

ANNEX 5a: Force Commander's Directive on Child Protection

Military components of UN peace operations play an important role in protecting children and preventing violence, abuse, neglect, and exploitation affecting children in the mission area, including by mainstreaming child protection concerns and activities in all their operations (DPKO-DFS-DPA Policy on Child Protection in United Nations Peace Operations, 2017).

The successful adoption and implementation of the 2017 Force Commander's Child Protection Directive in MONUSCO (updated in 2021) marked the beginning of a series of Force Commander's Directives on Child Protection in other peacekeeping operations, namely MINUSCA (2018), UNMISS (2019, updated in 2020) and MINUSMA (2020).

A Force Commander's Directive on Child Protection is one of the tools available to support the implementation of the child protection mandate by the military component of a UN peacekeeping operation. The Directive can help ensure that child protection concerns are effectively mainstreamed into all activities and responsibilities of the military component, including through the establishment of a military Child Protection Focal Point system at Force Headquarters, Sector (Brigade) Headquarters, and Battalion Headquarters and sub-unit level, as set out in the policy (paragraph 20.3).

The template for the Force Commander's Directive on Child Protection is intended for missions with a sizeable military component and with an explicit child protection mandate and dedicated child protection capacity. Other missions that wish to issue guidance on child protection for military personnel should adapt this template to reflect their mission mandate and deployment, the specific characteristics and size of the military component, and the specific characteristics and size of the child protection component (where present⁹³), among others.

[UN PEACEKEEPING OPERATION] Force Commander's Directive on Child Protection

Content:

1. Purpose and rationale
2. Scope
3. Plan-Act-Alert-Protect
4. Roles and responsibilities
5. U/G/S1-9 considerations
6. References
7. Implementation
8. Monitoring and compliance
9. Contact

⁹³ UN peace operations with a child protection mandate usually have dedicated child protection capacity. In situations where dedicated child protection capacity is not present, the child protection lead in the mission (often the human rights component) should be involved in the development and implementation of mission-level guidance on child protection for UN military personnel in coordination with the Child Protection Team in DPO or the Child Protection Focal Point in DPPA at Headquarters

Annexes:⁹⁴

- Annex A: Key definitions and legal principles
- Annex B: Reporting and information-sharing chart
- Annex C: Early warning indicators – Reference to annex 9, *DPO-DPPA Handbook for Child Protection Staff in United Nations Peace Operations, 2023*
- Annex D: Protection of schools – Reference to annex 5b, *DPO-DPPA Handbook for Child Protection Staff in United Nations Peace Operations, 2023*
- Annex E: Child labor – Reference to annex 5c, *DPO-DPPA Handbook for Child Protection Staff in United Nations Peace Operations, 2023*
- Annex F: Detention and surrender

1. PURPOSE AND RATIONALE

The aim of this Directive is to set out how the military component of [UN PEACEKEEPING OPERATION] will implement plans and procedures on how to protect children before, during and after military activities.

[UN PEACEKEEPING OPERATION] has been mandated by the Security Council to [add ref. to the latest mission mandate, including relevant Security Council resolution (X) and year (X)].

Each military member of [UN PEACEKEEPING OPERATION] must be aware of the six grave violations against children in situations of armed conflict and understand the risks children face in the mission area of responsibility (AoR). Grave violations against children are being committed by [LIST PARTIES TO CONFLICT COMMITTING GRAVE VIOLATIONS AGAINST CHILDREN] in the mission AoR. [Listings from the Secretary-General Annual Report on Children and Armed Conflict]. [mission specificities]

2. SCOPE

This Directive applies to all [UN PEACEKEEPING OPERATION] military personnel. Compliance with this Directive is mandatory.

3. PLAN-ACT-ALERT-PROTECT

[UN PEACEKEEPING OPERATION] Force must act robustly and promptly to protect children before, during and after operations, in accordance with the mission mandate and the guiding principles as set out in annex A. Accurate and prompt reporting of violations against children is to be conducted first and foremost for the purpose of ensuring rapid response by [UN PEACEKEEPING OPERATION], specifically the civilian Child Protection Section/Unit and military forces. Reporting data for monitoring purposes is also important and should take place once the need for immediate action has been addressed.

- Plan.** The Force must take a proactive role in preventing the six grave violations against children. The Force must consider the impact that conflict has on children and put in place effective contingency plans to mitigate risks to children. The Force must also actively plan operations based on early warning indicators to provide protection to children and simultaneously target those seeking to abuse children during conflict.

⁹⁴ This list provides an overview of a set of standardized annexes to the template. The annexes should be tailored to the specificities of each mission.

- b. **Act.** In the event that a child faces a risk of death, serious harm (including maiming and rape or other forms of sexual violence) or abduction, the first duty of a member of [UN PEACEKEEPING OPERATION]'s Force is to take immediate action to protect the child, subject to usual operational considerations and the Rules of Engagement (RoE). This may include:
- Use of force in accordance with the RoE to protect the child.
 - Providing basic medical aid if asked or needed, in accordance with current [UN PEACEKEEPING OPERATION] policies on providing medical assistance to civilians.
 - Securing the area until the civilian Child Protection Section/Unit or a humanitarian organization can arrange assistance for the child, if humanitarian assistance is needed or requested; and/or
 - Providing emergency transport to the child in accordance with current [UN PEACEKEEPING OPERATION] policies on provision of emergency transport.
- c. **Alert.** After the member of [UN PEACEKEEPING OPERATION]'s Force has provided an immediate response to a grave violation by a party to the conflict, or where such a risk cannot be prevented or is not imminent, he/she must alert the Battalion HQ and other subordinate units' military Child Protection Focal Points (CPFP) in line with the procedure set out in the reporting and information-sharing chart (annex B). In turn, they shall then alert the FHQ military CPFP and the civilian Child Protection Section/Unit. In the absence of a Battalion HQ and/or other subordinate units' military CPFP, the SHQ (BHQ) or FHQ military CPFP must be contacted. The FHQ military CPFP must be informed and will then decide what further actions might be required, in liaison with the civilian Child Protection Section/Unit.
- d. **Protect.** Lessons learned, information about early warning indicators and good practices must be identified and collected on an ongoing basis. An after-action-review must be conducted to ensure future responses to child protection incidents are as effective as possible. This information must be included in tactics, techniques and procedures to improve overall performance. The FHQ military CPFP should incorporate good practices and lessons learned into the mandatory training on child protection (see section 5 below: U/G/S1-9 CONSIDERATIONS).

4. ROLES AND RESPONSIBILITIES

Child Protection Section/Unit. The [UN PEACEKEEPING OPERATION] Child Protection Section/Unit, based in [LOCATION] Headquarters (HQ) and in [LOCATION] field offices, is the civilian substantive lead on child protection. The Child Protection Section/Unit is tasked with ensuring that the mission's activities prioritize the best interests of children, including through coordination with the Force. The Senior Child Protection Adviser is the principal interface and intermediary between [UN PEACEKEEPING OPERATION] and external partners on child protection concerns, as well as the lead adviser on the implementation of the child protection mandate in the mission. The Child Protection Section/Unit at mission HQ is the primary interlocutor for the FHQ military CPFP; Child Protection staff are present in field offices and are the primary point of contact for the military CPFPs at SHQ (BHQ) level, Battalion HQ and other subordinate units.

Military Child Protection Focal Points. Within the Force, a network of military CPFs, as mandated in this Directive, provides a specialist supporting network and channel for information flow between the Force and the civilian Child Protection Section/Unit. Military CPFs are appointed at each level of the chain of command.

Force HQ – strategic level. The Force Headquarters military CPF⁹⁵ is responsible to the Force Commander for:

- a. Working with the Senior Child Protection Adviser to strengthen advice provided to the [UN PEACEKEEPING OPERATION] Force Commander, senior military leadership, FHQ staff and commanders on all issues related to the protection of children:
 - Establish and maintain good working relations with the Senior Child Protection Adviser and the civilian Child Protection Section/Unit at mission HQ.
 - Regularly advise the Force Commander, senior military leadership, FHQ staff and commanders on child protection issues.
 - Mainstream child protection considerations into all [UN PEACEKEEPING OPERATION] Force operations.
- b. Liaising with and training military CPFs at the Sector (Brigade), Battalion and sub-unit levels to ensure the implementation of child protection measures at the operational and tactical levels:
 - Ensure that all subordinate commanders at the Sector (Brigade), Battalion and sub-unit levels are fully informed and understand the need to ensure that the procedures set out in this Directive are observed.
 - Liaise with, advise, and support all Sector (Brigade) and Battalion Commanders as well as SHQ (BHQ), Battalion and sub-unit military CPFs to ensure compliance with the Directive.
 - Organize regular (in-person/virtual) meetings (ideally monthly) with military CPFs to exchange information, provide guidance, discuss the status of implementation of the Directive, etc.
 - In coordination with the U/G/S7, ensure that specific training on the Directive is regularly conducted within the military component of the mission (see section 7 below: IMPLEMENTATION).
- c. Establishing/strengthening an alert system to transmit information received on the six grave violations against children and other child protection concerns through the chain of command and to the civilian Child Protection Section/Unit, as well as information on threats that could cause displacement, human rights violations, etc.:
 - Ensure that information is exchanged rapidly and accurately between the Force and the civilian Child Protection Section/Unit.
 - Report information related to the six grave violations against children in situations of armed conflict to the civilian Child Protection Section/Unit in line with the procedure set out in the reporting and information-sharing chart (annex B).

⁹⁵ Depending on the specificities of each mission, the function of FHQ military CPF can be performed by the military Child Protection Adviser or Focal Point, the military Gender Adviser, the military Protection Adviser, or another staff officer at FHQ designated by the Force Commander.

- d. Overseeing the implementation of specific directives, including standard operating procedures on the handover of children associated with armed forces and armed groups captured during operations or those who surrender to the mission.
- e. Developing guidelines on children's issues, including appropriate conduct during interaction with children and prevention of all forms of child exploitation and child labour.
- f. Ensuring the implementation of this Directive, in consultation with the Senior Child Protection Adviser and civilian Child Protection Section/Unit:
 - Ensure compliance with this Directive by [UN PEACEKEEPING OPERATION] Force.
 - Systematically monitor and report on progress made in the implementation of the Directive, including good practices and lessons learned.
 - Evaluate and review the Directive on a regular basis, looking at progress in its implementation, its effectiveness, and any problems or gaps arising during its implementation, and formulate recommendations to address them.

Sector HQ (Brigade HQ) – operational level. The SHQ (BHQ) military CPFPP⁹⁶ is responsible for:

- a. Advising the Sector (Brigade) Commander on all issues related to the protection of children within the Sector (Brigade) AoR, in collaboration with the civilian Child Protection Section/Unit:
 - Establish and maintain good working relations with the civilian Child Protection Team Leader and Child Protection Section/Unit at the field office level.
 - Regularly advise the Sector (Brigade) Commander, SHQ (BHQ) staff and commanders on child protection issues within the SHQ (BHQ) AoR.
- b. Acting as a liaison between the civilian Child Protection Section/Unit and the SHQ (BHQ), ensuring two-way communication between the Force and the civilian Child Protection Section/Unit.
- c. Following up on the training of military CPFPPs to ensure the implementation of child protection measures at the tactical level (battalion and company level).
- d. Handling all issues related to child protection concerns within the Force at Sector (Brigade) level, in collaboration with the Child Protection Section/Unit.
- e. Obtaining referral mechanisms from the civilian Child Protection Section/Unit at the Sector (Brigade) level for all military CPFPPs within the AoR, to address sexual violence, children separated from armed forces and armed groups, unaccompanied children, and other issues, and continuously consult the civilian Child Protection Section/Unit about response and protection activities. Ensure that all military CPFPPs are adequately informed about referrals.
- f. Informing the civilian Child Protection Section/Unit of all child protection concerns observed at SHQ (BHQ) level, including information on grave violations against children (see the reporting and information-sharing chart: annex B).

⁹⁶ Depending on the specificities of each mission, the function of the SHQ (BHQ) military CPFPP can be performed by the military Child Protection Adviser or Focal Point, the military Gender Focal Point or Protection Focal Point at Sector (Brigade) level.

- g. Ensuring the implementation of this Directive, in consultation with the Child Protection Team Leader and civilian Child Protection Section/Unit:
- Ensure compliance with this Directive by [UN PEACEKEEPING OPERATION] Force in the Sector (Brigade) AoR;
 - Systematically monitor and report on progress made in the implementation of the Directive in the Sector (Brigade) AoR, including good practices and lessons learned, any problems or gaps arising during its implementation, and formulate recommendations to address them.

Battalion HQ and sub-units – tactical level. The Battalion HQ and sub-unit (e.g., Company HQ) military CPFPs are responsible for:

- Advising the Battalion Commander on all issues related to the protection of children in the AoR;
- Acting as a liaison between child protection actors and the Battalion/sub-unit.
- Handling all issues related to child protection in the AoR, including sharing information on grave violations against children (see the reporting and information-sharing chart (annex B);
- Coordinating with the military CPFPs at SHQ (BHQ) and FHQ.
- Developing and overseeing the implementation of specific standard operating procedures on the handover of children associated with armed forces and armed groups captured during operations or those who surrender to the mission.
- Developing guidelines for the battalion on children's issues, including detention, appropriate conduct during interactions with children, and prevention of all forms of exploitation against children, including child labor and sexual exploitation.
- Ensuring compliance with this Directive by the [UN PEACEKEEPING OPERATION] Force at Battalion HQ and sub-unit level.

5. U/G/S1-9 CONSIDERATIONS

U/G/S2 – Military Information Staff Branch.

The Battalion HQ and sub-unit (e.g., Company HQ) military CPFPs are responsible for:

- Identify information in daily reporting that indicates that violations against children are occurring and analyze trends.
- Identify the alleged perpetrators, where applicable.
- Proactively provide early warning of risks of grave violations against children to the FHQ CPFP.
- Maintain, with support from the FHQ CPFP, an ongoing analysis of the prevailing threats against children in the AoR.
- Produce and regularly update risk analysis with respect to grave violations against children in the AoR to inform planning and operations.

U/G/S3 – Operations Staff Branch. During the execution of military operations, the relevant commands are required to assess the likelihood of any grave violations and enact contingency plans accordingly.

- **Contingency Plans and Military Operations.** Operational planning – in conjunction with the civilian Child Protection Section/Unit at HQ, Sector (Brigade) and Battalion level — must include contingency plans (CONPLANS) to protect children who may be affected or involved in the conflict, whether as combatants or as dependents of other combatants. Where there is a difficulty or it is felt that the contingency plans cannot mitigate the risk, then specialist expertise must be sought, and cancellation of the operation considered.
- **Targeting boards.** Where required, all commands are directed to conduct intelligence-led activities based on early warning indicators to isolate and neutralize armed forces or groups committing any of the six grave violations. During targeting boards, provisional planning must consider the safety of children identified at the targeted location.
- **Patrolling.** At the Sector (Brigade) and Battalion level, G/S3 staff are to route an adequate number of patrols near areas where children are more likely to be present (e.g., schools or hospitals), particularly at times when children are at high risk, such as dusk as they return home or, for girls, when they are collecting household supplies. Patrol planning should also include events at which children are likely to congregate (e.g., distribution of humanitarian assistance). Specific early warning indicators in missions must be included in planning to anticipate and mitigate higher risk of violations of children’s rights.
 - a. At FHQ, coordinate operations/responses to crises involving children. In addition, the Military Operations Centre (MOC) Duty Officer must be prepared to receive, forward and respond to reports of violations against children according to the reporting and information-sharing chart.
 - b. At FHQ, Sector (Brigade), Battalion and sub-unit level, staff are to assess the potential risks of [UN PEACEKEEPING OPERATION] military operations for children, including the likelihood that children:
 - May be harmed directly.
 - May accidentally be detained.
 - May become panicked and lost/separated from their caregivers.
 - May actively seek protection from [UN PEACEKEEPING OPERATION].
 - May seek to oppose [UN PEACEKEEPING OPERATION] activities (e.g., by throwing stones); or
 - May be forced to participate in acts of violence.
- **Children captured and child surrenders.** If children associated with armed forces and armed groups are captured during operations or surrender to the mission, they must be accepted and protected 24 hours a day, 7 days a week until the civilian Child Protection Section/Unit can assist. This applies to both boys and girls and does not require the child to possess a weapon or prove their age. Children should never be refused access after being disarmed, nor should they be interrogated. No photos should be taken of a child’s face. Immediately report all children to the civilian Child Protection Section/Unit and DDR for extraction. (See also annex F: Detention and surrender).

- **Children participating in combat.** If children are participating in combat against [UN PEACEKEEPING OPERATION], 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 only as a last resort for self-protection. Treat children with the same respect as you would a soldier but acknowledge they are still children.
- **Routine engagement with children.** The Force should focus its activities on the protection of children and not on interactions at orphanages and schools or in responses to poverty. Advocacy for children's rights should take place – through the Senior Child Protection Adviser – with key stakeholders and communities to denounce grave violations against children, including the recruitment and use of children by armed forces and armed groups.
- **Protection of schools and/or hospitals.** [UN PEACEKEEPING OPERATION] military personnel will not use schools (or other recognizable education facility or learning site) or medical facilities for any purpose in support of military operations, or otherwise interfere with the normal operations of these facilities. [UN PEACEKEEPING OPERATION] military personnel must also act to end and prevent the use of schools and/or hospitals by parties to the conflict. (See also annex D: Protection of schools).
- **Child Labor.** The use of children for the purpose of labor (cooks, cleaners, domestic helpers, etc.) is strictly prohibited. Children are not allowed in UN premises to perform any tasks. (See also annex E: Child labor).

U/G/S4 – Logistics Staff Branch. Support tactical units with supplies that will allow them to plan for and respond to the treatment of children who have been subjected to grave violations. In addition, U/G/S4 must be familiar with [UN PEACEKEEPING OPERATION] policy regarding provision of assistance to civilians and assist in equipping patrols to provide approved emergency assistance where it is needed or requested by a child.

Medical Section. Provide CONPLANS for the priority treatment of injured children and medical evacuation (MEDEVAC). CONPLANS should also include medical assistance to be provided to children who were either taking part in hostilities or collateral damage.

Info Operations. The Info Operations cell is an enabler of non-kinetic operations from FHQ. It should conduct influence activities that encourage the identified target audiences to respect the six grave violations against children and persuade actors to protect children's rights in line with international norms and standards by means of:

Key leadership engagement. Through command-led engagement at all levels (strategic, operational, tactical) develop an understanding of the views of key leaders (enemy, civilian and friendly forces) to help shape their behaviour and encourage them to comply with this Directive.

Leaflets. During planning and execution of all operations, Info Operations to liaise with military CFPs to plan the distribution of child protection leaflets that will sensitize the population, the armed groups and national security forces.

Radio/other media. Spreading the key messages on the six grave violations against children through [UNITED NATIONS MISSION] radio, local radio stations and other media platforms requires coordination and information-sharing between the Info Operations cell and the military CFPs and civilian Child Protection Section/Unit.

SU/G/S5 – Plans and Policy Staff Branch. All military operations, including kinetic operations, must consider all the effects they have on children and take mitigating measures to limit the risk to children in the vicinity of the operation. This must be mainstreamed in all operation planning and execution and, where necessary, changes made to ensure the protection of children and to prevent grave violations against children. During all planning, civilian Child Protection staff must be consulted regarding mitigation measures (e.g., preparations for child surrenders).

U/G/S7 – Training Staff Branch. Training of the Force is critical to maintaining the standards that [UN PEACEKEEPING OPERATION] has previously set. The “Reinforcement Training Package on Child Protection for the United Nations Military”⁹⁷ should be made available to U/G/S7 by the FHQ military CPFP and, where possible, tailored to the mission context. In addition, it is essential to incorporate the continuous training into the annual training plan in conjunction with the FHQ military CPFP to ensure training after rotations.

Mandatory training. Each member of [UN PEACEKEEPING OPERATION]’s military component will receive training on child protection, including scenario-based training, as part of their induction, as directed by the Force Commander. The FHQ military CPFP, in coordination with the U/G/S7, is responsible for the review of this training and its delivery in liaison with the civilian Child Protection Section/Unit. Contingents conducting their own training will be responsible for including the U/G/S7-approved brief.

Continuous training. The U/G/S7 is to enable military CPFPs to train their own units. CPFPs at all levels of the chain of command are to develop and maintain an awareness of their force’s collective knowledge of child protection. They are to conduct regular training (ideally every three months) with command personnel, and provide remedial training where needed. As a minimum, the continuous training must include the six grave violations, the ‘Plan-Act-Alert-Protect’ approach, the reporting and information-sharing chart, and the early warning indicators of the six grave violations against children.

Remedial training. Training on good practices should be held after a child protection incident. This should identify what went well and what could be done better, applying any changes through a scenario-based activity.

U/G/S9 – CIMIC Staff Branch. All United Nations civil–military coordination activities must consider the potential detrimental impacts on children and enact contingency plans to address them. Quick impact projects, where possible, must look at specific child protection development initiatives.

Liaison Office [ARMED FORCE] conduct of military operations with the [ARMED FORCE] – Effective partnering. Through the liaison cell in the [ARMED FORCE], develop an understanding that child protection increases operational effectiveness and promotes good practice. The key message to the [ARMED FORCE] is that child protection measures enhance operational effectiveness through the lawful conduct of operations. Through effective partnering and mentoring, the Force must influence the [ARMED FORCE] to conduct their operations, where relevant, within the guidelines highlighted in this document.

97 Available at <https://research.un.org/stm/Military>.

DDR/DDRRR Liaison Offices. Within the surrender process, specific plans need to be in place for dealing with children associated with armed forces and armed groups. Staff guidance must detail how the Force deals with such surrenders and provides the correct disarmament, demobilization and reintegration (DDR) / **disarmament, demobilization, repatriation, reintegration, and resettlement** (DDRRR) measures in conjunction with the civilian Child Protection Section/Unit. Any child surrender must be reported to the FHQ CPF and the civilian Child Protection Section/Unit.

Military observers. Provide information on the ground and report on the six grave violations against children that they witness, in line with the procedure set out in the reporting and information-sharing chart (annex B).

Military Police/Conduct and Discipline Unit. Provide investigation assistance where required or called upon by the child protection/gender and child protection officer/focal points or chain of command. Provide liaison throughout investigations and make recommendations accordingly.

6. U/G/S1-9 CONSIDERATIONS

- DPKO-DFS-DPA Policy on Child Protection in United Nations Peace Operations (2017)
- UN Security Council resolution [XX – UN PEACEKEEPING OPERATION] mandate
- DPO-DPPA-DSS Standard Operating Procedure on the Handling of Detention by United Nations Peacekeeping Operations and Special Political Missions (2020)
- *[UN PEACEKEEPING OPERATION] specific guidance relevant to this Directive may also be listed here (e.g., the Force CONOPS, mission-level standard operating procedures, etc.).*

7. IMPLEMENTATION

The military CPFs at each level of the chain of command shall be responsible for carrying out the functions specified in this Directive and for monitoring and reporting on its implementation.

Dissemination and training requirements

All branches of the [UN PEACEKEEPING OPERATION] Force are to begin implementing this Directive upon receipt. All Sector (Brigade), Battalion and contingent commanders are to acknowledge receipt to [FHQ CHILD PROTECTION FOCAL POINT,@un.org] within 2 weeks.

The mission shall take all necessary measures to ensure that this Directive is disseminated and that appropriate training on the Directive is provided to all relevant incoming military personnel.

Quarterly reissue. In coordination with the Office of the Force Commander (FC) and Force Chief of Staff (FCOS), the Directive shall be re-issued on a quarterly basis to ensure that all Force rotations receive the Directive (see suggested distribution list). Under the authority of the Force Commander, the FHQ military CPF shall ensure that all subordinate commanders are fully informed and understand the need to ensure that the procedures set out in this Directive are observed.

Training. Under the authority of the Force Commander, the FHQ military CPF is responsible for ensuring that specific training on the Directive is regularly conducted within the military component of the mission. Commanders are responsible for ensuring that all

those under their authority or command have received sufficient training to understand and apply this Directive. A training session for military CPPFs will be held within one month of publication of this Directive, and every six months thereafter in FHQ [LOCATION]. Attendance is mandatory for all staff branches and military CPPFs from SHQ (BHQ); attendance is encouraged for military CPPFs from Battalion HQ and other subordinate units.

Evaluation and review requirements

This Directive will be evaluated and reviewed on a regular basis – ideally, every two years and each time there is a change in the Mission Concept and Force Concept of Operations (CONOPS) — to assess progress in its implementation, its effectiveness and any problems or gaps arising during its implementation, along with recommendations for addressing them.

At a minimum, the review should include:

- Qualitative survey, distributed to all Force members.
- Quantitative interviews with key stakeholders in the mission.
- Focus group discussion / scenario-based exercises.

8. MONITORING AND COMPLIANCE

In [UN PEACEKEEPING OPERATION], the implementation of this Directive is the responsibility of the FHQ CPPF under the authority of the Force Commander, in consultation with the Senior Child Protection Adviser and civilian Child Protection Section/Unit.

Compliance with this Directive is mandatory for all [UN PEACEKEEPING OPERATION] Force personnel.

9. CONTACT

- Force Headquarters Child Protection Focal Point [GENERIC EMAIL ADDRESS]
- Child Protection Section/Unit at mission HQ [EMAIL ADDRESS]

(Name, signature)

Force Commander

[UNITED NATIONS PEACEKEEPING OPERATION]

Suggested distribution

- DFC
- FCOS
- DCOS/OPS
- FHQ Section Chiefs
- Sector Commanders
- Sector HQs
- Contingent Commanders
- Relevant civilian components (to be determined by the mission)
- Etc.

ANNEX A: Key Definitions and Legal Principles

Definition of a child

A child is any person (boy or girl) under the age of 18. In cases where there is doubt whether an individual apprehended by UN personnel is below 18 years, a presumption of minority shall be applied, and he/she should be given all the special protections due to children until advised otherwise by the civilian [UN PEACEKEEPING OPERATION] Child Protection Section/Unit.

The six grave violations against children in situations of armed conflict

These violations must be reported immediately following the procedure outlined in the reporting and information-sharing chart (annex B).

Recruitment or use of children by armed forces or groups

A child associated with armed forces or groups (commonly referred to as “child soldiers”) refers to any person below 18 years of age who is, or who has been, recruited or used by an armed force or armed group in any capacity, including but not limited to children (boys and girls) used as fighters, cooks, porters, messengers, spies, or for sexual purposes. It does not only refer to a child who is taking or has taken direct part in hostilities.

“Recruitment” refers to compulsory, forced or voluntary conscription or enlistment of children into any kind of armed force or armed group(s).

“Use of children” refers to the use of children by armed forces or armed groups in any capacity, including, but not limited to, children (boys and girls) used as fighters, cooks, porters, messengers, spies or collaborators. It does not only refer to a child who is taking or has taken direct part in hostilities.

Killing and maiming

Any action that results in the death of or serious injury to children (shelling, crossfire, landmines unexploded ordnances, suicide bomb, etc.).

“Killing” refers to any action in the context of the armed conflict that results in the death of one or more children. Killing is interchangeable with the term “causing death”.

“Maiming” refers to any action that causes a serious or permanent or disabling or scarring or mutilation injury to a child. This includes the (killing and) maiming of children as a result of direct targeting, crossfire, landmines, cluster munitions, improvised explosive devices or other indiscriminate explosive devices. Torture can also be reported under this category. Maiming is similar to mutilation, which is defined as the disfiguring or permanent disabling of a person by means such as removal of an organ or appendage that is not undertaken as a necessary medical procedure.

Sexual violence against children

Any sexual act, attempt to obtain a sexual act, or acts to traffic a child’s sexuality. A violent act of a sexual nature committed against a child such as rape, other sexual violence, sexual slavery, enforced prostitution, forced marriage/pregnancy, forced abortion, or enforced sterilization, etc. Sexual violence might be physical or psychological, such as sexual threats or sexual coercion or blackmail. Girls are especially vulnerable during wartime.

“Rape” refers to an act of non-consensual sexual intercourse. This can include the invasion of a body resulting in penetration, however light, of any part of the body of the victims or of the perpetrator with a sexual organ, and/or of the invasion of the genital or anal opening of the victim with any object or body part. Any penetration is considered rape. Efforts to rape someone, which do not result in penetration, are considered attempted rape.

“Sexual violence” refers to any sexual act, attempt to obtain a sexual act, or acts to traffic a child’s sexuality. Sexual violence takes many forms, including rape, sexual slavery and/or trafficking, forced maternity, forced abortion, forced pregnancy, sexual harassment, sexual exploitation and/or abuse. Sexual violence may also include physical assaults of a sexual nature such as fondling, forced nudity, sexual mutilations, as well as psychological attacks on sexual integrity such as threats of rape, sexual mutilation such as castration, sexual blackmail, or other psychological sexual abuse such as being forced to witness the sexual abuse of others, especially relatives or persons known to the child.

Abduction

The unlawful removal, seizure, capture, apprehension, taking or enforced disappearance of a child, either temporarily or permanently, for the purpose of any form of exploitation of the child. This includes, but is not limited to, recruitment in armed forces or groups, participation in hostilities, sexual exploitation or abuse, forced labor, hostage-taking, or indoctrination. If a child is recruited by force by an armed force or group, this is considered as two separate violations — abduction and recruitment.

Attacks against schools and hospitals

Physical attacks and threat of attacks on buildings (targeted/indiscriminate attacks); attacks or threats against school children, on personnel, doctors, nurses, or teachers (killing, maiming, harassment, coercion, abduction); looting and destruction of buildings. Attacks include the targeting of schools or medical facilities that cause the total or partial destruction of such facilities. Other interferences to the normal operation of the facility may also be reported, such as the occupation, shelling, targeting for propaganda of, or otherwise causing harm to schools or medical facilities or its personnel.

“School” denotes a recognizable education facility or learning site. Education facilities and learning sites must be recognized and known by the community as a learning space and marked by visible boundaries.

“Medical facilities” are places where the sick and wounded are collected and/or provided with health-care services.

Military use of schools. The military use of schools refers to a wide range of activities in which armed forces or armed groups use the physical space of a school in support of any military effort, whether temporarily or for a protracted period of time. The term includes but is not limited to the use of schools as military barracks, weapons and ammunition storage, command centres, defensive positioning, observation posts, firing positions, interrogation and detention centres, training facilities, and recruiting grounds. It also refers to schools that are in session and those temporarily or permanently closed or abandoned.

Denial of humanitarian access

Blocking free passage or timely delivery of humanitarian assistance to persons in need (including children); attacks against humanitarian workers; looting of humanitarian aid; denial of access for service delivery. The intentional deprivation of or impediment to the passage of humanitarian assistance indispensable to children's survival, by the parties to the conflict, including willfully impeding relief supplies as provided for under the Geneva Conventions; and significant impediments to the ability of humanitarian or other relevant actors to access and assist affected children, in situations of armed conflict. The denial should be considered in terms of children's access to assistance as well as humanitarian agencies' ability to access vulnerable populations, including children. There is a need to break down different types of constraints on access and their consequences into specific patterns, to address the restriction (e.g., it is insufficient to report that access is impeded by 'insecurity'; there are many different types of insecurity involving different actors with various purposes and motivations).

Legal Principles

This summary of legal principles is a guide to legal references for [UN PEACEKEEPING OPERATION] military personnel when implementing this Directive. Any questions or ambiguity must be referred to the Force LEGAD in the first instance.

Core Principles

Do No Harm

In all actions and decisions concerning children, all efforts shall be made to minimize possible negative effects and maximize possible benefits. It is the responsibility of those engaged with children to protect individuals from harm.

The 'best interest of the child'

As articulated under the Convention on the Rights of the Child (CRC) and the 2017 DPKO-DFS-DPA Policy on Child Protection in United Nations Peace Operations, in all actions and decisions concerning children, the best interest of the child shall be the primary consideration to ensure that the action taken is the most appropriate and favorable to the protection, care, well-being and development of the child. Assessing the best interest of a child means evaluating and balancing all elements necessary to decide in a specific situation for a specified individual child or group of children.

Respect for the views of the child

A child who is capable of forming his/her own views must be afforded the right to express those views freely in all matters affecting the child, with the views of the child being given due weight in accordance with their age and maturity. For this purpose, the child shall be provided the opportunity to be heard in any proceedings affecting the child, either directly or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Non-discrimination

All children are equally entitled to all rights accorded to them under the Convention on the Rights of the Child and other international norms and standards on child protection. No child shall be discriminated based on nationality, race, ethnicity, language, gender, identity or sexual orientation, age, religion, physical abilities or any other characteristic.

Security and confidentiality

Due consideration must be given to the security of children who have suffered violations and their families, and of witnesses and other information providers. Individuals who provide information on violations and victims should be protected with anonymity in public reports and confidentiality in the interview process. Personnel shall limit all exchange of information exclusively to information on their identity, origin and health situation. Interviewing children shall not include any efforts to obtain information on the activities of the armed groups, no child shall be interrogated for intelligence purposes. Under no circumstances should photographs of a child's face be taken. His/her name must be kept strictly confidential and not placed in reports.

Presumption of minority

In the absence of evidence that a person is an adult, the general principle is that in case of doubt the presumption of minority is applicable and the person is considered a child.

Obligations under RoE and the mission mandate

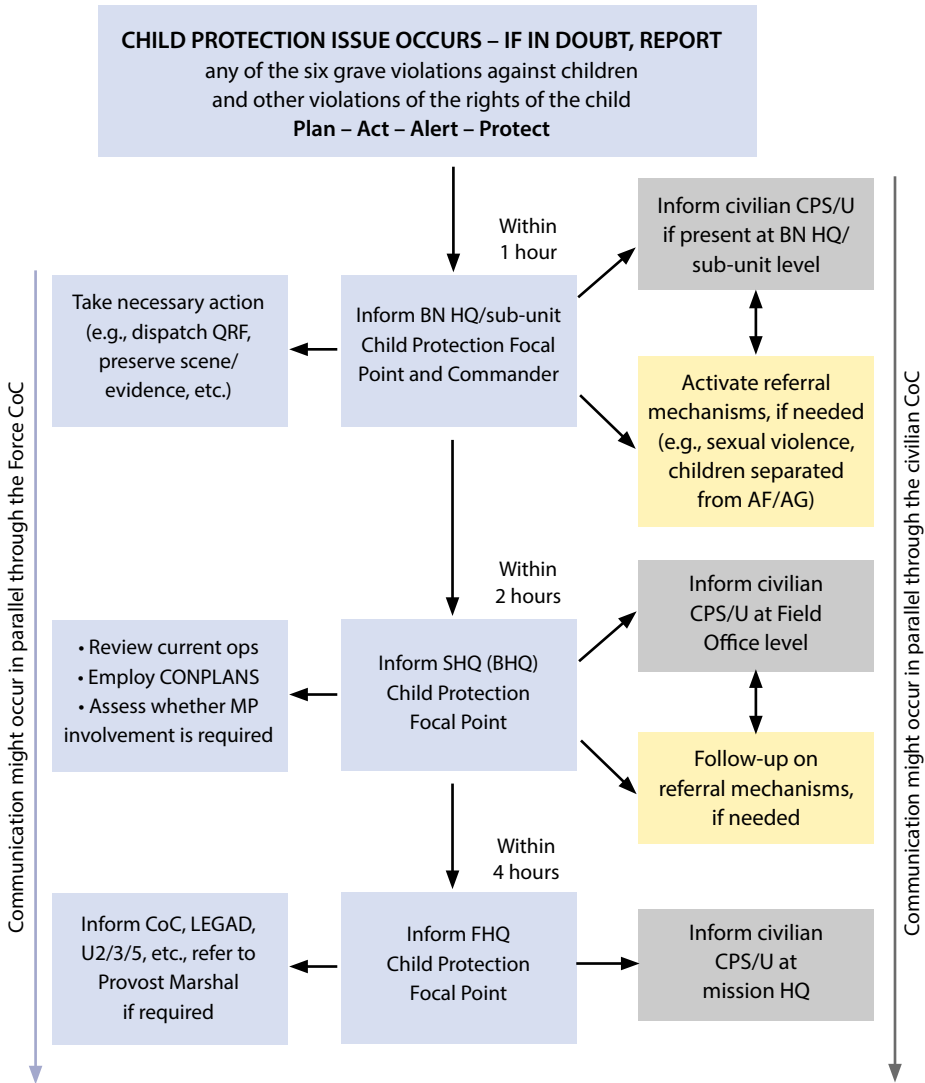
Pursuant to [UN PEACEKEEPING OPERATION]'s RoE, all members of the military component are required to comply with international law, including the Law of Armed Conflict (LOAC). This obligation is also found in [UN PEACEKEEPING OPERATION] mandate and in ST/SGB/1999/13. The LOAC provides, inter alia, that during military operations:

- Children should not be the target of attacks.
- Children are entitled to special protection, care, and aid; and
- Children must be evacuated from besieged or encircled areas.

These three core principles must be complied with while planning and conducting military operations.

All members of [UN PEACEKEEPING OPERATION] military component are required to promote and safeguard the rights of children throughout their work and in interactions with interlocutors, and to adhere to and abide by the highest international norms and standards reflected in the body of law and guidance on children's rights. UN personnel shall at all times refrain from causing any harm to children.

ANNEX B: Reporting and information-sharing chart regarding violations against children



DO

- Report violations against children ensuring confidentiality
- Gather sufficient info to inform chain of command
- Provide protection if asked/if needed
- Provide medical aid if asked/if needed
- Consult civilian CPS/U before handing over children

DON'T

- Turn anyone away
- Interview children (aside from gathering basic info)
- Separate children from parents/guardians
- Place children at risk
- Take photographs of children

ANNEX C: Early warning indicators

Please, refer to annex 9 in the DPO-DPPA Handbook for Child Protection Staff in United Nations Peace Operations (2023), available in the Policy and Practice Database (<https://unitednations.sharepoint.com/sites/PPDB>).

ANNEX D: Protection of schools

Please, refer to annex 5b “Sample directive on the protection of schools and universities against military use”, DPO-DPPA Handbook for Child Protection Staff in United Nations Peace Operations (2023), available in the Policy and Practice Database (<https://unitednations.sharepoint.com/sites/PPDB>).

ANNEX E: Child labor

Please, refer to annex 5c “Sample Force Commander’s Directive prohibiting child labor”, DPO-DPPA Handbook for Child Protection Staff in United Nations Peace Operations (2023), available in the Policy and Practice Database (<https://unitednations.sharepoint.com/sites/PPDB>).

ANNEX F: Detention and surrender⁹⁸

- A child may only be detained as a last resort and for the shortest possible period of time, and in accordance with international norms and standards relating to the deprivation of child liberty. Where possible, priority should be given to alternatives to detention.
- Children associated with armed groups or involved in conflict-related violence shall be primarily treated as victims.
- In case of spontaneous demobilization of children from armed groups, the Force should directly refer to the civilian Child Protection Section/Unit.
- The Child Protection Adviser of the mission is responsible for supporting the Unit Commander, the Detention Focal Point, the Head of Mission, and senior mission leadership in relation to all aspects of detention of children.

Treatment of children at designated places of detention

- When placed in a designated place of detention, children must be separated from adult detainees, girls must be separated from boys, and children in contact with the law (i.e., victims, witnesses) shall be separated from children in conflict with the law (i.e., perpetrators). In cases where a child is detained with a member of his/her family, the family unity shall be preserved in separate facilities conducive for families, and the child shall not be separated, provided it is in his/her best interest.
- Detained children must be protected against any form of violence, abuse and/or neglect.

⁹⁸ See DPO-DPPA-DSS Standard Operating Procedure on the Handling of Detention by United Nations Peacekeeping Operations and Special Political Missions (2020), Annex B “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”. The SOP governs the detention of all individuals by a mission, including children. Annex B contains specific considerations relating to the detention of children by a mission. The SOP sets out the procedures for the handling, questioning, search, transfer, handover and release of persons detained by missions, in circumstances where the use of force is authorized by the mission’s mandate and set out in the mission’s rules of engagement and directives on the use of force. Its purpose is to ensure that persons (including children) temporarily detained by UN personnel in field missions are handled in a manner consistent with applicable international norms and standards.

- Where possible, and with the child's consent, the child's parent(s) or other caregiver shall be notified as soon as possible regarding the child's presence at the designated UN facility, while arrangements should be made for regular visitation of and communication with the child.
- Detained children shall be monitored daily and provided with medical care and adequate treatment in accordance with their physical and psychological condition and specific health needs, to the fullest extent practicable and with the least possible delay. Medical examinations shall be conducted with the consent of the child and, when possible, the child's parent or other caregiver, unless the examination is deemed medically necessary by qualified UN medical personnel.
- The questioning of a child must be conducted in a child-sensitive manner. Any questioning of a child beyond his/her identity, age, medical needs, and family whereabouts shall be conducted by the Child Protection Adviser/Focal Point or delegated Child Protection Officer.
- Children shall only be searched if there are grounds to suspect the possession of an object which may inflict injury to them or others. The searching of children shall only be done in a partial and sequential manner, by UN uniformed personnel of the same sex trained on child protection, and in the presence of a second person. Children must never be subjected to strip or body cavity searches.

Handover of children and risk assessment

- Children detained by UN mission personnel shall be handed over to host State child protection authorities or to humanitarian child protection actors for interim care, until such time as family reunification or other durable solution occurs. Every effort shall be made by the field mission to ensure that the handover of children takes place within 48 hours from the time of their initial apprehension.
- Special assurances from the host State authorities must be obtained prior to the handover of children to government child protection authorities. In addition to preparatory measures⁹⁹ and other measures¹⁰⁰ required prior to handing over an adult detained person, the mission shall seek guarantees that: (a) the child will not be subjected to judicial measures (alternatively, if the host State judicial authorities assert the prerogative to prosecute the child for the alleged commission of a crime, handover shall be conditional upon appropriate assurances from the host State authorities on the respect for international child-specific standards on fair trial and conditions for detention); and

99 Preparatory measures include: arrangements containing assurances from the host State authorities that regarding the treatment of detained persons (including children) handed over; unimpeded access to detention facilities for mission personnel and the International Committee of the Red Cross (ICRC); no transfer of detained persons (including children) to third parties without the prior consent of the mission and subject to the same assurances; agreement on the location(s) where detained persons (including children) will be handed over and the facilities where they will be held; information on the legal basis for depriving a person (including a child) of his/her liberty and on the procedural safeguards provided; designated representative(s) who will act as host-State focal point(s) to facilitate the implementation of handover procedures.

100 If a handover is necessary, before the handover of a detained person (including a child) can take place, the mission shall, ensure that the following measures have been taken: a risk assessment to inform the decision whether or not to hand over the detained person; obtain the agreement of the host-State authorities to accept custody of the detained person and on the location where the handover should take place; (if not previously obtained) obtain from the host-State authorities the assurances specified above; obtain from the host-State authorities a judicial or executive order or warrant required by the relevant national law for the continued detention of the person handed-over; obtain information on where the person handed-over will be kept.

(b) mission personnel, child protection actors and the International Committee of the Red Cross shall be provided unimpeded access to the facilities where the handed-over child is placed.

- A child shall not be handed over to any authority when there are substantial grounds for believing that there is a real risk of the child would, if handed over, be subjected to: arbitrary deprivation of life; torture or cruel, inhuman or degrading treatment or punishment; rape or other forms of sexual violence; threats to his/her life, physical integrity or freedom on account of his/her race, religion, nationality, membership of a particular social group or political opinion; imposition of the death penalty; enforced disappearance; refoulement (including secondary refoulement); grossly unfair proceedings; prolonged arbitrary detention; recruitment or re-recruitment for direct or indirect participation in hostilities; detention and/or prosecution by military authorities; prosecution for alleged association with an armed group; placement in detention without charge. A risk assessment must be conducted by the mission prior to the handover to assess the potential risk that a detained child may be subjected to treatment described above. The risk assessment should also determine whether the child should be temporarily relocated for protection reasons.
- If host State authorities are unable or unwilling to provide the required assurances, or if there is a real risk of the child being subjected to the treatment described above, the child should be handed over to humanitarian child protection actors that are willing and able to provide alternative interim care without prejudice to the safety, security, and rights of the child.