

PARTICIPANT WORKBOOK



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This workbook will be used throughout the training. It is divided into two sections. The first relates to activities and exercises that will be done throughout the training. The second includes important texts and background reading.

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ACTIVITIES AND EXERCISES

ALWAYS, SOMETIMES, OR NEVER STATEMENTS

Test your knowledge of the session on the international legal framework by completing the following statements with “always, sometimes, or never.”

This is a good way to gauge additional questions you may need to ask tomorrow!

1. International standards allow border authorities to prevent the entry of groups of asylum seekers if some among them are combatants.
2. If an IDP is registered as such in one country and receiving assistance, he or she still has the right to go to another country to seek asylum.
3. There are African human rights conventions that specifically endorse women’s rights and the elimination of discrimination against women.
4. Refugees have the right to the same quality of primary education as nationals of the country where they are located.
5. International law allows active members of armed rebel groups to live in refugee camps as long as they are not armed.
6. The 1951 Refugee Convention legally defines who is a refugee.
7. The Convention on the Rights of the Child (CRC) protects the health rights of internally displaced persons (IDPs) in Guinea, which is a party to the CRC, but not Liberian refugees in Guinea.
8. The CRC applies to refugee children from Sudan, but not refugee children from Somalia, since Somalia is not a party to the CRC.
9. All rights in the CRC are legally applicable to IDPs and refugees.
10. In the context of humanitarian assistance, “protection” generally refers to the rights of beneficiaries, and “security” refers to the risk of violence to NGO staff and property.
11. Sexual violence is a violation of humanitarian and human rights.
12. Serb Yugoslav Army officers who threatened Croatian civilians with humiliating and degrading treatment during the war in the former Yugoslavia violated international humanitarian law.
13. International law allows the government of Kenya to deport a refugee who enters the country illegally or fails to register as a refugee.
14. West African governments are in violation of international law if they prevent NGOs from delivering humanitarian assistance to refugees or IDPs.
15. The United Nations High Commission for Refugees (UNHCR) has the primary legal responsibility to keep rebel groups outside of refugee camps.
16. The Guiding Principles on Internal Displacement constitute international law binding on states.
17. A woman who has been displaced but has lived in a permanent settlement in camp with her family for five years is no longer an IDP.
18. The IDP Unit recently established at the Office for the Coordination of Humanitarian Affairs (UNOCHA) has the primary duty and responsibility to provide protection and humanitarian assistance to IDPs.

19. UNHCR has the legal responsibility to protect girls in refugee camps from being abducted by rebel groups.
20. There are no African human rights conventions that specifically endorse children's rights, such as protection against sexual exploitation and separation from parents.
21. The CRC contains no mechanisms to monitor its implementation and compliance.

ALWAYS, SOMETIMES, OR NEVER ANSWERS

1 Answer: Never. *Non-refoulement* – or the prohibition of forcible return of refugees to places where they fear persecution – is the cornerstone of refugee protection and is firmly grounded in international law. It always applies.

Family members of combatants, not those who happen to be in the company of combatants, cannot be *refouled* on the basis of their family members' military activities.

Ideally, asylum seekers should be given opportunities to lay down their arms and make appeals before they are termed combatants and interned. Their basic rights, including *non-refoulement*, should be respected.

2 Answer: Always. All people have the right to seek and enjoy asylum from persecution (Universal Declaration of Human Rights, Art. 14). Guiding Principles, Article 15, states this as well.

3 Answer: Always. The African Charter on Human and Peoples' Rights, Article 18(3), states: "The state shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of the woman and the child as stipulated in international declarations and conventions."

4 Answer: Always. States must treat refugee children and nationals the same way with respect to primary education (Refugee Convention, Art. 22). With respect to secondary and higher education, states must treat refugees as favorably as possible, and at least as well as other noncitizens in the country. In addition, the right to education is considered a fundamental human right, especially with respect to primary education, which must be provided free of charge.

5 Answer: Never. The Preamble to the 1951 Convention recognizes the humanitarian and nonpolitical nature of asylum, and the Organisation of African Unity (OAU) Refugee Convention prohibits refugees from engaging in any subversive activities against another state. Members of armed groups are eligible for asylum once they have genuinely and permanently laid down their arms. The host country has a responsibility to ensure that combatants are separated from the civilian refugee population.

6 Answer: Sometimes. There are also regional definitions of refugees, including that found in the OAU Refugee Convention, which broadens the 1951 Convention definition to include anyone fleeing the effects of violence or civil disturbance – not just those with a well-founded fear of persecution.

7 Answer: Never. The rights of the CRC apply to all – refugees and IDPs alike – without discrimination, as do many other human rights instruments to which countries are signatories. You don't lose your

human rights just because you're an IDP or a refugee. These rights range from freedom of expression, to education and healthcare, to protection against the sale and trafficking of children.

8 Answer: Never. The CRC applies to all children equally, without regard to nationality and whether or not children are IDPs or refugees. Though there are two countries that are not parties to the CRC – the U.S.A. and Somalia – the CRC has been so widely accepted that most of its provisions are considered part of “customary international law” and are binding on all states.

9 Answer: Sometimes/Always. If the country in question has NOT signed the Convention, not all the rights are legally applicable^{1*}. However, if the country has signed the Convention (and nearly all have) the answer is “always.” The rights of the CRC apply to all – refugees and IDPs alike – without discrimination, as do many other human rights instruments to which countries are signatories: you don't lose your human rights just because you're displaced. These rights range from freedom of expression, to education and healthcare, to protection against physical abuse.

10 Answer: Always. Although we often use the word “protection” in everyday discourse, it has a specific, technical meaning in the humanitarian context. “Protection” covers the range of activities through which refugee and IDP rights are secured and often refers to legal issues, physical security, and access to assistance. “Security” refers to the safety of NGO staff and property.

11 Answer: Always. The prohibition of sexual violence is found in several international instruments, including the Geneva Conventions and the CRC (Arts. 19, 34). The prohibition on sexual violence falls under the well-established protection against torture and cruel, inhuman, and degrading treatment. The prohibition is so widespread that it is considered part of international customary law, which means that it applies even to countries that have not yet endorsed it. In addition, the International Criminal Court recognizes sexual violence as a war crime and a crime against humanity in certain circumstances.

12 Answer: Always. The Geneva Conventions and its Additional Protocols strictly prohibit violence, murder, physical and mental torture, mutilation, humiliating and degrading treatment, enforced prostitution, rape, taking of hostages, and collective punishments, as well as threats to commit any of these acts.

13 Answer: Never. States cannot return refugees to a place where they fear persecution. *Non-refoulement* – the prohibition on rejection or expulsion of refugees – is the cornerstone of refugee law. It is found in the 1951 Refugee Convention (Art. 33), the OAU Refugee Convention (Art. 2), the Convention Against Torture (Art. 3), and the Fourth Geneva Convention (Art. 45). The principle is so well established that it is considered “customary international law,” which means it applies even to countries that have not formally endorsed it.

14 Answer: Always. The fundamental human rights of refugees and IDPs are violated if their basic needs and safety are not protected by the state. The humanitarian access of NGOs like the International Rescue Committee (IRC) is supported by international standards such as the Guiding Principles on Internal Displacement (Principle 30), UNHCR Executive Committee Conclusions, and United Nations Security Council Resolutions.

¹ Given that all but two countries have ratified the CRC, it is possible to argue that the principles have achieved a “customary” legal status that applies even to those countries that have not ratified the Convention.

15 Answer: Never. Legal responsibility for the protection of refugees and IDPs – including keeping armed groups out of camps – always lies with the host country. UNHCR holds a mandate – but not legal responsibility – to provide protection, and the International Committee of the Red Cross (ICRC), NGOs, and neutral states can also help. The Optional Protocol of the Convention on the Rights of the Child (Art. 4) as well as the African Charter on the Rights and Welfare of the Child (Art. 22) requires states to take all necessary measures to prevent recruitment.

16 Answer: Never. The Guiding Principles reflect human rights and humanitarian law applicable to IDPs and are consistent with refugee law, but are not a treaty-based international law in and of themselves.

17 Answer: Never. The Guiding Principles don't specify how long someone can be an IDP, nor what makes a person no longer an IDP.

Answer: Never. National authorities have the primary duty and responsibility in this regard, as per their sovereignty. The UN and NGOs act in support, typically once a Memorandum of Understanding (MOU) with the state has been signed.

Answer: Never. Legal responsibility for the protection of refugees and IDPs – including keeping armed groups out of camps – always lies with the host country, although UNHCR, ICRC, NGOs, and neutral states can help provide protection assistance.

Answer: Never. The African Charter on the Rights and Welfare of the Child provides a broad range of child rights, very similar to the CRC.

Answer: Never. All states that have become parties to the CRC are required to submit reports every five years to the Committee on the Rights of the Child. There are similar obligations for other human rights conventions. Committees review the reports submitted by states, pose questions, and make recommendations. NGOs sometimes help provide human rights information to the committees. You can read these reports on the United Nations High Commission for Human Rights website: <http://www2.ohchr.org/english/bodies/treaty/>

Adapted from an ICRC training activity

**Special
report**
Natural
disasters

After the cyclone, Bangladesh begins to bury its dead.

- Huge numbers of people still missing after Sidr
- Death toll could rise above 10,000, say aid agencies

Anis Ahmed in Dhaka

Tuesday November 20, 2007

The Guardian

Rescuers struggled yesterday to reach isolated areas along Bangladesh's devastated coast to give aid to millions of survivors, four days after cyclone Sidr killed more than 3,000 people.

"The tragedy unfolds as we walk through one after another devastated village," said relief worker Mohammad Selim in Bagerhat, one of the worst hit areas. "Often it looks like we are in a valley of death."

The confirmed death toll from the cyclone reached 3,113, while 3,322 are injured and 1,063 missing, Lieutenant-Colonel Main Ullah Chowdhury told reporters in Dhaka. But officials in affected areas say the official death toll is far below the real numbers. Aid agencies have said it could rise beyond 10,000. Chowdhury said two US Marine Corp C-130 aircraft arrived in Dhaka on Sunday night with medical supplies.

"We are trying to reach the affected areas on the vast coastline as soon as possible, then we will know how many people have died," a government official said.

While it would take several days to determine the number of dead and missing, about 3 million survivors who were evacuated from the low-lying coast or whose homes and villages were destroyed would need support, the government said. Aid workers fear that inadequate supplies of food, drinking water and medicine could lead to outbreaks of disease.

"Food, shelter and medicine are badly needed for the survivors," said Renata Lok Dessallien, the UN's resident representative in Bangladesh. Grieving families begged for clothes to wrap around the bodies of dead relatives for burial. In some areas, they put corpses in mass graves. Reporters said bodies were being discovered by the hour in the rivers and paddy fields and under piles of debris.

The head of the army-backed interim government, Fakhruddin Ahmed, flew to devastated areas on

Monday to reassure victims that his administration would provide enough aid. Speaking from Patuakhali, a badly damaged district, Ahmed said: "Your courage in facing the disasters like cyclones and floods gives us strength and reinforces confidence in our ability to do the best we can."

Cyclone Sidr smashed into the coast of southern Bangladesh late on Thursday with 155 mph winds that whipped up a five metre (16 ft) tidal surge. In its wake, bodies of people and animals floated down rivers. Relatives tried to identify them and bring them ashore, before burying them hurriedly without proper ceremonies.

Military ships and helicopters were trying to reach thousands of people believed to be stranded on islands in the Bay of Bengal and in coastal areas still cut off after the storm. The UN's World Food Programme and Bangladesh Air Force helicopters have begun dropping high-energy biscuits to people stranded in inaccessible areas.

World Vision, one of many non-governmental groups working to help survivors, said on Monday about 1,000 fishermen were still unaccounted for.

"Many of us climbed up in trees in the Sundarban forest, but I fell down when I saw a tiger below," said a fisherman on Dublarchar island. "The waves then swept me further into the mangrove and I found myself alive when the cyclone was over."

The Sundarban forest, home to the endangered Royal Bengal Tiger and a world heritage site, was badly hit. A forest official said Sidr had damaged trees over more than 100 square miles, but could not say how many animals had been killed. Iftekhar Ahmed Chowdhury, foreign affairs adviser to the government, said yesterday the authorities had taken all measures to prepare for Cyclone Sidr.

"Despite these steps, appalling damage has occurred, the assessment of which is still ongoing," he said in a statement. "We will welcome support from the international community." In the UK, the Red Cross, Oxfam and Save the Children have launched emergency appeals.

<http://www.guardian.co.uk/world/2007/nov/20/india.naturaldisasters>

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No food, no clothes, no home. The poor who have lost everything

Appeals for aid as country tries to recover from storm that has left 2m destitute

Jonathan Watts in Jhalokati

Friday November 23, 2007

The Guardian

Collapsed homes, uprooted trees and inundated crops puncture the serenity of the view from the Bangladeshi Air Force helicopter as it approaches the site of the country's worst cyclone in more than a decade.

After crossing high above mangrove forests, rivers and dusky swamps, the Russian-made MI17 swoops down towards the town of Jhalokati, drawing people running out of their homes towards the emergency landing pad in the local football stadium.

Word had got out that a new consignment of food, water and clothes was on its way to the hard-hit region.

Some were curious. Many others were desperate for the provisions sent by the World Food Programme (WFP) and paid for by international donors.

Police and soldiers kept the crowd at a distance as the chopper touched down and the 2.4 tonnes of high-energy biscuits and other aid was unloaded in less than 20 minutes.

Onlookers were patient but hungry. It has been a week since Cyclone Sidr struck and for some this is only the second time they have had outside help.

"We have no food, no clothes, no home. We have lost everything," said Henara Begom as her two-year-old son cried in her arms in a crush by the gate. "There are five people in my family. We haven't eaten for two days. We want to be strong so that we can rebuild our lives. But now we need help."

There are only 10 minutes before the chopper leaves. It must return to its base in the capital, Dhaka, before sunset as it is dangerous to land in the dark. But a man takes visitors outside the stadium to show the damage done to the community. As is the case throughout south-western Bangladesh, it is the poorest of the poor who are worst hit. Masonry "pukka" houses by the roads are relatively unscathed. But the families living in bamboo shacks at the edge of the river have suffered serious losses. At least 45 people have died here. Many others have lost their homes.

Submerged

At a rickshaw driver's shack the corrugated iron roof panels were torn off like strips of tinfoil. "The waters rose up and submerged our home," said the resident, as she stared up at the sky from what used to be her bedroom. "We need shelter more than anything."

It is becoming an urgent but familiar appeal after what was already one of the world's poorest nations was ravaged last Thursday by a cyclone that killed more than 3,100 people and left hundreds of thousands homeless and almost two million destitute.

Jhalokati is by no means the worst-affected region. More than 30km (19 miles) from the coast, it suffered less than the poor fishing villages and shrimp farms living on the sand bar islands closer to the Bay of Bengal.

International aid agencies say shelter is the biggest short-term priority, although clean water and medicine are also desperately needed to prevent a spread of waterborne diseases.

Tales of hardship fill the local media. "We don't have anything left. Everyone here, both the rich and the poor, has become a beggar," said Abul Kashem Hoalader, a politician from South Khali.

The Daily Star related the tale of a man who had been searching for his wife since he was knocked unconscious while holding her hand in the storm.

"I just found her body under the hyacinths in the canal," he said. "People are now tired of burying bodies and they are busy collecting whatever relief is available so I am not getting anyone to help me recover her body."

Relief workers described traumatic scenes as they visited areas that have previously been inaccessible.

"They are burying four or five people in a single grave. Homes are completely flattened, roads blocked and trees torn up," said Mokit Billah of Action Aid, who has just returned from the edge of the Sundarban, one of the worst-affected areas. "Yesterday I saw the body of a six- or seven-year-old child. A woman was running back and forth, crying, looking for her husband. There are so many poor and hungry people. So many dead bodies. I was crying. I have never seen anything like it in my life. The old people described it as the apocalypse."

There are stories too of heroism, tragedy and hope. In Kanainagar village a fisherman's wife - Shathi Sarkan - gave birth in a cyclone shelter as the winds howled around her. According to the Prothom Alo newspaper, locals have named her baby boy Sidr after the storm that they say brought something good among so much devastation.

A grimmer tale is told by the International Federation of the Red Cross, which mobilised 30,000 volunteers to spread advance warning about the cyclone with drums and loudspeakers, as well as dealing with its consequences.

One team leader, Anwar Hossain, reportedly spent hours warning residents in Patuakhali district to evacuate to shelters. But he was so busy helping others that when he returned to his own home he found his parents had been washed away by the tidal surge. His mother's body was later recovered.

The federation predicated 10,000 deaths, but they are now moving closer to the government's much lower estimate. It says, however, that the toll cannot just be measured in fatalities.

"It is not just about casualties and headcounts," said Devendra Tak, senior regional officer of the federation. "Half a million cattle have perished. There has been a huge effect on livelihoods. This is truly a disaster of large proportions."

Other aid groups, including Unicef, are working on the psychological damage to children.

Traumatized

“Some saw their relatives killed by trees that fell on their homes, or they saw dead bodies - something many of them had never seen before,” Raphael Palma, of World Vision, told Associated Press. “They are still somehow traumatized and need support.”

In the longer term the biggest need is for food, as some areas have suffered damage to 95% of their crops, many fishermen have lost their boats and the shrimp farms that are an important source of revenue in the worst-affected coastal region have been devastated.

The WFP is asking for almost \$30m (£15m) over the next three months to feed 2.2 million people. It would be a doubling of their existing operation in a country where a third of the 150m population subsist below the poverty line. Foreign governments have already pledged \$200m. Saudi Arabia has led the donors, but India, Pakistan, Britain and other EU nations had offered large contributions. Two US navy vessels, the Essex and Kearsarge, each carrying 20 or more helicopters, will join the relief effort at the weekend.

It is much needed. According to reports aid is still not reaching most victims and there are fears that the increase in weak people drinking polluted water could lead to more casualties. Yesterday there were at least two reports of people dying from diarrhoea.

But it could be far worse. During the last major cyclone, in 1990, 143,000 people died. A similarly powerful storm killed half a million in 1970. The gradually declining toll is attributed to shelters, better warning systems, improved international aid and luck - this year's killer cyclone could have been much worse if it had struck at high tide in a crowded area rather than in low tide with impact diluted by the natural tree barrier provided by the Sundarbans.

A quarter of the Sundarbans, the world's biggest mangrove forest, was wiped out after suffering the full fury of the cyclone. The area has been designated by the UN as a world heritage site. The carcasses of about a dozen deer have been found, but conservationists said they were hopeful that the rare royal bengal tiger had survived.

After the misery and destruction of last week the mood is shifting towards hope and reconstruction.

The Bangladeshi Air Force pilot, who asked to remain nameless, said the situation on the ground was better than when he had first started relief missions in the immediate aftermath of the disaster. Roads are being cleared so it should soon be possible to supply food in larger quantities by truck. “I am glad to help,” he said. “They have lost everything.”

<http://www.guardian.co.uk/world/2007/nov/23/naturaldisasters.internationalaidanddevelopment>

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BANGLADESH CASE STUDY: PRESS RELEASE

Press release: 27 November 2007

CRS has set up a Bangladesh Cyclone Appeal to raise money for those affected to provide relief, including food, blankets, medical supplies and emergency shelter such as tarpaulins.

CRS has sent an emergency team to the affected areas for quick assessment of losses caused by the powerful cyclone. "We will make a final appeal for international assistance after receiving the reports from the teams," John Ndege, a spokesperson for CRS, said.

Early assessments indicate that thousands have been killed, nearly 500,000 homes have been completely destroyed, and around 2.7 million people have been directly affected by the cyclone. Many markets in local areas are still functioning, but stocks are low and access is difficult. CRS and their partners will be focusing on the badly hit Patuakhali district where few aid agencies are currently working.

BANGLADESH SCENARIO: TASK ONE CASE A

Read the Bangladesh scenario and complete the following exercise.² You have 25 minutes for this task.

<p>Daisy is overseeing an NFI distribution to displaced people in Jhalokhati in the wake of the Bangladesh cyclone. She has noted that groups of well-informed, organized local people are relieving beneficiaries of their goods on the way home from the distribution site. It has also been reported that several girls have been sexually molested.</p>	
<p>1. What is the threat?</p>	
<p>2. Who is vulnerable?</p>	
<p>3. What can CRS and partners do? <i>Give one example for each mode of action.</i></p>	
<p>Responsive action</p>	
<p>Remedial action</p>	
<p>Environment building action</p>	
<p>4. Which other agencies might be involved and how?</p>	

² The "threat and vulnerability grid," adapted from "Protection in Zimbabwe, Training for CRS Partners," adapted by CRS from "The Liberia Protection Training Pack," OXFAM GB, p. 39 (2006) with the permission of Oxfam GB, Oxfam House, John Smith Dr., Cowley, Oxford OX 4 2JY, UK, www.oxfam.org.uk. Oxfam GB does not necessarily endorse any text or activities that accompany the materials, nor has it approved the adapted text.

BANGLADESH SCENARIO: TASK ONE CASE B

Read the Bangladesh scenario and complete the following exercise. You have 25 minutes for this task.

<p>You are visiting a school feeding project in the Patuakhali District and notice that there are no girls there. The teacher reluctantly tells you that families prefer sending only their sons to school. Another teacher tells you that early marriages are common in the community and that girls are needed at home to help in the wake of the cyclone.</p>	
<p>1. What is the threat?</p>	
<p>2. Who is vulnerable?</p>	
<p>3. What can CRS and partners do? <i>Give one example for each mode of action.</i></p>	
<p>Responsive action</p>	
<p>Remedial action</p>	
<p>Environment building action</p>	
<p>4. Which other agencies might be involved and how?</p>	

BANGLADESH SCENARIO: TASK ONE CASE C

Read the Bangladesh scenario and complete the following exercise. You have 25 minutes for this task.

<p>While talking to community members during an assessment, you hear that an “agent” is contacting families with several children and promising to help place their children with families that will take good care of them in exchange for light domestic work. A group of children has already been sent to a neighboring district, and there is no news of their fate.</p>	
<p>1. What is the threat?</p>	
<p>2. Who is vulnerable?</p>	
<p>3. What can CRS and partners do? <i>Give one example for each mode of action.</i></p>	
<p>Responsive action</p>	
<p>Remedial action</p>	
<p>Environment building action</p>	
<p>4. Which other agencies might be involved and how?</p>	

BANGLADESH SCENARIO: TASK ONE CASE D

Read the Bangladesh scenario and complete the following exercise. You have 25 minutes for this task.

<p>While assessing a collective stadium shelter where many of those displaced by the cyclone have temporarily settled, you ask what has happened to unaccompanied minors. You learn that these children are staying with families who are receiving extra rations for the children.</p>	
<p>1. What is the threat?</p>	
<p>2. Who is vulnerable?</p>	
<p>3. What can CRS and partners do? <i>Give one example for each mode of action.</i></p>	
<p>Responsive action</p>	
<p>Remedial action</p>	
<p>Environment building action</p>	
<p>4. Which other agencies might be involved and how?</p>	

THREAT AND VULNERABILITY ANALYSIS TEMPLATE

Using the Bangladesh case study, select one threat that you perceive may be a protection issue and answer the questions in the template below. You have 30 minutes for the task.

What is the threat?	
What is the vulnerability?	
Who is being threatened? Who is vulnerable to this threat?	
Who is the perpetrator?	
What is the impact on those affected? What can the community do to protect itself?	
Who is responsible for protection? What can they do?	
What can CRS and partners do?	

KEY PROTECTION ASSESSMENT DATA

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

- The types and patterns of abuse (when, where, and how);
- Who is at highest risk (groups and individuals);
- The source of threat to civilians (and to humanitarian aid workers) and the modus operandi/goals of the abuse perpetrators;
- The dynamic nature of the situation (how are conditions likely to change?);
- The reaction that perpetrators of violence might have to interventions;
- The level of risk to humanitarian staff, both local and expatriate;
- Identification of potential “protection allies”;
- Decision-making about access to services (health, schooling, food) and what protection assistance is needed;
- The number and skills of women available to assist in protection programs;
- What field personnel should do when they observe human rights violations;
- The relevant law for all actors; and
- Measures that might be taken to address issues related to justice and ending impunity.

HOW TO ASSESS CHILD-PROTECTION NEEDS³

This is a basic checklist that can be used in different areas and contexts. It can be further adapted to assess protection needs for specific vulnerable groups. See pages 59–62 (of the Good Enough Guide) for other resources and checklists.

1. Are there any reported cases of children:
 - Killed in this disaster?
 - Injured?
 - Missing?
2. Are there groups of children without access to:
 - Food?
 - Water?
 - Shelter?
 - Health care?
 - Education?
3. Have these cases been reported? To which organization?
4. Are there any reported cases of:
 - Children separated from their families?
 - Families with missing children?
 - Children sent away to safe places?
5. Have families generally moved as a group?
6. Are there groups of children living together without adults? Do they include children less than five years of age?
7. Are there individual adults who have assumed care and responsibility for a large group of children?
8. List any organizations taking care of separated children.
9. Are there serious protection and care concerns for girls that are not identified above?
10. Are there serious protection and care concerns for boys that are not identified above?
11. Which organizations are working on child-protection issues in the area?

³ Taken from the Emergency Capacity Building Project's "The Good Enough Guide: Impact Measurement and Accountability in Emergencies," p. 43: www.globalpolicy.org/ngos/aid/2007/0209goodenough.pdf. Oxfam GB (2007), with the permission of Oxfam GB, Oxfam House, John Smith Dr., Cowley, Oxford OX4 2JY, UK. Oxfam GB does not necessarily endorse any text or activities that accompany the materials, nor has it approved the adapted text.

GENERAL PROTECTION CHECKLIST⁴

Protection Issue	Response Short description
What is the demographic makeup of population? Male to female ratio? % children / % elderly / Main ethnic and religious groups?	
Are there any vulnerable groups? How many are there of unaccompanied children, unaccompanied women, single female-headed households, elderly, sick, people with disabilities?	
How many refugees / IDPs are there in the programming area? What numbers are living in camps and what numbers are living in the community?	
Is there any forcible return of refugees or IDPs to locations where they will be subject to persecution?	
What are the main threats to safety and security? Document any cases of arbitrary arrest and detention, torture, physical attacks, rape, other forms of sexual and gender-based violence (SGBV), maiming, or killing.	
Are people being coerced into activities against their will? Document any cases of forced relocation or armed recruitment.	
What are the vulnerabilities to protection abuses? Document patterns of abuse and which groups are most vulnerable as well as times and places where the violations take place.	
Are people being denied access to basic subsistence?	
Are any civilians being used as a shield for military objects or being targeted by military action?	
Does everyone have ID documentation that is recognized by authorities and provides them equal access to services?	
What coping mechanisms do community members currently use to protect themselves from abuse and violations?	
Is the state able and/or willing (specify which) to provide protection to civilians?	
What international and regional legal instruments has the country signed and ratified?	
Does the national legislation integrate international and regional instruments?	

4 Adapted from "The UNHCR Tool for Participatory Assessment in Operations", UNHCR, May 2006 www.unhcr.org [<http://www.humanitarianreform.org/humanitarianreform/Portals/1/cluster%20approach%20page/clusters%20pages/Em%20Shelter/Tollkit%20Field/7.2%20Assessment/7.2.2%20Guide-lines/7.2.2.8%20UNHCR%20Participatory%20Assessment%20Tool.pdf>]

What community laws and customs govern behavior?	
How are women's and children's rights reflected in national law and to what extent are these laws respected?	
Who are the key national actors responsible for the protection of communities in the project area?	
Which UN agency is the coordinating body for protection in country?	
What protection programs are being implemented by other agencies?	
Do community members have access to their rights and responsibilities in a language they understand?	
Is the Code of Conduct available to community members so that they are aware of the professional standards NGO staff are expected to maintain?	

CHEAT SHEET FOR WORKING WITH PROFRAME

Objectives Statements	Performance Indicator Statements	Measurements Methods/Data Sources	Critical Assumptions
<p>Goal:</p> <p>This describes the longer term, wider development change in people’s lives or livelihoods to which the project will contribute-whether only in a given region or in the nation as a whole.</p> <p>Think of the goal as long-term hope or aspiration.</p> <p>How to write: Write as a full sentence, as if already achieved. Put the general population of intended beneficiaries as the subject of the sentence.</p>	<p>This is the indicator you should worry about least because you cannot be certain of the effect of your intervention at this very high level.</p> <p>Data for indicators at this level are not normally collected by the project.</p>	<p>Data are drawn from appropriate existing sources such as AI, FAO, Freedom House, UN, national government statistics.</p>	<p>It is not necessary to complete this box.</p>
<p>Strategic Objectives (SOs):</p> <p>These describe the noticeable or significant benefits actually achieved and enjoyed by targeted groups by the end of the project (EOP). These are achieved through changes at the IR level as a consequence of the outputs from well-done activities.</p> <p>Each SO expresses an aim that is realistic, specific to the project, and measurable.</p> <p>SOs are really the central purpose of the project-that is, why it was designed and implemented in the first place!</p> <p><i>How to write: Write in full sentence as if already achieved. Put the targeted primary beneficiary group(s) as the subject of the sentence.</i></p>	<p>SO indicators reflect the benefit(s) expected to occur for beneficiary subgroups by EOP as a result of behavioral change(s) (achieved at IR level prompted by successful delivery and receipt of the project’s outputs).</p>	<p>SO indicators are generally monitored and/or evaluated via field visits and midterm and final evaluations.</p> <p>To measure these benefits against the targets set, EOP results are always compared with the corresponding baseline findings (whether from primary measurement methods or other data sources) in the final project evaluation.</p>	<p>Assumptions that will affect achievement of the goal concern:</p> <ul style="list-style-type: none"> a) the longer-run sustainability of the project; b) the contributions of national governments and/or other organizations that may be critical to the achievement of the goal.

Objective Statements	Performance Indicator Statements	Measurement Methods/Data Sources	Critical Assumptions
<p>Intermediate Results (IRs):</p> <p>These state the expected change(s) in identifiable behaviors by participants in response to successful delivery and reception of outputs.</p> <p>IR-level responses may show themselves by:</p> <ul style="list-style-type: none"> • changes in the rate at which project participants adopt new behaviors or skills promoted by the project; • expansion of project reach and coverage; • new ways of organizing or managing systems; • alteration of policies or anything else that shows project outputs being used—correctly and perhaps also innovatively—by the targeted groups. <p>These responses are called “intermediate” because progress at this level is a necessary step toward achieving the SOs.</p> <p>How to write: Write in a full sentence as if already achieved. Put the targeted primary beneficiary group(s) whose behavior is expected to change as the subject of the sentence.</p>	<p>IR indicators focus on demonstrable evidence of a behavioral change, such as adoption or uptake and coverage or reach of outputs.</p> <p>If the achievement of IRs is less than expected, project managers are accountable for understanding the reasons and making any changes necessary for project implementation.</p>	<p>IR indicators are generally monitored and measured via regular, ongoing data collection, including evaluations (baseline + midterm and final).</p> <p>IR indicators normally can be collected only by the project itself because they are specific to behavioral changes in response to interventions in the specific project and action area.</p> <p>Secondary sources rarely exist at this level.</p> <p>Start with “light” monitoring. Continue with this light monitoring or, depending on your findings, more targeted monitoring or even special studies. At midterm, do a formal evaluation of IRs to that point and promptly make any course corrections indicated by the evaluation (which will include any qualitative and quantitative data).</p>	<p>IRs-to-SOs</p> <p>Assumptions at this level are those that emerged from the initial diagnostic work resulting in the chosen design.</p> <p>If the IRs do not show uptake/ adoption of the outputs, what assumptions still underpin achievement of the SOs?</p>

Objective Statements	Performance Indicator Statements	Measurement Methods/Data Sources	Critical Assumptions
<p>Outputs:</p> <p>These are the goods, services, knowledge, skills, attitudes, enabling environment that are:</p> <ul style="list-style-type: none"> • delivered to.... • demonstrably and effectively received by... <p>...the targeted primary beneficiaries (as a result of the activities undertaken).</p> <p>There may be more than one output for each IR.</p> <p>How to write: Write in a full sentence as if already achieved. Put the primary beneficiary group(s) receiving the outputs as the subject of the sentence.</p>	<p>Output indicators remind project management what/ when the project is contracted to deliver.</p> <p>Output indicators allow project management to track what is to be delivered, when, and most importantly, to what effect.</p> <p>Project management is directly accountable for delivering the outputs to those targeted.</p>	<p>They are generally measured in terms of the immediate effects of goods and services delivered, such as pre/post training scores on tests (written or verbal) or practical assessments; for organizational development, creation of certain structures, documents, systems; kilometers of roads or number of schools rehabilitated, and so on.</p> <p>Sources for monitoring and evaluating output indicators typically include programmatic, administrative, and management record-keeping systems.</p>	<p>Outputs-to-IRs</p> <p>Assumptions at this level are those affecting uptake/adoption of the outputs that are outside the control of project management.</p>
<p>Activities:</p> <p>These describe the functions to be undertaken and managed in order to deliver the project’s outputs to the targeted beneficiaries and participants.</p> <p>There may be more than one activity for each output. To avoid over-complicating the ProFrames of large projects, only major categories of activities need be indicated.</p> <p>A complete activity schedule or detailed implementation plan should be provided elsewhere in the project document.</p> <p>How to write: Put the specific CRS or partner staff (or other actors) responsible for the activity as the subject of the infinitive- e.g. CRS health staff to do “X.”</p>	<p>Activity indicators are the easiest ones to formulate and collect because they focus on implementation as reflected in project and partner staff’s work plans, project events, and corresponding budget expenditures.</p> <p>They answer questions like: Was the activity completed with acceptable quality? Was it completed as planned regarding numbers and types of items purchased and distributed? Were the meetings held? Were the numbers and gender of people in the target groups trained or otherwise involved?</p>	<p>Concentrate on the most important activities for project management purposes rather than wasting resources collecting unnecessary details.</p> <p>Activity indicators are typically measured through administrative management, trainer, and financial tracking and record-keeping systems, supplemented by written summaries and reports by trainees, partners, and other participant groups about the activities’ problems, successes, and overall quality.</p> <p>Activities are generally monitored and evaluated via progress reports and disbursement data.</p>	<p>Activities-to-Outputs</p> <p>The assumptions concern conditions outside the direct control of project management but that must nevertheless be met for the outputs to be delivered.</p> <p>The project itself should not spend money to achieve any of these external conditions. If any project funds are allocated to address them, then they should be included as activities.</p>

TEMPLATE FOR PROFRAME



ADVOCACY SCENARIOS

- Negotiate with authorities to gain agency access to improve overused water points and develop safer new ones in villages where violence is preventing people from enjoying safe access to sufficient clear water.
- Negotiate with authorities to carry out a nutritional survey, bring food aid into the relative safety of the villages, and distribute it impartially on the basis of need.
- Work with mandated agencies to encourage the ministry of defense and the interior to deploy troops for the protection of civilians, particularly on market days.
- Mobilize the in-country diplomatic community to pressure leaders of armed factions into curtailing violence against civilians.
- Support a local civil society organization in systematic documentation of allegations of sexual exploitation within garrison towns and convey this information to the local population, mandated agencies, and authorities.
- Press national government authorities into investigating incidents and disciplining troops when appropriate.
- Encourage and support government to include appropriate training for the military on the protection of women.
- Launch a public campaign in garrison towns to destigmatize discussions of sexual violence and exploitation and raise awareness of these issues.
- Support civil society groups in garrison towns in their efforts to pressure local commanders into controlling and disciplining troops.
- Persuade specialized national and international agencies working on the protection of women and children to develop programs to support victims of sexual exploitation and abuse.
- Work with civil society groups and mandated agencies to document disappearances.
- Provide lists of the disappeared to all parties in the conflict and persuade them to investigate and respond.
- Launch a public campaign to highlight the plight of those abducted by armed groups in order to “shame” those responsible and encourage them to stop.

PROTECTION ADVOCACY GRID⁵

<p>You are engaged in humanitarian relief activities in a remote area. Though conflict in the country has continued for some time, it has suddenly worsened. It is getting harder for you to reach the people supported by the relief program. Displaced people arriving in town are talking about abuses against civilians. The government is making it very difficult for humanitarian agencies working in the country, has already expelled some foreign humanitarian workers, and is now arresting national aid workers. CRS wants you to use advocacy to improve the situation. What do you do?</p>	
<p>What are the advantages/risks of each type of advocacy in the given scenario? If you speak out, will it do more harm than good? What might happen to CRS, our partners, other NGOs, and the community we are serving?</p> <p>PERSUASION:</p> <p>MOBILIZATION:</p> <p>DENUNCIATION:</p>	<p>Who are your advocacy targets? Why?</p>
<p>What information do you have, and do you need to engage in different types of advocacy? How would you know you have been effective? (What change should you see, and from whom?)</p> <p>PERSUASION:</p> <p>MOBILIZATION:</p> <p>DENUNCIATION:</p>	<p>What are your recommendations for protection advocacy in the given scenario?</p>

⁵ From "Protection in Zimbabwe: Training for CRS Partners," adapted by CRS from "The Liberia Protection Training Pack," Oxfam GB, p. 90 (2006) with the permission of Oxfam GB, Oxfam House, John Smith Dr., Cowley, Oxford OX4 2JY, UK, www.oxfam.org.uk. Oxfam GB does not necessarily endorse any text or activities that accompany the materials, nor has it approved the adapted text.

BACKGROUND READING AND OTHER DOCUMENTS

EMERGENCY STRATEGY RESULTS FRAMEWORK FY07-FY10

S.O.: CRS is an innovative and effective emergency prevention, preparedness and response organization.

I.R. 1: CRS demonstrates a more dynamic and accountable rapid response capacity.

I.R. 2: CRS demonstrates more active engagement in protection of vulnerable populations in emergencies.

I.R. 3: CRS demonstrates increased creativity and innovation in Disaster Risk Reduction programming.

I.R. 4: CRS EPPR programming supports and is supported by a robust and dynamic knowledge management and learning system

OUTPUTS

- 1.1** CRS has strengthened relationships with identified emergency response partners.
- 1.2** CRS and partner staff have increased capacity in emergency response and accountability.
- 1.3** CRS has an improved human resource system to staff rapid onset emergencies.
- 1.4** CRS has improved finance and resource management systems to support rapid onset emergencies.
- 1.5** The agency has pre-positioned supplies and/or vendor agreements for rapid deployment in the event of an emergency.
- 1.6** CRS has increased private reserves of flexible emergency funding.

OUTPUTS

- 2.1** A comprehensive protection framework and implementation plan is developed.
- 2.2** CRS and partner staff are applying knowledge and skills on protection.
- 2.3** CRS and partners have increased capacity to advocate and raise awareness about protection issues.
- 2.4** CRS and partners have captured and shared lessons learned on protection.
- 2.5** CRS' visibility in protection has been raised.

OUTPUTS

- 3.1** DRR strategy to increase effective DRR initiatives is developed (incorporating the IHD Framework).
- 3.2** CRS' DRR profile is elevated (within CRS and externally).
- 3.3** Successful innovations in DRR are supported and replicated.
- 3.4** CRS' staff & partner capacity to design & implement innovative DRR activities is increased.
- 3.5** Dynamic learning of DRR initiatives is increased.

OUTPUTS

- 4.1** A system for collection, organization, dissemination and application of knowledge and learning is created and utilized.
- 4.2** The M&E in Emergencies tool is developed and tested by CRS and partners.
- 4.3** Meta-analysis is conducted to identify trends/areas for development.
- 4.4** Learning connections are actively pursued within the CRS emergency community.

Partnership: with key partners for strong on-going relationships prior to an emergency event. Key partners include local Church, governments and other humanitarian actors

Accountability: to quality standards, beneficiaries and donors to continually learn and improve management systems, agency-wide learning, quality monitoring & evaluation and to contribute to the humanitarian community

THE GUIDING PRINCIPLES OF CATHOLIC RELIEF SERVICES – USCCB

DIGNITY AND EQUALITY OF THE HUMAN PERSON

All of humanity has been created in the image of God and possesses a basic dignity and equality that come directly from our creation and not from any action on our own part.

RIGHTS AND RESPONSIBILITIES

Every person has basic rights and responsibilities that flow from our human dignity and that belong to us as humans, regardless of any social or political structures. The rights are numerous and include those things that make life truly human. Corresponding to our rights are duties and responsibilities to respect the rights of others and to work for the common good of all.

SOCIAL NATURE OF HUMANITY

All of us are social by nature and are called to live in community with others—our full human potential isn't realized in solitude, but in community with others. How we organize our families, societies and communities directly affects human dignity and our ability to achieve our full human potential.

THE COMMON GOOD

In order for all of us to have an opportunity to grow and develop fully, a certain social fabric must exist within society. This is the common good. Numerous social conditions—economic, political, material and cultural—impact our ability to realize our human dignity and reach our full potential.

SUBSIDIARITY

A higher level of government—or organization—should not perform any function or duty that can be handled more effectively at a lower level by people who are closer to the problem and have a better understanding of the issue.

SOLIDARITY

We are all part of one human family—whatever our national, racial, religious, economic or ideological differences—and in an increasingly interconnected world, loving our neighbor has global dimensions.

OPTION FOR THE POOR

In every economic, political and social decision, a weighted concern must be given to the needs of the poorest and most vulnerable. When we do this we strengthen the entire community, because the powerlessness of any member wounds the rest of society.

STEWARDSHIP

There is an inherent integrity to all of creation and it requires careful stewardship of all our resources, ensuring that we use and distribute them justly and equitably—as well as planning for future generations.

CST/Management Committee, 3 April 2000

THE GUIDING PRINCIPLES ADDENDUM

Dignity and Equality of the Human Person

All of humanity has been created in the image of God and we are the clearest reflection of God that exists in this world. Because of this, we each have a basic dignity that comes not from any action on our own part but because of our very creation. One's dignity is not related to race, ethnicity, gender, age, nationality, physical ability, religion, economic status or any other potentially discriminatory factor. Rather, it is an inalienable right that has been granted to us by the very fact of our human nature. Thus, there is nothing that we can do to "earn" or "lose" our dignity; it is inviolable and inalienable.

Rights and Responsibilities

Each individual is a person who has been endowed with intelligence and free will and has rights and responsibilities that flow directly from our human nature. Both human rights and responsibilities are the ideas by which the concept of human dignity is developed and given concrete meaning.

Rights

Catholic social teaching understands human rights as moral claims that each person is able to make on a variety of goods that are essential to the protection of human dignity and provide the minimum conditions necessary for living in a just society. The rights are numerous and encompass every aspect of one's life.

The Right to Life and a Worthy Standard of Living

The starting points of an individual's rights are his/her personal rights, and these are the right to life and to bodily integrity, which includes the protection of life in all of its forms. A worthy standard of living allows people to meet their basic needs and maintain their dignity. It also includes the right to adequate food, clothing, shelter, rest, medical care and access to the necessary social services that provide these rights.

The Right to Worship God According to One's Conscience

Every person has the right to his/her own individual religious beliefs; the religious freedom to seek God in a manner that is in accordance with his/her own conscience; and the right to express his/her faith in this same manner. It should not be possible for a society or government to dictate to its citizens their faith or belief.

Rights Pertaining to Moral and Cultural Values

Cultural and moral rights encompass a broad spectrum of rights. These include freedom of expression, the right to communicate and express oneself and one's opinions. Cultural and moral rights also dictate that every person has the right to share in the benefits of culture, which would include, among other things, an education, technical and professional training, and, whenever possible, higher education.

Economic Rights

In its history, Catholic social teaching has paid particular attention to the economic rights of individuals and considers them to be an integral part of full human dignity. Individuals have a right to meaningful employment and also to work for a living wage that allows them to support their families in a manner that

is consistent with human dignity. This right also includes the right to safe and dignified working conditions and the right to organize labor unions.

Political Rights

Catholic social teaching also recognizes that the dignity of the human person involves the right to political freedom and participation.

The Right to Emigrate and Immigrate

Every human being has the right to freedom of movement and residence within his/her country, as well as the right to emigrate to other countries and take up residence there.

Responsibilities

Our rights are intrinsically bound to corresponding responsibilities; we have duties toward ourselves, one another, our families, local and other communities, and to the larger society. Our responsibilities stem from our individual rights; for one individual to have rights, others must respect and promote that person's rights. Some examples of the correlation between rights and responsibilities can be seen in the following:

- The right to life is connected with the individual's duty to preserve life in all of its forms and to live it in a manner that respects his/her own human dignity.
- A person's right to a decent standard of living carries with it the responsibility to seek out employment to provide for one's self and one's family, and to use one's resources wisely and for the promotion of the common good.
- The right to earn a living wage stems from an individual's responsibility to support his/her family.

The Social Nature of Humanity

The human person is fundamentally social by nature, not by choice, and as social beings we are called to live in community with others. This idea means that from birth we are dependent upon a wider fabric of relationships and human communities that are essential for the full human development of each of us. It is quite easy to see this in our daily lives—we live and we love in community with other people, and we come to know God through our relationship with others. Full human potential is not realized in solitude, but rather can only be fully realized and protected in mutual relationships when we live in community with others. It is also in our relationships with others that we can fully come to appreciate our own individual sense of worth, dignity and equality expressed and confirmed in these social relations.

Catholic social teaching expresses the idea that authentic human life is lived in community by affirming four basic communities to which we inherently belong—the family, civil society, the nation-state and the wider human community.

Common Good

The common good is understood as the total of all conditions necessary—economic, political, material, and cultural—which allow people to realize their human dignity and reach their full human potential. One

way of thinking about the common good is to think about individuals and communities in society and how we cannot by ourselves provide everything that we need to live.

Both the state and the individual person play a unique role in the provision of the common good. It is best protected when the rights of the person are preserved and promoted, and it is the state that should be responsible for the protection of our basic human rights. One of the state's main contributions to the common good is its role of securing public order. The promotion of the common good is not just the concern of the state; the individual person is also obliged to make his/her own specific contribution to the common good. Catholic social teaching states that our contribution to the common good requires us to bring our own interests into harmony with the needs of the community. This necessarily means contributing our own personal goods, services and talents to the life of the community. Every economic, political and social decision should be judged in light of whether it protects or undermines the human dignity of others. This is not an optional duty. Rather, it is every person's obligation based on the rights and duties that they have as members of the human family based in their creation.

Subsidiarity

The principle of subsidiarity states that in order to protect the basic rights of the individual and the community, the government or any other large, authoritative institution should not replace or destroy smaller communities and individual initiatives. Rather, such structures should help communities and individuals contribute more effectively to the common good and supplement their activities only when the demands of justice exceed their capabilities.

Subsidiarity is a decentralizing concept that seeks to promote and sustain a pluralism of power in society, so that all power is not rooted in one place, such as the state. It seeks to encourage individual and communal initiatives and places a great deal of emphasis on the development of different human associations and institutions at the local, national and international levels.

Solidarity

Solidarity is a call to recognize each individual person as a part of one human family—regardless of ethnic, national, racial, gender, economic, political or ideological differences. Catholic social teaching states that we all have a common origin having been created in the image of God. We are called not only to recognize the dignity of each individual person in word only, but also to fully respect that person's or group's human dignity in our daily lives—by seeing and understanding others as our brothers and sisters for whom we have responsibility.

Solidarity means the willingness to regard injustices committed against another as no less serious than an injustice against oneself. Solidarity is more crucial in today's growing interdependent world than ever before, and we recognize that our responsibilities cross all economic, national or regional boundaries. Our increasing awareness of the world situation carries with it an increasing responsibility to the people who are forced by structures, groups and individuals to remain marginalized and in poverty. Ignorance cannot be used as an excuse for failure to act with and for those who are oppressed and vulnerable in another city, country or continent.

Catholic social teaching also understands solidarity as a virtue uniquely suited to the growing interdependence of the world at the national and international levels of human society, as Pope John Paul II has stated that solidarity is:

“ . . .above all a question of interdependence, sensed as a system determining relationships in the contemporary world in its economic, cultural, political, and religious elements, and accepted as a moral category. When interdependence becomes recognized in this way, the correlative response as a moral and social attitude, as a ‘virtue,’ is solidarity. It then is not a feeling of vague compassion or shallow distress at the misfortunes of so many people, near and far. On the contrary it is a firm and persevering determination to commit oneself to the common good; that is to say, to the good of all and of each individual because we are all really responsible for all.”

On Social Concern (Sollicitudo Rei Socialis)

Option for the Poor

Catholic social teaching calls for a fundamental option for the poor, which stems from the principles of common good and solidarity. The promotion of the common good calls for all social policies to be made with the welfare of the whole society in mind, while at the same time paying particular attention to promoting the dignity and rights of those people who are marginalized within society. An option for the poor would recognize that as members of the human family, all people are called to respond to the needs of all, but it also states that those members of society with the greatest needs require the greatest response and attention.

Catholic social teaching states that in all economic, political and social decisions, there should be a greater concern given to the needs of the poor and marginalized. By assisting those who are most vulnerable it strengthens the entire community since deprivation and powerlessness hurt everyone. An option for the poor requires a commitment to being in solidarity with the poor and marginalized, to giving preference to the poorest and most vulnerable sectors of society and recognize their privileged claims on our time and resources, and to arousing the consciousness of oppressed groups and helping them become agents of their own development.

Stewardship

All people have been created by God and are a part of the larger community of creation. Through our work, we are co-creators in the continuing development of the earth, and our commitment to the common good requires responsible stewardship of the earth and its resources. In Catholic social teaching, true stewardship is a moral challenge which, according to the U.S. Bishops, “... calls us to examine how we use and share the goods of the earth, what we pass on to future generations, and how we live in harmony with God’s creation” (*Renewing the Earth: An Invitation to Reflection and Action on Environment in Light of Catholic Social Teaching*). It demands that we adopt an ethic of responsibility toward creation and also accept the same responsibility toward all human persons. As such, we are called to respect and share the resources of the earth in a way that provides for the needs of all. But stewardship also insists that use of the resources of the universe cannot be separated from respect for the integrity of creation and a commitment toward its future preservation.

Catholic Social Teaching/Management Strategy Committee, 3 April 2000



CRS CODE OF CONDUCT

To protect children and young people from abuse and sexual exploitation

Preamble:

CRS commits itself to creating and maintaining an environment, which promotes its core values and prevents abuse and sexual exploitation of children and young people. CRS employees and volunteers are expected to contribute to building a harmonious workplace based on team spirit, mutual respect and understanding. All staff members are expected to uphold the dignity of beneficiaries served by CRS organizations by ensuring that their personal and professional conduct is of the highest standard at all times.

CRS strongly condemns all kinds of child abuse and sexual exploitation, especially toward its beneficiaries. Sexual exploitation may include non-contact activities such as showing pornography to children or certain Internet-based activity.

1. Abuse and sexual exploitation constitute acts of gross misconduct and are therefore grounds for termination of employment. All relevant legal steps should be taken corresponding to the legal and social conditions of the local situation.
2. Exchange of money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries.
3. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not an excuse. *
4. Where a CRS employee develops concerns or suspicions regarding sexual abuse or exploitation by a fellow humanitarian worker, whether in that same agency or not, s/he must report such concerns to the CRS Country Representative or CRS Vice President of Human Resources at CRS headquarters, and to local legal authorities, where appropriate.
5. CRS employees may not engage in any form of unlawful harassment, discrimination, physical or verbal abuse, intimidation, favoritism or exploitative sexual relations. Sexual relations between humanitarian workers and beneficiaries are strongly discouraged.
6. CRS employees are expected to behave in accordance with CRS values and create and maintain an environment, which prevents sexual exploitation and abuse and promotes the implementation of the code.

* Different considerations may arise regarding the enforcement of some of the principles for local employees and volunteers from the beneficiary community. While sexual exploitation and the misuse of humanitarian assistance will always be prohibited, discretion may be used in the application of the principles regarding sexual relationships for these individuals, for example, if a local volunteer is married to a 17-year-old as permitted by local law.

I have carefully read the CRS Code of Conduct Agreement and discussed its contents with my supervisor and/or colleagues in order to understand it clearly. I am aware that CRS expects me to uphold at all times the standards of behavior described in the Code of Conduct Agreement above. I also understand that disciplinary measures and legal steps will be taken in case of non-compliance.

SIGNATURE

PRINT NAME

DATE

THE HUMANITARIAN CODE OF CONDUCT

Principles of Conduct for the International Red Cross and Red Crescent Movement and NGOs in disaster response programs

1: The humanitarian imperative comes first.

The right to receive humanitarian assistance, and to offer it, is a fundamental humanitarian principle that should be enjoyed by all citizens of all countries. As members of the international community, we recognize our obligation to provide humanitarian assistance wherever it is needed. Hence unimpeded access to affected populations is of fundamental importance in exercising that responsibility. The prime motivation of our response to disaster is to alleviate human suffering among those least able to withstand the stress caused by disaster. When we give humanitarian aid, it is not a partisan or political act and should not be viewed as such.

2: Aid is given regardless of the race, creed, or nationality of the recipients and without adverse distinction of any kind. Aid priorities are calculated on the basis of need alone.

Wherever possible, we will base the provision of relief aid upon a thorough assessment of the needs of the disaster victims and the local capacities already in place to meet those needs. Within the entirety of our programs, we will reflect considerations of proportionality. Human suffering must be alleviated whenever it is found; life is as precious in one part of a country as another. Thus, our provision of aid will reflect the degree of suffering it seeks to alleviate. In implementing this approach, we recognize the crucial role played by women in disaster-prone communities and will ensure that this role is supported, not diminished, by our aid programs. The implementation of such a universal, impartial, and independent policy can be effective only if we and our partners have access to the necessary resources to provide for such equitable relief, and have equal access to all disaster victims.

3: Aid will not be used to further a particular political or religious standpoint.

Humanitarian aid will be given according to the need of individuals, families, and communities. Notwithstanding the right of Non-Governmental Humanitarian Agencies (NGHAs) to espouse particular political or religious opinions, we affirm that assistance will not be dependent on the adherence of the recipients to those opinions. We will not tie the promise, delivery, or distribution of assistance to the embracing or acceptance of a particular political or religious creed.

4: We shall endeavour not to act as instruments of government foreign policy.

NGHAs are agencies that act independently from governments. We therefore formulate our own policies and implementation strategies and do not seek to implement the policy of any government, except insofar as it coincides with our own independent policy. We will never knowingly—or through negligence—allow ourselves, or our employees, to be used to gather information of a political, military, or economically sensitive nature for governments or other bodies that may serve purposes other than those that are strictly humanitarian, nor will we act as instruments of donor governments' foreign policy. We will use the assistance we receive to respond to needs, and this assistance should not be driven by the need to dispose of donor commodity surpluses, nor by the political interest of any particular donor. We value and promote the voluntary giving of labor and finances by concerned individuals to support our work and recognize the independence of action promoted by such voluntary motivation. In order to protect our independence we will seek to avoid dependence upon a single funding source.

5: We shall respect culture and custom.

We will endeavour to respect the culture, structures, and customs of the communities and countries we are working in.

6: We shall attempt to build disaster response on local capacities.

All people and communities—even in disaster—possess capacities as well as vulnerabilities. Where possible, we will strengthen these capacities by employing local staff, purchasing local materials, and trading with local companies. Where possible, we will work through local NGHAs as partners in planning and implementation and cooperate with local government structures where appropriate. We will place a high priority on the proper coordination of our emergency responses. This is best done within the countries concerned by those most directly involved in the relief operations, and should include representatives of the relevant UN bodies.

7: Ways shall be found to involve program beneficiaries in the management of relief aid.

Disaster response assistance should never be imposed upon the beneficiaries. Effective relief and lasting rehabilitation can best be achieved when the intended beneficiaries are involved in the design, management, and implementation of the assistance program. We will strive to achieve full community participation in our relief and rehabilitation programs.

8: Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs.

All relief actions affect the prospects for long-term development, either in a positive or a negative fashion. Recognizing this, we will strive to implement relief programs that actively reduce the beneficiaries' vulnerability to future disasters and help create sustainable lifestyles. We will pay particular attention to environmental concerns in the design and management of relief programs. We will also endeavour to minimize the negative impact of humanitarian assistance, seeking to avoid long-term beneficiary dependence upon external aid.

9: We hold ourselves accountable to both those we seek to assist and those from whom we accept resources.

We often act as an institutional link in the partnership between those who wish to assist and those who need assistance during disasters. We therefore hold ourselves accountable to both constituencies. All our dealings with donors and beneficiaries shall reflect an attitude of openness and transparency. We recognize the need to report on our activities, both from a financial perspective and the perspective of effectiveness. We recognize the obligation to ensure appropriate monitoring of aid distribution and to carry out regular assessments of the impact of disaster assistance. We will also seek to report, in an open fashion, upon the impact of our work, and the factors limiting or enhancing that impact. Our programs will be based upon high standards of professionalism and expertise in order to minimize the wasting of valuable resources.

10: In our information, publicity, and advertising activities, we shall recognize disaster victims as dignified humans, not hopeless objects.

Respect for the disaster victim as an equal partner in action should never be lost. In our public information we shall portray an objective image of the disaster situation where the capacities and aspirations of disaster victims are highlighted and not just their vulnerabilities and fears. While we will cooperate with the media in order to enhance public response, we will not allow external or internal demands for publicity to take precedence over the principle of maximizing overall relief assistance. We will avoid competing with other disaster response agencies for media coverage in situations where such coverage may be to the detriment of the service provided to the beneficiaries or to the security of our staff or the beneficiaries.

DEFINITIONS OF PROTECTION

Date	Source	Definition	Comments
1988	Webster's Dictionary	Protect: to keep from harm, attack or injury; guard	
1997	Relief and Rehabilitation Network. "Human rights and international legal standards: what do relief workers need to know?" Network Paper 19, February 1997.	"To protect against threats to security (physical, economic, social, political)..."	
1999	ICRC Protection Workshop, Geneva	"Any activity aimed at creating an environment conducive to respect for human beings, preventing and/or alleviating the immediate effects of a specific pattern of abuse, and restoring dignified conditions of life through reparation, restitution and rehabilitation."	From "Growing the Sheltering Tree: Protecting Rights Through Humanitarian Action," IASC, 2002
2001	IASC, ICRC	"All activities aimed at ensuring full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law, i.e. human rights law, international humanitarian law and refugee law."	This definition is the one most often used, but assumes knowledge of IHL and human rights law.
2003	Beyond the Headlines: An agenda for action to protect civilians in neglected conflicts, Oxfam.	"Humanitarian protection is concerned with preventing or mitigating the most damaging effects, direct or indirect, of war on civilians...a right to live free from violence ... coercion... deprivation."	Does not include natural disasters
2004	Protect or Neglect: Toward a More Effective United Nations Approach to the Protection of Internally Displaced Persons, S. Bagshaw and D. Paul, SAIS Brookings Institute and UN.	"Covers not only needs for physical security and safety but also the broad range of civil and political and economic, social and cultural rights provided in international law."	Uses IASC definition as basis and broadens.
2004	USAID IDP Policy	"IDPs must be granted the full security and protection provided for under the norms of international human rights law, international humanitarian law, and national law."	

<p>2004</p>	<p>“Protecting Women and Children Affected by Humanitarian Emergencies: US Government Efforts,” Report to Congress: Plan for Implementation of Section 594 (c) of Public Law 108-199 (PRM).</p>	<p>“Guaranteeing the human rights of women and children.”</p>	<p>No definition per se, but uses the term liberally.</p>
<p>2005</p>	<p>OFDA</p>	<p>“Protection is helping people to manage the risks they face and make sure that our programs don’t exacerbate or create new risks.”</p>	
<p>2005</p>	<p>ALNAP Protection, Hugo Slim and Andrew Bonwick.</p>	<p>Uses IASC definition, but also includes: “[Safeguarding people from] disruption, deprivation, displacement, disease, and discrimination” “Thinking creatively about a range of ways in which such violation and suffering can be prevented, alleviated, and redressed beyond a simple ‘aid only’ approach.” “Preserving a person’s dignity and integrity as a human being.”</p>	

APPLICABILITY OF HUMAN RIGHTS AND HUMANITARIAN LAW

Situation	Applicable Law
<p>1. International Armed Conflict Including wars between states, and against colonial domination, alien occupation, racist regimes, in exercise of the right to self-determination.</p>	<p>Four Geneva Conventions of 1949 (1) Wounded and sick in the field (2) Shipwrecked (3) Prisoners of war (4) Civilian persons (under occupation) Additional Protocol I of 1977 Other human rights provisions (insofar as non-derogable or no emergency declared)</p>
<p>2. Non-International Armed Conflict Civil war or other situation in which organized armed forces, under responsible command, exercise such control over part of the territory so as to permit sustained and concerted military operations and to implement humanitarian law.</p>	<ul style="list-style-type: none"> • Common Article 3 of the Geneva Conventions (applies to government and armed opposition force) • Additional Protocol II of 1977 (more restrictive field of application) • Other human rights provisions (insofar as non-derogable or no emergency declared)
<p>3. State of Emergency Disturbances, riots, isolated and sporadic acts of violence, and other public emergencies which threaten the life of the nation, in which measures normally compatible with the constitution and laws are inadequate to address the situation. State of emergency must be officially declared.</p>	<p>All human rights, with the following exceptions:</p> <ul style="list-style-type: none"> • Derogations from certain rights may be permissible to the extent strictly required by the exigencies of the situation, and only if not inconsistent with other requirements under international law (including the Geneva Conventions and Protocols). • No discrimination solely on the basis of race, color, sex, language, religion, or social origin. • No derogation is permissible with regard to arbitrary deprivation of life, torture, slavery, or imprisonment for failure to fulfill a contractual obligation.
<p>4. Other Internal Tensions Disturbances, riots, and isolated acts of violence which do not qualify as a public emergency threatening the life of the nation. No state of emergency declared.</p>	<p>All human rights. (But as to each right, see any relevant limitation. Rights can be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others, and of meeting the just requirements of morality, public order, and the general welfare in a democratic society.)</p>

5. Normal Situations

All human rights. (But as to each right, see any relevant limitation. Rights can be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others, and of meeting the just requirements of morality, public order, and the general welfare in a democratic society.)

HUMAN RIGHTS LAW INSTRUMENTS – EXCERPTS

Universal Declaration of Human Rights

On December 10, 1948, the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights.

PREAMBLE

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore **THE GENERAL ASSEMBLY** proclaims **THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS** as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2. All the following rights should be applied without discrimination on basis of "race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

Article 3. The right to life, liberty and security of person.

Article 4. The right to freedom from slavery.

Article 5. The right to freedom from torture or from cruel, inhuman or degrading treatment or punishment.

Article 6. The right to recognition everywhere as a person before the law.

Article 7. The right to equal treatment before the law.

Article 8. The right to an effective legal remedy for rights violations.

Article 9. The right to freedom from arbitrary arrest, detention or exile.

Article 10. The right to a fair trial.

Article 11. The right to presumption of innocence until proven guilty.

Article 12. The right to privacy and freedom from attacks upon honor and reputation.

Article 13. The right to freedom of movement, to leave any country, and to return to one's country.

Article 14. The right to asylum from persecution.

Article 15. The right to a nationality.

Article 16. The right to marry and to found a family.

Article 17. The right to own property alone as well as in association with others. No one shall be arbitrarily deprived of his property.

Article 18. The right to freedom of thought, conscience and religion.

Article 19. The right to freedom of opinion and expression.

Article 20. The right to freedom of peaceful assembly and association.

Article 21. The right to take part in the government of one's country.

Article 22. The right to social security and to realization, through national effort and international co-operation and in accordance with the organization and resources of each state, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23. The right to work, and to just conditions of work and to equal pay for equal work.

Article 24. The right to rest and leisure.

Article 25. The right to a standard of living adequate for the health and well-being of oneself and of one's family, including food, clothing, housing and medical care.

Article 26. The right to education.

Article 27. The right freely to participate in the cultural life of the community.

Article 28. Everyone is entitled to a social and international order in which the rights and freedoms set forth in this declaration can be fully realized.

Article 29. Everyone has duties to the community in which alone the free and full development of his personality is possible.

International Covenant on Civil and Political Rights (ICCPR)

This covenant details the basic civil and political rights of individuals and nations.

Among the rights of nations are:

- The right to self determination
- The right to own, trade, and dispose of their property freely, and not be deprived of their means of subsistence

Among the rights of individuals are:

- The right to legal recourse when their rights have been violated, even if the violator was acting in an official capacity
- The right to life
- The right to liberty and freedom of movement
- The right to equality before the law
- The right to presumption of innocence until proven guilty
- The right to appeal a conviction
- The right to be recognized as a person before the law
- The right to privacy and protection of that privacy by law
- Freedom of thought, conscience, and religion
- Freedom of opinion and expression
- Freedom of assembly and association

The covenant forbids torture and inhuman or degrading treatment, slavery or involuntary servitude, arbitrary arrest and detention, and debtors' prisons. It forbids propaganda advocating either war or hatred based on race, religion, national origin, or language.

It provides for the right of people to choose freely whom they will marry and to found a family, and requires that the duties and obligations of marriage and family be shared equally between partners. It guarantees the rights of children and prohibits discrimination based on race, sex, color, national origin, or language.

It also restricts the death penalty to the most serious of crimes, guarantees condemned people the right to appeal for commutation to a lesser penalty, and forbids the death penalty entirely for people under 18 years of age.

The covenant permits governments to temporarily suspend some of these rights in cases of civil emergency only, and lists those rights that cannot be suspended for any reason. It also establishes the Human Rights Committee to monitor implementation of the ICCPR (this committee should NOT be confused with the recently created Human Rights Council, formerly the Commission on Human Rights).

After almost two decades of negotiations and rewriting, the text of the International Covenant on Civil and Political Rights was agreed upon in 1966. In 1976, after being ratified by the required 35 states, it became international law.

Optional Protocol to the International Covenant on Civil and Political Rights

The protocol adds legal force to the covenant by allowing the Human Rights Commission to investigate and judge complaints of human rights violations from individuals from signatory countries.

International Covenant on Economic, Social, and Cultural Rights

This covenant describes the basic economic, social, and cultural rights of individuals and nations, including the right to:

- Self-determination
- Wages sufficient to support a minimum standard of living
- Equal pay for equal work
- Equal opportunity for advancement
- Form trade unions
- Strike
- Receive paid or otherwise compensated maternity leave
- Free primary education and accessible education at all levels
- Copyright, patent, and trademark protection for intellectual property

In addition, this convention forbids exploitation of children and requires all nations to cooperate to end world hunger. Each nation that has ratified this covenant is required to submit annual reports on its progress in providing for these rights to the Secretary General, who is to transmit them to the Economic and Social Council (the Committee on Economic, Social, and Cultural Rights now oversees the implementation of the ICESCR and receives the reports).

The text of this covenant was finalized in 1966 along with that of the Covenant on Civil and Political Rights and also entered into force (became international law) in 1976.

Convention Against Genocide

This convention bans acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group. It declares genocide a crime under international law whether committed during war or peacetime, and binds all signatories of the convention to take measures to prevent and punish any acts of genocide committed within their jurisdiction. The act bans killing of members of any racial, ethnic, national, or religious group because of their membership in that group, causing serious bodily or mental harm to members of the group, inflicting on members of the group conditions of life intended to destroy them, imposing measures intended to prevent births within the group, and taking group members' children away from them and giving them to members of another group.

It declares genocide itself, conspiracy or incitement to commit genocide, attempts to commit or complicity in the commission of genocide all to be illegal. Individuals are to be held responsible for these acts whether they were acting in their official capacities or as private individuals. Signatories to the convention are bound to enact appropriate legislation to make the acts named in Article 3 illegal under their national law and provide appropriate penalties for violators.

People suspected of acts of genocide may be tried by a national tribunal in the territory where the acts were committed or by a properly constituted international tribunal whose jurisdiction is recognized by the state or states involved. For purposes of extradition, an allegation of genocide is not to be considered a political crime, and states are bound to extradite suspects in accordance with national laws and treaties. Any state party to the convention may also call upon the United Nations to act to prevent or punish acts of genocide.

The remainder of the convention specifies procedures for resolving disputes between nations about whether a specific act or acts constitute(s) genocide, and gives procedures for ratification of the convention.

Convention Against Torture

This convention bans torture under all circumstances and establishes the UN Committee Against Torture. In particular, it defines torture, requires states to take effective legal and other measures to prevent torture, declares that no state of emergency, other external threats, nor orders from a superior officer or authority may be invoked to justify torture.

It forbids countries to return a refugee to his country if there is reason to believe he/she will be tortured, and requires host countries to consider the human rights record of the person's native country in making this decision.

The convention requires states to make torture illegal and provide appropriate punishment for those who commit torture. It requires states to assert jurisdiction when torture is committed within their jurisdiction, either investigate and prosecute them, or upon proper request extradite suspects to face trial before another competent court. It also requires states to cooperate with any civil proceedings against accused torturers.

Each state is obliged to provide training to law enforcement and military on torture prevention, keep its interrogation methods under review, and promptly investigate any allegations that its officials have committed torture in the course of their official duties. It must ensure that individuals who allege that someone has committed torture against them are permitted to make an official complaint and have it investigated, and, if the complaint is proven, receive compensation, including full medical treatment and payments to survivors if the victim dies as a result of torture.

It forbids states to admit into evidence during a trial any confession or statement made during or as a result of torture. It also forbids activities that do not rise to the level of torture, but that constitute cruel or degrading treatment.

The second part of the convention establishes the Committee Against Torture and sets out the rules on its membership and activities.

The convention was passed and opened for ratification in December 1984. The convention became international law in June 1987.

Convention on the Elimination of all Forms of Discrimination Against Women

This convention bans discrimination against women.

Convention on the Rights of the Child

This convention bans discrimination against children and provides for special protection and rights appropriate to minors.

Charter of the United Nations

The Charter of the United Nations contains some important human rights provisions, in addition to containing the framework for the organization as a whole.

HUMANITARIAN LAW INSTRUMENTS – EXCERPTS

The Geneva Conventions, 1949

First Convention	On the care of the wounded and sick members of armed forces in the field
Second Convention	On the care of the wounded, sick, and shipwrecked members of armed forces at sea
Third Convention	On the conduct of combatants and the treatment of prisoners of war (between states)
Fourth Convention	On the protection of civilian persons and populations in times of war (duties and responsibilities of occupying power) and of the wounded and sick members of armed forces

Article 3, common to the four Geneva Conventions, 1949:

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

- (1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed ‘hors de combat’ by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, color, religion or faith, sex, birth or wealth, or any other similar criteria. To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:
 - (a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
 - (b) taking of hostages;
 - (c) outrages upon personal dignity, in particular humiliating and degrading treatment;
 - (d) the passing of sentences and the carrying out of executions without previous judgment constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.
- (2) The wounded and sick shall be collected and cared for. An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict. The Parties to the conflict should further endeavor to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

Summary of basic rules of International Humanitarian Law in armed conflicts

1. Persons who do not or can no longer take part in the hostilities are entitled to respect for their life and for their physical and mental integrity. Such persons must in all circumstances be protected and treated with humanity, without any unfavorable distinction whatever.

2. It is forbidden to kill or wound an adversary who surrenders or who can no longer take part in the fighting.
3. The wounded and sick must be collected and cared for by the party to the conflict that has them in its power. Medical personnel and medical establishments, transports, and equipment must be spared. The Red Cross or Red Crescent on a white background is the sign protecting such persons and objects and must be respected.
4. Captured combatants and civilians who find themselves under the authority of the adverse party are entitled to respect for their life, their dignity, their personal rights, and their political, religious, and other convictions. They must be protected against all acts of violence or reprisal. They are entitled to exchange news with their families and receive aid.
5. Everyone must enjoy basic judicial guarantees and no one may be held responsible for an act he has not committed. No one may be subjected to physical or mental torture or to cruel or degrading corporal punishment or other treatment.
6. Neither the parties to the conflict nor members of their armed forces have an unlimited right to choose methods and means of warfare. It is forbidden to use weapons or methods of warfare that are likely to cause unnecessary losses or excessive suffering. The parties to a conflict must at all times distinguish between the civilian population and combatants in order to spare the civilian population and civilian property. Neither the civilian population as whole nor individual civilians may be attacked. Attacks may be made solely against military objectives.

Geneva Convention IV Relative to the Protection of Civilian Persons in Time of War

Article 10 General provision

“The provisions of the present Convention constitute no obstacle to the humanitarian activities which the International Committee of the Red Cross or any other impartial humanitarian organization may, subject to the consent of the Parties to the conflict concerned, undertake for the protection of civilian persons and for their relief.”

Article 23 Free passage of certain relief items

“Each High Contracting Party shall allow the free passage of all consignments of medical and hospital stores and objects necessary for religious worship intended only for civilians of another High Contracting Party, even if the latter is its adversary. It shall likewise permit the free passage of all consignments of essential foodstuffs, clothing and tonics intended for children under fifteen, expectant mothers and maternity cases. The obligation of a High Contracting Party to allow the free passage of the consignments indicated in the preceding paragraph is subject to the condition that this Party is satisfied that there are no serious reasons for fearing:

- (a) that the consignments may be diverted from their destination,
- (b) that the control may not be effective, or
- (c) that a definite advantage may accrue to the military efforts or economy of the enemy through the substitution of the above-mentioned consignments for goods which would otherwise be provided

or produced by the enemy or through the release of such material, services or facilities as would otherwise be required for the production of such goods.

“The Power which allows the passage of the consignments indicated in the first paragraph of this Article may give permission conditional on the distribution to the persons benefited thereby being made under the local supervision of the Protecting Powers. Such consignments shall be forwarded as rapidly as possible, and the Power which permits their free passage shall have the right to prescribe the technical arrangement under which such passage is allowed.”

Protected Persons

Article 30 Relief organizations “shall be granted all facilities” by the authorities

“Protected persons shall have every facility for making application to the Protecting Powers, the International Committee of the Red Cross, the National Red Cross (Red Crescent, Red Lion and Sun) Society of the country where they may be, as well as to any organization that might assist them. These several organizations shall be granted all facilities for that purpose by the authorities, within the bounds set by military or security considerations.

“Apart from the visits of the delegates of the Protecting Powers and of the International Committee of the Red Cross, provided for by Article 143, the Detaining or Occupying Powers shall facilitate as much as possible visits to protected persons by the representatives of other organizations whose object is to give spiritual aid or material relief to such persons.”

Article 38 “Shall be enabled to receive” relief sent to them

“With the exception of special measures authorized by the present Convention, in particular by Articles 27 and 41 thereof, the situation of protected persons shall continue to be regulated, in principle, by the provisions concerning aliens in time of peace. In any case, the following rights shall be granted to them:

- (1) They shall be enabled to receive the individual or collective relief that may be sent to them.
- (2) They shall, if their state of health so requires, receive medical attention and hospital treatment to the same extent as the nationals of the State concerned.
- (3) They shall be allowed to practice their religion and to receive spiritual assistance from ministers of their faith.
- (4) If they reside in an area particularly exposed to the dangers of war, they shall be authorized to move from that area to the same extent as the nationals of the State concerned.
- (5) Children under fifteen years, pregnant women and mothers of children under seven years shall benefit by any preferential treatment to the same extent as the nationals of the State concerned.”

Article 59 Collective relief: relief schemes shall be agreed to and facilitated if population is in need

“If the whole or part of the population of an occupied territory is inadequately supplied, the Occupying Power shall agree to relief schemes on behalf of the said population, and shall facilitate them by all the means at its disposal.

“Such schemes, which may be undertaken either by States or by impartial humanitarian organizations such as the International Committee of the Red Cross, shall consist, in particular, of the provision of consignments of foodstuffs, medical supplies and clothing.

“All Contracting Parties shall permit the free passage of these consignments and shall guarantee their protection.

“A Power granting free passage to consignments on their way to territory occupied by an adverse Party to the conflict shall, however, have the right to search the consignments, to regulate their passage according to prescribed times and routes, and to be reasonably satisfied through the Protecting Power that these consignments are to be used for the relief of the needy population and are not to be used for the benefit of the Occupying Power.”

Article 60 Status and treatment of protected persons

“Relief consignments shall in no way relieve the Occupying Power of any of its responsibilities under Articles 55, 56 and 59. The Occupying Power shall in no way whatsoever divert relief consignments from the purpose for which they are intended, except in cases of urgent necessity, in the interests of the population of the occupied territory and with the consent of the Protecting Power.”

Article 61 Status and treatment of protected persons

“The distribution of the relief consignments referred to in the foregoing Articles shall be carried out with the cooperation and under the supervision of the Protecting Power. This duty may also be delegated, by agreement between the Occupying Power and the Protecting Power, to a neutral Power, to the International Committee of the Red Cross or to any other impartial humanitarian body. Such consignments shall be exempt in occupied territory from all charges, taxes or customs duties unless these are necessary in the interests of the economy of the territory. The Occupying Power shall facilitate the rapid distribution of these consignments.

“All Contracting Parties shall endeavor to permit the transit and transport, free of charge, of such relief consignments on their way to occupied territories.”

Article 62 Individual relief

“Subject to imperative reasons of security, protected persons in occupied territories shall be permitted to receive the individual relief consignments sent to them.”

Article 63 Relief societies shall be able to pursue activities in accordance with Red Cross principles

“Subject to temporary and exceptional measures imposed for urgent reasons of security by the Occupying Power:

- (a) recognised National Red Cross (Red Crescent, Red Lion and Sun) Societies shall be able to pursue their activities in accordance with Red Cross principles, as defined by the International Red Cross Conferences. Other relief societies shall be permitted to continue their humanitarian activities under similar conditions;
- (b) the Occupying Power may not require any changes in the personnel or structure of these societies, which would prejudice the aforesaid activities.

“The same principles shall apply to the activities and personnel of special organizations of a non-military character, which already exist or which may be established, for the purpose of ensuring the living conditions of the civilian population by the maintenance of the essential public utility services, by the distribution of relief and by the organization of rescues.

Additional Protocol 1

Article 68 Field of application

“The provisions of this Section apply to the civilian population as defined in this Protocol and are supplementary to Articles 23, 55, 59, 60, 61 and 62 and other relevant provisions of the Fourth Convention.”

Article 69 Basic needs in occupied territories

1. In addition to the duties specified in Article 55 of the Fourth Convention concerning food and medical supplies, the Occupying Power shall, to the fullest extent of the means available to it and without any adverse distinction, also ensure the provision of clothing, bedding, means of shelter, other supplies essential to the survival of the civilian population of the occupied territory and objects necessary for religious worship.
2. Relief actions for the benefit of the civilian population of occupied territories are governed by Articles 59, 60, 61, 62, 108, 109, 110 and 111 of the Fourth Convention, and by Article 71 of this Protocol, and shall be implemented without delay.”

Article 70 Relief actions

1. If the civilian population of any territory under the control of a Party to the conflict, other than occupied territory, is not adequately provided with the supplies mentioned in Article 69, relief actions which are humanitarian and impartial in character and conducted without any adverse distinction shall be undertaken, subject to the agreement of the Parties concerned in such relief actions. Offers of such relief shall not be regarded as interference in the armed conflict or as unfriendly acts. In the distribution of relief consignments, priority shall be given to those persons, such as children, expectant mothers, maternity cases and nursing mothers, who, under the Fourth Convention or under this Protocol, are to be accorded privileged treatment or special protection.
2. The Parties to the conflict and each High Contracting Party shall allow and facilitate rapid and unimpeded passage of all relief consignments, equipment and personnel provided in accordance with this Section, even if such assistance is destined for the civilian population of the adverse Party.
3. The Parties to the conflict and each High Contracting Party which allow the passage of relief consignments, equipment and personnel in accordance with paragraph 2:
 - (a) shall have the right to prescribe the technical arrangements, including search, under which such passage is permitted;
 - (b) may make such permission conditional on the distribution of this assistance being made under the local supervision of a Protecting Power;

(c) shall, in no way whatsoever, divert relief consignments from the purpose for which they are intended nor delay their forwarding, except in cases of urgent necessity in the interest of the civilian population concerned.

4. The Parties to the conflict shall protect relief consignments and facilitate their rapid distribution.
5. The Parties to the conflict and each High Contracting Party concerned shall encourage and facilitate effective international co-ordination of the relief actions referred to in paragraph 1.”

Article 71 Protection of relief personnel

1. Where necessary, relief personnel may form part of the assistance provided in any relief action, in particular for the transportation and distribution of relief consignments; the participation of such personnel shall be subject to the approval of the Party in whose territory they will carry out their duties.
2. Such personnel shall be respected and protected.
3. Each Party in receipt of relief consignments shall, to the fullest extent practicable, assist the relief personnel referred to in paragraph 1 in carrying out their relief mission. Only in case of imperative military necessity may the activities of the relief personnel be limited or their movements temporarily restricted.
4. Under no circumstances may relief personnel exceed the terms of their mission under this Protocol. In particular they shall take account of the security requirements of the Party in whose territory they are carrying out their duties. The mission of any of the personnel who do not respect these conditions may be terminated.”

Article 81 Parties to the conflict shall facilitate the work of humanitarian organizations

1. The Parties to the conflict shall grant to the International Committee of the Red Cross all facilities within their power so as to enable it to carry out the humanitarian functions assigned to it by the Conventions and this Protocol in order to ensure protection and assistance to the victims of conflicts; the International Committee of the Red Cross may also carry out any other humanitarian activities in favour of these victims, subject to the consent of the Parties to the conflict concerned.
2. The Parties to the conflict shall grant to their respective Red Cross (Red Crescent, Red Lion and Sun) organizations the facilities necessary for carrying out their humanitarian activities in favour of the victims of the conflict, in accordance with the provisions of the Conventions and this Protocol and the fundamental principles of the Red Cross as formulated by the International Conferences of the Red Cross.
3. The High Contracting Parties and the Parties to the conflict shall facilitate in every possible way the assistance which Red Cross (Red Crescent, Red Lion and Sun) organizations and the League of Red Cross Societies extend to the victims of conflicts in accordance with the provisions of the Conventions and this Protocol and with the fundamental principles of the Red Cross as formulated by the International Conferences of the Red Cross.
4. The High Contracting Parties and the Parties to the conflict shall, as far as possible, make facilities similar to those mentioned in paragraphs 2 and 3 available to the other humanitarian organizations referred to in the Conventions and this Protocol which are duly authorized by the respective Parties to the conflict

and which perform their humanitarian activities in accordance with the provisions of the Conventions and this Protocol.”

Additional Protocol II

Article 18 Relief societies and relief actions

- 1.** Relief societies located in the territory of the High Contracting Party, such as Red Cross (Red Crescent, Red Lion and Sun) organizations, may offer their services for the performance of their traditional functions in relation to the victims of the armed conflict. The civilian population may, even on its own initiative, offer to collect and care for the wounded, sick and shipwrecked.
- 2.** If the civilian population is suffering undue hardship owing to a lack of the supplies essential for its survival, such as foodstuffs and medical supplies, relief actions for the civilian population which are of an exclusively humanitarian and impartial nature and which are conducted without any adverse distinction shall be undertaken subject to the consent of the High Contracting Party concerned.”

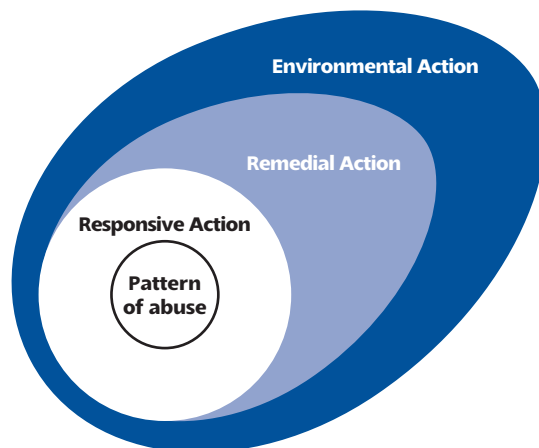
THE PROTECTION FRAMEWORK: THE “EGG” MODEL⁶

Protection is composed of three types of activities:

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

Remedial action: any activity aimed at restoring people’s dignity and ensuring adequate living conditions subsequent to a pattern of abuse (through rehabilitation, restitution, compensation, and reparation).

Environment-building action: any activity aimed at creating and/or consolidating an environment – political, social, cultural, institutional, economic, and legal – conducive to full respect for the rights of the individual.



Modes of Protection Action

Denunciation mode: pressuring the authorities, through public disclosure, to take action to fulfill their obligations and to protect individuals and groups exposed to abuses.

Persuasion mode: convincing the authorities through dialogue to take action to fulfill their obligations to protect individuals and groups exposed to and affected by abuse.

Mobilization mode: sharing information in a discreet way with selected individuals, bodies, or states that have influence on the authorities to satisfy their obligations and to protect individuals and groups exposed to violations.

Substitution mode: directly providing services or material assistance to the victims of the violations.

Support to structures and services: empowering existing national and/or local structures through project-oriented aid to enable them to carry out their functions to protect individuals and groups.

⁶ Inter-Agency Standing Committee, “Growing the Sheltering Tree: Protecting Rights Through Humanitarian Action,” pp. 16-19, UNICEF, 2002.

PROTECTION PROGRAMMING⁷

The following steps are to be taken when conducting an assessment and analysis for the purposes of protection programming:

Step one: Reduce threats. This in turn requires engaging those who are directly or indirectly responsible. In this regard the protection analysis focuses on:

- Understanding the precise nature, pattern, and scope of violations of protected persons and assess if they are arising from acts of commission or omission.
- Finding out particular patterns, timing, schedules, logic, or symbolism connected with the abuses to determine whether they might be predictable.
- Clarifying exactly who is responsible for these violations, what authority they may have, and what resources they are using.
- Attempting, on the basis of the above, to anticipate or predict the perpetrators' next step. Recognize that they are likely to adjust their strategies and deflect your efforts to stop them.

Step two: Reduce vulnerabilities by involving communities. The protection analysis focuses on:

- Understanding the general effects of these violations on the people suffering them in physical, social, gender, health, economic, political, and emotional terms.
- Identifying the immediate and longer-term needs for safety and assistance stemming from both existing violations and continuing threats and differentiating these needs by age, gender, and diversity.
- Understanding how different groups of people remain physically, socially, politically, or economically vulnerable to recent violations and future threats.
- Most important, identifying what coping strategies communities have to protect themselves from violations.

Step three: Limit the time communities are exposed to danger. The longer people are exposed to certain threats, the more they are likely to suffer and die.

Finally, the analysis should cover both secondary and primary risks. Usually you are carrying out the analysis at a stage when communities have already been affected, therefore you are analyzing secondary risks. It is, however, important that your analysis tackle the primary risks – root causes – that have caused the harm.

⁷ Adapted from "Protection: An ALNAP Guide for Humanitarian Agencies," Section 4, Hugo Slim and Andrew Bonwick, Overseas Development Institute, London, 2005.

INTERVIEWING TECHNIQUES

General rules

- Confidentiality is essential and very easy to breach. Once trust is breached, it may not be possible to repair it.
- Start with easy, somewhat impersonal questions (e.g., demographic ones like “which village do you come from?”). Gradually draw out the private self.
- Avoid questions with yes/no answers.
- People will pay a lot of attention to what you say, so be very careful about expressing your opinions. Likewise, do not refer to earlier interviews or things that other people have told you.
- Be hyperaware of any changes in the conversation in response to new people arriving in the room, and don’t push it.
- If you record the name, remind the interviewee that this is for your records only. If security is an issue, then code your note taking; devise a system for names.
- A questionnaire can be useful in terms of remembering what to ask but may be difficult to work from during the interview; better to use it as a checklist at the end.
- Be careful about getting too close to people: balance empathy with responsibility. Don’t raise false expectations, and be clear about the level of assistance available.
- Transcribe your information as soon as possible so you don’t miss things. Find gaps that you cannot later fill in and that would require a second interview, with the attendant risks (again) of confidentiality.
- Do your homework! Find out the local names of tribes, the euphemisms for sexual violence, what midwives are called, cultural practices such as polygamy and female genital mutilation, and learn any acronyms used by other NGOs. Such knowledge helps the flow of the interview and reassures the interviewee that you are serious about understanding their concerns. Moreover, if you are not aware of the issues, you won’t ask, or you won’t understand certain responses.

Interpreters must be:

- Gender appropriate
- Language appropriate (preferably in the interviewee’s first language)
- Trustworthy: both interviewer and interviewee must feel confident of the interpreter’s discretion for there to be confidentiality⁸
- Free of bias
- Free of editorializing (insist upon verbatim translation)

⁸ Trained interpreters must be recruited; the imperative of confidentiality must be reinforced.

INTERVIEWING ON SEXUAL VIOLENCE

Due to the extreme sensitivity of sexual issues in general and of sexual violence in particular, careful handling is required. Understanding the effects of rape will allow you to interview more effectively, especially as you may not know that the person is a survivor of rape, and therefore you may not understand the person's reactions or behavior. With this knowledge, you will be able to recognize when you are dealing with someone who has been raped. Once you recognize the signs, you will be prepared to deal with how it may influence the interview. Anyone can be equipped to interview rape survivors.

Interviewing women requires awareness and understanding of their special needs and concerns. Interviewing male survivors of sexual violence requires similar understanding; as in practice most survivors are female, the focus here rests on women. Understanding these needs (treatment of physical injuries, infections) and concerns (stigmatization, ostracism) is essential in order to conduct the interview with care and to facilitate the treatment process.

Sexual violence encompasses many forms of sexual assault that don't fall under the strict definition of rape. For example, the insertion of objects into genital openings is a form of sexual assault. These forms of sexual violence, which can be just as traumatizing as rape, must be considered as well. Rape is one of the gravest abuses of human rights, with consequences that can last a lifetime. Like other forms of torture, rape and sexual violence is meant to hurt, control, and humiliate. It results in physical pain, a loss of dignity, an attack on identity, and a loss of self-determination over a woman's body.

Sexual Violence During Conflict

Rape by multiple perpetrators is more likely, with increased risk of injury and sexually transmitted infection (STI).

Women and girls may be "branded" with scars on their thighs as a permanent sign of rape. This increases their vulnerability in any society that regards virgins as a commodity and nonvirgins as spoiled and without social value.

The Interview

Cultural context: Do your research!

Rape must be understood within the particular social and cultural context. Therefore, do your homework:

Ask local people about what can be discussed in private and what can be discussed in public with any group you are dealing with.

Find out about specific sexual practices: Is FGM a part of the culture? If so, what kind? If the most severe form (infibulation, or sewing the outer labia shut) is practiced, girls and women may have been cut open prior to penetration. You need to know this in order to ask about it and to understand that injury and infection are more likely.

It is very possible that a woman will be ostracized by her family or community for reporting sexual violence, so she may well be wary. When you approach her, tell her you need her permission to use her name or contact her in the future and ask how she would like this to be done.

Be aware of gender and cultural differences in communication, particularly regarding nonverbal communication.

Be very conscious of your own body language and avoid intimidating gestures that might inhibit responses.

If you dress appropriately for the culture, you are more likely to engender respect, trust, and engagement. Wearing jeans in a Muslim culture, for example, is the Western equivalent of having your underpants on display, i.e., it is culturally offensive. Dressing out of sync with the culture may hinder responses more when talking with male leaders about violence against women generally.

When assessing the credibility of women, do not be influenced by Western standards, such as the ability to maintain eye contact. Signs that Americans take for duplicity may simply be cultural, or may be evidence of Post-Traumatic Stress Disorder.

Pay attention to language and framing:

- Use the word “survivor” rather than “victim.”
- “Victim” focuses on the powerlessness, stigmatization, and shame.
- “Survivor” acknowledges the strength of women who have endured violation of their physical and sexual integrity.

Both the interviewer and the interpreter must be aware of difficulties in interpreting. The word “rape” may have a different meaning or connotation in the survivor’s language. In some cultures, “rape” is not even part of the language, and therefore does not have a direct translation. And historically, under Sharia law, a woman can only be said to have been raped if there were four male witnesses. Find out what euphemisms may be used (ask the midwives or traditional birth attendants [TBAs]), and be ready to learn new ones. It may be necessary to talk around subjects rather than about them directly. In these cases, you may have to make inferences about what exactly the woman experienced from what she says or describes.

Some euphemisms for rape

- took / made / forced me to be wife
- beat me
- hurt me personally
- battered me
- He saw me without clothes
- He used me to enjoy himself
- He enjoyed himself
- He took advantage of me

Interviewer

Since delicate personal issues arise from sexual abuse, interviewers must be sensitive to the needs of women and able to communicate with survivors about their experiences, however personal. In certain cultures women may not feel comfortable speaking with men. In these areas, women should be employed as interviewers and interpreters for the most effective results.

If there is an interpreter, the interviewer should ask all questions of the interviewee, rather than the interpreter.

The Interview Environment

The circumstances surrounding an interview can play an important role in its success. The place should be in a confidential and quiet setting where she feels comfortable, safe, and at ease. Try to prevent any interruptions or distractions during the interview. If possible, have drinking water and tissues on hand.

In situations where there are several people in the room, try to set up the interview in a corner for privacy. If you are interviewing several women, talk to them one by one. Since survivors of sexual abuse may not feel comfortable recounting experiences in front of their families, give the woman the opportunity to be questioned by herself, out of the hearing of other members of her family. Other women may prefer to be interviewed with someone they trust nearby. In this case, allow for the presence of a third person.

Interview Process

The way an interviewer presents herself and the organization she represents can affect a witness's inclination to be honest. Begin by explaining who you are, why you are gathering information, and why you are interviewing her in particular.

Explain how you found her; for example, who brought you to her or how your contact determined she was a potential interviewee. This should increase the woman's comfort and trust, and you can begin to establish a rapport with her. Since rape survivors' ability to trust has usually been shattered, approaching rape survivors through individuals they trust is very important. You do not want survivors to feel that they are being exploited again.

Interview Procedure

The interviewer should seek no more information about the incident than is absolutely necessary to establish what took place where and the perpetrator. In no instance should the work of investigators take precedence over survivors' well-being. The survivor's immediate and long-term vulnerability must be taken into consideration, and the survivor's decisions must be respected. If an interviewee cannot handle your questions, discontinue the interview. No information you receive should be at the expense of a woman's well-being.

- Approach the woman carefully in a gentle, supportive manner, keeping in mind the physical and psychological damage she has experienced. Be sensitive, discreet, friendly, and compassionate. Be patient and nonjudgmental.
- Apologize for your questions, acknowledging how hard it must be for the survivor to answer. Make sure she knows that she does not have to answer them and that she can discontinue the interview at any time.
- Don't start with sensitive questions. Instead, begin with simple, less personal questions that provide context for the story. Often the most effective way to approach women on sensitive subjects is to begin with general background.
- Leave detailed biographical questions until late in the interview. At that point the interviewee is more likely to feel comfortable giving such information.

- Ask short questions. Don't ask leading questions. Don't give your opinion. Don't make assumptions.
- Be sympathetic to the difficulty women have in recounting stories of abuse. Try not to interrupt or suggest words, but get details. If she does not want to give details, respect her decision. If you push, you may retraumatize the survivor.
- Express yourself about her experience objectively: nod, listen. Sometimes you may need to breathe consciously, which helps you and the interviewee to relax.

You want to learn about the circumstances of the incident, including details about the survivor, the perpetrator, what was done to whom, when and where the incident occurred, whether there were witnesses, and if so, who they were. Details are important. What did the soldier say? Did the woman report the incident? Always ask if soldiers or assailants said anything to the survivor or others, and record their words as exactly as possible. Find out which authorities, if any, the survivor consulted to report the abuse or get help, and whether any action was promised or taken. In the case of war rape, it is very important to try to identify the soldiers involved in the attack, either by name or by military group, and to determine whether their superiors were aware of what happened and/or were otherwise involved.

- Establish the number of violent incidents to which the survivor was subjected in order to gauge time.
- Record people's actual words insofar as you can. It is especially important to find out what abusers might have said to survivors.
- Ask open, nonsuggestive questions, such as "What did he say to you? Did you say anything to him? What did he reply?"
- **Never ask "Have you been raped?" Better to say "Have bad things been done to women or girls," and "Can you tell me about them?"**
- Never ask men: "Is there prostitution?" Better to ask is, "Where in the camp can you get sex for money?"
- Engage in active listening by reflecting back what you hear and see, summarizing responses, and clarifying questions. Don't be afraid to ask follow-up questions. They help a researcher bridge cultural and other gaps in communication.
- Ask for clarifications if you do not understand something. Make sure you understand what the interviewee is saying. If you can't visualize a location, have a pen ready and ask the interviewee to sketch it. If what happened is not clear (e.g., the woman says "he molested me" or "he touched me"), ask questions that will help the woman explain: "What exactly did he do?" or "Can you show me where he touched you?" If the woman contradicts herself, ask for an explanation, saying, "I'm sorry, there is something I don't clearly understand, perhaps you can help..."
- Use a questionnaire or checklist of relevant information to remind yourself of the answers you need, though it may be advisable to refer to it only at the end of the interview.

Samples of relevant information:

- The interviewee's age
- Where she is from

- When and where the incident happened
- The identities of assailants, witnesses, and any other victims
- What was said
- Any injuries, medical care, complaints

Handling emotion

Some people recommend asking about emotions, others do not. The best approach is to judge each situation on its own terms. If the survivor does not seem able to talk about her emotions, this does not necessarily mean “don’t ask.” It may be appropriate to say, “That must have been very hard for you.” Or “I understand that it is making you sad to talk about this, and please tell me if you need a break.”

End the interview with an open question like, “Is there anything else you think I should know?” At the end of the interview, give her the opportunity to ask questions.

