

Mindanao Protection Strategy

The protection issues and risks discussed above require a comprehensive protection strategy that would be responsive and relevant to IDPs' needs, as informed by experiences from past responses to both natural and human-induced emergencies. In line with an agreement during a meeting of UN Heads of Agencies on 10 January 2017, the preceding Protection Analysis was developed by a Technical Working Group composed of humanitarian organizations implementing various programs in Mindanao.

Recognizing the Government's lead role in humanitarian response, the Heads of Agencies and the TWG members emphasized the importance of engaging Government actors in the process of developing the strategy. This also provided the opportunity to integrate best practices and key learnings from past emergency responses in both conflict (e.g. Zamboanga siege, Marawi displacement) and natural disaster (such as Typhoons Pablo and Sendong, as well as Yolanda) situations. The draft Analysis was then presented to a broader group of stakeholders, including regional-level decision-makers from Government agencies with key roles in humanitarian response, early recovery, and rehabilitation, during a write shop activity on 10-11 July 2017.

The Protection Strategy presented below is thus a product of a consultative process with humanitarian and development stakeholders from both Government and non-Government agencies, at the international, national, and local levels. It also draws on the institutional experience of each of these organizations, their contextual knowledge of the protection situation in the different geographic areas of Mindanao, and the information that the field workers in these organizations regularly gather directly from IDPs on the latter's needs and concerns.

Rationale for the Mindanao Protection Strategy

- ✚ The IASC Policy on Protection in Humanitarian Action states that **humanitarian response to conflict and disaster should be driven by the needs and perspectives of affected persons with protection at its core.**
- ✚ Reference was made to the SPHERE standards to describe the scope of protection in humanitarian action. Protection should inform humanitarian action through the implementation of the principles of “**do no harm**”, in ensuring **delivery of impartial assistance**, working to **ensure physical and psychological safety**, and guaranteeing **access of affected people to remedy and recovery.**
- ✚ Involvement of duty bearers from State agencies, as well as international and local humanitarian actors, in developing strategic approaches to protection issues is essential in ensuring that displacement-related needs are addressed and IDPs' rights are fully protected.

Strategic objectives

1. A national legal framework protecting the rights of IDPs is enacted.
2. Rights of IDPs are protected during emergencies, in all phases of response and rehabilitation.
3. Ensure IDPs' access to humanitarian assistance, basic services and decent sustainable livelihood, including for at-risk groups.
4. Strengthen peace-promoting, conflict-sensitive, and community-based protection mechanisms and responses that are reflective of the needs of all sectors and aligned with national and local development objectives.
5. Strengthen capacity of duty bearers to respond to protection gaps during emergencies.
6. Improve coordination among government agencies, and between duty-bearers and other humanitarian and development actors.
7. Support IDPs in attaining durable solutions through sustainable recovery and rehabilitation programmes.
8. Ensure that grave child rights violations (GCRVs), gender-based violence (GBV), and other specific protection concerns affecting vulnerable groups are effectively addressed through specialized services and programs at all stages of emergencies.

Strategic response plan: Government priorities¹

Objective 1: A national legal framework protecting the rights of IDPs is enacted.

- ✚ While some key agencies have been actively engaged in **advocacy on a national IDP law**, buy-in from other institutions and key political/policy actors is still lacking. Along with raising the visibility of displacement as a key humanitarian issue, the socio-economic impact of displacement needs to be further highlighted along with its link to development, poverty-alleviation, and peacebuilding goals.
- ✚ **Localized legislation** on IDP rights within the ARMM had also been previously proposed, for which the Regional Government has expressed support. The establishment of the new Bangsamoro Autonomous Region could be an opportunity to lobby with the new regional legislature for specific measures to address the issue, which particularly affects this region.
- ✚ **Humanitarian agencies could play a key role in ensuring that the strategic direction and actual content of the law is based on ground-level data**, and would be focused not only on criminalizing the act of causing forced displacement (previous drafts of the law placed significant emphasis on the penalties) but would serve to empower the concerned agencies to better address the resulting humanitarian concerns. **Advocacy on this law should closely reflect the perspectives of the affected communities, and should be geared towards encouraging multi-sectoral commitment and ownership** not only

¹ Tables showing key activities with the responsible agencies, indicators, and constraints reflect outputs from a Strategic Writeshop conducted with regional-level Government bodies (DSWD, OCD, and CHR/RHRC) in July 2017

among State agencies with humanitarian or human rights mandates, but across the board among different Government bodies that are best positioned to address different aspects of displacement. Development actors, including civil society organizations working on HLP issues particularly in urban areas, could also play important roles.

Key activity	Lead Agency/ Partner Agency	Indicator	Operational Constraints
Community-based dialogue with the legislators.	CHR/ NEDA	Expression of support from Mindanao legislators/RDC	Finalized protection documents and policy paper
Legislative advocacy	All agencies		Lack of baseline data

Objective 2: Rights of IDPs are protected during emergencies, in all phases of response and rehabilitation.

- Strengthening advocacy on IDP rights involves going beyond the promotion/awareness-raising stage to active protection and enforcement of rights. It further needs to be emphasized that the scope of human rights relevant to IDP concerns is not just limited to the civil and political rights that are normally the focus of State human rights institutions, but also include basic rights to humanitarian assistance and decent living conditions while in displacement. Restitution and recovery measures following returns or other durable solutions also need to be more clearly addressed in terms of access to remedies.
- Protection monitoring, whether carried out by duty bearers or by humanitarian partners, needs to be more results-oriented. In order to achieve this, such monitoring must be implemented in conjunction with the establishment of referral pathways, functioning grassroots-level protection mechanisms, and increased sensitization of duty bearers to respond to referred cases/concerns. While prosecution of perpetrators and/or individual case management are effective ways of addressing alleged violations, a human rights-based approach could further support the humanitarian response through drawing attention to general issues that affect all IDPs. Policy recommendations to the responsible agencies, as well as systematic tracking and documentation of the rights issues prevalent among a specific IDP population (e.g. freedom of movement, access to WASH facilities, or lack of health services) are also among the key activities that need to be carried out.

Key activity	Lead Agency/ Partner Agency	Indicator	Operational Constraints
Advocacy on national government adherence to international agreements and treaties.	CHR	# Right violation addressed	Finalized protection documents and policy paper
IEC on Human Rights of IDPs.	CHR	# of lectures conducted, brochures/posters distributed	<ul style="list-style-type: none"> • Translation of brochures into local dialect. • Participation of the community/IDPs
Protection Monitoring and Recording of rights violations	CHR	# of monitoring conducted	<ul style="list-style-type: none"> • Human rights victims and IDPs are reluctant to report.

Objective 3: Ensure access of IDPs to humanitarian assistance, basic services and decent and sustainable livelihood, including for at-risk groups.

- ✚ Mainstreaming of protection in all response Clusters/sectors should be prioritized in order to ensure that the implementation of any humanitarian interventions integrates a protection perspective (e.g. prioritization of persons with specific needs, minimizing risks such as GBV) from the planning stage to evaluation.
- ✚ Aside from reaching out to local chief executives and other key decision-makers, technical specialists such as budget officers, auditors, and others with functions related to financial accountability should also be included in sensitization efforts, as challenges usually arise in resource mobilization and allocation.
- ✚ While resource constraints and administrative limitations in the local context are taken into account, the humanitarian community needs to sustain its advocacy on international standards for humanitarian assistance, ensuring that knowledge of these standards are sufficiently shared with the relevant actors and that provision of basic services is duly acknowledged as a core part of the country's efforts to adhere to its international commitments.

Key activity	Lead Agency/ Partner Agency	Indicator	Operational Constraints
Establish EC with CFS, WFS and other minimum standards (PWD, gender, and children sensitive)	DILG, DSWD, LGUs	All LGUs with permanent ECs	Funding
Provision of dignity kits and other assistance with consideration to the unique needs of the families based on data available and in compliance with SPHERE standards.	DSWD		Lack of disaggregated data
Improve access to basic social services	DOH/DepEd/DSWD/DPWH	Increased number of facilities located in marginalized or geographically isolated and disadvantaged area	Funding

Objective 4: Strengthen peace-promoting, conflict-sensitive, and community-based protection mechanisms and responses that are reflective of the needs of all sectors and aligned with national and local development objectives.

- ✚ State bodies (e.g. human rights institutions and local government units) should be encouraged to provide more proactive support to community-based protection networks, ensuring a close link between the formal Government processes/mechanisms and grassroots protection actors through capacity-building, clear mechanisms for coordination and information exchange, and regular feedback on referrals or other issues relevant to vulnerable communities/population groups.
- ✚ Despite the frequency of occurrence of both armed conflict and natural disasters in many parts of the country, community-level preparedness measures have not been given enough priority. Contingency planning, early warning systems, and disaster preparedness programs should be advocated as integral parts of every LGU's planning and included among its budgetary priorities. Improved orientation on requisites and procedures for accessing calamity funds and quick response funds should also be rolled out to LGUs on all levels.

Key activity	Lead Agency/ Partner Agency	Indicator	Operational Constraints
Training on Katarungang Pambarangay and tribal justice system	DILG/DOJ/CHR/LGUs/NCIP	Decrease number of cases brought to Tribal/BJs	Not priority for enforcement
Family Based Community Disaster Preparedness Program and Family Development Session.	DSWD/DILG/LGUs	Decrease pangayaw or rido incidence Community awareness of the program	1. Access to hinterland communities 2. Funding constraints.
Crafting of contingency plans of LGUs prone to armed conflict	DILG/OCD/LGUs	# of LGUs	Constant updating
Establish local SOPs (EWS) with the community	LDRRMOs	# of LGUs	

Objective 5: Strengthen capacity of duty bearers to respond to protection gaps during emergencies

- ✚ Capacity-building, including on protection mainstreaming, should be sustained, with a view to full handover and local ownership.
- ✚ Training of trainers should be prioritized, ensuring a pool of experts in each region/province who can spearhead knowledge transfer down to community/grassroots level.

Key activity	Lead Agency/ Partner Agency	Indicator	Operational Constraints
Training of ICS for Local Chief Executives and other stakeholders	OCD/DILG	ICS Training course for LCEs, RDRRMC member-agencies, CSOs	<ul style="list-style-type: none"> • Time conflicts of key officials • Strictly for DRRM FP and alternates and no substitution of tax
Training on stress debriefing and psychosocial interventions for IDPs.	DOH Co-lead: DSWD	All P/C MSWDOs of LGUs and RDRRMC member-agencies and identify pool of psychosocial providers in the local level	<ul style="list-style-type: none"> • Funding • Local Health Officer be trained on this being DOH as lead agency.
Build capacity of Medical First Responders	OCD,DOH.PRC	# of medical first responders on the LGUs	LGUs lack of commitment
Training on Protection Mainstreaming for ARMM and other officials	DSWD,DILG	# of government officials oriented on protection	Lack of funds

Objective 6: Improve coordination among government agencies, and between duty bearers and other humanitarian and development actors

- ✚ Capacity-building should include strengthening the information management systems at local level, in line with the standard reporting formats required at national line agency level.
- ✚ Coordination mechanisms established to respond to specific emergencies should take into account the capacities within each Cluster, the administrative constraints involved at inter-agency or inter-regional level, and the socio-cultural specificities in the affected area.
- ✚ Coordination should also aim to prevent duplication and ensure complementation between duty bearers and humanitarian partners.

Key activity	Lead Agency/ Partner Agency	Indicator	Operational Constraints
Systematic data collection, reporting and information sharing	All agencies	Regular Cluster report	Lack of standard reporting template
Synchronization of programs of the four thematic area	OCD	Regular coordination	Lack of political will
Improve support (financial and technical assistance) to ARMM heart and DSWD ARMM.	Office of ARMM Regional Governor	Mechanism established	No legislative champion

Objective 7: Support IDPs in attaining durable solutions through sustainable recovery and rehabilitation programs.

- Integrate protection principles into implementation of recovery and rehabilitation interventions, by ensuring the continuation of protection monitoring, referral, and advocacy during and after durable solutions (return/resettlement/integration) processes.
- Sensitize development actors to the impact of displacement on the socio-economic stability of fragile communities, in order to encourage coherence and continuity of humanitarian interventions with development programming.

Key activity	Lead Agency/ Partner Agency	Indicator	Operational Constraints
Conduct of Post Disaster Need Assessment or Post Conflict Need Assessment	OCD/14 cluster agencies		
Craft plans with recommended PPAs for fast recovery	NEDA/OCD		

Objective 8: Ensure that grave child rights violations (GCRVs), gender-based violence (GBV), and other specific protection concerns affecting vulnerable groups are effectively addressed through specialized services and programs at all stages of emergencies.

- ✚ Continue to advocate for the systematic collection of sex- and age-disaggregated data and the provision of targeted assistance to persons with specific needs.
- ✚ Integrate measures on child protection, prevention of GBV, provision of psychosocial support to persons of concern, and delivery of basic services into the design and implementation of all humanitarian interventions.

Key activity	Lead Agency/ Partner Agency	Indicator	Operational Constraints
Design interventions to prevent recruitment and use of children and youth by armed groups	DSWD, DILG, PNP, AFP, LGUs	Action plan to implement interventions	Funds, technical capacity
Profiling and referral of survivors	CHR/AFP/PNP/DSWD/LGUs/OJ	# of cases documented/referred	Lack of understanding of the operational guidelines
Psychological interventions	DOH/DSWD/LGUs	# of victims survivors who underwent psychosocial interventions	Lack of trained psychosocial personnel.
Aftercare Services (Continue case management)	DSWD/LGUs	# of rehabilitated cases	Lack of support system (family, community, policy)

Governance and implementation challenges

The State actors participating in the writeshop also identified the following challenges, from their perspective as duty bearers and implementers who are thoroughly familiar with the internal administrative and political constraints in the government structure as a whole, and in individual line agencies. The following are the main concerns expressed and documented during the activity:

- ✚ There is a need to clarify and raise awareness on the interplay between the Incident Command System (which Disaster Risk Reduction and Management Offices are mandated to apply under Republic Act No. 10121) and the IASC cluster system, as well as to enhance capacity-building among all the agencies involved, through DRRM/ICS training.

- ✚ DRRM actors have observed a lack of buy-in among other agencies regarding the National Incident Management Team (NIMT) approach; they recommended strengthening NIMT leadership (i.e. assigning focal persons) particularly among the agencies in charge of heading the four pillars of humanitarian response under RA 10121.
- ✚ Among the factors affecting the timeliness and quality of emergency response are financial issues, such as: proper utilization of the 5% local DRRM fund; lack of funding for Crisis Mgmt Councils; and lack of sanctions for non-/improper utilization of the fund. In addition, host areas unable to declare state of calamity but are constrained to use resources to cater to the needs of IDPs in their areas of responsibility. There are also challenges specific to the ARMM budget structure, chief among which is the fact that relief augmentation from the national level is coursed through other regions (usually Region XII) and not directly downloaded to ARMM.
- ✚ Participants also expressed the need to clarify protocols on private donations, and highlighted the importance of coordination and complementarity with government response.
- ✚ Government actors also emphasized the importance of full implementation of the 2016 guidelines on the National Disaster Response Plan (NDRP), particularly to ensure support for and complementarity with effective and functional structures/mechanisms in areas where there is a need to adapt to context-specific challenges.
- ✚ Duty bearers' operational capacities are often constrained by the shortage of trained personnel on the ground and lack of security of tenure; thus, there is a need for augmentation in this area and/or clear administrative measures to address this gap.
- ✚ It was recommended that the relevant agencies (e.g. OCD, DSWD) advocate for a national policy on reserve forces development, in order for them to be fully tapped and maximized as a force multiplier to address the personnel shortages mentioned above.
- ✚ Protection for humanitarian workers, including in State agencies, was also stressed: responders should have access to decent working conditions, social protection, and welfare benefits.
- ✚ Biases in assistance provision, including possibly on the basis of political affiliations, and disparity of access are still observed (e.g. unequal access to assistance of home-based IDPs vs. those in evacuation centers during the Marawi crisis; areas around Lake Lanao were also underserved as compared to municipalities in Lanao del Norte/north of Marawi).

These challenges, while related not only to the planning and implementation of emergency response but also to broader governance issues, have an impact on the quality of humanitarian aid delivery. Policy measures to address them should thus also be considered and advocacy carried out in order to contribute to the enhancement of the overall provision of basic services to vulnerable populations.

Priorities for the HCT

Based on the strategic objectives outlined above, the Humanitarian Country Team could focus its efforts on complementing the initiatives on the part of the duty bearer agencies,

aligning with Government priorities while also filling in gaps due to resource or policy limitations. As the situation continues to evolve and develop, emphasis should be placed on approaches that would maximize the direct positive impact on the affected population – not only in terms of tangible interventions, but also “soft” strategies that seek to reinforce the resilience and coping capacities of IDPs and other vulnerable groups.

Strategic objectives	Key activities (for HCT)	Outcomes
1. A national legal framework protecting the rights of IDPs is enacted.	<ol style="list-style-type: none"> 1. Development of grassroots-driven, evidence-based advocacy points on the need for an IDP law 2. Lobbying and advocacy with key actors at local and national level 	<p>Enactment of a national and/or local law providing sufficient protection for the rights and needs of IDPs. Considering stronger momentum within the Bangsamoro areas, initial efforts could be focused at BARMM level. Possibility of an inter-agency administrative memorandum/joint policy issuance could also be explored.</p>
2. Rights of IDPs are protected during emergencies, in all phases of response and rehabilitation	<ol style="list-style-type: none"> 1. Protection monitoring, referral, and advocacy 2. Community-based awareness-raising on IDP rights 	<p>Protection issues referred to the relevant agencies are followed-up and addressed</p> <p>IDPs and host communities are empowered to participate in protection activities and in decision-making processes</p>
3. Ensure access of IDPs to humanitarian assistance, basic services and decent and sustainable livelihood, including for at-risk groups.	<ol style="list-style-type: none"> 1. Sustained advocacy on international standards for humanitarian assistance 2. Capacity-building for duty bearers (relate with objective no. 5) 3. Where necessary, provide humanitarian assistance, both for relief and recovery. 	<p>Applicable standards and principles (UNGPID, SPHERE) are integrated into operational-level guidelines by duty-bearers and other relevant actors</p>
4. Strengthen peace-promoting, conflict-sensitive, and community-based protection mechanisms and responses that are reflective of the needs of all sectors and aligned with national and local development objectives.	<ol style="list-style-type: none"> 1. Support the establishment, capacity-building, and operationalization of grassroots protection mechanisms 2. Provide protection inputs into preparedness mechanisms/strategies, including contingency planning processes and early warning systems 	<p>IDPs, community and traditional leaders, and representatives of vulnerable sectors are trained in protection monitoring, documentation, and advocacy</p> <p>Protection monitoring networks/mechanisms have sustained institutional support from and linkage with duty bearers</p>

<p>5. Strengthen capacity of duty bearers to respond to protection gaps during emergencies</p>	<ol style="list-style-type: none"> 1. Capacity-building on IDP protection and protection mainstreaming 2. Technical support for strengthening of information management mechanisms at local level 	<p>Duty bearers have full ownership and buy-in on the mainstreaming of protection in all aspects of humanitarian response</p> <p>Each key agency and/or geographic region has a pool of trainers able to roll out further capacity-building at grassroots level</p> <p>Data collection, consolidation, analysis, and reporting is systematized at local level, with technically capacitated staff to perform this function; mechanisms at local level are aligned with efforts to improve existing systems (e.g. DROMIC) at national level</p>
<p>6. Improve coordination among government agencies, and between duty bearers and other humanitarian and development actors</p>	<ol style="list-style-type: none"> 1. Strengthen information dissemination on the Cluster system 2. Carry out stakeholder mapping to identify key agencies that should be covered in sensitization and alignment efforts 	<p>Coordination protocols/mechanisms are established that facilitate complementation of responses and ensure timely delivery of interventions</p>
<p>7. Support IDPs in attaining durable solutions through sustainable recovery and rehabilitation programs</p>	<ol style="list-style-type: none"> 1. Ensure continuity of protection monitoring, referral, and advocacy during recovery phase 2. Sustain protection advocacy on durable solutions standards, e.g. on voluntariness of returns, IDP participation, information dissemination on security conditions in return areas, etc. 	<p>Protection issues and concerns during and post-return/resettlement/local integration continue to be reported, documented, and addressed by the relevant agencies</p> <p>IDPs receive timely and accurate information on the security situation, availability of assistance, and government plans/programmes</p> <p>IDPs are fully consulted and are able to participate in decision-making processes on durable solutions, and their rights are fully protected in the process of identifying and facilitating such solutions</p>

<p>8. Grave child rights violations (GCRVs), gender-based violence (GBV), and other specific protection concerns affecting vulnerable groups are adequately addressed through specialized services and programmes at all stages of emergencies</p>	<ol style="list-style-type: none"> 1. Advocate for the systematic collection of sex- and age-disaggregated data as basis for the provision of targeted assistance 2. Recommend to the relevant humanitarian/development and other key stakeholders actors specific strategies for the prevention of and response to child protection issues, GBV incidents, etc. and ensure that specific capacity-building on these areas are rolled-out across all sectors 	<p>Assistance targeted to the needs of vulnerable individuals is systematically provided</p> <p>Protection capacity-building consistently includes training on addressing the needs of PWSN</p> <p>Protection issues affecting PSWN/vulnerable population groups are identified and addressed</p> <p>Strategies to prevent and respond to GCRV, GBV, and other concerns of vulnerable groups are integrated into all humanitarian response planning and implementation</p>
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Last updated on 26 December 2018

Developed by UNHCR as the Protection Cluster Lead Agency of the HCT