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Summary: This Guidance Note provides guidance for the mandatory mainstreaming of humanitarian protection principles into IOM’s response to crises. This note is intended to help every IOM staff involved in crisis response to apply these standards in performance of their functions when assessing, designing, developing, endorsing, implementing, monitoring and evaluating the following: a) IOM responses to crises and b) projects falling under one or more of the MCOF sectors of assistance. In case an IOM staff member needs to deviate from this Guidance Note, the staff member or Chief of Mission concerned must contact the Department of Operations and Emergencies. It is mandatory for IOM staff members and specifically for Chiefs of Missions to ensure adherence to this guidance note and to follow up with the Department.

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This Guidance Note provides guidance for the mandatory mainstreaming of humanitarian protection principles into IOM’s response to crises. This note is intended to help every IOM staff involved in crisis response to apply these standards in performance of their functions when assessing, designing, developing, endorsing, implementing, monitoring and evaluating the following: a) IOM responses to crises and b) projects falling under one or more of the MCOF sectors of assistance. In case an IOM staff member needs to deviate from this Guidance Note, the staff member or Chief of Mission concerned must contact the Department of Operations and Emergencies. It is mandatory for IOM staff members and specifically for Chiefs of Missions to ensure adherence to this guidance note and to follow up with the Department.

I. Context

1. The mobility dimensions of humanitarian crises embrace complex and often large-scale migration flows and mobility patterns which typically involve significant and diverse vulnerabilities for affected individuals and communities. This guidance note highlights the key humanitarian protection principles that should be engrained in every IOM activity before, during and after a crisis so as to ensure that the crisis and post-crisis response:

   - minimizes any unintended negative consequences and prioritizes safety and dignity of the affected individuals and communities;
   - ensures their meaningful access to aid and services without discrimination;
   - fosters participation and empowerment;
   - holds IOM accountable to affected populations, thus contributing to the respect and fulfillment of their rights.

2. The guidance note makes reference to existing Inter-Agency Standing Committee (IASC)\(^1\), cluster, humanitarian and other standards\(^2\) and newly developed tools (annexes) to practically integrate humanitarian protection principles into IOM activities in the context of the IOM Migration Crisis Operational Framework (MCOF).\(^3\) This note is complementary to the IOM Principles for Humanitarian Action\(^4\) and represents one of its practical applications across the project life-cycle. It is also aligned with the IOM

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\(^1\) IOM is a Standing Invitee to the Inter-Agency Standing Committee

\(^2\) IASC, Cluster, Humanitarian, Early Recovery, Disarmament, Demobilization, Reintegration, Disaster Risk Reduction, Resilience, Protection and Accountability standards and so on.

\(^3\) The **IOM Migration Crisis Operational Framework (MCOF)** is a Member-States endorsed framework for IOM’s response to the mobility dimensions of crisis situations; Resolution No. 1243 of 27 November 2012.

forthcoming Protection Policy\(^5\), the IOM Gender Equality Policy 2015-2019\(^6\) and IOM Migration Governance Framework\(^7\).

3. This guidance note focuses on protection mainstreaming as one fundamental dimension of protection and as the responsibility of all IOM staff involved in the design, development, implementation, monitoring and evaluation of responses before, during and after migration crises. It does not spell out provisions for protection sectorial interventions. The difference between these two concepts will be explained in the Section III General Parameters.

II. Legal Framework

4. The IASC defines protection as “all activities aimed at ensuring full respect for the rights of the individual in accordance with the letter and the spirit of relevant bodies of law, for example, human rights law, international humanitarian law and refugee law”.\(^8\) Humanitarians and human rights actors support and work with the primary duty bearers (the States) to ensure that individuals’ and communities’ exposure to risks of violence\(^9\) are reduced and addressed and that their rights are upheld and needs fulfilled.

5. In December 2013, the IASC issued the Statement on the Centrality of Protection. The Statement reaffirms that the protection of all affected and at risk individuals and communities must inform the humanitarian decision making and response. The Statement indicates that beyond protection mandated agencies, all humanitarians have the responsibility to protect affected or at risk individuals and communities before, during and after a crisis strikes. IOM adheres to the IASC protection definition and the Centrality of Protection Statement.

6. IOM integrates these engagements into its migration crisis response and reaffirms the fundamental protective nature of its response through the implementation of the activities comprised within the Migration Crisis Operational Framework. The 15 sectors of assistance of MCOF\(^10\) and their links with the cluster system\(^11\) allow IOM to address

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\(^5\) This Guidance Note deals with humanitarian protection only. IOM’s Protection Policy is broader in scope and aims to mainstream a rights – based approach in all IOM polices, strategies, projects and activities.

\(^6\) C/106/INF/8/Rev.1

\(^7\) Migration Governance Framework – The essential elements for facilitating orderly, safe, regular and responsible migration and mobility of people through planned and well managed migration policies; endorsed by the IOM Member States through Resolution No. 1310 of 24 November 2015.

\(^8\) Definition which endorses the ICRC one, released in 2001 after a series of ICRC led consultations on the topic. For the protection of migrants, other bodies of law may be relevant as well, such as labour law, maritime law, consular law and so on.

\(^9\) Throughout this guidance note, the term violence will be used as umbrella term to encompass abuse, exploitation, neglect, harm, threats, risks and violation of rights and will be interchangeably used with these terms according to the context.

\(^10\) The MCOF sectors of assistance are: 1- camp management and displacement tracking; 2- shelter and non -food items; 3- transport assistance for affected populations; 4- health support; 5- psychosocial support; 6- (re) integration assistance; 7- community stabilization and transition; 8- disaster risk reduction and resilience building; 9- land and property support; 10- counter-trafficking and protection of vulnerable migrants; 11- technical assistance for humanitarian border management; 12- emergency consular assistance; 13- diaspora and human resource mobilization; 14- migration policy and legislation support; 15- humanitarian communications.

\(^11\) As a result of a system wide reform in 2005, clusters are groups of humanitarian organizations, both UN and non -UN, in each of the main sectors of humanitarian action, such as water, health and logistics and so on. They are designated by the Inter -Agency Standing Committee (IASC) and have clear responsibilities for coordinating the response in that sector. The Resident Coordinator and/or Humanitarian Coordinator (RC/HC) and the Humanitarian Country Team (HCT) manage a humanitarian response through the clusters. All clusters have focal points, known as Cluster Lead Agencies, which operate
comprehensively and in a context-specific manner the diverse needs and exposure to risks of migrants and displaced persons (including refugees, asylum seekers, stateless persons or internally displaced persons) and communities affected by a crisis (even if they are not displaced but host the above categories). MCOF sectors of assistance are framed by humanitarian, development, security and migration governance settings. Thus, in the context of humanitarian action, the role that humanitarian actors play on protection can be understood as the one, development actors play in the context of recovery with regard to ensuring that the rights of affected persons under international human rights law are respected, protected and fulfilled without discrimination.

7. In the forthcoming IOM Protection Policy which cuts across all areas of IOM engagement, IOM reaffirms also that “IOM’s policies, strategies, projects and activities are rights-based, namely developed and conducted in accordance with international migration law, which includes norms and standards of human rights law, refugee law, labour law, humanitarian law, maritime law, law of the sea, transnational criminal law, nationality law and consular law at the international, regional and national levels.”

### III. General Parameters

This section explains the protection mainstreaming principles and the difference with protection standalone sectorial interventions.

8. Humanitarian protection has various dimensions and levels of responsibility. It could be defined as a goal, an approach or a set of activities. **Protection mainstreaming** is the inclusion of humanitarian protection principles into the crisis response by ensuring that any response is provided in a way that avoids any unintended negative effects (do no harm), is delivered according to needs, prioritizes safety and dignity, is grounded on participation and empowerment of local capacities and ultimately holds humanitarian actors accountable vis-à-vis affected individuals and communities. Protection mainstreaming addresses “how” crisis and post-crisis response is performed and is the responsibility of all actors. IOM adheres to and integrates the Global Protection Cluster definition of protection mainstreaming.

**Examples:** MCOF Sector 3 -Transport assistance for affected population: priority criteria for transportation of crisis affected migrants are established according to their level of exposure to risk of violence and not on the basis of their nationality, race, sex, gender, allegiance to a specific ethnic group, and so on. MCOF Sector 2- Shelter and Non Food Items: Time, locations of distribution and type of NFI to be distributed at migrant transit centers are agreed in consultation with affected individuals and communities. Items are selected because they are both required and culturally appropriate.

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at the global and country level. IOM is the cluster co-lead for the Camp Management and Camp Coordination cluster in natural disasters. OCHA on Message: the Cluster Approach, consulted on Dec.18th 2015.

13 IASC- Brookings, Operational guidelines for the protection of persons in situations of natural disasters, 2011
14 Global Protection Cluster definition of protection mainstreaming.
15 Mainstreaming seeks to address a certain issue (for example, protection) or contribute to achieve a certain outcome without creating a specific sector, program or project for it.
9. Following the Global Protection Cluster definition, the protection mainstreaming principles are:

i) Prioritize safety and dignity and avoid causing harm:
IOM delivers services and assistance in ways that preserve the physical integrity of individuals and communities, that are culturally appropriate and that avoid any unintended negative consequences.

Example: 1) the choice of non-food items and distribution times is done in consultation with the affected individuals so that this does not clash with their daily economic activities, it fits with their culture and tradition and does not expose them to risks of external attacks or threats; 2) in a disarmament, demobilization and reintegration programme (DDR), the power relations within the population to be demobilized are carefully analyzed while designing the programme. This includes also taking into account the impact on those who have been excluded from assistance and see what mitigating factors could ensure that the programme does not cause any unintended negative consequences on both demobilized population and the rest of the population.

ii) Secure meaningful access:
IOM provides assistance and services according to needs and not on the basis of age, sex, gender, nationality, race, ethnic allegiance and so on. Services and assistance are provided in an adequate scale, within safe and easy reach, are known by the affected individuals and accessible by all groups including: medical cases, disabled individuals, discriminated groups and the like.

Example: 1) Migrants are hosted in a transit center/way station which allows privacy for families and pregnant and lactating women and where disabled individuals can have easy access; 2) In an IDP and migrants’ returnee reintegration and community stabilization programme, members/groups of the host communities are equally supported by the programme to ensure this does not create any assistance unbalance and unnecessary inter-community tensions.

iii) Ensure accountability:
IOM enables affected individuals and communities to play an active role in the measurement of the quality of interventions that affect them and actively seek their views to improve policy and programming, through addressing concerns and complaints.

Example: Within a cash transfer project for IDPs, IOM uses a multi-functional hotline for direct contact with IDPs and their host communities to inform and encourage the use of available services and respond to complaints and concerns.

iv) Ensure participation and empowerment:
IOM fosters inclusive participation to decision making processes, builds on affected individuals and communities’ capacities in the development and delivery of services and relief and supports the development of self-protection capacities while assisting people to claim their rights.
10. **Protection sectorial interventions** represent another dimension of protection and are intended to i) respond, ii) restore and iii) prevent or build an environment free from specific threats, abuses and violations of rights. These three layers of activities are mutually reinforcing and complementary (ICRC Egg model). Protection sectorial interventions are the responsibility of protection practitioners (for example, IOM specialized staff within their technical area such as psychosocial support, counter-human trafficking, land, property and reparations and so forth).

11. In a migratory/mobility context affected individuals such as migrants, displaced persons and communities might not always fit into a specific category (for example, refugees, victims of trafficking and the like). Their level of vulnerability/exposure to risks of neglect, abuse, exploitation, deliberate deprivation and violations of rights varies from individual to individual and community to community.

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**Example:** 1) Through a cash-for-work program, IOM encourages the production of NFI by the refugees and IDPs themselves, so that they could actively contribute to the response but also be empowered by an income generating activity which will have long-term positive implications; 2) within a DDR programme, the demobilized population participates on a voluntary basis to the design, monitoring and evaluation of the programme, including validating the eligibility criteria allowing access to the programme.

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16 ICRC, Professional Standards for Protection Work, 2013

17 Protection sectorial interventions abide by specific professional standards and are aimed at ensuring that individuals are free from risks of neglect, discrimination, abuse, exploitation and violations of rights according to the operating context and the applicable legal framework. Some IOM MCOF sectors of assistance include protection sectorial interventions. Example: Sector 5- Psychosocial Support: Psychosocial assistance is provided to families of kidnapped girls belonging to an ethnic minority in a country affected by armed conflict. Sector 9- Land and Property Support: access to property and land documentation is facilitated for IDP wishing to return to their villages of origin. Sector 10- Counter-trafficking and protection of vulnerable migrants: safe spaces, rehabilitation, reintegration and psychosocial support are provided to identified victims of trafficking according to their needs and best interest. Each of these sectors has its own specific standards, expertise and specialized staff. Despite not considered as a protection sectorial intervention, provision of health care is a critical mean to extend protection to vulnerable groups; additionally, health care providers have a role in detecting abuses against individuals who might have been subjected to exploitation and other forms of violence. In so doing, health care contributes to the provision of protection response.
It cannot be addressed through ready-made assistance and protection strategies. Against this backdrop, mainstreaming protection is particularly critical. Individuals and communities who are migrants, displaced persons or affected communities might be exposed differently to risks of neglect, abuse, and exploitation. Their exposure to the above-mentioned risks is determined by the interplay of many factors:

- the socio-demographic characteristics of the migrants, displaced populations and affected communities (comprising of sex, age, gender, ethnic allegiance and so on);
- their capacities (including knowledge, networks, access to resources and so on);
- their location (in a camp, in a spontaneous settlement, in a transit center, at the border, in an urban setting and so forth);
- and the crisis induced factors having an impact on them (such as separation, loss and lack of resources and opportunities, threats to life and so on).

Often being mobile or displaced might be considered the best coping strategy to reduce one’s own exposure to risks. Understanding these factors and their interplay is critical to ensure that IOM crisis responses are carried out in ways that do not cause any unintended negative consequences and actually build on individuals and communities’ positive self-protection capacities. Factors determining the exposure/vulnerability to risks of neglect, abuse, exploitation and violation of rights against migrants, displaced persons and affected communities:

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18 C/106/CRP/20, Principles for Humanitarian Action (Humanitarian Policy), Part IV Humanitarian Protection, IV.4
IV. Specific Parameters

This section will explain how to mainstream the protection principles into IOM crisis response, both at the strategic and operational levels.

12. Protection could be mainstreamed only through an active effort of inclusion of the aforementioned principles across the various phases of the project life-cycle and of the crisis response (before, during and after). Each and every IOM staff involved in assessing, designing, developing, endorsing, implementing, monitoring and evaluating the following: a) IOM response to a crisis and b) projects falling under one or more of the MCOF sectors of assistance and corresponding clusters, should be responsible for mainstreaming protection.19

13. Protection should be mainstreamed across two fundamental levels:

i) strategic level: ensuring that the response targets the most at risk and does not create any unintended negative consequences affecting the general context of the crisis or the affected population (for example, migrants, displaced population and communities hosting them);
To ensure that protection is mainstreamed at the strategic level, assessments and analyses have to integrate elements that would allow for the identification of who is most at risk and thus, in need. The results of these analyses have to be reflected in response planning (for instance, IOM response planning, inter-agency response planning) and help prioritize affected individuals or groups and decide the nature of the intervention. See below.

ii) operational level: ensuring that the four protection mainstreaming principles are integrated in every project IOM implements, before, during and after a crisis. To ensure that protection mainstreaming is integrated at the operational level, the protection mainstreaming principles should become part of each phase of the project life-cycle: project development and design; project endorsement; project implementation and monitoring and project evaluation. See below.

14. Protection mainstreaming in situation analyses and assessments (strategic level):
Mainstreaming protection starts from the analysis of who is most exposed to heightened risks of neglect, discrimination, abuse, exploitation and violation of rights among migrants, displaced populations and affected communities. This analysis is context specific and should be carried out at the onset of a crisis to prioritize who is mostly in need and most at risk. This strategic level of analysis can follow IOM led and/or inter-agency participatory assessments and collection of data. It could also be conducted while developing a project. This will determine which mitigating factors should be integrated

19 For L1 emergencies, the Chief of Mission or Head of Office is responsible for managing and coordinating the response, thus also ultimately responsible for ensuring that protection is mainstreamed across IOM operations. For L2 emergencies, the Regional Director is in charge of coordinating and managing the response and thus ultimately responsible for the integration of protection mainstreaming principles across IOM operations. For L3 emergencies, the Migration Crisis Emergency Coordinator is responsible for managing and overseeing implementation of the IOM response and thus responsible for integrating protection mainstreaming principles into IOM response. See L1, L2 and L3 protocols on the DOE portal at http://doe.eu.iom.net/doe_portal/documents?%5b0%5d=field_type%3A401
in the project to ensure the project outcomes and outputs are safely developed and formulated. This analysis is based on data collection exercises such as desk-reviews, collection of existing baselines, inter-agency assessments, specific sectorial assessments and/or through the use of IOM tools such as the Displacement Tracking Matrix (DTM). For the specific elements to be taken into account during the analysis and some recurring at-risk profiles, please use Tool 1 and the Reference Document (Annex 1).

15. Project development and endorsement (project level): In line with the IOM Project Handbook, while developing a project and during the endorsement phase, it is critical to actively embed and check for elements that would address protection mainstreaming principles. These elements respond to the questions who needs what, why, when and how and could include, among other factors: sex and age disaggregated data; respect for IOM data protection principles; consultative and participatory processes; knowledge of prevailing and applicable legal framework and so on. Inclusion of these elements in the project might or might not have an immediate budgetary implication but specific processes, staff trainings, adequate human resources need to be considered during the project development. A list of specific questions and elements to be integrated and/or checked in the project proposal is provided in Annex 2- Tool 2 part I. To ensure that these elements are properly integrated, projects with logical frameworks should include specific indicators that help fulfilling protection mainstreaming engagements. A list of suggested indicators is also proposed for projects requiring logical frameworks, Annex 2- Tool 2 part II. These indicators need to readapted and complemented according to the analysis previously conducted.

16. Project Monitoring and Evaluation (project level): Monitoring project implementation implies continuously verifying the project progress on outcomes and outputs based on specified indicators. Monitoring whether protection mainstreaming elements have been effectively integrated during project implementation requires concrete steps that assess the achievements of indicators. Annex 3 proposes a set of questions and elements to be monitored. Monitoring is a continuous exercise and allows redressing project implementation.

Project evaluation looks at the overall project design, the achievement of outputs and outcomes and it assesses elements such as project impact, sustainability, efficiency and effectiveness. Integrating protection mainstreaming considerations in evaluations means also ensuring that evaluations are conducted through a participatory and an inclusive approach (sex and age diversity during consultations, not exclusive reliance on community leaders but inclusion of marginalized groups, and the like). For emergency and protracted crises response projects evaluations might also assess the potential impact, sustainability and enhanced capacities of local partners, affected individuals and communities. For more guidance on how to plan and conduct evaluations, please refer to the Evaluation Guidelines in the IOM intranet.
17. **Specific standards per MCOF sector of assistance:** In addition to the active inclusion of overarching protection mainstreaming elements into all the phases of the project-life cycle, each MCOF sector of assistance should abide by specific technical guidance and standards reflecting, among others, the protection mainstreaming commitments. These standards drawn from inter-agency, cluster, IASC processes and other IOM policies allow for the practical application of protection mainstreaming principles into sectorial interventions. A compilation of applicable standards, including child protection minimum standards, and technical guidance in relation to the protection mainstreaming principles has been provided per MCOF sector of assistance and is available as [Annex 5].

**Mainstreaming protection in the health sector:** In acute emergencies and post-crisis contexts, IOM activates its emergency health response that aims to provide health care for crisis affected communities as well as capacities to improve health systems. In line with the Global Health Cluster, IOM adheres to an established inter-agency policy, in light of which:

1. **Immediate humanitarian assistance should strengthen the existing health system, enhancing its capacity to recover and to meet post-crisis challenges as services are restored to the whole population;**
2. **Humanitarian assistance in the health sector is driven by need and should not undermine the existing health system capacities nor substitute it;**
3. **Humanitarian assistance, beyond the immediate urgent response does not create expectations, or provide services that will not be sustainable once external assistance is withdrawn.**

**IV. Special Focus**

The following section draws the links between protection mainstreaming and other critical cross-cutting elements in crisis response.

18. **Mainstreaming gender:** Gender\(^{20}\) refers to the socially constructed roles, behaviors, activities and attributes that a given society considers appropriate for individuals based on the sex they were assigned at birth. Gender determines the roles, responsibilities, opportunities, privileges, expectations, and limitations for individuals in any given social group. Gender mainstreaming is “the process of assessing the implications for individuals of any planned action, including legislation, policies or programmes in all areas and at all levels. It is a strategy for making gender concerns and experiences an integral dimension of design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that individuals benefit equally and inequality is not perpetuated [or exacerbated]. The ultimate goal is to achieve gender equality.”\(^{21,22}\) Gender mainstreaming is embedded in and complementary to protection mainstreaming. It is grounded on a thorough analysis of roles and relations between persons of all genders, including men and women, boys and girls and persons of other genders, and recognizes that individuals’ lives, and therefore experiences, needs,

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\(^{22}\) In consultation with the Gender Coordination Unit, this definition has been slightly amended to replace “men and women” with the term “individuals” in order to reflect an approach to gender that is inclusive of the needs of persons of all genders.
issues and priorities, are different. Likewise, protection mainstreaming starts from a thorough analysis of the exposure to risks of the affected individuals and communities; among other elements, it looks at gender relations and how they affect differently migrants, displaced persons and communities. Gender analysis’ results feed into the response strategy and project development to ensure that these are not causing any unintended negative consequences to the affected migrants, displaced persons and communities, and that the (protection) needs of different groups of people are addressed. And in so doing, abide by protection mainstreaming principles.

19. **Mainstreaming child protection:** child protection mainstreaming is embedded and complementary to protection mainstreaming. Considering that children often make up a large portion of migrants, displaced persons and crisis affected communities, IOM crisis response should minimize the risks children are inadvertently exposed to during the design and implementation of any project. Child protection in emergencies means the prevention and response to abuse, neglect, exploitation and violence against children. While IOM has a role to play in child protection standalone actions, it also has a critical obligation to ensure that child protection considerations are mainstreamed across its crisis response. Mainstreaming child protection means assessing child specific needs and risks during data collection exercises (Displacement Tracking Matrix-DTM or others) and including child friendly considerations in the development and implementation of projects falling under one or more of the MCOF sectors of assistance. Actions like taking part in regular child protection coordination meetings, identifying child protection partners, consulting and liaising with them for the design and implementation of projects that could have child protection implications should be embedded in the project design and implementation. Through its global, regional and country specific inter-agency work, IOM has collected a wealth of good practices in mainstreaming child protection considerations across its crisis and post-crisis response. Examples: ensuring child friendly considerations during transportation of crisis affected individuals and their placement in temporary transit facilities; including child specific variables in displacement assessments (DTM) and issue child protection focused reports; identify and share prevention of separation messages during humanitarian evacuations and/or other displaced induced events; according to the context, ensuring that child friendly spaces are available in camp and camp-like settings. IOM is actively contributing to child protection inter-agency tools and fosters cooperation and partnership in this area. IOM colleagues are encouraged to consult the child protection

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23 Definition of child protection of the Child Protection Area of Responsibility, Global Protection Cluster.

24 IOM is actively involved in the implementation of stand-alone child protection activities: identification, transportation, tracing, family reunification of unaccompanied and separated children (UASC); mental health and psychosocial support of children victims of violence in both natural and armed conflict environments; prevention and response to child victims of trafficking, including those that are victims of child labour; identification and referral of children associated with armed groups, and the like.

25 Since October 2014 IOM has become a core member of the global Child Protection Working Group, which is an Area of Responsibility under the Global Protection Cluster. As a result, IOM has committed to uphold, use and promote the Child Protection Minimum Standards in Humanitarian Actions (CPMS) throughout its operations, activities and projects at all levels.

26 Child Protection Minimum Standards, Mainstreaming child protection section.

27 Child protection partners might be, depending on the context, national authorities in charge of social and children affairs, specialized international and national NGOs, UNICEF and other UN specialized protection partners, community members, children themselves.

28 For more information on IOM and child protection engagements, kindly refer to the IOM and child protection minimum standards brochure available on IOM intranet.
in emergencies website (www.cpwg.net) to ensure the use of the latest inter-agency tools and appropriate guidance.

**References and Annexes**

**Protection mainstreaming operational tools (annexes):**

- Situation analysis questionnaire (Tool 1- Annex 1)
- Project development and endorsement check-list (Tool 2- Annex 2)
- Sample of possible indicators (Tool 2 part II- Annex 2)
- Project monitoring and evaluation check-list (Tool 3- Annex 3)
- Reference Document on at risk profiles (Annex 4)
- Standards per MCOF sector of assistance (Annex 5)

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