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Democratic Republic of the
Congo



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FORCE COMMANDER'S DIRECTIVE – PROTECTION OF CHILDREN BY MONUSCO FORCE

Reference: UNDPKO/DFS Policy on Mainstreaming the protection, rights and well-being of children affected by armed conflict within UN Peacekeeping Operations dated 1 Jun 2009.

GENERAL

1. **Aim.** The aim of this Directive is to set out how FHQ, Sectors and MILOBs implement plans and procedures on how to protect children during military activities within the legal framework. Protection of children is vital to the Mission's Protection of Civilians (POC) mandate. Operational effectiveness can only be achieved if due consideration of child protection is included in planning and the Force must be proactive and responsive when and where the lives of children are at risk.
2. **Situation.** MONUSCO Force HQ has been mandated by the Security Council to ensure that Child Protection concerns are integrated into all Ops from the strategic to the tactical. Grave violations against children continue to be committed in the MONUSCO AOR. Deliberate targeting of children, including the recruitment of thousands of boys and girls into armed groups is frequent with trends showing an increase. This activity directly contributes to the destabilisation of the population and constitutes a POC threat.
3. **Definition of a Child.** A Child is anyone under the age of 18.
4. **Six Grave Violations Against Children in Armed Conflict.** All Force members must be aware of the grave violations against children in armed conflict in order to prevent them from happening and protect those who are the most vulnerable. Each member of MONUSCO's military component must understand the problems faced by children, and look for warning signs related to any of these grave violations listed below:
 - a. Recruitment and use of a child by an armed group or an armed force¹
 - b. Killing and maiming of a child
 - c. Sexual violence against a child
 - d. Abduction of a child
 - e. Attack on schools and hospitals

¹ This includes both boys and girls, and, equally, children used as combatants and in support roles.

- f. Denial of humanitarian access affecting children.

THESE VIOLATIONS² MUST BE REPORTED IMMEDIATELY

5. Under no circumstances should a child be subjected to tactical questioning or investigation without the presence of CPS, nor should photographs of a child's face be taken. His/her name must be kept strictly confidential and not placed in reports.

GUIDING PRINCIPLES.

6. The guiding principles of **PLAN – ACT - ALERT- PROTECT** are to be undertaken, before, during and after ANY operation and it is everybody's responsibility.

a. **Plan.** The Force must take a proactive role in preventing the six grave violations against children. Not only must the Force consider the different effects that conflict, including Force Ops, has on children, but effective CONPLANS to mitigate risks. The Force must also actively plan Ops to provide protection to children and simultaneously target those seeking to commit violations against children during conflict.

b. **Act.** Should a risk of death, serious harm or disappearance of a child be imminent or in progress, immediate physical action by MONUSCO's military component is required to protect the child, including the use of force.

c. **Alert.** Following an immediate response or where such the risk could not be prevented or not imminent, the incident must be reported immediately. Utilisation of the Sector Focal Point to communicate with CPS at the Field Office-level and FHQ is essential. In the absence of a Focal Point, the Brigade, Sector Focal Point or FHQ Advisor must be contacted as soon as possible.

d. **Protect.** Following incidents involving children, lessons learnt must be recorded and an After-Action Review conducted to ensure future activities respond as effectively as possible. Where necessary, the FHQ will direct child protection-related Ops to support tactical HQs.

| DO | DONT |
|---|---|
| <ul style="list-style-type: none">• Always take children in• Report any grave violation• Take only enough detail to be able to report• Provide protection• Provide medical aid and food if needed | <ul style="list-style-type: none">• Turn any child away• Interview children (Aside from Basic info)• Separate children from parents• Place children at risk.• Use children for labour |

[UN Child Protection website](#)

ROLES AND RESPONSIBILITIES

7. There are a variety of actors that have specific roles and responsibilities for child protection and is listed below:

² These do not include general humanitarian concerns affecting children, e.g. health, which go beyond MONUSCO's mandate and are the responsibility of the Government and UN partners, e.g. UNICEF.

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a. **Child Protection Section (CPS).** CPS is the civilian component composed of Child Protection Advisors who are tasked with ensuring that the Mission's activities prioritize the best interests of children, including through coordination with the Force. CPS staff are present in Field Offices and are the primary point of contact for the Focal Points; CPS HQ is the primary point of contact for FHQ Advisor.

b. **FHQ.** The Force Gender and Child Protection Officer is responsible to the FC for ensuring information is communicated between the Force and to the Child Protection Section (CPS) rapidly and accurately.

(1) Ensures compliance with this Directive by the MONUSCO's Force and advise senior mission leadership.

(2) Implementation of this Directive into G5 planning at FHQ.

(3) Liaison and advice with all Sectors and Battalion Leadership as well as their Focal Points to ensure that this Directive is complied with and the collection of CP data.

(4) Assist with training for Sectors and their Focal Points.

c. **Sector Level.** Local Child Protection Focal Points (Focal Points). These must be designated in each Brigade HQ, RDB/BATT HQ, COB, MILOB Team Site and sit within the G3/5 branch (ideally, they are also the Gender Focal Point) and:

(1) Know who the Civilian Child Protection Advisor is at the Field Office level and work closely with them, attend SMPPG and advise respective TCC.

(2) Ensure all MONUSCO Force in their Area of Responsibility know of and comply with this Directive and guide them in the planning and responsiveness of Child Protection matters.

(3) Responsible for contacting the FHQ Advisor and establish a working relationship with the CPS Field Office to be able to mainstream child protection matters into planning.

(4) Organise training at least every 3 months for each Force location and ensure POC pocket cards are available.

G1-9 CONSIDERATIONS

8. This is a guideline for proactive child protection measures to be undertaken across the G1-9 spectrum of ops and not an exhaustive list. All reporting must be disaggregated by sex (male/female) and age (adult/child).

a. **G2 - Intelligence.** Include information on actors committing any of the grave violations against children in daily intelligence and UAS reports as standard and ensuring that CPS receive the reports in a timely manner. Proactively providing early warning of risks of grave violations against children to the FHQ Gender and Child Protection Officer. Provision of target packs to assist tactical units in targeting AGs deliberately committing violations. Supporting MONUSCO's efforts countering or gathering information on grave violations against children with UAS Assets.

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b. **G3/G5 - Ops & Plans.** All military Ops must consider the effects of their actions on children and take mitigating measures to limit mitigate the risk of children within the vicinity of or within a targeted AG. Plans must be amended to ensure the Force do not commit or facilitate any violations. In addition, the Force HQ will direct lower HQs to conduct deliberate planning to address the causes of grave violations against children in the conflict. During all planning, CP representation must be consulted to make recommendations for mitigation measures, including preparation for child surrenders.

c. **G3 - Execution of Military Ops.** During any execution phase an assessment of the likelihood of any grave violations against children must be conducted and a CONPLAN produced to mitigate the risks. If a grave violation has occurred, it must be reported immediately. It is the responsibility of each Sector Commander to ensure the following activities are incorporated into G3 planning.

(1) **Patrolling.** Deliberate patrols to dominate the ground where children are at risk, such as farming fields, markets, water points, schools or hospitals at times when they are most at risk, before and after school hours, and at dusk.

(2) **Child Surrenders.** If a child surrenders, they must be accepted and protected 24 hours a day, 7 days a week until CPS can assist. This applies to both boys and girls and does not require the child to possess a weapon or prove their age. A child surrender should never be refused access after being disarmed, nor should they be interrogated. No photos may be taken of a child's face. Immediately report all child surrenders to CPS and DDR for extraction.

(3) **Children Participating in Combat.** If children are participating in combat against MONUSCO, de-escalation tactics including verbal encouragement to surrender, should be used to the maximum extent prior to taking offensive action. RoE must be stringently applied, and lethal force used as only as a last resort for self-protection. Treat the boy/girl with the same respect as you would a soldier but acknowledge they remain a child.

(4) **Children Involved in Law and Order Incidents.** The MONUSCO Force is not to be involved in civilian policing matters and the MONUSCO Force should only detain a child as a measure of last resort for the shortest time possible. Children 14 years and below MUST be handed over within 48 hours to a trusted Govt CPS or NGO. If a child commits a criminal activity, the Force can only intervene if the child is at risk and requires protection. Children may be detained by the PNC but where it is considered that the child faces an imminent risk under PNC care the Force should physically protect the child and report the matter to Child Protection.

(5) **Dialogue with AGs.** The Force should routinely advocate that children should be in school and not part of any military activity. Sightings of boys and girls with or part of Armed Groups should be reported to the CPS. Any negotiations for the release of children should be undertaken by the CPS and **not** the Force and the Force should be prepared to provide security for the CPS during negotiations.

(6) **Routine engagement with Children.** The Force should focus activities on the protection of children and not interactions at orphanages, schools and responses to the poverty. Advocacy for children's rights should take place with key stakeholders and communities to denounce child soldiers.

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essential to mitigating risk. Where the CONPLAN cannot mitigate the risk then specialist expertise must be sought via FHQ.

d. **Info Ops (IO).** The Info Ops Cell can supplement Force Child Protection activity by positively influencing a Target Audiences (TA) who could either encourage children to surrender, encourage parties to conflict to release children and to halt and prevent the six grave violations using a variety of tools.

(1) **Leaflets.** During planning and execution of all Ops, IO should liaise with the FHQ Gender and Child Protection Officer to plan and coordinate any leafletting activity.

(2) **Radio/Other Media.** Coordination and information sharing between the IO cell and the FHQ Gender and Child protection Officer/CPS is required to develop plans on spreading key messages.

e. **G7 - Training.** To maintain MONUSCO credibility in-mission training on Child protection is essential in all roles.

(1) **Mandatory Training.** FTC is responsible for ensuring that everyone receives training on Child Protection and what to do when interacting with children through scenario-based activity. The FTC cell must liaise with the FHQ Gender and Child Protection Officer to ensure the material remains current.

(2) **Continuation Training.** TCC G7 branches must liaise with their Focal Point to deliver regular training on how to apply the Child Protection Directive through active scenarios. All Focal Points are to responsible for the management of Child Protection training within their unit and at a minimum conduct training every 3 months including G5 planners and staff in key leadership positions utilising this directive and the PoC pocket cards.

(3) **Remedial training.** Best practise training should be held after an incident concerning child protection matters. This should identify what went well and what could be done better and apply the changes.

f. **G9 – CIMIC.** Activities must consider whether and how they may cause detrimental effect towards children and should CONPLAN accordingly. Quick Impact Projects (QIPs) where possible, must look at specific, sustainable child protection development initiatives. QIPs supporting children formerly associated with armed groups or other child victims of grave violations should be prioritized. All CIMIC projects must include Measure Of Effectiveness into the planning and follow up activities. Projects relating to schools must include upgrading or building of safe and hygienic toilets for both boys and girls.

g. **G4 – Logistics.** Support units with supplies in case of surrenders and allow for the treatment of child victims of grave violations, including PEP kits.

h. **Medical Section.** The CMO is to provide CONPLANS on the priority treatment of injured children and MEDEVAC. Op CONPLANS should include medical assistance for children who were either part of an AG or due to collateral damage. Specific areas of concern include:

(1) Children seeking treatment for non-combat-related injuries (e.g. cooking burns) may be associated with armed groups or seeking to surrender; alert the Local Focal Point, FHQ Focal Point, CPS (or in the absence of these, DDR).

- (2) Both girls and boys may present with symptoms related to sexual violence and should be treated in a sensitive manner, with immediate referral to CPS and provision of PEP kits as necessary.
- (3) Where possible assign female medics or CLAs for girls.
 - i. **FARDC LO.** Effective partnering is essential to raise awareness of the GoDRC Action Plan on children recruitment and sexual violence. FARDC are also responsible for protecting children and must enforce accountability for perpetrators of grave violations within the FARDC and AG. This activity optimises their own force credibility in implementing its own Action Plan and IHL obligations, enhancing operational effectiveness through lawful conduct of operations.
 - j. **DDR/DDRRR LOs.** All child surrenders should be accepted and protected on all Force premises at all times of day or night. Where CPS is not present, DDR Representatives may screen children to determine whether they are associated with an armed group. Only CPS may screen children to determine their age; this is not necessary in order to accept a child surrender and may be conducted by CPS after a child's extraction.
 - k. **MILOBs.** Upon witness of any grave violation MILOBs must report the incident including the child or children's age and sex. Credible reports or second-hand information must also be reported.
 - l. **Military Police/CDU.** Provide investigation assistance where required or called upon by the CPS/FHQ Gender and Child Protection Officer, Focal Points or Chain of command. Provide liaison throughout investigations and make recommendations accordingly.

IMPLEMENTATION

9. **Timings.** All branches of the MONUSCO Force are to implement this Directive immediately.
10. **Quarterly Reissue.** In coordination with the Office of the FC and FCOS, the IMC are to ensure that this Directive is re-issued on a quarterly basis to ensure that all Force rotations receive the Directive.
11. **Gender and Child Protection Ops Group (G&CP Working Gp).** During or after a large-scale Child Protection incident the FHQ Gender and Child Protection Advisor will initiate an Ops Working Group. This include SMEs from relevant UN departments and members of the Force. Its purpose is to ensure and enable a timely and effective Force response and to consequence manage the incident. DCOS Ops will lead with the Working Group with advice from the key stakeholders to ensure protection of civilians, including children and direct an After-Action Review to be conducted and results disseminated.
12. **Seminar.** A Protection of Children Seminar will be held every 6 months On line for the foreseeable future and attendance will be required from all staff branches and Child Protection Focal Points from Sector HQs.

CONCLUSION

13. **Amendments and Review.** Any amendments are to be suggested via Focal Points or direct to the FHQ Gender and Child Protection Officer.

14. **Closing Remarks.** Between 2014 and 2017, over 11,542 grave violations committed against children by over 40 parties to the conflict in the Democratic Republic of the Congo with the trend not yet decreasing. The MONUSCO mandate is for the PoC and matters of Child Protection is one of the highest priorities. This Directive seeks to build on positive work the Force has achieved, especially with separating children from AGs. Deliberate planning of Ops to prevent violations against children and action to respond to such violations will protect children and enhance operational effectiveness. In order for this to succeed, all members of the Force must be actively involved and consider the protection of children carefully in carrying out their duties.

POINTS OF CONTACT

15. FHQ key contacts are as follows:

a. **Force Gender and Child Protection Officer.** Ext 195-6761 or email: MONUSCO-GENDERANDCHILDPROTECTIONOFFICER@un.org

b. **Child Protection Section.** Mathieu Koni Ext 5598 email: koni@un.org , Jacob Delange email: delange@un.org , Carolina Meroni email : carolina.meroni@un.org

c. **G5 Info Ops Planner.** Ext 195-5805 or email: MONUSCO-HQ-INFOOPSPLANS3@un.org.



Ricardo Augusto Ferreira Costa Neves

Lieutenant General

Force Commander
MONUSCO

Annex A – Child Protection Action Card

Distribution:

Action: All Brigade, Sectors, Contingent Commanders, M!LOB HQ's and Section Chiefs in FHQ

CHILD PROTECTION ACTION CARD

| CHILD PROTECTION | |
|---|---|
| REPORT VIOLATIONS IMMEDIATELY | |
| Definition of the six grave violations against a child: <ul style="list-style-type: none"> •Killing and maiming of children •Recruitment or use of children •Sexual violence against children •Abduction of children •Attacks against schools or hospitals •Denial of humanitarian access for children | |
| WHO is a child | The United Nations defines child as "a human being below the age of 18 years" Both girls and boys may be victims or combatants and both sexes should be afforded equal protection. |
| WHEN must I protect children | When children are captured, surrender or are recognized as being a victim of any of the six grave violations against children they must be physically protected and handed over to CPS. During planned and kinetic operations. |
| HOW must I protect children | Planned ops. Recognize and avoid targeting locations where children are routinely located |
| | Kinetic ops. Always use an escalation of force Avoid using force against children if possible Understand RoE on use of lethal force against children Prioritize post operations when handling and processing |
| | Surrenders and apprehension Provide physical security to children who surrender or are apprehended during offensive operations. |
| | Provide physical security to children who surrender at a UN Base or during routine patrolling. |
| | Children must be separated from adult combatants/ detainees Provide life support (food, water, shelter) until CPS can remove the children All children who surrender or are apprehended must be handed over to CPS |
| DO NOT | Don't interview children (Only to be undertaken by a CP Specialist) Don't hand over children to state forces without authority Don't take photos or film children unless required for investigative purposes |
| REPORTING | What to report Number of children and context of apprehension / surrender or injury Location of children Health of children Use of child soldiers or grave violations by state or non-state forces. |
| | Who Sector HQ, Force HQ, JHRO and CP. |
| | When Immediate reporting of abuses, violations, injuries, surrenders or apprehensions. |
| | PRINCIPLES Confidentiality: Don't share any personal information of the child Best interest of the child must guide all decisions |

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FHQ INTERNAL ROUTING SLIP

| | |
|-----------------------------------|---|
| TO: A: | Lt General Ricardo Augusto Ferreira Costa Neves , Force Commander |
| THROUGH: S/C DE: | Brig Gen . John Chaika, FCOS |
| FROM: DE: | Maj Helen Bryan, Force Gender and Child Protection Officer |
| DATE: | 21/01/21 |
| SUBJECT: | Re-Issue of Force Commanders Directive on Protection of Children |
| REMARKS: | Updated protection of Children Directive to be approved and circulated. |
| RECOMMENDED ACTION: | For FC Signature and Distribution |

| Mission Support Center /Operations Support Coordination Verification | |
|--|----------------------|
| <i>*Each section is required to coordinate actions with the MSC/OPS SP, as required.</i> | |
| Is/Was coordination with MSC/OPS SP required? | No |
| If no, why? | Force direction only |
| If coordination required, is it complete? | N/A |
| Provide a brief description of coordination? | |
| FCOS Remarks | |

| Supervisor Verification | |
|--|------------------|
| Coordinated with or cleared by (please indicate office and person's name): | |
| <i>*All orders must be signed by G5, DCOS OPS, and DCOS OPS SP</i> | |
| Office : | N/A |
| Office : | Name/Signature : |
| Office : | Name/Signature : |
| Office : | Name/Signature : |
| Office : | Name/Signature : |
| Office : | Name/Signature : |

IMC
Received on: 04 FEB 2021
By: MAJ PSLARIU
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