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AND IDP ADVISORY TEAM



Real-time evaluation of UNHCR's IDP operation in Liberia

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Evaluation summary

In January 2007, UNHCR issued a document entitled 'Policy Framework and Implementation Strategy: UNHCR's role in support of an enhanced humanitarian response to situations of internal displacement'. The primary purpose of this document was to set out the key considerations and principles guiding UNHCR's engagement with IDPs in the context of the UN's humanitarian reform process, and in particular, within the new institutional arrangements known as the 'cluster approach'. This evaluation report is one of a series which seeks to analyse UNHCR's initial experience in the implementation of the cluster approach as part of the humanitarian reform process, with the aim of identifying lessons learned and effective practices which may be drawn upon as the cluster approach is rolled out to other operations. The evaluation process also provided an early opportunity to review field operations in the light of the IDP policy framework referred to above, together with UNHCR's paper on "The Protection of IDPs and the Role of UNHCR", issued in February 2007. The countries selected for evaluation were those in which the cluster approach was initially rolled out (DRC, Uganda, Somalia and Liberia), together with Chad.

This evaluation report is based on a mission to Liberia undertaken from 16 to 23 May 2007. The evaluation team comprised three UNHCR staff members: Neill Wright (Senior Coordinator IDP Operations), Enda Savage (IDP Advisory Team) and Vicky Tennant (Senior Policy Officer, Policy Development and Evaluation Service). The team visited former IDP camps and returnee communities in Bong, Bomi and Montserrado counties and held a series of meetings with (former) IDPs, returnees, host communities, government interlocutors and field-based staff of UN agencies and NGOs. In Monrovia, the team met with the Deputy Minister for Gender and Development, the Deputy Minister of Justice, representatives of LRRRC, national human rights NGOs, the Deputy SRSG/Humanitarian Coordinator, UNMIL, WFP, UNICEF, UNFPA, UNDP, IRC, CCF, ARC, USAID, ECHO and UNHCR staff.

A workshop on the humanitarian reform process was conducted for UNHCR staff, and initial evaluation findings were presented to UNHCR and other members of the IASC Country Team in Monrovia on 23 May 2007. Key findings were also shared in a series of presentations to UNHCR Headquarters staff, EXCOM members and Standing Committee observers in the week following completion of the mission.

Key findings

General

- The cluster approach was activated in Liberia in January 2006, at a time when the emergency phase was already drawing to a close, and the return of more than 300,000 individuals from IDP camps to their home areas was almost complete. As a result, there was a widespread feeling that the cluster approach came too late in Liberia and was largely superimposed on existing structures. The evaluation team nonetheless found that the introduction of the cluster approach enhanced the legitimacy and effectiveness of the coordination structures, and brought added clarity and accountability to the role of the cluster leads. It also enabled important insights into the functioning of the cluster approach in transitional contexts.
- UNHCR performed well in its leadership of the protection cluster and the camp coordination and camp management cluster. The effective leadership by senior staff and commitment of UNHCR staff at all levels were important factors in this success.
- The Liberia operation provided important insight into the functioning of the cluster approach in IDP return and reintegration operations. It highlighted the need for tools which cover all stages of the displacement process, together with guidance on how to restructure and eventually deactivate clusters.

Partnerships

- The engagement of the government from the outset was an important factor in the successful implementation of the cluster approach in Liberia, despite the government's limited capacity and uneven involvement in practice.
- The participation of donors in the ICF and the IASC CT facilitated better partnerships and effective decision-making.
- The Liberia experience nonetheless demonstrated the difficulty in finding a balance between inclusiveness and effectiveness in determining who should participate in cluster working groups. The ability to take collective decisions and implement these was found to be crucial to cluster effectiveness. However, some national NGOs did not feel themselves to be fully engaged as equal partners in the cluster approach.

Funding

- Strong donor support for UNHCR was crucial, enhancing the organization's authority as cluster lead and enabling gap-filling. As a result, UNHCR was able to step in when other service providers were unable to deliver.
- The release of CERF funding to the water and sanitation, health, and food security clusters led to increased cohesion and enhanced the leadership role of

the cluster leads, despite initial difficulties with financial mechanisms for distributing pooled funding.

Human resources

- The timely deployment of suitably-qualified staff was extremely important. Additional staff were deployed relatively quickly, and NRC secondees also made an important contribution. The establishment of a Protection Core Group secretariat headed by a UNHCR Protection Officer within the Branch Office, and the placement of UNHCR staff within the UNMIL IDP Unit, were particularly valuable initiatives.
- Staff at all levels would have benefited from earlier training on cluster lead responsibilities.

Impact on refugee programmes

- There was a high level of complementarity between the IDP and refugee return programmes. UNHCR's increased involvement with IDPs enabled the development of a more coherent and comprehensive protection strategy and reintegration programme which ultimately benefited both IDP and refugee returnees. This might not have been the case had the IDP programme not been fully funded.
- In general, UNHCR staff felt that, apart from in the early stages of activation (before additional staff arrived), there was no negative impact on the refugee operation. It was nonetheless noted that the number of refugees in Liberia is relatively small.

Inter-cluster coordination

- The Liberia experience showed that the function of inter-cluster coordination requires further definition and refinement. Mechanisms are required for the identification of overlapping issues and for enabling information exchange and joint planning between clusters.

Intra-cluster coordination

- The relationship between clusters and sub-clusters also needs to be carefully defined, with responsibilities and information-sharing mechanisms established from the outset.

Durable solutions

- A policy decision was taken by the government to consider as 'IDPs' only those who had been registered by WFP in the camps for food distribution purposes, and to provide return assistance only to this group. Whilst this was a pragmatic approach, it nonetheless left a residual group in the camps who still perceived

themselves as IDPs who have been somehow disenfranchised and wrongfully excluded from return assistance.

- The decision by the government to classify only those who were camp-based as IDPs led to a lack of information on the profile and needs of urban IDPs. This resulted in a significant ongoing protection gap and a lack of durable solutions for this group.

Cluster restructuring

- The humanitarian situation in Liberia has evolved since the cluster approach was activated some eighteen months ago. The IASC CT, facilitated by HCS, has already initiated a process to re-examine the cluster approach mechanisms in order to restructure them to meet current gaps and ultimately to fold it into national frameworks. The transition from humanitarian to development action is beginning to take shape, with an interim Poverty Reduction Strategy already in place and the UNDAF process under way. Nonetheless, the indications are that this is likely to be a complex process.

Recommendations

1. The ongoing work of the IASC CT in reviewing and restructuring the cluster approach to bring it in line with current needs and to fold it into national structures is highly commended, and should continue to be actively pursued. This process should include contingency planning for future emergencies and a contingency mechanism for the re-activation of the cluster approach if necessary.
2. The government should be urged to maintain and expand its engagement in the cluster approach, and to lead on establishing and implementing national strategies.
3. The work of the early recovery cluster should be supported and strengthened as a key actor in facilitating the transition from humanitarian to development activities.
4. Inter-cluster coordination mechanisms could be further strengthened. The relationship between the PCG and its sub-clusters needs to be further clarified to avoid duplication and overlaps.
5. UNHCR and its partners should continue actively to seek solutions for those remaining in the former IDP camps. The ICF should consider providing transport assistance to those who continue to express a desire to return.
6. The Land and Property sub-cluster should be revitalised under the leadership of UNMIL and appropriate government institutions. Consideration could be given to commissioning an expert study on land and property tenure in Liberia, which would consider both formal legal frameworks and traditional mechanisms for land tenure and use. The network of partners working on land and property should be expanded. The sub-cluster should engage with

the national Land and Property Commission. UN Habitat should be encouraged to engage in this process.

7. The Protection Core Group (PCG) should actively pursue its stated objective of expanding its partnerships with national actors and building the capacity of national institutions, community-based structures and civil society, on protection issues. The aim should be the transformation of the PCG into a nationally-owned structure, bringing together a range of key actors, rather than phasing out. Partnerships with national human rights NGOs should be further enhanced, and preparation made for the eventual handover of the protection monitoring function to national actors. The PCG should advocate for the early establishment of the Independent National Human Rights Commission. Efforts should be made to engage traditional leaders on protection issues, and to better understand the role of traditional justice mechanisms.
8. UNHCR should continue to support the Ministry of Justice to take on a leadership role within the PCG, and should consider a secondment to the Ministry of Justice to support this process.
9. A renewed focus on strategies and programmes to promote the rule of law is required from all stakeholders, including donors and government. Coordination on rule of law activities should be enhanced. The attention given to SGBV and sexual exploitation and abuse is to be commended; however ongoing gaps in the policing and legal systems continue to contribute to an overall climate of impunity, other than through traditional justice channels.
10. The ICF and PCG should engage proactively with the government to review the situation of urban IDPs. Information should be gathered on the profile and protection needs of the diverse groups (including ex-combatants, IDPs, and other categories of urban poor) currently occupying public buildings and spaces in and around Monrovia. This could take the form of a profiling exercise to be piloted in one or two locations, or could be incorporated in the planned census.

General assessment and key features of the IDP operation in Liberia

Context

1. Fourteen years of armed conflict in Liberia resulted in successive waves of large-scale forced displacement. Civilian populations fled their homes and villages in the face of widespread killings, looting, property destruction, rape and child recruitment. A total of 35 IDP camps were established, mostly located on private or community-owned land in rural areas close to Monrovia and along the main road in Bong County. As fighting drew closer to the capital in mid-2003, there were further movements of civilian populations into Monrovia. By August 2003, when the Comprehensive Peace Agreement was signed in Accra, there were estimated to be some 500,000 to 600,000 IDPs throughout the country, a significant proportion of whom were located in Monrovia, living in congested and destitute conditions in public buildings and other available spaces, including the national football stadium.

2. In October 2003, a power-sharing transitional government was inaugurated and a 15,000-strong UN peacekeeping force deployed. The following month, a large-scale inter-agency effort was mobilized to support IDPs in need of assistance to relocate to the IDP camps, where food assistance and other basic services were provided by a range of UN agencies and NGOs to some 324,000 individuals registered by WFP.¹

3. Between November 2004 and April 2007, an inter-agency operation assisted some 326,990 IDPs to return to their places of origin. The vast majority of these (321,634) had returned by the end of March 2006, and the camps were formally declared closed and assistance discontinued in April 2006. An inter-agency assessment in April-May 2006 found approximately 28,000 individuals still residing in the former camps, of whom just over 16,000 had received return packages but had either not departed or had done so but later returned to the camps. A further 12,000 claimed to have been wrongly excluded from return assistance owing to errors in the WFP registration and verification process; however of these, only 5,480 had their claims validated and received assistance to return. The final stage of the return process was completed in April-May 2007 as 122 unregistered families, identified as vulnerable, were transported to their areas of origin and received a specially-designed assistance package, including shelter kits.

4. The Liberian conflict also resulted in significant movements of refugees into neighbouring countries and further afield. At the height of the conflict, a total of 233,264 Liberian refugees were registered with UNHCR, primarily in Sierra Leone, Cote d'Ivoire, Ghana and Guinea. By mid April 2007, 95,584 of these had returned to Liberia with UNHCR assistance and a further 50,032 were believed to have returned spontaneously. It is also estimated that a further 350,000 unregistered refugees who crossed into the border areas of neighbouring countries also returned spontaneously.

¹ The officially-registered camp population was 323,827 persons, consisting of 314,095 IDPs and 9,732 Liberian refugees who had returned spontaneously from countries of asylum but had been unable to return to their areas of origin. (Source: Liberia IDP Camp Closure Assessment Report, UNHCR, June 2006).

The organized voluntary repatriation operation is expected to have been completed by the end of June 2007.

Current situation

5. Following national elections, the government of President Ellen Johnson-Sirleaf was installed in early 2006. The overall security situation has largely stabilized, although localized inter-ethnic property and land disputes in Nimba County and tensions in Guinea and Cote d'Ivoire continue to provide some cause for concern. Peace-keeping forces deployed under the leadership of UNMIL provide security throughout the country, and the UNMIL police component continues to support the restructuring and training of the Liberian National Police. Nonetheless, deployment of the Liberian National Police outside Monrovia has been hampered by significant gaps in infrastructure and basic equipment. It is estimated that in the rural areas, there is just one police officer for every 20,000 people. Restructuring of the Liberian armed forces is ongoing but has been subject to considerable delays, and consolidation of state authority outside Monrovia has been hampered by a lack of communications, vehicles and other equipment. The demobilization and reintegration of 102,000 former combatants has also been subject to delays, although by March 2007, some 75,000 had either completed or were participating in reintegration programmes.

6. The vast majority of IDP and refugee returnees have returned to rural areas in the north-west of the country, with more than 200,000 IDPs returning to Bomi and Lofa counties alone. There, in common with other members of the communities to which they return, they face major gaps in the provision of basic services. A study conducted in August 2006 found that in rural areas, just 20% of communities have functioning health facilities and 32% of households have access to safe drinking water. Some 70% of health facilities are supported by NGOs, some of whom (including key providers such as MSF and World Vision) have already begun to withdraw as the emergency phase draws to an end.

7. Owing in part to a lack of educational facilities (some three quarters of schools were damaged during the conflict), just 50% of primary school age children are estimated to be attending school. Rural poverty is acute, reflecting the widespread devastation of the agriculture sector during the war. In the rural areas, 64% of the population is estimated to be living in extreme poverty (less than \$0.5 per day), whilst in Monrovia, the percentage is 22%. Returnees also face widespread shelter destruction. These problems are shared with other community members, and it does not appear that returnees are subjected to discrimination as a result of their former displacement.

8. The absence of employment opportunities in rural areas, particularly for the youth (including demobilized combatants), has led to concerns that if not addressed, this could potentially destabilize the fragile peace in Liberia. Economic inequality and social marginalization were cited as key contributory factors in the fourteen-year conflict.

9. Returnees and their communities also face significant protection problems. One report estimates that more than 90% of Liberian women have experienced

sexual or gender-based violence.² Rape, sexual exploitation and abuse are significant ongoing problems. Despite limited police presence, some eight rapes a week are reported to the police across the country, of which the majority involve under-age girls. Medical, psychosocial and legal support for victims is extremely limited and there is a widespread culture of impunity. Despite the adoption of a Rape Amendment Act in early 2006, which increased the penalty for rape to life imprisonment, there were just three convictions for rape in 2006. Other protection problems faced by returnees and other Liberians include domestic violence, personal security, access to justice, and land and property issues.

10. Endemic poverty and limited access to basic services in the rural areas have contributed to significant over-population in Monrovia, with an estimated population of 1.3 million now occupying an urban area designed for 500,000. Many public and abandoned buildings are currently occupied by a diverse group of people commonly categorized as 'squatters', but who include IDPs who chose not to move to the camps in late 2003, ex-combatants, rural-urban migrants, and other categories of urban poor. There is little information available on the profile and protection needs of this diverse group, and the government has stated that they will be required to vacate the buildings they occupy, although it appears that no enforcement action has yet been taken.

11. Since late 2003, the government has taken the position that only the camp-based population registered with WFP would be considered as IDPs. This served to mask the situation of other 'non-recognized' IDPs, such as those in the urban areas and those who were hosted by families within non-camp environments. While this decision was a practical one for assistance purposes (it was reasonably assumed that those IDPs who were in need of assistance would take the opportunity to relocate to a camp), it has nonetheless resulted in a lack of attention to the issues of protection and solutions for non-camp IDPs.

12. Following the completion of the IDP return operation, approximately 23,000 individuals are believed to remain in former IDP camps. Of these, some 16,000 (5% of the original registered population) received a return package but either failed to depart, or later came back to the camps. During interviews conducted by the evaluation team, these individuals cited lack of economic opportunities and basic services in their home areas as their main reason for remaining. Others explained that members of their families had been killed by perpetrators who were now residing in their home communities. Some were single women and widows who stated that they had no family ties or sources of support in their home areas. In interviews with members of the host community, local government officials and landlords, the evaluation team was told that while former IDPs were in general welcome to remain in their current locations for the time being, they would have no security of tenure and there would be no guarantee that they would be permitted to do so indefinitely. This situation varies from location to location.

13. Others remaining in the former camps claimed to have been wrongly dropped from the registration lists during a 2004 WFP verification exercise. During a further inter-agency verification exercise conducted in August 2006 only 5,480 had their

² These figures are cited in the *National Plan of Action for the Prevention and Management of Gender-Based Violence in Liberia* prepared by the Task Force on Gender-Based Violence led by the Ministry of Gender, and are based on a study by WHO carried out in 2005.

claims upheld (and were subsequently assisted to return), resulting in a residual group of around 7,000 who claim to have been wrongly denied return assistance. Whilst some of these are believed to be members of local communities, there is nonetheless a significant group who continue to call themselves 'IDPs' and who harbour a sense of grievance at what they see as a denial of their rights. Liberia also hosts 15,050 registered refugees (including 3,566 from Sierra Leone and 11,455 from Cote d'Ivoire).

Early coordination structures

14. The presence of an integrated mission in Liberia (UNMIL) from late 2003 formed an important backdrop to the inter-agency framework upon which the cluster approach was later superimposed. Two UNHCR staff participated in the integrated mission planning stage in August/September 2003, and UNHCR also seconded a senior staff member to UNMIL as DSRSG and Humanitarian/Resident Coordinator. The mission structure consists of a military/security component headed by the Force Commander on the one hand, and a second component focusing on humanitarian affairs, disarmament and demobilization, human rights and legal and judicial services.

15. The evaluation team encountered a range of views on the extent to which humanitarian affairs had been successfully incorporated and prioritized within the integrated mission. Some felt that UNHCR had not fully appreciated the strategic potential of proactive engagement in the planning stage (the staff of humanitarian agencies were vastly outnumbered by DPKO, who had 40-50 people on the ground at this time) and that the humanitarian component of the mission was not accorded sufficient priority. Others felt that the placement of UNHCR staff within UNMIL had successfully played an important part in shaping the humanitarian agenda. After the departure of OCHA in 2004, humanitarian coordination was managed through the Humanitarian Coordination Section (HCS), which while housed in a separate location remained formally part of UNMIL. An IDP Unit was established within the HCS which took responsibility for the operational management of the IDP return process. UNHCR seconded a number of staff to this unit, which was closed in June 2006 after the official completion of the IDP return operation.

16. The IDP return and reintegration programme was incorporated in Chapter 3 of the Results-Focused Transitional Framework developed jointly by the interim government and the UN in 2004. An IDP return plan was prepared by a Joint Planning Team and the assisted return operation began in the latter half of 2004. This was however significantly hampered by a lack of clarity regarding institutional responsibilities, and the process was subject to considerable criticism by observers. Owing in part to a slow start to the simultaneous refugee repatriation process, UNHCR had resources available, including non-food items; however the agency's position on its engagement with IDPs was somewhat ambivalent. In principle, there was a consensus that UNHCR had a role to play, however without a clear position on the extent of the agency's involvement and the resource implications, UNHCR's position remained somewhat undefined. At that time, there were significant gaps in protection and return monitoring, and the operation was also subjected to delays owing to interruptions in the NFI pipeline.

17. At the beginning of 2005, the Joint Planning Team was dissolved and replaced by an IDP Consultative Forum co-chaired by the Humanitarian Coordinator and the Executive Director of the Liberian Refugee Repatriation and Resettlement Commission (LRRRC). This body consisted of government representatives, donors, UN agencies, IDP representatives and one NGO representative. There were criticisms of its perceived lack of inclusiveness, and concerns were also voiced regarding the decision to provide return packages in the camps and transport grants rather than accompanied return. Nonetheless, over time this body appears to have evolved into a highly effective decision-taking forum, with the engagement of donors playing a key part in its effectiveness.

18. In April/May 2005, the issue of UNHCR's protection role in relation to IDPs in Liberia was to a large extent clarified in an exchange of letters between the Emergency Relief Coordinator and UNHCR's Assistant High Commissioner. It was agreed that UNHCR would increase its involvement in IDP protection in Liberia, and a Unified Protection Framework was developed through the Protection Core Group.

Activation of the cluster approach

19. Liberia was one of three countries identified for the initial roll out of the cluster approach in late 2005, and this was formally activated on 1 January 2006.³ The decision to activate the cluster approach in Liberia was taken by the IASC, and initially received a mixed response in the field. The cluster structure was to a large extent superimposed on existing coordination mechanisms, some of which were renamed accordingly and some of which retained their existing nomenclature.

20. Overseeing the cluster structure in Liberia is the Inter-Agency Standing Committee Country Team (IASC CT), which consists of the UN, government representatives, donors and NGOs. It was initially envisaged that a total of eleven clusters would be activated. UNHCR agreed to take the lead in the protection, camp management and coordination, and emergency shelter/NFI clusters, and to participate in the water and sanitation, food security, health, education, early recovery and logistics clusters. The only two clusters in which the agency did not participate were nutrition and emergency telecoms. Under the protection cluster, it was initially envisaged that there would be six sub-clusters: rule of law; SGB, child protection; human rights monitoring; land, property and housing; and return/resettlement of IDPs, with UNHCR also leading the latter two.

21. In practice, the clusters for emergency shelter and camp coordination and camp management, and the return/resettlement of IDPs sub-cluster, were not formally activated, but were coordinated within the context of the pre-existing ICF. The rule of law sub-cluster was moved to the early recovery cluster. The only two protection sub-clusters which are currently active are those addressing SGBV and child protection.

22. An interim self-assessment carried out by the IASC Country Team in late 2006 questioned the appropriateness of piloting the cluster approach in a post-emergency context where the transition from relief to recovery was already under way, and

³ The three countries selected for initial roll out were the Democratic Republic of Congo, Liberia and Uganda. Somalia was added in April 2006.

where OCHA was not present. Its added value as a gap-filling mechanism was also questioned, given that many of the problems related to institutional responsibility and accountability (in particular, as regards IDP protection) had already been largely resolved.

23. Nonetheless, the cluster approach appears to have brought added legitimacy and operational authority to the cluster leads. For some agencies, including UNHCR, this also led to enhanced funding opportunities which also benefited other protection cluster members. The cluster structure also facilitated access by NGOs and others to more than \$6 million in CERF funding for under-funded sectors such as water and sanitation, health, and food security, which also helped to enhance the cohesiveness and credibility of those clusters. A number of those interviewed stressed the importance of effective pooled funding mechanisms as a key component of the cluster framework.

National actors

24. There were mixed views on the extent to which the government had 'bought into' the cluster approach. The Liberian Reconstruction and Development Committee (LRDC), chaired by the President, is tasked with leading the national recovery process, with sub-committees on security, rule of law/governance, economic revitalization, and infrastructure/basic services. UNHCR's main counterpart for the return and reintegration process is the LRRRC, to which it provides substantial financial and logistical support. The Accra peace agreement provided for the creation of an independent human rights commission, but this has not yet been established. A Truth and Reconciliation Commission is now operational, but has been hampered by mismanagement and financial constraints.

25. The extent of government engagement in the clusters is variable, and is often stronger at county rather than national level. Engagement in humanitarian coordination mechanisms has reportedly increased since the inauguration of the current government. As part of an IASC CT strategy towards eventual folding of the clusters into national structures, a number of clusters and sub-clusters are now chaired by government actors, such as food security (the Ministry of Agriculture), SGBV (Ministry of Gender) and child protection (Ministry of Gender). Government participation in the national-level Protection Core Group has been sporadic, although the Deputy Minister of Justice has now agreed to take over the chairing of this cluster. The effectiveness of government participation in the clusters is to some extent hampered by a degree of territoriality, which hinders involvement in clusters in which that ministry is not taking a leading role, and also inhibits coordination on cross-cutting issues. In general, the capacity of government structures is weak. At county level, support is provided to local government institutions by County Support Teams, through an initiative spearheaded by UNDP.

26. The evaluation team met with a number of national human rights NGOs during its mission. Whilst expressing appreciation for the work of UNHCR (they described themselves as '85% satisfied'), and welcoming the opportunity to participate in the Protection Core Group, they nonetheless felt that their capacity to contribute effectively was hampered by a lack of resources and training, and some commented that they did not feel themselves to be equal partners within the cluster

approach. This appeared to be attributable largely to a lack of capacity on their part rather than to unwillingness by UNHCR or other actors to involve them.

Inter-cluster coordination

27. At a policy and strategic level, inter-cluster coordination is managed through the IASC CT. At an operational level, inter-cluster coordination was sometimes weak. There was evidence of some issues being discussed and overlapping strategies developed in multiple fora. These include rule of law, which is dealt with under the early recovery cluster but has important links with the work of the protection cluster and the SGBV sub-cluster. While this overlapping was often addressed by having the same staff attending multiple meetings (at one point a legal assistance group meeting under the rule of law sub-cluster had an almost identical membership to the Protection Core Group), this is not particularly efficient.

28. In the case of the SGBV sub-cluster, the National Plan of Action on Gender-Based Violence incorporates important rule of law and health components, however SGBV response does not appear in the national health plan, and the SGBV rule of law component does not appear to have been discussed in the rule of law sub-cluster. Rule of law and health interventions related to gender-based violence are also two of the four key issues included in the Protection Core Group Plan of Action for 2007. It is unclear however, how these link to the work of the SGBV sub-cluster, and key actors such as UNMIL, UNPOL, WHO and the Ministry of Health are not included in the list of organizations with responsibilities under these two components. The Liberia experience demonstrates that inter-cluster coordination is a distinct and important function which requires dedicated resources.

29. There is limited evidence of the incorporation of cross-cutting issues into the work of the clusters. Both the protection and early recovery clusters operated more as stand-alone coordination mechanisms rather than taking on a cross-cutting function. The early recovery cluster was slow to take off owing to a lack of resources and clarity about its function, and first met after the deployment of an Early Recovery Officer in August 2006. It was decided that the early recovery cluster would focus on infrastructure, youth employment and rule of law. The concept of this cluster as a cross-cutting catalyst to facilitate the transition from humanitarian action to recovery and development has not yet translated into operational practice in the Liberian context.

30. Some inter-agency coordination has taken place outside the cluster framework – most notably, within the ICF, which oversaw the IDP return process. Other examples of inter-agency initiatives in which UNHCR has participated and which were developed outside the formal cluster structures are the UNICEF/UNDP/UNHCR/WFP Joint Action Plan for Community-Based Recovery (2006-2007) and a joint UNHCR/ILO study on youth employment (December 2006). The latter will form the basis of a joint UNHCR/ILO/UNDP/UNICEF/UNESCO implementation plan, to which UNHCR will contribute seed funding. It remains important that the cluster approach enables and supports other important multi-agency initiatives.

The role of the global clusters

31. There was a general view that the cluster approach had been activated in Liberia with little support in terms of tools and guidance from the IASC and the global clusters, particularly in the early stages. There was almost no awareness amongst UNHCR staff (in particular, those based outside Monrovia) of the role of the global clusters, and little guidance had been sought from or offered by them. Those interviewed also felt that the tools being developed were in the main designed to address the situation of camp-based IDPs. It was felt that these tools were of limited value in the Liberia context, where the focus was on return, reintegration and resettlement. Liberia will offer an important opportunity for field-testing the *Framework for Durable Solutions for IDPs* which is currently being reviewed by the IASC.

32. In an interim self-assessment workshop conducted in October 2006, the IASC CT highlighted the need for cross-fertilization of ideas and best practices between operations where the cluster approach had been adopted, and for the development of standard operating procedures and terms of reference for individual clusters. The need for training of staff with responsibility for leading clusters was also emphasized.

Protection cluster

33. The evaluation team found that UNHCR Liberia has been extremely successful in shaping and leading a dynamic and results-oriented protection cluster. On assumption of the cluster lead role, UNHCR became the chair of the pre-existing national Protection Core Group (PCG), which consisted of UN agencies, NGOs and government representatives. At county level, five new PCGs were established, increasing the total number of county PCGs to eleven. An experienced senior protection officer led the development of a protection framework focusing on return monitoring, child protection, SGBV, sexual exploitation and abuse, advocacy, and legal reform. Protection objectives were clearly defined and incorporated in the 2007 CHAP. A PCG secretariat was established within UNHCR, and an international protection officer assigned to work full-time on providing support to the national and county-level PCGs. Many observers commended UNHCR for its role in defining and revitalizing the work of the PCG. "It is real now," said one interviewee.

34. Crucial to the effectiveness of the protection cluster was the establishment of a UNHCR-funded protection monitoring network consisting of more than 400 monitors trained and employed by the Norwegian Refugee Council. Monitoring is conducted in the IDP camps and in areas of return, and individual protection cases are identified and brought to review committees for appropriate referral. The most common categories of case reviewed are rape, violations of child rights, and property disputes. Victims of gender-based violence are referred for psychosocial and medical support and assisted to make complaints to the police, and land disputes may be referred for mediation. There is a strong focus on follow-up interventions. The presence of government officials (including, at county level, some police officers) in the PCG meetings, has to a large extent, enhanced their effectiveness although this has also presented a challenge on reaching consensus on issues of confidentiality and rights-based interventions. It should also be noted that the limited effectiveness of the police and formal justice mechanisms means that the impact of referrals is greatly

reduced (see paragraph 37 below). An initiative to strengthen the analysis of protection trends through the creation of a common database is currently under way. UNHCR has seconded a staff member to the National Information Management Centre (NIMAC) for this purpose.

35. Two sub-clusters operate under the umbrella of the protection cluster: a GBV Task Force and a Child Protection Network, both led by the Ministry of Gender. UNHCR is strongly engaged in both of these clusters and provides important technical support, although the relationship of the sub-clusters with the PCG is not clearly defined and there are communication gaps. The GBV Task Force finalized a National Plan of Action to address GBV in late 2006, however more work is now needed to make this operational. There are still major gaps in service provision to survivors of rape and other forms of GBV, and there is too much of a geographical focus on Monrovia and other large towns. One study estimates that more than 90% of Liberian women have been subjected to some form of gender-based violence. MSF Spain has also reported that 85% of rape victims receiving medical treatment at an MSF clinic were under the age of 18, and 55% under 12.

36. A fundamental obstacle to addressing gender-based violence, other forms of criminal activity, and legal disputes is the almost complete absence of police, functioning courts, detention facilities and legal assistance for victims, particularly in the rural areas. Regrettably, support for rule of law programmes remains weak and has not been prioritized by donors or the government. Some observers felt strongly that the lack of access to justice in Liberia was potentially a flashpoint for civil disorder. Coordination has also sometimes been problematic, even within UNMIL itself, where UNPOL, the Legal and Judicial Services Section and the Human Rights and Protection Section (supported by the Office of the UN High Commissioner for Human Rights) all have complementary roles to play in rule of law capacity building. UNDP also has an active human rights and protection programme, with a particular focus on capacity building of national institutions and civil society, providing support for the development of human rights institutions, including the Truth and Reconciliation Commission. There is a Rule of Law sub-cluster operating under the Early Recovery Cluster, but this has tended to focus primarily on construction and rehabilitation of infrastructure. As noted above, Rule of Law issues are currently being dealt with in a number of clusters and sub-clusters, and mechanisms to integrate these into a common work plan are required.

37. The weakness of key national institutions such as the police, prosecutors, courts and corrections system, and the lack of priority accorded to rule of law programmes is a major obstacle to the development of any effective national protection capacity. In 2007, UNHCR is also providing support through the rule of law sub-cluster for the rehabilitation and construction of facilities such as courts and police stations and providing stationery and furniture packages, in order to address compelling gaps in the protection regime. Nonetheless, in the absence of a vigorous and sustained programme to develop the capacity of key policing, judicial and correctional institutions, there is no clear path for transition to effective national protection, and it will remain difficult for UNHCR to phase out its activities without the existing gaps widening still further.

38. The situation is exacerbated by delays in establishing an Independent National Human Rights Commission, which would have the potential to take on some of the

functions currently carried out by UNHCR and other participants in the protection cluster, for example in conducting human rights monitoring and advocacy. Substantial work is required with traditional leaders, who still adjudicate the majority of disputes and criminal matters in rural areas, not always in a way which is compatible with the rights of the victim. It was not possible to evaluate the extent to which the county-level PCGs have engaged with traditional leaders, however it is suggested that this is one area which could be further developed.

39. It was originally envisaged that a third sub-cluster led by UNMIL would address land and property issues. This did not become operational in Monrovia, but is reported to be functioning in three counties. Land tenure remains a key point of tension, and more work could be done on analyzing patterns and systems of land tenure with a view to legal reform. A Land Commission with dispute resolution and mediation functions was established under the Comprehensive Peace Agreement. The issue of land is pivotal to the integration of IDPs in the areas where the camps were located, and to finding solutions for IDPs and other landless urban poor living in public buildings in Monrovia. This is an area on which the IASC CT should endeavour to facilitate expert analysis and to promote increased engagement of partners with expertise in this area, such as UN Habitat, which is the focal point on land, housing and property issues within the global protection cluster. Currently, UN Habitat has only a very limited presence in Monrovia. As protection cluster lead, UNHCR should seek to stimulate debate on this issue, and should support UNMIL to exercise its role as sub-cluster lead.

Camp coordination and camp management (CCCM)

40. The first major test of the CCCM cluster came as the IDP return process drew to a close in the spring of 2006. As noted above, both this function and the emergency shelter function were largely subsumed within the work of the ICF, which had been in place since early 2005. Based on a comprehensive inter-agency assessment in April and May 2006, a detailed plan of action was developed for the environmental rehabilitation of the former IDP camps and addressing the needs of the remaining IDPs. Responsibilities were clearly assigned to the relevant clusters.

41. The environmental rehabilitation component, which was assigned to the CCCM cluster, is currently being implemented by the Environmental Foundation for Africa. Interventions include tasks such as backfilling of latrines, demolition of abandoned shelters, nurseries and reforestation projects, and environmental education for those remaining in the camps and the local community. The assessment also addressed the situation of those remaining in the former camps, and as noted above, some 5,480 persons subsequently received assistance to return, either because their claims to have been wrongly excluded from the WFP log were upheld or because they were assessed as vulnerable and in need of particular support to return and re-establish themselves in their home communities. Fifty families assessed as vulnerable also elected to remain in the camps and will receive shelter and other assistance.

42. As noted above, some 23,000 persons still remain in the former camps of whom approximately two thirds have received a return package but elected to stay and one third claim that that they were wrongly denied return assistance.

43. In interviews with those remaining in the camps, it became clear that they had a range of reasons for doing so. Some cited a lack of basic services such as schools in their areas of return and the evaluation team met with a number of teenagers who were remaining in order to complete their education. A number of women said that they wanted to go back, but that their husbands did not want to. Some single women and widows said that they had no family members in their home communities and that they felt more integrated in the communities where they had lived as IDPs. Others said that they could not bring themselves to live alongside those who had been responsible for the killings of their family members. A number of others believed they had better economic opportunities in areas around the former camps, and said that they had no land or shelter in their home villages.

44. The evaluation team met with landlords, government officials and members of the local communities in which the IDP camps had been located. While the situation varied from camp to camp, there was a general sense that the landowners were content to permit the IDPs to remain for the time being. They were however not willing to accord any security of tenure and in some cases did not have at their disposal the legal means of doing this. The situation is complicated by the fact that in many locations there are multiple landlords, and in some cases the ownership of the land is contested, leading to a risk of future eviction. No rent was being charged to the IDPs in the former camps visited by the team. Whilst the apparent generosity of the landowners is to be commended, in some cases the evaluation team was left wondering whether this would continue after the rehabilitation projects (which provide a source of income to both the IDPs and the local community) are completed.

45. UNHCR has started to examine the issue of access to land for the remaining IDPs by employing a consultant (a former Executive Director of LRRRC) to undertake consultations with the remaining IDPs, landowners and government officials. In some cases, there have been discussions to try to identify alternative plots of land which could be allocated to the IDPs. It is clear that much remains to be done to address the challenge of achieving solutions for this residual group. This is again linked to the need for a comprehensive study on land tenure and engagement of appropriate expertise on matters such as land purchase schemes. The engagement of a local consultant to conduct an initial assessment is nonetheless a good starting point.

46. The Liberia experience demonstrates that the CCCM function extends beyond the establishment and management of camps. It also incorporates the managed closure of camps in a way that promotes environmental rehabilitation and minimizes the potential for grievances and conflict as host communities feel themselves to have been left behind. The latter is particularly crucial as solutions are identified and pursued for those who choose to remain in the former camp locations. Whilst this process is not yet complete in Liberia, the steps that have been taken (in particular, the high quality inter-agency camp closure assessment process and the extensive work on environmental rehabilitation) serve as a model which may be drawn upon elsewhere. Lessons can also be drawn from the reliance on the WFP registration in defining eligibility for return, which has left a residual caseload who still perceive themselves as IDPs who have been somehow 'disenfranchised'. This concern also applies to those IDPs who remained in the urban areas, whose needs were not addressed at all within the return process.

Sustainable reintegration

47. UNHCR has undertaken extensive community-based reintegration projects throughout the areas of IDP return in Liberia. In almost all cases, refugees have also returned to the same areas and there is therefore a strong degree of cohesion between the dual processes of refugee and IDP reintegration. Projects have been identified and implemented on a community basis, and IDP returnees have benefited, but have not been specifically targeted for assistance. Projects have included shelter projects for vulnerable families (implemented by NRC and Peace Winds Japan), health, education, vocational training, income generation, and peace building activities. In the education sector alone, UNHCR has constructed or rehabilitated some 280 schools between 2004 and 2006 and the agency is supporting some 47 primary health care facilities. There is a particular focus on youth employment. The evaluation team met with young people in Bomi County who were undertaking vocational training through a UNHCR-funded project implemented by NRC. Particular effort had been made to encourage the participation of female trainees, many of whom were young mothers, through provision of crèche facilities and counselling to survivors of gender-based violence and former child soldiers.

48. Efforts have been made to develop partnerships with other UN agencies in reintegration activities, for example, through the Joint Action Plan for Community-Based Recovery and a joint UNHCR/ILO study on youth employment (December 2006), and to facilitate the early engagement of development actors in returnee areas. Nonetheless, the majority of other UN agencies were assessed as having very little field presence outside Monrovia, highlighting once again the differences in operational cultures, approach and priorities between agencies. The majority of the returnees interviewed by the evaluation team were very positive about UNHCR's contribution to their communities, but nonetheless highlighted the need for continued support. Some, particularly young people, expressed anger that they had not received sufficient support. A number stated that tools and seeds should have been provided as part of the return package. In meetings in Tubmanburg, local officials and NGO and other UN staff urged UNHCR to remain fully engaged in areas of return, in the absence of other actors.

49. UNHCR's experiences in reintegration programming for IDPs in Liberia to a large extent echo similar experiences with refugee returnees elsewhere. Whilst commendable efforts have been made to develop inter-agency recovery programmes, there are many challenges ahead in folding the humanitarian work of the clusters into a sufficiently-resourced development programme. As already noted, key humanitarian NGOs (particularly in the health sector) are already reducing their activities.

50. As in many other countries emerging from conflict, some interviewees highlighted the disparity in the assistance packages provided to demobilized combatants and to returning IDPs and refugees. Whilst some might view this as a necessary evil, it nonetheless has the potential to contribute to a sense of injustice as returnees perceive that those who have been responsible for the destruction of lives and communities are effectively being rewarded for their part in the conflict.