rapid Response Assessment tools.
- Some districts such as Kailali in FWR was more highlighted than other affected districts.
- There were political parties' pocket area.
- Integrated approach – involvement of security forces in rapid assessment
- Assessment should be made more systematic
- Good work- protection concerns assessment
- Delayed monitoring
- Contribution of other I/NGOs not mentioned in OCHA'a information management.
- The approach was to donor focused.
- Common checklist to be made
- Poor were given support because *Dashain* festival was approaching not because they were flood affected.
- Advocacy is needed to make donor knowledgeable about protection issues.
- Inter-clusters coordination info package not shared among all.

LESSONS LEARNED

I. ASSESSMENTS

Good aspects

1. The cluster approach worked well.
2. Preparatory general emergency workshops of OCHA were useful.
3. At field level integration worked well.
4. Much coordination among many agencies in the initial facts collection.
5. Funds were available speedy.
6. Initial evaluation via telephone worked well.
7. Local administration/DDRC were active.

Bad aspects

1. Government assessment teams were comprised of non-professional.
2. Need more/better disaster preparedness within organizations – more trained staff, surge capacity, etc.
3. Assessment done with IRA tools not satisfactory.
4. Government did not recognize assessments done by the clusters.
5. Protection assessments were not done systematically.
6. Assessment teams need more preparation before leaving.
7. Certain areas were given a lot of attention and some others were neglected.
8. Over time the aid became more politicized and political parties intervened more.
9. There were no statistics on adolescents.

II. COORDINATION SYSTEMS

Good aspects

1. Cooperation and coordination among various governmental, non-governmental and internal organizations.
2. Recognition of the role played by other organizations.
3. Cluster approach worked well.

4. Extended coordination among all stakeholders/regular meetings.
5. All authorities showed concerns and extended cooperation.

Bad aspects

1. Lack of sharing of intra agency packages.
2. Need more inter-cluster coordination.
3. WFP needs to take part in protection cluster (information sharing is too ad hoc).
4. There is a need for coordination between agency at central plus Kathmandu level (need common front at national level to get messages across).
5. Poor recognition of national NGOs' contribution in OCHA's reporting.
6. UN agency meeting/forum at district level needs to come up with common approaches /positions/strategies.
7. Coordination/information management- meeting at the field were not coordinated.
8. Security forces and line agencies should be identified for better coordination.
9. Lack of advocacy with other clusters on Protection.
10. Lack of coordination among central and local government authorities.
11. Many NGOs limited within their geographic jurisdiction.
12. Insignificant presence of government authorities in the District Disaster Relief Committee, especially meetings.

III. MONITORING

Good aspects

1. Formation of monitoring teams and CMCs.
2. Protection assessment.
3. Special attention to vulnerable groups.
4. Joint monitoring (resource such as vehicles shared).
5. Regular situation updates.

Bad aspects

1. Delayed joint monitoring.
2. Weak public advocacy.
3. Lack of follow up.
4. Only camp focused monitoring.

5. Adequate resources not available.
6. Agencies are not passing monitoring info back to Katmandu.

IV. RESPONSE

Good aspects

1. Appreciative immediate response by local communities, CSOs, UN and other I/NGOs and other humanitarian agencies.
2. Immediate relief to Indian citizens.
3. When issues were framed in a strategic way to make them appear palatable they were acceptable for the authorities.
4. Rapid rescue efforts carried out using helicopters worked well.

Bad aspects

1. Religious and caste based discrimination among IDPs.
2. No cluster consultation.
3. Discrimination to Dalits and non-nationals in safe space.
4. Need one organization to take responsibility for an issue + follow through all the way from district to national level. Accountability/delegation to specific agencies.
5. Agencies need to go beyond raising problems + start coming up with concrete strategies.
6. Resources are not utilized effectively / there is no effective mechanism for relief distribution.
7. Politicization in relief distribution/discussion.
8. Rampant intervention from local and national level on the findings of the assessment.
9. Confusion whether or not to provide relief distribution to displaced residing in forest areas.
10. Issue of Indian nationality and response.
11. Responses made in schools not uniform.
12. Need of special groups/no proper attention to infants and pregnant mothers.
13. Different response packages from different agencies on same theme/issues could be efficient if integrated.
14. Advocacy to donors needed to address protection issues at large .
15. Need stronger feedback on what is happening in the field systematically.

16. Need to solve political party involvement/intervention at policy level in Kathmandu.
17. Response to discrimination is clear at Kathmandu level but complicated at district level (how do we go about implementing when discrimination is an issue).
18. Some gaps- no responses provided to elderly.
19. We over responded in some areas and under response in some.

V. INFORMATION MANAGEMENT

Good aspects

1. Comprehensive information by OCHA (updated/E/D).
2. Information management good- (Establishment of Information management centre).
3. Problem in relief distribution due to problem in identifying real victims.
4. Need to release information at the source from and to field plus Kathmandu.
5. Fixed date regular meetings to update of protection cluster.

Bad aspects

1. UN focussed information management.
2. Lack of follow up of minimum standard.
3. Delayed information of donor agencies assistance to DDRC.
4. Protection issues overshadowed and not given enough attention.
5. Indifference at the local level.
6. Watch group- local people good in field but info does not get back on consistent basis.

RECOMMENDATIONS

1. GOVERNMENT

1. A policy should be formulation on assistance to non-Nepali citizens.
2. Top level meetings may be needed to pass on recommendations.
3. Local level DDRC relief fund should be established.
4. Disaster Management Assistance and IDP directives should be endorsed asap.
5. A mapping of vulnerable areas should be carried out and people should be discouraged to live in those areas.
6. Build capacity of CDOs on DDRC procedure and sector/cluster approach.
7. Discourage political interference
8. Sector-wise expertise is needed to support in recovery in central level.
9. Standardization of relief and response packages is needed.
10. Strengthen coordination amongst district and central level actors/agencies better strengthened.
11. A strong monitoring committee at national and district level including Government, NGO and INGOs should be formed.
12. There should be a one door policy on the implementation level.
13. Response for sexual abuse exploitation need to be improved.
14. Clarify who from the Government will be the protection cluster chair.
15. Financial transactions/expenditure particulars need to be transparent.
16. Trainings should be held in order to facilitate rapid mobilization of government employees for rapid assessment.
17. Coordination central & local administration should be improved
18. Fund available to DDRC shall be made available to the protection cluster as well.
19. DDRC meeting should be regularized.
20. Take pre-cautionary measures in places prone to natural disasters.
21. Make long term planning for post disaster management and implementation.
22. The State's responsibility as the ultimate protector of the citizens shall be maintained. Responsible authorities' transfer should not hamper the continuation of activities.

2. NATIONAL ORGANIZATIONS

1. Focus on expertise areas.
2. Avoid competition for visibility and recognition.
3. Avoid work duplication.
4. Strengthening protection related structure at community level.
5. Work in close coordination of each other

3. UNITED NATIONS (UN)

1. Humanitarian Coordinator should advocate to with donors on gaps e.g. support to elders, not just for women and children.
2. Problems raised from district level should be addressed through cluster.
3. Lessons learned from Tsunami and others should be disseminated.
4. UN should strengthen its advocacy with governmental organizations for immediate relief/response.
5. UN agencies should acknowledge the efforts of I/NGOs.
6. Protection cluster in UN should be strengthened at district level.
7. Build capacity of the people and institutions involved in the protection cluster by providing training, resources and funds.

4. INTERNATIONAL NGOs

1. Strengthening protection related structure at community level.
2. Improve coordination with the government
3. Improve disaster response capacity even if it is not a core activity.
4. Improve combined/comprehensive support without duplicating.
5. Implement short-term and long-term relief and assistance programs.
6. Coordinate with DDRC and cooperate as necessary.

5. PROTECTION CLUSTER

1. Recognize the government counterparts (DDC/NHRC): responsible government agency to do assessments.
2. Broaden the discussion of protection issues e.g. discrimination, inclusion, security etc.
3. Protection cluster chair should communicate key advocacy to Home Ministry who will pass to CDO on sector related issues for consistent messages.

6. FOR ALL ACTORS

1. Protection is needed for all vulnerable groups, not just women and children.
2. All data gathered should be disaggregated by sex, age, caste, regions.
3. Program designed from top need to hear the needs. Don't design response from the top.

Setting up a protection network

OCHA introduction

Some issues include -

- Networks are about communications and feedback, how to network properly, link organizations?
- How to ensure agencies see protection cluster as a place where issues can be discussed?
- How to address geographic spread (ie gaps in coverage)?
- How to incorporate more organizations, for example, human rights defenders?
- How to establish coordination between districts and the national level?
- The need to do more advocacy with other clusters, perhaps through a protection focal point in each cluster.
- The need for disaggregation of data, eg how many women, children, elderly are amongst the displaced.

Human Rights Defenders - there are five organizations at national level such as Advocacy Forum INSEC, how to bring them on board? OHCHR has a comparative advantage based in its international and national geographic coverage. NHRC has a comparative advantage in its national geographic coverage. Who are the contacts with the organizations?

Ad-hoc arrangements - Clusters were formed to deal with emergencies in the eastern and far western regions i.e. they were formed on an ad hoc basis. Establishing a network during normal times would help deal with a variety of issues and ensure better preparations for emergencies. Is it possible to get key people involved at district levels?

Exchanging ideas - There may be an opportunity to exchange ideas, people involved in the cluster in the east could help in the west and vice versa.

Protecting emergency responders - Problem when emergency responders have to protect themselves, better to prepare beforehand so that they can continue their work.

Continued role for WDO - Is it possible for the WDO to continue monitoring after disaster? And how would that work be strengthened? Or is it possible to have frequent meetings of protection minded people and strengthen that group?

Discussion:

- In the Eastern Region there were technical problems, social security is always an issue at the WDO, one door policy of cluster. If we maintain one door policy may work, also coordination is a must in an emergency.
- Government didn't take action in Sunsari district. We exchanged information in Saptari and that made our situation better than in Sunsari. We gathered information and informed human rights organizations but we lacked resources, there needs to be adequate resources for each level, there is not enough at the local level. Also, we need to set up a mechanism to ensure

and protect and our own human rights. A lot of things have happened to me personally and my husband.

- OCHA initiated contact group meets, INSEC from Nepalgunj participated and others in the humanitarian field. There were 2 issues:
 - How can we make an issue of 'protection', develop a common voice?
 - How can we get involved in development programs?
- It is necessary to establish a regional protection forum, this could be the basis for capacity building, working with other clusters etc. It's important to broaden scope, beyond women and children's issues eg to address discrimination. Some questions that come up are how to organize such a mechanism? And who would lead it? NHRC has a regional presence but doesn't have a presence in all districts. Nonetheless NHRC would be important.
- How to bring in the HR organizations? Advocacy Forum could respond to some of the concerns raised eg allegations of rape and sexual violence. Also how to coordinate with organizations that do not have a presence at national level? It's easier to work at national level eg WOREC. Perhaps NHRC could play a role networking with others?
- Thanks to OHCHR for the presentation on HR and natural disasters, its clear we do have issues of HR at hand. We played a role in the protection cluster in the districts. We don't have presence at all levels, try to make authorities more responsive/acceptable. NHRC can play a role in such a network. Not in all districts but at regional level, perhaps we should be more involved in the government disaster response committees. This was our first experience, now we can work more capably, more efficiently.
- NHRC can monitor but has to coordinate with government to carry out its day to day activities. A communication was sent by NHRC to the PMs office 4 days after the ER flood, saying that help and additional resources were needed.
- The Ministry for Social Welfare has the responsibility to coordinate the protection cluster at national level, the WDO office at district level. NGOs work on an issue basis, we should try to incorporate them. There should be more effort to coordinate at central level than at local level, as the local level tends to be more integrated.

OCHA conclusion

This discussion reveals that we need a lot of training, to develop common understandings so that we can work together, communicate better, know better the HR duties and responsibilities, the different issues. We want quick results but they are always slow.

The Local Peace Committees may be another mechanism we could look to, to build a protection network. And with the political parties, perhaps giving them a role in the cluster will make them more effective.

Complaints from Saptari district included a lack of donor support, there was no health service/ambulances at night and no communications system for people to request help. The DDRC was unable to make an ambulance available at night, even the WHO could not provide one. The DDDC and the CDO said the people were from Sunsari and should go there for assistance.

Protection cluster meets were held on Wednesday's in the ER, issues discussed, management committees formed in camps, information was transferred to the DDRC. Officials in the DDRC received as a complaint and tried to 'defuse' the issue, they sometimes didn't take the issue seriously, as a problem. The Protection cluster tried to make people understand the seriousness of the situation. We could approach the Home Ministry and Police HR Cells to address such problems.

ANNEX 1

Participants of Protection Workshop (14 November Hotel Himalaya) Kathmandu				
SN	Name	Designation	Organization	Signature
1.	Gita Mahat	WDO		
2.	Janaki Rakhi	WDO		
3.	Shreekanta Koisak	SP	APF	
4.	Chandra Prakash Gautam	SP	APF	
5.	Ms. Rita Dhakal	Disaster Risk Reduction Manager	CARE Nepal	
6.	Mr. Sudarshan Raj Sharma	Administrative/Security Manager	CARE Nepal	
7.	Heini Salminen	Junior Advisor	Embassy of Finland	
8.	Dilli Karki	Chair	HUDEP	
9.	Navon Ojha		Maiti Nepal	
10.	Ms. Anamika Rai	Senior Program Manager	NDI Nepal	
11.	Mr. Thibaud Marcesse	Resident Program Officer	NDI Nepal	
12.	Ms. Uma Joshi	Protection Officer (IDPs Focal Point)	NHRC	
13.	Nandakishor Baxal Yadav	Protection Officer	NHRC	
14.	Kosh Raj Neupane		NHRC	
15.	Badri Subedi		NHRC	
16.	Aujun Koirala	HRO	NHRC	
17.	Prabhu Prasad Dhanal	Police Inspector	NP	
18.	Ms. Amrita Shrestha	Project Officer	NRC	
19.	Mr. Krishna Ghimire	Project Officer	NRC	
20.	Padem Bhusal	Project Officer	NRC	
21.	Radheshwori Bhatta		NRCS	
22.	Mr Yadav KC	CA	OCHA	
23.	Vincent Omuga	Humanitarian Affairs	OCHA	

		Officer		
24.	Leith Baker	Eastern Region Head of Office	OCHA	
25.	Mr Andrew Palmer	Head of Far Western Regional Office	OHCHR	
26.	Dharma Joshi	Human Rights Officer	OHCHR	
27.	Patrick Rooney	Human Rights Officer	OHCHR	
28.	Sudha Uprety	Human Rights Officer	OHCHR	
29.	Annette Lyth	Human Rights Officer	OHCHR	
30.	Khadev Khanal	Interpreter	OHCHR	
31.	Dilli Guragai	Child Protection Coordinator	PPCC	
32.	Tom Prasad Acharya	Chair	Red Cross Society	
33.	Ms Tara Kanel	Protection Coordinator	Save the Children-Norway	
34.	Abha Setu Singh	Chair	SETU Samaj	
35.	Mr. Sanu Raja Ranjit	Operations Director	UMN Nepal	
36.	Silla Ristimaki	Program Officer	UNFPA	
37.	Vandhana Sharma	Project Officer	UNFPA	
38.	Paul White	Senior Protection Officer	UNHCR	
39.	Djanabou Mahonde	Child Protection Officer	UNICEF	
40.	Avigail Shahi	Child Protection Officer	UNICEF	
41.	Madhuni Singh	Development Programme Specialist	USAID	
42.	Geeta Lara	Social Inclusion Specialist	USAID	
43.	Philippe Puyo	Emergency Programme Officer	WFP	
44.	Prem Singh	Field Coordinator	WFP	
45.	Philippe Puyo		WFP	
46.	Basanti Chaudhary		WOREC	
47.	Binod Chaudhary	Program Coordinator	WOREC	

ANNEX 2

Protection Workshop 14 November 2008

Background:

The Nepal Country Team, under the leadership of the HC/RC adopted the cluster approach and field tested it for the first time in the floods response in both Eastern and Mid-Far Western Nepal as from September 2008. The Nepal Protection Cluster Working Group was established in early 2008, under the leadership of OHCHR. The membership is wide-ranging: UN agencies, including UNMIN, Government of Nepal Ministries, the National Human Rights Commission, national and international NGOs. ICRC has observer status (the terms of reference were agreed in March and is available on request).

During the 10 years of conflict, many state structures and institutions were weakened at all levels: in some areas the state had little or no presence. In early 2007, the Ministry of Peace and Reconstruction was established with the objective of coordinating implementation of post-conflict activities. It is essential that the members of the protection cluster working group who interact with leaders and decision-makers understand the protection concepts, take a common approach and ensure that key protection principles are integrated into the government policies and activities, including in the planned new Republican Constitution. Similarly, Nepal is prone to natural disasters, including annual floods, which result in repeated displacement and heighten vulnerabilities.

Nepal is currently undergoing political transition, having successfully conducted the Constituent Assembly election in April 2008. However, the southern regions of Nepal, especially certain districts in East and Central Terai remain volatile, with a number of Non-State Entities and other armed groups 'controlling' these areas. This continues to present serious challenges for humanitarian and development actors in their work.

Key protection challenges faced include weak rule of law culture, finding durable solutions to long-term displacement from conflict, short-term and repeated displacements due to extortion, threats, killing, abductions, gender based violence/violence against women and natural disasters, violence against the civilian populations from remaining armed groups in some areas, housing, land and property rights, impunity and accountability for both past and current violations; cases of disappearances; lack of strategies to deal with the questions of discrimination and participation, as well as addressing economic, social and cultural rights violations that underpin many grievances.

A first seminar on protection took place on 23 September 2008. The target audience for that seminar was high level policy makers and the agenda focused mainly on different conceptual basis for protection of civilians. The Seminar also touched on the lessons that have been learnt in Nepal on the application of humanitarian principles, advocacy towards issues of those displaced by conflict, experiences while applying International humanitarian, Human Rights and refugee laws as well as issues of women and child protection. A second seminar with a more operational focus is planned for 14 November. The target audience is humanitarian and government officials who are involved in protection activities in their daily work. The seminar will draw on the experiences of the participants in particular relating to the response to the recent floods in Nepal. It will also aim at developing practical protection networks that can help resolve as well as strengthen advocacy mechanisms on protection issues in Nepal in future

Objective:

To strengthen the protection cluster in Nepal through

- Developing a inter-agency strategy to address protection challenges; focused on specific case studies in the current Nepal context including lessons learned from the response to the recent flooding
- Increasing understanding of how to incorporate protection into programming, sharing knowledge on good practice
- Identifying links between various protection groups identify potential synergies and gaps.
- Develop strategies for who how protection can be strengthened can be more integrated in the work of other clusters

Target Audience:

Protection cluster members, members from other clusters, other humanitarian field workers including NRCS, WDOs and CDOs from the affected areas, NHRC

Dates:

Friday, 14 November 2008

Annotated agenda for Protection Workshop 14 November

Time	Topic	Methodology	Presenter/ Facilitator	Objective
08.30 – 09.00	Registration			
09.00 – 09.15	Welcome and introduction - Explanation of aims of the workshop	Presentation	OHCHR	Introduce the workshop
09.15 – 09.30	Presentation on governments emergency arrangements	Presentation	OCHA	Understand the framework for emergency response in Nepal
09.30 – 10.00	Protection in the recent flood response	Presentations	OHCHR, WDOs	Understand the issues faced by actor involved in flood response on the local level
10.00 – 10.15	Coffee break			
10.15 – 12.00	Lessons learned from the recent flooding, cont.	<p>Group work Discussions on:</p> <ul style="list-style-type: none"> ➤ what happened during the flooding? ➤ what should have happened? ➤ what can we learn? ➤ what will we do next? <p>In the different areas of:</p> <ul style="list-style-type: none"> ➤ Assessments ➤ Coordination systems and challenges ➤ Monitoring of protection concerns ➤ Response to protection concerns ➤ Information Management <p>Reporting back to plenary and discussions</p>	OHCHR	Analyse the response in the recent flooding learn from both bad and good lessons
12.00 – 13.00	Lunch			

13.00 – 14.00	Lessons learned from the recent flooding, cont.-	<p>Recommendations:</p> <ul style="list-style-type: none"> ➤ To the State of Nepal ➤ To UN agencies ➤ To international organisations ➤ To national organizations <p>Group work Reporting back to plenary and discussions</p>	OHCHR	Develop concrete recommendations to guide future work in this area
14.00 – 15.15	Protection/Human Rights in Emergencies – IASC guidelines and Manual	Presentation/Group Work/Plenary discussion	OHCHR	Provide input to the review in manual to make it more field-oriented and user-friendly
15.15 – 15.30	Coffee Break			
15.30 – 17.00	Setting up a protection network in Nepal	<p>Presentation/Meta cards/Plenary discussion</p> <ul style="list-style-type: none"> ➤ Presentation by PCWG partners on their roles, mandates, geographical coverage and future plans on Protection in Nepal ➤ Up date from the regions/sub offices on how they coordinate protection/link with Kathmandu PCWG/IASC/UNCT and the challenges ➤ Establishing Protection Network for Emergencies in Nepal 	OCHA	Strengthen the protection response in Nepal
17.00 – 17.30	Wrap up		OHCHR	