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Placing protection at the centre of humanitarian action

Study on Protection Funding in Complex Humanitarian Emergencies

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Acronyms

ALNAP: Active Learning Network for Accountability and Performance in Humanitarian Action
AoR: Area of Responsibility (established themes within humanitarian protection)
BPRM: Bureau of Population, Refugees and Migration (US State Department)
CAP: Consolidated Appeal Process
CERF: Central Emergency Response Fund
CHF: Common Humanitarian Fund
CRS: Creditor Reporting System (an OECD financial tracking system)
DAC: Development Assistance Committee (a Committee of the OECD)
DRC: Danish Refugee Council
DRC: Democratic Republic of the Congo
ECHO: European Commission Humanitarian Aid Office
ERF: Emergency Response Fund
FTS: Financial Tracking System
GPC: Global Protection Cluster
HC: Humanitarian Coordinator
HCT: Humanitarian Country Team
HLP: Housing Land and Property
IASC: Inter-Agency Standing Committee
ICRC: International Committee of the Red Cross
IDP: Internally Displaced Person
IOM: International Organisation for Migration
INCAF: International Network on Conflict and Fragility
INGO: International Non-Governmental Organisation
IRC: International Rescue Committee
LCMM: The Landmine and Cluster Munitions Monitor
NNGO: National Non-Governmental Organisation
NRC: Norwegian Refugee Council
OCHA: United Nations Office for the Coordinator of Humanitarian Affairs
ODA: Official Development Assistance
OECD: Organisation for Economic Cooperation and Development
OFDA: Office for Foreign Disaster Assistance (US Agency for International Development)
OHCHR: Office of the High Commissioner for Human Rights
oPt: Occupied Palestinian Territories (alternately known as West Bank and Gaza)
RC/HC: Resident Coordinator/Humanitarian Coordinator
SCI: Save the Children International
SGBV: Sexual and Gender-Based Violence
UNFPA: United Nations Population Fund
UNHCR: United Nations High Commissioner for Refugees
UNICEF: United Nations Children's Fund

Introduction

This study was conceived by the Global Protection Cluster at a moment (late 2011/early 2012) when the trend in protection funding appeared to be in sharp decline. The precursor study on Child Protection funding: Too Little, Too Late¹ was also commissioned at a moment of apparent funding decline in 2009. When we looked at the funding trends to all areas of protection within the purview of the Cluster,² and over a longer period (2007-2012), we found that protection is usually underfunded in relation to the amounts requested in the consolidated appeals, and “more underfunded” relative to most other clusters. But we also found that overall protection funding (including the amounts flowing outside the appeals) has remained steady since at least 2010, and that funding relative to appeals picked up in 2012. The picture is made more complex by the fact that so much protection funding is not recorded as such, and there are significant variations between countries, as well as between years. The problem then is not so much that protection funding is *reducing*, but that it *flows in different ways*, it *fluctuates*, and also *concentrates* in some emergencies more than others.³ During the course of the study, evidence moved us away from the original hypothesis that protection is simply underfunded and needs renewed advocacy, towards an attempt to understand some of the drivers behind the observed funding trends. Rather than looking toward the donors as the main reason for these trends, we ended up reflecting also on how protection funding can be stabilised, better managed by protection actors and donors alike, and eventually increased.

We do think increased funding for protection is possible. Recent and current initiatives of donors, of the humanitarian system at large and of protection actors are all pulling in the same direction, leaving us with some cause to hope that protection can reposition itself nearer the centre of humanitarian response, and that its work can attract more funding by better demonstrating its results.

During the course of this research, we were often asked how we define “protection.”⁴ We do not challenge the established definition,⁵ but how protection is understood by its many stakeholders is indeed an important starting point both for the study and for the reader, as a problem of interpretation is one factor underlying funding trends. ECHO captures the problem well in their 2012 Protection Funding Guidelines, stating that “In its most basic interpretation, some relate it to the fundamental delivery of humanitarian assistance in accordance with the essential survival needs (food, water, health, shelter) of vulnerable populations. Others place protection within the framework of international legal instruments where the monitoring and recording of violations of international humanitarian and human rights law is used as a tool to confront those responsible in an effort to cause change. Institution-building, governance and judicial programmes and deployment of peacekeeping troops are further examples of actions also categorized as protection activities”.⁶

Protection defies neat labelling because it is at the same time the *goal* underlying the whole humanitarian response (the reason for humanitarian action), an *approach* or lens on the humanitarian response (a way of understanding all dimensions of humanitarian endeavour), and a more narrowly-defined family of *activities* that aim to prevent and mitigate threats to vulnerable persons. In practical terms these activities are also of different types: some are *mainstreamed* (for example ensuring that food is provided in a way that at least does no harm, and at best maximises protection outcomes), some

are **integrated** (for example when a psychosocial service is provided within a larger health project), and some are **specific** in the way they focus uniquely upon preventing or mitigating harmful behaviours. It is this last group of activities that is normally circumscribed by the “protection chapter” of consolidated appeals and that will be the main focus of this study; but all donors to protection, as well as all protection actors, recognise that protection is so much more than this subset of specific protection activities and that appeal funding does not tell the whole story.

There are two further aspects of protection that need to be highlighted right up front. The primary responsibility for providing protection to all persons on its territory in the context of conflict and natural disasters always rests with the national government – whether or not that government is able or willing to provide it. Furthermore, all vulnerable populations (displaced or not) have their own ways of providing or enhancing their protection; all communities have their own institutions, support systems, risk-reducing strategies and healing mechanisms. Because of these two aspects, protection actors have only limited influence over protection outcomes, and as Elizabeth Ferris said: “A protection paradigm needs to be grounded in humility.”⁷

Methodological prelude

It is important to outline at the outset the general methodological principles we have followed for the quantitative aspects of this study. First and foremost, we fully recognise that most donors and members of the public consider that the humanitarian endeavour which provides shelter and basic needs to a displaced and affected population⁸ also provides some measure of protection. The major humanitarian agencies and NGOs all espouse protection principles and goals, and much of their programming in any geography or sector can fairly be described as protection. The problem from the viewpoint of a funding study is that integrated and mainstreamed protection work is not separately tagged, tracked and reported as protection: thus we have been unable to find or develop a generally applicable methodology for estimating how much of total humanitarian funding can be considered as protection.

In the absence of such a methodology, we resort to considering a narrower definition of protection, namely activities which have protection as their specific and primary purpose, within the definitional boundaries developed by the IASC. The data sources for this are of two types. Primary among them is the data that donors and recipient organisations voluntarily record with the IASC code “Protection/Human Rights/Rule of Law” in OCHA’s Financial Tracking System. This data is of poor quality because of inconsistent coding, so after considerable research we have chosen to limit most of our statistical analysis to the subset of the whole FTS “Protection” category that is registered against consolidated appeals or similar OCHA-recorded appeals. In order to correct for inconsistent FTS coding practices for the three major protection agencies with financial data recorded in FTS (ICRC, UNHCR and UNICEF), we use as a secondary data source the published annual reports of these three organisations, which (with the exception of UNHCR under their older financial system of 2007-2009) contain within them specific expenditure lines that serve as proxies for protection. OHCHR is also a key protection-mandated agency but its programming volume is relatively modest in comparison. Given that humanitarian action is considered as a core part of OHCHR’s work, spending in this area is not disaggregated in OHCHR’s annual reports. In the case of ICRC, this is described simply as “protection”

and represents about 20% of their expenditure. For UNICEF, we have used their annual reports to their Executive Board, and consider the portion of their Child Protection expenditure (Focus Area 4) that has been financed from Emergency Resources (about 10% of all emergency expenditure) as a proxy for UNICEF spending on humanitarian protection (which includes UNICEF spending on SGBV). And finally for UNHCR, we have used their Global Reports, which since 2010 contain for each country a breakdown by pillar and by sector. For this study we have included the protection components of UNHCR's Pillar 4 (Pillar 4 represents IDP projects) plus protection-specific components of Global Programmes. We recognise that for all these three organisations there is additional protection expenditure that is mainstreamed or integrated in other programming sectors – but we are not able to disaggregate and count it. For the detailed methodology see annexe A.

Acknowledgements

Many people have generously offered their time and advice to us during this study, and several hundred participated in the in-depth interviews, online survey, donor survey and roundtables in Washington, Geneva, Islamabad, Kabul, Juba and Nairobi. Our deepest thanks go to all. In addition, the following people were particularly helpful in commenting on drafts, providing methodological advice, and access to unpublished documents and information: Sarah Bailey, Katy Barnett, Jeff Crisp, John Durnford, Elizabeth Ferris, Mike Kendellen, Janey Lawry-White, Sarah Lilley, Anita Malley, Jenny McAvoy, Urban Reichhold, Meggi Rombach, Daniela Ruegenberg, Robert Smith, Abby Stoddard, Julie Thompson and Anne Thurin. Four cluster coordinators arranged most useful field visits and gave valuable feedback on operational recommendations: Elisabetta Brumat, Bediako Buahene, Gwendolyn Mensah and Peter Trotter. And finally, the GPC Coordinator, Louise Aubin, and her team in the GPC support cell in Geneva provided support and guidance throughout.

Notwithstanding all the valuable advice referred to above, this has been an independent study, and any shortcomings it may contain are entirely our own responsibility.

Executive Summary

The big picture of trends in protection funding is mixed. On the plus side, the total amount of funding to protection has remained fairly steady, despite a decline in overall humanitarian funding since 2010. However, when we examine the extent to which protection is funded *in appeals*, it is always funded to a lesser extent than the sectors perceived to be more life-saving (food, shelter, WASH, health), and characterised more by volatility than by an overall trend line. This lack of predictability means that we do not know if the recovery of protection funding *relative to other clusters* observed in 2012 is going to continue in 2013 and beyond. Our research suggests that this volatility in protection funding is not the result of conscious thematic preferences by donors – it is more likely to be the unintended consequence of the different “weight” of protection in the shifting landscape of emergencies, and of the range of ways in which the term “protection” is used in varied contexts.

Considerable emphasis was placed on understanding what drives donor funding choices. Notwithstanding the wide variety of donor approaches and the differences in scale, we felt that we could derive five general conclusions regarding donors that have in turn shaped the general direction of this study. The first is that donors (like other protection actors) have varied interpretations of what protection is – to a large extent because it lacks a simple conceptual framework with a universal terminology: *it is hard to explain* to the public and to decision-makers. The second is that donors for the most part *do not make the major protection allocation decisions* (indeed no donor can say with confidence how much of their funding is spent on protection). Instead, most donors tend to allocate resources to priority countries and trusted partners ideally with as little earmarking as possible, and implicitly place the onus upon their trusted partners (either through their own allocation of unearmarked funding, or through the composition of partner proposals) to determine what share of their funding goes to protection. Thirdly: many donors are *concerned about the quality of protection* programming and the narrow range of capable partners in this sometimes sensitive field of humanitarian work. At the same time, donor administrative constraints lead them in most cases to prefer fewer, larger projects. Fourth: most donors would like to see *better outcome-level reporting* of protection results. And finally: some donors are placing increased emphasis on *protection mainstreaming*, as an important complement to protection-specific programming.

It seems that there are two general funding strategies that can be deployed by the protection community at this juncture: (a) increase the supply by advocating for more (especially more multi-year) funding to be allocated to protection, and (b) increase the demand by improving the standing of protection within the overall humanitarian response and the quality of protection work. The two are closely related, and we are convinced that advocacy to increase the *quantity of protection funding* will fall short of expectations unless it is accompanied by clear commitment and action to improve the *quality of protection work*.

In the short term, it is protection actors (more than donors) who can increase the focus on protection:

In terms of advocacy: beyond the prevailing practice of advocacy for particular issues, vulnerable groups or countries, there is definitely room to *advocate more within protection organisations for a greater*

share of unearmarked or privately-raised funding to be allocated to protection, and for greater protection content in multi-sector or integrated programmes pitched to donors. This is the most likely avenue for increased protection funding in the short term.

On the demand side: work that is already ongoing through IASC and the GPC to ***place protection strategically at the centre of the humanitarian response*** should continue, so that protection becomes a unifying narrative that ties together the purpose of humanitarian intervention (the goal), the way the response is organised (the approach), the orientation of its component sectors (mainstreaming and integration goals), and the specific activities of protection actors. A ***simpler, clearer conceptual framework*** for protection – with an agreed universal lexicon – would make this task much easier. In addition, efforts could be made to better plan, manage and ***report on protection results***. And finally, there remains a need ***to strengthen the capacity of INGOs and particularly NNGOs*** to design and implement quality protection projects, especially given the technical difficulty and heightened levels of risk associated with protection work. Taken together, a bundle of such actions to increase the centrality and the quality of protection work will lay the foundation for increased funding.

In the medium term, some donors might increase their funding for protection, on the basis of results:

As this foundation becomes better established, some donors could be expected to increase their contributions to protection.⁹ When donors have a clearer understanding of how protection fits into the bigger picture, and especially when they see better proposals from quality organisations achieving demonstrated outcome-level results, then demand will connect with supply, and both increased and more predictable funding specifically for the protection component of appeals can be expected.

In parallel, members of the Global Protection Cluster can pursue work along two tracks that will continue to consolidate funding. One is to further ***strengthen the workings of the cluster system*** itself, including improved coordination between the Areas of Responsibility (AoRs) and the rest of the protection cluster, and a focus on which aspects of protection programming are “foundational” in that they are core activities which anchor and enable the activities of all protection actors and other clusters, and as such merit funding priority as well as some measure of collective management. A second track is to analyse in more depth the ***costs and the results of protection mainstreaming***, with a view to determining in what circumstances and to what extent protection mainstreaming can yield better and more measurable results. At the same time, all humanitarian actors should continue their efforts to ***improve the quality of the financial data*** available for planning and reporting.

In the long term, it is possible to access a greater share of development funding:

Finally, in the long run there are good prospects for protection actors to ***access development funding*** sources for some aspects of protection, although to do so will require some culture change within the humanitarian community, and in particular some institutional and policy changes on the part of donor agencies. An increased focus on long-term development problems such as state policies that encourage social exclusion, weak legal systems and poor state security services will help shift protection work upstream -- addressing some of the causes of harmful behaviour.

Overall structure of this study

The body of this study is divided into three sections. In **Chapter 1** we examine the available financial data from the viewpoints of trends across time, evolution of funding to the various AoRs, variation between donors, patterns of recipient countries and implementing partners, and conclude (a) that overall protection funding appears to be fairly steady and much greater than what is recorded in FTS; (b) that protection is one of the least funded sectors within appeals - although it appears to be recovering somewhat in 2012 from a very low point in 2011; and (c) that the most important characteristic of protection funding is not so much its apparent decline or increase, but its volatility (between countries, between years, between AoRs).

We feel that the prospects for connecting up with development financing appear to be good, given (a) that the correlation is high between top development funding recipients and top protection recipients; and (b) the attention that is being paid to better linking relief to development generally. However, further work is needed to loosen the rigidities of the donor machinery before this potential can be fully realised.

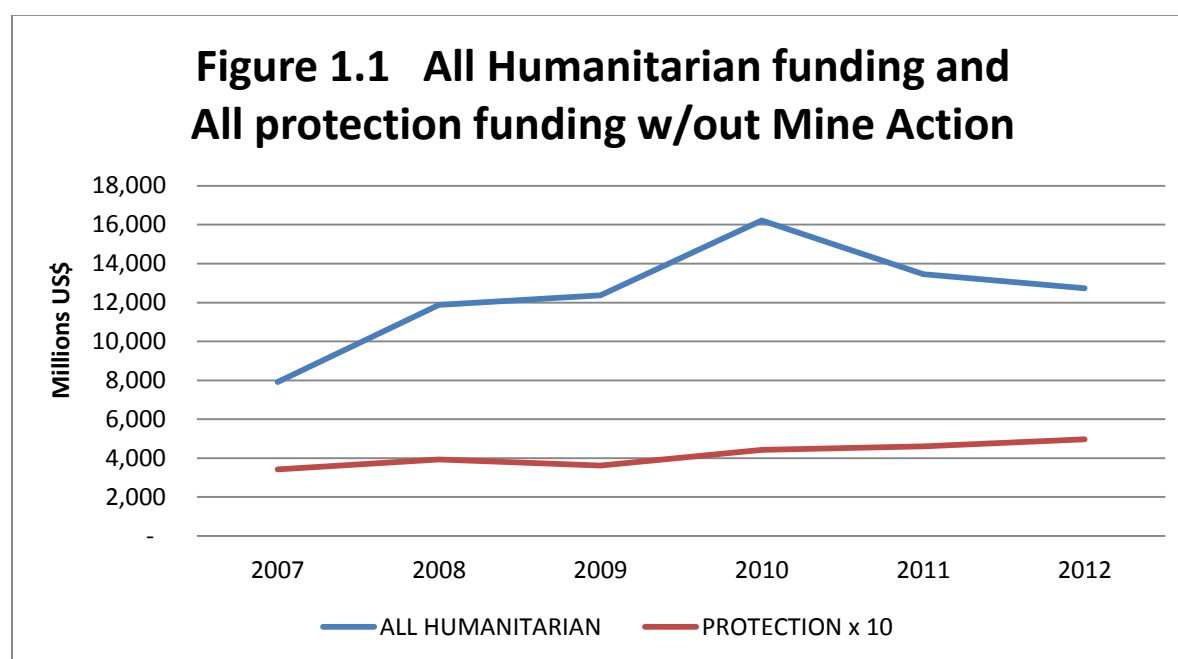
In **Chapter 2** we apply our surveys, in-depth interviews and field research to analyse the reasons for the observed funding trends. One key conclusion is that protection is interpreted differently by different protection actors, and thus it is difficult to explain in a coherent way what protection is and why it is important. Without a unifying conceptual framework, it is challenging for protection actors to communicate key concepts, or to advocate effectively with the general public. A second conclusion is that protection does not have an established track record of reporting on outcome-level results – and indeed it is inherent in the nature of the protection enterprise (working in the realm of cultural and political sensitivity, and on long-term behavioural change) that results will be hard to measure especially within a normal humanitarian reporting cycle. A third is that donors generally consider humanitarian crises through the filters of either countries and/or partner agencies (but rarely sectors), and usually respond to appeals and proposals rather than solicit proposals in specific sectors. For these reasons, the initial onus for increasing protection funding lies with the actors receiving protection funding, who themselves should be increasing the protection content of their appeals and requests, submitting more protection proposals, and allocating more of their own funding to protection. And finally, we conclude that the extent to which protection is well-integrated within the humanitarian response will determine the extent to which protection seems like a ‘natural’ or ‘obvious’ component within the humanitarian plan, and this is the key to improving programme coherence and funding prospects.

Our concluding **Chapter 3** offers pointers for increasing protection funding in the short, medium and long terms, including suggestions as to what protection actors and especially National NGOs can do to increase the quality of protection work (and thereby to lay the ground for increased funding). Recommendations are made that donors recognise some specific challenges faced by the protection community and above all hold fast to the principles of Good Humanitarian Donorship, and finally we offer some observations on how the system for protection funding could be strengthened.

1.0 Trends in financing for humanitarian protection

1.1 Overall protection funding trends.

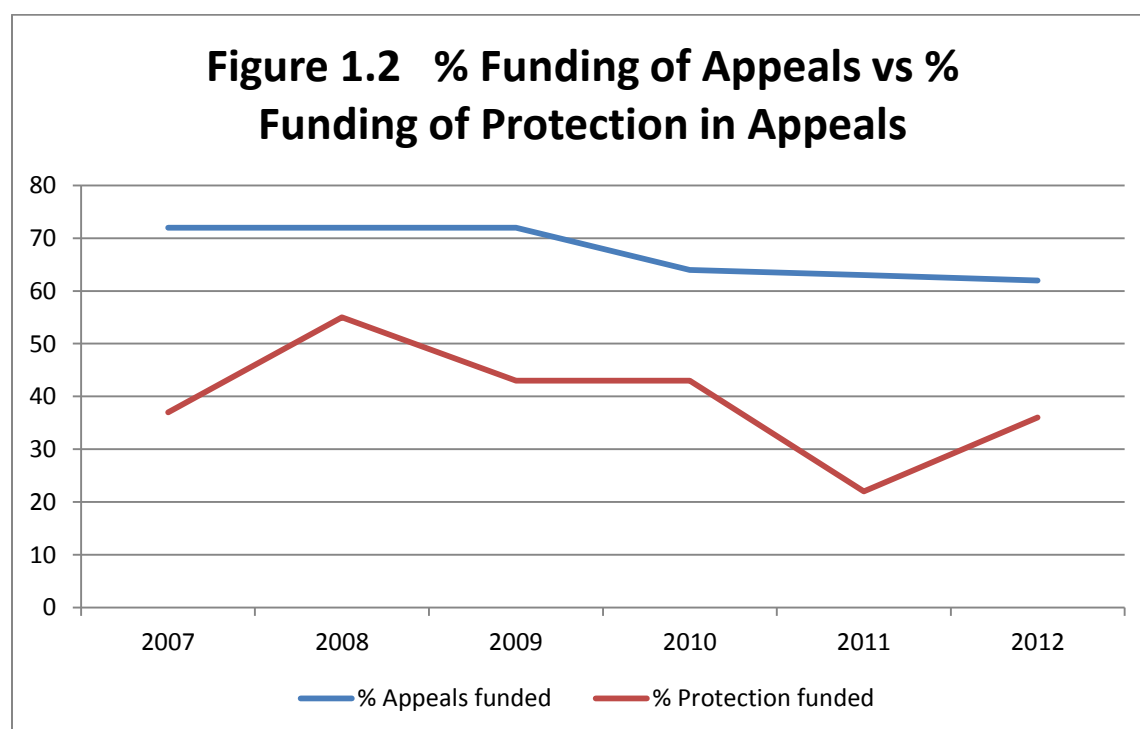
The data on overall trends is derived from the annual reports of ICRC, UNICEF and UNHCR using a methodology described in Annexe A, and merged with the on-appeal protection sector dataset in OCHA's Financial Tracking System (FTS). We feel that this "FTS Modified" data is the best estimate of expenditure that has humanitarian protection as its primary purpose. Figure 1.1 does not include Mine Action expenditure as this is handled quite distinctly by the donor community (see Figure 1.5), and the protection data is multiplied by a factor of ten in order to compare trends on the same graph:



Overall humanitarian funding rose in 2008 and 2010 (the result of two factors combined – a 26% increase in food prices in 2008 and another 19% increase in 2010,¹⁰ plus the combined effects of the Haiti earthquake and the Pakistan floods in 2010), and dipped in 2011 (partly the after-effect of the exceptional Haiti and Pakistan responses as was also observed after the extraordinary response to the Tsunami in 2005, and partly the result of reduced ODA funding due to European economic contraction). It then further declined, but less rapidly, in 2012. According to OCHA, between 2011 and 2012, the global humanitarian need, as measured by the number of people requiring humanitarian assistance, also declined by about the same proportion.¹¹

Finding 1. "FTS modified" data in Fig. 1.1 shows that protection funding is much more stable than overall humanitarian funding. Note that Fig 1.1 represents absolute amounts of funding, not the level of funding against need (which as we see in Fig. 1.2 below, dropped in 2011). The steady profile of protection funding from 2010 to 2012, while overall humanitarian funding reduced, suggests that protection funding has been "catching up" with overall humanitarian funding since 2010

As discussed in Annexe A, the first advantage of limiting the analysis of protection funding to the OCHA-recorded appeals is that this dataset is of higher quality, more consistently coded, and permits more reliable trend analysis. The second advantage is that only through the appeals can we obtain an approximation of the level of need,¹² which is necessary in order to assess any underfunding gap. The following graph shows the proportion of funding provided to the total appeal requests,¹³ in comparison to the proportion of funding provided to the protection requests.



Finding 2. Within the appeals (Fig. 1.2), protection always receives less funding than the overall humanitarian response, with a significant drop to the widest gap in 2011 (22% of protection requests funded as against 63% of all appeals funded) and then “catching up” in 2012 (36% of protection requests funded, as compared with 62% of all appeal requests funded). This improving trend in the **level of response to requests** is a different measure, but consistent with the “narrowing gap” trend noted in Finding 1 above¹⁴

We examined if the reason for this 2008 peak year in Fig. 1.2 was a particularly high level of funding, or a particularly low level of requests (i.e. a lower denominator which would present as a **proportionally** higher level of funding). The answer is a combination of both. The amounts of funding requested for protection in the appeals were comparable between 2007 (\$301m) and 2008 (\$290m) – so requests were modest. But a larger amount was provided in 2008 – most likely a consequence of two factors: (a) the recently-created cluster system and CAP process “taking off” in key countries that saw a big protection funding increase in 2008 (Sudan, Somalia, Nepal), and (b) the launching in 2008 of new protection programmes in a few situations (Georgia, Myanmar, Iraq).

In order to see if there was a pattern in protection funding based upon the time elapsed since the onset of the emergency, we extracted the data for the 20 financially largest protection situations over the 6 year period from FTS (all appeal countries where the amount of funds received over six years for protection was greater than \$15 million), and then aligned the profiles of the 20 curves to the same start year 1. This way, for example, the Haiti earthquake of 2010, the initiation of a separate South Sudan program in 2011, and the first Yemen appeal in 2008 are all set to the same year 1. When these 20 datasets are superimposed and then an average curve is derived, in Figure 1.3 we see what we can describe as a “typical” funding curve for a major protection situation.

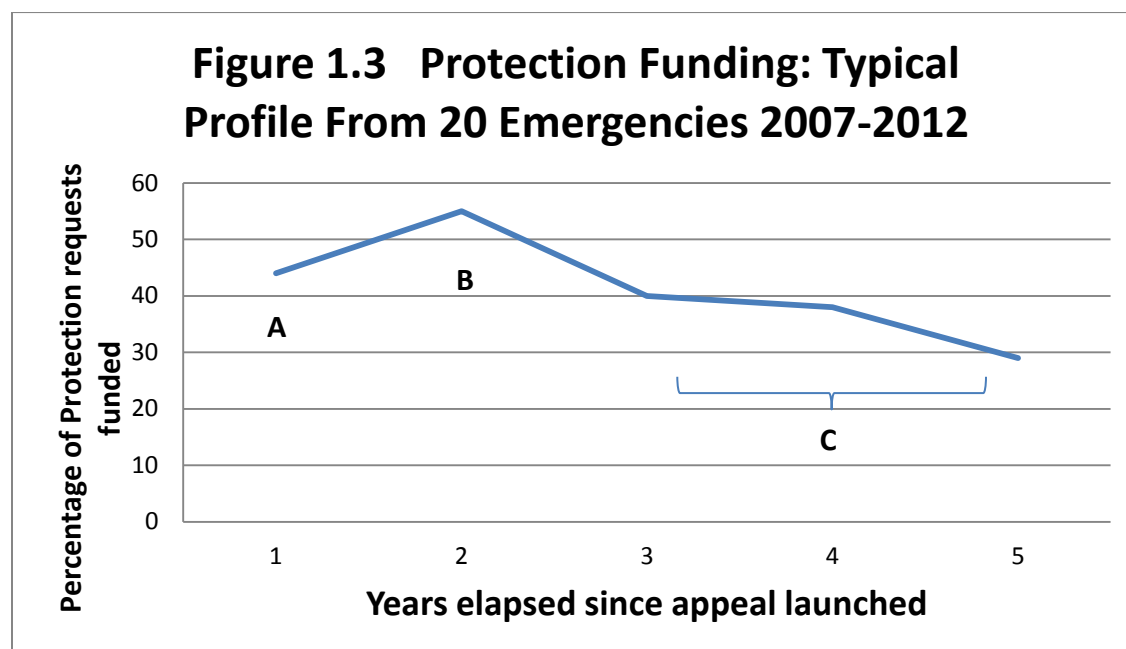
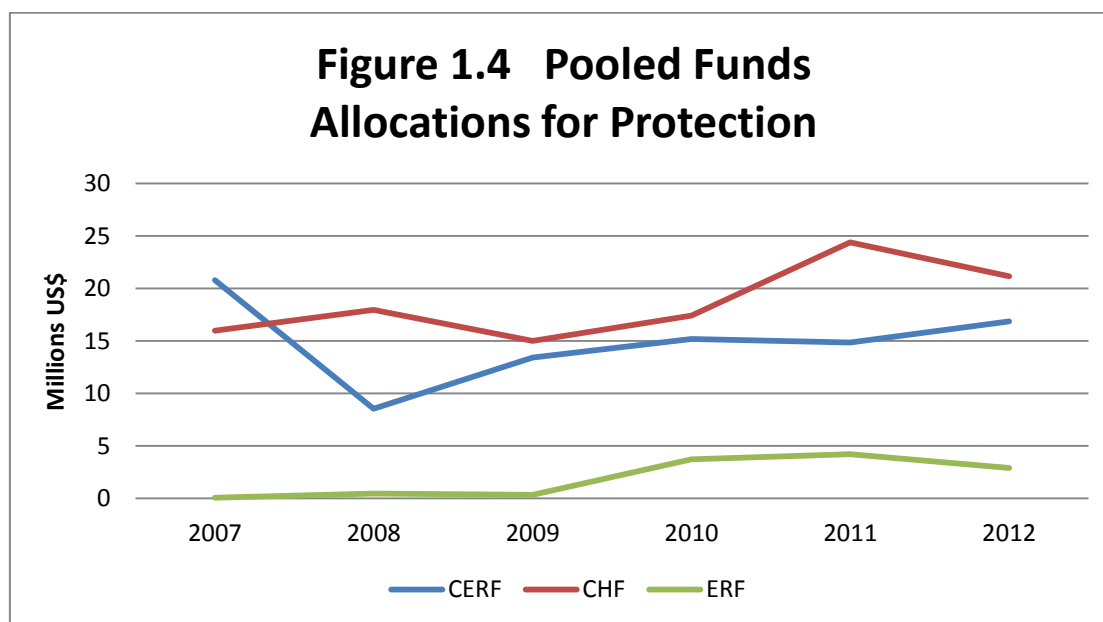


Fig. 1.3 does indeed show a clear protection funding pattern as emergency situations are declared, mature, evolve and then either get resolved (in rather few cases) or settle into a protracted emergencies. Combining feedback from the in-depth interviews and the field visits with the evidence of this pattern, we suppose that protection is relatively underfunded (A) at the outset of an emergency (because it is not considered to be as “life-saving” in year one), that it then gets better funded in year two (B) on the strength of the perceived (and possibly by this point, measured) need and installed delivery capacity, but that in years three, four and five (C) the funding steadily reduces either because organisations are moving their protection work over from stand-alone to mainstreamed¹⁵/integrated channels (which are not planned, funded or reported as protection), and/or because donor interest declines.¹⁶

Finding 3. Year two is usually the “boom” year for protection funding, and the best year for investment in training and management systems that will build the foundations for sustained and quality programming in subsequent years

The allocation of the Central Emergency Response Fund (CERF) funding to protection has been carefully documented,¹⁷ and over the 6-year study period has supported protection projects in equivalent

amounts from the Rapid Response and Underfunded windows, although only at 3-4% of total CERF expenditures. Fig. 1.4 shows the trends in financing to protection (all contributions not just on-appeal) from CERF, from the Common Humanitarian Funds (CHF) and from the Emergency Response Funds (ERF).¹⁸ For CERF, this represents a steady 3.3% - 3.6% of all CERF spending 2009-2012. For CHF, this represents 5.8% - 7.2% of all CHF spending 2007-2012,¹⁹ and for ERF this represents between 1.2% (2009) and 5.0% (2007) of ERF spending 2007-2012.



Finding 4. The pooled funds are significant donors to protection, in approximately the same proportions as bilateral donors (3-4% of all humanitarian spending). Since CHFs most favour protection, protection actors have an interest in promoting CHFs

One final aspect of protection funding to be considered is the allocation of carry-over amounts. Carry-over amounts are funds provided in one calendar year, but allocated to expenditures in the following year, usually because of late donor payment or a sudden onset emergency late in the year. They are a useful buffer for humanitarian agencies as they provide some start-up funds at the outset of each new year, and allow continuity of mission-critical activities. Over the 2007-2012 period, FTS records a total of 497 carry-over entries, for a significant sum of \$4,719,473,375.²⁰ By far the largest FTS sectors for carry-over are “Food Security” and “Sector Not yet Specified” (usually sectorally unearmarked funding to the country appeals of large agencies such as UNHCR, ICRC and IOM), and as would be expected when donor funding is more limited and fund administration is getting tighter, the carry-over amounts have been steadily reducing since a peak in 2009. Of this total, only \$32,716,307 is carried-over protection-coded funding, and there was no significant carry-over of protection-coded funding in 2011 or 2012. This clearly leaves the continuity of some key protection activities more exposed.

Conclusions on overall protection funding trends

The big picture of protection funding trends is mixed. On the plus side, the total amount of funding to protection has remained steady, despite a decline in overall humanitarian funding since 2010. However, when we examine the extent to which protection is underfunded *in appeals*, it is always funded to a lesser extent than the sectors perceived to be more life-saving (food, shelter, WASH, health), and characterised more by volatility than by an overall trend line. This lack of predictability is important, because we do not know if the recovery of protection funding *relative to other clusters* observed in 2012 is going to continue in 2013. Our research suggests that this volatility in protection funding is not the result of conscious thematic preferences by donors²¹ – it is more likely to be the unintended consequence of the different “weight” of protection in the shifting landscape of emergencies, and of the range of ways in which the term “protection” is used in varied contexts.

Whether protection is “underfunded” is also not a straightforward question. There is a known challenge with protection needs assessment,²² and there is a fundamental problem with the financial data: we do not really know how much is being spent on protection because of differing views on the definitional boundaries of protection, the inability to quantify to what extent protection is mainstreamed, and erratic reporting of even narrowly-defined protection (i.e. what is labelled as protection within CAPs).

From the best financial data we have, protection appears underfunded because it usually receives about a third of the total amount needed (i.e. requested through the country appeals) and proportionately less than the overall humanitarian response (Table 1.2).²³ Surveys of protection actors confirm this view. We were generously provided access to data gathered by Humanitarian Outcomes for ALNAP’s State of the Humanitarian System: 2012, where 60% of respondents from international organisations self-identifying as from the protection sector felt that funding was “insufficient” or “far below needs”. Our online survey respondents overwhelmingly (90%) affirmed that protection is underfunded, but these respondents were protection practitioners with much at stake. Likewise, a survey conducted in 2012 of 17 Child Protection coordinators in the field confirmed the view that Child Protection is underfunded.²⁴

Humanitarian workers without a focussed protection mandate are less certain about underfunding, and implicitly weigh up the effectiveness and opportunity costs of different sectoral options to try to achieve an optimal allocation of resources. Donors generally believe that their overall humanitarian response is framed by protection concerns, and emphasise that their core support for the major protection organisations, as well as their emphasis on protection mainstreaming in all sectors, both complement their protection-specific contributions. In sum: stakeholders who are not dedicated protection workers tend to feel that their contributions to protection are sufficient, given the relative needs and the cost-effectiveness of protection programming.

On balance, we cannot say that protection is systematically underfunded, although there are clearly country situations and moments in the evolution of emergencies when protection is locally or temporarily underfunded. Nevertheless, there are a number of measures that could be taken to both stabilise and increase funding for protection, most importantly by better situating protection at the centre of humanitarian planning, and showing how protection programming is cost-effective.

1.2 Trends by Area of Responsibility (AoR)

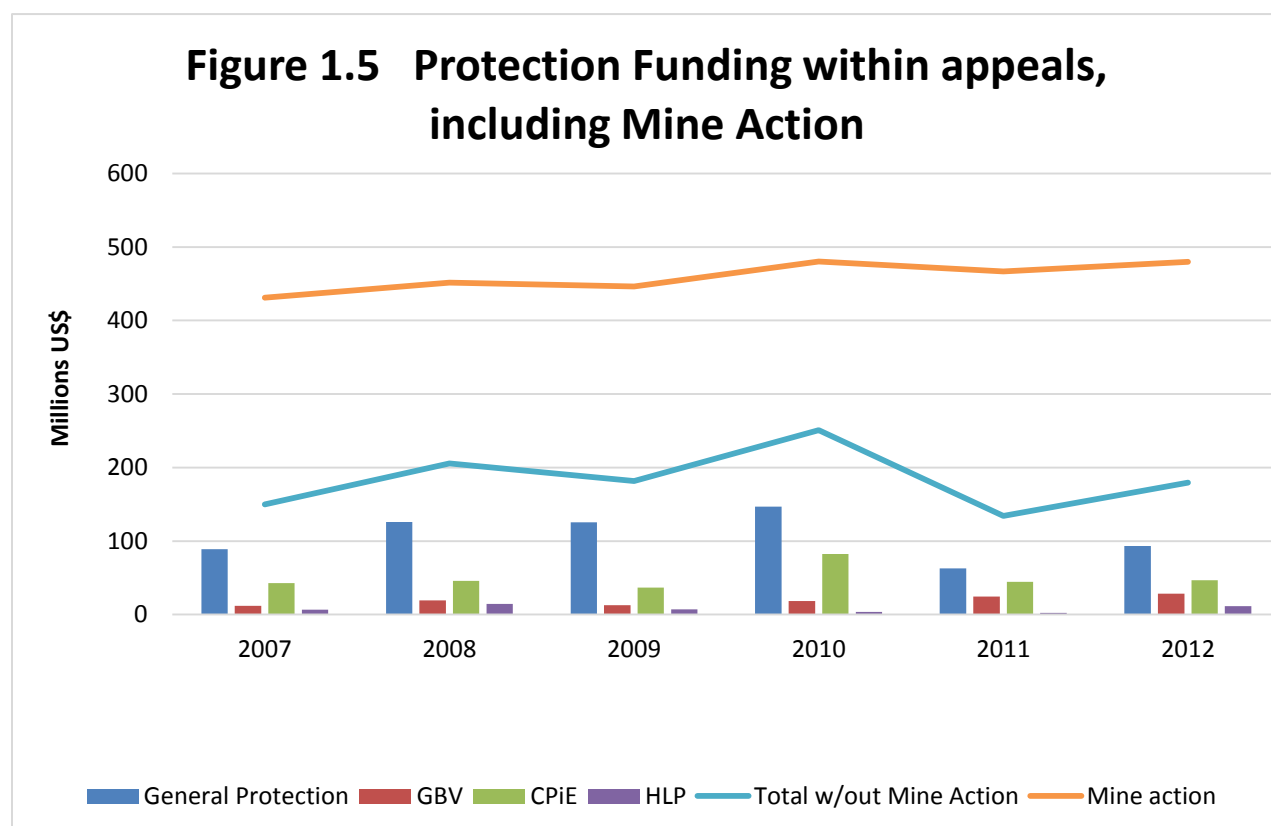
When the cluster system was created in 2005 as one of the pillars of Humanitarian Reform, there was a major debate around whether protection should become a separate cluster or a cross-cutting theme – and the answer was both. As a result, the Global Protection Cluster (GPC) was constituted with, at that time, nine Areas of Responsibility.²⁵ UNHCR leads the Global Protection Cluster and country-level protection clusters activated in conflict situations. In natural disaster situations or in complex emergencies without significant displacement, in accordance with agreed IASC policy arrangements, the three UN protection mandated agencies (UNICEF, UNHCR and OHCHR) consult and agree, under the overall leadership of the RC/HC, which agency among the three will assume the role of protection cluster lead at the country level. Each AoR has its own Focal Point and indicative set of activities, which provides a ready checklist of the protection activities undertaken in those areas.²⁶ There is technical guidance on other areas of protection as well, such as Protection of Civilians, although not as well defined or as clearly linked to the Global Protection Cluster. As of 2012, there are four AoRs remaining at the global level: Mine Action, Gender-Based Violence, Child Protection, and Housing Land and Property; the responsibilities for all other themes related to protection remain with the global cluster lead agency, UNHCR. The country level arrangements vary depending on the ability and presence of different actors and do not necessarily mirror the global arrangement. The funding trends for these five other areas appear in the tables as “General Protection.”

In discussion with the GPC during the course of this research, we determined that there is a need to unpack this category of “General Protection,” including themes earlier covered as AoRs,²⁷ in order to differentiate which components are “foundational” – i.e. essential or enabling activities for all protection actors including AoRs (for example: vulnerability assessments, IDP registration, validation of safe conditions for return, protection monitoring, and cluster coordination including analysis to support a protection-focussed humanitarian strategy). Then there are some services which are more response-oriented, such as rule of law and judicial referral, community capacity-building for protection, demobilisation of child soldiers, focussed psychosocial and material support for IDPs and affected populations (including for example the disabled and older persons) who are neither children nor survivors of sexual violence. Some of these services are covered by AoRs and/or other protection actors. While this distinction is not apparent in the funding patterns discussed below, it is important for the later discussion (section 3.2) about how to improve planning, management and results.

The relationship between the GPC and the AoRs is not straightforward either. The 2005 IASC mandate document states that the AoRs are components of the GPC.²⁸ Each of the four thematic areas represented by an AoR has a history of UN and institutional mandates that pre-date the cluster system, many of them have special relationships with UN-mandated Special Rapporteurs, and all have extensive networks of members who work on their thematic issues beyond the protection field and even beyond the humanitarian domain. It is perhaps more useful to see the AoRs as broad thematic communities which bring their specialised understanding to bear on the common goal of an improved protection environment, and some of which work very closely on shared issues (for example sexual violence against girls is clearly a concern for both Child Protection and Sexual and Gender-Based Violence). In this

context, GPC and its four AoRs and the IASC itself (for the protection of IDPs and affected populations generally) has developed its own set of standards and guidelines for best practice and mainstreaming, sometimes with cross-reference to the other AoRs.²⁹

In the following Fig. 1.5³⁰ the Landmine and Cluster Munitions Monitor (LCMM) data for Mine Action is displayed separately, but bear in mind that the other AoR data in Fig. 1.5 is limited to the on-appeal dataset, while the Mine Action data includes everything reported under the Landmine Convention.³¹



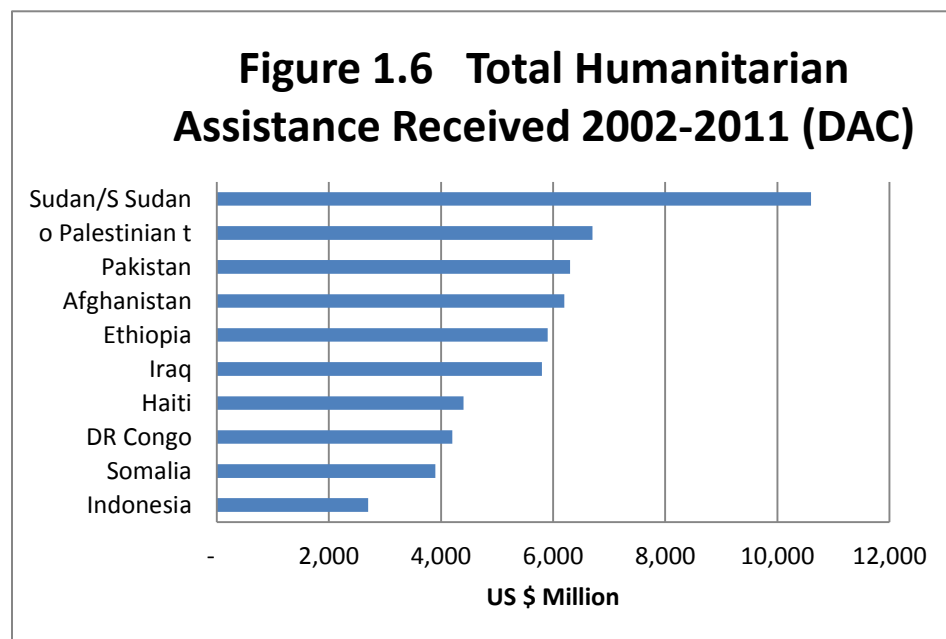
Finding 5. Child Protection funding follows the general trend - with a peak in 2010 (especially Haiti), a dip in 2011 and some recovery in 2012. Support for Sexual and Gender-Based Violence (SGBV) has been increasing since 2009. Housing Land and Property (HLP)³² is the least-funded AoR and is gaining a little in 2012 (although we think that our methodology somewhat overestimates HLP in 2012). General Protection follows – indeed determines – the shape of the overall trend. Mine Action funding is considerable and remarkably constant through the reporting period,³³ although experts interviewed for this study expressed concerns that the amount of funding available for mine victim assistance is reducing as responsibility for this is being handed off to national systems

Conclusions on AoR funding trends

It is even more difficult to determine the extent to which **AoRs** are underfunded, because the data available in FTS does not show us the size of the AoR-level request against which funds were provided (the denominator in an underfunding calculation). Through interviews with experts and discussions during the field visits, we conclude that Mine Action is always best-funded and considered to be separate from the other AoRs in most respects. Child Protection is generally better-funded³⁴ relative to its requests than SGBV although this is highly contextual, and HLP is generally modest in its requests, seeking niches when conditions are conducive rather than systematically requesting program funding. General Protection is so important and has such a wide scope, that it would benefit from further analysis of the relative importance and funding trends of its various components.

1.3 Funding trends by recipient country

Using data from Development Initiatives' Global Humanitarian Assistance Report 2013 in Figure 1.6 we set the context for our examination of recipient countries by highlighting the overall humanitarian funding trends to the top ten humanitarian assistance recipient countries from 2002 to 2011. With the exception of the split between Sudan and South Sudan in 2011, and the closure of the response to the Indonesia Tsunami, this trend continues into 2012-2013.



Finding 6. Comparing Fig. 1.6 with Table 1.1 below, eight of the top ten humanitarian assistance countries 2002-2011 are in the top ten protection receiving countries 2007-2012, a very high degree of correlation. Only Ethiopia and Indonesia are not top protection funding-receiving countries

Table 1.1 Funding for Protection Within Appeals 2007-2012		
Appeal country	\$ requested	\$ received
Sudan	574,842,315	215,370,050
DR Congo	390,013,999	103,514,619
Syrian Crisis	155,087,946	73,054,977
Palestinian territory	109,762,420	70,047,154
Sri Lanka	115,161,153	69,553,908
Uganda	114,959,790	68,641,522
Somalia	223,615,601	68,337,910
Haiti	103,327,616	61,511,079
Pakistan	141,226,927	55,205,711
Iraq	89,032,343	42,015,310
CAR	70,627,086	34,523,530
Cote d'Ivoire	68,948,350	34,488,992
Nepal	41,211,599	34,400,729
South Sudan	122,361,778	33,143,215
Zimbabwe	105,535,817	28,247,617
Afghanistan	43,274,995	20,325,035
Yemen	54,072,783	19,031,370
Chad	88,681,657	16,683,852
Jordan	45,567,024	16,538,072
Liberia	35,012,291	16,391,638
Kenya	49,332,975	14,063,768
Mali	17,713,978	13,262,688
Kyrgyzstan	13,202,917	12,447,329
Myanmar	20,994,024	12,170,304
Philippines	17,505,431	6,552,010
Lebanon	13,757,847	4,959,262
Niger	14,091,200	955,181

“There is no emergency where there aren’t protection concerns” – expert opinion

Over the six-year period covered by this study, we examined the country-level trends in funding to protection. Table 1.1 lists the amounts requested for protection through appeals, and the amounts received for protection over the 2007-2012 period, ranked according to the amounts received for protection. **Yellow highlighted** countries in Table 1.1 are also in the top fourteen Official Development Assistance (ODA) recipient countries 2007-2011.³⁵ These are the nine countries of concentration of **both humanitarian and development funding**. This is important for the discussion of prospects for access to development financing in section 1.6 below (page 27).

Table 1.2 Gap Between % of Appeals Funded and % Protection Funded 2007-2012			
Appeal country	% appeal received	% protection received	% gap
Kyrgyzstan	70%	94%	24%
Nepal	77%	83%	6%
Sri Lanka	55%	60%	5%
Mali	71%	75%	4%
Cote d'Ivoire	50%	50%	0%
Palestinian territory	67%	64%	-3%
Jordan	41%	36%	-5%
Iraq	52%	47%	-5%
Haiti	68%	60%	-8%
Syrian Crisis	57%	47%	-10%
Uganda	71%	60%	-11%
Myanmar	69%	58%	-11%
Philippines	51%	37%	-14%
CAR	64%	49%	-15%
Liberia	65%	47%	-18%
Afghanistan	65%	47%	-18%
Pakistan	60%	39%	-21%
Yemen	63%	35%	-28%
Lebanon	66%	36%	-30%
Sudan	69%	37%	-32%
Zimbabwe	60%	27%	-33%
South Sudan	65%	27%	-38%
Somalia	71%	31%	-40%
DRC	70%	27%	-43%
Kenya	73%	29%	-44%
Chad	72%	19%	-53%
Niger	64%	7%	-57%

Table 1.2 provides a different perspective. It uses FTS appeal data³⁶ over the six-year period to show the extent to which protection is underfunded in relation to the amount that the total humanitarian appeals were underfunded – this is what we can call the protection funding gap and it indicates which emergencies are **relatively speaking** overlooked from a protection perspective. By way of more detailed explanation: Kyrgyzstan's total appeals over this period were 70% funded, but within them the protection components were 94% funded, so in this instance Kyrgyzstan's protection requests were funded 24% **more** than the overall appeal response. In contrast, although Niger's appeals were 64% funded, Niger's protection requests were only 7% funded so over this period there was a negative gap of -57% in protection funding relative to overall appeal funding.

"Funding is guided by the way appeals and the industry are framed and categorized. It is influenced by the packaging" – expert opinion

Finding 7. Five countries stand out - DRC, Somalia, South Sudan, Sudan and Pakistan - as being (a) countries in Table 1.1. with long-standing protection concerns that (b) in Table 1.2 also received less than 40% of their requested protection funding over the 2007-2012 period. Arguably these are the countries most deserving of protection stakeholder attention (donors and actors alike). These five also share the characteristics of being protracted emergencies, with combinations of IDPs and refugees/returnees, and severe problems of humanitarian access

Finding 8. Countries which are relatively well-funded (nearer the top of Table 1.2) are those with emergencies that are almost entirely managed by UNHCR, ICRC, UNICEF, OHCHR or IOM (because of particular circumstances unique to each situation): Kyrgyzstan was 89% multilateral, Nepal 70%, Sri Lanka 85% and Mali 99%.³⁷ The high proportion of funding might reflect the perceived quality of the implementing organisations, and/or the simplicity of the appeals (fewer and larger projects), and/or the realism of the appeal requests based on good understanding of implementing capacities

Finding 9. We analysed the correlation between Field Protection Cluster activation and the number of protection projects in CAPs fully or partially funded in 2012. We found extremely high correlation. Unfortunately, however, only 16.7% of all protection projects requested in CAPs in 2012 were fully funded, another 29.9% were partially funded, and 53.4% were unfunded. In our opinion, 7 of 25 countries that made protection requests in 2012 did not attract enough funding to justify the effort of assembling a protection package in their CAPs

Finding 10. Countries where protection is less well-funded (the bottom half of Table 1.1.) tend to be large-scale protracted emergencies (Pakistan, Somalia, Sudan, DRC), or smaller emergencies outside the main media spotlight and generally overlooked (Yemen, Lebanon, Zimbabwe, Chad, Niger)³⁸

The LCMM data shows that Mine Action funding is settled in a pattern of funding according to the prevalence of mines, with variation over time determined by geopolitical factors and the evolution of access. For the most part, Mine Action is funded from separate donor budget sources and works through a small set of single-purpose organisations in a limited series of mine-affected countries. For these reasons, Mine Action is not in direct competition with other protection actors for scarce funding.

Conclusions regarding recipient countries

There is considerable literature arguing that responses to humanitarian crises are generally driven by need but then further shaped by the media and geopolitical or economic interests.³⁹ Protection funding seems to be guided by similar factors. While the bulk of protection funding goes to the largest protracted humanitarian crises, within this group there is some correlation between higher levels of protection funding (in relation to the requests) for countries of greater political interest (Iraq, oPt) or media visibility (Haiti). Similarly, protection is proportionally less funded in countries of less geopolitical interest, whose humanitarian problems seem particularly intractable, and where humanitarian access is more difficult (South Sudan, Sudan, Somalia and DRC). Smaller countries attracting least geopolitical interest (Kenya, Chad and Niger) receive the least funding in relation to their requests, while smaller countries with a highly contained crisis or a highly multilateral response seem to receive the most funding in relation to their requests (Kyrgyzstan, Nepal, Sri Lanka, Mali, Côte d'Ivoire). Evidence for the above suppositions is circumstantial at best, and would need more in depth research to confirm.

1.4 Funding trends by recipient organisation

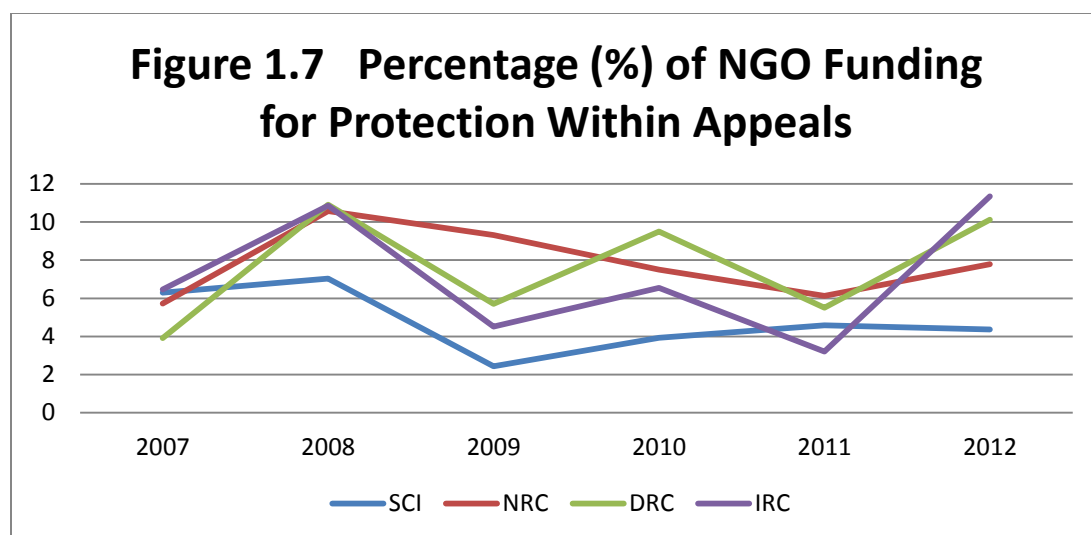
The top ten organisations receiving funding for protection⁴⁰ 2007-2012 are shown in Table 1.3 below. Reported amounts for ICRC, UNICEF and UNHCR are extracted from their own annual reports.⁴¹ The amounts for the other seven organisations are extracted from FTS, and should be considered as minimum amounts as all of these organisations carry out substantial protection programming through integrated programmes that are reported under different headings in FTS.⁴² These two data sources are not comparable; however this provides the best aggregate picture we can obtain from public sources.

Table 1.3 Total Funding (US\$ M) for Humanitarian Protection via the Top Ten Protection Agencies 2007-2012							
	2007	2008	2009	2010	2011	2012	Totals
ICRC	148.0	168.7	162.7	165.2	196.1	197.3	1,038.1
UNHCR	65.2	80.3	89.5	96.1	99.8	132.1	563.0
UNICEF (CPHA)	79.5	66.9	63.5	92.0	82.0	70.1	454.0
NRC	5.1	16.4	22.9	15.5	10.7	21.6	92.1
OHCHR	15.4	22.3	9.3	13.3	11.4	13.7	85.5
IOM	5.4	11.0	8.3	13.7	15.7	29.6	83.6
DRC	2.2	6.9	12.8	15.6	9.1	20.0	66.6
SCI	7.8	13.3	9.5	12.6	9.5	12.4	65.0
IRC	3.9	7.2	3.1	11.5	3.3	9.2	38.3
UNFPA	6.0	5.3	4.3	8.4	8.9	4.6	37.5

Finding 11. For the three major protection agencies with significant financial reporting in FTS (ICRC, UNHCR and UNICEF) we analyzed this data in relation to their overall spending, and determined that none of these agencies has significantly increased or decreased its proportional spending to protection over the period 2007-2012

Finding 12. Since 2008, the “market share” of the fourth to tenth-place protection organisations has fluctuated between 17 and 25% of the total top ten (not considering additional flow-through funding from UNHCR or funding from private sources), but there is not a significant shift over time towards or away from multilateral partners⁴³

As we can see in table 1.3, over the 2007-2012 study period, the top four NGOs reporting funding through FTS for protection are the Norwegian Refugee Council, Danish Refugee Council, Save the Children International, and the International Rescue Committee. For all of these organisations, protection is only a small percentage of their total funding in any given country. In order to see how much of their humanitarian funding is allocated⁴⁴ to protection, we can graph in Figure 1.7 the % of each INGO’s total humanitarian contributions reported to FTS that are for on-appeal protection.⁴⁵



Among the four major INGOs, over the six-year period (averaging the % values per year) it is NRC that has spent the largest proportion of its humanitarian funds on on-appeal protection (7.8% average), closely followed by DRC (7.6%), IRC (7.2%) and finally SCI (4.8%). There is no doubt that these are underestimates, since in many country situations these organisations (particularly SCI and IRC) will have large integrated/multi-sectoral programmes that include significant protection spending but that are not coded in FTS as protection projects, and that therefore are not captured by this analysis.⁴⁶

The question of protection mainstreaming arose throughout the course of this study. In the context of this section on recipient organisations we have one observation to make:

Finding 13. The extent of protection mainstreaming is significant but not recorded, so without additional research it is not possible to determine the dollar value of protection mainstreaming or to measure its results – without which we cannot determine its value for money. In response to the online survey, 63% of respondents stated that they have a significant or very high level of protection mainstreaming in their other humanitarian or development programming

Finding 14. We analyzed sample years of FTS records to determine if and when National NGOs (NNGOs) receive protection funding through the established appeal system. With the notable exceptions of DRC (which has a CHF policy of broad inclusion) and oPt (which has a well-developed NGO sector), there are very few examples of NNGOs accessing appeal funding for protection. Of the two pooled funding mechanisms to which they have access: ERFs generally provide between 10% and 20% to NNGOs,⁴⁷ and in 2012 CHFs provided 22% of their protection spending to NNGOs. CHFs are the most likely vehicle for NNGO funding for protection, followed by ERFs

Conclusions regarding recipient organisations:

When analysed from the perspective of **appeal funding**, a few organisations receive the vast majority of protection funding: it is a very narrow and specialised field. NNGOs have a particular challenge with accessing funding through the formal appeal system.

1.5 Funding trends by donor

The Development Assistance Committee's Creditor Reporting System (DAC CRS) is the most reliable source of data on total humanitarian spending.⁴⁸

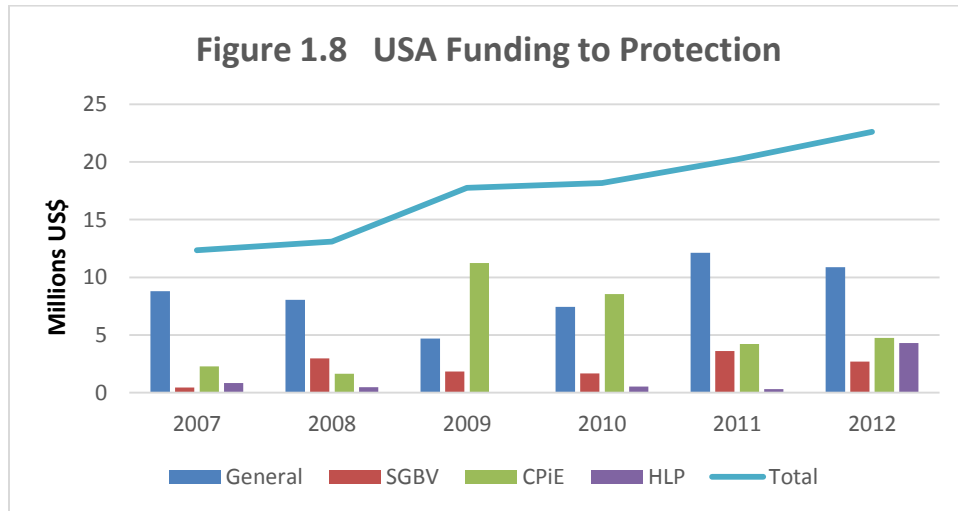
Table 1.4 DAC: All Humanitarian Assistance (US\$ M)						
	2007	2008	2009	2010	2011	Total
United States	3,156	4,419	4,701	5,612	4,097	21,984
EU Institutions	1,481	1,516	1,605	1,652	1,784	8,039
Japan	207	343	334	720	894	2,498
United Kingdom	387	407	740	389	408	2,330
Canada	557	347	313	524	513	2,254
Sweden	301	331	433	360	529	1,954
Germany	255	343	407	383	418	1,805
Norway	360	367	386	333	355	1,801
Netherlands	632	374	404	124	168	1,702
Australia	109	328	339	450	419	1,645
Spain	214	309	398	330	256	1,507
Switzerland	283	283	163	281	320	1,329
Denmark	121	144	137	156	201	759
Ireland	198	178	98	79	89	643
Belgium	107	115	118	132	162	634
Finland	94	103	117	124	144	582
Italy	83	125	99	81	76	465
UAE	135	89	155	379
France	47	26	24	58	83	238
Luxembourg	38	34	39	40	53	204
Totals	8,631	10,092	10,989	11,917	11,123	52,751

We analysed in considerable detail the donor breakdown of protection funding in FTS. However, the “total” protection dataset has such inconsistent sectoral reporting practices that we concluded it is not helpful to publish that data in this report.

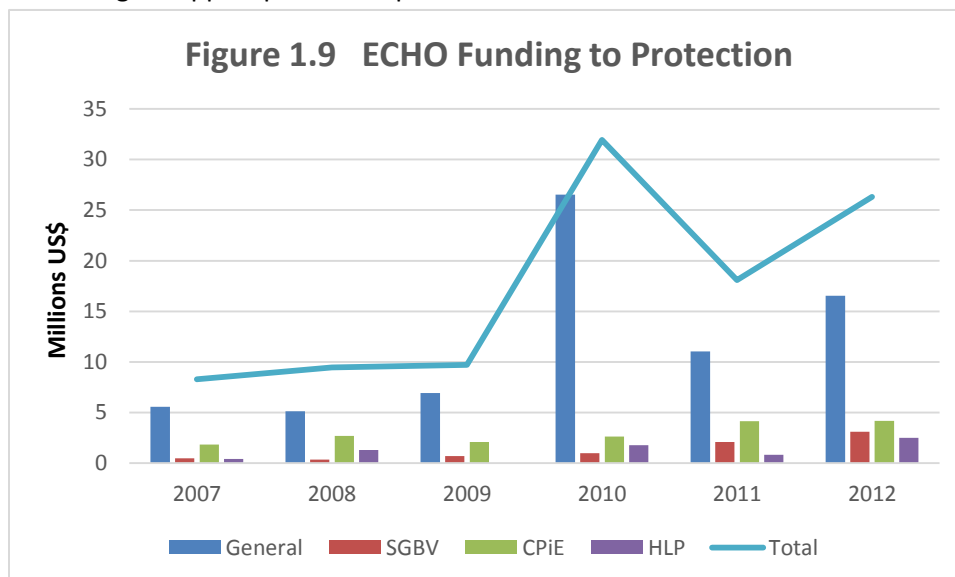
Finding 15. An overarching conclusion of the donor survey is that no donor feels FTS data fairly represents their protection funding. All donors note that FTS does not capture their core funding to the major protection-mandated organisations particularly UNHCR and ICRC, nor their contributions to protection that are mainstreamed or integrated into other humanitarian sectors. In sum, there is

no protection spending data that donors have confidence in – neither in FTS (poor quality of sector coding) nor in DAC-CRS (no protection coding). There is no good donor data on protection funding

However, through the higher-quality on-appeal dataset, FTS does give us a general picture of which donors emphasise protection *in appeals*, and to some extent what AoRs they focus on *in appeals*. This provides useable general trend information even though the absolute numbers are weak. The top three donors to protection are the USA, ECHO and Norway. Below, in Figures 1.8 – 1.10 these three protection donors’ contributions are charted.⁴⁹

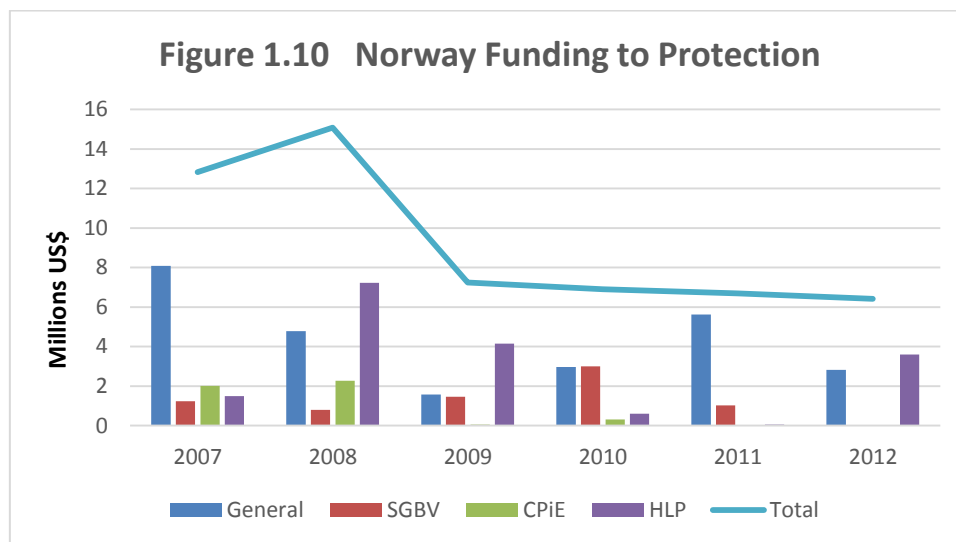


Finding 16. USA places emphasis upon Child Protection, especially in 2009-2010, within a generally increasing on-appeal protection portfolio.⁵⁰



Finding 17. ECHO’s funding emphasises activities that generally fall within what we have called “General Protection” (typically the country programmes of UNHCR, IOM and protection multi-sector⁵¹ organisations like NRC and DRC) within an overall profile that saw a sharp increase in on-

appeal funding in 2010, a dip in 2011 and a strong recovery in 2012 (this is an exaggerated version of the overall protection funding profile of all donors)



Finding 18. Norway is by far the most significant donor to the on-appeal Housing Land and Property sub-sector (mainly through NRC’s flagship “Information, Counselling and Legal Assistance” programme, which we have coded as HLP) and otherwise a minor donor to the protection appeals (most of Norway’s protection funding is core contributions to protection organisations). The apparent downward trend in the graph above simply reflects a reduction in the amount of spending allocated to on-appeal protection, and does not reflect Norway’s overall spending on protection

Finding 19. We analysed in some detail the donors’ geographic spending patterns shown in FTS. The USA funding distribution shows consistent support for a few protracted emergencies (DRC, Sudan/South Sudan, Central African Republic), and in addition, a pattern of focussing on different countries each year depending on where the emergency has peaked (the peak countries being, in order, Nepal, Sudan, Iraq, Haiti, oPt and again oPt). ECHO’s protection funding is more concentrated on Uganda, Sudan, Sri Lanka, oPt and DRC, with occasional spikes in other countries. In both cases, this represents the earmarking decided by the donor (earmarking decided by the partner agencies is not consistently reported in FTS)

Finding 20. The two major changes in Mine Action funding in recent years are the decline of Canadian support, and the ending of the European Union’s dedicated Mine Action program which has resulted in Mine Action being funded on a case-by-case basis through the EU’s country programs.⁵² Provisional 2012 data suggests that the larger donors are holding firm or increasing, while the smaller donors are reducing – with the net effect that there is a gradual concentration of Mine Action funding in fewer donors

Finding 21. The donor survey asked donors to identify if they have specific protection policies or strategies at the general level, or for sub-sectors of protection such as SGBV, Child Protection or

Mine Action. On the whole, only a few donors have separate protection policies or strategies, but most have protection principles embedded in their general humanitarian strategies⁵³

Finding 22. In recent years, non-DAC/emerging donors are gaining prominence in recent emergencies, and are important donors to ERF in particular. However, when the emerging donors' contributions for protection are added together,⁵⁵ they make up one quarter of one percent of the protection contributions for the six-year study period

Finding 23. Private financing is the Bermuda triangle of humanitarian spending, and protection is no exception. FTS records 39 projects for a total of \$5.2 million as being provided by private donors for protection over 2007-2012. The Centre for Global Prosperity (Hudson Institute)'s 2012 Index of Global Philanthropy and Remittances estimated that US private contributions for International Development and Relief NGOs amounted to \$14 billion in 2010, of which \$4.9 billion is estimated as spent on Disaster Relief and Refugees.⁵⁶ We can assume that a significant proportion of this \$4.9 billion provided to NGOs for emergencies ended up in protection: but how much is a matter for conjecture at this point

Table 1.5 Perceptions of donor support for Protection (DARA 2011): scale from 0=low to 10=high⁵⁴

Donor	Funding protection of civilians	Advocacy for protection of civilians
Australia	8.08	4.74
Denmark	7.68	6.15
Finland	7.65	6.58
Switzerland	7.18	5.3
Norway	7.11	6.67
Luxembourg	7.05	5.63
Sweden	7.05	5.77
Japan	6.9	5.39
France	6.88	6.23
Spain	6.85	5.21
ECHO	6.69	5.93
USA	6.67	5.77
Canada	6.62	5.86
Netherlands	6.54	6.8
UK	6.53	4.75
Belgium	6.31	5.57
Italy	6.15	5.78
Ireland	6.12	3.3
Germany	5.01	4.32

Conclusions regarding donor funding trends

This is the area where data is the most problematic. There is no doubt that the USA and ECHO are the dominant donors to protection,⁵⁷ particularly from the perspective of appeals. Norway, Sweden, Denmark and Japan are in a second tier of donors in absolute quantities, but significant in the weighting they place upon protection within their overall portfolios. The field partner perceptions (DARA survey) generally support the view that "Nordic" donors place priority on protection in their funding and advocacy, but it is important to recall that some donors (notably UK and Sweden) are significant unearmarked and pooled fund donors, so they will always be less **visible** as protection donors while remaining important. Donors seem to display mild AoR preferences, but the geographic and AoR distribution of spending is so varied and volatile from year to year and donor to donor, that our overarching conclusion is that the fluctuation in on-appeal protection spending generally (Fig 1.2), in absolute amounts (Fig 1.5) and by AoRs (Figs 1.8-1.10) is more likely a consequence of the "protection topography" of different emergencies, and less likely a consequence of deliberate donor choices.

1.6 Development funding sources

In the lead up to this study, we were asked to consider the extent to which humanitarian protection could link up with development funding sources. For this reason, this section does not analyse past trends, so much as discuss the extent of overlap between these two funding sources, and whether the funding trends could be encouraged to converge. In the section below humanitarian funding is understood as addressing immediate humanitarian needs according to established humanitarian principles, and should not be diverted for development investments. Nevertheless, within this paradigm, humanitarian actors still have the responsibility to understand the context, to coordinate with their development colleagues, and, we will argue, should be able to access development funding in order to enhance and sustain their initial humanitarian achievements.

“... DAC members are now committed ... (ii) through humanitarian assistance, to respond to crises; and (iii) using a mix of humanitarian and development assistance, to achieve a better transition from a humanitarian situation to long-term development”.
Brian Atwood, Chair of the DAC, in the Introduction to [Towards Better Humanitarian Donorship: 12 lessons from DAC peer reviews, 2012](#)

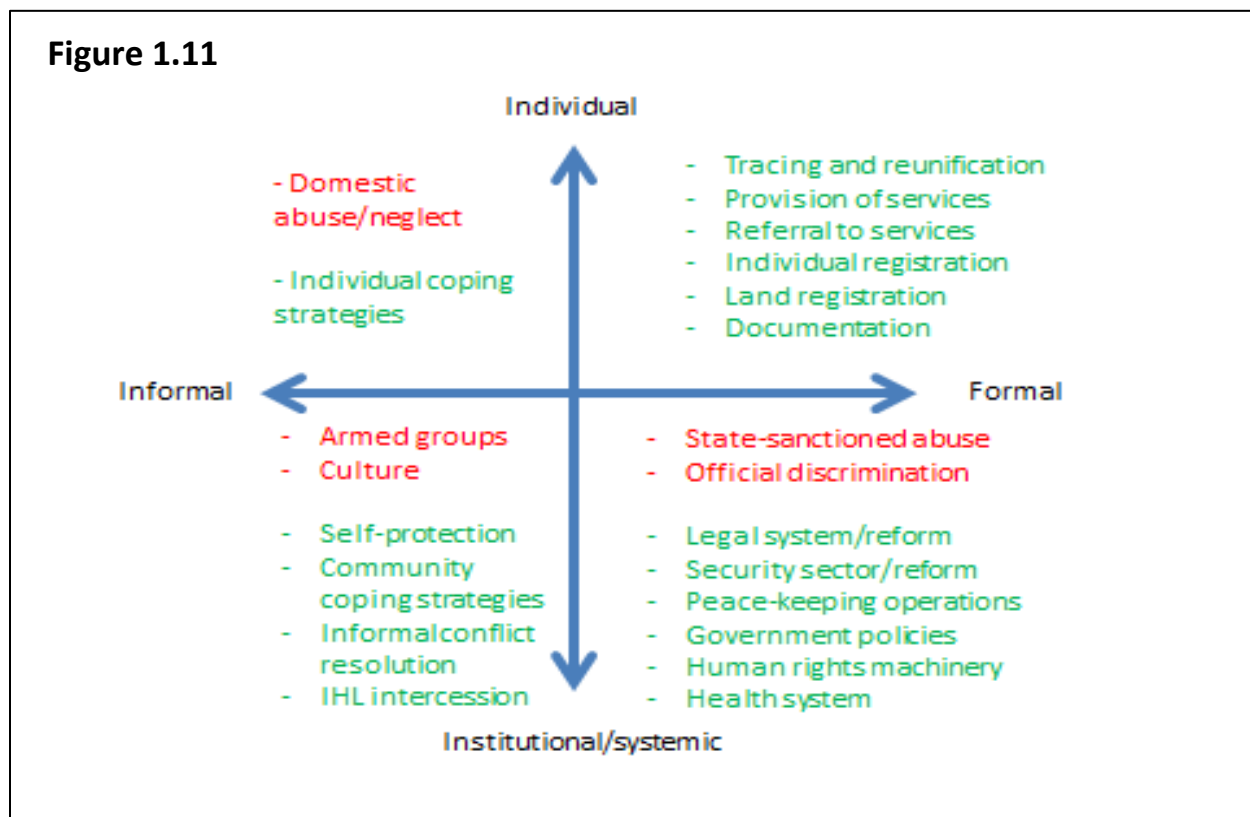
The first thing to note is that **protection problems have roots outside the emergency**. Every society has a set of protection risks that are shaped by its socio-economic, political, cultural and historical factors. Most fragile states have very high levels of protection risk that pre-exist a humanitarian emergency, and the effect of a conflict or natural disaster is to accentuate those risks and abusive behaviours.⁵⁸ A good illustration of this is forced early marriage in Pakistan and Afghanistan, where circumstances of displacement and destitution can lead families to push daughters off into early marriage, ironically because this is perceived as providing them with more “protection” than remaining with the deprived family especially if the circumstances are such that the girl is without the “protection” of an adult male relative. In this example, early marriage was not invented by the emergency, but its practice is accentuated by the exceptional conditions of the emergency. A similar pattern can be seen in most areas where protection actors work: child labour, adult and child sexual abuse, deprivation of the vulnerable, the elderly and the disabled, deliberate withholding of services to ethnic or religious minorities, lack of access to justice, seizure of land and property etc. In all these cases the protection risks (risk = threat x vulnerability) are greatly enhanced by the circumstances of displacement and deprivation, particularly when the threats are further increased by armed conflict.

“Over 80% of aid to fragile states and economies is non-humanitarian aid” – OECD (2013)

Secondly, **humanitarian protection actors miss opportunities to ally with those working on the root causes**. Generally speaking, humanitarian actors limit their work to the immediate circumstances and needs of the affected population, especially if they characterise themselves as “needs-based”. In some cases – ECHO being a good example – the donor agency has a very clear understanding of the link between the humanitarian and the development contexts,⁵⁹ but nevertheless the boundaries of the humanitarian domain are set so as to exclude this “environment-building” dimension (most often visualised through ICRC’s 2001 “egg model”⁶⁰). Separating the humanitarian and development domains

in this way is ineffective on several counts, here are just a few. First, by discouraging engagement with host governments it enables those governments to avoid their primary responsibility for protection. Second, by considering only consequences and not causes, such activities miss opportunities to encourage significant and lasting change in systems or behaviour. Third, humanitarian protection activities conducted exclusively in humanitarian space are severely limiting their prospects for sustainability (i.e. the solutions will not be durable).⁶¹ And finally, in a worst case scenario that violates the “do no harm” principle, activities could be initiated in humanitarian space, such as shelters for rape survivors or the aggregation of vulnerable minorities into camps or settlements, which could leave affected populations at greater risk if the humanitarian support disappears and there has not been a responsible managed transition to a more permanent support system.⁶² In conclusion, even if some humanitarian actors do not have mandates or resources to tackle the systemic aspects of protection, we would argue that they all have a responsibility to ensure that their actions are fully informed by, and to the extent possible connect up with, the related activities taking place in the development realm.

Figure 1.11 attempts to map sources of abuse against the programme responses of protection actors:



In this general model above, the red text indicates causes or sources of deliberate abuse, and the green text indicates responses or solutions. On the whole, there are few actors working on prevention in the lower left quadrant: those would be mainly ICRC, to some extent UNHCR (especially community capacity-building for protection) and OHCHR, and a few specialised NGOs providing humanitarian accompaniment. In the upper left, it could be that national NGOs and religious/community leaders are active in this area, and some NGOs working on child protection or SGBV awareness. The upper right

quadrant is where the bulk of cluster-coordinated CAP-appealed programming lies: mainly addressing the consequences and less frequently the causes of abuse. In the lower right quadrant are many of the actions that fall within the development realm, as they are long-term changes or system-building. This model is far from complete and we do not expect it to find consensus in the humanitarian community, but we hope it illustrates that a significant amount of protection programming focusses on individuals and consequences, and less on causes and prevention. This model also presents, in a different way, the relationship between humanitarian and development programming.

Third: ***there is funding available for protection from development sources***. With few exceptions, the most important protracted emergencies with severe protection needs are in fragile states that are also top recipients of development assistance. Table 1.1 shows which nine protection-receiving countries 2007-2012 are also in the top fourteen ODA recipient countries 2007-2011 – clearly implying that ODA resources are available if the connection can be made, in particular in Afghanistan, DR Congo, Pakistan, Sudan (and now, separately South Sudan), the occupied Palestinian territories and Haiti.

So can the connection be made? In some sectors and with some donors, this should be possible, but it requires research on how donors have set their priorities at the country level. It also requires a willingness and ability to engage more and earlier with host governments – however difficult this might be. By way of example, if we want to find development financing for protection activities that refer affected populations to legal recourse, table 1.6 shows DAC data from 2011 for US and EU disbursements for DAC code 15130 “Legal and Judicial Development”, all from development sources.⁶³

Table 1.6 2011 ODA Disbursements on Legal and Judicial Development (US\$m)		
	USA	EC
Afghanistan	226.0	4.8
DR Congo	12.5	5.0
Haiti	14.4	0.0
Pakistan	30.5	9.3
o Palestinian Terr.	50.7	12.7
South Sudan	9.1	0.0

Some organisations understand these linkages very well and have joined-up or even integrated programs that straddle the development and humanitarian domains. UNICEF is a central example with its Child Protection Focus Area 4 funded from both Emergency and Regular resources, even in the same country; another is Save the Children International with its preference for integrated country programs focussed on their target population and able to blend funding sources. Indeed, of the respondents to the online survey, 13% said that funding for their protection context was “only humanitarian”, 53% said that it was a mix of humanitarian and development but mostly humanitarian, 15% said that it was a balanced blend, and 18% said the funding sources were blended but mostly from development sources. UN-HABITAT is more at the development end of this spectrum, with Housing Land and Property programs that are rarely financed from humanitarian sources at the outset of an emergency, but who use their participation in the Global Protection Cluster to keep consideration of land and property issues on the humanitarian radar⁶⁴ and, when possible, leverage work on land titling and registration within an emergency context into successful downstream development programs.⁶⁵

The possibility of working with national advocates and domestic private philanthropy should also not be overlooked. Domestic as well as international outrage at the attempted assassination of Malala Yousafzai in Pakistan, and the rape and murder of “Nirbhaya” in India, have become endogenous drivers

for policy and legal reform in the areas of Child Protection and SGBV, and triggered several initiatives that humanitarian protection actors can connect with.

Fourth: ***the problems lie more with the structure of the aid machinery than with the amount of funds available.*** Several recent reports tackle the decades-old conundrum of bridging the gap between relief and development. A comprehensive overview in UNHCR's recently-published evaluation Still minding the gap: a review of efforts to link relief to development in situations of humanitarian displacement, 2001-2012⁶⁶ argues that despite long-standing policy commitments in various UN fora dating back to the 1982 General Assembly Resolution 37/197 and multiple donor policies (notably the EU 1996 policy Linking Relief, Rehabilitation and Development), between 2001 and 2012 the international community has failed to make progress in bridging gaps of three different types: the strategic gap (inability to develop integrated plans), the financial gap (inability to provide fast, flexible bridge financing), and the capacity gap (in particular in building national and local capacities).

Still minding the gap does however conclude that recent developments leave room for optimism that the turning point is near. Signals in this direction include increased engagement on the part of the World Bank following on the 2008 UN-World Bank Partnership for Crisis and Post-crisis situations,⁶⁷ the 2010 Transitional Solutions Initiative,⁶⁸ the INCAF line of work contributing to the 2011 High-Level Forum in Busan,⁶⁹ one of three items on the 2012-2013 Good Humanitarian Donorship workplan,⁷⁰ and the Secretary-General's Decision 2011/20, which sets out clear guidance for all UN agencies on how to collaborate on the transition, and includes very detailed guidance regarding protection.⁷¹

The culmination of this more intense focus of the last few years are the DAC Guidelines on Transition Financing,⁷² which argue that the issue is not the amount of financial resources available, but a set of problems in the aid system itself: (a) financing is too compartmentalised (i.e. humanitarian, development and security arms of donor agencies are firewalled from each other); (b) policies and procedures are not properly tailored to the context of transition environments (notably too much risk avoidance and not enough risk management); (c) planning processes are based on unrealistic needs assessments with no link to necessary funding (leading to failures of prioritisation); and (d) financing instruments are fragmented (based on institutional mandates not on objectives to be achieved).

Among the several recommendations in the DAC Guidelines, there are two which seem to be of particular relevance for the protection community: (1) "An international agreement on objectives should be used to facilitate prioritisation during transition. Furthermore, strict prioritisation should be linked to a specific financing strategy that combines different aid instruments",⁷³ and (2) "Coherent and collective approaches can be promoted through the use of transition compacts. Compacts are light and flexible agreements between national and international partners ... Compacts reduce the risk of strategic failure, improve the focus on results and provide realistic steps towards stronger national involvement and leadership". We would argue that these are more easily attempted in transition situations where there is a clear path to a solution, for example in cases with strong government commitment like Colombia, Indonesia or Philippines, or following natural disasters in contexts like Haiti.

1.7 *Overall conclusions regarding the funding flows*

While overall humanitarian funding data is fairly robust, particularly at the donor/target country level, the available data at the sector level (protection) is so incomplete and inconsistently coded that it can only be considered as an approximation of funding trends.⁷⁴ At the same time, the amounts requested for protection in appeals are subject to many contextual factors and only serve as an approximation of needs. In the absence of firm denominators or numerators, we cannot conclude that protection is underfunded. What we can say, is (a) that overall protection funding (what we call “FTS modified”) appears to be fairly steady and much greater than what is recorded in FTS, (b) that protection is one of the least funded sectors within appeals - although it appears to be recovering somewhat in 2012 from a very low point in 2011, and (c) that the most important characteristic of protection funding is not so much its apparent decline or increase, but its volatility (between countries, between years, between AoRs). In the next section we examine probable reasons for this volatility, with a view to seeing how protection funding can be better recorded, stabilised and possibly increased.

Available data on the AoRs, recipient countries and recipient organisations is saddled with the same data constraints. Assuming that the ways protection is reported to FTS are consistent over time (i.e. that miscoding of protection entries is done in a similar way every year, or that the same organisation underreports its protection spending in a similar way every year) then we can observe some approximate longitudinal trends even within a weak dataset. On this basis, we can see that the bulk of on-appeal protection funding goes to “General Protection”, followed by Child Protection, SGBV (gradually increasing over time) and finally HLP. Mine Action is consistently well-funded and not in the same funding ecosystem. In geographic terms, very contained or politically visible emergencies attract a higher proportion of protection funding (in relation to requests) than complex protracted emergencies – five of which (DRC, Somalia, South Sudan, Sudan and Pakistan) stand out as being either chronically underfunded or chronically over-requested – in either case in need of a critical assessment of the standing of protection within the overall humanitarian analysis and response. And finally, three agencies receive about 75% of all protection funding, and four NGOs receive about 75% of the on-appeal protection funding to NGOs, from which we conclude that protection funding is highly concentrated in a small number of actors, and almost totally excludes National NGOs.

The prospects for connecting up with development financing appear to be good, given (a) that the correlation is high between top development funding recipients and top protection recipients, and (b) the attention that is being paid to better linking relief to development generally – but further work is needed to loosen the rigidities of the donor machinery before this potential can be fully realised.

As we shall see in the following chapter presenting the qualitative data, it seems that the main issue is not so much the quantity of protection funding, but the quality of protection work, including how it is explained, how it is planned, coordinated, implemented and above all, reported. Most observers feel that path to increased funding lies less in advocacy, and more in performance.

2.0 Reasons for the funding trends:

A major component of this study was an attempt to understand the reasons for the variation in protection funding, and in particular why it is generally much less than requested. We examined this question through six methods: literature review, in-depth interviews with approximately 40 researchers or experts in the protection field, 21 donor surveys, an online survey, meetings with clusters and donors in the field in Afghanistan, Kenya (for Somalia), Pakistan and South Sudan, and analysis of 54 protection actor replies to the State of the Humanitarian System survey.⁷⁵

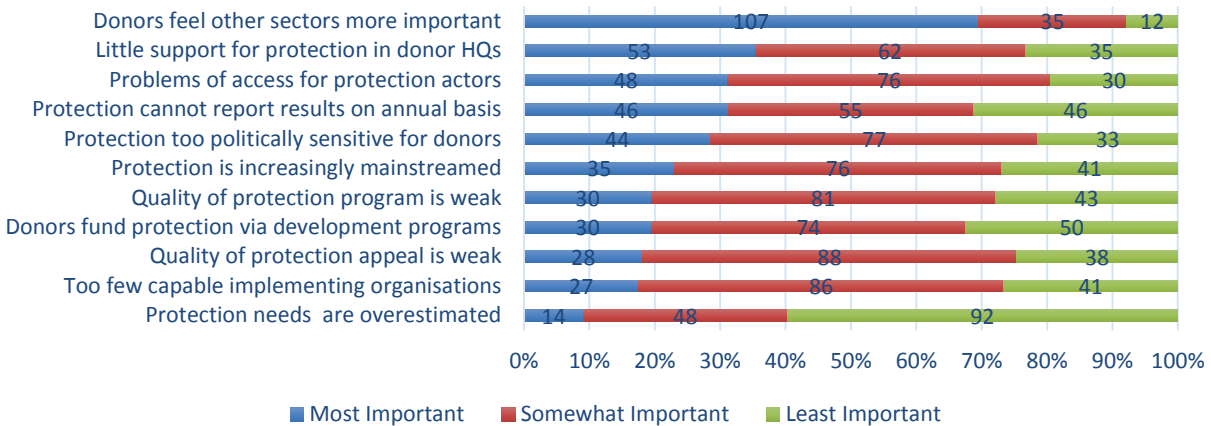
"I believe that protection is underfunded because there is no clear strategy that is realistic and that brings in relevant actors. Protection is treated with a humanitarian perspective, on a yearly basis, whereas the solution, including access to land and conflict resolution, is acknowledged to be a long term process. The protection cluster should establish clear landmarks that it can achieve with humanitarian funding but also make a better link to longer term initiatives" – survey response

2.1 Findings from the online survey

The online survey was bilingual⁷⁶ and elicited 143 complete and an additional 93 useable partial responses from 32 countries, with seven or more replies each from sixteen countries. Survey respondents were 41% International NGO, 38% UN or IOM, 13% National NGO, 3% ICRC or IFRCs, 2% field-based representatives of donor Governments and 3% others. In terms of protection sub-sectors, respondents self-identified 26% with Child Protection, 18% with Sexual and Gender-Based Violence, 18% with General Protection, 16% with Human Rights/Justice/Rule of Law, 10% with protection mainstreamed in another humanitarian sector, 5% with Housing Land and Property, and 4% with other aspects of protection. As with similar surveys that use a global web-based mechanism,⁷⁷ respondents were not randomly selected⁷⁸ and as a consequence there is a measure of self-interest in the responses. Unsurprisingly, 90% of respondents felt their understanding of protection was good or very good.⁷⁹

In the online survey, respondents were offered a list of eleven possible reasons for underfunding to protection,⁸⁰ and were asked to rank them (Figure 2.1). Respondents were similarly asked to rank nine options for what they thought would increase funding to protection: results shown in Figure 2.2.

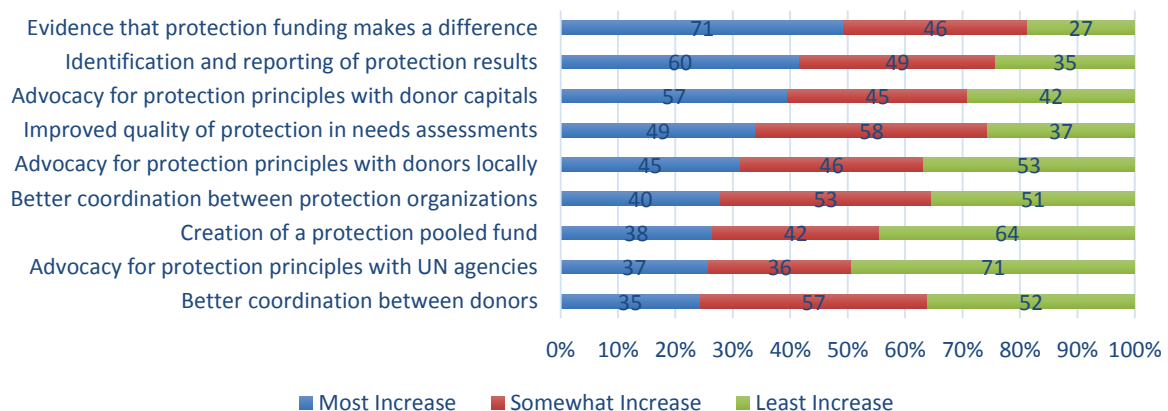
Figure 2.1 Rank the reasons why you think protection might be underfunded in your situation



Finding 24. The statement that “other sectors are felt to be more important” was expressed in the open-ended survey responses (as well as in the in-depth interviews) in three main ways: (1) “protection is not considered to be life-saving”, or (2) “other sectors grab public attention” (implying they are more media-worthy – also known as the “CNN effect”), or finally (3) “donors prefer things that can be visibly labelled - ideally with a flag and photo-op”

Finding 25. Problems of humanitarian access to vulnerable populations was felt to be a significant factor limiting donor support in situations where the host Government is uncooperative, or where there are serious security concerns (Afghanistan and Somalia), or where there are physical access challenges due to poor infrastructure (DRC and South Sudan)

Figure 2.2 What do you think would help increase funding to protection?



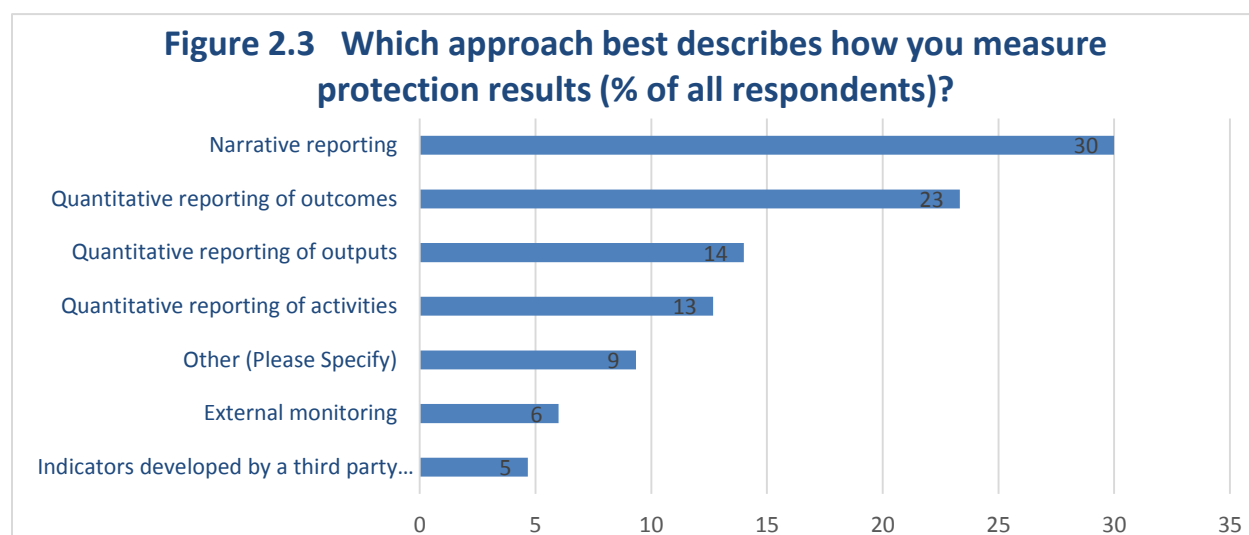
Finding 26. On the whole, field actors felt (but not strongly) that donor HQs staff needed to be a higher priority for advocacy than donor field staff⁸¹

As we shall see below, the donor perspective on advocacy is markedly different in some respects: most donors feel that their awareness is high, and that further advocacy directly to donors will not significantly change the donor response because (in the majority donor opinion) it is the implementing organisations who ultimately determine how much is spent on protection. We will return to this central question later in section 2.4.

Finding 27. The survey, expert interviews and donor questionnaire all tested the idea of a dedicated pooled fund for protection, or of a protection set-aside within existing pooled funds. While some (but not a majority) of the survey respondents were in favour, the donors were unanimously not. Those donors who already support pooled funds would like to see them work better rather than create a new one, and those who do not support pooled funds do not intend to start. In the absence of donor interest, this idea is a non-starter

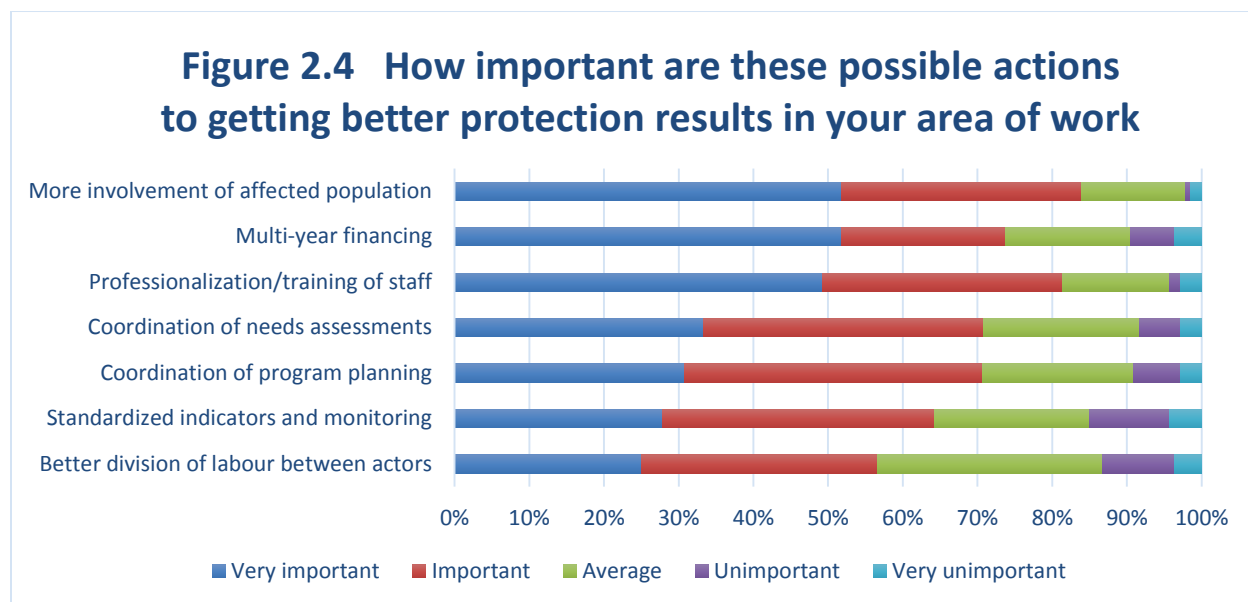
Finding 28. Field actors did not feel that the appeal quality, protection program quality, availability of capable organisations or overestimation of needs were major constraints. In contrast, the donor surveys revealed a different picture with significant concerns about project quality, implementing organisational capacity and credibility of needs assessments

On the hypothesis that results reporting is a major challenge facing the protection community, we asked for more detail on how field actors report their results (Fig. 2.3):



To some extent, funding is a function of how well the machinery is working – or seen another way, underfunding can be a consequence of perceived weaknesses of coordination and partners. The survey

and in-depth interviews probed this relationship further, examining a number of ways in which coordination, reporting and capacity could be strengthened: see Fig. 2.4⁸²



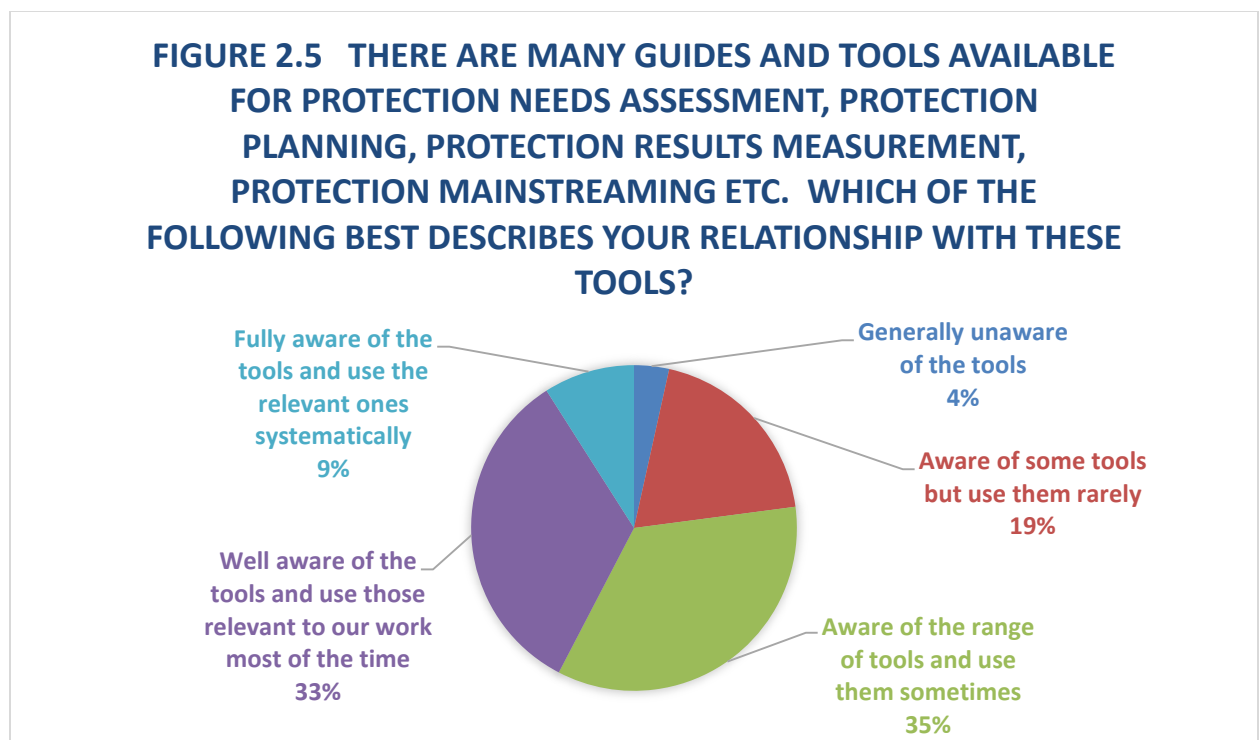
Finding 29. When asked how they could obtain better protection results, field actors signalled more involvement of affected populations as the single most important action they could take (84% scored this as very high or high), consistent with the increasing attention to beneficiary accountability throughout the humanitarian community, that is now embodied in the July 2012 initiative of the IASC to create a Task Force on Accountability to Affected Populations. This was closely followed by multi-year funding (the only item on this list that the field actors do not fully control), and professionalisation/training of staff. The emphasis on professionalisation/training (and for donors to set aside funding for this purpose) was echoed by cluster coordinators and other actors interviewed during the field visits

Finding 30. The perceived relationship between weak results reporting and underfunding seems consistent. The inability to report results annually is rated relatively high as a reason for underfunding in Fig 2.1, and both evidence as well as better results reporting are very highly-rated factors to increase funding to protection (Fig. 2.2), together suggesting that field actors widely recognise that results reporting is an area of weakness. This is confirmed by the survey response (Fig. 2.3) that only 23% of respondents report on results at the outcome-level (the level that donors are generally most interested in), and the view (Fig 2.4) of 64% of respondents that standardized indicators and monitoring is very important or important to obtaining better protection results. Donor and expert interviews corroborated the conclusion that the challenges of showing protection results are a significant limiting factor for funding

Both Child Protection and SGBV have global monitoring systems in place. At the formal system level there is the Monitoring and Reporting Mechanism (MRM) from Security Council Resolution 1612 of 2005⁸³ for Child Protection, and its counterpart for SGBV is the Monitoring, Analysis and Reporting

Arrangement (MARA), mandated in 2010 by Security Council Resolution 1960.⁸⁴ Both of these require reporting of the incidence of abuse and identity of abusers to the UN in association with the respective Special Rapporteurs. At the level of field case-management and incident reporting there are similar tools in both areas: the Inter-Agency Child Protection Information Management System,⁸⁵ and the Gender-Based Violence Information Management System.⁸⁶ However, neither the formal nor the case-management systems measure the outcome-level results of their respective protection activities at a country level – which is precisely the gap that most donors, planners and advocates want to see filled.

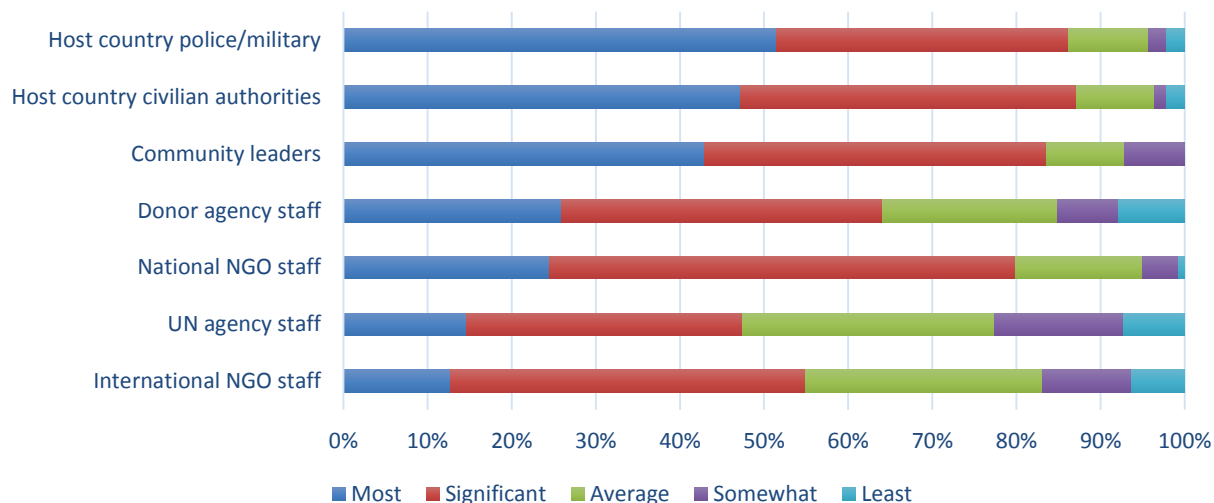
In order to explore what is behind this perceived weakness in planning and performance measurement, we asked whether field actors use the range of protection guides and tools available (Fig. 2.5).



Finding 31. With regard to protection tools, the proportion of respondents who are fully or well aware of, and use the range of tools is 42%, significantly fewer than those who have a protection policy/strategy (90%) or who practice high or very high levels of protection mainstreaming (63%), which suggests that there is still a gap between **awareness** and actual **use** of tools. Open-ended survey responses did not show a clear need for additional tools, but rather a preference for consolidation, simplification and translation of existing tools

Finally, we asked about levels of protection awareness, in order to get a field perspective on who should be prioritised for awareness-raising and training (Fig. 2.6).

Figure 2.6 Generally speaking, which of these stakeholders should be targeted for awareness-raising or training on Protection issues?



Finding 32. Survey respondents overwhelmingly felt that national/local actors (security forces, government, community leaders and national NGOs) were much more in need of awareness-raising and training than the international actors

In addition, 90% of survey respondents said that their organisation had a protection policy, strategy or action plan, 63% said that their organisation mainstreams protection in their other humanitarian or development programming, 49% (in the context, we feel this is a relatively low proportion) of respondents felt that the quality of the needs assessment in their situation was good or excellent, and 33% stated that the affected population was involved in needs assessment or priority-setting.

Overall conclusions from the online survey

Protection field actors feel that two important constraints on protection funding are the inability to show results, and the need for professionalisation of the protection sector. Access is seen as a significant funding constraint in some instances. An area of strong divergence between the online survey of field actors and the separate donor survey, is that field actors feel that advocacy with donors can increase the amount of funding allocated to protection – whereas the donors generally feel that the main allocation decisions are made by implementing organisations.

In terms of protection results: field actors believe that the absence of multi-year financing is a major problem, and that there is room for improvement in the coordination of needs assessments and of planning.

There does not seem to be sufficient support for a protection pooled fund, nor is it felt that there is a strong need for additional planning and reporting tools, just better adaptation of tools for field users.

2.2 Findings from the in-depth interviews

The literature review, donor survey, in-depth interviews and field visits looked more qualitatively at the reasons why protection might have difficulty attracting funding. Three important aspects of the funding picture emerged, and were explored in more depth as we went along: (a) the way protection is situated within the humanitarian response, (b) the performance of protection programmes and partners, and (c) the extent to which direct funding of protection is offset by mainstreaming protection in “other” humanitarian sectors. Protection experts in various agencies⁸⁷ and independent researchers generally agree on several points, grouped here under loose headings:

Protection is difficult to explain

Finding 33. Protection is not easy to explain – not to the world’s taxpayers, not to politicians and strategic decision-makers, often not even to actors within emergencies and local donor representatives -- unless those actors are already inside the protection culture and familiar with its taxonomy and vocabulary. In particular, its technical ICRC/IASC definition is too theoretical and legal. As a result, the term protection is appropriated by a wide range of parties including armed actors – thereby making explanation even more difficult

“The lack of a clear overarching narrative is an elephant in the room. Is protection an activity or an outcome? If you think it is an activity you only think about outputs. But if you see it as an outcome then you think more about change” – expert opinion

Finding 34. Protection is not as visible, photogenic or media-worthy as other more tangible components of the humanitarian response such as food, water, health and shelter. As donors become more preoccupied with visibility in times of economic stress and taxpayer scrutiny, this can draw funding away from protection over time.

The protection community has not helped, by using several ways and methods to describe their work. Many protection actors use similar three-element “Responsive, Remedial, Preventive/Environment-Building” models to describe protection objectives, but these do not align easily with programming approaches or with the AoR structure of appeals. Similarly, the same terms are given different meanings in different contexts. All of this has its own logic that is more or less understood by protection insiders, but put together it paints a confusing picture to outsiders -- including to the generalist senior management of donor agencies.

Donors can help by ensuring that any policies and strategies they develop, either for protection or for different themes like Child Protection and SGBV, are anchored to existing international frameworks.

Protection is difficult to do

Finding 35. In conflict emergencies, IDPs and affected populations are usually displaced because of the action or inaction of their own government. Either way, the host government is less likely to be cooperative, solutions are more likely to be difficult, and the situation is more likely to be sensitive for donors seeking to maintain constructive bilateral relations with the host government⁸⁸

Finding 36. Some aspects of protection work can confront deep-rooted cultural norms, depending on the specific context

Finding 37. The more humanitarian access is an obstacle, the more likely it is that protection actors are physically locked out. It seems that providing protection is most difficult in precisely those situations where it is most needed

Finding 38. In some situations, particularly when the host government is not dependent on donor funding and has a well-developed security apparatus, host governments can put protection off limits as a sector of intervention or dialogue. In these situations, protection sometimes goes underground and is supported by humanitarian actors under other labels or clusters, or there can be a breakdown in the delicate equilibrium between access and services

Finding 39. Protection needs sensitivity to local historical and social contexts, interpersonal communication skills, excellent judgement, and sometimes also specialised legal, psychological or medical training. People with these skills and who are willing to work in difficult usually conflict-affected field situations are in short supply

“Protection funding is highly conditioned by the nature of donor – host country political relations, and sometimes an emphasis on protection expresses a donor conscience when there is a political failure at another level” – former RC/HC

The costs and results of protection mainstreaming are not captured

“It is vital to ensure that protection concerns are mainstreamed into the planning and programming cycle of any humanitarian assistance programme”.⁸⁹ Protection mainstreaming has been a goal of the Global Protection Cluster since it was created in 2005,⁹⁰ it figures prominently in the encyclopaedic Handbook for the Protection of Internally Displaced Persons,⁹¹ and it is one of seven priorities for the Global Protection Cluster in its 2012-2014 workplan.⁹²

“Donors want protection on paper – and on the cheap – through mainstreaming in proposals, but too often will not fund specialists to realize this mainstreaming” – survey response

Every major protection policy and strategy since the 2002 IASC foundational document Growing the sheltering tree: protecting rights through humanitarian action⁹³ has emphasised protection mainstreaming, and the last few years has seen the publication of a generous suite of guides, handbooks and training programs by NGOs⁹⁴ and UN Agencies. Mainstreaming is now widely accepted, as reflected

in the online survey where 85% of respondents stated that they have a medium, significant or very high level of protection mainstreaming.

Notable among these is the initiative taken by WFP in 2012 to develop and approve a specific humanitarian protection policy,⁹⁵ supported by dedicated protection mainstreaming advisers in WFP's major operations. These five WFP action points constitute a best practice for UN agencies: (1) invest in institutional capacity for context and risk analysis, (2) integrate protection objectives into the design and implementation of ... programmes, (3) develop staff's capacity to understand protection, (4) establish informed and accountable partnerships, and (5) establish clear guidance and systems for managing protection-related information.

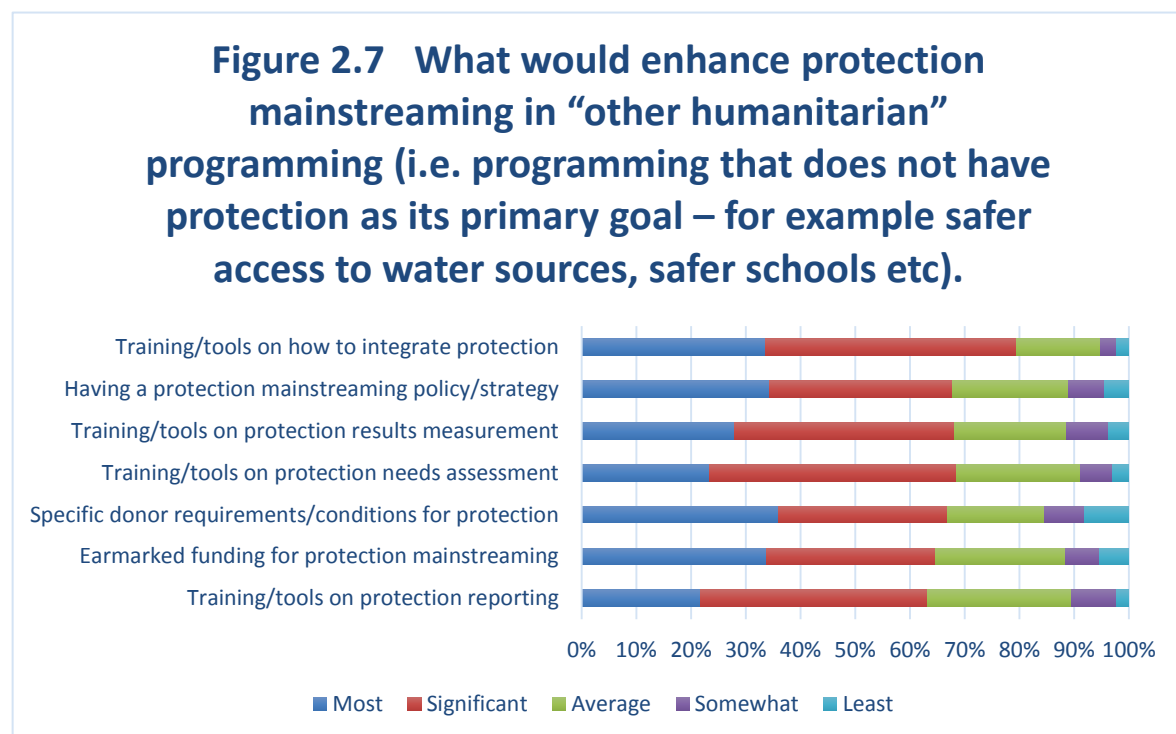
Among the donors, ECHO clearly emphasises mainstreaming in their humanitarian protection funding guidelines, but USAID/OfDA take this to an industry-leading level in their 2012 edition of their Guidelines for Proposals,⁹⁶ wherein USAID requires all proponents to mainstream protection into every proposal in every sector, in order to be eligible for funding.

Finding 40. Despite this considerable level of commitment and effort, the efforts to mainstream protection can still do better in two respects. The first would be to start ***capturing the results of mainstreaming***, assessing to what extent mainstreaming effort is reducing vulnerabilities. This will require humanitarian actors to measure protection-specific outputs and outcomes in their non-protection programs – there could be best practices in this regard but we were not able to find any in our review of the literature and during our field visits. Thinking that the much longer history of gender mainstreaming might provide some models, we considered whether a protection marker (akin to the current gender marker) might enable the humanitarian community to both emphasise protection and also to capture protection-mainstreamed as distinct from protection-specific results. The consensus of the field actors was that there is already marker-fatigue, and that in the absence of a strong theoretical framework backed up by substantial expert resources to train, support and validate a system-wide approach, it would be better not to embark on this path

Finding 41. The second area where the protection community can do better is ***in joining up their mainstreaming work within each country context***. The existing suite of policies and guidelines all relate to the “vertical” responsibilities of each organisation (and making things more complicated, both SGBV and Child Protection have their own strategies for mainstreaming separate from general “protection mainstreaming”), but do not consider the risks of different mainstreaming approaches working at cross-purposes (for example, competing approaches to lighting or safer cooking fuel) or confusing the limited pool of field actors who are each expected to mainstream in the same integrated program in different ways. Perhaps more importantly, in the absence of a shared overarching analysis of the protection problematique to frame the different mainstreaming efforts, there are missed opportunities to share expertise, achieve efficiencies, divide labour and get a more complete protection response

Figure 2.7 shows the views of the online survey respondents on this issue (ranked in order of the top two categories “most” and “significant” combined). It does not show a clear way forwards – instead

the even spread of replies suggests that the community would benefit from a reflective exercise to set priorities:



Value for money⁹⁷ is hard to show

Finding 42. Protection does not show results as readily as other sectors of humanitarian response (“success is measured in things that do not happen”). It does not have established baselines and indicators, it seems to be lacking a general theory of change, nor does it have a body of evidence regarding performance upon which to plan with confidence

Finding 43. Protection requires more time (to analyse the context, plan, build up relationships, strengthen capacities) than the usual one-year humanitarian funding cycle

Finding 44. Protection is an inherently labour-intensive enterprise. Protection projects are perceived as having a large proportion of staff and operating costs, and for some donors activities such as workshops and training are seen as less essential in the midst of an emergency. For funding mechanisms that have a salary or overhead cap (sometimes described as an 80-20 ratio), this can shut protection proposals out altogether

Finding 45. Because it is a relatively new sector of humanitarian action it does not have as much depth of experience, established best practice, professional cadre and tools as other sectors

Finding 46. Because project sizes tend to be smaller,⁹⁸ it is harder to get economies of scale and apply a critical mass of effort to bring about a system-level change

Mainly for the above reasons, the quality of protection needs assessment, program planning, proposal drafting, project implementation and reporting is often weak; in some cases using cookie-cutter approaches that do not show evidence of context-specific needs assessment or priority-setting. ICRC being the universally-recognised exception to this statement variously described as the Cadillac or the Rolls Royce depending on the geography of the speaker.

Protection has not yet found its place within the humanitarian system

Finding 47. Understanding of protection on the part of RC/HCs is uneven, and even informed RC/HCs bring some element of home-institutional bias to their approaches

Finding 48. Protection is not generally seen as “life-saving”. Despite the revised “life-saving criteria”,⁹⁹ even protection agencies need to make the case-by-case argument to OCHA for protection to be eligible for CERF funding

Finding 49. Protection is sometimes not given sufficient emphasis in the CAP, particularly not in the underlying humanitarian strategy that frames the proposed response in any given situation. As a result, protection can present as an “add-on” in the CAP’s scene-setting sections on the humanitarian context and needs analysis, and the proposed protection projects can appear less well justified or integrated downstream

Finding 50. Within UN agencies and NGOs, protection often struggles to gain recognition in relation to competing priorities that might be seen as closer to the core institutional mandate, or more likely to elicit public/donor interest and support

UNHCR has a particular challenge juggling the relative priorities of refugees, conflict-affected IDPs, and natural disaster-affected IDPs.

In rare situations with all three dynamics at play at the same time, UNHCR staff with limited resources understandably need to make difficult choices.

The protection cluster has (and seems to be seizing) an important opportunity to reposition protection closer to the centre of the humanitarian system by engaging firmly with the Transformative Agenda, which is fully aligned with the broad conclusions of this study (notably the emphasis on strategic planning, improved cluster performance, and the importance of results linked to strategic plans).

Transformative Agenda:

- The strengthening of leadership capacities
- Improved strategic planning
- Strengthened needs assessment, information management, planning, monitoring, and evaluation
- Improved cluster coordination, performance
- Enhanced accountability for collective results, based on a performance framework linked to the strategic plan
- Strengthened accountability to affected communities

There is room for the protection cluster system to become more focussed

At the country level, the cluster system is a competitive environment, and clusters with their A-team in charge and dedicated full-time to the cluster goals will be more effective at strategic planning, advocacy, assuring programme quality and attracting funding.

Finding 51. The Global Protection Cluster has particular challenges stemming from the complexity of its subject matter, the sub-structure of multiple AoRs each with their own lead agencies, and under-resourcing of the vital cluster coordination function

Finding 52. The identification of AoRs has led to some clarity of purpose and programming coherence, but at the same time this has had the effect of misrepresenting the multi-dimensional complexity of protection and inhibiting a strategic approach

Finding 53. In a field setting, each of the Cluster members has divided loyalties, and often their primary loyalties lie with their institutions' core business not with protection

"The AoRs are separate advocates for special interests: there is no proper protection overview and unifying strategic plan for each situation" – donor view

2.3 Triangulation with the State of the Humanitarian System survey

The State of the Humanitarian System 2012 survey sheds some light on reasons for funding trends for protection. The data below is extracted from the sub-set of 54 SOTHS survey respondents working for International Organisations or NGOs and who identified protection as their main sector of intervention.

In reply to the question: "In your opinion, what is the single biggest problem, or area of weakness hindering effective humanitarian response in your setting", the top three answers selected (with equal scores) were (a) poorly coordinated response efforts, (b) inadequate funding, and (c) limited access due to restrictions placed by host governments. The second tier of answers (also three items with equal scores) was (d) lack of effective leadership at HC level, (e) poor needs assessment, and (f) not enough involvement of local actors.¹⁰⁰

When asked for their "opinion on how well you think your sector performed in your setting" the area of greatest underperformance from seven options was "participation of aid recipients in design and assessment", followed by "participation/consultation of local authorities" and "coordination of effort".

On the "quality of leadership in your setting", the two weakest scores were obtained for local authorities and the RC/HC, agency heads scored better, and cluster/sector leads scored highest.

The "demands of humanitarian coordination mechanisms" were considered to be "far too high" or "somewhat too high – on balance not worth the burden for the organization" by 50% of respondents.

Considering "how the following actors have demonstrated respect for and adherence to the core

humanitarian principles of independence, impartiality and neutrality,” 39% of respondents felt that host government authorities’ respect for humanitarian principles has declined, and 27% felt that donor respect for these principles has declined.

With the important caveat that the SOTHS survey was not designed in such a way as to draw conclusions about possible reasons for underfunding of protection, these perception survey responses cited above support some of the findings of the online survey and in-depth interviews, notably that:

Finding 54. More efficient coordination, more local involvement and stronger leadership are likely to improve performance (and, we would argue, to improve funding)

Finding 55. There is little confidence in the leadership or adherence to humanitarian principles on the part of local governments, whose withholding of humanitarian access is a major obstacle to protection

2.4 *Additional findings from the donor survey and donor roundtables*

Donor perspectives largely echo the “expert views” listed above, with a few rather significant additional elements that emerged from the donor survey. These elements reflect the particular placement of donors as the channel between donor country taxpayers and protection actors. Donors are unanimous in believing that protection is important and should be funded, but they are less certain that protection is underfunded. The question of underfunding is complex partly because it has so many variables. The following findings break this down into different aspects from the donor viewpoint, and also capture their views on the CAP process:

Finding 56. Most donors claim that their overall response to major emergencies is framed by protection concerns, and emphasise that their core support for the major protection organisations as well as their emphasis on protection mainstreaming in all sectors both complement their protection-specific contributions. Most donors feel they are probably giving enough

Finding 57. While they recognise the empirical evidence that protection requests are underfunded within appeals, some donors question if protection **requests** truly represent **needs** – and more precisely to what extent the estimation of the quantity of needs expressed in proposals is determined by expert analysis of a situation, and/or by a sense of “what the market will bear”, and/or by the established mechanisms of protection “suppliers”

Finding 58. Because the effectiveness of protection activities has been so little documented, donors also do not know how much it costs to attain a particular protection outcome (or even if a certain type of activity will achieve an expected outcome).¹⁰¹ In a comparative context in relation to other crises or other sectors, this is a critical point of vulnerability

Finding 59. Donors do not generally know how much of their own money is spent on “protection” at all, since in the vast majority of cases they do not code “protection” separately in their own financial

management systems. However one thing is for sure, most donors feel that they are spending much more on protection than FTS suggests.¹⁰² This matters for advocacy, because a donor who feels that it is giving *a lot* already is going to be less inclined to give *more*, suggesting that a different advocacy strategy will be needed

In sum, donors are generally uncertain about the needs, the costs or the amounts provided. Where the donor community is divided, is in how much this matters. Some donors under pressure from their machinery of public accountability are very concerned with the difficulty of identifying results,¹⁰³ and constantly struggle to justify protection funding in relation to other more visible and quantifiable sectors. Other donors start from the premise that protection is a core humanitarian principle, then place considerable trust in protection actors and in whatever periodic reporting they provide.

Finding 60. The donor concern with results is also nuanced. While all donors want to see outcome-level results,¹⁰⁴ smaller donors are less interested in tables of indicators that they do not have the resources to analyse. Instead they are more interested in a clear performance narrative that is built on strong foundational evidence of effectiveness, but then explains, in terms that policy-makers and the public alike can understand, how the investment is improving the lives of the most vulnerable people who are experiencing or at risk of deliberate harm

Finding 61. Donors do not generally use the CAP as the basis for their project funding decisions.¹⁰⁵ While all donors agree that the CAP is important as a framework for analysis and coordination, and expect their partners to situate their projects within the CAPs, only a few (smaller) donors peruse the CAP project lists to pick out projects for funding.¹⁰⁶ Instead, donors generally respond to organisational appeals (which are made variously at the global, regional or country levels), and sometimes accept CAP project sheets as equivalent to proposals. The few donors with dedicated humanitarian field staff will sometimes target funding to a particular sector within an organisation's country program, especially if their own analysis tells them there is a critical unmet need

Finding 62. Donors generally do not make the main decision on how much funding to allocate for protection. Donors all feel that protection is important, all the major donors have explicit protection policy statements within their humanitarian strategies, and they all choose to support certain organisations (universally UNHCR and ICRC) because they provide protection. But in the end, most **donors trust the judgement of partners**, allocate funding with loose (usually organisation/country) earmarking,¹⁰⁷ and leave it for the partners to determine sub-national priorities and to set the weighting for protection within their country programme,¹⁰⁸ or if donors are organised for project funding, then it is the proposing organisations who set the terms

Finding 63. Most donors who fund on a project basis state that they **respond to what organisations request**, of course considering proponent track record, proposal quality and likelihood of results. They furthermore state that they would fund protection more if humanitarian organisations submitted stronger (and preferably fewer, larger) protection proposals¹⁰⁹

2.5 Conclusions from the online survey, in-depth interviews and donor survey

Several broad conclusions emerge from these lines of enquiry, and these will not be surprising to most protection actors.

Protection does not have a simple conceptual framework: a narrative that allows protection actors to explain in a few words what protection is and why it is important. Part of the problem is that it does not have a shared lexicon. Without these foundation stones, it is challenging for protection actors to communicate key concepts to non-native English speakers, or to advocate with the general public. In the absence of a universal terminology, it is also difficult for protection actors to coordinate their planning and reporting.

Protection does not have an established track record of reporting on outcome-level results¹¹⁰ – and indeed it is inherent in the nature of the protection enterprise (working in the realm of cultural and political sensitivity, and on long-term behavioural change) that results will be hard to measure especially within in a normal humanitarian reporting cycle. Multi-year funding will enable improvement in the capacity of protection actors, increase performance of protection activities, and the ability to show results.

Donors generally consider humanitarian crises through the filters of (a) countries and (b) partner agencies (rarely sectors), and donors usually respond to appeals and proposals rather than solicit proposals in specific sectors. For these reasons, most donors feel that the initial onus for increasing protection funding lies with the implementing partners: who themselves should be increasing the protection content of their appeals and requests, submitting more protection proposals, and (according to their expert analysis) allocating more of their own (unearmarked or publicly raised) funding to protection.

The extent to which protection is well-integrated within the humanitarian response, and well understood by the HC and the HCT, will determine the extent to which protection seems like a ‘natural’ or ‘obvious’ component within the humanitarian plan. The more investment there is upstream in placing protection at the centre of the humanitarian analysis, the better the prospects for funding.

Coordination of protection is particularly complex, because of the fact that protection is conceptually so much more than “a sector”, and because of its AoR structure. Well-coordinated clusters in situations with well-framed appeals, are more likely to attract donor funding.

It is possible that the (appropriate) emphasis on mainstreaming is drawing some resources away from direct protection programming, but this is hard to confirm in the absence of ways to quantify the costs and benefits (results) of protection mainstreaming activities.

And finally, investment in the capacity of international and especially national protection organisations will improve program quality, and thereby earn greater confidence and financial support from donors.

“To attract more funding: come together with common objectives and one clear set of messages, use a common definition to build a shared strategy, build a stronger M&E framework, professionalise the sector, push the donors to put frameworks in place and then to deliver within more long-term funding” – expert opinion

3.0 Issues for consideration

3.1 *Strategies to increase protection funding*

In the short term, the most likely source of incremental funding is from the protection actors themselves, most of whom have complex, multi-themed and multi-donor programmes and to some extent choose what proportion of their funding goes to protection. Simply put: those organisations with unearmarked or direct private funding can choose to allocate more of their own resources to protection, and those organisations that are highly reliant on earmarked or project-specific donor funding can request more for protection than they do.

In the medium term, some donors state that they would be more inclined to increase their funding for protection if they were more confident that these investments were effective, and particularly if they were proven to be a comparatively good use of finite resources in relation to other humanitarian sectors. Supported by a stronger results framework,¹¹¹ it is anticipated that most donors would welcome a larger share of protection within integrated programmes, they would respond to more protection-specific project proposals, and they would be more inclined to support the costs of cluster coordination. To get to this point, further investment in the theory and practice of managing for results in the protection field will be needed. Two such exercises are currently under way: (1) a UK initiative to better understand “What works in protection and how do we know”,¹¹² and (2) the InterAction initiative to develop and promote a results-based approach to protection.¹¹³ It is important that these initiatives not only focus on the problem of counting results, but that they also move upstream to work on the quality of planning and implementation to better achieve results.

In the long-term, the most likely source of increased funding for protection will come from the development side of the house. The problem here is that this is but a subset, and possibly a low-priority subset, of the much larger problem of how to organise continuous financing through the transition from relief to development, and it is long-term because this might require rewiring of parts of the entire ODA architecture. Responsibility for fixing this is shared by both donors and implementing agencies.

The task of advocating more for protection within the protection community and with donors would be much easier if there were a simpler and more coherent conceptual framework for protection. Leaving the formal definitions unchanged, there would be considerable benefit for all in a collective initiative to explain protection in terms that everyone can relate to, and to converge the various conceptual models and terminologies used by protection actors. An accessible and coherent narrative will greatly simplify the process of developing comprehensive country protection strategies, drafting realistic action plans, establishing mainstreaming objectives, designing effective projects, delivering them efficiently and reporting on them reliably. A simpler conceptual framework should include an agreed terminology that allows terms to be understood in the same way across geographies and AoRs. The more such a conceptual framework is universal, then the more likely it will be that lessons can be learned and applied across cultures and contexts. And the more it is accessible, then the more likely it is to serve advocacy as well as planning interests.

Ten success factors for a well-funded protection project: “delivering the goods”

1. Strong protection project design, based on analysis of risk, and understanding of existing self-protection capacity; showing a clear line of sight from the budget to activities to clear articulation of realistic and measurable outputs, and likely protection outcomes. If you do not present a logic model – use one to work through the causal logic in the design.
2. Show how you have analysed the protection context and the project risks, and what specific measures you have taken in the design and in the field to mitigate those risks.
3. Make sure your project is clearly aligned with the protection strategy in the country, that it shows how it is coordinated with, and builds on the work of other actors, and be explicit in how it aligns with the general and country-level policy framework of the target donor including cross-cutting themes (tweak the proposal for each donor, and use the language of their priorities).
4. Show how you have considered sustainability, exit, or transition to development or national financing. If this is a single-year project then set it within a multi-year framework so donors can see how it fits into the larger picture.
5. Have, and then highlight your staff experience and knowledge, and show how they are complemented by local staff, a local network and/or local partners.
6. Wrap it all up in a good proposal. Make sure your project proposal kicks off with a clear narrative that shows why this matters, what “protection” means in this project and how it addresses life-saving risks, what you will do, and what kind of results you expect to achieve. Logical design + Strong analysis and risk strategy + Excellent staff team with local knowledge + Alignment + Sustainability plan + Good pitch = Winning proposal.
7. Have your proposal peer-reviewed in-country or by another country office team.
8. Do your homework before approaching your donors. Understand their country strategy, their project selection criteria and geographic focus, their different funding mechanisms, their timetables, who makes the key decisions. Follow the given proposal format closely.
9. Get credible local champions and advocates, and have them talk up your organisational capacity and the project to donors before you approach them. Ideally capture the interest of a humanitarian leader (respected donor agency head, UN agency head) and have that person coach you and become your advocate – even (especially) if they are not funding your program.
10. Work with your counterparts in donor capitals to support you with capital-level advocacy, and use those contacts to open doors if you are going to pitch a project to donor HQs. But avoid circumventing the donor field team: they might not decide - but they need to be supportive.

3.2 *What could the various members of the protection community do?*

At the very practical level, the AoRs can improve the reporting of protection programmes in FTS, so that the funding data available becomes of progressively better quality. One important aspect of this is to encourage all protection actors to enter their private funding data into FTS. On the coding side, a very simple technique already initiated by the Child Protection community is to use unique code words in the titles of projects submitted within the context of CAPs. If, for example, all SGBV projects use the term “GBV” in the project title, and likewise for HLP, then it will be relatively easy to extract all the AoR-related projects out of FTS at any point in time, even if they are sectorally miscoded by the donors or implementing agencies entering the data into FTS.¹¹⁴

With regard to General Protection, it would be beneficial to separate out what we have described as “Foundational” Protection from “General Protection”, and then ensure that “Foundational Protection” is planned, managed and reported more as a “public good.” In some circumstances, it might be appropriate for the parties responsible for “Foundational Protection” initiatives to have a distinct identity at the Cluster Coordination table.

We observed that Child Protection and SGBV actors share many of the same methodological problems such as needs assessment, strategic planning, results measurement, mainstreaming strategies, accessing development funding sources, advocacy, training and field-level tools. It is possible that a closer comparison of their AoR workplans would reveal instances where these two AoRs in particular could deepen their existing cooperation to tackle some shared challenges more systematically.

There are a couple of items of unfinished business with regard to protection mainstreaming. While solid mainstreaming guidelines and tools are in place, the internalisation and use of those tools is uneven. In particular, there is insufficient understanding of the costs and results of protection mainstreaming.

National NGOs have many advantages over INGOs: nationals understand the cultural and institutional context better, they often have better access and in some instances are essential for “remote management”, and in the long run they have good prospects for connecting with national systems and development funding sources. But in the short term they face capacity constraints, and fall outside the parameters of some donor and pooled funding mechanisms. The senior and established INGOs and UN agencies should (and most do) see NNGOs as strategic partners, and enter into long-term capacity-building relationships with them. At the same time, NNGOs themselves can follow three strategies to access funding and bring their value to the protection enterprise: (1) form a strategic alliance with a strong INGO or UN agency that can provide them with coaching, training and experience; (2) engage early and fully with the protection cluster as part of a broader protection network through participation in appropriate fora; and (3) enter into consortium arrangements.

3.3 *What could donors do to improve protection funding?*

The best way to summarise this is to suggest that donors should follow the principles of Good Humanitarian Donorship, which encapsulate most of the main donor-side issues regarding humanitarian protection, in particular predictable and multi-year funding, reduced earmarking, filling critical gaps, mainstreaming age, gender and diversity, funding coordination costs, and bridging the gaps between relief and development.

Specifically, we heard from the field visits and in-depth interviews that donors could, to the extent that their varied mandates, policies and legislative frameworks allow, do the following eight things to improve the funding and performance of protection: (a) provide funding with as little earmarking as possible, and then hold partners accountable for the relevance, timeliness and effectiveness of their activities; (b) be ready to step up to the plate in situations of flagrant underfunding in relation to protection needs; (c) provide multi-year funding when possible; (d) set aside “overhead caps” when considering protection, or accept that most staff, travel and training costs of protection projects are direct delivery not overhead/administrative costs; (e) actively promote protection mainstreaming through all their humanitarian programming; (f) fund the costs of protection coordination,¹¹⁵ and of initiatives to improve the system through the collective drafting of policies and guidelines, through training, and through evaluation; and (g) make sincere efforts to bridge the firewalls between the humanitarian and development domains within the donor agencies, so that key opportunities for transition are seized not missed. An irony is that the more donors mainstream and adhere to the principles of GHD,¹¹⁶ the less their contributions will be visible and countable as protection.

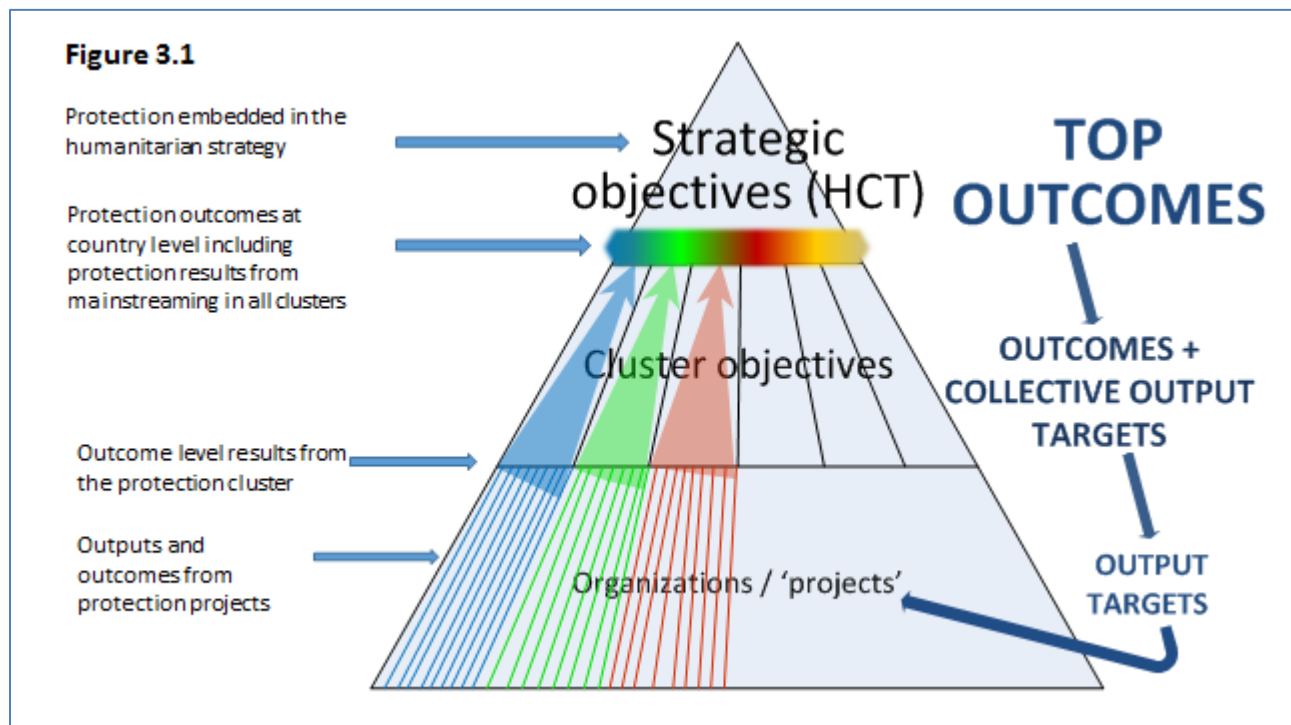
Of course, in addition to these programmatic measures, donors should continue to exert political pressure on host governments and parties to conflict – as political pressure is often more effective at addressing the sources of abuse than programme activities, many of which address consequences and symptoms more than causes.

Four practical donor measures that emerged specifically during the course of this study were: (a) improve financial reporting to FTS (in particular improve sector coding practice), (b) fund some of the “next steps” work that has been signalled elsewhere in this study, such as further analysis of how to plan and measure results in protection, and research into how to measure the costs and benefits of protection mainstreaming, (c) continue to support the professionalisation of the protection sector, recognising its particular technical and cultural challenges, and (d) encourage programming approaches that allow National NGOs to work together with established partners and thereby gain experience and capacity.

If the circumstances are appropriate, and this seems more likely to be the case at the tail end of a natural disaster or a conflict with a defined end-point, then donors could work together with UN agencies to develop a “transition compact” for protection, along the lines recommended by the DAC.

3.4 Improving the system for protection funding

The single best way to ensure that protection planning and projects fit naturally with the overall humanitarian response, thus appearing integrated and “self-evident”, is for the overall humanitarian response to be based upon a protection analysis. With integration at the top of the system, then protection outcomes will be stronger, and efforts to mainstream and to get funding for protection-specific initiatives will all fall into place. The converse is also true. A humanitarian plan built upon an assistance model will always struggle to show how protection provides value for money. Borrowing from a model used by OCHA to describe the relationship between the overall humanitarian strategy, the clusters and the organisations/projects, we can depict an ideal model for protection planning in Figure 3.1 below:



In this model: the key aspect from which the rest of the protection planning flows is at the apex, where significant investment is made early and at the highest strategic levels to ensure that the humanitarian strategy for a country is built around a protection analysis. This sets the frame for outcome-level protection results to be achieved, composed of (a) the protection results of the whole country programme, (b) the protection mainstreaming results of all the various sectors, and (c) the specific results of the protection cluster.

Some donors stated that they would be willing to accept project-level results reporting at the output level, provided that the protection cluster was working within a protection-focussed humanitarian plan that was capturing protection outcome results at the country level.

Ten success factors for a well-funded protection country program: “cracking the code”

The combined view from the many readings and discussions behind this study is that these are ten success factors underlying a well-funded protection program:

1. A Humanitarian Coordinator and Heads of protection-mandated Agencies who understand that protection is an overarching principle underlying the humanitarian response, a key cross-cutting theme in all clusters, and an important area of investment in its own right
2. A Strategic Response Plan that is built around a protection vision
3. A dedicated protection cluster coordinator, experienced and above all with leadership, strategic planning and facilitation skills, accompanied by a cluster co-lead ideally from an established NGO, and supported by an Information Management Officer
4. Active participation by the protection cluster coordinator in the Humanitarian Country Team – distinct from UNHCR, and thus enabling the Strategic Response Plan to be well-informed by expert protection advice; and active engagement directly with local donor representatives
5. A multi-year protection strategy and action plan with broad stakeholder buy-in , incorporating an advocacy strategy, and including country-level outcome-level results indicators
6. Resources set aside for establishing a protection baseline, for measuring outcome-level protection results, for support to mainstreaming, and for implementing the advocacy strategy
7. A conducive host government is ideal but rare. If the host government is supportive, then many factors line up positively including the overall posture of the donors and the RC/HC, humanitarian access, and the connection to national systems and development funding. In the absence of a conducive host government, then the next best thing is strategic alliances with those parties in the host government who share the interests of the protection community
8. A critical mass of humanitarian donors who are actively prepared to support protection programming, ideally resident humanitarian field presence for the major donors. Rapid rotation of humanitarian field staff is a chronic problem for continuity and knowledge, so in such situations the protection cluster coordinator should regularly and frequently brief and engage with all local donor and humanitarian actors on the country’s “Protection 101”
9. A critical mass of capable INGOs committed to protection, with advocacy capacity and some access to independent financing
10. Media attention, or a plan and resources for attracting the right kind of media attention at the right moments in the humanitarian planning and funding cycle

Annexe A: Study Methodology

This study is built from five information sources:

Statistics

- OCHA/FTS analysis including AoR disaggregation using text filters
- Landmine and Cluster Munitions Monitor reports
- OECD/DAC online financial data
- UN/ICRC data sources for annual expenditure information
- GHA and DARA data and documents

Surveys

- Online survey (bilingual – 143 completed surveys, 16 countries with > 7 replies)
- Detailed questionnaire survey of 21 donors
- State of the Humanitarian System (2012) survey dataset
- OCHA/CAP survey data 2012

Targeted interviews and roundtables

- Interviews with Global Protection Cluster members
- Interviews with protection experts and researchers
- Interviews with selected donors, and donor roundtables in Geneva and field locations
- Protection cluster roundtables in Geneva, Washington and four field locations

Field visits

- Pakistan, Afghanistan, South Sudan and Kenya (for Somalia)

Literature review

- General literature on humanitarian financing trends, and protection financing
- Precursor studies (Save the Children, GICHD study of Mine Action funding)
- Companion studies (GPPi, State of the Humanitarian System, GHD review)

Statistical analysis

This study's terms of reference, and those of the precursor study by Save the Children "Too Little, Too Late"¹¹⁷ are premised on the assumption that OCHA's Financial Tracking System (FTS) has reliable data that can be analysed to show funding trends. While the dataset is impressive and widely used,¹¹⁸ it is prone to a number of shortcomings. For the most part, the basic data concerning donor country, target

country, amount, year and implementing organisation is given the most quality control attention by FTS staff and seems reliable. However, the use of the IASC sector codes is significantly problematic. We observed several types of problem, some of which are large and compounded, calling into doubt the validity of analysis based simply upon the FTS sector code “Protection/Human Rights/Rule of Law”. Specific problems include: (a) miscoding – clearly not protection activities, (b) inconsistent coding – the same project coded against different sectors by different donors, (c) undercoding – as when protection is deliberately coded under a different sector code sometimes because “protection” is considered too sensitive in that context, (d) aggregated coding – for example when country appeal responses for large agencies like ICRC are coded under “Sector Not Yet Specified” even though they clearly contain a significant amount of protection funding, and (e) change in coding practice from one year to the next – which makes longitudinal analysis problematic. The reasons for most of these errors seem to be an imperfect understanding of sector codes on the part of those submitting the data, the fact that European donors enter data through ECHO’s humanitarian reporting system EDRIS which does not have obligatory sector codes and whose optional codes are not aligned with IASC codes, and the lack of resources in OCHA to provide quality control on all but the most essential data fields.

A further problem with the data, not an error so much as an inevitable consequence of a single-coding system, is that protection is not counted at all when it is mainstreamed. There is a very significant (but not easily quantifiable) amount of funding that has protection as a secondary benefit but that is coded against another sector – for example lighting at water stations provides protection but is coded as water and sanitation, safer schools are coded as education etc. Indeed, it is an irony of the coding system that the more diligent organisations are in meeting the high standards of protection mainstreaming, the less visible and less quantifiable is their contribution to protection.¹¹⁹

However, we can get a somewhat better quality of dataset when we limit its scope to those FTS records that are sector-coded as “protection” ***and that are also tagged against a specific CAP or CAP-like appeal***. The reasons for this are straightforward: when a contribution is being coded against a specific request, then the whole community interested in that CAP (and most of all, the organizations hoping to receive funding) tracks the “on-appeal” entries on a frequent basis, and can cross-check if a donor or an organization that makes an entry that is erroneous or that provides a false picture of how well an appeal is being funded.

For these reasons, the dataset that we most often use in this study for the analysis of trends within the protection sector, such as comparison between recipient countries or sub-sectors of protection, is the dataset of all “Protection/Human Rights/Rule of Law” records that are entered against CAPs or CAP-like appeals between 2007 and 2012,¹²⁰ less any entries that concern de-mining, mine awareness, small arms and light weapons or cluster munitions. For analysis of trends in funding to Mine Action, we simply use the existing and comprehensive dataset published in the Landmine and Cluster Munitions Monitor (LCMM), which has the great benefits of being anchored to treaty-bound reporting requirements and in a much more defined area than protection.

While the on-appeal dataset gives us better **comparative** data that we can use to analyse **relative trends**, it significantly under-represents total amounts of spending and does not allow us to track overall spending patterns.

In order to obtain an approximation of the **total** amount of funding provided to protection in humanitarian situations, we considered using DAC data, but determined that it also is unreliable at the sub-sector coding level, at least in the humanitarian realm. In the end, we developed and used the following methodology: starting from the on-appeal protection-coded dataset described above,¹²¹ we removed all records that relate to UNHCR¹²² and UNICEF, then we added back the amounts that ICRC and UNICEF themselves consider in their own Annual Reports to be protection,¹²³ and finally we added back amounts from UNHCR's Global Reports that we consider to represent IDP protection. Specifically, for UNHCR for 2010-2012 we have taken the protection entries listed under Pillar Four (IDPs), and we then added in selected elements of Global Programmes expenditure 2010-2012 that are specific to protection. For 2007-2009, when there was no separation of IDPs or protection in UNHCR's former financial reporting system, we applied a co-efficient to UNHCR's total expenditure (6.1%) which reflects the average of the 2010-2012 period that IDP protection represented as a proportion of all UNHCR expenditure.

We consider this "FTS modified data" to be a best estimate of the amount of humanitarian protection funding **that has protection as its primary purpose**. It is very important to note that this excludes mainstreamed protection, UNHCR's contributions to refugee and returnee protection,¹²⁴ and also unreported funding provided directly by private donors to protection-providing international NGOs, protection services provided by the primary duty-bearing host governments, self-protection activities by affected communities themselves, protection provided by UN or multinational peace-keeping missions, or protection "environment-building" activities funded from non-humanitarian sources (which do not report to FTS).

Area of Responsibility analysis:

In order to determine the funding trends to the different Areas of Responsibility (AoRs) within the Global Protection Cluster,¹²⁵ we developed bilingual lists of key words to describe each of the AoRs, and then applied the keywords to the FTS on-appeal protection dataset¹²⁶ using text filters in Excel. General Protection is a residual category made up of some specific protection activities such as vulnerability assessment, IDP registration, profiling, protection monitoring, validation of conditions for safe return of IDPs, protection by presence, conflict early warning, legal assistance, community protection capacity-building, support for the elderly and the disabled and coordination – but for the most part this category is made up of undifferentiated contributions to "protection" through UNHCR, OHCHR and NGOs providing program-wide responses. We then manually resolved cases where the same record was double-counted under two different sub-codes,¹²⁷ and manually resolved those records that had not fallen into one of the coding baskets and were left uncoded. Finally, to test for errors that would introduce major distortions, we manually checked all data entries over \$2,000,000 in any given country and year. We coded all Information, Counselling and Legal Assistance (ICLA) projects under Housing Land and Property, recognising that this to some extent "overcounts" HLP.

Annexe B: List of donors and experts consulted

Donors responding to the donor survey either in writing and/or by telephone interview, many of whom were also interviewed in the field:

Australia
Austria
Belgium
Canada
Denmark
European Union
Finland
France
Germany
Ireland
Italy
Japan
Korea
Netherlands
Norway
Spain
Sweden
Switzerland
United Kingdom
USA – State Department (BPRM)
USA – USAID (OfDA)

Individual experts providing methodological advice or substantive views:

Louise Aubin,	UNHCR
Sarah Bailey,	Independent Consultant
Katy Barnett,	UNICEF (CPWG)
Isabelle Barras,	ICRC
Manuel Bessler,	former RC/HC
Axel Bisschop,	UNHCR
Elisabetta Brumat,	UNHCR Pakistan
Bediako Buahene,	UNHCR Somalia
Neil Buhne,	UNDP
William Chemaly,	UNHCR (JIPS)
Stephen Cornish,	MSF Canada
Jeff Crisp,	UNHCR
John Durnford,	Datalake
Solène Edouard,	Independent Consultant

Nicole Epting,	UNHCR
Melissa Fernandez,	OHCHR
Elizabeth Ferris,	Brookings Institution
Szilard Fricska,	UN-Habitat (HLP AoR)
Betsy Greve,	UNHCR
Paul Hannon,	Mine Action Canada
Rafael Hermoso,	UNICEF
Lena Larsson,	SCF-Sweden
Jackie Keegan,	UNHCR
Mike Kendellen,	International Campaign to Ban Landmines
Erin Kenny,	UNFPA (GBV AoR)
Marina Konovalova,	UNHCR
Miriam Lange,	ONOCHA
Gustavo Laurie,	UNMAS (Mine Action AoR)
Janey Lawry-White,	Independent Consultant
Amra Lee,	World Vision Australia
Iain Levine,	Human Rights Watch
Dan Lewis,	UN Habitat
Sarah Lilley,	SCF-UK
Daniele Malerba,	Development Initiatives
Mendy Marsh,	UNICEF (GBV AoR)
Jenny McAvoy,	InterAction
Gwendolyn Mensah,	UNHCR Afghanistan
Lydia Poole,	Independent Consultant
Annie Raykow,	OHCHR Haiti
Urban Reichhold,	GPPI
Rachel Rico Balzan,	OHCHR
Janis Risdell,	Plan International UK
Meggi Rombach,	UNICEF (CPWG)
Patrick Rooney,	OHCHR
Daniela Ruegenberg,	DARA
Rachel Scott,	OECD/DAC
Kerry Smith,	Development Initiatives
Robert Smith,	UNOCHA
Mirjam Sorli,	UNOCHA
Abby Stoddard,	Humanitarian Outcomes
Julie Thompson,	UNOCHA
Anne Thurin,	UN Habitat (HLP AoR)
Peter Trotter,	UNHCR South Sudan
Margriet Veenma,	UNHCR
Jeanne Ward,	Independent Consultant
Laurie Wiseberg,	PROCAP Afghanistan

In addition, we consulted UNHCR, UNDP, UNOCHA, UNMISS, UNICEF, ICRC, NRC, DRC, IRC, SCF staff in individual meetings in the field, and the following stakeholders in roundtable format:

Washington-based protection actors (hosted by InterAction)

Donor field representatives in Pakistan, Afghanistan and Kenya (for Somalia)

Protection cluster members in roundtable meetings in Pakistan, Afghanistan, South Sudan and Kenya

Geneva-based protection actors (hosted by UNHCR)

Annexe C:

TERMS OF REFERENCE

Review Study on Funding to the Protection Sector in Non-Refugee Humanitarian Emergencies

CONSULTANT

Project Title: Review Study on Funding to the Protection Sector in Non-Refugee Humanitarian Emergencies

Duration of this assignment and dates:

The consultancy is expected to commence on 23 November 2012 and terminate on 31/05/2013. It will be implemented in three phases. Any extension allowable is not envisaged to go beyond 30 June 2013.

Duty Station: Ottawa, Canada

Travel plan: Ottawa-Geneva-Ottawa. Possibility for a field location travel (Haiti) or a location in Africa to be determined by the study findings.

General Background of Project or Assignment:

The Global Protection Cluster (GPC) is the main inter-agency forum, at the global level, for coordinating protection policy and operational support to field operations in non-refugee humanitarian situations, especially in locations where the cluster approach is being implemented. The GPC also provides resource mobilization support to field operations mainly through advocacy initiatives as well as, *ad hoc*, review of funding appeal documents to ensure the comprehensive coverage of protection needs and adherence to the principles of partnership. Thus, the GPC plays a key role in supporting field operations to clarify funding requirements and prioritization within the overall context of humanitarian funding considerations.

For several years there has been concern within the protection sector that protection activities are considerably underfunded despite the recognition by donors and humanitarian organizations of the fundamental importance of protection in humanitarian emergencies. Underfunding of protection activities raises concerns about the ability of humanitarian organizations to support effective and adequate protection responses. In order to better address this issue, the GPC is conducting a review of humanitarian financing for the protection sector in non-refugee humanitarian emergencies

Purpose and Scope of Assignment:

The consultant is expected to undertake a review study of funding trends and patterns to the Protection Sector in non-refugee humanitarian emergencies. To this end, the consultant will undertake the following:

1. Review a representative sample, ranging from 2007 to 2012, of existing non-refugee situation humanitarian emergencies funding appeal documents concerning the protection

sector with the view of establishing the timeliness, scale, trends and patterns in donor contributions, in close consultation with key stakeholders, including participant organizations of the GPC as well as donors and OCHA;

2. Ascertain, through the review, key stakeholder consultations and tracking of contributions for protection activities, whether the protection sector in non-refugee situation humanitarian emergencies is sufficiently funded, looking in particular to gaps between identified needs and funding received;
3. Conclude a report on the funding trends for the protection sector, in non-refugee situation humanitarian emergencies, providing the GPC and donor partners with concrete observations and recommendations on the subject, including any advocacy work that needs to be undertaken;
4. Organize a partner de-briefing workshop at which the funding review report will be presented to key stakeholders, including donor partner organizations;
5. Ensure an informed understanding of protection funding trends and policies, specifically patterns in any funding shortfalls for protection in order for the GPC to more effectively advocate for the closing of gaps.

The consultant is expected to implement the Project in three phases:

Phase I: Review Sample Funding Appeal Documents and Patterns in Contributions to the Non-Refugee Emergency Protection Sector

- a) Elaborate a research and review plan that will be agreed to by the Steering Committee of the Global Protection Cluster;
- b) Desk top and consultative review of the types of projects and trends and patterns in the actual funding of the Protection sector in non-refugee humanitarian emergencies from a representative sample of funding appeals ranging from 2007-2012;
- c) The review should also map funding trends and patterns as they specifically relate to child protection, mine action, housing, land and property and gender based violence activities.
- d) Take stock of similar funding review projects that have been undertaken by participants of the Global Protection Cluster, especially including the study undertaken by the global level Child Protection Area of Responsibility on funding trends with regard to child protection;
- e) Examine donor guidance for proposals addressing protection and prioritization of resource allocation;
- f) Provide evidence based findings, data and observations of the trends and patterns in the funding of the protection sector in non-refugee humanitarian emergencies;

Review Phase: To be Completed within 3 months

Phase II: Conclude a report on the Protection Sector Funding Trends and Patterns

- a) Conclude a report on the funding trends for the protection sector in non-refugee humanitarian emergencies providing the Global Protection Cluster with concrete observations and recommendations on the subject, including any advocacy work that needs to be undertaken;
- b) Present the report to the GPC Steering Committee for its consideration, comments and suggestions

- c) Finalize the report

Report Phase: To be Completed within 2 Months

Phase III: Design De-briefing Workshop

- a) Design and organize an all stakeholder de-briefing Workshop in Geneva, Switzerland;
- b) Present the findings of the study review to an all stakeholder de-briefing Workshop in Geneva, Switzerland;
- c) Complete a final report of the review incorporating the findings of the study as well as the views and comments of the all stakeholders offering concrete recommendations;

De-Briefing Workshop Phase: To be completed within 1 month

Duration of the Consultancy: 120 Days

Phase I (60 Working Days): Completion of Review.

Phase II (40 Working Days): Completion of Report on the Study Review with Recommendations

Phase III (20 Days): All Stakeholders De-briefing Workshop.

13) Monitoring and Progress Controls (reports requirements, periodicity, format, deadlines) will be done as per the responsibilities as specified in the TOR. In general the following steps will be closely looked into:

- The assignment will be closely monitored and directed by UNHCR staff in the Global Protection Cluster Support Cell. The Consultant will work under the overall guidance of the Global Protection Cluster Coordinator and the direct supervision of the Head of the Global Protection Cluster Support Cell.
- The Global Protection Cluster's Steering Committee will be kept closely informed of the progress and satisfactory completion of each phase of the project. During the course of the project, the Steering Committee will have the opportunity to provide guidance and in-put recommendations in order to ensure successful implementation.
- The consultant is to deliver the final product on or before 30 June 2012.

Definition of the Final Product: Two reports: 1) Analytical report on the trends and patterns in funding to the protection sector in non-refugee emergencies. The report will contain concrete recommendations to be used for advocacy purposes with donor partners to increase protection funding; 2) A summary record report of the stakeholder de-briefing.

Annexe D: Bibliography

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Annexe E: Endnotes:

¹ <http://www.savethechildren.net/sites/default/files/libraries/Too-Little-Too-Late-Report.pdf>

² The Global Protection Cluster's mandate is limited to non-refugee (i.e. IDP) situations, and UNHCR retains its sole responsibility for refugee protection. This study does not consider funding for refugee protection

³ This characteristic of volatility is underlined by the Global Humanitarian Assistance Report (2013): p 46
<http://www.globalhumanitarianassistance.org/report/4216>

⁴ The three main reference documents for protection are the ICRC's recently-updated Professional Standards For Protection Work Carried Out By Humanitarian And Human Rights Actors In Armed Conflict And Other Situations Of Violence (2013) <http://www.icrc.org/eng/assets/files/other/icrc-002-0999.pdf>, IASC's Handbook for the Protection of Internally Displaced Persons (2010) <http://www.refworld.org/docid/4790cbc02.html>, and Sphere's Humanitarian Charter and Minimum Standards in Humanitarian Response (2011) <http://www.spherehandbook.org/>. In addition there is a comprehensive ALNAP guide to evaluation of protection http://www.globalprotectioncluster.org/_assets/files/tools_and_guidance/ALNAP_Guide_Humanitarian_Agencies_2005_EN.pdf

⁵ According to the Inter-Agency Standing Committee (IASC) protection is defined as: "...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. HR law, IHL, refugee law)". IASC IDP Protection Policy, 1999 available at <http://www.humanitarianinfo.org/iasc/downloaddoc.aspx?docID=4415&type=pdf>. The definition was originally adopted by a 1999 Workshop of the International Committee of the Red Cross (ICRC) on Protection.

⁶ http://ec.europa.eu/echo/files/policies/sectoral/2012_protection_funding_guidelines_en.pdf

⁷ <http://www.brookings.edu/research/books/2011/thepoliticsofprotection>

⁸ An affected population includes the displaced and those at risk of displacement, conflict affected populations, host communities, and others affected by a humanitarian situation

⁹ In protection, perhaps more than in any other field of humanitarian work, context is key. Beyond the general factors indicated here, the donor approach to protection in any given situation is likely to take into consideration political and economic factors unique to that donor in that country

¹⁰ FAO Food Price Index <http://www.fao.org/worldfoodsituation/wfs-home/foodpricesindex/en/>

¹¹ <https://ochanet.unocha.org/p/Documents/World%20Humanitarian%20Data%20and%20Trends%202012%20Web.pdf>

¹² Imperfect though the appeals might be, "there is currently no comprehensive, objective measure of humanitarian need, complicating advocacy for more appropriate humanitarian funding levels. The closest approximation is the Consolidated Appeals Process." DAC report Towards Better Humanitarian Donorship <http://www.oecd.org/dac/peer-reviews/12lessons.pdf>. FTS does provide data on the overall level of funding requested for protection within the appeals, but does not provide this broken down at the level of Areas of Responsibility. For a discussion of the limitations of using the CAPs as a proxy for humanitarian need, see Global Humanitarian Assistance Report 2013, page 12 <http://www.globalhumanitarianassistance.org/report/4216>

¹³ Consistent with other analyses of FTS data, notably the Global Humanitarian Assistance Report 2013, we have used the more limited dataset within FTS of the CAP and CAP-like appeals. This data generally excludes ICRC and greatly underreports UNHCR funding. The reasons why the "underfunded gap" data in Figure 1.2 shows a marked dip in 2011, while "overall protection funding" remained constant in Figure 1.1, is in part explained by the underreporting of ICRC in Figure 1.2 (in 2011 ICRC's spending was boosted by \$30m, mainly due to a favourable CHF/USD exchange rate shift), and in part by an increase in requested protection funding for 2011 (up 10% between 2010 and 2011)

¹⁴ We also analysed the DAC data for 2007-2011. DAC-CRS does not provide a sub-sector code that fairly represents Protection, but the approximate data available in the CRS code "Relief co-ordination; Protection and support services" also increased steadily every year, and there is definite convergence (narrowing of the gap) relative to all DAC-recorded humanitarian spending between 2010 and 2011. So the DAC data is consistent with the FTS data provided here

¹⁵ We can adapt DAC guidelines relating to gender mainstreaming, and use the following working definition: “A mainstreaming strategy has two major aspects: 1. The integration of [protection] concerns into the analysis and formulation of all policies, programmes and projects; and 2. Initiatives to enable [populations at risk of, or experiencing deliberate harm] to formulate and express their views and participate in decision-making across all [humanitarian] issues. A mainstreaming strategy does not preclude initiatives specifically directed towards vulnerable populations”. Mainstreaming is usually built upon contextual analysis, planning and conscious allocation of resources, sometimes complemented by a theory of change, a results framework and performance indicators. The GPC defines it in their protection toolkit as “the process of incorporating protection principles and promoting meaningful access, safety and dignity in humanitarian aid”

¹⁶ Several donors in capitals and in the field described a pattern whereby they provided generous initial funding on the basis of a passionate appeal for an evidently important problem of protection, but then after year two or three they reduced their funding because – notwithstanding the importance of these issues – either the implementing organisations were not able to achieve the results (due to problems of access or capacity that had been initially underestimated), or were not able to report on outcome-level results even after two years of funding, or were submitting formulaic project requests that showed little evolution from the beginning and insufficient evidence of either ongoing needs or likely progress. As one donor put it “we are now in year six of a protracted emergency but the partners are still proposing exactly the same activities as in the beginning”

¹⁷ CERF Secretariat Report dated 22 September 2011: [CERF Funding Specific Sector Protection](#)

¹⁸ This data is extracted directly from FTS and differs slightly, but we would argue not significantly, from the data reported by OCHA in the 22 September report cited above

¹⁹ The fact that CHF volumes are steadily increasing as CHFs are being introduced into additional complex emergencies bodes well for protection financing. [Global Humanitarian Assistance Report 2013](#): p 65

²⁰ All the Carry-over data was extracted from FTS on 20 March 2013

²¹ This is discussed in more detail in section 2.4. The general conclusion that donors do not often make conscious sectoral decisions when allocating humanitarian funding is confirmed by the recent Good Humanitarian Donorship review, notably in donor responses to the survey question 8: “Detail the criteria and tools you use to decide who, where, and what to fund”

http://www.goodhumanitarianandonorship.org/Libraries/Members_pages_Key_Documents/GHD_indicators_report_2012.sflb.ashx

²² Protection is also unlike some other sectors of humanitarian assistance in that, as a rights-based concept, it is inherently elastic. With food, water, shelter or a health service – quality can vary but at least an observer can credibly count whether it is adequate or not. Protection needs are better measured by risks than by incidents, they are complex and overlapping, and (as in Western societies) needs that are based on rights can never be fully met. So the resource challenge is to determine the best balance point in any given situation between the effectiveness of efforts to reduce risks, and the costs of doing so. To the extent that the concept of protection is elastic and contextually-defined, and spreads sideways into areas of development as well as forwards in time, it has much in common with its similarly undefinable and underfunded cousins “Early Recovery” or “Transition”, and its better-funded cousins “Disaster Risk Reduction” and “Resilience”

²³ This general conclusion that protection is underfunded does not apply to Mine Action. Notwithstanding an expected decline in the near future (as treaty members end and renew their multi-year commitments) and concern specifically about decline in support for victim assistance, in general the identification of Mine Action needs and the obligations to fund them are supported by a treaty, funding has remained high and constant, and donor survey respondents unanimously felt that funding is sufficient

²⁴ Communication with the Child Protection Working Group coordinator

²⁵ Rule of Law and Justice; Prevention and Response to GBV; Protection of Children; Protection of Persons or Groups of Persons with specific protection needs (e.g. IDPs, single-headed households, minorities, older persons, disabled persons, etc); Prevention and Response to Threats to Physical Safety and Security and other Human Rights violations; Mine Action; Land, Housing and Property Issues; Promotion and Facilitation of Solutions; Logistics and Information Management Support for the Cluster

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- ²⁶ <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=type&type=THEMREPORT&publisher=IASC&coi=&docid=4ae9acb6d&skip=0>
- ²⁷ Rule of Law and Justice, Protection of Persons or Groups of Persons with specific protection needs, Prevention and Response to Threats to Physical Safety and Security and other Human Rights violations, Promotion and Facilitation of Solutions, Logistics and Information Management Support for the Cluster
- ²⁸ “The focal point [is] responsible to the cluster lead for ensuring that those [protection] activities are undertaken, irrespective of the fact that the agency is implementing the activities or had delegated this role to a partner”. IASC, Cluster Working Group on Protection Progress Report, 12 December 2005
- ²⁹ For example in Child Protection: <http://cpwg.net/minimum-standards/> in GBV: http://www.humanitarianinfo.org/iasc/pagelader.aspx?page=content-subsidi-tf_gender-gbv in HLP: <http://2001-2009.state.gov/documents/organization/99774.pdf> for mainstreaming: [http://www.globalprotectioncluster.org/assets/files/tools_and_guidance/WV Interagency Minimum Standards 2012 EN.pdf](http://www.globalprotectioncluster.org/assets/files/tools_and_guidance/WV_Interagency_Minimum_Standards_2012_EN.pdf) and generally: [http://www.globalprotectioncluster.org/assets/files/news_and_publications/IDP Handbook EN.pdf](http://www.globalprotectioncluster.org/assets/files/news_and_publications/IDP_Handbook_EN.pdf)
- ³⁰ For the methodology used for the AoR breakdown, see Annexe A. General Protection is not technically an AoR
- ³¹ 2012 data is preliminary and subject to confirmation
- ³² With the text-filter sorting methodology we used, we have least confidence in the Housing Land and Property portrait
- ³³ The Anti-Personnel Mine Ban Convention obligates affected states to clear mines, and obligates those countries “in a position to do so” to provide cooperation and assistance, thereby forming a compact enshrined in a treaty wherein donors agree to fund if mine-affected countries agree to clear
- ³⁴ It is important to note that UNICEF has significant resources and flexibility to allocate between sectors and countries to fill critical gaps – thereby providing a cushion that is not available to the same extent to SGBV or HLP
- ³⁵ source: Development Assistance Committee (DAC)
- ³⁶ A reminder – this is not all the protection funding, but this is the funding that is coded as protection and on-appeal, as the appeal request is the only proxy we have to systematically measure the extent of the protection needs. This would for example always exclude ICRC as well as UNHCR’s support for refugee protection
- ³⁷ Note that the Mali data only covers 2011-2012 and Mali’s emergency was politically highly visible from the moment of its sudden onset
- ³⁸ We compared this ranked list of the “Protection Funding Gap” with ECHO’s Forgotten Crises Assessment. For 2013 ECHO lists Sri Lanka, Myanmar, CAR, Pakistan and Yemen as Forgotten Crises: a listing that does not correlate significantly with the “Protection Funding Gap” 2007-2012
- ³⁹ See for example, Darcy, James & Hofmann, Charles-Antoine (2003); Smillie, Ian & Minear, Larry (2003); Walker, Peter & Pepper, Kevin (2007); Global Humanitarian Assistance Report (2013); and the entire discussion around funding according to needs under the aegis of Good Humanitarian Donorship. 79% of respondents to our online survey also felt that foreign policy concerns have Very High or High influence over protection funding in their situations
- ⁴⁰ The FTS portion of this table was extracted on 26 March 2013 and not limited to the “on-appeal” dataset. Note that this table does not include UNHCR funding for refugee protection
- ⁴¹ See Annexe A for the detailed methodology
- ⁴² Given that OHCHR’s work in humanitarian crisis situations is also a part of its core work, it is not sufficiently reflected in humanitarian planning and funding documents, including FTS. This could lead to an erroneous conclusion that OHCHR does not obtain funding for its activities in humanitarian action
- ⁴³ Within the donor community there are competing forces at play: on the one hand there is an incentive to prefer UN agencies because approvals are easier, projects are larger and donor risks are more shared, but at the same time donors are striving for more of the visibility that is provided by supporting NGOs (especially NGOs associated with the donor country). The absence of a significant shift in the UN-NGO ratio over the study period suggests either that these two forces are in cancelling each other out, or that these forces are not experienced in the protection domain
- ⁴⁴ It is important to bear in mind that a proportion of the sectoral allocation of these funds, varying by organisation and emergency country, is decided by the donors and pooled fund managers

⁴⁵ FTS does not show those funds that are provided to UNHCR for IDPs or refugees, and that UNHCR then sub-contracts to NGOs for implementation. And, unless the NGOs voluntarily enter the data, FTS also does not show the considerable contributions made by members of the public to the direct fundraising appeals of NGOs, or funding received from non-humanitarian sources

⁴⁶ To some extent this bundling of activities is done in order to achieve operational efficiencies and economies of scale for both the implementing organisation and the donor agency, but it also has the very powerful value of permitting organisations to tap into both general and specialised funding sources

⁴⁷ In 2009 the figure was approximately 16% and falling to around 8% in 2010:

<http://www.globalhumanitarianassistance.org/wp-content/uploads/2011/08/ERF-profile-final.pdf>

⁴⁸ DAC code 700 “Humanitarian Aid”. The reliability stems from the compulsory reporting whereas FTS is voluntary, and the better quality of coding at the sector coding level (sub-sector coding is more problematic)

⁴⁹ These three graphs use the methodologically more rigorous and narrower dataset of on-appeal protection funding, and the AoR text filters described in the Methodological annexe A. However, the HLP figures are over-reported here because the text filters coded some IOM and all ICLA contributions as HLP even if they were not part of an established HLP program

⁵⁰ Although FTS does not differentiate between USAID/OFDA and State/BPRM contributions, this graph almost certainly reflects USAID/OFDA patterns since BPRM’s financing is mostly unearmarked at the institutional level, and OFDA’s financing is all targeted at specific projects – many of which will be on-appeal

⁵¹ ECHO in the field emphasised that with fewer staff to manage an increasing workload, there are strong administrative incentives to finance fewer but larger projects within each emergency – which in turn encourages organizations to submit multi-sector proposals, or ideally one proposal per organization per country per year. The result of all this is that there are fewer protection-only projects in the ECHO portfolio

⁵² http://eeas.europa.eu/anti_landmines/docs/guidelines_08_13_en.pdf

⁵³ As of July 2013, USA/BPRM, Australia and Switzerland have separate humanitarian protection policy statements. USA/OFDA and ECHO have extensive guidelines on protection embedded in their humanitarian funding guidelines. Belgium and the UK have clear protection statements included within their overall Humanitarian strategies, and other EU member countries generally subscribe to EU regulations and treaties which include protection in various ways

⁵⁴ Table 1.10 replicates data from DARA’s 2011 Humanitarian Response Index (assessing the 2010 programming year), and scores how field partners perceive the various donors from the viewpoint of “Funding protection of civilians” and “Advocacy for protection of civilians”, ranked according to the funding perception. DARA: [Humanitarian Response Index 2011](#). The question asked in DARA’s field survey was “Does your donor facilitate protection of civilians: In terms of funding? In terms of advocacy?” The survey had 877 responses from 9 sample countries, however the number of responses for each of Finland, Belgium and Luxembourg was low, and throughout the whole survey there were no responses to these two questions from 23-25% of respondents. For further discussion of the DARA 2011 qualitative indicators see http://daraint.org/wp-content/uploads/2012/03/Qualitative_indicators_construction1.pdf

⁵⁵ UAE accounts for two-thirds of the entire amount of emerging donor contributions: approximately \$4,000,000

⁵⁶ See p.12. See also the GHA Briefing Paper [Private Funding: An emerging trend in humanitarian donorship](#), GHA 2012, and Figure 1.1 of [GHA 2013](#), which shows that private funding estimates for humanitarian response were \$6.3 billion in 2010, \$5.7 billion in 2011 and \$5.0 billion in 2012: broadly consistent with the USA data

⁵⁷ They are also the donors with the most-developed protection funding guidelines, and specialised protection expertise on staff

⁵⁸ In the field we participated in spirited discussions on whether the GPC is responsible for tackling protection problems that are inherent in the society – after all the GPC is a voluntary association of protection actors many of whom have development mandates as well. Our opinion is that the GPC should only address the protection concerns that are created or aggravated by the circumstances of threat or displacement resulting from a crisis

⁵⁹ “exit strateg[ies] for protection programmes must be envisaged at the earliest possible stage. A very early collaboration with the local or national authorities and with other actors able to pursue longer term programmes (other EU services, United Nations agencies, World Bank etc.) is needed”

http://ec.europa.eu/echo/files/policies/sectoral/Prot_Funding_Guidelines.pdf

⁶⁰ ICRC, Strengthening Protection in War: A Search for Professional Standards, Geneva, 2001 <http://www.icrc.org/eng/resources/documents/publication/p0783.htm> Similarly, for ECHO “protection activities are understood as non-structural [defined as “a long term process of building or strengthening of institutions”] activities aimed at reducing the risk for and mitigating the impact on individuals or groups of human-generated violence, coercion, deprivation and abuse in the context of humanitarian crises, resulting both from man-made or natural disasters.”

⁶¹ The close relationship between “protection” and “early recovery” was recognised by the IASC at the moment of Humanitarian Reform and the creation of the cluster system, as demonstrated by the shared guidelines of 2008: http://www.globalprotectioncluster.org/_assets/files/news_and_publications/gpc_iasc_protection_idps_assessment_action_2008-EN.pdf

⁶² ECHO and USAID stand out in their clear expectations that project proponents immediately consider their exit/transition strategies at the moment of initial project design, but neither donor appears to have put in place mechanisms to facilitate transition financing being provided by the development arms of their own Agencies

⁶³ Similarly, DAC lists in 2011 (all donors) the following contributions that could have a significant protection component: Civilian Peace-building and Conflict-Prevention: \$1.585 billion; Human Rights: \$1.006 billion; and Women’s Equality organisations and institutions: \$566 million. Further linkages could be made for Child Protection to donor funding of Early Childhood Education and Basic Health Services, which are often provided to IDPs within the context of Child-Friendly Spaces.

⁶⁴ For a current example, see the Syria Briefing Note of 30 January 2013 at <https://www.sheltercluster.org/MENA/Syria/pages/default.aspx>

⁶⁵ A remarkable example of this was observed in Pakistan, where a \$6 million humanitarian contribution from Japan to digitize damaged manual land records in flood-affected areas of KPK Province was so successful in (a) restoring land rights to displaced people, (b) resolving and preventing violent conflicts over land, and (c) providing a source of revenue for local government, that the Provincial government has adopted the model and the implementing partner, and continues to roll the program out over a larger area using the Government’s own funding.

⁶⁶ <http://reliefweb.int/report/world/still-minding-gap-review-efforts-link-relief-and-development-situations-human>

⁶⁷ <http://siteresources.worldbank.org/EXTLICUS/Resources/UN-WBFramework.pdf>

⁶⁸ <http://www.unhcr.org/4e27e2f06.html>

⁶⁹ http://www.oecd-ilibrary.org/development/international-engagement-in-fragile-states_9789264086128-en

⁷⁰ <http://www.goodhumanitariananddonorship.org/gns/activities/current-workplan.aspx>

⁷¹ <http://siteresources.worldbank.org/EXTSOCIALDEVELOPMENT/Resources/244362-1265299949041/6766328-1265299960363/SG-Decision-Memo-Durable-Solutions.pdf>

⁷² http://www.keepeek.com/Digital-Asset-Management/oecd/development/international-support-to-post-conflict-transition_9789264168336-en

⁷³ We would argue that this would be best applied in contexts that are awash in development funding, for example Afghanistan, Pakistan and South Sudan – it is not clear how to proceed in situations like CAR or Chad where there is no significant development program to hook onto

⁷⁴ Further evidence of sector under-reporting in FTS can be found by comparing FTS reports against the OCHA 4W reports for the protection sector in any given country. Typically there are significantly more, sometimes double the number of agencies reporting protection activities and outputs than are listed in FTS

⁷⁵ This study was commissioned as a study not as a formal evaluation, but it uses a number of basic evaluative techniques. In evaluation terms, it could be characterised as a formative evaluation focussing on process efficiency, without a general theory of change. It uses a non-experimental approach, and predominantly descriptive techniques. A general picture of relationships and causality was developed through triangulation of the results of donor and stakeholder surveys, roundtables, semi-structured expert interviews and literature review

⁷⁶ There was a significant and understandable difference in the country distribution of the English and French surveys, suggesting that an English-only survey will overlook Cote d’Ivoire, DR Congo, Haiti and Mauritania

⁷⁷ For example, the [State of the Humanitarian System survey](#) of 2012

⁷⁸ Encouragement to complete the survey was pushed out by e-mail through the Global Protection Cluster network, supplemented by targeted follow-up through country-level cluster coordinators and OCHA/UNHCR mailing lists. The survey was also available on the front page of the GPC website for approximately 5 months

⁷⁹ This is consistent with the respondent profile of 44% with at least 10 years' experience in the humanitarian field and 44% with 4-9 years' experience in the field

⁸⁰ The list of eleven options was developed based upon initial interviews with protection experts and field-tested before being finalised. The survey software presented these options to respondents in random order

⁸¹ Our donor interviews showed that while most donor capitals are populated by humanitarian generalists, some (the larger donors) have specialised protection capacity. In these latter cases, an additional advocacy strategy is to provide information and especially evidence to these protection experts in donor HQs, so that they can in turn effectively advocate for protection within their organisations

⁸² This survey question did not require respondents to rank replies, but rather to score them, hence the dominance of "very important" and "important" in the responses

⁸³ <http://www.un.org/News/Press/docs/2005/sc8458.doc.htm>

⁸⁴ <http://womenpeacesecurity.org/media/pdf-scr1960.pdf>

⁸⁵ <http://www.childprotectionims.org/service.php>

⁸⁶ <http://www.gbvims.org/>

⁸⁷ These views incorporate detailed open-ended explanations offered in the online survey

⁸⁸ Arguably, only ECHO is firewalled from some measure of political influence and in a position to act solely on its assessment of protection needs

⁸⁹ Handbook for the Protection of Internally Displaced Persons: IASC, 2010 <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?docid=4790cbc02> p. 378

⁹⁰ <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=publisher&docid=4ae9acb71a3&skip=0&publisher=IASC&querysi=cluster%20working%20group&searchin=title&sort=date>

⁹¹ <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?docid=4790cbc02>

⁹² http://www.globalprotectioncluster.org/assets/files/about_us/GPC_Strategy_2012_2014-EN.pdf

⁹³ <http://www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-products-products&bodyid=3&publish=0>

⁹⁴ The most comprehensive being World Vision's 2012 Minimum Inter-Agency Standards for Protection Mainstreaming http://www.globalprotectioncluster.org/assets/files/tools_and_guidance/WV_Interagency_Minimum_Standards_2012_EN.pdf

⁹⁵ <http://www.wfp.org/content/wfp-humanitarian-protection-policy>

⁹⁶ http://transition.usaid.gov/our_work/humanitarian_assistance/disaster_assistance/resources/files/accg/guidelines_for_proposals_2012.pdf

⁹⁷ For an example of how Value for Money drives the donor agenda, see DfID's approach at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/49551/DFID-approach-value-money.pdf

⁹⁸ There are different views on whether this is a cause or effect of underfunding. The "Too Little, Too Late" study and in-depth interviews conclude that this is an effect – as organisations have been numbed by consistent underfunding to reduce the ambition of their proposals, feeding a vicious cycle of lower expectations and lower standards. In contrast, some donors feel that protection project requests overstate the needs and the delivery capacity of implementing partners

⁹⁹ https://docs.unocha.org/sites/dms/CERF/FINAL_Life-Saving_Criteria_26_Jan_2010_EFS.pdf There might be some value in differentiating more clearly which protection activities prevent acts of deliberate harm (and could reasonably be seen as more "life-saving" i.e. in the lower left quadrant of Fig 1.11), from activities that address the consequences of abuse (and which, however personally and socially valuable, could be seen as less "life-saving")

¹⁰⁰ None of the 54 respondents identified "poor monitoring and evaluation" (one of 12 options) as "the single biggest problem hindering effective response", suggesting that some protection actors – even if they see

monitoring and evaluation as a credibility problem with donors, do not see it as a major programming performance constraint

¹⁰¹ The GPPI study of [What works in Protection and how do we know](#) “revealed only a few sophisticated attempts at measuring the success of different types of protection interventions.” Not enough to draw any conclusions, but enough to suggest directions for further research

¹⁰² In the donor survey we asked donors how much of their funding for the major UN and NGO organisations was “protection” and the amounts donors estimated were universally greater, in some cases two or three times greater, than the amounts reported by those same organisations

¹⁰³ The concern about results does not seem to correlate with preference for project vs core/pooled funding mechanisms: USA/BPRM and DfID are results-focussed and prefer core/pooled channels, while USA/OFDA and ECHO are similarly results-focussed and prefer project funding

¹⁰⁴ In addition to the donor questionnaire responses, expert interviews and discussions with donors during field visits, this was also emphasised in the open-ended replies provided to OCHA in their 2012 survey of donors in preparation for the 2013 CAP season. In that context, donors stressed the need for baselines in the CAPs, true prioritisation according to needs, and more outcome/impact reporting on the previous year’s program

¹⁰⁵ Concerns about the efficiency and effectiveness of the CAP process from the viewpoint of obtaining project funding were expressed by several experts interviewed in the course of this study, as well as throughout the field visits. In OCHA’s 2012 survey referenced earlier, donors agree that the projectisation aspects of CAPs is important for planning and coordination, but donors were split about 1/3 stating that they pay serious attention to the CAP project lists when making funding choices, 1/3 stating that they accord them some attention, and 1/3 pay little attention to the project lists

¹⁰⁶ The OCHA survey information is not published but was kindly shared with us by OCHA for the purposes of triangulating donor views in the context of this study

¹⁰⁷ Donor contributions to Pooled Funds are a special category, because in this case the allocation choices are deliberately handed over by donors to the relevant body at the country level, usually the HCT, who then set priorities and decide on the protection weighting.

¹⁰⁸ In the case of multi-sectoral organisations, both multilateral as well as the big INGOs, donors do not usually earmark at the sector level

¹⁰⁹ This being said, the reciprocal viewpoint was also heard: that NGOs will prioritise what the donors prioritise. There is no doubt much to both points of view, and advocacy needs to target both sides of the equation

¹¹⁰ See the GPPI study at http://reliefweb.int/sites/reliefweb.int/files/resources/GPPI_2013_DFID_scoping-study-protection.pdf

¹¹¹ Ideally, a results framework would connect together the global, national and AoR levels. It would have a coherent set of SMART indicators which would allow aggregation of results, but the targets and approaches to achieve those results would be variable according to the context of the activities. An appropriate results framework would need to consider that protection results are likely to be as much qualitative as quantitative, and that behaviour change takes place over a long time

¹¹² http://reliefweb.int/sites/reliefweb.int/files/resources/GPPI_2013_DFID_scoping-study-protection.pdf

¹¹³ http://www.interaction.org/sites/default/files/6031/RBA%20Project%20Brief_Final.pdf

¹¹⁴ We do not think it would be practical to introduce AoR-level coding into the FTS coding system. The general FTS priority should be to continue its work with donors and recipients to improve reporting frequency and the quality of information provided – including the breakdown of unearmarked funds -- through a more complete online data handbook explaining data standards and coding practices, tip sheets, training, and one-on-one consultations

¹¹⁵ The funding of coordination costs is a whole separate topic that has not been explored in this study. For a helpful overview of the issues and approaches see

<http://clusters.humanitarianresponse.info/system/files/documents/files/Framework%20on%20Cluster%20Coordination%20Costs%20and%20Functions%20at%20Country%20Level.pdf>

¹¹⁶ The GHD is currently under review. The report was not available at the time of drafting, but it is likely that recommendations of particular interest to protection will include: efforts to standardise report formats and

improve accountability (*GHD 23*) – this is particularly important given the current pressure on donors to demonstrate results to taxpayers and parliamentarians; methods to improve the involvement of beneficiaries in the design, implementation, monitoring and evaluation of the humanitarian response (*GHD 7*); engagement with operational partners to promote standards and enhance implementation (*GHD 2, 4, 15, 16*) that could be more effective if the GHD group developed joint advocacy positions; and improved burden sharing (*GHD 11 and 14*) and predictability (*GHD 12*) that could benefit from more proactive coordination of funding intentions within the group. Finally, sharing the results of monitoring and evaluation exercises (*GHD 21 and 22*), and conducting more joint assessments of operational partners, could also be useful learning

tools. <http://www.goodhumanitarianandonorship.org/gns/activities/overview.aspx>

¹¹⁷ http://resourcecentre.savethechildren.se/sites/default/files/documents/4382_

¹¹⁸ It is the basis for statistical analysis in the Global Humanitarian Assistance Reports, the DARA Humanitarian Response Index, and the State of the Humanitarian System surveys, as well as most UN analysis of humanitarian funding

¹¹⁹ 85% of the online survey respondents indicated that their organisation practiced a medium, significant or very high level of protection mainstreaming

¹²⁰ The only significant IDP situation that is not covered by this scan is Colombia, which has a total of \$49 million recorded in FTS for protection 2007-2012

¹²¹ Which already contains allocations to specific protection activities from CERF, CHF, ERF, UNICEF, UNFPA as well as from donor countries

¹²² UNHCR's data is one of the least consistently coded in FTS, and the UNHCR data is not usually broken down by partner organisation or project below the level of the country appeal and sector

¹²³ As a matter of principle ICRC does not associate itself with the CAPs, so the CAP dataset necessarily excludes ICRC

¹²⁴ UNHCR's spending on refugee protection (pillar 1 only) in 2010, 2011 and 2012 was respectively \$215m, \$297m and \$236m, equivalent to 3.5 – 4 times more than their protection spending on IDPs in these years. This reflects that UNHCR is the only protection-mandated agency for refugees, and has a shared mandate for IDP protection

¹²⁵ When the Global Protection Cluster was created in 2005, there were nine AoRs: Rule of Law and Justice, Gender-Based Violence, Child Protection, Protection of groups with Special Needs (including the elderly, disabled, minorities), Human Rights, Mine Action, Housing Land and Property, Facilitation of Solutions (UNDP), Logistics and Information Management. The Global Protection Cluster currently has four AoRs: Child Protection, Sexual and Gender-based Violence, Housing Land and Property, and Mine Action. Implicitly there is a fifth AoR, which is "General Protection" – a catch-all category that includes a range of protection-focussed activities such as registration, population profiling, community capacity for self-protection, legal assistance, prevention of forced return, confidence-building measures etc that no longer have their own AoRs

¹²⁶ After considerable and close examination of the data for 2009-2010, which contained some inconsistent coding practices for UNHCR data, we made three manual corrections: the amounts for UNHCR for the "Iraq situation" in 2009 and 2010 were manually adjusted to reflect the actual UNHCR IDP protection amounts noted in the UNHCR Global reports, and the 2010 UNHCR amount for protection of West African refugees (all refugees) was removed from the dataset as none of this represented UNHCR support for IDP protection (this expenditure would normally be coded by UNHCR under the Multi-Sector category)

¹²⁷ A common problem was projects whose text descriptions covered sexual violence against children. Generally-speaking, double-counts of this sort with UNICEF as the implementing Agency were resolved as Child Protection, and double-counts with UNFPA were resolved as Gender-Based Violence – following the respective leadership roles of the two Agencies