

Lesson

3.3₁



Military Component Child Protection Action and Response

The Lesson



Starting Lesson 3.3



For an interactive start to lesson 3.3, ask learners:

What are some of the moral dilemmas to think through when deployed in a mission area where rebel groups are using children?

OVERVIEW

Lesson 3.3 builds on Military Component Child Protection Roles and Tasks and will prepare learners for discussions of the scenarios presented. Based on learners' experience and previous peacekeeping training, this lesson provides an opportunity for learners to discuss – in plenary and/or small groups – a number of “snapshot” scenarios, which should help them develop a basic understanding of the challenges, dilemmas and principles of child protection, as it relates to the military at the tactical level.

LEARNING OBJECTIVES

- Demonstrate how the rules of engagement of the mission provide United Nations military personnel with the authority and tools to effectively protect children
- Define children associated with armed forces and armed groups and discuss the challenges they pose
- Apply the guidelines for dealing with children associated with armed forces and armed groups
- Demonstrate the range of appropriate military actions in response to grave violations against children

ACTIVITIES

1. Scenario discussions
(Note: If time permits, use the Situational Awareness case study in lesson 3.2, slides 12-


HANDOUTS (FOR LEARNERS)

1. Guidelines for Dealing with Child Soldiers (MONUSCO)
2. MINUSCA Directive to Protect Education in Armed Conflict (2022)
3. Special Considerations for Children in Relation to the Standard Operating Procedures on the Handling of Detention in United Nations Peacekeeping Operations and Special Political Missions (2021)
4. Conducting Military Operations – Dos and Don'ts

SLIDE 1: MODULE 3, LESSON 3: MILITARY COMPONENT CHILD PROTECTION ACTION AND RESPONSE



Module 3, Lesson 3 MILITARY COMPONENT CHILD PROTECTION ACTION AND RESPONSE

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NOTES (FOR TRAINER)

- ☞ This lesson (3.3) builds on lesson 3.2 on Military Component Child Protection Roles and Tasks and will prepare learners for discussions of the scenarios presented. Based on learners' experience and previous peacekeeping training, this lesson will also provide an opportunity for learners to discuss – in plenary and/or small groups – a number of “snapshot” scenarios, which should help them to develop a basic understanding of*


the challenges, dilemmas and principles of child protection, as it relates to the military at the tactical level.

SLIDE 2: LEARNING OBJECTIVES

Learning Objectives

- **Demonstrate** how the mission rules of engagement provide United Nations military personnel with the authority and tools to effectively protect children
- **Define** children associated with armed forces and armed groups and discuss the challenges they pose
- **Apply** the guidelines for dealing with children associated with armed forces and groups
- **Demonstrate** the range of appropriate military actions in response to grave violations against children

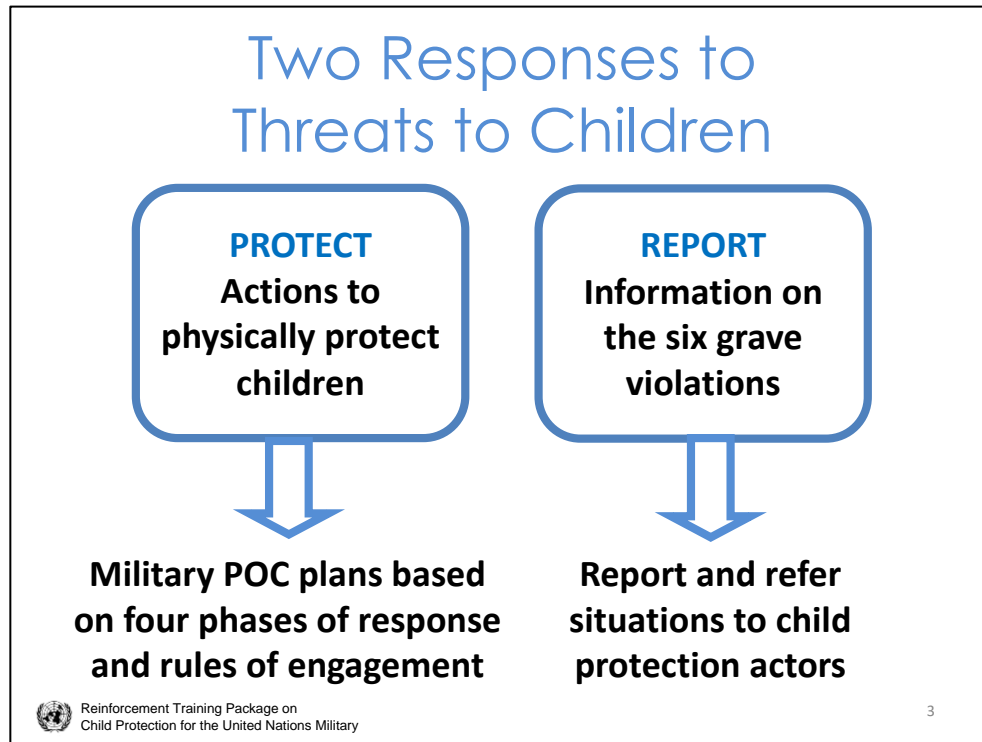


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NOTES (FOR TRAINER)

☞ The legal authority to use force to protect civilians is the focus of this presentation. The dilemmas confronting military personnel when faced with children associated with armed forces and armed groups will also be discussed.



NOTES (FOR TRAINER)

Key Message: The military component is deployed to a mission with a distinct authority to use force, if necessary, to implement its mandate. The military component's role in providing physical protection is the main reason for armed military personnel in a peacekeeping mission. However, it should also conduct preventive and pre-emptive activities.

- As mentioned in the previous lesson, the military personnel's role is to support the implementation of the mission's mandates, including the child protection mandate. When you encounter any of the six grave violations, you must immediately think of how to prevent the violation from recurring.

Actions may be in the form of prevention, pre-emption, response or consolidation:

- Preventing violations** requires a thorough understanding of the operational environment in order to identify the specific risks and vulnerabilities to children in your area of responsibility. Military personnel should work with the mission's child protection partners to reduce risks, including local communities and authorities, civil affairs and child protection personnel in the mission, to implement an early warning mechanism. Preventive responses aimed at reducing vulnerabilities and mitigating risks to children must involve local communities, child protection actors, and other substantive Sections and Components in the mission, such as Civil Affairs, Human Rights, and United Nations Police.

2. **Pre-empting violations** requires a thorough understanding of the operational environment in order to identify threats and develop tactical plans to deter or mitigate threats. That involves increased patrols at specific times and in places where violations have historically taken place.
3. **Responding to violations:** When the threat of physical violence to civilians is apparent, more active measures aimed at deterring potential aggressors from conducting hostile acts may be necessary. At this stage, the violent behaviour is already under way and steps must be taken to compel the aggressor to stop. Direct military action should be considered as an option.
4. **Consolidation** refers to action taken after prevention, pre-emption or response in order to sign off on the action, such as reporting and investigating. A thorough understanding of the violations by every military personnel and officer is critical to ensure accurate and timely reporting and information-sharing with the Child Protection staff in the mission and other child protection actors.

If a mission has a child protection mandate, every incident involving children must be reported to the Security Council. Military personnel are required to inform the Child Protection staff of any violations they encounter. This will enable the Child Protection staff to decide on adequate long-term responses for engaging with armed forces/groups, bringing the issue to the attention of the authorities, or referring individual cases to child protection agencies. Military personnel must be familiar with the six grave violations against children in armed conflict that must be reported.

☞ *Review the six (categories of) grave violations against children in module 1.*

UNMISS Protection Mandate


Security Council resolution 2625 (2022)

South Sudan

8. *Decides* that UNMISS shall have the following mandate, and *authorizes* UNMISS to use **all necessary means** to implement its mandate:

(a) ***Protection of civilians:***

(i) To protect civilians under **threat of physical violence**, irrespective of the source or location of such violence, within its capacity and areas of deployment, with **specific protection for women and children...**

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NOTES (FOR TRAINER)

Key Message: “*All necessary means*” includes the use of force, including deadly force.

- Slide 4 shows an example of the language commonly used in Security Council resolutions for the child protection mandate. This text is taken from Security Council resolution 2625 (2022) defining the protection of civilians mandate of UNMISS in South Sudan.

The text of the resolution clearly states that protection of civilians must be a mission priority and authorizes the mission to use “all necessary means” to protect civilians under “threat of physical violence”. This implies the use of force, including deadly force. It should be emphasized that protection mandates must be carried out without prejudice to the responsibilities of the host country and may include actions against bodies or authorities of the host State if they are the perpetrators of violations. The Security Council understands that the military cannot be present everywhere and at all times, but where deployed, military personnel have an obligation to protect civilians.

Rules of Engagement (1)

- Mission rules of engagement are developed by the Department of Peace Operations (DPO)
- They provide parameters within which military personnel may use different levels of force
- They ensure that the use of force is undertaken in accordance with the purpose of the mandate, and the principles of international humanitarian law
- Missions with a protection mandate have robust ROEs which authorizes military personnel to use force – including deadly force – to protect civilians, including children, from physical violence

NOTES (FOR TRAINER)

Key Message: A peacekeeping mission with a protection mandate will have robust rules of engagement. Military personnel are authorized and expected to use force, if necessary, to protect civilians.

- The rules of engagement of a United Nations peacekeeping mission are developed and approved by the Department of Peace Operations in consultation with troop-contributing countries and revised by the Office of Legal Affairs (OLA).

Once the rules of engagement have been drafted, DPO ensures consistency with the mandate of the United Nations mission, the military situation and the political considerations of the host country and troop-contributing countries.

Since rules of engagement constitute a legal document, their application must be consistent with international humanitarian and human rights law. Rules of engagement lend legitimacy to United Nations military personnel on the ground. It is critical that the rules and procedures for implementation are consistently applied by all military personnel at all levels of military operations.

Rules of engagement authorize military personnel to use force to defend the mission's mandate, fellow peacekeeping personnel and the freedom of movement of United Nations personnel. It is critical that military personnel understand the peacekeeping principle of impartiality in the context of using force to defend the mission's mandate and the obligation to act, no matter who the perpetrators are. Application of the use of force will be discussed, utilizing sample rules of engagement in relation to the scenarios, in this lesson.

SLIDE 6: RULES OF ENGAGEMENT (2)

Rules of Engagement (2)

Duty to use minimum and proportionate force

- This does not prevent the immediate use of deadly force if the threat to life is imminent, and there is no alternative to remove that threat
- The use of force should be commensurate with the level of the threat
- However, the level of response may have to be higher in order to minimize UN and civilian casualties



NOTES (FOR TRAINER)

Key Message: The principles of “necessity” and proportionality” derived from international humanitarian law apply to the use of force by military personnel. However, the level of military response may be higher, and even lethal, in order to minimize United Nations or civilian casualties.

- Under international law, the use of force in self-defence is governed by two principles: *necessity* and *proportionality*. The use of force must be necessary for self-protection, and the amount of force used must be proportionate to the threat. United Nations peacekeeping operations also subscribe to the principle of “minimum force necessary” to deter or remove a threat. Proportionality does not mean “in kind”, for example, if someone shoots at you with a bow and arrow, you don't have to shoot back with the same weapon, but rather you use the quickest and most effective

means at hand to protect yourself from further harm. Likewise, you don't blow up an entire building to take out one sniper. Reason is the key to matching the force to the threat. Necessity relates to the imminency of danger/harm, which may require the use of force.

These principles do not prevent the immediate use of deadly force if the threat to life is imminent and there is no alternative to remove the threat. The military personnel on the ground may not have the time or the opportunity to fire a warning shot, and direct fire is authorized if necessary to protect civilian lives.

The use of force should be commensurate with the level of the threat. For example, using attack helicopters to take out a sniper may not be reasonable. However, sometimes more force than that being applied by an attacker may be necessary to remove a threat. E.g., if you encounter a group of rebels attacking civilians with machetes, you may use firearms to neutralize the threat to civilian lives.

EXAMPLE: A man approaches a sentry post with a round object in his hand. He continues approaching despite warnings to halt and makes a motion as if he is pulling a pin from a grenade. Can the object be clearly identified? Has there been a history of attacks in the area? At what point should the action be considered a hostile intent? These are difficult judgment calls – every military personnel should undergo practical scenario-based training in these kinds of situations before arriving in the mission area.

Chapter VII of the Charter of the United Nations authorizes peacekeeping forces to use force for purposes other than self-defence. Mission rules of engagement (which will be reviewed subsequently) authorize the use of force for purposes other than self-defence in a number of settings, including but not limited to:

1. Ensuring the security and freedom of movement of United Nations personnel
2. Ensuring the protection of United Nations personnel, facilities, installations and equipment
3. Ensuring the protection of civilians, including children, under imminent threat

Terminology: Under Imminent Threat

Under imminent threat...

- The term “imminent” is not bound by time or geographic location
- A threat of violence against civilians, including children, is imminent from the moment it is identified up to when the mission can determine that the threat no longer exists



NOTES (FOR TRAINER)

Key Message: A threat of violence against civilians, including children, is imminent from the moment that it is identified until the mission can determine that said threat no longer exists.

These definitions are commonly used in “Annex B – Definitions, to Rules of Engagement in our missions with a POC mandate.


- “Imminent” does not imply that violence is 100 per cent guaranteed to occur in the immediate future. A threat to civilians may exist if a potential aggressor is believed to have the intent to inflict physical violence.

If the threat exists, then it is imminent, and the mission must take action. Such action is not only required by the military, but also by police and civilian peacekeeping personnel.

Sometimes, the Security Council omits the word “imminent” to avoid a narrow interpretation of threat. This is intended to promote a proactive mindset and ensure that military personnel take preventive and pre-emptive action against threats to civilians.

Rules of Engagement (3)

Hostile intent: Whether or not hostile intent is being demonstrated must be judged by the on-scene commander, on the basis of one or a combination of *the following three factors*:



a) **Capability and preparedness of the threat**
b) The **available evidence** which indicates an **intention to attack**
c) **Historical precedent** within the Missions' Area of Operations (AO)

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NOTES (FOR TRAINER)

Key Message: The Commander at the scene makes the decision as to whether or not there is an imminent threat or hostile intent.

- Even if the on-scene Commander decides that only one of the factors listed in slide 8 constitutes an imminent threat, military personnel are authorized to use force, including deadly force, to protect civilians, including children.

An Integrated Response

Don't forget the other response. Once the immediate action is taken to prevent violations, you must think:

“Who do I inform?”



NOTES (FOR TRAINER)

Key Message: Always report to/share information with the civilian Child Protection staff without delay.

- Once the immediate threat against children is mitigated or addressed, the military unit must inform the mission's Child Protection staff through its chain of command. This is the only way to ensure that violations are monitored and reported to the appropriate bodies and that support is provided to children and their families. Accurate and timely information-sharing, coordination among mission actors, country team entities and external actors is critical to ensure viable, effective measures to protect children.

Grave Violations That You Are MOST LIKELY to Encounter


1. Recruitment or use of children
2. Killing and maiming
3. Rape and other forms of sexual violence
4. Attacks on schools or hospitals




NOTES (FOR TRAINER)

Key Message: These grave violations occur in our mission areas. The military component has an obligation to take action against these violations and to report them to the civilian Child Protection staff.

 Refer to the handout, *Six Grave Violations*, in lesson 1.1. for examples of grave violations

 The six grave violations were introduced in Module 1, lesson 1. As a military personnel, you are most likely to encounter the four violations shown on slide 10. In this lesson (3.3), we will discuss the obligation for military personnel to respond to these violations when observed, and the possible actions that can be taken. These violations are real; they occur on a global scale and in many of the conflict areas to which peacekeeping personnel are deployed.

 In this lesson, you will have the opportunity to demonstrate your understanding of the required military response to the most common grave violations that military commanders/personnel may encounter at the tactical level. You will also demonstrate your understanding of critical coordination, communication and information-sharing with other child protection actors, through scenario-based discussions following the plenary presentation.

Recruitment and Use (1)

Review: *Children associated with armed forces/groups* may be used in various functions.



Recruitment and Use (2)

Review: *Children associated with armed forces/groups may be used in various functions*



NOTES (FOR TRAINER)

- ☞ Ask learners to give examples of the functions that children may serve with armed forces or armed groups.
Recap functions that children are used for by armed forces or groups, as necessary (see lesson 1.1).
- ☛ Tens of thousands of boys and girls are recruited and used by armed forces or armed groups in conflict in over 20 countries around the world. As a military personnel, you are likely to encounter “young soldiers” carrying guns and wearing uniforms. However, it is important for you to know that children – boys and girls – are assigned wide-ranging functions in armed forces or armed groups.

The definition of children associated with armed forces and armed groups is broad, given the wide-ranging functions that children serve in an armed force or armed group:

“A child associated with armed forces and armed groups” refers to any person below 18 years of age who is or has been recruited or used by an armed force or armed group in any capacity, including but not limited to fighters, cooks, porters, spies or for sexual purposes.

☞ Children may be used by armed groups in a number of different ways, including in direct combat roles, in intelligence operations as spies or scouts, for reconnaissance (especially as children are seldom viewed with suspicion), as decoys or saboteurs, to man checkpoints, or as couriers or messengers. Children may also be used as porters, cooks, cleaners and, in many cases, girls are used as sex slaves or “bush wives.” These children are referred to as “children associated with armed forces or armed groups.”

Sexual violence by armed groups and armed forces against boys is also a documented concern.

SLIDE 13: RECRUITMENT AND USE (3)

Recruitment and Use (3)

Why are children recruited and used by armed groups?

They bring a strategic advantage!

The illustration shows a girl on the left wearing a blue shirt and purple skirt, holding binoculars. In the center, two boys in green military uniforms stand on either side of a man in a black chair. The boy on the left holds a rifle. On the right, a boy in a green shirt and blue shorts runs while holding a white envelope. The slide includes a logo for the United Nations and the text 'Reinforcement Training Package on Child Protection for the United Nations Military' and the number '13'.

NOTES (FOR TRAINER)

Key Message: Children are recruited for different reasons. One key reason is that they provide a strategic advantage.

☛ There are many reasons why children are recruited by armed groups. Children are often viewed as being obedient and easily manipulated and considered as posing a lesser threat to commanders. Children are effective at pillaging and looting villages for money, food and supplies. Their size makes them agile and suitable for certain tasks that may be challenging for adults (e.g., working in tight crevasses of mines, etc.).

Children are often brave and willing to take risks without contemplating the consequences. They may be considered cheap and expendable, and they are present in large numbers.

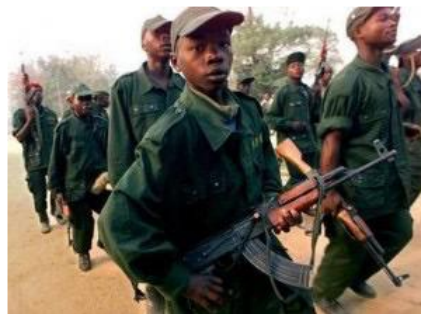
Local commanders may want to increase the size of their fighting force in order to enhance their rank and status, or to increase control over a given territory. The forced recruitment of children into such groups is a quick and easy way to increase a force's numbers.


SLIDE 14: DEALING WITH CHILDREN ASSOCIATED WITH ARMED FORCES AND ARMED GROUPS (1)

Dealing with Children Associated with Armed Forces and Armed Groups (1)

If they pose a threat,

- Be prepared to deal with such situations
- The principles on the use of force in peacekeeping operations and the mission rules of engagement must be thoroughly understood by all



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NOTES (FOR TRAINER)

Key Message: If children pose a threat to you or others, the rules of engagement of the mission must be applied.

- Military personnel must be prepared to deal with various situations, such as the use of children by armed groups. The mission's rules of engagement must be thoroughly understood by everyone.



Discussion

Ask learners about their views on these issues based on the fundamental principles relating to hostile acts, hostile intent or demonstration thereof. Emphasize the critical role and responsibility of commanders at all levels to train their subordinates on these important issues.

● All military personnel must know, understand and apply the following principles in all situations:

1. Use force as a measure of last resort
2. Use the minimum amount of force to achieve the objective
3. Do not use force except for self-defence and in defence of the mandate

☞ *Responses from learners may vary depending on their national military cultures. However, they must evoke the principles of peacekeeping – namely, determining hostile act/intent, the principle of self-defence, the use of minimum force and only as a measure of last resort, etc. for their responses to be considered acceptable.*

● Remind learners of their obligations under international humanitarian law. See:

- *Secretary-General's Bulletin on observance by United Nations forces of international humanitarian law (ST/SGB/1999/13); and*
- *Applicability of international humanitarian law to United Nations peacekeeping forces (International Committee of the Red Cross (ICRC), 1993).*

It must be emphasized that aggressive or hostile posturing by children may not necessarily constitute a threat; the seemingly aggressive attitude of a child approaching a United Nations vehicle with a weapon may not necessarily be a hostile act or intent. It could be that the child is simply scared and wants the peacekeeping personnel to withdraw.

Dealing with Children Associated with Armed Forces and Armed Groups (2)

- **Prepare in advance for such situations**

Faced with an imminent threat of violence from child combatants, you may have to use force to protect yourself, your unit, other components or civilians. Such a situation:

- poses a moral dilemma
- may cause you to panic and lead to traumatic stress

- **Training and awareness are essential**



NOTES (FOR TRAINER)

Key Message: United Nations military personnel must receive scenario training on how to deal with children associated with armed forces and armed groups. Such training must reflect the mission environment, the reality on the ground and the rules of engagement of the specific mission.

- When you encounter a child associated with armed forces or groups, you must remember that he/she is “a child” – someone below the age of 18 years –, who is vulnerable, impressionable, frequently irrational and worthy of protection.

On the other hand, he/she is “a soldier” and therefore the enemy – denying this fact could be detrimental to your safety and ignore/negate/disregard/underestimate the child’s own experience. This may cause a moral dilemma as to how to treat the person.

Military personnel must understand that they have to balance the vulnerabilities of the child with operational necessities. Sometimes, there is no time for prolonged considerations. Under extreme circumstances, as that described above, if you fear for your life or if grievous bodily harm is feared, the rules of engagement will likely authorize the use of lethal force.

Not all situations in which military personnel encounter children associated with armed forces or groups are equally unexpected or dangerous. For example, if military personnel are able to plan for the likelihood of encountering a child, they will be far better equipped to juggle the moral dilemma of protecting a child and/or defeating an enemy. In such cases, when afforded a comparably longer response time, military personnel have the responsibility to fight with restraint (and ideally, to pursue the objective of capturing the child alive).

Various strategies can be employed to limit the number of child casualties in the field and to prevent the hazardous second guessing associated with moral dilemmas, including:

1. Supporting mission components and other child protection actors in awareness-raising, dialogue and engagement, upon request and where appropriate, so as to facilitate the safe release of children
2. Focusing on the centre of gravity by targeting adult commanders instead of children during a firefight
3. Attempting to create a buffer between the child and his/her adult commander (children who do not have an ideological attachment to their armed group's cause are more likely to surrender if they have been separated from their commanders)
4. Revisiting the rules of engagement concerning children associated with armed forces and groups and role-playing these situations can help ensure better preparation for interactions with these children.

Dealing with Children Associated with Armed Forces and Armed Groups (3)

If they do not pose a threat, remember:



- Children are victims
- Do no harm
- Report through the chain of command and to the mission Child Protection staff

- Provide for a safe transfer to specialized agencies that take care of children associated with armed forces/groups

NOTES (FOR TRAINER)

Key Message: Always remember that children associated with armed forces and armed groups are victims of conflict. Do no harm. Report them to the civilian Child Protection staff.

☛ All children associated with armed forces and armed groups are victims. They may have experienced torture and other cruel treatment while recruited and the mere fact of recruitment is a crime. Therefore, although children may be combatants or ex-combatants and perpetrators of horrible acts, you must bear in mind that they are victims of recruitment in the first place.

Always keep in mind the best interest of the child and ensure that your actions do more good than harm. If you see a child among the host country's armed forces or in an armed group, you should raise it with your Commander. Hopefully, the Commander will be able to act so that the child/children do not disappear before they could be formally released.

You may also discretely take note of the situation and immediately report it to the Child Protection staff in the mission, who will decide what action to take. The Child Protection staff may ask you to assist in the transfer of the child.

☞ *The following slides contain scenarios to be discussed in plenary or in small groups. Build on learners' experience and training to generate discussion and appropriate responses to the scenarios.*

Dealing with Children Associated with Armed Forces and Armed Groups

SCENARIO 1

While patrolling the area, you encounter four children from a known faction guarding a checkpoint utilizing an improvised roadblock. They refuse to allow you freedom of movement, and demand that all “living things” must pay a “road tax”. They seem intoxicated.

How would you respond and why?



NOTES (FOR TRAINER)

Key Message: Consider options other than the use of force to dismantle the checkpoint and ensure freedom of movement.



SCENARIO 1: Dealing with children associated with armed forces and armed groups


The following is an example of actions and considerations to take into account if you encounter a child with a weapon at a checkpoint:

1. Remain calm
2. Treat the child with respect as he or she is acting under military orders
3. Try to reason with the child
4. Turn around and abandon the crossing, and try to locate the child's local commander to request that the checkpoint be dismantled, and to try to obtain the child's release
5. Report the situation to the mission's Child Protection staff
6. Bear in mind the “*best interest of the child*”; using force to disarm the child may not be the best option


Dealing with Children Associated with Armed Forces and Armed Groups

SCENARIO 2

As you are patrolling the area, you notice a child with a weapon moving aggressively toward you.



How would you respond and why?

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NOTES (FOR TRAINER)


Key Message: Does the child pose an imminent threat to you or others? Is there hostile intent?



SCENARIO 2: Dealing with children associated with armed forces and armed groups

Ask learners:

How would you, the military personnel, react in this situation? What should you consider?

 *Allow learners 5-10 minutes to discuss the scenario. In case of international participation, try to elicit responses from learners from different cultures so as to compare and generate discussion.*

Highlight and define “hostile intent”, “hostile act” and “imminent threat” and inform learners that the Commander on the ground would make this determination. The child may be afraid and running towards the United Nations for help or protection, or he/she may have hostile intent. This is why realistic scenario training in handling such situations is critical.

The military personnel's dilemma is whether or not to use force. If this is determined to be an imminent threat or a hostile act, force may be used in self-defence or to protect

civilians. The context of the situation will guide the Commander on the ground in making the determination (e.g., have children committed hostile acts against the United Nations recently? Have children voluntarily disarmed recently in this area? etc.). If the decision to use force is taken, only the minimum level of force should be used to mitigate the hostile act or imminent threat.

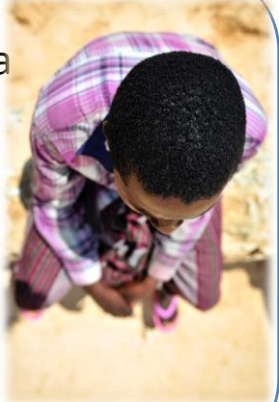
SLIDE 19: SCENARIO 3 – DEALING WITH CHILDREN ASSOCIATED WITH ARMED FORCES AND ARMED GROUPS


Dealing with Children Associated with Armed Forces and Armed Groups

SCENARIO 3

While on patrol, you encounter a child who has escaped from his captors. He asks you for help.

How would you respond and why?



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NOTES (FOR TRAINER)

Key Message: Always accommodate a child seeking your assistance and wanting to surrender and disarm.

The following is an example of appropriate responses, which will most likely be included in the mission guidance:

1. Disarm and secure the child
2. Immediately alert the closest civilian Child Protection staff or Child Protection Focal Point
3. Refer to the SOP or mission guidelines on the handover of children



SCENARIO 3: Dealing with children associated with armed forces and armed groups

Ask learners if their response would be different if they were on an un-escorted United Nations military observer (UNMO) patrol.

Answer: *The responses should be the same!*

☞ *It is important for military personnel to be aware of the ways in which a child might attempt to escape from an armed group, and of the strategies that armed groups might employ to prevent such attrition. Military personnel should be particularly observant with respect to girls who are attempting to demobilize, as it is especially difficult for them to escape from armed groups. This is partly because of the power that the commanders exert over them, and partly because of the perceived invisibility of girls' roles.*

● Children who leave armed groups must be helped and protected. The following are the main reasons why children leave armed groups:


1. Formal demobilization processes following a peace agreement
2. Release during conflict owing to advocacy campaigns or direct negotiations
3. Escape from the armed group
4. Capture by an opposing armed force or rival armed group
5. Abandonment by the armed group (e.g., owing to injury, disability, sickness, pregnancy, infant caregiving, etc.)
6. Cessation of hostilities

**Dealing with Children
Associated with Armed Forces
and Armed Groups**

SCENARIO 4

As a contingent officer in the mission, you often meet with the host State's forces in your area of responsibility. On your way to meet with the Commander, you encounter a checkpoint with 10 host-State soldiers. It is apparent that two of the soldiers are children.

How would you handle this situation?


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NOTES (FOR TRAINER)

Key Message: Remember the “Do no harm” principle. Do not engage or adopt a posture that would place the child at risk.



SCENARIO 4: Dealing with children associated with armed forces and armed groups

 Your action will depend on several factors, including your relationship with the local commander. The discussion should generate the following responses:

1. Discretely take note of the details of the situation
2. Do nothing that could expose the children to danger
3. Raise the issue with the Commander of the host State forces
4. Remind the Commander that there are policies that prohibit the use of soldiers under 18 years of age. Some armed forces (e.g., South Sudan) have signed Action Plans with the United Nations to release all children; Commanders can be reminded of their obligations under the Action Plan

5. Do not try to extract the children, particularly if you are concerned about your working relationship with the Commander of the host State forces
6. Immediately inform the Child Protection staff in the mission of the situation, including the location, estimated number of children, name of the unit encountered. It might be difficult for you to assess ages; when in doubt, take note of the potential child and report to the Child Protection staff. The Child Protection staff is best suited to negotiate the release of a child/children

SLIDE 21: NEGOTIATING THE RELEASE OF CHILDREN ASSOCIATED WITH ARMED FORCES AND ARMED GROUPS

Negotiating the Release of Children Associated with Armed Forces and Armed Groups

- If possible, ensure that the negotiation is being conducted by a civilian Child Protection staff
- If a child seeks spontaneous demobilization in the field, he/she must always be accommodated, regardless of whether child protection personnel are present
- Child Protection staff must be informed immediately
- Children should be handed over to Child Protection staff as soon as possible

NOTES (FOR TRAINER)

Key Message: The civilian Child Protection staff is the lead expert in child protection and is best suited to negotiate the release of children associated with armed forces and armed groups.

- Unless a child surrenders and seeks demobilization during a patrol or in the heat of battle, civilian child protection personnel should always assume responsibility for conducting negotiated extractions. It is the role of military personnel to secure the conduct of the negotiation.

If a child seeks spontaneous demobilization in the field, they must always be accommodated, regardless of whether Child Protection staff are present. However, Child Protection staff must always be informed immediately about the demobilization.

Mission or force SOPs will determine what to do with children released to the United Nations military. If girls are handed over to the military, make sure that they are provided with separate accommodation and, if possible, assign a female officer as their interim care provider until they can be handed over to a Child Protection actor.

The United Nations mission in the Democratic Republic of the Congo (MONUSCO) has specific guidelines on this.

Handout: Guidelines for Dealing with Child Soldiers (MONUSCO)


SLIDE 22: SCENARIO 5 – KILLING AND MAIMING

Killing and Maiming

SCENARIO 5

You are a UNMO Team Leader deployed in a remote area of the mission. Yesterday, one of your patrols discovered a minefield close to a local village in your area of responsibility. You are worried that the local population, in particular children, might enter the minefield by accident and get seriously injured or killed.


What actions would you take to ensure the protection of children in the area concerned?

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NOTES (FOR TRAINER)

Key Message: Work with child protection experts/actors and sensitize the local population.

 *In some missions (e.g., UNIFIL, Lebanon), mines and cluster ammunition are a serious threat to children.*

SCENARIO 5: Killing and maiming



The following are examples of appropriate responses, based on common sense and military knowledge:

1. Mark and secure the minefield; if necessary, request United Nations troops to place guards to ensure that civilians do not expose themselves to this threat
2. Sensitize the local population; work through local child protection actors to sensitize children to the danger of entering the minefield
3. Inform the chain of command about the minefield and, if there is a United Nations mine action centre (MAC) in the mission area, report the minefield and enquire about options available to clear the minefield

SLIDE 23: SCENARIO 6 – MILITARY USE OF SCHOOLS OR HOSPITALS

Military Use of Schools or Hospitals

SCENARIO 6

You have been informed that an armed faction, which is opposed to the peace process and hostile to the United Nations, has carried out attacks in a remote part of your area of responsibility near the border. You decide to deploy a mobile operating base (MOB) in the area. When the Company arrives in the village, the Chief points out a prime location in a primary school and offers the premises as the MOB/TOB.

(contd. on next slide)

NOTES (FOR TRAINER)

Key Message: The military should never occupy a school or hospital, even for a short period of time.



SCENARIO 6: Military use of schools or hospitals


 This scenario should generate the following discussion points:

1. Schools and hospitals should be treated as zones of peace, where children are granted protection even in times of conflict. However, there is an increasing trend in armed conflicts whereby schools and hospitals are being attacked with detrimental effects and impact on children
2. Apart from the direct and physical damage to schools and hospitals, conflict can result in the forced closure or the disrupted functioning of these institutions. Children, teachers, doctors, nurses and patients may be subject to threats by parties to conflict, if they are suspected, for example, of supporting the other party to conflict. Also of great concern is the use of schools for military purposes, such as recruitment grounds and polling stations
3. The company (unit) Commander should politely decline the offer to use the school and explain to the local chief why

SLIDE 24: MILITARY USE OF SCHOOLS OR HOSPITALS (contd.)

Military Use of Schools or Hospitals (contd.)

- What instructions would you give the Company Commander and why?
- What difference would it make if the Chief had offered a hospital as the base for the MOB?
- What if the host State's forces that are fighting with the faction are based in the school, and invite the Company to join them in a joint operation?

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NOTES (FOR TRAINER)

Key Message: Under no circumstances should United Nations troops use schools or hospitals for military purposes.

☞ Trainers should familiarize themselves with the *Safe Schools Declaration (2015)* and the *Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict (2014)*, available at <https://ssd.protectingeducation.org/safe-schools-declaration-and-guidelines-on-military-use/>. Also see Module 2, Lesson 2.1.

Note that this scenario does not describe an attack on a school, but rather the use of a school.

The use of schools by United Nations military personnel is strictly prohibited. There is a caveat that host State armed forces may use schools if there are no other options, but this should be considered a last resort in a dire situation. United Nations peacekeeping personnel should thus advocate for all armed forces to vacate schools and find another base.

The discussion around the three questions in slide 24 should generate the following responses:

1. *What instructions do you give the company Commander and why?*
United Nations military personnel are prohibited from using schools for military purposes, as schools are protected places and zones of peace and comfort
2. *What difference would it make if they offered a hospital as the base for the MOB?*
Hospitals are protected installations under international humanitarian law and must not be used for military purposes
3. *What if the host country's forces that are fighting with the faction are based in the school and invite the Company to join them in a joint operation?*
The United Nations company Commander should explain that schools should not be used for military purposes, as the presence of host country's forces in the school increases the risk of the school being a target and destroyed in the fighting. The Commander should advocate for the forces to immediately vacate the school premises.
4. The Commander should also inform the civilian Child Protection staff in the mission, providing all relevant information:
 - Name and location of the school
 - Name of the village
 - Unit of the host country's forces that is occupying the school
 - Estimated number of soldiers
 - Estimated number and types of weapons they have
 - Name and rank of the local commander, etc.

☞ Trainers could also refer to the *MINUSCA Directive to Protect Education in Armed Conflict*. Read out the Directive, and discuss with learners their views on why such a directive is critical for the protection of children.


SLIDE 25: SCENARIO 7 – MONITORING AND REPORTING OTHER INCIDENTS

Monitoring and Reporting Other Incidents

SCENARIO 7

While on patrol, a Company Commander meets with host-State forces in a village. They inform him that they have captured and detained 12 soldiers from a rebel armed group that has been terrorizing the village. The detainees have been locked up in one crowded cell for one week awaiting transfer to the capital for interrogation. The Company Commander notices that three of the detainees are very young, and possibly one is female. Two of the young detainees have gunshot wounds.

How would you handle this situation?

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NOTES (FOR TRAINER)

Key Message: The mission context will determine the company Commander's action. However, the Commander should gather facts and inform the civilian Child Protection staff of the mission and United Nations Police to obtain the children's release and provide them with medical care.



SCENARIO 7: Monitoring and reporting other incidents

☞ In this scenario detention is being carried out by local law enforcement agencies. In this case, the children are detained or deprived of liberty for their association with the armed group. As previously mentioned, the detention or imprisonment or placement of children in a public or private custodial setting, from which they are not permitted to leave at will, by order of any judicial, administrative or other public authority on the basis of the children's alleged or actual association with parties to conflict is an issue of concern, and should be documented as deprivation of liberty under the grave violation of recruitment and use of children..

The question should generate the following responses:

1. From the perspective of a United Nations mission, this situation would be better handled by the United Nations Police, which will have more information and knowledge about local laws and international law. The United Nations Police will also have a better network and relationship with local law enforcement agencies and are better positioned to influence the behaviour of local police
2. The United Nations military should monitor, gather facts on, and report the situation through the chain of command and to the mission's Child Protection staff or other child protection actors in the area
3. This is a real situation drawn from Mali. The children were not released immediately. In fact, it took a very long time for the children to be released. The mission intervened at the highest level and the initial information was critical to triggering the chain of action

SLIDE 26: CHILDREN ASSOCIATED WITH ARMED FORCES AND ARMED GROUPS – OTHER ISSUES

Children Associated with Armed Forces and Armed Groups - Other Issues

Arrest and detention of children associated with armed forces/groups

- Only in the most extreme circumstances
- Hand them over to a child protection actor as soon as possible



DDR of children

- Many missions have a DDR mandate
- The DDR Section will define your specific tasks

NOTES (FOR TRAINER)


Key Message: Detention of children by United Nations military units should only be done in extreme circumstances to ensure the safety and well-being of the child/children.

- In some situations, and in order to protect the child and other civilians, you may have to apprehend and detain a child. Apprehension and detention of children by United

Nations military units should only be done in extreme circumstances, as a measure of last resort and for the shortest possible period of time to ensure the safety and well-being of the child. The (unit) Commander must immediately inform the civilian Child Protection staff, through the chain of command, if a child is being apprehended.

Children should be handed over to the host State child protection authorities for interim care within 48 hours from the time of apprehension, unless there are substantial grounds for believing the children could be subjected to, for e.g., torture, rape, arbitrary deprivation of life or prolonged detention. or re-recruitment and use in hostilities. If it is determined there is a real risk of the children being subjected to ill-treatment, they should be handed over to other child protection actors for interim care.

Always make sure that children are separated from adult detainees, girls from boys, and children in contact with the law (victims and witnesses) from children in conflict with the law (perpetrators). Do not interview the children, and do not subject children to strip or body cavity searches. The searching of children must be conducted by personnel of the same sex. The Department of Peace Operations' SOP on the Handling of Detention in United Nations Peacekeeping Operations and Special Political Missions provides detailed guidance on detention of children.

- Handout: Special Considerations for Children in Relation to the Standard Operating Procedures on the Handling of Detention in United Nations Peacekeeping Operations and Special Political Missions
-  Most missions have a mandate to support Disarmament, Demobilization and Reintegration (DDR) processes. The military role and tasks of formed units and military observers varies from mission to mission.


Units have the primary role of providing a safe and secure environment, while military observers may play a role in information collection and registration of children associated with armed forces and groups. Make sure that you take into account the differing needs of boys and girl combatants, and disaggregate information by sex and age.

If you are involved in a mission's DDR operations, always make sure that children are separated from adult combatants, girls from boys, and handed over to specialized agencies tasked with disarmament, demobilization and reintegration of children associated with armed forces and armed groups. Transport girls separately from boys to cantonment sites, include separate living quarters for boys and girls, and provide adequate security for girls from the risk of sexual violence.

Taking Action, Reporting – Other Violations

- Be aware of other violations relevant to the particular context (e.g., illegal detention, forced displacement, trafficking)
- Ask the civilian Child Protection staff for a briefing on the situation of children affected by armed forces in your particular context
- Make sure that you fully understand the violations that you are expected to report



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NOTES (FOR TRAINER)

Key Message: It is critical that military personnel know the specific threats to children in the respective areas of responsibility. Ask the civilian Child Protection staff for a briefing.

- In today's peacekeeping environment, peacekeeping personnel are expected to be alert to other relevant violations in the mission area. For example, the illegal arrest and detention (deprivation of liberty) of children, often as a result of the alleged association of children with armed forces or armed groups, has emerged as a serious concern in conflict settings. The children may be considered "enemies" or "deserters." Forced displacement may also be an issue of concern if related to fear of child recruitment, sexual violence or any other grave violation. In some cases, armed groups or criminal elements have taken advantage of the desperate situation of children and insecure borders to traffic children for sexual exploitation or domestic labour. If you encounter such violations, you should not only report them to the appropriate child protection actor, but also take action, as necessary.

Upon deployment, ask the Child Protection staff or military Child Protection Focal Point for a briefing on the situation of children affected by armed conflict in the particular mission area, as situations may differ considerably by country or region.

Make sure you fully understand the violations that you are expected to be alert to.

Additional Considerations for UN Military

- Ensure that schools and other educational institutions are not used or impacted when planning/conducting military operations
- Ensure that the standard operating procedures (SOPs) for dealing with children in custody are known by all personnel
- All possible efforts should be made to avoid civilian casualties, in particular child casualties



NOTES (FOR TRAINER)

Key Message: The use of schools for military purposes is prohibited. Ensure SOPs are developed and/or disseminated for the handling of children custody.

- In addition to the *Dos and Don'ts* discussed in the previous lesson (3.2), there are three key elements that the military component must bear in mind to support child protection in mission areas.

The United Nations Military must always ensure that educational institutions, such as schools, are not used for the conduct of military operations.

Headquarters at all levels should ensure that the standard operating procedure (SOPs) on issues related to children (e.g., handling children in custody, reducing civilian casualties, collateral damage) are developed and/or disseminated to all military personnel.

Military personnel must make every effort to avoid civilian casualties, in particular children.

☞ Pre-deployment and in-mission training of military units and individual soldiers on these topics should be a key requirement.


SLIDE 29: CONDUCTING MILITARY OPERATIONS – DOS AND DON'TS (1)

Conducting Military Operations Dos and Don'ts (1)

Do	Don't
Assist children when they surrender or are captured	Send a child/children away or tell them to come back the next day
If in doubt regarding the age of an apprehended individual, consider him/her as a child	Make a determination regarding the age of an apprehended individual; request an age assessment
Inform the mission CP staff immediately if a child(ren) is being apprehended	Apprehend the child(ren) for more than 48 hours
With advise from CP staff, hand them over to the local child protection authorities or CP actors as soon as possible	Hand a child/children over to the host-State army without consulting the Child Protection Section

Conducting Military Operations Dos and Don'ts (2)

Do	Don't
Share your knowledge of child protection issues with host State military counterparts	Underestimate your role as a positive role model
Encourage the host State authorities not to use schools as bases for their operations	Use schools or hospitals as bases for military operations


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Handout: Dos and don'ts for military operations

Takeaways

- Protection of children is an integral part of the overall mission mandate
- Rules of engagement provide the authority to use force, if deemed necessary, to protect children
- The handling of children associated with armed forces and armed groups is complex and requires training
- Bear in mind two key considerations:
 - Take action to address child protection threats
 - Inform child protection actors of violations
- Hand over children associated with armed forces/groups to child protection actors as soon as possible

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NOTES (FOR TRAINER)

Key Message: The takeaways from this lesson are as follows:

- United Nations military personnel have a mandate to protect children. The protection of the most vulnerable populations must be a focus when developing plans and orders to implement protection tasks.

Rules of engagement provide military personnel with the authority to use force, if necessary, to protect children. Military personnel must know what constitutes an imminent threat and a hostile act/intent.

Protection of children is an integral part of the overall mission mandate. This is a whole-of-mission effort and the military component plays a critical part in providing physical protection, minimizing threats and reducing children's vulnerabilities in hostile environments. In addition to taking action, remember to inform the civilian Child Protection staff of threats to/violations against children.

Coordination and information-sharing on child protection issues are a key aspect of your role as military personnel.

The handling of children associated with armed forces and armed groups is complex and requires training. Remember that a child with a gun is also a victim of conflict.

Always keep in mind the best interest of the child. A sound understanding of your operational environment is essential to ensure that children are not exposed to further violations owing to military responses. If in doubt, always discuss these issues with a Child Protection staff or a specialist in your mission area.

Summary

Takeaways from Lesson 3.3:

- Protection of children is an integral part of the overall mission mandate
- Rules of engagement provide the authority to use force, if deemed necessary, to protect children
- The handling of children associated with armed forces and armed groups is complex and requires training
- Bear in mind two key considerations:
 - Take action to address child protection threats
 - Inform child protection actors of violations
- Hand over children associated with armed forces/groups to child protection actors as soon as possible

SLIDE 32: REFERENCES

References

- United Nations, DPO-DPPA-DSS, Standard Operating Procedure: The Handling of Detention in United Nations Peacekeeping Operations and Special Political Missions, 2021
- OSRSG-CAAC website (<http://childrenandarmedconflict.un.org>)
- Roméo Dallaire Child Soldier Initiative, Child Soldiers: A Handbook for Security Sector Actors, Second Ed., 2014
- United Nations, DPKO-DFS-DPA Policy on Child Protection in United Nations Peace Operations, 2017
- United Nations, DPKO, Integrated Training Service, Child Protection in Peacekeeping Training Modules, Core Pre-deployment Training Materials, 2017
- United Nations, Infantry Battalion Manual (UNIBAM) Second Edition, January 2020



Review the Rules of Engagement



NOTES (FOR TRAINER)

- ☞ *Trainers should highlight key paragraphs in the rules of engagement, including principles, rules for use of force beyond self-defence, and key definitions.*

Questions



NOTES (FOR TRAINER)

- ☞ *Allow sufficient time for questions to be asked/answered. Actively encourage questions from learners.*