



Module 3, Lesson 3

MILITARY COMPONENT CHILD PROTECTION ACTION AND RESPONSE



Learning Objectives

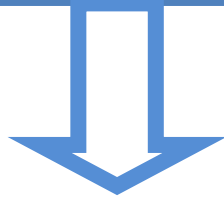
- **Demonstrate** how the mission rules of engagement provide United Nations military personnel with the authority and tools to effectively protect children
- **Define** children associated with armed forces and armed groups and discuss the challenges they pose
- **Apply** the guidelines for dealing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



Two Responses to Threats to Children

PROTECT

Actions to physically protect children



Military POC plans based on four phases of response and rules of engagement

REPORT

Information on the six grave violations



Report and refer situations to child protection actors



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...**



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



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



Key Definitions

- **Hostile Act:** An action where the intent is to cause death, serious bodily harm or destruction of property
- **Hostile intent:** The threat of imminent and direct use of force, which is demonstrated through an action or behaviour which appears to be preparatory to a hostile act
- Only a reasonable belief in the hostile intent is required before the use of force is authorized
 - **Reasonable Belief:** Reasonable belief is when the Commander, or individual, logically and sensibly concludes, based on the conditions and circumstances in which he or she finds him or herself that a hostile threat exists.



Rules of Engagement (3)

Hostile intent: Weather 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)*



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?”



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



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



Recruitment and Use (3)

Why are children recruited and used by armed groups?

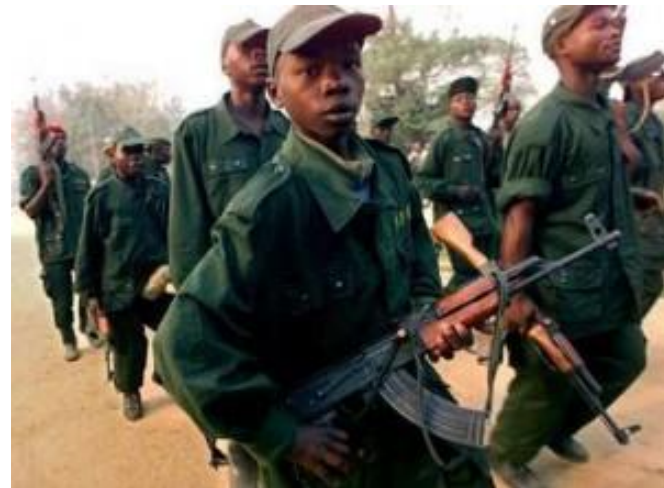
They bring a strategic advantage!



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



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**



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



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?



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?*



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?



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?



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



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?



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)*



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?



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?



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



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



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



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 |



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



Review the Rules of Engagement



References

- United Nations, DPO-DPPA-DSS, Standard Operating Procedure: The Handling of Detention in United Nations Peacekeeping Operations and Special Political Missions, 2021
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Questions

