

Module 7



Dos and Don'ts for the United Nations Police

Dos and Don'ts – Answers and comments for instructors

Module 1: How to Promote Child-friendly Interactions with Children

#	Statements and comments	Dos	Don'ts
1	<p>Advise the host-State police to only let social workers and psychologists deal with signs of distress in a child, as this is not relevant to police work.</p> <p><i>While it is the social system that should deal with signs of distress exhibited by a child, that is also relevant for the national police as it would inform their interview and investigation.</i></p>		X
2	<p>Always coordinate with the Child Protection Adviser before interviewing a child who might be a victim/witness of grave violations.</p> <p><i>It is indeed important to coordinate with Child Protection Advisers in relation to child protection, but it is not the mandate of UNPOL officers to interview children.</i></p>		X
3	<p>Attend to the child's needs first, and champion the defence of his/her rights to encourage the local authorities to adopt child-friendly practices.</p> <p><i>UNPOL personnel must abide by their non-executive mandate by not directly implementing police functions; their role is to advise, monitor and report.</i></p>		X
4	<p>Advise the host-State police to make sure that interviews with children are conducted privately, in a one-on-one meeting, without the presence of other adults.</p> <p><i>While it is good practice to ensure privacy and safety during the interview, a child should never be left alone with an adult, with no other adult present.</i></p>		X

5	<p>Advise the host-State police to always explain to the child that, during the interview, the child does not have to answer all the questions that the host-State police will ask him/her.</p> <p><i>The host-State police must respect the right of the child to remain silent.</i></p>	X	
6	<p>Advise the host-State police to explain clearly to the child the next steps in the process. E.g., "Once the judiciary police complete their data collection, and the prosecutor gives formal instructions on the procedure to be followed, a referral will be made to the assigned guardian until your parents/caregivers can be informed about the situation."</p> <p><i>The host-State police should use short and simple sentences (one idea per sentence) when talking to children; e.g., "We will contact your parents and a social worker to come to help you rapidly."</i></p>		X
7	<p>Advise the host-State police to avoid touching the child, getting too close to the child, or adopting dominant behaviour, e.g., standing above the child.</p> <p><i>The host-State police should demonstrate empathy in tone of voice, language and facial expression, but must avoid all physical contact with the child.</i></p>	X	
8	<p>Advise the host-State police to practice active listening by creating an environment in which the child feels free to explain his/her situation, even if it means returning to the interviewing room for several days to respect the child's pace of telling his/her story.</p> <p><i>Practicing active listening means engaging in the conversation. However, the host-State police should remember that children often have a short concentration span, therefore interviews should be kept short.</i></p>		X
9	<p>Advise the host-State police to ensure that boys are interviewed by male police officers and girls by female police officers.</p> <p><i>Is it recommended to offer the child the opportunity to choose between two police officers, ideally of different genders. Do not make assumptions about the child's preference to be interviewed by a man or a woman.</i></p>		X
10	<p>Advise the host-State police to offer the child the possibility to recreate his/her experience or to return to the site of the incident, if the child consents to do so.</p>		X

	<p><i>The host-State police should be mindful of the "need to know" principle and focus on obtaining key information for investigation and getting the details about the child's experience of the child with a view to reducing the risks of re-victimization.</i></p>		
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Module 2: How to Support Child-friendly Prevention and Diversion

#	Statements and comments	Dos	Don'ts
11	<p>Apply the principles of the best interests of the child and do no harm in all interactions with children, including teenagers.</p> <p><i>All children (i.e., anyone under the age of 18) are entitled to the same rights.</i></p>	X	
12	<p>Have direct discussions with local communities and determine if it is worth informing the host-State police.</p> <p><i>UNPOL personnel have a non-executive mandate, therefore direct policing action is not authorized.</i></p>		X
13	<p>Even in countries where diversion cannot be decided by the host-State police, ensure that police officers fully and properly document possible rehabilitation options in their reports.</p> <p><i>Even when the host-State police do not have the authority to divert cases directly, their understanding of diversion is important and their role remains central to its application.</i></p>	X	
14	<p>Promote mediation in cases where a child consents to marriage after a case of sexual violence.</p> <p><i>UNPOL's role is to promote international law which prohibits harmful practices. A child cannot consent to his/her exploitation.</i></p>		X
15	<p>Help to integrate child protection into all relevant policies, strategies and plans, as well as implement capacity-building programmes.</p> <p><i>UNPOL can collaborate with a wide range of actors to assess the ways in which legal and justice systems at all levels either provide protection or present risks.</i></p>	X	
16	<p>Refrain from developing stand-alone prevention strategies; rather, connect such strategies with international norms and standards on how best to prevent abuse, exploitation, violence and neglect of children.</p> <p><i>UNPOL can play a critical role in supporting the development and implementation of prevention strategies by their host-State counterparts.</i></p>	X	

17	<p>Advise the host-State police on using bail as a means of promoting diversion and avoiding detention of children.</p> <p><i>The payment of monetary bail should never be a requirement, as most children cannot pay it and it discriminates against marginalized families.</i></p>		X
18	<p>Directly organize outreach activities on children's rights, for example with local communities.</p> <p><i>UNPOL personnel have a non-executive mandate, therefore direct policing action is not authorized.</i></p>		X
19	<p>Promote the use of verbal or written warning, apology, restitution and community work as means of diverting children's cases from judicial proceedings, even if the child does not consent to such actions.</p> <p><i>Suggesting diversion measures is a good practice, but diversion can only be applied with the free consent of the child and in line with local legislation.</i></p>		X
20	<p>Visit schools to raise awareness among children about recruitment strategies used by parties to conflict and protection mechanisms available to them.</p> <p><i>Awareness raising should be done by the host-State police, as UNPOL personnel do not have an executive mandate.</i></p>		X

Module 3: How to Support Child-sensitive Apprehension, Arrest and Detention

#	Statements	Dos	Don'ts
21	<p>Systematically take photographs of children, unless their parents or guardians formally refuse.</p> <p><i>Children have the right to privacy; confidentiality is also important and such photographs can compromise the child's safety.</i></p>		X
22	<p>Advise the host-State police to prioritize mental and physical well-being of the child before collecting information for the investigation.</p> <p><i>The needs and well-being of the child (medical, psychosocial, family tracing, shelter, safety) are the priority.</i></p>	X	
23	<p>When advising the host-State police, advocate using detention as a measure of last resort for children.</p> <p><i>Detention should only be used as a last resort and in the most serious cases; even then, only after community placement has been carefully considered.</i></p>	X	
24	<p>Advise the host-State police to exercise judgment on a case-by-case basis, as it may not be desirable for the parents/guardians to attend an interview with a child, e.g., when the police suspect that the parents/guardians have mistreated the child in any way, either physically or psychologically.</p> <p><i>In general, the child's parent(s) or guardian(s) should be allowed to attend any interview with the child, however, the best interests of the child should prevail in applying this principle.</i></p>	X	
25	<p>Advise the host-State police to use the minimum amount of force necessary to ensure the safety of both the child and the police officers.</p> <p><i>Measures should be adopted to limit and guide the use of force and instruments of restraint by the police when apprehending or arresting children.</i></p>	X	
26	<p>Advise the host-State police to treat a person as an adult when it is not possible to clearly assess his/her age. Otherwise, the person will be insulted if the police approach him/her as a child.</p>		X

	<i>If in doubt as to whether the suspect is an adult or a child, he/she should be treated as a child. Treating someone as a child means taking into account the rights of the child and affording the person all due respects as if he/she was a child.</i>		
27	<p>Advise the host-State police to use coercive interviewing methods and techniques that aim to obtain a confession by means of duress, threats or diminishing the interviewee's decision-making capacity, only when strictly necessary for national security reasons.</p> <p><i>Actions that humiliate, cause fear or a feeling of inferiority, or are aimed at or capable of breaking the child's physical or psychological resistance, can amount to torture or other inhuman or degrading treatment.</i></p>		X
28	<p>Advise the host-State police to apply child protection measures if the child is considered a danger to himself/herself or others; such child protection measures should be prioritized over detention.</p> <p><i>Even if detention for the shortest time possible may be an option when a child is considered a danger, it is still a measure of last resort; child protection measures are always the priority.</i></p>	X	
29	<p>Advise the host-State police to detain children separately from adults, girls from boys, and accused from convicted children, at all times.</p> <p><i>Detention facilities must minimize the negative impact of deprivation of liberty on children; detention conditions should aim at facilitating the child's reintegration into society after release.</i></p>	X	
30	<p>Apply the Standard Operating Procedure (SOP) on the Handling of Detention in United Nations Peacekeeping Operations and Special Political Missions in all situations when UNPOL officers apprehend and place individual(s), including children, under the effective control of the United Nations peace operation, even if for a brief period of time.</p> <p><i>The SOP does not grant powers to apprehend or arrest, but rather defines the procedures to be followed in apprehension, transfer, detention, handover and release.</i></p>	X	

Module 4: How to Adapt Justice for Children to a United Nations Peace Operation

#	Statements and comments	Dos	Don'ts
31	<p>Obtain the child's opinion on matters that concern him/her, even if the child does not want to give his/her opinion.</p> <p><i>Children have the right to remain silent and should not be forced to speak. Nevertheless, the police have the obligation to create the conditions to facilitate the child's participation.</i></p>		X
32	<p>In your advisory role vis-à-vis the host-State police, continuously remind the authorities of international standards relating to child protection, even when they seem to care about national laws only.</p> <p><i>Promoting international norms and standards is at the heart of UNPOL's mandate.</i></p>	X	
33	<p>Advise the host-State police never to dismiss a case involving a child without documentation, as the justice system should retain information about all cases and see if recidivism is a concern.</p> <p><i>Dismissing the case because the child is below the age of criminal responsibility, for instance, does not mean that it is not important. Learning should be nurtured by means other than deprivation of liberty.</i></p>		X
34	<p>When reporting a violation of children's rights, always prioritize confidentiality and the child's security before the investigation.</p> <p><i>The well-being of the child is the priority.</i></p>	X	
35	<p>Only consider boys who possess a weapon as children associated with armed forces or armed groups.</p> <p><i>Girls as well as boys can possess weapons; all children associated with armed forces or armed groups should be eligible for disarmament, demobilization and reintegration (DDR) programmes. Disarmament is not a condition for children to access demobilization and reintegration support.</i></p>		X
36	<p>Strategic, operational and tactical levels must all be sensitive to the fact that girls and boys experience conflict differently and the necessary adaptations must be made to deal with them accordingly.</p>	X	

	<i>Girls and boys should be able to access services that are adapted to their distinct realities.</i>		
37	<p>Advise the host-State police to integrate children formerly associated with armed forces or armed groups in development initiatives that benefit a larger group of children, rather than stigmatizing such children as “former child soldiers”.</p> <p><i>Initiatives benefiting larger segments of the population contribute to promoting acceptance and preventing hostility towards children formerly associated with armed forces or armed groups, owing to real or perceived disparities in the treatment of such children.</i></p>	X	
38	<p>Only social actors should deal with the long-term reintegration of children and prevent discrimination, isolation and violence against them, as this is not the mandate of the police.</p> <p><i>Social workers are certainly needed, but the police have a role to play by adopting a community-oriented policing approach.</i></p>		X
39	<p>Advise the host-State police to provide the same protection to children suspected, accused or found guilty of criminal activities as any other children, because they are still children even if they are in conflict with the law.</p> <p><i>Children suspected of major crimes must be treated with the same approach as any other children, as they retain their rights as children.</i></p>	X	
40	<p>Advise the host-State police to always preserve public safety, even when it implies violating the rights of the child. Public safety has priority over children's rights, especially when it is in the interest of society as a whole.</p> <p><i>The two objectives of preserving public safety and protecting children's rights are complementary and should be pursued concomitantly with a view to building long-lasting peace.</i></p>		X

Module 5: How to Collaborate on and Coordinate Child Protection in a United Nations Peace Operation

#	Statements and comments	Dos	Don'ts
41	<p>Advise the host-State police to involve non-formal community leaders (e.g., religious, traditional or cultural leaders) in child protection actions, even though they have no formal agreement with the police.</p> <p><i>All community-based actors have a role to play in preventing violations of children's rights and protecting children against all forms of violence.</i></p>	X	
42	<p>Negotiate directly with armed forces or armed groups for the release of children.</p> <p><i>This falls under the responsibility of the Child Protection Advisers. Should you become aware of the presence of children in armed forces or armed groups, you should inform the UNPOL Child Protection Focal Points and the Child Protection Advisers (CPAs) immediately.</i></p>		X
43	<p>Advise the host-State police to provide services directly to a child in need, taking into consideration his/her best interests, even though they may not be competent or authorized to do so.</p> <p><i>The host-State police should refer the situation to the competent authorities.</i></p>		X
44	<p>On matters relating to child protection, establish working relationships only with civilian mission components and external actors who have roles and responsibilities in the area of child protection.</p> <p><i>It is very important to establish working relationship with civilians working on child protection, both within the mission and outside of it. However, coordination with the military component is also necessary.</i></p>		X
45	<p>Tell the host-State police what to do, as part of your role is to lecture them and modify practices.</p> <p><i>UNPOL has an <u>advisory</u> role, which implies <u>promoting</u> changes in line with international norms and standards.</i></p>		X
46	<p>Seek out opportunities for joint activities with the host-State police, such as capacity-building, sensitization and patrolling.</p>	X	

	<i>Joint activities are good opportunities for advising and supporting the host-State police.</i>		
47	In addition to your usual reporting responsibility within the hierarchy, the only other person you should report to and coordinate with on matters relating to child protection is the United Nations Police (UNPOL) Child Protection Focal Point. <i>In addition, you should report to the Child Protection Advisers.</i>		X
48	Support the crime prevention actions of the host-State police, even if it involves taking part in lengthy coordination meetings with non-governmental organizations. <i>Coordination is not an option, but a core responsibility.</i>	X	
49	Ignore harmful practices that are often embedded in the culture of the host-State (police) owing to social norms, otherwise you will be in constant opposition to the police. <i>The host-State police constitute a law enforcement agency that should enforce the law, which generally criminalizes harmful practices.</i>		X
50	Seek assistance or debriefing after a challenging experience relating to children. Mental health is very important, and actions that promote mental well-being in UN peace operations are encouraged. <i>Mental health is a priority for all personnel in United Nations peace operations.</i>	X	

Module 6: How to Monitor and Report Violations of Children's Rights

#	Statements	Dos	Don'ts
51	<p>Only use child labour when you are certain that it is beneficial for the child and his/her family.</p> <p><i>The use of children under the age of 18 years by United Nations peace operations or their personnel for labour or rendering other services is strictly prohibited.</i></p>		X
52	<p>Report only the six grave violations against children in situations of armed conflict to the child protection system; avoid overburdening the system with other types of violations of children's rights.</p> <p><i>UNPOL officers must report all violations of children's rights, whether they are one of the six grave violations or not.</i></p>		X
53	<p>Report all violations of children's rights to the Child Protection Advisers, rather than to United Nations police channels.</p> <p><i>You should report violations against children to the Child Protection Advisers (CPAs) as well as via the international police channels, including UNPOL Child Protection Focal Points.</i></p>		X
54	<p>Report cases of your colleagues paying children for small tasks such as guarding their car or cooking meals.</p> <p><i>You should report suspected misconduct through the channels available (i.e., chain of command, focal points, Office of Internal Oversight Services, Conduct and Discipline Team, etc.), without seeking approval from the hierarchy.</i></p>	X	
55	<p>Ignore abusive actions carried out by the host-State police, as you do not have the mandate to execute or make decisions.</p> <p><i>Monitoring and reporting violations carried out by the host-State police are a form of action you are mandated to undertake.</i></p>		X
56	<p>Refrain from investigating suspected cases of grave violations of children's rights that are brought to your attention, as your role is to report such cases to the Monitoring and Reporting Mechanism through the Child Protection Advisers.</p>	X	

	<i>UNPOL personnel must respect their mandate, which is generally non-executive; they must not directly investigate allegations. Their role is to advise, monitor and report.</i>		
57	Report misconduct of United Nations personnel only; let the national authorities deal with their own staff. <i>All violations of children's rights committed by all parties must be monitored and reported.</i>		X
58	Report situations in which the host-State police have not upheld the rights of children in their custody, including conditions of detention, even if the host-State police ask you not to do so. <i>All violations of children's rights should be monitored and reported, and all parties to a conflict should be monitored, including the host-State police.</i>	X	
59	Share information about the release of a child from the armed forces with the Child Protection Adviser, but not with the host-State police. <i>Such reports should only be circulated to those who have the responsibility to deal with the case.</i>	X	
60	Report the case of a girl accused of sexually exploiting another girl, even though it will not be considered by the Monitoring and Reporting Mechanism. <i>The case should be reported to the Child Protection Adviser; however, if it is not linked to armed conflict, it will not be included in the mission's report to the Security Council.</i>	X	