What are protection and community-based protection? Guidance on community protection structures

Introduction

Protection is a concept central to humanitarian action and the work of community protection structures (CPSs). However, the term is frequently used by humanitarian actors with different meanings. This document clarifies the meaning of ‘protection’ for Oxfam. It also explores the specificities of community-based protection (CBP), and its relationship to power dynamics and inequalities in communities affected by conflict and crises.

What and whom is protection about

Protection can be conceptualized in terms of what and whom it seeks to protect, and what and whom it seeks to ensure protection from.

Protection of rights, safety and dignity

Protection is about ensuring people’s rights, safety and dignity.

The rights encompassed are all those to which people are entitled according to various bodies of law. These include national legal instruments, such as a country’s constitution, and international ones. At the international level, the most relevant are International Humanitarian Law, International Refugee Law and International Human Rights Law. Also relevant are some regional legal instruments, such as the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (also known as the Kampala Convention) and the Cartagena Declaration on Refugees.

While safety and dignity are usually ensured by the legal instruments mentioned above, they are also protection goals on their own, even when not covered by existing legislation. This means that protection work does not have to be limited to achieving standards set by law, but can aim higher.

Protection of all

Protection is focused on ensuring the rights, safety and dignity of people who are not, or are no longer, taking direct part in hostilities or engaged in other acts of violence. This largely refers to civilians, i.e. all people who are not part of armed forces or groups.¹ This includes women, men, children, the elderly, displaced persons, indigenous people and ethnic minorities, and persons with disabilities. It also includes former combatants. Therefore, all people who are not, or no longer, engaged in hostilities are entitled to protection without discrimination.

¹ These can also be members of armed forces or armed groups who have been detained, and therefore are no longer fighting, however, these are not usually the target of Oxfam’s protection work.
People entitled to protection may also be referred to as ‘rights holders’.

**Protection during conflict and beyond**

Protection actors strive to ensure the protection of people’s rights, safety and dignity not only during conflict, but also in disasters, during forced displacements and situations of violence other than conflict, which may or may not overlap with conflict.

In all cases, protection focuses on people who are not the sources of violence or other threats.

**Protection from violence, coercion and deliberate deprivation**

Protection actors seek to ensure that people are protected from three specific types of threats: violence, coercion and deliberate deprivation.

**Examples of threats**

<table>
<thead>
<tr>
<th>Violence</th>
<th>Coercion</th>
<th>Deliberate deprivation</th>
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</thead>
<tbody>
<tr>
<td>● killings</td>
<td>● forced displacement</td>
<td>● destruction of homes, crops, wells, clinics, and schools</td>
</tr>
<tr>
<td>● torture</td>
<td>● forced returns</td>
<td>● denial of access to land and markets</td>
</tr>
<tr>
<td>● cruel, inhuman, and degrading treatment</td>
<td>● prevention of returns</td>
<td>● denial of humanitarian access</td>
</tr>
<tr>
<td>● sexual violence</td>
<td>● forced recruitment</td>
<td>● deliberate discrimination in access to property, land, jobs and services</td>
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<td></td>
<td>● forced labour</td>
<td>● illegal ‘taxation’ or tolls</td>
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<tr>
<td></td>
<td>● sexual exploitation</td>
<td></td>
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<tr>
<td></td>
<td>● being forced to commit acts of violence</td>
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**Protection from whom?**

Protection is the primary responsibility of the state or those holding control over a territory. For this reason, these actors are called ‘primary duty bearers’. These include authorities, who may be military or civilian, official or de facto, state or non-state. Even though these actors are responsible for protection, they can also be the sources of violence, coercion and deliberate deprivation.

Community members can also be sources of threats. This can be the case, for example, with domestic violence or intercommunal conflict, in which community members engage in violence directly and intentionally. Community members may also be the sources of threats unintentionally – for instance, by adopting harmful survival strategies, such as child marriage, or condoning harmful practices, such as the discrimination of certain groups.

Therefore, both primary duty bearers and community members can be sources of threats.

**Sources of threats**

- Primary duty bearers
- Communities
Example scenario

A woman leaves her house to fetch water at the nearest well. On the way, she is stopped by an armed man. The man tells her that the well now belongs to him and his men, and that she is not allowed to go further.

The woman pleads with him, explaining that she and her family need the water, and that it is the only well in the area. The man threatens to beat her and then insinuates that he might let her pass in exchange for sexual favours.

Protection elements

Protection here is about protecting the woman’s rights – among others, to water and freedom of movement – as well as her safety and dignity. The threats she faces are:

- denial of access to water and of free passage (forms of deliberate deprivation);
- sexual exploitation (coercion);
- and physical violence.

These are all posed by the armed man. The woman may be vulnerable because she has no water source in her village and/or because she is a woman walking alone, or may be from a certain ethnic group.

The more often she has to go and collect water, the greater is the risk to her.

In a nutshell

Protection is about ensuring the rights, safety and dignity of all people not taking part in conflict or violence, by reducing risks of violence, coercion and deliberate deprivation, which can be posed by both primary duty bearers and rights holders.

Protection risks

Where there is a threat and people are vulnerable to it, they are at risk. The longer and more frequently people are exposed to a threat, the greater the risk. However, the capacity of both rights holders and duty bearers to address these issues reduces these risks.

**Threats:** The greater the threat, the greater the risk it poses. As mentioned, threats can be grouped into three categories: violence, coercion or deliberate deprivation.

**Vulnerabilities:** The more vulnerable a person is to a threat, the greater the risk it poses. This means that the same threat may create a protection risk of different severity for different groups of people. For example, an adult man travelling alone may be more vulnerable to being arbitrarily arrested at a checkpoint than a family.

Vulnerabilities pre-exist, and can be exacerbated by, humanitarian crises. Such vulnerabilities can be shaped by social and cultural factors such as gender, sexual orientation, gender identities, sex characteristics, age, ethnicity, ability, political power, economic power, civil status, etc.

**Time:** The longer and more frequently people are exposed to a threat, the greater the risk it poses. For example, a group of women fetching water from a well 2km away from their village may be more
vulnerable to sexual violence during their trips than another group of women whose village is only 500m away because the first group would spend more time en route.

**Capacity:** Protection risks can be reduced by the capacity of both rights holders and duty bearers to address the threats, vulnerabilities or the time that compound that risk. For instance, the risk of criminal violence is less likely to occur in areas patrolled by the police – therefore, the risk reduces as authorities’ policing capacities increase. The risk of extortion at a checkpoint may be mitigated by an individual’s capacity to negotiate: even if the individual still has to pay a fee, it might be lower than initially demanded. A protection risk can also be mitigated by one's capacity to deal with its consequences – for instance, a person’s ability to access mental health services may contribute to reducing the psychological impact of a threat, thus reducing the risk.

These factors can be presented in the 'protection risk equation':

\[
\downarrow \text{Risk} = \downarrow \text{Threat} + \downarrow \text{Vulnerability} \times \text{(x Time)} \\
\uparrow \text{Capacity}
\]

Protection responses include actions that aim to:

- reduce threats;
- reduce people’s vulnerabilities;
- minimize the time people are exposed to threats;
- strengthen communities’ self-protection capacities (see guidance on community self-protection); and/or
- duty bearers’ capacities to fulfil their protection responsibilities.

**The two dimensions of protection**

There are two ‘dimensions’ to protection work, which are distinguished by their focus: duty bearers and rights holders.

Some protection work focuses on duty bearers, reducing protection risks by holding them accountable for, and/or strengthening their capacity to uphold, their responsibilities. Common examples of protection activities centred on duty bearers are advocacy, negotiation and trainings on international humanitarian law.

Community-based protection (CBP) is closely linked to rights holders, i.e. the people affected by conflict and other crises. It is important that the people in need of protection are not just seen as victims of violence, coercion and/or deliberate deprivation, but as agents in their own protection. Thus, CBP focuses on supporting communities’ own capacities and strategies to reduce protection risks, while paying attention to gender and other power dynamics.

However, as detailed in the [guidance on community self-protection](#), community self-protection strategies may or may not entail engaging duty bearers. These are called ‘engagement’ and ‘non-engagement’ self-protection strategies, respectively. Engagement strategies could include, for example, community members pleading with soldiers not to occupy a school, or requesting their community leader to negotiate the release of recruited children by an armed group. When humanitarian actors seek to support such strategies – for example, by arranging a meeting between the community leaders and a military commander – they are in effect bringing together the two
dimensions of protection work by boosting the agency of rights holders and holding duty bearers accountable. Therefore, even though CBP is closely linked to the rights-holders dimension of protection, it can also contribute to the duty-bearers dimension.

Communities’ capacity and power

Humanitarian protection had been traditionally focused on the responsibilities of duty bearers. Only from the 1990s was greater attention paid to the agency of rights holders. This shift is reflected in the risk equation presented above. Protection risks were initially understood as the consequence of threats and vulnerabilities only. The inclusion of ‘capacity’ marks the acknowledgement of communities’ own self-protection capacities – a cornerstone of CBP. Communities’ capacities are further detailed in the guidance on community self-protection.

CBP can be understood as a dimension of protection in which communities have a considerable amount of power over responses. Thus, the shift in humanitarian protection policy and practice is also reflected in the ways in which communities are involved in the protection work carried out by humanitarian actors – from participation to leadership.

If communities’ self-protection agency is not recognized and supported, then their involvement will, at best, be limited to informing protection activities. In this ‘community-informed protection’ approach, communities are mere sources of information for protection responses, which are still controlled by humanitarian organizations.

CBP starts when communities have a say in the protection responses being implemented. Nonetheless, communities may have different levels of control over such responses. In agency-led CBP, responses focus on strengthening communities’ own self-protection capacities; however, these responses are initiated by humanitarian organizations, even if co-created with communities themselves. In community-led protection, responses originate within and are led by communities, with or without the support of humanitarian actors. Community-led protection corresponds to community self-protection.
<table>
<thead>
<tr>
<th>Community-informed</th>
<th>Community-based protection</th>
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<tr>
<td><strong>Agency-led</strong></td>
<td><strong>Community-led</strong></td>
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<td>Protection work decided upon and controlled by a humanitarian organization but informed by communities. This can be done, for instance, through surveys, focus group discussions and feedback mechanisms.</td>
<td>Protection work that builds on communities’ capacity and agency in their own protection, but is initiated by a humanitarian organization, even if co-created with the community. A notable example is the establishment of community protection structures.</td>
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**In a nutshell**

Community-based protection is about supporting and strengthening communities’ self-protection capacities, and shifting the power dynamics within the humanitarian protection sector, allowing for communities to exercise more power over protection responses.