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United Nations Multidimensional
Integrated Stabilization Mission
in Mali



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Stabilisation du Mali

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FORCE COMMANDER'S DIRECTIVE
PROTECTION OF CHILDREN BY MINUSMA FORCE

Approved by: Force Commander

Revision date: 17 July 2020

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Contact: Force Command Group Advisor / Force Gender Advisor



1. GENERAL

- a. **Aim.** The aim of this directive is to provide the guidance for how the Force, its associated units and military members should implement the plans and procedures to protect children before, during, and after military activities within the legal framework (See Annexes F, G and H).
- b. **Situation and mandate.** The protection of children in situations of armed conflict forms an inherent priority within the broader obligation of the United Nations to promote the protection of civilians and to put protection at the center of peace and security efforts. The Department for Peacekeeping Operations–Department of Field Support–Department of Political Affairs (DPKO-DFS-DPA) Policy on Child Protection in UN Peace Operations directs Force Commanders of Peacekeeping Operations (PKO) to issue mission-specific directives, in order to promote a common understanding by all military personnel regarding what actions should and should not be taken to protect children.¹ Grave violations against children may be committed by actors in the MINUSMA Area of Responsibility (AOR). As such, the MINUSMA Force Headquarters (HQ) has been mandated by the Security Council to ensure that Child Protection concerns are integrated into all operations from the strategic to the operational and to the tactical levels. Deliberate targeting of children, including the recruitment of boys and girls into armed groups as well as other grave violations such as sexual violence against children or attacks on schools, directly contribute to destabilizing the population. Therefore, a Force Commander's Directive is required to further optimize the Mission's effectiveness in combating these violations.
- c. **From doctrine to practice.** Child protection is a mission-wide responsibility that must be mainstreamed and integrated throughout the Mission planning processes, operational decisions and Mission activities. The Mission's child protection mandate is more than a subset of protection of civilians (PoC). While many of the concepts of PoC and the basic information on the Rules of Engagement (ROE) apply, the child protection mandate entails some very specific tasks the Force must undertake in addition to the physical protection of children. These tasks are mandated by the Security Council and usually include, but are not limited to; supporting information gathering, monitoring and reporting on grave violations against children's rights, supporting the implementation of Action Plans to end these grave violations against children, and supporting child sensitive Disarmament, Demobilization and Reintegration (DDR) processes.

2. CRITICAL INFORMATION

- a. **Definition of a Child.** A Child is anyone under the age of 18 (see Annex F - Terms and Definitions).
- b. **Six Grave Violations against children.** All Force members must be aware of the grave violations against children committed by parties to the conflict. Each member of MINUSMA's Force, regardless of rank or position, must understand the problems faced by children and look for warning signs related to any of these grave violations. The following are considered to be grave violations against children and must be reported IAW (Annex K). (More details in Annex F - Terms and Definitions). General.
 1. Killing or maiming of a child.
 2. Recruitment and use of a child by an armed group or an armed force.
 3. Sexual violence against a child.
 4. Abduction of a child.
 5. Attacks on schools and hospitals.

¹ DPKO-DFS-DPA Policy on Child Protection in UN Peace Operations, para 20.1.

6. Denial of humanitarian access affecting children.
7. Additional child protection priorities identified by MINUSMA and/or the country task force on monitoring and reporting (detention of children for alleged association with armed groups, use of schools and hospitals for military purposes).
8. Protection issues for children related to MINUSMA (sexual exploitation and abuse, use of child labor by MINUSMA or its personnel and/or affiliates).

When reporting of child protection issues (no matter what kind), all Force, Sector, and unit level Military Child Protection Focal Points will strictly adhere to the military chain of reporting. This does not preclude Child Protection Focal Points from reporting within the Mission's child protection apparatus, but Child Protection Focal Points must always ensure that whatever reports that are submitted outside the chain of command are also shared with their leaders in copy.

- c. **Legal (and Guiding) Principles on Child Protection.** Pursuant to the UN Convention on the Rights of the Children, the following core principles must be followed when interacting with a child (Annex G).
 1. The 'best interest' of the child.
 2. Respect for the view of the child.
 3. Non-discrimination.
 4. Security and confidentiality.
 5. Presumption of minority.
 6. Do No Harm.
 7. Child and gender sensitive approach.

3. **FORMATION/UNIT FOCAL POINTS FOR CHILD PROTECTION**

The Military Child Protection Focal Point (CPFP) system follows a hierarchical structure, facilitating information sharing and guidance between the Force Headquarters (FHQ) and Sector Headquarters (SHQ) and the unit levels. The functions of Military Child Protection Focal Points, duties usually assumed by the Force's and Sectors' Gender Advisors (GENAD), have been developed in accordance with mandated nominations of Military CPFPs/GENAD as provided by the DPKO-DFS-DPA Policy on Child Protection in UN Peace Operations and the United Nations Infantry Battalion Manual (2020, UNIBAM). Battalion Commanders shall appoint Focal Points per Permanent Operating Base (POB) upon rotation. Military CPFP are always within the MINUSMA Force's chain of command. CPFPs are encouraged to liaise and coordinate with child protection offices within the Mission and their respective AORs, however at no time is a Military CPFP under the supervision of any entity outside of the appropriate military chain of command.

- a. **The Force GENAD.** Performing as the FHQ CPFP, the FHQ GENAD is responsible for ensuring information is communicated to the civilian Senior Child Protection Adviser (SCPA) rapidly and accurately. The FHQ GENAD is also responsible for advising the Force Commander (FC) on all child protection issues and operations as they pertain to the Force.
 1. Ensure compliance with this Directive by all members of MINUSMA's military component through liaising and advising the FC and Sector Commanders.
 2. Reporting information related to the six grave violations against children to Child Protection Section (CPS) (See Annex K).
 3. Implementing this Directive into FHQ U5 planning, through mainstreaming and focused operations on Child Protection and other components of the Force.
 4. Ensure the continued roll-out of the UN specialized training materials for Child Protection focal points to Sector GENADs tailored to the specific mission AOR.
 5. Establish and maintain good working relations with Force Child Protection Actors and Senior Child Protection Adviser.

- b. **Sector GENAD.** Performing as the SHQ CPFP, the SHQ GENADs are responsible for monitoring and advising on the compliance and implementation of the Directive by all members of the MINUSMA's military component in their SHQ's AOR.
 1. Responsible for advising the Sector Commander on all child protection issues and operations as they pertain to the sector's MINUSMA Forces.
 2. Maintains contact with the FHQ GENAD and the Child Protection Officers in accordance with Annex E.
 3. Ensure the continued roll-out of the UN specialized training materials for unit level CPFPs tailored to the sector's specific AOR in coordination with the FHQ GENAD and provide remedial action where required.
 4. Reporting information related to the six grave violations against children to Child Protection Section (CPS) to the sector chain of command and the FHQ GENAD (See Annex K).
 5. Implementing this Directive into sector operational planning, through mainstreaming and focused operations on Child Protection and other components of the sector's units.
 6. Establish and maintain good working relations with the sector's Child Protection Actors.
 - c. **Unit Level Child Protection Focal Points (CPFP)** The Unit CPFP is ideally also the Gender Focal Point (GFP) and must be designated in each unit, Team Site, UN Base/Temporary Operating Base (TOB) and within each SHQ. The unit CPFP are responsible for advising their commander on Child Protection related matters, monitoring the Commanding Officers'/Team Leaders' observance of the Directive in their AOR and maintains contact with the Sector GENAD and the Child Protection Officer in accordance with Annex E. Unit CPFPs will also ensure training for their units supported by Sector GENAD and provide remedial training when necessary. The unit CPFP also assists the SHQ in implementing all necessary planning and tasks related to child protection within their sector's AOR.
 - d. **Detailed responsibilities** The FHQ, SHQ and Unit CPFP responsibilities are detailed in Annex I.
 - e. **Child Protection Section (CPS).** CPS is the Mission's component composed of civilian Child Protection Officers, who are tasked with mainstreaming child protection in the work of all Mission components, providing relevant guidance, advice and support on child protection issues, ensuring that the Mission's activities prioritize the best interests of children and complies with the United Nations relevant policy Directives. The CPS is led by the mission's Senior Child Protection Adviser (SCPA). The UN Child Protection Policy stipulates the SCPA is the principal interface and intermediary between MINUSMA and external partners on child protection concerns, as well as the lead in-mission adviser on mandate implementation. The Policy provides that the SCPA should be coordinated and consulted with on all matters relating to the implementation of the Child Protection mandate within the mission. In areas in MINUSMA's AOR without a dedicated Child Protection Officer, SCPA shall designate a point of contact for the Force. Ideally the Human Rights Child Protection Focal Point is the point of contact.
4. **COMMON RESPONSIBILITY: PLAN-ACT-ALERT-PROTECT.** MINUSMA military forces must act robustly and promptly to protect children before, during, and after operations, in accordance with the mandate. Violations against children should be accurately and promptly reported, specifically to the Child Protection Section and military chain of command, for the primary purpose of ensuring MINUSMA's rapid response. Reporting of data for monitoring purposes is important but is secondary to the requirement for action.
- a. **PLAN.** At the FHQ and the SHQs, 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 has on children, but the Force should also draft effective Contingency Plans (CONPLAN) to mitigate

risk. In general, these plans must be based on analysis of the specific risks to children in different parts of the AOR. The Force must also actively plan operations to provide protection to children from those seeking to abuse children during conflict.

- b. **ACT**. Whether in the field or if based in headquarters, the duty of a member of MINUSMA's Force is to take immediate action to protect children that are subject to risk of death, serious harm or disappearance. All actions must be within the usual operational considerations, MINUSMA policy and the ROE. Actions may include:
 - 1. Use of force in accordance with ROE to protect children.
 - 2. Providing basic medical aid if asked or needed, in accordance with current MINUSMA policies on providing medical assistance to civilians.
 - 3. Securing the area until CPS can arrange assistance for the child/children in question.
 - 4. In extremis cases, providing emergency transport to children in strict accordance with current MINUSMA policies as guided by the chain of command and in liaison with the Senior Child Protection Adviser
- c. **ALERT**. After the member of MINUSMA's military component 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, s/he must alert his/her Local CPFP (who shall then alert the SHQ/FHQ GENAD and CPS). Examples of situations in which CPS should be alerted can be found in Annex J. In the absence of a Local CP Focal Point, the Sector GENAD or Force GENAD must be contacted. The FHQ GENAD must be informed and will then provide advices to further actions in liaison with the CPS. The reporting flow chart is at Annex K.
- d. **PROTECT**. Aside from acting upon immediate threats and alerting, the protection of children entails recording lessons learned and employing effective plans, tactics, techniques and procedures to ensure that sustainable protection is provided by the Force to the population. When necessary the Force HQ will direct operations to support unit HQs. In addition, to ensure that lessons learned and good practices feed into planning and operations to strengthen an effective response to threats, the FHQ GENAD in coordination with the SHQ GENAD, will provide remedial training tailored to the specific AOR.

5. **INDIVIDUAL RESPONSIBILITIES**

- a. Refer to Soldier Card at Annex L.
- b. Commanding Officers, under the guidance of the FC, shall inform parties to conflict about the consequences of violations and abuses against children in coordination with the Senior Child Protection Adviser (SCPA). Engaging with parties to the conflict on child protection matters is one of the core tasks of the SCPA and therefore any negotiations for the release of children should be undertaken by CPS and *NOT* by the Force. Force interaction with Armed Groups should routinely advocate that children should be in school and not part of any military activity.
- c. Members of the Force should not fraternize nor establish friendships with children. Any activities with children are to be formally organized so that they remain professional and institutionalized by the Mission and represent the actions of the Force as opposed to the actions of an individual.

6. SPECIFIC ROLES AND RESPONSIBILITIES OF THE FORCE DURING MILITARY OPERATIONS

- a. **GENERAL.** This is a guideline of proactive child protection measures that can be taken by departments and should not be considered as an exhaustive list. All of these activities are the standard to achieve but must be carried out in accordance with legal and command guidance.
- b. **INFORMATION OPERATIONS (INFO OPS).** INFO OPS is way for the FHQ to conduct non-kinetic operations and are activities that will positively influence the identified Target Audiences (TA) to respect the six grave violations against children and convincing actors to protect children's rights under International Humanitarian Law (IHL) by means of:
 1. Key Leadership Engagement. Through command-led engagement (FHQ, SHQ and unit), gain better situational awareness amongst Key Leaders at all levels to enhance their work on child protection in compliance with this directive.
 2. Leaflets. During planning and execution of all INFO OPS, liaise with FHQ GENAD to plan for the distribution of child protection leaflets that will sensitize the population, the armed groups and national security forces.
 3. Radio/Other Media. Coordination and information sharing between the U9 and the Force HQ GENAD/CPS is required to spread the key messages on the six grave violations against children, through Radio Mikado, local radio stations as well as other media platforms.
- c. **PERSONNEL.** Providing accurate information to the incumbent FHQ GENAD on rotations of SHQ GENADS and FHQ replacements relevant to child protection in coordination with the Office of Military Affairs. In addition, provide the newly deployed GENADs with TORs, including on their role and responsibilities for child protection. Furthermore, U1/G1 in conjunction with the incumbent GENAD should facilitate a hand-over package for the GENAD in the next rotation cycle. As a minimum this should include the training progress to SHQ and FHQ focal points, suggested amendments to the Directive, deficiencies/gaps and relevant information on performance vis-à-vis the evaluation process of this Directive.
- d. **MILITARY INTELLIGENCE.** To support the protection of children, the U2/G2 should collect information on actors who are deliberately targeting children in daily reports. Sightings of boys and girls with or part of Armed Groups should be reported to the CPS. Whenever feasible, the U2/G2 should provide early warning on grave violations risks to the FHQ GENAD. Where required, the U2/G2 will assist units by providing information on individuals or entities deliberately violating child rights. When required and by direction of the FC, the U2 will support MINUSMA's efforts gathering information on violations against children with Force level intelligence assets and advise on the use of Mission level intelligence assets.
- e. **OPERATIONS & PLANS.** All Force operations must consider the effects of kinetic operations on children. These considerations must be mainstreamed in all operational planning/execution and, where necessary, changes made to ensure the protection of children and avoidance of committing or facilitating any of the six grave violations. In addition, the Force will conduct and direct lower HQs to conduct deliberate planning to address the causes of abuse of children in the conflict. The consideration of the activity described will bring MINUSMA within policy guidelines. Respective CPFP's to support, tactics, techniques and procedures may need to be adapted to how women and children are handled physically and how the use of force is restrained.
 1. CONPLANS and Military Operations. Operational planning must include 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 where the Force considers that the CONPLANs cannot mitigate the risk, specialist expertise must be sought, and cancellation

- of the operation must be considered. Also, the presence of women and children, either in the crowd, on the periphery of a crowd or used as human shields, may affect operational decisions at the unit level. Plans for this must be included in orders and communicated to all soldiers. Rehearsals for such situations are vital and units delegated with this responsibility must practice regularly and certainly immediately prior to an operation.
2. Targeted Protection. Where required, all commands are directed to conduct intelligence-led activities to prevent forces or groups committing any of the grave violations. Provisional planning must consider the safety of children identified at the location where the protection operation will occur. This includes children who may be associated with the forces or groups that may be violating other children. The FHQ GENAD and CPS should be consulted as part of the planning process.
 3. Execution of Military Operations. During the execution of military operations, the relevant commands are required to assess the likelihood of any grave violations and use CONPLANs accordingly. If a violation has occurred, then the command is required to follow the flow chart located at Annex K.
 4. Patrolling. Conducting deliberate patrols to dominate the ground around key areas for children (e.g. schools or hospitals), and also around Internally Displaced Persons (IDP) sites and locations where children are most active (e.g. looking for water/firewood, local markets). Also having Force presence during time periods when children are most at risk (mornings, afternoons and at dusk). Patrol plans must avoid, to the extent possible, any presence at or near schools and refrain from direct interaction with school children.
 5. Cordon and Search (C&S). Wherever possible, C&S efforts should link to appropriate identified welfare and Civil-Military (CIMIC) activities (medical assistance, distribution of food and necessities, assistance to the elderly, women and children etc.) in support of well-being and confidence-building. These operations must be in line with presence, posture and profile (PPP).
- f. **LOGISTICS.** The logistics planners will support all units within the Force with supplies that allow for the treatment of children who have been subjected to grave violations. In a life-threatening situation, as a last resort, should there not be a suitable partner available, or should the security situation not permit, units' logistical element, in coordination with the U4, will ensure, where feasible, the necessary conditions to temporarily receive/accommodate children (escapee/deserter/released) from an armed group pending a temporary solution by specialized offices/actors. Protection of children is considered a priority and the necessary support is to be provided.
1. U4/G4 staff must be familiar with MINUSMA policy regarding provision of assistance to civilians
 2. Children (regardless whether male or female) may present symptoms related to sexual violence and should be treated in a sensitive manner, with immediate referral to CPS and provision of post-exposure prophylaxis (PEP) kits, as necessary.
 3. Provide gender and child sensitive treatment, including, where possible, assign female medics or CLAs for girls.
- g. **COMMUNICATIONS.** Ensure that radio masts and military communication equipment are not placed near schools and hospitals as they could become a military target and expose the population and children to physical threats.
- h. **TRAINING.** Training of the Force is critical to maintain and develop the necessary child protection standards for MINUSMA.
1. Mandatory training. Each member of MINUSMA's military component will receive training as part of his/her induction, which as a minimum should include the six grave violations,

- scenario-based exercises and this directive, as directed by the FC. The FHQ GENAD, in coordination with CPS, may participate in this part of the induction training. Contingents conducting their own training will be responsible for including the U7/G7 approved brief. The U7/G7 is responsible for the organization of this training and its delivery in liaison with FHQ GENAD and CPS. The CPS will review the content of the training periodically.
2. In-Mission Training. The U7 is to enable SHQ GENAD and Local CPFP to train their own units. All Local CPFP are to maintain situational awareness of the collective knowledge of their forces with regards to child protection. They are to conduct regular seminars every two months with command personnel and also provide remedial training where needed. As a minimum, the training must include the six grave violations, Plan-Act-Alert-Protect, the reporting structure and scenario-based exercises.
 3. Remedial Training. U7 is to enable best practice trainings which should be held after an incident concerning child protection matters. This should identify gaps/deficiencies and inform future changes in actions and behavior.
 4. Focal Point Training. The U7 cell is to enable the FHQ GENAD to train the SHQ GENADs and FHQ and Local CPFP on how to apply the Child Protection Directive using scenario-based exercises and the specialized training materials from DPET-PBPS Child Protection tailored to the specificities of MINUSMA. The FHQ GENAD is responsible for the management of this training. In coordination with U7, the FHQ GENAD should develop a training schedule based on the annual training plan for the Force. As a minimum this training organized under the framework of the Annual Training Plan for the Force should be organized every 3 months for all Child Protection Focal Points in key (leadership) positions, including planning and operations, etc.
- i. **ENGINEERING.** The engineering planners, with approval from the FC, should direct priority work in areas where children are frequently present, and work on improving road and bridge repairs to enable patrolling, humanitarian services and access to schools and hospitals. The engineering planners may also be called upon to perform construction tasks in remote areas or situations where civilian engineering capacity is limited and to support child protection infrastructure creation such as reception centre, transit camps, demobilization centre, rehabilitation camps, vocational training centre, etc.
 - i. **CIVIL-MILITARY (CIMIC).** CIMIC planners should consider how CIMIC and Military outreach activities may cause detrimental effect on protection of children and should draft CONPLANs accordingly. During routine engagements with children, the Force should focus activities on protection of children and not on interactions with children at orphanages, schools, and other responses as a result of poverty, etc. Quick Impact Projects (QIPs), where possible, must look at specific child protection development initiatives. Promotional activities related to child wellbeing and protection performed by the military aimed at the local population and authorities should be coordinated with all partners and stakeholders – in consultation with CPS - so that the actions of the military unit are complementary to the actions (humanitarian and development) that are being undertaken by appropriate civilian and humanitarian actors.
 - j. **MILITARY POLICE/CDT.** Provide investigation assistance where required or called upon by the CPS/ FHQ GENAD/ SHQ GENAD or Chain of command. Provide a liaison officer throughout investigations and make recommendations accordingly.
 - k. **DDR AND CHILD SURRENDERS.** Within the DDR process, specific planning needs to be in place when dealing with child soldiers. A specific staff instruction (Annex A) will detail how the Force deals with surrendering child soldiers and provides the correct DDR measures in conjunction

with CPS. Any child soldier surrendering must be immediately reported to FHQ GENAD and CPS for immediate care and follow up.

- l. **FAMA LIAISON OFFICER.** Conduct of Military Operations with the FAMa – Effective Partnering. MINUSMA’s current and future legitimate partnering efforts with FAMa must be compliant with the Human Rights Due Diligence Policy on United Nations support to non-United Nations security force, GA A/67/775-S/2013/110. Through the Liaison Cell in the FAMa, the Force will develop their partners’ understanding that protecting children increases operations effectiveness and promotes subsequent good practices. The key messages to the FAMa are that i) protecting children optimizes their force through correct selection of recruits and enhances operational effectiveness through lawful conduct of operations; and ii) that allegations of violations may lead to suspension of assistance as the UN is not allowed to conduct joint operations in case of violations against children (as called for by the Human Rights Due Diligence Policy). It could also be useful to place an active duty on FAMa to consistently tackle and remove any obstacles to humanitarian access affecting children. This interpretation would be very helpful, for instance, when discussing with FAMa on the need to secure key, vital infrastructures such as bridges in the centre. Through effective partnering and mentoring the Force must influence the FAMa to conduct their operations, where relevant, within the guidelines highlighted in this document. U7 and FHQ GENAD to support.
- m. **G5-SAHEL AND BARKHANE.** MINUSMA FHQ GENAD/Senior Child Protection Adviser shall, where appropriate, coordinate and share information on child protection-related incidents with the G5-Sahel CPFP and the Barkhane forces CPFP, in line within their respective mandates and through existing mechanisms. Furthermore, MINUSMA Force is encouraged to share best practices in the implementation of this Directive with the CPFPs in the G5-Sahel and Barkhane to further strengthen their operational effectiveness on child protection.
- n. **MEDICAL SECTION.** Provide CONPLANs on the priority treatment of injured children and MEDEVAC. CONPLANs should include the medical assistance to be provided for children who were either part of the AG or collateral damage. 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 Point, FHQ Focal Point, CPS (or in the absence of these, DDR or Human Rights).
- o. **MILITARY OBSERVERS (MILOB).** Provide information on the ground and reporting on any of the six grave violations that they witness in accordance with the guidelines found at Annex F.
- p. **PROTECTION OF SCHOOLS.** All MINUSMA military personnel will not to use schools and universities for any purpose in support of military effort. They should also prevent parties to armed conflict from doing the same and advocate for schools must be vacated when they are being used by parties to conflict. A specific staff instruction (Annex D) will detail how the Force deals with protection of education
- q. **SEXUAL EXPLOITATION AND ABUSE (SEA).** The UN applies a zero-tolerance policy in regards SEA. SEA is an unacceptable behavior and prohibited conduct for United Nations staff. Sexual relations with children (below the age of 18 years) is completely prohibited regardless of the age of majority of consent locally. Mistaken belief in the age of a child is not a defense. A specific staff instruction (Annex C) will detail how the Force deals with SEA and provide the correct measures in conjunction with the CPS and Conduct and Discipline Team of MINUSMA

- r. **CHILD LABOR.** The use of children (persons under the age of 18 years) for the purpose of labor, small errands or other rendering of services is strictly prohibited. A specific staff instruction (in the Annex B) will detail how the Force deals with Child Labour
- s. **DETENTION.** Detention procedures for children will follow the mission's Standard Operating Procedures (SOP) and guideline on Detention and Handover of Children. A specific staff instruction (Annex E) will detail how the Force deals with detention and surrenders.

7. **IMPLEMENTATION**

- a. **TIMINGS.** This Directive is effective as of the date of signature. All branches of the MINUSMA Force are to begin implementing these measures upon issuance.
- b. **SEMINAR.** A Protection of Children Seminar will be held in FHQ BAMAKO within one month after publication and every six months after, attendance will be required from all staff branches' GFP and SHQ GENADS.
- c. **AMENDMENTS AND REVIEW.** Any amendments are to be suggested to the points of contact. This directive will be evaluated twice a year and an annual review would be conducted with the results from both evaluations.
- d. **GENDER AND CHILD PROTECTION OPERATIONAL GROUPS.** When a grave violation occurs and may have the potential to have a severe impact on the Mission, the FHQ GENAD will call a Gender and Child Protection Operations Group. That includes subject matter experts from other United Nations departments and members of the Force as required and its purpose is to manage an issue with G3 operations, to ensure protection of civilians, including children.
- e. **HISTORY.** This Directive replaces the first Directive signed by the Force Commander in December 2017.

8. **EVALUATION**

- a. The FHQ GENAD, in conjunction with SHQ GENADS and Local CPFPs and in coordination with the Senior Child Protection Adviser (SCPA), the DPO-DPET, Policy and Best Practices Service, will evaluate the effectiveness of this directive every twelve months from the date of implementation drawing upon the methodology outlined in the Force Child Protection Directive Blueprint developed by DPET. The evaluation process will assess the effectiveness of the CPFP Network, the adequacy of this directive in general, reporting and information sharing, civil-military cooperation, training and implementation in operational planning activities. Recommendations for improvement should be made to the MINUSMA FC, MINUSMA SCPA and shared in a timely manner with the GENAD at the Office of Military Affairs (OMA) and DPET-PBPS Child Protection through code-cable.
- b. The two evaluations should inform the yearly review of MINUSMA's Force Commander Child Protection Directive conducted by the FHQ GENAD, SCPA, and UNHQ DPET-PBPS.

9. **POINTS OF CONTACT**

- a. FHQ GENAD. minusma-fhq-genad@un.org
- b. Mission Senior Child Protection Adviser. Ms. Solange Vasse, email vasse@un.org

10. ANNEXES:

- Annex A: Specific Staff Instruction on Dealing with Armed Children and Surrenders
- Annex B: Specific Staff Instruction on the Prohibition of Child Labour
- Annex C: Specific Staff Instruction on the Prohibition of Sexual Exploitation and Abuse (SEA)
- Annex D: Specific Staff Instruction on the Protection of Schools including prohibition of their use
- Annex E: Specific Staff Instruction on Detention and Handover of children
- Annex F: Terms and Definitions
- Annex G: Legal principles of child protection
- Annex H: Document references
- Annex I: Terms of reference for Child Protection Focal Point/Officers
- Annex J: Examples of grave violations when protection of children reporting must be used
- Annex K: Protection of children reporting flow chart
- Annex L: Soldier card on the protection of children. Tactical Aide-memoire

ANNEX A to FC Directive on Child Protection dated July 2020

SPECIFIC STAFF INSTRUCTION ON DEALING WITH ARMED CHILDREN AND SURRENDERS

1. If a child comes to you, saying that he or she wants to withdraw from an armed group, never hand over that child to the Armed Forces or to the police.
2. When a child associated with armed groups asks for assistance from the MINUSMA Military, you should immediately contact MINUSMA Child Protection Section (CPS) in your area of operation and organize for the child to be handed over to CPS immediately.
3. In case the child asking for your assistance, the child is desperate to leave the armed force/group and claims to be in danger, it may be in his/her best interest that you get his/her weapon and proceed as soon as possible to hand over the child to CPS or a child protection agency. Your judgment of the situation is on a case-by-case basis; you should be guided by your military instructions according to the security of your team and the security/best interest of the child.
4. Outside of the regions, according to the security context and local situation, if disarming and separating the child can wait for the formal process, prioritize this option; take note of the child's location and commander, and inform CPS, or a child protection disarmament, demobilization and reintegration (DDR) partner about the case, for the partner to go to the location and deal with the case.
5. Always inform and explain to the child about the existing structures and procedures to leave armed forces/groups. In many cases, he/she does not know what is in place to help him/her get back to his/her former life and family.
6. You must be prepared for similar situations and be sure to meet and discuss with the CPS in your area about what to do if you are confronted with particular situations and this type of case. As a principle, it is better for the child to go through an official organization, such as MINUSMA, which will ensure the child can join the reinsertion support programs: Thus, he/she will be able to benefit from family tracing, if necessary; safe provisory shelter and care; professional training in some cases; and obtain an official certificate proving his/her new civil status, which may help him/her clarify his/her status.
7. Be sure not to expose yourself to allegation of abuses. MINUSMA military is not authorized to "interview" a child for more information than what is necessary to help the child access the CPS or a Non-Governmental Organization (NGO) habilitated to help in those cases. Only MINUSMA CPS and its partner agencies are authorized to conduct interviews with the child.
8. A child cannot be used to obtain details of armed groups' military strategy or for military intelligence.

Linkages to DDR.

9. Guidelines for the formal DDR programme in Mali are based on lessons learned from formal DDR programmes in post-conflict contexts. However, the scenario of informal release of children during conflict has not been fully covered yet it presents additional challenges related to security, protection and the risk of re-recruitment. MINUSMA Military could play a major role in the two scenarios notably by coordinating with child protection civilian personnel who will be separating children from adults during cantonment and at disarmament and demobilization sites, and by referring to child protection personnel in case of spontaneous demobilization of children.

ANNEX B to FC Directive on Child Protection dated July 2020

SPECIFIC STAFF INSTRUCTION ON THE PROHIBITION OF CHILD LABOUR

1. The use of children under the age of 18 for purposes of labor or other rendering of services by UN peacekeeping operations is **strictly prohibited**, regardless of the minimum age of child labor stipulated under the national law in the mission's area of operation, and irrespective of the involvement of compensation (in the form of a salary, food or other benefits).
2. The term "child labor" refers to any work or provision of services by a person under the age of 18 irrespective of its duration, frequency, compensation, or the nature of the underlying agreement. That includes using children even for the **most basic daily services**, such as shoe polishing, car washing or household cleaning, even in exchange of remuneration or no remuneration at all.
3. The use of child labor by UN peacekeeping operations and/or UN peacekeeping personnel is deemed to be hazardous within the meaning of the Convention on the Rights of the Child. Moreover, the United Nations considers that the prohibition of association of children to armed groups and forces is broadly interpreted to include association through work and performance of labour and other tasks such as cooking, cleaning, carrying goods etc. Which means that peacekeeping personnel using children for any type of services can be considered as recruiting and using children (as "child soldiers")
4. Children are **not allowed** on the **premises, camps or facilities** of any UN peacekeeping operation for the purpose of the **provision of labor** or the **rendering of any services**. All means must be taken to ensure they do not access such premises, camps or facilities for these purposes, including the proper use of access control, strict identity verification measures and the non-issuance of access or ID cards to children for the purpose of any form of child labor.
5. All categories of MINUSMA peacekeeping personnel including military, the police and civilian staff must be informed that compliance with the policy on the prohibition of child labor is mandatory.
6. Failure to comply may result in disciplinary action.

ANNEX C to FC Directive on Child Protection dated July 2020

SPECIFIC STAFF INSTRUCTION ON THE PROHIBITION OF SEXUAL EXPLOITATION AND ABUSE (SEA)

PURPOSE:

This Specific Staff Instruction aims at preventing SEA by MINUSMA Military personnel.

SOME DEFINITIONS:

1. Sexual exploitation: Any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes, including but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another
2. Sexual abuse: Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions (i.e. attempted rape, child pornography, Female Genital Mutilation (FGM), forced prostitution, forced sodomy, incest, rape, sexual harassment, trafficking).

GENERAL PRINCIPLES:

1. United Nations forces conducting operations under United Nations command and control are prohibited from committing acts of sexual exploitation and sexual abuse, and have a particular duty of care towards women and children, pursuant to section 7 of Secretary-General's bulletin ST/ SGB/1999/13, entitled "Observance by United Nations forces of international humanitarian law".
2. Sexual exploitation and sexual abuse violate universally recognized international legal norms and standards and have always been unacceptable behavior and prohibited conduct for United Nations staff. Such conduct is prohibited by the United Nations Staff Regulations and Rules.

STANDARDS OF CONDUCT: These standards are not intended to be an exhaustive list. Other types of sexually exploitive or sexually abusive behaviour may be grounds for administrative action or disciplinary measures, including summary dismissal, pursuant to the United Nations Staff Regulations and Rules

1. Sexual activity with children (any girl or boy under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defence;
2. Exchange of money, employment, food, goods, assistance or services for sex, e.g. Sex with prostitutes, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, is prohibited. This includes any exchange of assistance that is due to beneficiaries of assistance;
3. Sexual relationships with beneficiaries of assistance are strongly discouraged and undermine the credibility and integrity of the work of the United Nations since they are based on inherently unequal power dynamics,

CONSEQUENCES OF SEXUAL MISCONDUCT:

1. Sexual exploitation and abuse constitute acts of serious misconduct and subject to disciplinary action and are therefore grounds for disciplinary measures
2. Possible summary dismissal, termination of UN contract and no further UN service. For criminal offences, all except military members of national contingents can be tried in the host country. Military members of national contingents subject to their own national military justice, including court martial.

YOUR RESPONSIBILITIES AND ROLES IN PREVENTING AND RESPONDING TO SEXUAL EXPLOITATION AND ABUSE:

1. Be informed
2. Be a role model
3. Report suspicions, rumours and allegations

4. Cooperate fully with investigations
5. Inform local population on reporting and complaints mechanisms
6. Commanding officers under the guidance of the Force Commander shall be responsible for creating and maintaining an environment that prevents sexual exploitation and sexual abuse, and shall take appropriate measures for this purpose. In particular, they shall inform personnel under their command of the contents of the present Instruction.

METHODS TO REPORT A RUMOUR OF SEXUAL EXPLOITATION:

1. Chain of Command
2. Mission Focal Point (or other agency focal point)
3. Personnel Conduct Officer
4. The Office of Internal Oversight Services (OIOS)

COOPERATIVE ARRANGEMENTS WITH NON-UNITED NATIONS ENTITIES OR INDIVIDUALS:

1. When entering into cooperative arrangements with non-United Nations entities or individuals, relevant personnel from the Force shall inform those entities or individuals of the standards of conduct listed in section 3, and shall receive a written undertaking from those entities or individuals that they accept these standards.
2. The failure of those entities or individuals to take preventive measures against sexual exploitation or sexual abuse, to investigate allegations thereof, or to take corrective action when sexual exploitation or sexual abuse has occurred, shall constitute grounds for termination of any cooperative arrangement with the United Nations.

ANNEX D to FC Directive on Child Protection dated July 2020

**SPECIFIC STAFF INSTRUCTION ON THE PROTECTION OF SCHOOL AND UNIVERSITIES
INCLUDING PROHIBITION AGAINST MILITARY USE**

1. **Purpose.** These guidelines aim at preventing the use of schools and universities by MINUSMA Force and to minimize the impact of the Malian armed conflict on the security and education of children
2. **General principles**
 - a. Schools have to be havens of peace, where children are protected even in times of armed conflict.
 - b. In line with Security Council resolutions 1998(2011) and 2143(2014), United Nations peace operations should refrain from all actions that impede children's access to education, including the use of school premises. This applies particularly to uniformed personnel.
 - c. Furthermore, recognizing the adverse impact of the use of schools for military purposes, in particular its effects on the safety of children and education personnel, the civilian nature of schools, and the right to education, United Nations peace operations personnel shall **at no time** and for **no amount of time** use schools for military purposes, in compliance with the prohibition included in the United Nations Infantry Battalion Manual (2012)
 - d. MINUSMA Force is requested not to use schools and universities for any purpose whatsoever. All MINUSMA military personnel should avoid encroaching on the security and education of children by enforcing this Specific staff instruction.
3. **Guidelines**
 - a. Schools and universities that are operational should never be used in any way. This applies to schools and universities that are closed after school hours, during weekends and holidays and during vacation periods and those that are closed for any reason.
 - b. Abandoned schools and university buildings which are occupied or listed by MINUSMA Force should be liberated without delay in order to allow educational authorities to reopen them as soon as possible.
 - c. Schools and universities that are not operational or functional should also never be used in any way in order not to compromise their civilian status and interfere with child rights to education in the event those educational buildings would be made functional.
 - d. Force should advocate with Malian Defense and Security Forces (MDSF) to refrain from using educational building and to liberate immediately and without further delay the schools and university building the MDSF is using, in order to allow educational authorities to reopen them as soon as possible. Advocacy to be conducted irrespective of the fact that said buildings may be abandoned.
 - e. All signs of militarization or fortification of educational buildings or structures used for military purpose of by United Nations military personnel should be completely removed after the withdrawal and any damage caused to the institution should be repaired quickly before hand-over to the authorities, to allow the return to educational use.
 - f. Similarly, all efforts shall be made to demilitarize those schools without delay, including by clearing all weapons, munitions and unexploded ordnance from the schools and the surrounding areas.
 - g. The use of a school or university by any party to the conflict is not permitted and cannot provide grounds for continuation of such use.
 - (1) Military personnel tasked to secure schools and universities should avoid wherever possible entering into the school premises or buildings in order not to compromise their civilian status.
 - (2) CIMIC activities directed to schools and universities should be coordinated with local partners so that the actions of the military unit are complementary to other actions (humanitarian and development) undertaken by civilian and humanitarian actors.

- (3) In compliance with the UN Child Protection Policy, MINUSMA Military Personnel shall avoid to the extent possible any presence at or in close proximity to schools, shall refrain from direct interaction with school children and shall consider civilian unarmed protection strategies where safety concerns exist

4. Definition of terms:

- a. "Schools and universities". Places used principally for the purpose of education. They comprise kindergartens or nursery schools, primary and secondary schools, vocational training centers and higher education institutions including universities, colleges, and technical training schools. They also include all property and grounds that belongs to these institutions.
- b. They do not include institutions which are dedicated to military training and education.
- c. "Use". Any activity conducted with the physical space or premises of a school or a university in support of military efforts, be it temporarily or for a longer term. It includes, but is not limited to the following: as a military barracks or base; for offensive or defensive positioning; for the stocking of arms and ammunitions; for interrogation and detention; for military training; as an observation post; as a firing or fire control position. It does not include situations where the force or police are present in proximity to schools and universities to provide protection to the school or ensure security.

ANNEX E to FC Directive on Child Protection dated July 2020

SPECIFIC STAFF INSTRUCTION ON DETENTION AND HANDOVER OF CHILDREN

1. General rule. A child may only be detained as a last resort and for the shortest possible time and separate from adult detainees unless with members of family except where this is against the child's best interest. Boys must be kept separate from girls.
2. Detained children must be protected against any form of violence, abuse and/or neglect. They must be provided with food, shelter and necessary basic services
3. Family members. The nearest kin shall be notified as soon as possible and arrangement made for regular visitation by adult relatives/guardian.
4. Detention rules:
 - As provided for in the 2013 Handover Protocol signed by the UN with the Government of Mali, children apprehended or captured for reasons linked to the conflict including associated with armed groups should not be handed over to defense or security forces. If arrested in Bamako, they must be handed over to civilian child protection actors (UNICEF or government child protection actors) within 24 hours of their arrest. If arrested out of Bamako (in the regions), they must be handed over to civilian child protection actors within 48 hours of their arrest. The handover must be coordinated with MINUSMA Child Protection and in the presence of ICRC whenever possible.
 - As recalled by the MINUSMA SOPs on Detention, children may be arrested by the Force for other reasons not linked to the conflict. Nevertheless, a child will only be handed over to the national authorities on their written commitment that the child will not be recruited for participation in hostilities, or the lack of which the child will be set free and the HoM advised of the refusal accordingly.
 - If refusal of medical examination, record except in cases when the child is unwilling/unable to give consent because of incapacity can be examined to save life, alleviate pain or prevent long term injury and examination of children may only be conducted with consent of child and in presence of parent/guardian unless deemed medically necessary by UN medical personnel)
5. Interrogations - investigations. In case of detention, the Force should inform the nearest civilian child protection officer or human rights officer of MINUSMA or alert UNICEF to send a trained monitor. The military should not directly interrogate the children or investigate the incident – if possible. Similarly, the Force should not seek to extract military information from a detained child. Interviews to establish the age of children must be conducted by specialized civilian child protection personnel
6. Photos. No photos should be taken – unless for identification purposes. Any picture should be kept confidential and shared only with CPS.
7. Confidentiality. All information needs to be kept confidential. Information on the detention of a child should be communicated to CPS as soon as possible and shared with other stakeholders only on a need-to-know basis
8. Self-demobilization. In case of spontaneous demobilization of children from armed groups, the Force should directly refer to child protection personnel of CPS.

ANNEX F to FC Directive on Child Protection dated July 2020

TERMS AND DEFINITIONS

1. Child. Any person girl or boy below the age of 18 as defined in Article 1 of the Convention on the Rights of the Child.
2. Child associated with an armed group / child soldier. 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. The definition includes a child who is taking or has taken a direct or indirect part in hostilities (see Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict). It does not only refer to a child who is taking or has taken a direct part in hostilities.

Recruitment. Refers to compulsory, forced and voluntary conscription or enlistment of children into any kind of armed force or armed group.

Armed groups. Refers to groups distinct from armed forces as defined by Article 4 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. They have an identifiable chain of command and structure, and under applicable international law, have responsibilities with regard to refraining from committing grave violations against children. In particular, exact prohibition of recruitment of children under the age of eighteen when a group operates on a signatory's territory.

Armed forces. The armed forces of a country are its government-sponsored defence, fighting forces, and organizations.

Party to an armed conflict. Either the Armed Forces of a Government, or Para-military groups and militias associated with the Armed Forces. A Party to an armed conflict can also refer to non-State Armed Groups.

3. Compliant Armed Groups. All groups that have the potential and will to use force to achieve political, ideological or economic objectives, which are not part of the armed force of a State and which are not under the control of the State(s) in which they operate. In the context of MINUSMA's mandate, Compliant Armed Groups are those entities (CMA and Plateforme) that are party to the Algiers Peace Agreement.
4. Terrorist Armed Groups. All groups that have the potential and will to use force to achieve political, ideological or economic objectives, which are not part of the armed force of a State and which are not under the control of the State(s) in which they operate. In the context of MINUSMA's mandate, Terrorist Armed Groups are those entities (Ansar Dine, AQIM and JNIM) that are not considered to be a party to the Algiers Peace Agreement.
5. Autonomous Armed Group. Any group of individuals that carry out coordinated and localized armed activity. For the purposes of MINUSMA's mandate, these groups need not to be party to the conflict, but must pose a threat to the civilian population and/or to one or more MINUSMA's other mandated activities (including support for stabilization, establishment of State authority and prevention of child recruitment, sexual or gender based violence and other human rights violations).
6. Child Protection Officers. United Nations civilian staff who have the mandate to strengthen the protection of children affected by armed conflicts, raise awareness, promote the collection of

information about the violations committed against children and foster advocacy to improve their protection. Their role is also to ensure that the protection of children's rights is a priority concern throughout the peacekeeping process and the consolidation of peace in war-torn countries. Child Protection Advisors also have a mandate to independently engage with armed groups on the release of children.

7. **Definition of the six grave violations against children**

All incidents of grave violations should be monitored at all times and report on all incidents. In accordance with SCR 1612 and 1882, monitors are not required to determine intentionality.

- **Recruitment or use of children by armed forces or groups.** A child associated with armed forces and 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 UXOs, suicide bomb, etc.).

Killing: 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 deaths".

Maiming: Any action that causes a serious or permanent or disabling or scarring or mutilation injury to a child. Killing and maiming of children as a result of direct targeting, crossfire, landmines, cluster munitions, improvised explosive devices or other indiscriminate explosive devices are included. Torture can also be reported under this category. Maiming is analogous to mutilation which is defined as 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 is 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: is any sexual act, attempt to obtain a sexual act, or acts to traffick 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.

Note: A '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, in order 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.

ANNEX G to FC Directive on Child Protection dated July 2020

LEGAL PRINCIPLES OF CHILD PROTECTION

1. **General.** The following is a set of legal references to provide specific guidance when executing this directive. Any question or ambiguity must be directed to the Force LEGAD in the first instance.
2. **Core principles.** Pursuant to the UN Convention on the Rights of the Children, the following core principles must be followed when interacting with a child:
 - a. **The ‘best interest of the child’.** As articulated under the Convention on the Rights of the Child (CRC), in all actions and decisions concerning children, the best interest of the child shall be the primary consideration so as 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 make a decision in a specific situation for a specified individual child or group of children.
 - b. **Respect for the views of the child:** assurance has to be provided to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child. For this purpose, the child shall in particular 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.
 - c. **Non-discrimination.** All children are equally entitled to all rights accorded to them in the Convention on the Rights of the Child and other international norms and standards on child protection. No child shall be discriminated on the basis of nationality, race, ethnicity, language, gender, identity or sexual orientation, age, religion, physical abilities or any other characteristic.
 - d. **Security and confidentiality.** Due consideration must be given to the security of children who have suffered violations and their families, 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. MINUSMA personnel shall limit all exchange of information to exclusively 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.
 - e. **Presumption of minority.** In 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.
 - f. **Do No Harm.** Do No Harm is based on the Hippocratic maxim to first do no harm; in other words, that. 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, as well as ensure that they experience the greatest possible benefits from their involvement
3. **Obligations under the Rules of Engagement (ROE) and the Mandate.** Pursuant to MINUSMA’s Roe, all members of MINUSMA’s military component are required to comply with international law, including the Law of Armed Conflict (LOAC). This obligation is also found in MINUSMA’s mandate and in ST/SGB/1999/13. The LOAC provides, inter alia, that during military operations:

- a. Children should not be the target of attacks;
- b. Children are entitled to special protection, care and aid;
- c. 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 MINUSMA's military component are required to not only promote and safeguard the rights of children throughout their work and in interaction with interlocutors but also to adhere to and abide by the highest international norms and standards reflected in the body of law and guidance on children's rights. United Nations personnel shall at all times refrain from causing any harm to children and their protective environment.

- 4. **Planning of Military Operations.** Operational planning must include contingency plans to protect children who may be affected or involved in the conflict, whether as combatants, as children associated with armed groups who occupy support roles (e.g porters, cooks, spies), or as dependents of other combatants. If it is judged that the contingency plans will not be sufficient to effectively protect the children (e.g. if there is a reasonable belief that children might be used as human shields), the offensive operation cannot be approved. International Humanitarian Law (IHL) Specialists advice and the advice from CPS should be sought whenever there are concerns regarding the presence of children during operational planning. The Force INFO OPS must involve the CPS in the development of messages to encourage armed groups to surrender, and a specific focus should be placed on children who may wish to demobilize.

ANNEX H to FC Directive on Child Protection dated July 2020

DOCUMENT REFERENCES

1. Geneva Convention of 1949 and their Additional Protocols of 1977
2. United Nations, Convention on the Rights of the Child, 1989 (see also: http://www.unicef.org/crc/index_30160.html)
3. Statute of the International Criminal Court (ICC) of 1998
4. Security Council Resolutions on Children and Armed Conflict: Resolutions 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004), 1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012), 2143 (2014), 2225 (2015), 2427 (2018)
5. International Labour (ILO) Convention 182 of 1999
6. Secretary-General's bulletin, Observance by United Nations forces of international humanitarian law (ST/ SGB/1999/13, 1999)
7. Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 2000 and on the involvement of children in armed conflicts, 2002
8. Secretary-General's Bulletin, Special measures for the protection from Sexual Abuse and Exploitation (ST/SGB/2003/13, 2003)
9. United Nations Integrated Disarmament, Demobilization, and Reintegration standards (IDDRs) Module 5.30 on children and DDR (2006)
10. Paris Principles and Guidelines on children associated with armed forces or armed groups (2007)
11. Secretary-General's bulletin, Promotion of equal treatment of men and women in the Secretariat and prevention of sexual harassment (ST/SGB/2008/5, 2008)
12. United Nations, DPKO (Integrated Training Service). Core Pre-Deployment Training Materials, November 2009
13. DPKO/DFS Interim SOP on Detention in Peace Operations (2010).
14. United Nations, DPKO/DFS. Interim Standard Operating Procedures on Detention in United Peace Ops, 25 January 2010
15. United Nations, DPKO/UNICEF/OSRSG-CAAC. Field Manual: Monitoring and Reporting Mechanism (MRM) on Grave Violations against Children in Situations of Armed Conflict (2012)
16. United Nations Infantry Battalion Manual (2012)
17. General Assembly/Security Council A/67/775-S/2013/110 dated 5 March 2013
18. Guidelines for Protecting Schools and Universities from Military Use during Armed Conflicts (2014)
19. United Nations Force Headquarters Handbook (2014),
20. Safe School Declaration (2015)
21. Protection of Civilians Implementing Guidelines for Military Components of United Nations Peacekeeping Missions (2015)
22. Rules of Engagement (RoE) for the military component of the United Nations Multidimensional Integrated Stabilization Mission in Mali, October 2016
23. United Nations, DPKO. Guidelines on the Use of Force by Military Components in United Nations Peacekeeping Ops, January 2017
24. Security Council Resolution 2364 (June 2017)
25. DPO/DFS/DPA Policy on Child Protection in United Nations Peace Operations (June 2017)
26. International Committee of the Red Cross (ICRC), Legal Framework for the Protection of Children in Armed Conflict, 2003, factsheet <https://www.icrc.org/en/document/legal-protection-children-armed-conflict-factsheet> 1

ANNEX I to FC Directive on Child Protection dated July 2020**TERMS OF REFERENCE FOR THE MILITARY CHILD PROTECTION FOCAL POINT/OFFICER² - UNIBAM (United Nations Infantry Battalion Manual)****1. The designated CPFP at FHQ level, will carry out the following tasks:**

- a. Serve as liaison between the Force Commander and the civilian Child Protection Section to ensure that child protection concerns and issues are integrated/reflected in the military/TCCs activities at HQ and field level.
- b. Coordinate unit mainstreaming of child protection activities, monitoring of grave violations and training of military/TCCs in the field on child protection and child rights as specified in SC Resolution 1612. The training of military/TCCs will be carried out twice a year considering the cycle of rotations of the military components.
- c. Develop and implement reporting guidelines and mechanism/procedures to consolidate military report on child protection violations.
- d. Develop and oversee the implementation of specific SOPs on the handover of child soldiers captured in operations or those who have surrendered to the peacekeeping force.
- e. Develop guidelines for the battalion on children's issues including:
 - Detention
 - Conduct during interactions with children
 - Prevention of all forms of exploitation against children including child labor and SEA.

1. The designated CP FP at Sector and unit level, will carry out the following tasks:

- a. As a military/TCC Child Protection Focal Point in the field, coordinate with Military Child Protection Focal Point at Mission HQ and support the battalion commander in integrating child protection activities in their area of work and responsibility.
- b. Prepare a report on any violations, and forward copy to Military Child Protection Focal Point based in HQ as well as to the child protection officer in his area of responsibility.
- c. Collaborate and work closely with Child Protection Officer in their area of responsibility to prevent, monitor and report on child protection violations and concerns observed in the field, which will be followed up/documented by the child protection officer.
- d. Establish an alert system to transmit through command channel and also to the civilian child protection unit, information received on any of the six grave violations against children especially:
 - recruitment or use of children by armed forces or armed groups;
 - killing or maiming of children;
 - sexual violence;
 - attacks on schools and hospitals;
 - abductions of children;
 - denial of humanitarian access.
- e. Participate in the conduct of field patrols to obtain information on grave violations and priority needs of children.
- f. Coordinate and facilitate child protection and sexual exploitation and abuse sensitization training for military/TCCs in the battalion, with the support of civilian child protection officer.
- g. Coordinate and report to civilian Child Protection Officer in his area of responsibility any urgent humanitarian requirements for vulnerable children, and upon receipt of information, the civilian CP Officer will liaise and follow-up the assistance with the humanitarian actors in the field.
- h. Encourage military support in organizing activities for children during the celebration.

² At the UN Infantry Battalion level, a single officer under the supervision of the XO/2IC will perform the responsibility of "Gender and Child Protection".

ANNEX J to FC Directive on Child Protection dated July 2020**EXAMPLES OF GRAVE VIOLATIONS WHEN PROTECTION OF CHILDREN REPORTING MUST BE USED**

1. General. When reporting of child protection issues (no matter what kind), all Force, Sector, and unit level CPFs will strictly adhere to the military chain of reporting. This does not preclude CPFs from reporting within the Mission's child protection apparatus, but CPFs must always ensure that whatever reports that are submitted outside the chain of command are also shared with their leaders in copy.
2. The below examples are situations in which MINUSMA Child Protection Section (CPS) should be alerted. This Annex also provides some preliminary guidance on how to behave in these scenarios. However, these guidelines are only for information purposes and the specific circumstances of the case should always determine the appropriate course of action. When reporting, follow the flow diagram in Appendix K to this Annex.

IF ANY DOUBT ABOUT WHETHER A GRAVE VIOLATION HAS OCCURRED ENACT THE REPORTING PROCESS

3. A school or a medical facility is being used for military purposes by any armed personnel including, but not limited to, the security Forces of the host nation, armed groups, militia or MINUSMA.
 - *The occupation of a school or a medical facility for military purposes and/or by military personnel is prohibited*
4. A child associated with an armed group is escaping during a military operation, or while undertaking civilian activities away from the armed personnel with which he or she is associated, or when seeing a MINUSMA patrol. It is common for them, particularly girls, to escape unarmed.
 - *Welcome the child at any time but confiscate his/her weapon (if the child has any) before doing so. For documentation purposes, take photographs when the child arrives, including his/her uniforms and weapons, whilst bearing in mind that any such activity should not be invasive and should not cause the child further distress or harm. All information relating to the child shall be treated as strictly confidential and not shared with any person except the Local and HQ Focal Points and CPS. Children shall not be questioned about illegal armed group activities or subjected to any form of tactical questioning without the presence of a person from CPS. Do not attempt to verify his/her age or question the fact that s/he is a child. Any doubts about his/her age should be referred to the CPS.*
5. A child is being used for labor within a MINUSMA facility, by a MINUSMA personnel or by the host nation security Forces.
 - *If you witness it directly, stop the labor and inform the MINUSMA personnel/the host nation security Forces that such behavior is strictly prohibited and seek the immediate removal of the child from the situation. Contact the Local/HQ Focal Point for advice. Do not attempt to verify his/her age or question the fact that s/he is a child. Any doubts about his/her age should be referred to the CPS and CDT through the FHQ GENAD for investigations.*
6. A boy or a girl is being sexually abused by the host nation security Forces or by a MINUSMA personnel
 - *Intervene if you witness actual or imminent (sexual) abuse and inform the concerned party that such behavior is strictly prohibited. In cases of sexual abuse, separate the child from the abusers and take them to the nearest medical facility. In case of suspicions of sexual abuse, contact the CPS*

and CDT through the FHQ GENAD for advice where time permits. Reporting of such acts is mandatory.

- “Sexual exploitation” means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. “Sexual abuse” means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
- **Sexual activity with children (persons under the age of 18) is prohibited to all UN Military, Police and Civilian staff.” THIS IS WITHOUT EXCEPTION!**
- Reference: Secretary-General’s Bulletin, Special measures for protection from sexual exploitation and sexual abuse, ST/SGB/2003/13

7. A child is being recruited or has been recruited by host nation security Forces.

- Only intervene if you witness it directly, inform the FAMA about the fact that the recruitment of children is strictly prohibited. Seek to persuade the relevant host nation security Forces to allow the child combatant to be released to the care of the nearest MINUSMA facility so that the cooperative arrangements between the Mission and the Malian authorities can be implemented. If no such agreement can be reached, immediately notify the FHQ GENAD of the whereabouts of the suspected child, including as many details as possible regarding the location, identification and suspected age of the child and the associated entity (e.g. Brigade, Commanding Officer, etc.).

8. A child is seeking protection on a MINUSMA base or facility.

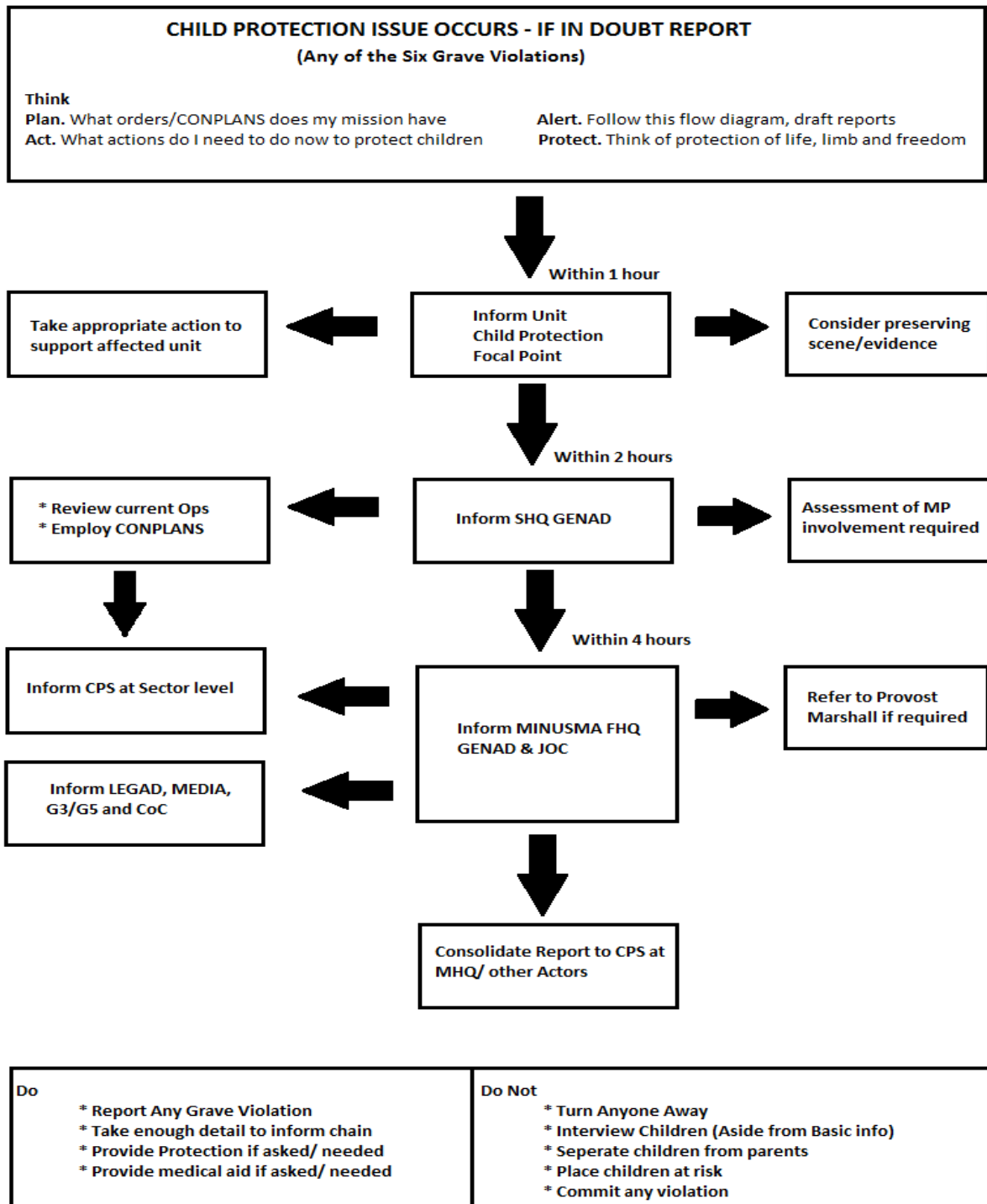
- Children seeking protection on a MINUSMA base should never be turned away (whether they are carrying weapons or not). Children should be allowed to enter the MINUSMA bases at any time of the day or night, on any day of the week. If s/he is armed, disarm before allowing entry onto the base. Do not attempt to verify his/her age or question the fact that s/he is a child. Any doubts about his/her age should be referred to the CPS through the S/FHQ GENAD. If and where possible, children should be given food, water, and where necessary medical care, and accommodated in a private space, separated from adults. Similarly, girls should be separated from boys. Their time spent in a MINUSMA military base should be as short as possible.

9. During a visit to a military detention facility, a member of MINUSMA's military component becomes aware that a child is being detained.

- The child needs to be handed over to either MINUSMA (if/she is a former combatant) or UNICEF. If you witness it directly, inform the person detaining the child that it is illegal to detain him/her (even if the child would be a former child associated with an armed group). Notify CPS through the S/FHQ GENAD.

ANNEX K to FC Directive on Child Protection dated July 2020

PROTECTION OF CHILDREN REPORTING FLOW CHART



ANNEX L to FC Directive on Child Protection dated July 2020**SOLDIER CARD ON THE PROTECTION OF CHILDREN – TACTICAL AIDE MEMOIRE**

1. Planning and execution of operations are to include the following guidance:

DO	DON'T
Assist child soldiers when they surrender or get captured	Do not put children in the direct line of danger or use them in information-gathering in military operations.
Inform CPA and hand over children including child soldiers to nearest child protection actor as soon as possible	Where children are captured or separated from armed groups, do not interrogate them but hand them over to child protection or human rights civilian personnel.
Transmit your knowledge on child protection issues to national military counterparts	Do not send child away and tell them they have to come back the next day because you need to inform child protection first
Encourage host nation army not to use schools as bases in their operations	Do not hand children over to the host state army without consulting with MINUSMA Child Protection
	Do not underestimate your role as a positive role model
	Do not use schools as bases

2. Dealing with Women and Children. The presence of women and children either in or on the frontline of a crowd may affect operational decisions. Tactics, techniques and procedures must adapt with regard to how women and children are handled physically, which agents and other support are used and how the use of force is restrained. Another factor to keep in mind is the media, as women and children may be involved in disturbances for publicity purposes, as well as being used as a cover for agitators.
3. When interacting with children.

DO	DON'T
Know your peacekeeping mission's mandate and role in protecting children. There are actors who can help, where the missions cannot (education, health, food, etc.)	Be discouraged if you cannot immediately help. If you report concerns, the responsible agencies can ensure that children are helped
Consider other options of community outreach aside from building schools and playing soccer	Engage in activities that may place children at risk
Work with NGOs and local communities if you want to engage in community outreach activities with children	Be discouraged if you think the mission should do more. Your contribution to security is critical
Consider the possible consequences of your actions on the child. If you have doubts, ask the CPA	Casually spend time or interact with local children

Explain to a child who wants money or work that you are not allowed to give money to children	Give them money or food or use children for any services or labour (cooking, cleaning, washing cars, etc.)
Report through the chain of command and to CPA/CP focal points if you see incidents	Have any sexual contact with children

4. Reporting. Information on violations committed against the civilian population such as the presence of children in armed groups, reports of killings or sexual violence, attacks on schools and hospitals, and other similar violations should be signaled to the civilian Child Protection Unit and all other relevant civilian components.

5. When monitoring and reporting:

DO	DON'T
Consider best interests of child	Do not put child in danger
Know and coordinate with the Child Protection actors in your AOR	Do not neglect to share information with the Child Protection actors
Analyse protection threats and risks for children	Do not forget the child specific threats
Discreetly take notes of details and keep information confidential (location, armed group or unit, number of children, sex of child, violation)	Do not interview, interrogate or take photos of the child
Be aware of your impact (as a uniformed person) on the child if they have been violated by a soldier rebel	
Keep professional distance from the child	

6. If specific incidents are brought to the attention of the battalion in relation to children, the Commander should inform the nearest civilian child protection officer or human rights officer of MINUSMA or alert UNICEF to send a trained monitor. The military should not directly interrogate the children or investigate the incident – if possible.