



REINFORCEMENT TRAINING PACKAGE ON CHILD PROTECTION FOR THE UNITED NATIONS MILITARY

Trainer's Guide

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Abbreviations

The following abbreviations may be used in the field.

AOR	Area of responsibility
CAAFAG	Children associated with armed forces or armed groups
CAN	Community Alert Network
CCIR	Commander's critical information requirements/request
CDT	Conduct and Discipline Team
CIMIC	Civilian-Military Cooperation Unit/civilian-military cooperation
CLA	Community Liaison Agent
COS	Chief of Staff
CP	Child protection
CPA/O/S/U	Child Protection Adviser/Officer/Section/Unit
CRC	Convention on the Rights of the Child
CRSV	Conflict-related sexual violence
DDR	Disarmament, demobilization and reintegration
DMS	Director of Mission Support
DOS	Department of Operational Support
DPA	Department of Political Affairs (renamed DPPA)
DPKO	Department of Peacekeeping Operations (renamed DPO)
DPO	Department of Peace Operations
DPPA	Department of Political and Peacebuilding Affairs
ERW	Explosive remnants of war
FARDC	Forces Armées de la République Démocratique du Congo (Armed Forces of the Democratic Republic of the Congo)
FHQ	Force Headquarters
FJOC	Field Joint Operations Centre
FPU	Formed police unit
FRAGO	Fragmentary order
G2	Military intelligence at Sector Headquarters
G3	Operations at Sector Headquarters
HC	Humanitarian Coordinator
HOFO	Head of Field Office
HOM	Head of Mission
HOMC	Head of Military Component
HOPC	Head of Police Component

HQ	Headquarters
HRDDP	Human Rights Due Diligence Policy on United Nations support to non-United Nations security forces
IAG	Illegal armed group
ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights
ICRC	International Committee of the Red Cross
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Tribunal for the Former Yugoslavia
IHL	International humanitarian law (law of armed conflict)
IHRL	International human rights law
ILO	International Labour Organization
IMTC	Integrated Mission Training Centre
INFO OP	Information operations
JMAC	Joint Mission Analysis Cell
JOC	Joint Operations Centre
KLE	Key leader engagement
M23	23 March Movement (Democratic Republic of the Congo)
MAC	Mine action centre
MHQ	Mission headquarters
MILOB	Military observer
MINUSCA	United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic
MINUSMA	United Nations Multidimensional Integrated Stabilization Mission in Mali
MOB	Mobile operating base
MONBATT	Mongolia Battalion (UNMISS)
MONUC	United Nations Organization Mission in the Democratic Republic of the Congo (replaced by MONUSCO)
MONUSCO	United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
MRM	Monitoring and reporting mechanism
NGO	Non-governmental organization
OCHA	Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the United Nations High Commissioner for Human Rights
OIOS	Office of Internal Oversight Services
OLA	Office of Legal Affairs
OMA	Office of Military Affairs (DPO)
OPAC	Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
OPCON	Operational control
OPORD	Operational order

OPSC	Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
OSRSG-CAAC	Office of the Special Representative of the Secretary-General for Children and Armed Conflict
PCC	Police-contributing country
PKI	Peacekeeping intelligence
POC	Protection of civilians
POW	Prisoner of war
QIP	Quick-impact project
RC	Resident Coordinator
SEA	Sexual exploitation and abuse
SOP	Standard operating procedures
SPLA	Sudanese People's Liberation Army
SRSG	Special Representative of the Secretary-General
SSR	Security sector reform
STM	Specialized training materials
TAM	Technical advisory mission
TCC	Troop-contributing country
TOB	Temporary operating base
U2	Military intelligence
UNAMID	African Union-United Nations Hybrid Operation in Darfur
UNCT	United Nations country team
UNDP	United Nations Development Programme
UNHCR	Office of the United Nations High Commissioner for Refugees
UNIBAM	United Nations Infantry Battalion Manual
UNIBATT	United Nations Infantry Battalion
UNICEF	United Nations Children's Fund
UNIFIL	United Nations Interim Force in Lebanon
UNMISS	United Nations Mission in South Sudan
UNMO	United Nations military observer
UNPOL	United Nations police
UXO	Unexploded ordinance
WFP	World Food Programme
WHO	World Health Organization
WPA	Women Protection Adviser
ZAMBATT	Zambia Battalion (MINUSCA)

Introduction

Background

1. Deploying military peacekeepers trained in child rights and child protection has become an increasingly crucial element for United Nations peace operations. Peacekeepers are mandated by Security Council resolutions on children and armed conflict, which were established to protect children from the effects of conflict. Security Council resolutions 1261 (1999), 1379 (2001), 1460 (2003), 1612 (2005), 2143 (2014), 2225 (2015) and 2427 (2018) specifically call for the training of peacekeepers on the protection and rights of children, and pre-deployment awareness training on child protection. Accordingly, the training of military peacekeepers on child protection is recognized as a key priority for the Department of Peace Operations (DPO) in its Child Protection Policy.
2. In 2008, the Department of Peacekeeping Operations (DPKO) – renamed the Department of Peace Operations (DPO) in 2019 – included a child protection training module in its Core Pre-deployment Training Materials as part of the mandatory curriculum.
3. In 2018, the Special Committee on Peacekeeping Operations (known informally as C34) affirmed, in its report A/72/19:

“...the importance of continuing to ensure that all peacekeeping personnel receive adequate training on child protection and child rights in order to strengthen the protection of children in conflict and post-conflict situations. The Special Committee notes with appreciation the efforts to update training programmes and materials, all of which are critical to ensuring that there is an effective and comprehensive response, including preventive measures, with respect to child protection. The Special Committee welcomes the launch of the child protection pre-deployment training modules developed by the Department of Peacekeeping Operations, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and UNICEF, encourages the continued development of specialized training modules on child protection for all categories of peacekeeping personnel, requests the Department to make them available and encourages troop-contributing and police-contributing countries, as well as all regional and national peacekeeping training centres, to make full use of them, as appropriate” (para. 269).

4. In resolution 2143 (2014), the Security Council,

“Recommends that Member States include child protection in military training and standard operating procedures, as well as in military guidance as appropriate;

recommends further that United Nations entities and United Nations peacekeeping troop and police-contributing countries undertake targeted and operational trainings for the preparation of United Nations mission personnel including troop and police contingents on their contribution in preventing violations against children so as to give all mission personnel the ability to effectively recognize, report and respond to violations and abuses committed against children and to successfully support child protection activities for better implementation of their respective mandates” (para. 20).

Specialized Training Materials on Child Protection, 2014

5. Following the request of the C34 in 2012, DPKO surveyed six peacekeeping missions on child protection training needs and received over 500 replies from actively serving peacekeepers. With this critical input from the field, training materials were developed in close consultation with child protection actors, as well as all members of the C34. A total of 37 Member States participated in the workshops accompanying the development process.
6. The resulting materials included:
 - (a) An updated child protection lesson in the Core Pre-deployment Training package;
 - (b) Specialized training materials on child protection;
 - (c) A film on child protection.

The materials were designed for pre-deployment and in-mission training of United Nations peacekeepers, both military personnel and formed police units. The materials are available at the Peacekeeping Resource Hub web page: <https://research.un.org/en/peacekeeping-community/pre-deployment>

Updated Child Protection Training Materials

7. The above-mentioned training materials were reviewed and updated in 2018 and 2020 to ensure compliance with the latest United Nations child protection policy and guidelines for United Nations military peacekeepers. The updated materials include new scenarios based on current challenges in the Central African Republic, the Democratic Republic of the Congo and South Sudan. Specialized training materials on child protection were developed for United Nations police in 2015/16.

Purpose

8. Child protection is more than a subset of the protection of civilians (POC) mandate. While many of the concepts of civilian protection and the basic information on the rules of engagement apply, the child protection mandate entails some very specific tasks that military personnel need to undertake in addition to the physical protection of children. Those tasks are mandated by the Security Council and usually include, but are not limited

to, supporting the implementation of a monitoring and reporting mechanism (MRM) on grave violations against children, the implementation of action plans to end those grave violations, and the disarmament, demobilization, and reintegration (DDR) processes.

9. The training materials are aimed at introducing child protection concepts and providing mission-specific tactical child protection situations for discussion among military and police contingent leaders and staff. The materials are intended to promote a better understanding of the missions' child protection mandates, the work of actors in and outside of the missions who contribute to the protection of children, and the work of actors who are integral to the coordination of child protection.
10. The training materials include exercises to encourage peacekeepers to consider their behaviour towards children, and the difference between child protection activities and community outreach activities. The training materials also focus on the roles and responsibilities of every peacekeeper to successfully implement the child protection mandate. Scenario exercises – based on real situations from UNMISS, MINUSCA and MONUSCO – provide the opportunity to apply the knowledge acquired in these training modules.

Structure of the Reinforcement Training Package on Child Protection for the United Nations Military, 2020

11. The 2020 Reinforcement Training Package on Child Protection for the United Nations Military comprises three modules, nine lessons and several scenario exercises. The training materials can be delivered over the course of five days and are organized as follows:

Module 1: Conceptual Framework

Lesson 1.1: Children in Armed Conflict

Examines the impact of armed conflict on children and identifies the six grave violations that guide United Nations peacekeeping mandates.

Lesson 1.2: Roles and Responsibilities of Mission Components and External Partners

Identifies the various actors within peacekeeping missions, the roles of civilian Child Protection Advisers, military Child Protection Focal Points, and internal and external child protection actors who coordinate with the military on issues related to child protection.

Module 2: Legal Framework

Lesson 2.1: Legal Framework

Examines the legal framework for peacekeeping operations, including international law, Security Council resolutions, United Nations peacekeeping policies, mission rules of engagement and the use of force directive that guide all mission mandates.

Lesson 2.2: Child Protection Framework

Examines the guiding framework on child protection, including international law, Security Council resolutions on children and armed conflicts and mission mandates, the framework and guiding principles of the Department of Peace Operations (DPO), the Department of Operational Support (DOS) and the Department of Political and Peacebuilding Affairs (DPPA).

Module 3: Operational Framework

Lesson 3.1: Interacting with Children

Examines the ethical obligations of military peacekeepers when interacting with children in the mission area.

Lesson 3.2: Military Component Child Protection Roles and Tasks

Examines the roles and tasks of military personnel with regard to child protection, situational awareness and child protection considerations in military operations.

Lesson 3.3: Military Component Child Protection Action and Response

Examines rules of engagement with regard to child protection, reviews the grave violations that peacekeepers are most likely to encounter in the field mission context, as well as responses and appropriate actions when encountering child soldiers.

Lesson 3.4: Force Headquarters Child Protection Focal Point

Examines the roles and responsibilities of the military Child Protection Focal Point at Force Headquarters and the application of the Force Commander's Child Protection Directive.

Lesson 3.5: Military Child Protection Focal Points in Sectors, Units and Team Sites

Examines the roles and responsibilities of the military Child Protection Focal Points at sector, unit and team site levels, and the implementation of Force Headquarters directives.

Scenario Exercises

Provide opportunities for learners to engage in various scenarios (e.g., military occupation of a school, offensive operations) involving the roles of military Child Protection Focal Points and the military component.

Important Considerations for Peacekeeping Training Centres, Commanders, Course Directors and Trainers

12. This training package **is not a course**. National trainers will **need to design the course and adapt the training materials** to the needs of their audience. The scenarios are based on critical situations that actually occurred in the field, as well as mission information on child protection, protection actors and relevant mechanisms.

13. No single set of training materials can cover the entire complex and vast range of child protection challenges and possibilities. Therefore, troop-contributing countries (TCCs) should design courses according to the specificities of the particular area of operations in which battalions or formed police units will be deployed. The same rationale applies for the training of force-level staff officers, military observers and military liaison officers. National military training systems are requested to analyse the package and tailor the modules to their own needs. Mission operation documents such as the mission concept, the force concept of operations, operation orders, directives, rules of engagement, directives on the use of force and other documents deemed necessary (e.g., country maps) should be obtained by national trainers to supplement the scenarios and course materials.
14. With regard to previous skills, experience and knowledge, all military personnel undertaking this training must be proficient in basic operational tasks (individually and collectively). As such, it is expected that a battalion staff officer is fully capable of performing the tasks of a staff officer before undertaking the training on child protection (just as it is expected that a driver is fully capable of driving a vehicle under certain weather and terrain conditions).
15. Learners must have already undertaken the core pre-deployment training as a pre-requisite to this child protection training. The Core Pre-deployment Training Materials cover fundamental United Nations principles, concepts and ideas related to field mission structure and functioning, which should be well understood by learners before they undertake the child protection training. Any training designed by Member States should encompass the Core Pre-deployment Training Materials followed by any specific child protection training materials for military personnel. The Core Pre-deployment Training Materials are available from <http://research.un.org/revisedcptm2017>.
16. The present training package places emphasis on understanding mission coordination among the components (i.e., military, police and civilian). Therefore, **it is highly recommended** that the national peacekeeping institution in charge of training invite civilian child protection actors to participate in the training, and in particular, in the scenario discussions. Those civilians may come from existing United Nations country teams, United Nations agencies (e.g., United Nations Children's Fund (UNICEF), DPO Child Protection Office) or from international non-governmental organizations (NGOs) (such as Save the Children).
17. The materials, especially the scenarios, are based on real experiences at specific missions. Since the training materials cannot be classified and there is a considerable amount of sensitive information in the situations depicted, the scenarios in the handouts may refer to Missions X, Y and Z so as to preserve the anonymity of the missions.

Instructor Profile

18. This training course would be best presented and delivered by instructors who have mastered the child protection training package and the Core Pre-deployment Training Materials and who have preferably undertaken a Training of Trainer course on the pre-deployment materials. Specific knowledge of the particular mission where the unit is to be deployed is advisable, with preference to instructors who have participated in targeted United Nations peacekeeping operations, as they would be able to bring a practical understanding and experience of a mission into the discussions. Instructors should be familiar with facilitating scenario exercises.

Training Characteristics

19. Training for United Nations infantry battalion (UNIBATT) commanders and staff, formed police unit commanders and staff, and individually deployed personnel (e.g., force staff officers, military observers and military liaison officers) may vary according to national particularities and resources. However, there are fundamental training characteristics that must be respected in preparation for deployment to a peacekeeping mission:
 - (a) Training should be realistic: all necessary efforts shall be undertaken to replicate possible real situations that the battalion might face on the ground;
 - (b) Training should be mission-specific: the operational reality of the specific mission must be incorporated into the training environment;
 - (c) Training methodology should be based on practice.

Acknowledgements

20. DPO Division of Policy, Evaluation and Training would like to thank the training personnel from the various national peacekeeping training institutions and field missions who provided feedback during the drafting process. The Division would also like to thank Member States for their generous financial support, which enabled broad consultations for the training materials.
21. The content of this training package was developed with the assistance of relevant substantive experts in DPO, with special support from the Office of Military Affairs in DPO, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Office of the Special Representative of the Secretary-General for Children and Armed Conflict (OSRSG-CAAC), United Nations Children's Fund (UNICEF), Save the Children, and the Roméo Dallaire Child Soldier Initiative.

Symbols Used

**Note (for Trainer)**

Background information

Speaking points

Main points on the topic; ideally, the speaking points should be presented in the trainer's own words

**Learning activity/Discussion**

Activity or discussion that is strongly recommended

**Handout (for Learners)**

Handout to be given to learners

**Film/Video**

Film/video suggested as a core activity

Lesson

1.1



Children in Armed Conflict

The Lesson



Starting Module 1: Conceptual Framework and Lesson 1.1

OVERVIEW

By the end of the three modules of this training course on child protection, learners should be able to:

identify violations, understand the framework, take appropriate action

Module 1 looks at the child protection conceptual framework in United Nations peace operations. Lesson 1.1 will focus on the specific impact of armed conflict on children, the reasons why conflicts disproportionately affect children, and the violations and threats against children that peacekeepers are likely to encounter in mission areas. Learners will also learn to identify the six grave violations against children.

LEARNING OBJECTIVES

- Define “child” and explain why children are most at risk during armed conflict;
- Describe the relationship between children and armed conflict, and protection of civilians;
- Summarize the changing nature of conflict and its impact on children;
- Describe the six grave violations against children;
- Explain gender concerns and the vulnerabilities that boys and girls face.

ACTIVITIES

1. Film: *A Child's Fate*, and discussion
2. Case Study: Testimonies from a boy and a girl

HANDOUTS (FOR LEARNERS)

1. Six Grave Violations against Children
2. Case Study on Gender: Testimonies from a Boy and a Girl
3. DPO/DPPA Manual for Child Protection Staff in United Nations Peace Operations

SLIDE 1: REINFORCEMENT TRAINING PACKAGE ON CHILD PROTECTION FOR THE UNITED NATIONS MILITARY



NOTES (FOR TRAINER)

- Welcome to the training on Child Protection for United Nations Military Peacekeepers. Over the following days, you will learn about the child protection mandate and what it means for you in your daily operations as a military Child Protection Focal Point.

Child protection is defined as the prevention of and response to abuse, neglect, exploitation and violence against children. You, as peacekeepers, have a specific role to play in child protection, and you must know how to engage with children when you encounter them in the course of your operations.

The training is structured around the following three modules and nine lessons:

Module 1: Conceptual Framework

- Lesson 1.1: Children in Armed Conflict
- Lesson 1.2: Roles and Responsibilities of Mission Components and External Partners


Module 2: Legal Framework

- Lesson 2.1: Legal Framework
- Lesson 2.2: Child Protection Framework


Module 3: Operational Framework

- Lesson 3.1: Interacting with Children
- Lesson 3.2: Military Component Child Protection Roles and Tasks
- Lesson 3.3: Military Component Child Protection Action and Response
- Lesson 3.4: Force Headquarters Child Protection Focal Point
- Lesson 3.5: Military Child Protection Focal Points in Sectors, Units and Team Sites

SLIDE 2: MODULE 1, LESSON 1: CHILDREN IN ARMED CONFLICT



Module 1, Lesson 1
CHILDREN IN
ARMED CONFLICT

 Reinforcement Training Package on
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NOTES (FOR TRAINER)

- This lesson will focus on the specific impact of armed conflict on children. You will learn why conflict disproportionately affects children, and become familiar with the common violations and threats that you, as peacekeepers, are likely to encounter in your mission areas. You may encounter children used as child soldiers, raped, torn from their families or maimed. A firm understanding of the impact of conflict on children will help you to be more alert to the protection needs of, and threats and violations against, children in armed conflict.

SLIDE 3: LEARNING OBJECTIVES

Learning Objectives

- **Define** “child” and **explain** why children are most at risk during armed conflict;
- **Describe** the relationship between children and armed conflict, and protection of civilians;
- **Summarize** the changing nature of conflict and its impact on children;
- **Describe** the six “grave violations”;
- **Explain** gender concerns and the vulnerabilities that boys and girls face.

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NOTES (FOR TRAINER)

Key Message: Upon completion of this lesson, learners will have a better understanding of the critical importance of child protection in peacekeeping operations today.

- Lesson 1.1 comprises five learning objectives. By the end of the lesson, learners will:
- Understand who is a child (*Convention on the Rights of the Child, art. 1*);
 - Understand what makes children especially vulnerable during conflict, and their unique protection needs;
 - Examine the changing nature of conflict and the impact that current conflict situations have on children;
 - Identify the six grave violations against children, as defined by the Security Council, and discuss their role as peacekeepers in addressing and reporting those violations; and
 - Consider the similarities and differences among concerns relating to girls and boys in times of armed conflict.

SLIDE 4: WHO IS A CHILD?

Who is a Child?

Article I of the *Convention on the Rights of the Child* states:
 “A child means every human being
 below the age of 18 years...”

**For all United Nations peacekeepers and personnel,
 a child is any person under the age of 18 years**





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NOTES (FOR TRAINER)

Key Message: In peacekeeping operations, every person under 18 years old should be treated as a child.

Article 1 of the *Convention on the Rights of the Child* states:

“A child means every human being
 below the age of 18 years, unless, under the law
 applicable to the child, majority is attained earlier.”

The simplified and common understanding of that definition is that a child is a person below the age of 18. For United Nations peacekeepers, a child is any person under the age of 18 years.

In some cultures, and according to the laws of some host States in which we are deployed, a child enters adulthood once he/she gets married, becomes a parent or earns his/her own income. Maturity is defined by the social role a person assumes, rather than by age. However, peacekeepers must adhere to the internationally accepted definition of a child, as stated above. When in doubt, apply the highest standard of protection, and assume that the person is a child.

SLIDE 5: FILM: A CHILD'S FATE – CHILD PROTECTION AND PEACEKEEPING



NOTES (FOR TRAINER)

Key Message: This film was made to support this training course. Children are particularly vulnerable to grave violations and threats during armed conflict and peacekeepers have a responsibility to protect them.

👉 The film, *A Child's Fate*, is intended to engage learners in a discussion on child protection. Learners will understand the gravity of the situation faced by children in conflict zones around the world; and that they, as peacekeepers, play a vital role in protecting children. The film will also bring peacekeepers to consider the protection needs of children in conflict situations.

💬 You are about to watch a 12-minute film developed by DPO and entitled "*A Child's Fate*". It depicts the horrors that children are exposed to in conflict. It issues a call to action and explains why peacekeepers must take action. The film also shows how every mission component has a role to play in child protection. Finally, it introduces the child protection specialists deployed in peacekeeping missions.

As you watch the film, reflect on the following questions, which we will discuss subsequently:

- What threats do children face during armed conflict?
- Why are children more at risk than adults during armed conflict?

🎬 Show the film, *A Child's Fate* (<https://youtu.be/gNFnRIGPzSM>).

SLIDE 6: CHILDREN ARE VULNERABLE

Children are Vulnerable

- What threats do children face during armed conflict?
- Why are children more at risk than adults during armed conflict?



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NOTES (FOR TRAINER)

**Group Discussion**

Ask the questions on the slide and facilitate discussion among the learners.

POSSIBLE RESPONSES

While many children prove remarkably resilient when faced with extremely difficult circumstances, in general, children are disproportionately affected by armed conflict owing to the following reasons:

1. **Children can be more easily influenced and may not fully understand the consequences of their actions.**

For example, children may be lured into joining an armed force or armed group, thinking they will be obtaining “employment” or protection from violence. Children have also been used as “suicide bombers,” carrying explosives hidden in their bags or clothing, without knowing it.

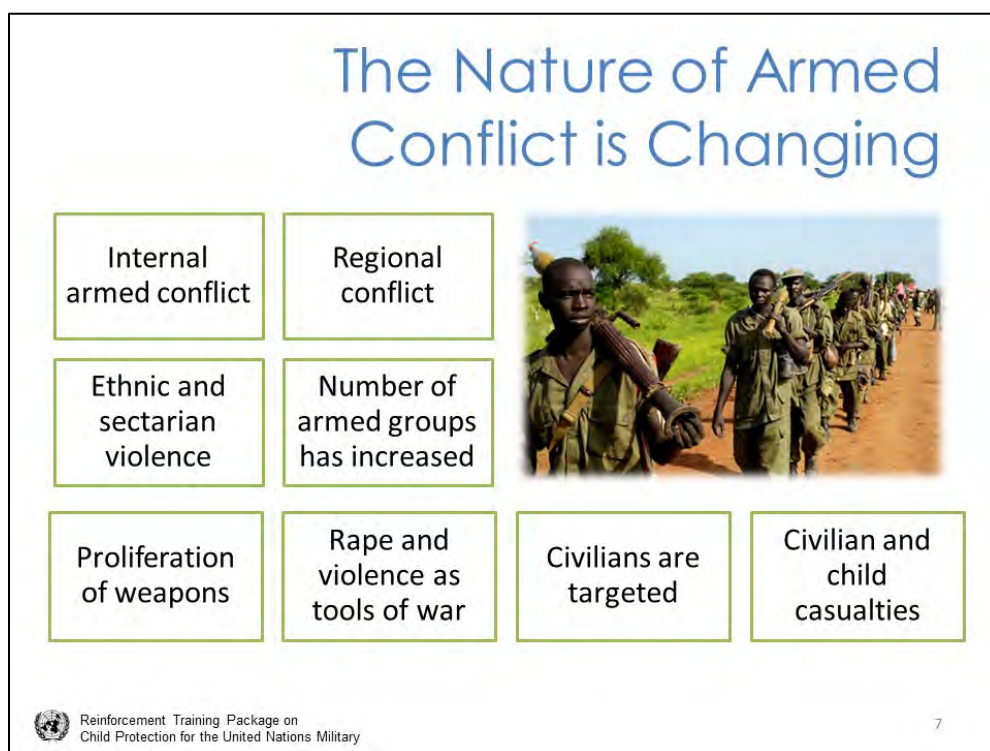
2. **Children depend on family, community and government structures for protection and care.**

Those structures are generally destroyed or have collapsed during conflict. That is why displaced or unaccompanied children are at greater risk of exploitation or abuse during conflict.

3. **Children are still growing/in the process of development.**

Violence from armed conflict poses several risks to the healthy development of children. For example, denial of access to basic services, including adequate nutrition, has a more serious long-term effect on children, particularly babies and younger children, than on adults. Traumatic and other negative experiences and influences during conflict (such as indoctrination) carry more consequences for children than adults.

SLIDE 7: THE NATURE OF ARMED CONFLICT IS CHANGING



NOTES (FOR TRAINER)

Key Message: Today's conflicts disproportionately impact children.

Let us explore some of the characteristics and trends that define armed conflict today:

- There are few international conflicts these days; most conflicts today are internal conflicts – independence struggles, separation struggles, ethnic and/or religious struggles, civil war within the borders of one country;
- Such conflicts often spill over into other countries – causing waves of refugees or internally displaced persons or the spread of armed groups – and, in turn, affect the entire immediate region;

- One key dynamic of conflict that impacts children today is the deliberate action on the part of armed groups to achieve a strategic advantage – using grave measures, such as launching attacks on villages and raping civilians and children. In addition, the frequency with which children are abducted and/or recruited for use as child soldiers is alarming;
- War takes place in and around villages; schools and hospitals serve as easy targets, making civilians and children especially vulnerable.

SLIDE 8: THE DEVASTATING IMPACT OF CONFLICT ON CHILDREN

The Devastating Impact of Conflict on Children



PEACE & SECURITY CONCERNS

- Six grave violations
- Trafficking
- Illegal detention
- Torture and war crimes
- Human rights violations



HUMANITARIAN & DEVELOPMENT CONCERNS

- Lack of food, water, shelter
- Displacement, separation, trauma
- Loss of education, training, livelihood
- Loss of opportunity

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NOTES (FOR TRAINER)

Key Message: The consequences and impact of conflict on children can be placed into two categories of concern: peace and security; and humanitarian and development.

- Let us look more closely at the impact of war and conflict on children. The consequences of conflict on children can be divided into two categories of concern:
- Peace and security
 - Humanitarian and development

- Peace and security impacts include physical threats, exploitation and abuse. Examples of such impacts are the killing of children in shelling and crossfire situations, injury to children by landmine and explosive remnants of war, rape of and sexual violence against children, detention and torture of children, and acts that constitute war crimes and crimes against humanity. United Nations peace operations play a key role in addressing the peace and security concerns of children.

Humanitarian and development impacts may involve food distribution, water points, refugee camps for shelter, temporary schools, medical facilities, among others. Those matters are normally addressed by international or local humanitarian and development agencies. Cooperative work and effort from all relevant actors are needed in order to fully respond to the devastating effects of conflict on the lives of children. That will be explored in more detail in lesson 1.2 and module 3.

SLIDE 9: THE SIX GRAVE VIOLATIONS AGAINST CHILDREN

The Six GRAVE Violations Against Children

- **Killing and maiming**
- **Recruitment and use**
- **Rape and other sexual violence**
- **Abduction**
- **Attacks on schools or hospitals**
- **Denial of humanitarian access**


Reinforcement Training Package on
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NOTES (FOR TRAINER)

Key Message: These six (categories of) grave violations against children are considered the most atrocious. All peacekeepers must know of and be able to recognize these violations.

- The six grave violations against children during armed conflict were pinpointed owing to their nefarious nature and severe consequences on the lives of children, and the fact that they can be monitored and quantified.


The six grave violations against children in armed conflict are indeed heinous breaches of international law (the legal basis for asserting action in response to such breaches will be covered in module 2.) Reports on these grave violations are submitted to the Security Council and the alleged perpetrators can be brought to justice and sanctioned.


Peacekeepers are expected to report and act on these violations. You, as peacekeepers, must therefore be fully aware of them and be able to recognize them appropriately.

SLIDE 10: DEALING WITH THE SIX GRAVE VIOLATIONS

Dealing with the
Six Grave Violations

- Security Council resolution 1612 (2005)
- The grave violations are against international law
- Reports of violations are sent to the Security Council
- **United Nations peacekeepers contribute to reporting on these violations**





Reinforcement Training Package on
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NOTES (FOR TRAINER)


Key Message: The six grave violations identified by the Security Council require specific attention by peacekeepers.

- After broad consultations within the United Nations, the Security Council identified six *categories* of acts that warrant priority attention. When conducted by armed forces or armed groups in a conflict, these acts constitute grave violations. Peacekeepers must be aware of and be able to recognize these grave violations. Let us examine each one of them in detail.


SLIDE 11: KILLING AND MAIMING

Killing and Maiming

Any action that results in the death of or serious injury to one or more children, including.



- Shelling
- Crossfire
- Cluster munitions
- Landmines
- Unexploded ordnances (UXOs)
- Suicide bombs

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NOTES (FOR TRAINER)

Key Message: Killing and maiming are acts that result in the death of or serious injury to a child or children.

- Killing and maiming are acts that result in the death of or serious injury to a child or children, including scarring, disfigurement or mutilation.

Although often intentional, maiming can also result from wounds caused by bullets in a crossfire or detonation of landmines. In warfare today, hundreds of thousands of children are often killed and injured during military operations from crossfire, aerial bombardment and shelling. One worrying trend is the increase in suicide attacks and the use of children to carry them out, which has led to the death of or serious injury to several children.

Some 10,000 people are killed or injured by unexploded ordnances (UXOs) annually; and more than 40 per cent of the casualties are children.

Examples

1. Sometimes children are maimed deliberately. Between 1999 and 2002, during the civil war in Sierra Leone, the rebels instituted a policy of cutting off the hands, legs and arms of captured soldiers and civilians, including children. The limbs of hundreds of children were amputated or children were used to carry out the maiming of others.
2. Over the past three years, there has been a troubling increase in grave violations perpetrated against children in several countries:
 - Iraq, 2017: 279 children killed (143 boys, 84 girls, 52 children of unknown gender); 438 children maimed (270 boys, 143 girls, 25 children of unknown gender);
 - Myanmar, 2017: 296 children killed and maimed (including 169 boys, 62 girls, 36 children of unknown gender);
 - Afghanistan, 2017: 861 killed, 2,318 injured (including 251 girls);
 - Syrian Arab Republic, 2019: 897 children killed, 557 maimed;
 - Yemen, 2018: 395 children killed, 1,052 maimed.

☞ Provide or solicit other examples, if time permits.

SLIDE 12: RECRUITMENT AND USE

Recruitment and Use

A child associated with an armed force or group (commonly referred to as a “child soldier”) refers to any person below the age of 18 years who is, or who has been, recruited or used by an armed force or armed group in any capacity, including but not limited to:



- Fighters
- Cooks
- Porters
- Messengers
- Spies
- For sexual purposes

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NOTES (FOR TRAINER)

Key Message: Recruitment and use of any person below 18 years by an armed group or armed force in any capacity is prohibited.

- 🗣️ Tens of thousands of boys and girls are recruited and used by armed forces or groups in conflict situations in over 20 countries around the world. As a military peacekeeper, you are likely to encounter children, or “young soldiers”, carrying guns and wearing uniforms. However, it is important for you to know that children – boys and girls – are assigned wide-ranging functions in armed forces or armed groups. Recruitment and use of children by armed forces or groups is prohibited.

A child associated with an armed force or group 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 [...] fighters, cooks, porters, messengers, spies or for sexual purposes (see *Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups*, 2007).

It is important to understand that armed groups may use children for a number of functions. For example:

- Direct combat on front lines;
 - Intelligence operations, as spies;
 - Reconnaissance, as scouts (especially as children are seldom viewed with suspicion);
 - Decoys or saboteurs;
 - To man checkpoints;
 - Communication purposes, as couriers or messengers;
 - Other – as porters, cooks, cleaners, etc.;
 - Enslavement or sexual purposes, as sex objects or “bush wives”
- 🗣️ The abbreviation CAAFAG is often used to refer to a child associated with an armed force or armed group, while “child soldier” is the more commonly used term. The key point is that one does not have to carry a weapon to be a child soldier.

The term “child soldier” should be used in a broad sense, as defined in the slide. Throughout this training course, we will use the term “child soldier” to refer to children recruited or used by an armed group/force in any capacity.

- 👉 Provide or ask learners for examples of situations involving child soldiers, if time permits.

SLIDE 13: RAPE AND OTHER SEXUAL VIOLENCE

Rape and Other Sexual Violence

Any violent act of a sexual nature committed against a boy or girl under the age of 18 years, including:



- Rape
- Sexual slavery
- Forced prostitution
- Forced pregnancy
- Enforced abortion

Girls are especially vulnerable to sexual violence during armed conflict

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NOTES (FOR TRAINER)

Key Message: Sexual violence against children is one of the most horrific violations. Although young girls are especially vulnerable to sexual violence in times of conflict, boys are also at risk.

- 🗣️ Rape and other forms of sexual violence during armed conflict are prohibited under the Geneva Conventions and their Additional Protocols. Such acts may constitute war crimes, crimes against humanity, torture and genocide.

Children who experience sexual violence suffer from psychological trauma and health consequences, including sexually transmitted infections such as HIV/AIDS, and early pregnancies. Victims of rape and their children may experience rejection by their families.

GIRLS

The risk of sexual violence increases dramatically with the increase in the number of armed forces and groups, and the breakdown of law and order. Moreover, poverty and joblessness can create extremely perilous conditions for girls, including trafficking for sexual exploitation. Girls and their children are particularly vulnerable to all forms of exploitation, including prostitution and trafficking; they need special protection.

BOYS

Boys may also be victims of sexual violence in conflict, and boys may face trauma as witnesses or perpetrators of sexual violence. They may be forced to commit rape, either directly by their commander or indirectly through peer pressure.

Examples


1. *Bacha Baazi* (dancing boys) is a practice in Afghanistan that is a form of sexual slavery and child prostitution, in which boys are sold to wealthy or powerful men – including military and political leaders – for entertainment and sexual activities.
2. The United Nations confirmed 249 victims of sexual violence during armed conflict in 2019. Both government forces (126 victims) and armed groups (123 victims) were responsible for the violations. Some 102 government elements were subsequently arrested. Among the 123 cases attributed to armed groups, 22 girls were used for sexual slavery and 101 girls were raped.


SLIDE 14: ABDUCTION

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, including:

- Recruitment
- Information gathering
- Forced labour
- Sexual purposes
- Other



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NOTES (FOR TRAINER)

Key Message: In times of conflict, children are particularly vulnerable to abduction.

- The image on the slide shows liberated girls awaiting treatment for their injured feet at St. Joseph's Hospital in Kitgum, Uganda. The girls were forced to work as porters and domestic slaves for Lord's Resistance Army in northern Uganda.

Abducting children is illegal under international law; it may constitute a grave breach of the Geneva Conventions and amount to crimes against humanity and war crimes.

In times of conflict, children are often abducted from their homes, schools and refugee camps. Children may be forcefully abducted, either temporarily or permanently, for a range of purposes from recruitment by armed forces or armed groups, forced labour, sexual slavery to trafficking across borders.

Examples

1. One of the most notorious situations involving widespread abduction of children, over the past 10 years, took place in northern Uganda, where the number of abductions was estimated to have reached 25,000 or more. Tens of thousands of abducted children were made to serve the rebels. During the two-decade-long conflict, girls and young women were vulnerable to physical and sexual abuse, not only at the hands of the rebels, but by government soldiers as well.
2. In Nigeria, Boko Haram has abducted some 2,000 children since 2013. The girls in captivity were raped and/or became "wives" of Boko Haram members. Many of those girls bore children as a result of sexual violence inflicted.

SLIDE 15: ATTACKS ON SCHOOLS OR HOSPITALS

Attacks on Schools or Hospitals

- Physical attacks and threats on buildings (targeted/ indiscriminate)
- Attacks or threats against school children
- Attacks or threats on personnel, doctors, nurses or teachers (including killing, maiming, harassment, coercion, abduction)
- Looting and wanton destruction of buildings
- Military use of schools and hospitals



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NOTES (FOR TRAINER)

Key Message: Attacks on schools and hospitals are considered grave violations owing to the specific impact they have on children.

- Under international humanitarian law, schools and hospitals are protected civilian objects, and therefore benefit from the humanitarian principles of distinction and proportionality.

In recent conflicts, schools and hospitals have come under increasing attack in efforts to discredit the Government or to instil fear in the population. Armed groups, including government troops, also use schools as bases or storage areas, thereby denying education to children. Teachers, nurses and doctors may also come under personal attack in order to make the institutions less effective. Abductions also take place in schools.

Conflict has compound the effects. Short-term loss of education may lead to the loss of several key years of education, which could significantly affect future employment prospects for children.


Examples

1. In 2019, in the Syrian Arab Republic, the United Nations confirmed that hospitals and schools had been bombed and, in many cases, specifically targeted by government forces.
2. In the Kasai region of the Democratic Republic of the Congo, some 1,000 attacks on schools and hospitals by members of armed groups were reported in 2017.

SLIDE 16: DENIAL OF HUMANITARIAN ACCESS


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

An estimated 80 million children are denied humanitarian assistance globally.

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NOTES (FOR TRAINER)

Key Message: Children are the first to perish from famine and disease; denial of humanitarian access to children is a grave violation.

- Denial of humanitarian access to civilians, including children, and attacks against humanitarian workers assisting children are prohibited under the Fourth Geneva Convention and the Additional Protocols and may amount to crimes against humanity and war crimes. Moreover, humanitarian access to civilians is a principle of customary international law.

Humanitarian access is crucial in situations of armed conflict where civilians – including children – are in desperate need of assistance. Denial of humanitarian

access includes blocking the free passage or timely delivery of humanitarian assistance to persons in need, including children, as well as deliberate attacks against humanitarian workers. Humanitarian access is usually denied or hampered by parties to the conflict for security or political reasons. In many parts of the world, humanitarian assistance is sometimes interrupted because of ongoing fighting.

It is estimated that, in current conflicts around the globe, 80 million children are denied humanitarian assistance.

Examples

1. In 2019, more than 1,800 instances of denial of humanitarian access were documented in Yemen. That represented a dramatic increase from the figures recorded for 2018, and involved restrictions of movement within the country, interference with the delivery of humanitarian assistance, violence against humanitarian personnel, assets and facilities, and restrictions of movement into the country.
2. In Somalia, in 2019, instances of denial of humanitarian access included threats and violence against humanitarian personnel and assets, abduction or detention of personnel and beneficiaries, entry restrictions, disruption and looting.

SLIDE 17: GENDER ISSUES IN CHILD PROTECTION

Gender Issues in Child Protection

- Tasks assigned to girls and boys can differ based on their distinct gender roles within their societies
- Women and girls face a higher risk of rape and other forms of sexual violence during armed conflict
- The experiences of girls and boys in armed forces and groups differ, including methods of recruitment, identification, and reintegration



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NOTES (FOR TRAINER)

Key Message: Girls and boys are often more vulnerable to certain kinds of threats and violations based on their distinct gender roles within their societies.

- Violence against civilians, particularly sexual violence, is a prevalent feature of current conflicts. In situations of armed conflict, women and girls, and often men and boys, are tortured and sexually abused with impunity. Sexual violence is used as a weapon of war to humiliate, terrify and intimidate the victims and their loved ones. Without male relatives, husbands and friends to protect them, women and girls are often at increased risk of physical assault and vulnerability to sexual and other forms of violence.

Girls may be assigned various roles within an armed group, including that of fighters. Girls are often sexually abused and may be forced to be the “wives” of commanders and soldiers. Often the girls become pregnant and bear the soldiers’ children. That makes it particularly challenging to identify girls during disarmament, demobilization and reintegration (DDR) efforts. Girls may be easily overlooked and mistaken as soldiers’ wives or dependents, especially because many are too embarrassed or afraid to speak up. They may also have different needs in the reintegration process owing to their different experiences. Peacekeepers should therefore pay special attention to the distinct needs of girls in DDR efforts.

Peacekeepers should be keenly aware of the gender differences relating to girls and boys.


For example:


- In many refugee and internally displaced persons settings, women and girls are more vulnerable to sexual violence because they usually have to leave the camp on a daily basis in search of firewood for cooking.
- Boys tend to be more often targeted for alleged association with armed forces or armed groups, which may put them at risk of physical attack, as well as illegal detention and torture.

SLIDE 18: CASE STUDIES: GENDER

Case Studies: Gender

- Testimonies from a girl and boy
- Consider some of the factors that can increase the risk of a child being recruited by armed forces/groups during armed conflict
- Reflect on the differences in the experiences of girls and boys associated with armed forces/groups



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NOTES (FOR TRAINER)



Activity: Comparison of testimonials (10 minutes)

INSTRUCTIONS

Hand out the testimonies of the boy and girl, and display slides 19 and 20. Have a male learner read the boy's testimony aloud and a female learner read the girl's testimony aloud. Facilitate a 5-minute open-group discussion, solicit views/comments from about five to seven learners. If necessary, note the responses on a flip chart. You can use the discussion questions below to solicit responses.

AIM

Learners should think about the specific vulnerabilities that girls and boys face in situations of armed conflict.


LEARNING OBJECTIVES

- Understand the factors and risks that contribute to the recruitment of children by armed forces or armed groups
- Understand that one child may be affected by multiple violations, so that trauma is exacerbated
- Understand the different experiences of boys and girls associated with armed forces or armed groups

DISCUSSION QUESTIONS

Discuss the testimonies taking into account the following questions:

1. Which factors put Jacques and Jasime at risk during the conflict?
2. How has the fact that they were children at the time of the conflict increased their vulnerability?
3. How do the experiences of Jacques and Jasime differ owing to their different gender roles?

 *The following responses highlight some of the factors that put children at risk during conflict:*

SUGGESTED RESPONSES

Vulnerability factors

While Jacques appears to have joined the armed group “voluntarily”, the loss of his parents and the ensuing lack of protection, food, and housing put him in an extremely difficult and possibly life-threatening situation. Children lack the maturity to make an informed decision as to whether to join an armed force or group and can be more easily influenced than adults. The recruitment of all children – whether they are forced to join or are driven to join by other factors, is prohibited under international law.

Jasime was taken because she was a young girl who could be given to a soldier as a wife, to reward him. Girls are especially chosen for this. Becoming pregnant then increases their dependency on the soldier. As can be seen in this case, the girl has nowhere/nobody else to turn to. She is stigmatized and will not be able to go back to her community or the community of her husband's family.

Traumatic experiences – like the ones experienced by Jacques and Jasime – can have more severe and long-term effects on children as they are still in the process of physical and intellectual development.

Gender differences

The threats and violence that girls and boys face during and after conflict are often different based on their distinct gender roles within their societies. Jacques, like many boys, was mainly used by the armed group for fighting and support tasks. Girls

may serve various purposes within an armed force or armed group, including as active combatants, and are often at greater risk of sexual violence, used as sex slaves, or forced to be the “wives” of commanders and soldiers. Some girls become pregnant and bear the soldiers’ children. Girls may easily be overlooked and mistaken as soldiers’ dependents. This role makes it particularly challenging to identify girl victims during formal disarmament, demobilization and reintegration (DDR) efforts. It is especially crucial that peacekeepers pay special attention to the distinct needs of girls during the DDR process.

The consequences for girls can be long-lasting and particularly difficult. In some cases, communities shun rape victims and children born of rape. Jasime refers to her abductor, the soldier, as her husband; this illustrates one of the difficulties of accessing girls during the DDR process. The stigma associated with sexual violence and the fear of rejection by their family and community is such that many girls are too embarrassed or afraid to speak up. At the age of 16, Jasime now has to take care of her baby on her own.

- ☛ Why are children most vulnerable during armed conflict? Why do children need special protection in conflict and post-conflict settings?
[This was already discussed after the film, *A Child's Fate*.]

While many children prove remarkably resilient when faced with extremely difficult circumstances, in general, children are disproportionately affected by armed conflict owing to the following reasons:

1. **Children can be more easily influenced and may not fully understand the consequences of their actions.**
For example, children may be lured into joining an armed force or armed group, thinking that they will be obtaining “employment” or protection from violence. Children have also been used as “suicide bombers”, carrying explosives hidden in their bags or clothing, without knowing it.
2. **Children depend on family, community and government structures for protection and care.**
Those structures are destroyed or have collapsed during conflict. That is why displaced or unaccompanied children are at greater risk of violence, exploitation or abuse during conflict.
3. **Children are still growing/in the process of development.**
Violence in armed conflict poses several risks to the healthy development of children. For example, denial of access to basic services, including adequate nutrition, has a more serious long-term effect on children, particularly babies and younger children, than on adults. Similarly, traumatic and other negative experiences (such as indoctrination) and influences during conflict carry more consequences for children than adults.

☞ Provide the following examples to illustrate gender differences, if necessary to supplement examples in the previous optional exercise.

🗣 Differences in the experiences of girls and boys affected by armed conflict

In refugee and internally displaced persons settings throughout the world, women and girls are more vulnerable to sexual violence because they usually have to leave the camps on a daily basis in search of firewood for cooking. For example, in Darfur, women and girls often walk several kilometres away from the camps to find a few branches to burn. That makes them prime targets for militia groups, national military or police forces and others who act in a climate of impunity.

In Afghanistan, most victims of anti-personnel mines and other explosive remnants of war are boys between the ages of 8 and 15. In Afghan society, boys usually assume roles that require them to be outdoors, such as herding cattle. Boys also tend to be targeted for alleged association with armed forces or armed groups, which may put them at risk of physical attack as well as illegal detention and torture.


SLIDE 19: TESTIMONY OF A BOY

Testimony of a Boy

Jacques was recruited into the insurgent group Mayi-Mayi when he was 10 years old.

"I remember the day I decided to join the Mayi-Mayi. It was after an attack on my village. My parents and my grandfather were killed and I was running. I was so scared. I lost everyone. I had nowhere to go and no food to eat. In the Mayi-Mayi, I thought I would be protected, but it was hard. I would see others die in front of me. I was hungry very often, and I was scared. Sometimes they would whip me, sometimes very hard. They used to say that it would make me a better fighter. One day, they whipped my [11-year-old] friend to death because he had not killed the enemy. Also, what I did not like was to hear the girls, our friends, crying because the soldiers would rape them."

Testimony from *Amnesty International Report, Democratic Republic of Congo: Children at War, Creating Hope for the Future, 2006.*

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SLIDE 20: TESTIMONY OF A GIRL

Testimony of a Girl

Jasime was recruited by the insurgent group Mayi-Mayi in South-Kivu, when she was 12 years old. She is now 16 and has a four-month-old baby.

"When the Mayi-Mayi attacked my village, we all ran away.... The soldiers captured all the girls, even the very young. Once with the soldiers, you were forced to "marry" one of the soldiers.... If you refused, they would kill you... They would slaughter people like chickens.... Wherever we were fighting, along the way, they would take the women and girls working in the fields... They would take young girls, remove their clothes, and then would rape them.... My "husband" did not beat me too often.... But one day, he was killed in an attack. I felt I was in danger and I should leave. On the way, as I was pregnant, I had my baby. I was alone in the bush, without medication. I still have pain from this. Then I went to my "husband's" village, but his parents rejected me and my child, after taking all my belongings. They blamed me for his death. I wanted to go home, but it is so far away, I was afraid the Mayi-Mayi would find me and capture me again."

Testimony from *Amnesty International Report, Democratic Republic of Congo: Children at War, Creating Hope for the Future, 2006.*




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SLIDE 21: TAKEAWAYS

Takeaways

- A child is anyone under the age of 18 years.
- Children face specific risks during armed conflict.
- The nature of conflict has changed and severely affects children.
- There are six (categories of) “grave violations” against children.
- Protection needs of boys and girls may differ.

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Summary

Takeaways from Lesson 1.1:

- A child is anyone under the age of 18 years.
- Children face specific risks during armed conflict.
- The nature of conflict has changed and severely affects children.
- There are six (categories of) grave violations against children.
- Protection needs of boys and girls may differ.

SLIDE 22: REFERENCES (1/2)

References (1/2)

- United Nations, Report of the Secretary-General on children and armed conflict (A/74/845-S/2020/525), June 2020
- United Nations, Report of the Secretary-General on conflict-related sexual violence (S/2020/487), June 2020
- United Nations, DPKO-DFS-DPA Policy on Child Protection in United Nations Peace Operations, 2017
- United Nations, DPKO/UNICEF/OSRSG-CAAC, Field Manual: Monitoring and Reporting Mechanism (MRM) on Grave Violations Against Children in situations of Armed Conflict, 2014
- United Nations, DPKO (Integrated Training Service), Core Pre-Deployment Training Materials, 2017
- International Campaign to Ban Landmines – Cluster Munition Coalition, Landmine Monitor 2020, November 2020



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SLIDE 23: REFERENCES (2/2)

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- United Nations, OSRSG CAAC, The Rights and Guarantees of Internally Displaced Children (Working Paper No. 2), September 2010
- United Nations, OSRSG CAAC, The Six Grave Violations Against Children During Armed Conflict: The Legal Foundation, October 2009 (updated November 2013)
- United Nations, OSRSG CAAC/UNICEF, Machel Study 10-Year Strategic Review: Children and conflict in a changing world, 2009, (www.unicef.org/publications/index_49985.html)
- United Nations, UNDDR, Operational Guide to the Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS) 2014 (see chapters 5.20 on “Youth and DDR” and 5.30 “Children and DDR”)
- United Nations, The girl child and armed conflict: Recognizing and addressing grave violations of girls’ human rights, September 2006



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SLIDE 24: QUESTIONS

Questions



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NOTES (FOR TRAINER)

- ☞ *Allow sufficient time for questions to be asked/answered. Actively encourage questions from learners.*

Lesson 1.2



Roles and Responsibilities of Mission Components and External Partners

The Lesson



Starting Lesson 1.2



For an interactive start to Lesson 1.2, ask learners:

Why is child protection considered a cross-cutting responsibility?

OVERVIEW

Lesson 1.2 covers the roles and responsibilities of different mission components working with external partners on child protection. The different components bring different capabilities in support of child protection; they must be aware of their responsibilities and must receive child protection training that would enable them to fulfil their role in the mission. External partners, host-country entities and the mission working together will ensure that impact on the ground is optimal. Everyone has a role to play. The discussion engages learners in the mandate from the outset.

LEARNING OBJECTIVES

- Recognize that protecting children in armed conflict is a shared responsibility;
- Describe the roles and responsibilities of the mission components with regard to protecting children;
- Explain the coordination mechanisms in a mission.

ACTIVITIES


- Group discussion: Child Protection Coordination – Foreign Child Soldier (slide 15)

SLIDE 1: MODULE 1, LESSON 2: ROLES AND RESPONSIBILITIES OF MISSION COMPONENTS AND EXTERNAL PARTNERS



Module 1, Lesson 2

ROLES AND RESPONSIBILITIES OF MISSION COMPONENTS AND EXTERNAL PARTNERS

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NOTES (FOR TRAINER)


- As discussed in lesson 1.1, peacekeeping mandates have increasingly included child protection. Indeed, most peacekeeping missions have full-fledged human rights, protection of civilians, conflict-related sexual violence, as well as child protection mandates, which address “protection” in different ways.


Each component of a mission has responsibilities and a role to play and must consider child protection within its core activities. All peacekeepers – military, police and civilians – must be aware of their responsibilities and must receive child protection training that would enable them to fulfil their role in the mission.

SLIDE 2: LEARNING OBJECTIVES

Learning Objectives

- **Recognize** that protecting children in armed conflict is a shared responsibility;
- **Describe** the roles and responsibilities of the mission components with regard to protecting children;
- **Explain** the coordination mechanisms in a mission.



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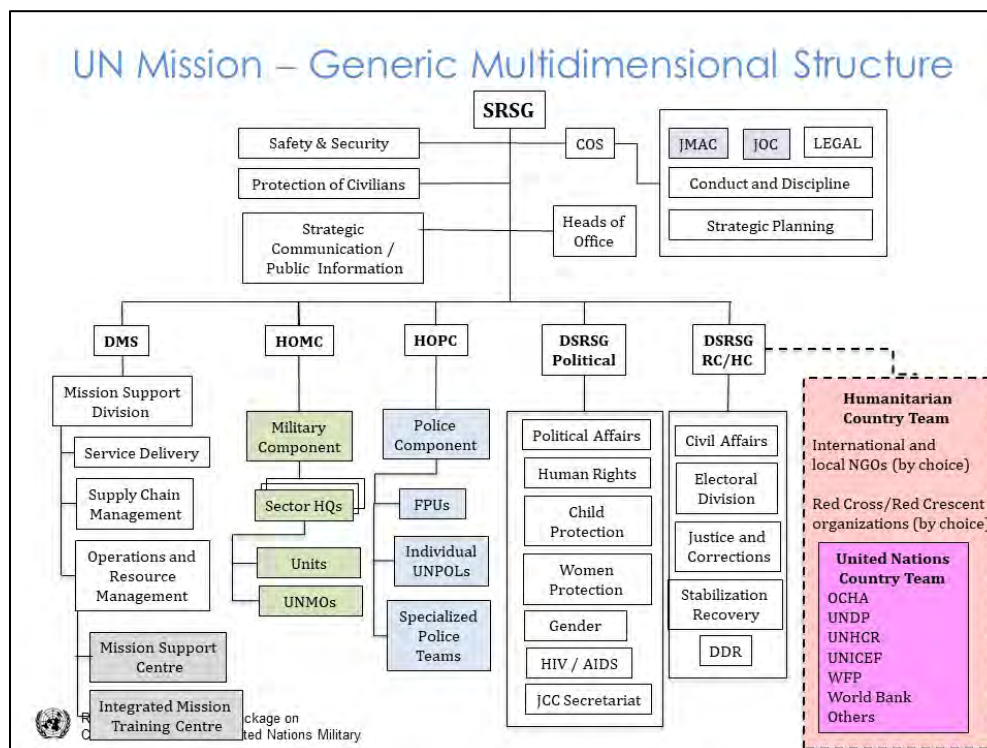
NOTES (FOR TRAINER)

Key Message: All mission components have a role to play in child protection: some have a direct role, others an indirect one. Only by working together can the child protection mandate be achieved.

- Understand the general role of the various mission components in protecting children, and peacekeepers' responsibilities with regard to child protection, including the roles played by key mission components and external actors.

Understand the coordination mechanisms in a mission and how the military can coordinate with those actors to ensure an appropriate response to child protection concerns.

SLIDE 3: UNITED NATIONS MISSION – GENERIC MULTIDIMENSIONAL STRUCTURE



NOTES (FOR TRAINER)

Key Message: Each mission has a different structure. The structure of a mission reflects the tasks mandated by the Security Council and the operational context in the host country.

Let us begin by looking at the general structure of a multidimensional United Nations peacekeeping operation and the different components that you will encounter in the mission. Then we will discuss the key functions of some of the various mission components and external actors, and the specific roles that they play in promoting child protection.

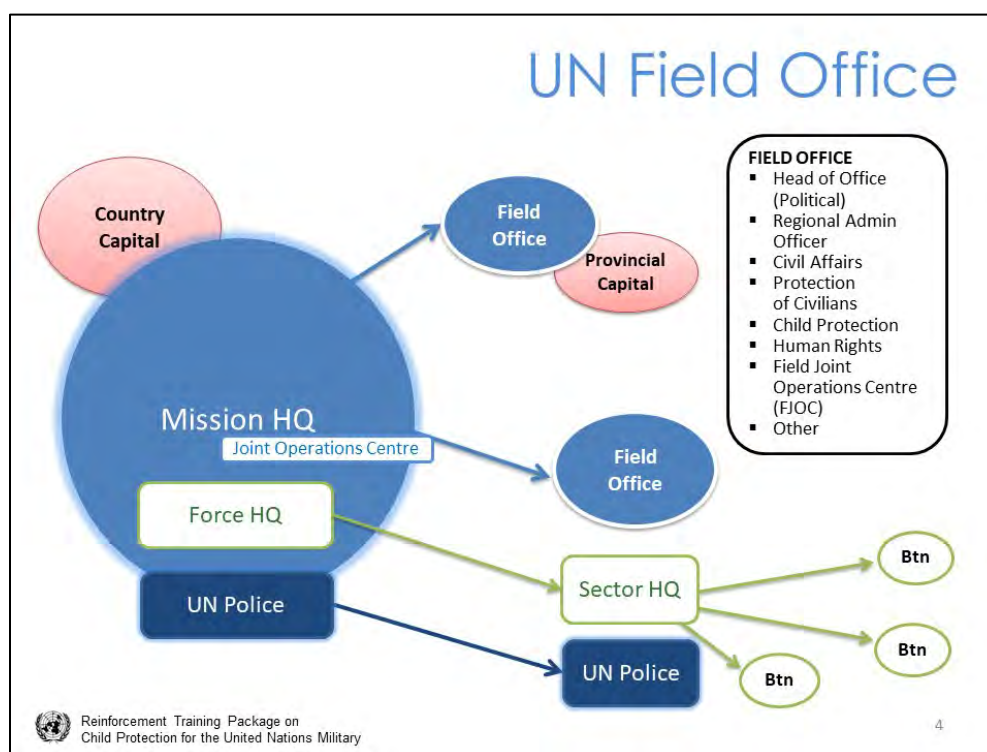
We will also discuss the collective responsibility of all actors towards a comprehensive mission response through child protection activities, and the importance of coordinating action on child protection.

The aim of this slide is to demonstrate the complexities of a multidimensional mission that comprises a large number of actors, and requires substantial coordination, liaison and information-sharing. Emphasize that this is a sample structure; depending on different country-specific requirements and operational environments, mission structures will vary. The following slides focus on different mission components. The role of the military component will be discussed in more detail in module 3.

Point out the main components of a mission: civilian, military and police, as well as the United Nations country team.

Refer to the slide for the titles of officers and see the list of abbreviations that may be used in the field.

SLIDE 4: UNITED NATIONS FIELD OFFICE



NOTES (FOR TRAINER)

Key Message: The Field Office reflects the mission headquarters in terms of structure and function.

☛ In addition to the mission headquarters, which is normally located in the capital city, the mission will deploy field offices to other parts of the mission area, such as provincial capitals. The field office usually has representatives from the key functions within mission headquarters, such as the Head of Office (political), civil affairs and a Regional Administrative Officer representing the Director of Mission Support (DMS) and logistics.

A mission may have a number of field offices. The military component, whose force headquarters (FHQ) is located with the mission headquarters, will likely have its sector or brigade headquarters located with a field office, thereby enabling the mission components to work closely together.


In the same way, the police component will have representatives, not only at mission headquarters, but also at the regional level. It is essential that the Field Office and the military and police components work together to achieve the mission objectives. We will see how this works in relation to child protection later on.

SLIDE 5: CHILD PROTECTION ADVISERS

Child Protection Advisers

- **Points of contact** on child protection within peacekeeping mission
- **Advise** mission leadership on child protection
- **Mainstream** the child protection mandate across mission components/ sections
- **Liaise** with Protection of Civilian Advisers and uniformed components on prevention activities
- **Conduct training** on child protection for civilian and uniformed components
- **Monitor and report** on the six grave violations against children
- **Co-chair** the Country Task Forces on Monitoring and Reporting
- **Engage in dialogue** with parties to the conflict
- **High-level advocacy** for child protection needs
- **Coordinate** with UNICEF and other relevant actors

Note: a Child Protection Unit may be a stand-alone mission section or may be embedded within the Human Rights component


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NOTES (FOR TRAINER)

Key Message: Child Protection Advisers (CPAs) provide guidance and advice to mission leadership and components on all matters pertaining to child protection.

☞ *It is very important that the trainer be familiar with the distinct roles of the civilian Child Protection Adviser and the military Child Protection Focal Points, and their lines of communication and coordination.*

💬 While all peacekeepers have a responsibility to protect children, many peacekeeping missions have Child Protection Advisers, who take the lead as experts on this matter and advise the mission on child protection requirements. Child Protection Advisers are civilians; they advise all the mission components, particularly the Head of Mission (HOM), and work closely with the military component.

The Child Protection Advisers are your first point of contact; you will work with the Child Protection Adviser in your sector.

The Child Protection Adviser advises all mission components on matters pertaining to the protection of children in the mission area. They can ensure that all mission components play their role.

In addition to advising mission leadership on child protection concerns and mainstreaming the child protection mandate into mission activities, Child Protection Advisers co-chair the monitoring and reporting mechanism (MRM), monitor and report on the six grave violations against children, engage with parties to conflict on addressing grave violations against children – including negotiating the release of child soldiers –, train peacekeeping personnel, and internal/external mission actors on child protection, and advocate for child protection in the host country.

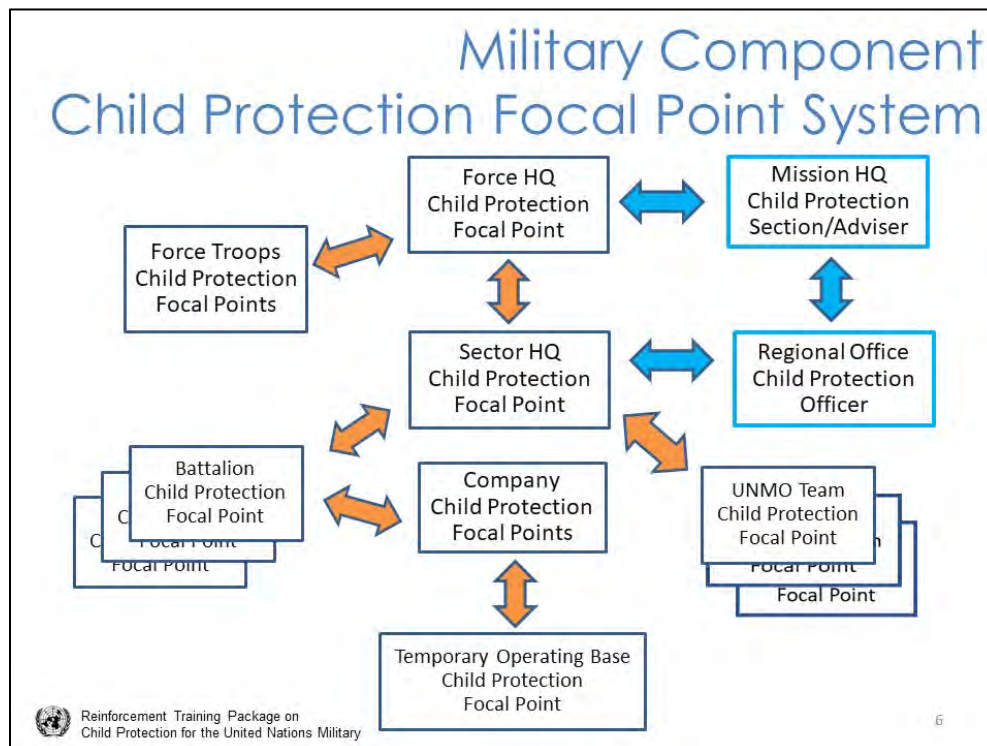
Child Protection Advisers work closely with UNICEF child protection specialists and other relevant United Nations agencies, NGOs and government authorities or organizations on these activities.

The DPKO/DFS/DPA Policy on Child Protection in United Nations Peace Operations (2017) specifically requires the Child Protection Adviser to be responsible for reporting on child protection issues and activities undertaken by the peacekeeping operation in the mission area. Also, the Child Protection Adviser collates information and reports on grave violations committed against children to the Security Council.

Missions that have a child protection mandate may have a Child Protection Section headed by a Senior Child Protection Adviser, or the Senior Child Protection Adviser and child protection staff may be embedded as a team within the human rights component.

 *Verify which peacekeeping missions have Child Protection Advisers. Share relevant information with learners (see <http://www.un.org/en/peacekeeping>).*

SLIDE 6: MILITARY COMPONENT CHILD PROTECTION FOCAL POINT SYSTEM



NOTES (FOR TRAINER)

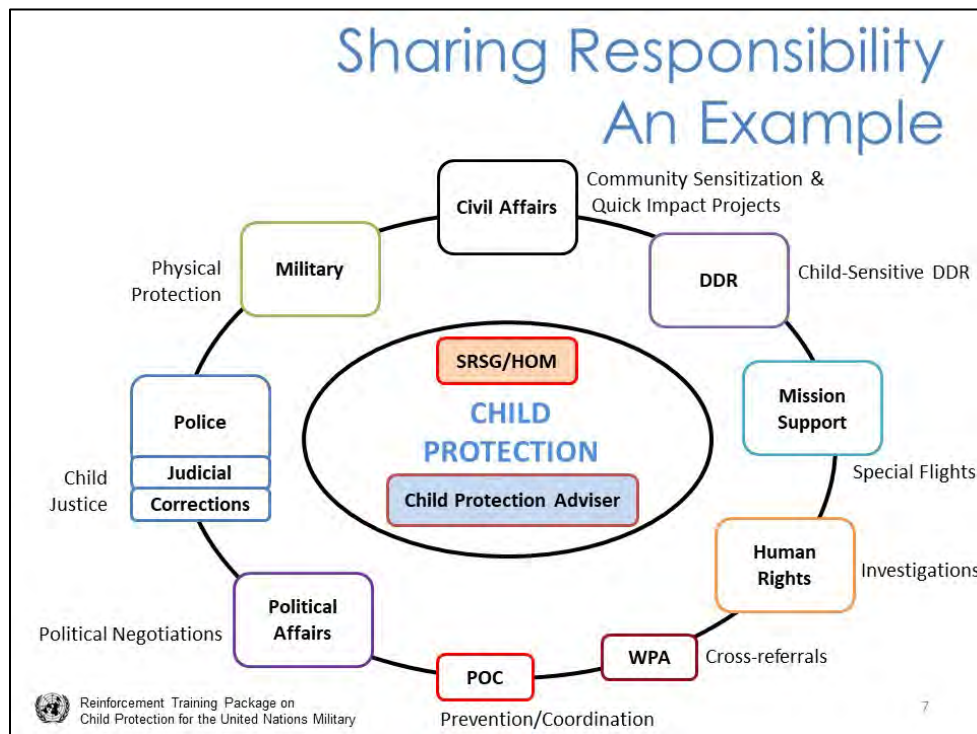
Key Message: The military component must establish military child protection duties at all levels (force and sector headquarters, battalion, military observer team sites).

- With increasing demand on the military for child protection, and in order to ensure that all mission components – particularly the military component – integrate child protection into their activities, it is critical that a network of military Child Protection Focal Points be established to ensure that child protection is taken into account at all stages of planning and in operational activities at Force Headquarters, sector and contingent levels.

The Force Headquarters Child Protection Focal Point must interact almost daily with the mission Child Protection Section for advice and support, to maintain situational awareness and to keep the Section up to date on the activities of the military component. This key relationship must be nurtured. The Force Headquarters Child Protection Focal Point must also ensure that child protection is mainstreamed at Force Headquarters.

- The roles and responsibilities of the Force Headquarters Child Protection Focal Point and the Child Protection Focal Points at sector and battalion levels will be discussed in module 3.*

SLIDE 7: SHARING RESPONSIBILITY – AN EXAMPLE



NOTES (FOR TRAINER)

Key Message: Child protection is a shared responsibility; each mission component has a role to play.

☞ *The following are examples of activities that peacekeeping components may carry out to protect children and promote their rights in armed conflict. The list is not exhaustive. Define the various components listed on the slides, as necessary.*

1. *Special Representative of the Secretary-General (SRSG) and/or Head of Mission (HOM):* Play a leadership role in political advocacy; responsible for placing child protection in the political and peace agenda of the country.
2. *Political Affairs:* Political issues are usually very difficult to resolve in post-conflict situations. No conflict is ever really resolved without effectively addressing the political/diplomatic dynamic. That is therefore an essential mission task. Key support for child protection is usually best demonstrated by adopting a child-conscious approach to all political processes – for example, by engaging in dialogue with parties to the conflict to end grave violations of child rights.

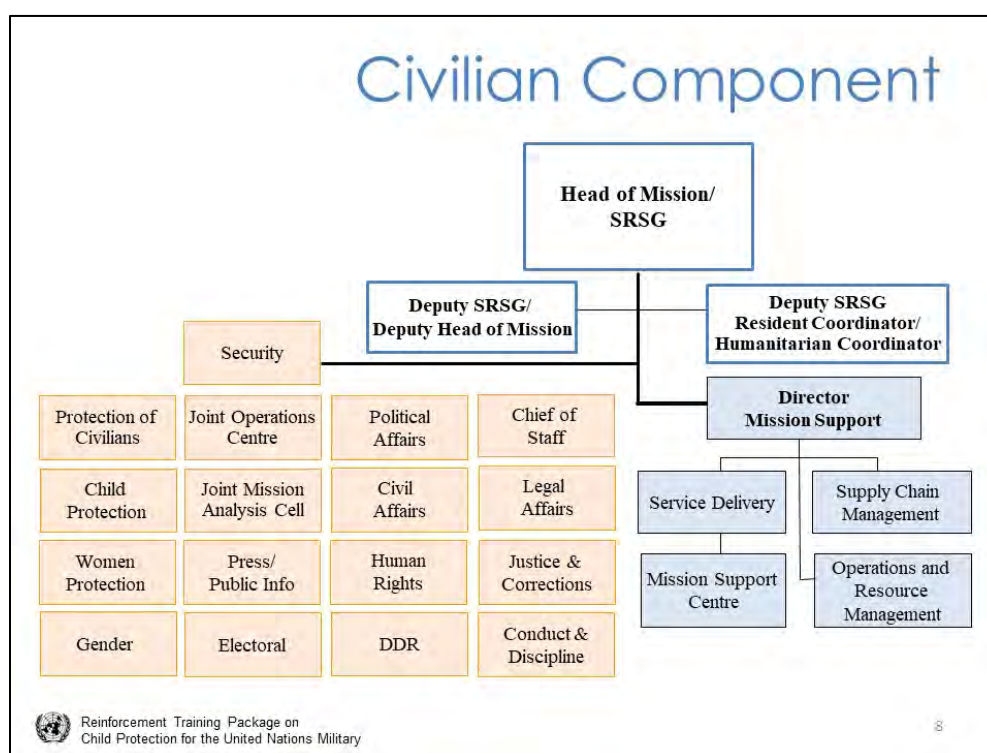
3. *Human Rights*: Some key roles of the human rights component in support of child protection include: monitoring and reporting violations against children, and illegal arrest and detention of children as identified during routine visits to detention centres; contributing to investigations by Child Protection Advisers on crimes committed against children in the context of armed conflict.
4. *Women Protection Adviser (WPA)*: Informs and advises Heads of Mission on sexual violence against women in line with the conflict-related sexual violence mandate.
5. *Civilian Protection Adviser*: Coordinates mission response in civilian protection, working closely with Child Protection and Women Protection Advisers.
6. *Civil Affairs*. Among others, supports capacity-building of local authorities and civil society, advising and training civilian officials to ensure that institutions and their officials understand human rights principles and how they apply to governance in a State; establishes conflict-management mechanisms to encourage community reconciliation; liaises with local communities and authorities on behalf of the Mission; coordinates with and facilitates the work of partners; gathers information and monitors the situation on the ground; and conducts analyses, including on civilian protection.
7. *Security Sector Reform (SSR)*: Helps to ensure protection of children and young people, for example, in the context of a weapons collection programme, or reform of national security forces. Security Council resolution 2151 (2014) was the first stand-alone resolution on security sector reform; operational paragraph 6 of the resolution encourages Member States, when undertaking security sector reforms, to mainstream child protection in military training, operating procedures, and guidance.
8. *Rule of Law/Judicial*. When present, this component contributes to the development of comprehensive strategies related to rule of law and reform of the justice system. Among other responsibilities, it provides advice and training to those working in the justice system; monitors developments in the justice sector and promotes the rule of law, which makes enjoyment of human rights possible, combats impunity, and prevents violations and discriminatory practices in relation to justice.
9. *Corrections*. This component deals with the operational aspects of the prison system. It provides advice on the development of policy and procedures, emphasizing the importance of alignment with international human rights standards relating to detention, and on rehabilitation of police cells and prisons; coaches and mentors national corrections officers, including on proper treatment of detainees. In recent missions, this component has been an integral part of the Rule of Law Unit.

10. *Disarmament, Demobilization and Reintegration (DDR)*: Among other things, ensures that special attention is given to children and women during the demobilization of armed forces and armed groups, and that a dedicated programme is in place for their support and reintegration.

11. *Mission Support*: Provides all types of field support to mission entities and components, including logistics support to ensure the safe transport of children, and material support for the refurbishment of childcare facilities.

☞ Since child protection is a shared responsibility, the Child Protection Adviser usually coordinates with the human rights, political affairs, rule of law/judicial components, as well as United Nations Police, DDR, SSR and military observers.

SLIDE 8: CIVILIAN COMPONENT

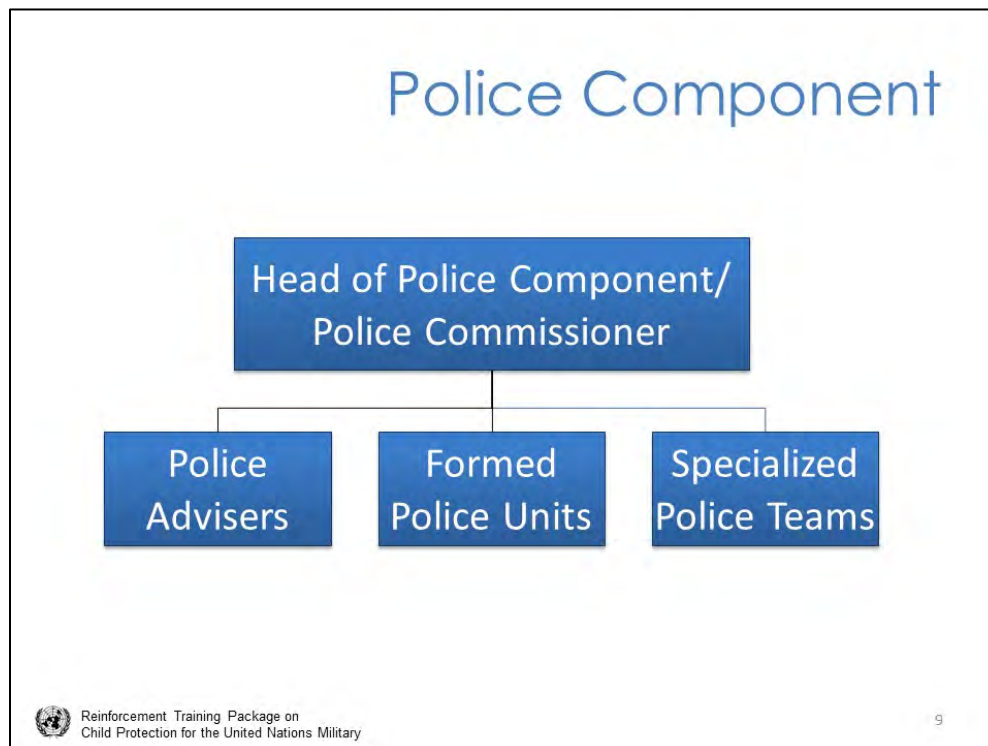


NOTES (FOR TRAINER)

Key Message: The civilian component consists of a substantive pillar and a mission support structure.

☞ Define the various components showing on the slides, as necessary. Highlight the four sections on the left (civilian protection, child protection, women protection and gender).

SLIDE 9: POLICE COMPONENT



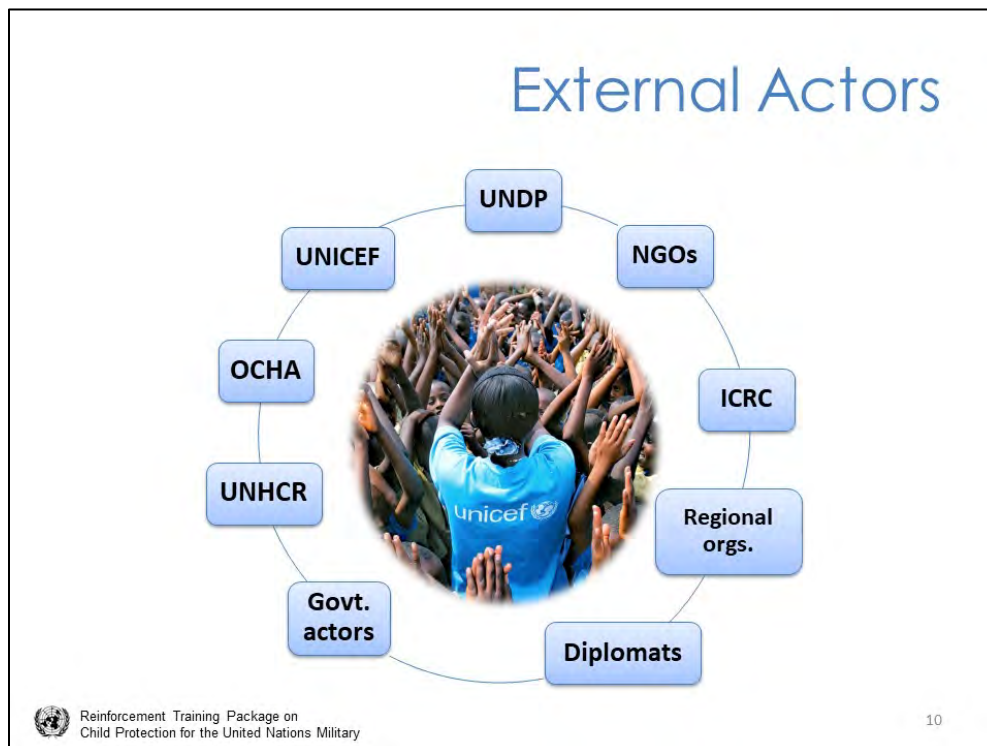
NOTES (FOR TRAINER)

Key Message: The police component has a key child protection role and works alongside national police structures.

🗨 The core mandate of United Nations Police is to build institutional capacity in post-conflict environments. The police can assist with child protection in the following ways:

1. Advocacy and awareness among local police;
2. Advise, mentor, guide and train local police on child protection issues, including how to deal with victims, witnesses and perpetrators;
3. Report violations of children's rights.

SLIDE 10: EXTERNAL ACTORS



NOTES (FOR TRAINER)

Key Message: The peacekeeping mission works together with a number of actors on child protection, including the United Nations country team, host government actors, international and regional organizations, NGOs and the diplomatic community.

- Although you, as peacekeepers, have specific and very important roles to play in child protection (which will be discussed in more detail in module 3), it is important to understand that your role is limited. You will encounter children who have no access to schools or clean drinking water, and you will want to help them. But, it is important to understand that you cannot do everything and that there are other actors who specialize in providing certain services.

Coordination is essential in order to share information on child protection needs and ensure an adequate response. For example, while peacekeeping missions may report a case of sexual violence against a girl, humanitarian child protection actors are equipped and able to provide the girl with timely and life-saving services, including medical, psychosocial and legal assistance.

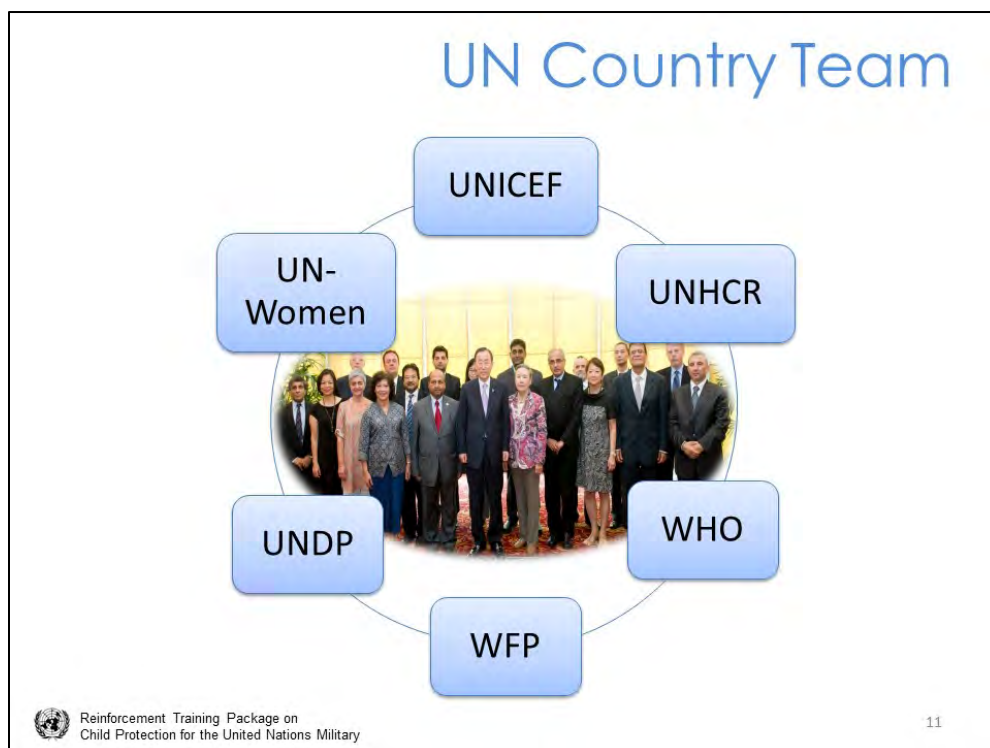
External actors include members of the United Nations country team, such as UNICEF and the Office of the United Nations High Commissioner for Refugees (UNHCR), government actors, as well as the diplomatic community.

Contact and follow-up with external actors on child protection should be handled by or done in close consultation with Child Protection Officers whenever possible. The Child Protection Section or the child protection team within the human rights component can help to identify and facilitate contact with the most relevant actors.

It is essential that child protection specialists with this particular knowledge and expertise follow up on delicate cases and situations (e.g., risks of traumatization, witness protection, etc.), and refer cases to the relevant specialized actors, who are part of the specialized child protection network.

Let us now examine these external actors in more detail.

SLIDE 11: UNITED NATIONS COUNTRY TEAM



NOTES (FOR TRAINER)

Key Message: Know your United Nations partners and their role in child protection.

☞ *It is important for peacekeepers to be familiar with UNICEF and other United Nations agencies, funds and programmes that are part of the United Nations country team with child protection mandates and roles. It is not necessary to mention in detail the roles and responsibilities of each entity, although a quick overview (if time permits) would be helpful. UNICEF is one particular organization with which peacekeepers will coordinate.*

🗨️ **UNICEF** is mandated by the General Assembly to advocate for the protection of children's rights, help to ensure that their basic needs are met and expand their opportunities to reach their full potential. UNICEF leads child protection coordination on the ground through the child protection area of responsibility. UNICEF has a very different mandate from the peacekeeping mission. While the goal of protecting children is the same, the approach is very different. Complementarity is important in the mission area. Peacekeeping missions have the advantage when it comes to negotiating with armed groups, but UNICEF is better equipped to trace family and reunite children with their families. Therefore, it is essential that UNICEF receive relevant information from peacekeepers in the field in a timely manner. In addition, the mission must make sure that it is represented at the coordination cluster meetings so as to be informed about what is happening.

It is important for you, as peacekeepers, to understand that each entity plays a unique role in child protection. Remember that many of these actors have been in the field long before you arrived and they will be there long after you leave. They are a good source of information about the local context.

SLIDE 12: NON-GOVERNMENTAL ORGANIZATIONS (NGOs)

Non-Governmental Organizations (NGOs)

Who they are:

- International, regional, national or local organizations
- Not part of the United Nations or the host-country Government

What they do:

- Have special interests and capacities in child protection
- Are in contact or close consultation with Child Protection Advisers
- May participate in the Monitoring and Reporting Mechanism (MRM)







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NOTES (FOR TRAINER)

Key Message: Know the NGOs in your area of responsibility and their capabilities.

- You will encounter non-United Nations and non-governmental child protection actors in your area of deployment. Slide 12 shows a few of them.

Civil society groups, local charities and clinics are often an important asset in areas where national or local government institutions lack capacities. Military units are often deployed in areas where State authority is weak or non-existent and should work with these entities to ensure children affected by conflict are provided with medical care and assistance where local capabilities exist.

Non-governmental entities play significant roles in promoting child protection in the mission area. Save the Children and other NGOs have specific capacities to protect children and can sometimes respond to violations which have occurred. *(Provide other relevant examples.)*

Close coordination with these entities is important. As mentioned earlier, contact and follow-up with these actors on child protection matters should be handled by or done in close consultation with Child Protection Advisers whenever possible.

Peacekeepers have started to cooperate with NGOs and help them with their programmes. It is important to not indiscriminately support an NGO, but rather to work with legitimate NGOs.

SLIDE 13: NATIONAL AUTHORITIES AND ORGANIZATIONS

National Authorities and Organizations

- Protecting civilians, including children, is the primary responsibility of the host Government



- Close coordination with government and local authorities
- Long-term sustainability and local ownership

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NOTES (FOR TRAINER)

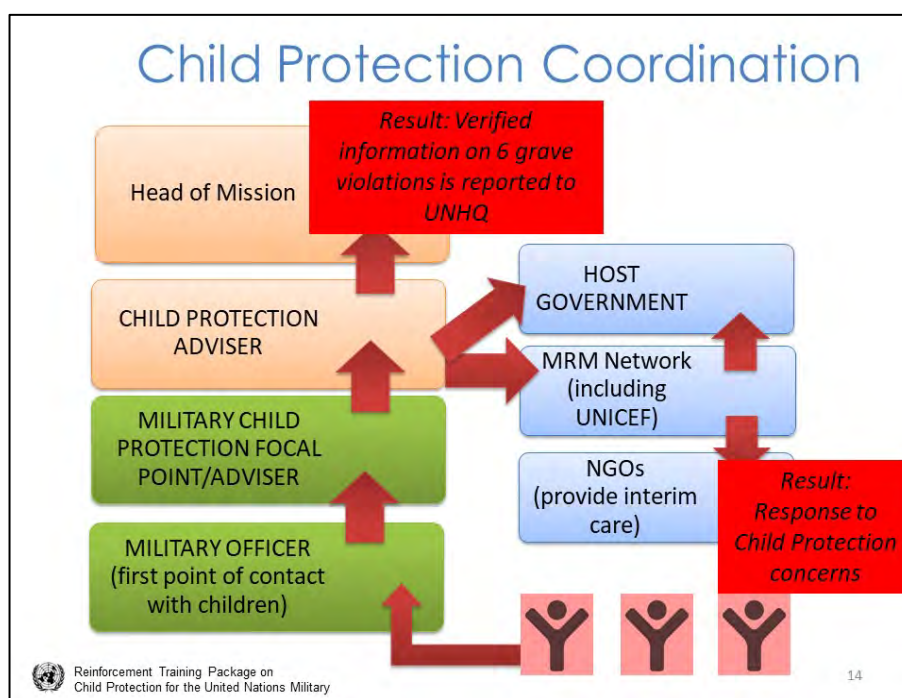
Key Message: Working with and supporting the host country's authorities and entities is essential in order to build national child protection capacities.

- The protection of civilians, including children, is primarily the responsibility of the host Government; however, in armed conflict or post-conflict areas, owing to weak or unwilling government authority, or – in worst-case scenarios – absence of any governance, it may not be so. In such cases (e.g., in Somalia, Liberia, the Democratic Republic of the Congo), the United Nations and the international community, under the authority of the Security Council mandate, step in and assume the responsibilities of protection.

Close coordination with Government (at mission headquarters level), local authorities (at provincial and Head of Mission levels) and other governmental organizations is required, and the local police need to be involved. Local authorities have the most relevant information, especially with regard to local culture and customs, and their voice is most heard in such situations. For that reason, close coordination with local authorities is very important for raising awareness among the local population, advocacy, monitoring, ensuring adequate legislative amendments from a child protection perspective, and ensuring protection and promotion of child rights.

Long-term sustainability and local ownership are related and important. The United Nations and the international community cannot assume responsibility forever, and the host country must be empowered to assume its responsibilities. When the mission closes, the local authorities will have to assume those responsibilities. Therefore, close association with local governmental agencies is important from the outset.

SLIDE 14: CHILD PROTECTION COORDINATION



NOTES (FOR TRAINER)

Key Message: The military component is often the first point of contact with children in need of protection. By working effectively with the mission Child Protection Adviser, UNICEF and other actors, the impact on children's safety and well-being will be significant.

☞ *Review and familiarize yourself with the slide carefully before presenting it. The arrows indicate the flow of reporting.*

- ☛ As mentioned earlier, each mission component has a role to play in protecting children and promoting their rights. Child Protection Advisers, serving as experts, are responsible for collecting information on violations against children, referring cases to and securing a response from the mission, an NGO or the United Nations country team.

The flow of information between the military Child Protection Focal Point and the civilian Child Protection Advisers must be secure.

Therefore, if a violation against children is observed, the unit must report it through the chain of command utilizing the military child protection focal point network. The chain of command must then channel the information to the military Child Protection Focal Point, who then reports it to the nearest civilian Child Protection Adviser.

Once informed of a child-related incident, the Child Protection Adviser liaises with UNICEF, the relevant child specialist actor and possibly the Government (e.g., advocacy with the Government or armed forces for the release of a child held in detention). UNICEF will usually provide assistance to the child or the family.

☞ *See slide for an example of coordination with UNICEF.*

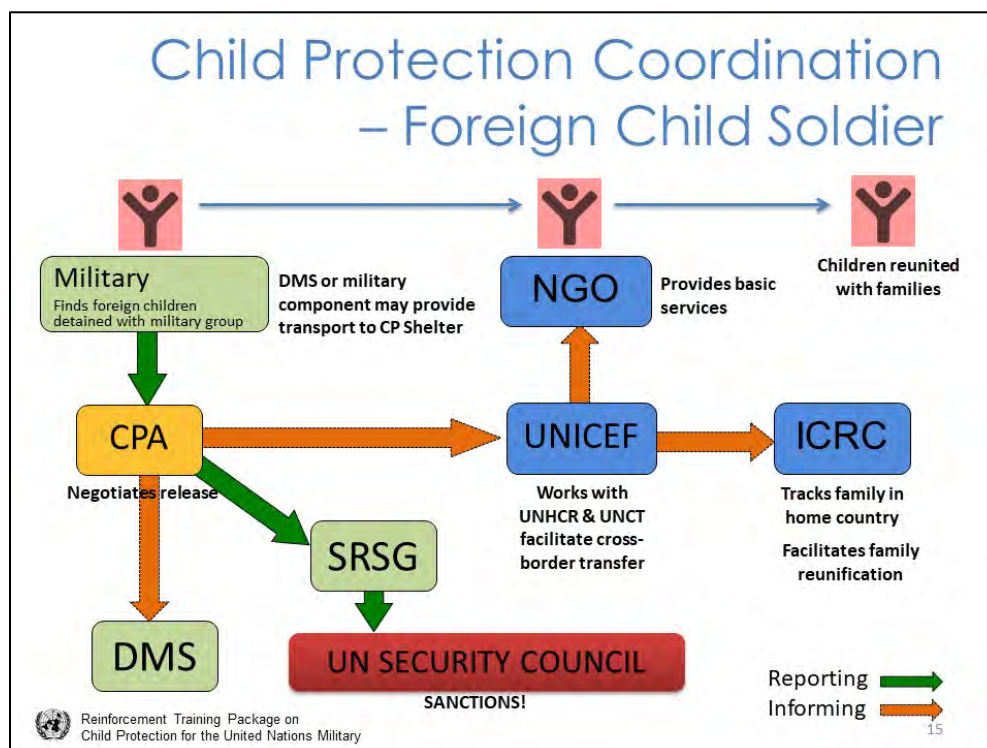
- ☛ UNICEF often traces the family and ensures that the child receives assistance (e.g., in an interim care centre).

Lastly, the Child Protection Adviser verifies the information, transmits it to the MRM, and reports the violation to Headquarters in New York through the Special Representative of the Secretary-General. The Secretary-General includes MRM-verified information on violations in his report to the Security Council, which can take action through sanctions, referral to the International Criminal Court or other accountability measures.

Example (UNMISS): In Jonglei State, South Sudan, the different tribes had abducted many children during the inter-communal conflict. United Nations military liaison officers found children living with the Sudan People's Liberation Army (SPLA) away from their villages/towns, because the soldiers and the children were from the same tribe. Although the soldiers were taking care of the children, it was not a good situation for the children – they needed to be at home with their families. The United Nations military liaison officers informed the mission child protection team of the situation; the child protection team then informed UNICEF, which initiated the family tracing process. Together, the child protection team and UNICEF drew the Government's attention to the need for the children to be returned to their families. The Government willingly cooperated as family reunification was part of the

Comprehensive Peace Agreement. UNMISS child protection team arranged for helicopters to take a child protection specialist and a UNICEF expert to the village to identify the children and bring them back to Bor, where UNICEF arranged for them to be placed in an interim care centre, as their families had not yet been identified. It was better for the children to be in the care centre, than to live with SPLA soldiers in their barracks. After one week, the children were reunited with their families.

SLIDE 15: CHILD PROTECTION COORDINATION – FOREIGN CHILD SOLDIER



NOTES (FOR TRAINER)

Key Message: Although you may not always see the end result of your child protection action, remember that the military component's child protection action on the ground really matters. Working with your civilian partners is essential.



Group Discussion

This is an interactive build-up scenario to help learners understand child protection coordination.

ASK the question, solicit responses, then **EXPLAIN** and **INFORM** learners of the possible action. Present the scenarios in dialogue with the learners.

The most important lessons to be learned are:

1. *Child protection is a team effort;*
2. *Child protection responsibilities differ but are complementary;*
3. *Coordination is essential for optimal child protection;*
4. *Reporting incidents through the chain of command is crucial to triggering an appropriate response.*

QUESTION 1

Ask: You are with the United Nations Military in the Democratic Republic of the Congo and find out that the Armed Forces of the Democratic Republic of the Congo (FARDC) has captured and detained two children from the 23 March Movement (M23), which FARDC claims is from Rwanda. What would you do?

Explain: As soon as possible, report the information. The military Child Protection Focal Point will then inform the civilian Child Protection Adviser. Depending on the mission's relationship with FARDC, you, the military officer, can request that the children be handed over to a Child Protection Officer.

Inform: Some missions (e.g., MONUSCO), have standard operating procedures (SOP) for the handover and detention of children. This will be dealt with in a subsequent module.

QUESTION 2

Ask: Assume that the children stay with FARDC. What happens next?

Explain: The Child Protection Adviser will inform UNICEF, which will find an interim care centre for the children, as well as the Director of Mission Support (DMS) and the military component. The Child Protection Adviser will arrange for the handover of the children to social workers, and their transportation to the interim care centre. You, the military officer, might be asked to assist in the process with FARDC.

QUESTION 3

Ask: The children are now in the interim care centre. What happens next?



Explain: The children need to be reunited with their families. UNICEF will inform the International Committee of the Red Cross (ICRC), which will set about tracing the children's family in their country of origin (in this case, Rwanda). Once the families have been identified, the mission might be requested to transport the children to Rwanda: the Child Protection Adviser would be responsible for facilitating the process for the mission, but the military might be asked to provide protection and security along

the way. Lastly, the Mission is responsible for monitoring and reporting grave violations against children to headquarters. If the children were indeed initially recruited by M23, the mission would have to report it. Together with UNICEF, the Child Protection Adviser will draft a report for the Special Representative of the Secretary-General/Head of Mission to send to headquarters in New York to be included as MRM-verified information in the Secretary-General's annual report on children and armed conflict. The information will eventually be reported to the Security Council, which may take action against the perpetrator (e.g., sanctions against a Government, referral of the case to International Criminal Court, among others).

SLIDE 16: TAKEAWAYS

Takeaways

- Child protection is a team effort and everyone has a role to play.
- Component responsibilities differ but are complementary.
- Coordination is essential.
- Reporting is crucial to triggering action.
- The military should establish Child Protection Focal Points at Force HQ, sector, battalion and company levels.
- Child protection information requirements and mechanisms for sharing information with the Child Protection Adviser should be established.


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NOTES (FOR TRAINER)

Key Message: Child protection is a shared responsibility, and everyone has a role to play.

- Each mission component has a role to play in protecting children and promoting their rights. While most peacekeeping missions have Child Protection Advisers serving as experts, child protection is a shared responsibility.

The roles of military and civilian mission staff differ; UNICEF's role is complementary to the role of the mission.

If all actors are coordinated, the appropriate response can be implemented.

It all starts with your report of a situation that is inappropriate for children.

The military should establish Child Protection Focal Points at all levels (headquarters to at least company level). This would facilitate coordination and information-sharing between the military and civilian child protection actors. With the support of the Child Protection Adviser, the military component should establish child protection information requirements. This would enable military units, at the tactical level, to collect and share information with internal (mission) and external child protection actors, and facilitate a cohesive approach within the force to collect information for child protection purposes.

External child protection actors include UNICEF, other United Nations agencies, such as UNHCR, relevant international and national NGOs, national ministries (e.g., social affairs, health, education and youth), and other institutions.

Summary

Takeaways from Lesson 1.2:

- Child protection is a team effort, and everyone has a role to play.
- Component responsibilities differ, but are complementary.
- Coordination is essential.
- Reporting is crucial to triggering action.
- The military should establish Child Protection Focal Points at Force Headquarters, sector, battalion and company levels.
- Child protection information requirements and mechanisms for sharing information with the Child Protection Advisers should be established.

SLIDE 17: REFERENCES

References

- United Nations, DPKO-DFS-DPA Policy on Child Protection in United Nations Peace Operations, 2017
- United Nations, DPKO-ITS, Core Pre-deployment Training Materials (Lesson 2.7: Child Protection), 2017
- United Nations, Integrated Mission Planning Process (IMPP): Guidelines Endorsed by the Secretary-General on 13 June 2006
- United Nations, DPKO/DFS, United Nations Peacekeeping Operations Principles and Guidelines, 2008




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SLIDE 18: QUESTIONS

Questions



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NOTES (FOR TRAINER)

- ☞ Allow sufficient time for questions to be asked/answered. Actively encourage questions from learners.

Lesson

2.1



Legal Framework

The Lesson



Starting Module 2: Legal Framework and Lesson 2.1

OVERVIEW

Module 2 provides an overview of the legal framework governing the work of United Nations peace operations and authorizing the child protection mandate and key policies that United Nations mission personnel must respect. Lesson 2.1 conveys the key aspects of the legal framework governing peace operations.

LEARNING OBJECTIVES

- Identify the key components of international law governing mandated tasks in United Nations peace operations;
- Understand core legal concepts and norms;
- Clarify what the legal framework enables or obliges peacekeepers to do and what it prevents peacekeepers from doing.

ACTIVITIES

- Case 1: Help wanted (slide 7)
- Case 2: Plan of attack (slide 13)
- Case 3: "Go back home" (slide 16)
- Case 4: Irresponsible command (slide 20)
- Video: Military and human rights (slide 24)
- Case 5: Mandate interpretation (slide 25)
- Case 6: A new armed group (slide 32)

SLIDE 1: MODULE 2, LESSON 1: LEGAL FRAMEWORK



NOTES (FOR TRAINER)

- Module 2 begins with an overview of how international law, including the Charter of the United Nations, guide the work of United Nations missions.

The term “international law” commonly refers to the body of law that governs relations between States, and between States and international organizations. These training materials consider international law as a combination of binding obligations (“hard law”) and non-binding instruments (“soft law”). Binding obligations refer to rules that are legally binding and that all States must apply, such as treaty law (i.e., conventions, protocols, agreements) and customary law.

The areas of international law most relevant for the work of peacekeepers are the Charter of the United Nations, international human rights law, international humanitarian law, international criminal law and international refugee law.

Dedicate at least 120 minutes (2 hours) to the presentation of the material, including the interactive discussion of the cases (see slides 7, 13, 16, 20, 25, 32).

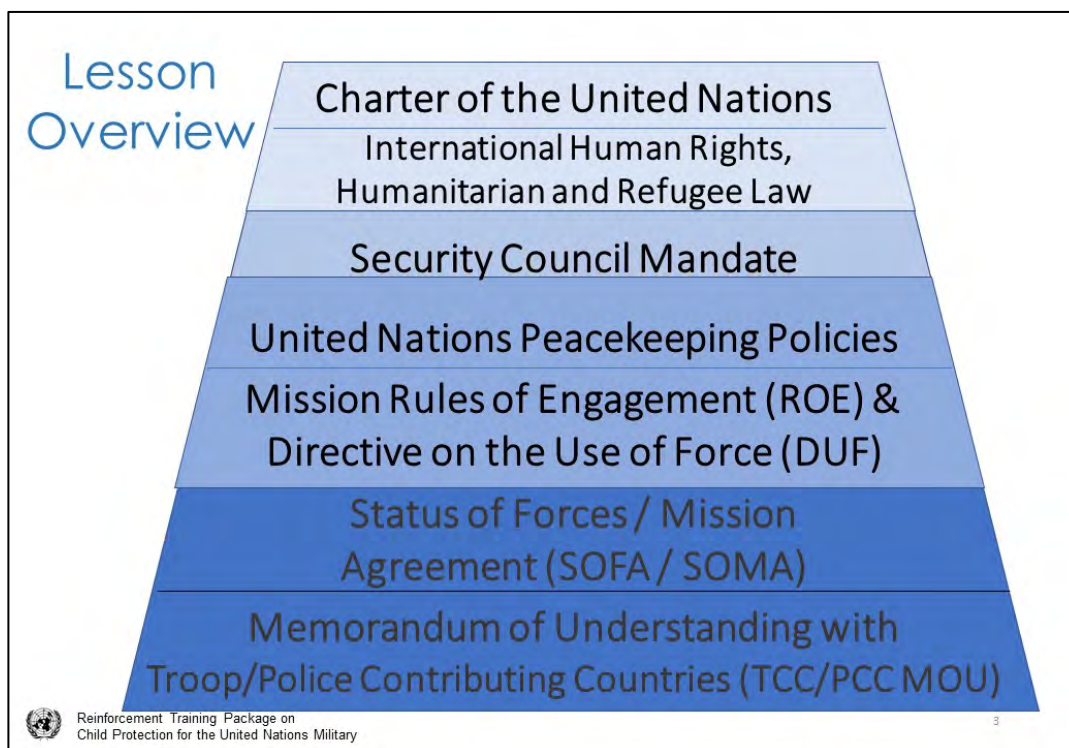
SLIDE 2: LEARNING OBJECTIVES



Learning
Objectives

- Identify** the key components of international law governing mandated tasks in United Nations peace operations
- Understand** core legal concepts and norms
- Clarify** what the legal framework enables/obliges peacekeepers to do, and what it prevents peacekeepers from doing

SLIDE 3: LESSON OVERVIEW

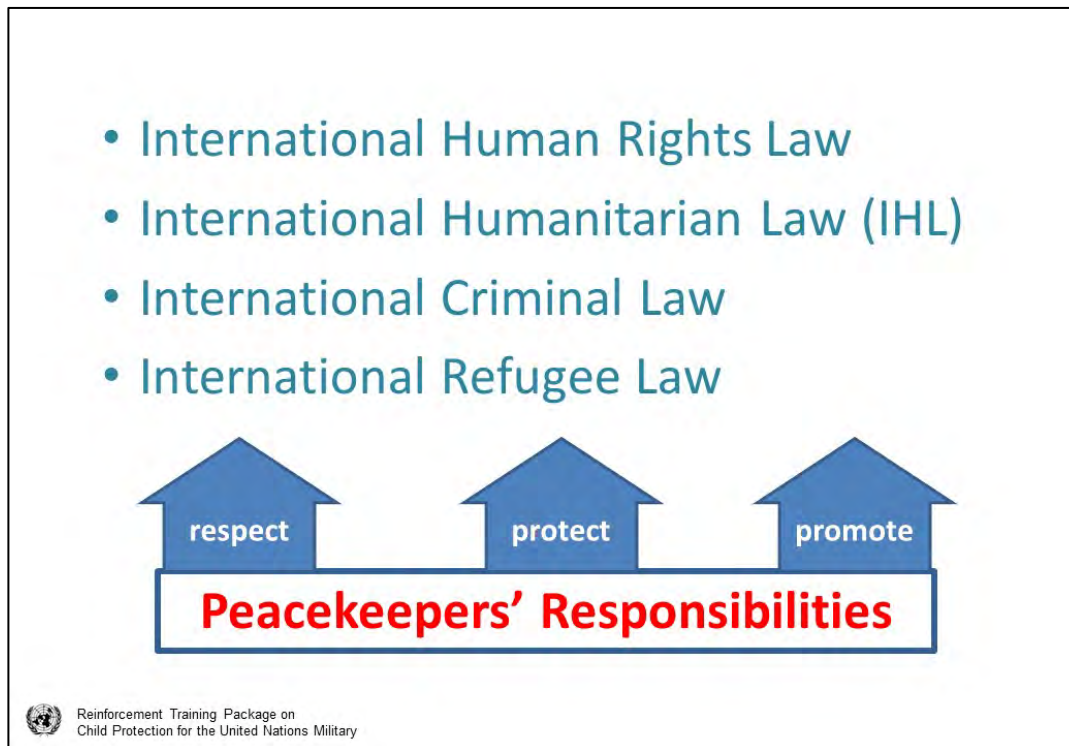


The Charter of the United Nations Charter – the “United Nations Constitution” – is at the top of the hierarchy of norms governing peace operations, followed by the fundamental norms of international law. The Security Council is bound by the Charter to respect those norms. For instance, the Council cannot issue a mandate to a peacekeeping mission to attack civilians, hire children for hazardous work, or push back refugees to places/countries where their lives may be at risk, since that would entail breaches of the fundamental norms of international human rights, humanitarian and refugee law.

SLIDE 4: INTERNATIONAL LAW



SLIDE 5: PEACEKEEPERS' RESPONSIBILITIES



All personnel serving under the United Nations must respect, at all times, the tenets of international human rights, humanitarian, criminal and refugee law. Furthermore, all personnel have a duty to ensure protection against violations of these fundamental norms and to promote them in their daily interaction with other actors, including the forces of the host State and any armed groups with whom they may engage under their mandate.

SLIDE 6: WHAT IS INTERNATIONAL HUMAN RIGHTS LAW (IHRL)?



What is International Human Rights Law (IHRL)?

- Protect inherent rights of all human beings
- Obligations mainly for States
- Universal and cannot be taken away
- Civil, political, economic, social & cultural rights
- IHRL applies
 - in times of peace and war
 - primarily to Governments

Peacekeepers must respect, protect and promote human rights.



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☞ Before showing the slide, ask learners:

Who is entitled to human rights, and whose responsibility is it to protect human rights?

Answer: Every human being is entitled to enjoy human rights, and State authorities are primarily responsible for upholding human rights.

💬 Human rights are universal. Everyone is entitled to the same fundamental rights. Some groups may have specific needs or may be particularly at risk of discrimination and rights violations. Specific rights protections are given to those groups (e.g., children, women, indigenous people, persons with disabilities).

International human rights law always applies, including during armed conflict and other national emergencies, because that is when human rights are most under threat. Human rights especially relevant to peace operations include the right to life, the right not to be tortured, the right not to be discriminated against, the rights to food, water, health and education.

First and foremost, States must respect the human rights of everyone and protect their populations from threats/violations by private actors (e.g., by diligently arresting and prosecuting perpetrators of rape). Armed groups with effective control over a territory also have an obligation to respect and protect human rights. The United Nations considers armed groups that commit atrocities, such as summary execution, rape, torture or looting, to be engaging in human rights abuses and violations.

United Nations policy requires that United Nations and mission personnel respect the human rights of all in their work. For example, the United Nations shall not discriminate on the basis of religion in its hiring practices (right to religion or belief), nor use excessive force that may result in serious injury or death (right to life).

Human rights cover a wide range of areas and are also enjoyed by children. Children may exercise civil and political rights such as freedom of expression, and economic, social and cultural rights, such as the right to education, are particularly important for their development and well-being.


SLIDE 7: CASE 1: HELP WANTED

Case 1: Help wanted

A political opposition party calls on entire families to attend peaceful protests. The Government prohibits the protests and sends in its army to disperse the demonstrators.

A local army commander asks UN Forces to provide additional troops to help disperse the demonstrations and “restore law and order”.

Is the United Nations allowed to provide such help?


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Learners may discuss this case in plenary or, if time permits, in small groups.

 *Key points to emphasize:*

- Peaceful political protests are protected by the right to peaceful assembly and to freedom of expression. A Government prohibiting such protests and sending in its army to disperse the protesters would be violating human rights. Children's rights to freedom of peaceful assembly and of expression are guaranteed under the Convention on the Rights of the Child.

- The United Nations shall not aid and assist human rights violations. A United Nations mission therefore shall not support national forces that are violating human rights, even if the mission has a general mandate to assist in maintaining law and order. In order to manage the risks of aiding in violations by others, the United Nations has put in place the Human Rights Due Diligence Policy on United Nations Support to non-United Nations Security Forces (HRDDP), which sets out the procedure to assess and mitigate risk before any security support is provided (see slides 8 and 9).
- In such situations, the United Nations Force Commander should raise concerns with relevant counterparts in the host State's army about possible human rights violations. If the mission has a protection of civilians mandate, it is legally entitled to take measures to physically protect (civilian) demonstrators from any violence directed against them by the host State's forces (although, in practice, this would require consultation with mission headquarters, which could take time).

SLIDE 8: HUMAN RIGHTS DUE DILIGENCE POLICY ON UNITED NATIONS SUPPORT TO NON-UNITED NATIONS SECURITY FORCES

Human Rights Due Diligence Policy on UN Support to non-UN Security Forces

The United Nations cannot provide support to non-UN Security Forces:

- *if there is a real risk of the receiving entities committing **grave violations** of international humanitarian, human rights or refugee law, and*
- *the relevant authorities fail to take the necessary **corrective or mitigating measures***

**Protects and promotes credibility, impartiality
and the legal interests of the mission.**



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PHOTO MONUC

8

Photo on slide: MONUC providing transport to national army units in the Democratic Republic of the Congo.

- Upon realizing that some national army units that had received United Nations support were violating human rights, the Security Council made further support by MONUC conditional upon the army's compliance with human rights. The Human Rights Due Diligence Policy (HRDDP) was established against the backdrop of MONUC's conditionality.

The Policy is binding on the entire United Nations (not only peacekeepers). It was established by the Secretary-General, and the Security Council has repeatedly endorsed it.

According to the Policy, support to non-United Nations security forces cannot be provided:

- Where there are substantial grounds for believing there is a real risk of the receiving entities committing grave violations of international humanitarian, human rights, or refugee law; and
- Where the relevant authorities fail to take the necessary corrective or mitigating measures.

All United Nations entities that are contemplating or already providing support to non-United Nations security forces must therefore conduct an assessment of the risks involved in providing (or not) such support. The assessment should in particular consider the risk of the recipient entity committing grave violations of international humanitarian law, human rights law, or refugee law. Furthermore, the United Nations must consider whether there are any mitigating measures that can reduce the risk of violations (e.g., enhanced training or suspending support to offending units).

The Policy serves to ensure that the United Nations does not support or collaborate with host-State elements that are involved in grave violations of human rights, or of international humanitarian or refugee law, and to protect the United Nations from added legal liability for inadvertently aiding in violations committed by others. Maintaining its distance from State forces involved in grave violations also protects the reputation and perceived impartiality of the United Nations.

SLIDE 9: APPLICATION OF THE HUMAN RIGHTS DUE DILIGENCE POLICY



- ✓ **Risk mitigation & engagement, not blunt conditionality**
- ✓ **Suspension or withdrawal of support: measure of last resort**
- ✓ **Applies to all types to support**
- ✓ **Includes support to States and regional organizations**
- ✓ **HRDDP senior-level task forces & standard operating procedures**

Application of the

HRDDP

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Photo on slide: United Nations police officer providing training to Haitian National Police.

☞ *Any support provided by the United Nations to non-United Nations security forces must adhere to the Human Rights Due Diligence Policy. Support by peace operations includes conducting joint operations, planning, sharing of intelligence, training, capacity-building, mentoring, technical cooperation and financial support.*

The following areas are exempt from Policy assessment:

- Training and engagement on international humanitarian law and human rights,
- Mediation-related support (e.g., transporting officers to peace negotiations),
- Medical evacuation.

The Policy also covers support provided to regional organizations, for example, African Union peace and security operations, such as the African Union Mission in Somalia (AMISOM).

Missions have established task forces and standard operating procedures (SOPs) to help assess risks, coordinate engagement with supported entities and develop measures to mitigate the risks. The mission will work with host-State partners to bring the risk of violations down to an acceptable level. However, where support recipients continue to commit grave violations, the mission may temporarily suspend or withdraw its support.

SLIDE 10: INTERNATIONAL HUMANITARIAN LAW (IHL)



International Humanitarian Law (IHL)

- Regulates the conduct of hostilities, and protects those not engaged in conflict
- Applies to international and non-international armed conflict
- Geneva Conventions and Additional Protocols
- IHL applies
 - to armed conflict only
 - to all parties in a conflict
 - to military peacekeepers for the duration of hostilities




☞ *The International Committee of the Red Cross (ICRC) remains the neutral guardian of international humanitarian law in conflict areas throughout the world.*

💬 International humanitarian law (IHL) must be respected by all parties to armed conflict, including the national forces in an international armed conflict. In a non-international armed conflict, State military forces and non-State armed groups must abide by international humanitarian law.

International humanitarian law regulates the conduct of hostilities. For example, it requires parties to conflict to minimize, to the extent possible, harm to civilians not participating in the hostilities. It also outlaws certain means of combat in order to reduce unnecessary suffering by civilians or combatants; for example, the prohibition of the use of chemical or poisonous weapons of warfare. International humanitarian law provides special protections for those who are not, or no longer, engaged in the hostilities, including civilians.

The 1949 Geneva Conventions and their Additional Protocols spell out the basic principles of international humanitarian law. Today, their authority is universally accepted and most of their provisions are regarded as customary international humanitarian law that is binding on all parties to conflict, regardless of whether they are a Party to the Conventions and Protocols.

States must respect international humanitarian law and ensure that others respect it as well. For example, in accordance with its obligation to ensure respect for international humanitarian law, a State has the duty to prosecute and punish members of a non-State armed group who commit serious violations amounting to war crimes.

Since impartiality is a central principle of peacekeeping, United Nations military forces are generally not a party to conflict. However, international humanitarian law may apply temporarily to them for as long as they engage as combatants in armed conflict, as is also recognized in the Secretary-General's Bulletin on observance by United Nations forces of international humanitarian law (ST/SGB/199/13). For example, a United Nations force carrying out an offensive operation against an armed group that poses a grave threat to civilians.

SLIDE 11: PROTECTED PERSONS UNDER INTERNATIONAL HUMANITARIAN LAW

Protected Persons under IHL



- Civilians not directly participating in hostilities
- Medical and religious personnel of armed forces
- Wounded, sick and others *hors combat*
- Prisoners of war & interned armed group fighters
- Peacekeepers (unless engaged in hostilities)



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☞ Ask learners: Who is a civilian in the two photographs?

☞ *The armed herder on the right may be a civilian who is only armed to protect himself and his cattle from marauders. In many mission settings, armed civilians are a common sight; because a person is carrying a weapon like an assault rifle does not necessarily mean that they are participants in hostilities between militarily organized parties to conflict. Children (assuming the herder is younger than 18 years of age) can also be active participants in hostilities. However, once they have been captured, have surrendered or are no longer engaged in hostilities, they are entitled to special protection and must be treated as victims of a grave violation and helped to reintegrate (see lesson 2.2 for more details).*

☞ Under international humanitarian law, any person who is not/no longer directly participating in hostilities shall be considered a civilian, unless he/she is a member of an armed force or armed group. In case of doubt, the individual or group of individuals shall be considered civilians and afforded the protection owed to civilians, until determined otherwise. Civilians may be in possession of arms without necessarily being combatants. Under international humanitarian law, civilians who are in possession of arms, for example, for the purpose of self-defence and protection of their property, but who have not been, or are not currently, engaged in hostilities are entitled to protection.

Members of armed forces or armed groups who are hors de combat (out of action) also enjoy protection under international humanitarian law. Notably, those who are no longer able to continue fighting because they are wounded or sick shall not be attacked, but rather collected and medically cared for.

Prisoners of war (POWs) and interned or detained armed group fighters enjoy special protection. They must be treated humanely in all circumstances and must not be subjected to any humiliating and degrading treatment. Unlike regular soldiers who become POWs, captured rebel fighters may be prosecuted for participating in armed conflict. However, prosecution must be done before “a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples” (see common article 3 of the Geneva Conventions).

Peacekeepers, regardless of whether they are military, police or civilian, are protected under international law. Directing attacks against them may amount to a war crime.

SLIDE 12: CONDUCT OF HOSTILITIES: BASIC PRINCIPLES

Conduct of Hostilities: Basic Principles

- **Distinction** between civilians and military targets
- **Precaution** to avoid civilian losses
- **Proportionality** between military advantage & civilian loss



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☞ *In the conduct of hostilities, parties to conflict must abide by basic principles to minimize harm to civilians and civilian objects, such as homes, hospitals, places of worship, etc.*

The protection of civilians in the conduct of hostilities builds on three basic principles of international humanitarian law:

- *Distinction:* In order to ensure respect for and protection of the civilian population and civilian objects, parties to conflict must, at all times, distinguish between civilians and combatants, and between civilian and military objects. Operations may only be directed against military objects; and indiscriminate attacks that do not distinguish between civilians and combatants are prohibited. An example of violation is shelling an entire village with heavy artillery without distinguish between military targets and civilian homes.
- *Precaution:* In the conduct of military operations, constant care must be taken to spare civilians and civilian objects. All feasible precautions must be taken to avoid and, in any event, minimize incidental loss of civilian life, injury to civilians and damage to civilian objects. Examples of violations include:
 - Not making an effort to verify that the target is actually a military target before launching an assault;

- Soldiers taking positions too close to civilians, thereby placing them at risk of being caught in crossfire.
- *Proportionality*: Incidental loss of life and damage to property owing to attacks must not be excessive in relation to the concrete and direct military advantage that is expected to be gained. This means that, when deciding to attack a target, consider whether the damage to civilians and civilian property would be excessive in relation to the military advantage that would be gained. Proportionality is not an issue if the target is a purely military one and no civilians are nearby. An example of violation is bombing a school and killing dozens of children when the target is to kill one soldier who established a fighting position in the school compound.

SLIDE 13: CASE 2: PLAN OF ATTACK

Case 2: Plan of attack

- An armed group regularly attacks local civilians. The fighters of the group live in a village among civilians, including children, of the same ethnicity. The fighters do not always wear uniforms or carry weapons openly. The village has a hospital where many wounded fighters are treated.
- The host State's army is planning to launch armed operations against the group in the village.

The army asks the UN Mission for advice on how to conduct its operation in line with IHL rules.

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Learners may discuss this case in plenary or, if time permits, in small groups.



Key points to emphasize:

- The armed group is committing a serious violation of international humanitarian law by attacking civilians; its fighters are violating the principle of precaution, because they have positions close to civilian homes; and they fail to distinguish themselves because they do not wear uniforms.

- The State authorities have the duty under international human rights and humanitarian law to protect the population in its territory from such violations. Pursuing an operation to neutralize the group would be in line with this duty.
- Regarding advice from the mission: The mission would normally encourage the State security forces to conduct the operation. However, the operation must be conducted in compliance with international humanitarian and human rights law, so as not to place other civilians at risk of death or injury.
- Although the armed (enemy) group fails to respect international humanitarian law, State forces are obliged to respect both humanitarian and human rights law.

Principles that the State forces should consider include, in particular:

- *Precaution* to minimize harm/injury to civilian villagers and civilian objects. In practice, State forces should gather intelligence to know exactly where the armed group fighters are positioned and where civilians live. They should also consider how civilians not engaged as fighters in the group can be evacuated from the village so as to avoid incidental harm to them.
- *Distinction* between civilians and military targets. In practice, the State forces could surround the village, demand that the armed group surrender; failing that, they should give civilians a chance to evacuate before launching their operations. Those exiting the area would have to be carefully screened to ensure that no armed group fighters are escaping.
It must be borne in mind that the hospital, although it treats wounded fighters, is not a military target; indeed, hospitals enjoy special protection. The State army shall not attack the hospital. Wounded fighters in hospital are also protected persons and cannot be targeted (e.g., they must not be shot at in the hospital beds). However, the State army can surround the hospital and move in to detain the wounded fighters, but must continue to provide them with the necessary medical care. The State army must plan for that contingency.
- *Proportionality* to ensure that civilian losses do not outweigh (i.e., are not excessive in relation to) the military advantage to be gained. State forces should not use explosive weapons that have a large and imprecise impact radius in their operations (e.g., large mortars or heavy artillery), as they may incidentally kill a disproportional number of civilians.

SLIDE 14: PROTECTION OF WOMEN – INTERNATIONAL HUMAN RIGHTS LAW AND INTERNATIONAL HUMANITARIAN LAW



Within their ambit of application, both international human rights and humanitarian law regard any form of sexual violence during conflict, including rape and enforced prostitution, as serious violations. Individuals responsible for those violations may also incur criminal responsibility for war crimes or crimes against humanity.

Women enjoy special protection in detention. Human rights law requires, among other things, that women be detained separately from men.

SLIDE 15: INTERNATIONAL REFUGEE LAW

International Refugee Law



- Refugees usually need special protection. Missions may have a mandate to assist with their return
- 1951 Refugee Convention:
 - Definition: Fear of **persecution** owing to race, religion, other
 - International protected status / under UNHCR mandate
 - Refugee rights
- 1969 African Refugee Convention
 - Refugee status also to those fleeing **armed conflict** and other major violence





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When Governments are unwilling or unable to protect their citizens, individuals may suffer such serious violations of their rights that they are compelled to flee their country and seek refuge in another country. Since the Governments of their home countries no longer protect the basic rights of their citizens, it is the international community that must ensure that the basic rights of those seeking refuge in another country are respected.

The 1951 Convention Relating to the Status of Refugees is the foundation of international refugee law. The term “refugee” under the Refugee Convention refers to any person who has fled their country owing to a “well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion”. Individuals suspected of war crimes or crimes against humanity are excluded from refugee status.

A person fleeing a country where an armed conflict is taking place may qualify for refugee status in another country only if specific requirements are met: notably, evidence of the individual’s “well-founded fear of being persecuted”). Regional instruments have expanded the scope of the definition of “refugee”. Under the Organisation of African Unity 1969 Convention Governing the Specific Aspects of Refugee Problems in Africa (African Refugee Convention), a refugee is any person who, owing to... “events seriously disturbing public order in either part of the whole of his country of origin”, such as armed conflict, seeks refuge in another country.

The Latin American 1984 Cartagena Declaration on Refugees expanded the concept of a refugee to include persons who have fled their country because their lives, safety and freedom have been threatened by generalized violence, internal conflicts, among others, “which have seriously disturbed public order” in their country.


Refugees are generally civilians, therefore the mission has a duty to provide protection to refugees under its protection of civilians mandate. In addition, peace operations are often tasked with creating conditions conducive to the voluntary, safe, dignified and sustainable return or local integration of refugees and internally displaced persons.

SLIDE 16: CASE 3: GO BACK HOME


Case 3: Go back home

The host State's army is forcing refugees to go back to their home countries.

The refugees will be imprisoned in their home countries for “having left the country illegally”. In the prisons, woman and girls are often raped by the guards.



What legal concerns should the UN raise with the army?

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Learners may discuss this case in plenary or, if time permits, in small groups.

👉 *Key points to emphasize:*

- One of the fundamental principles of refugee law is the prohibition of *refoulement* (i.e., *non-refoulement*). This principle states that no one shall be returned to a country where there is substantial grounds for believing that they would face a real and personal risk of persecution, torture (including rape as a form of torture) or other grave human rights violations.

- Under international law, *refoulement* of refugees may amount to deportation – as a crime against humanity (if widespread or systematic) and as a war crime (if committed in the context of an armed conflict).
- In this case, the host State's army is committing grave violations. The United Nations mission shall not assist in such operations. Instead, the mission should raise concern by reporting the issue to UNHCR. In line with the "One United Nations" principle and their role to promote respect for international law, United Nations military commanders should echo such concerns in their engagement with counterparts in the host State's army.

SLIDE 17: RIGHTS OF REFUGEES



Rights of Refugees

- Prohibition of expulsion or return ("*refoulement*")
- Prohibition of discrimination on grounds of race, religion or country of origin
- Freedom to practice religion
- Right to acquire property
- Access to courts
- Public education
- Assistance
- Freedom of movement

 **UNHCR**
The UN Refugee Agency

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The rights of refugees are set out in the 1951 Refugee Convention that most States are party to; those rights are also guaranteed by international customary law which all States must respect.

International refugee law also contains important provisions to protect children. For instance, with regard to elementary education, refugee children must receive the same treatment as the host State's children.


SLIDE 18: INTERNALLY DISPLACED PERSONS (IDPs)


Internally Displaced Persons (IDPs)

- **Forced** to flee their homes (e.g. owing to war or natural disaster), but **have not crossed an international border**.
- **Maintain** human rights and citizens' rights
- **Must be protected** by their home State

Protected under:

- United Nations Guiding Principles on Internal Displacement
- African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa



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Internally displaced persons (IDPs) are people who have been compelled to leave their place of habitual residence owing to armed conflict, generalized violence, human rights violations, natural or human-made disasters that have threatened their lives and safety. Unlike refugees, they have not crossed an international border, but have remained in their own country. The protection of internally displaced persons and other affected populations in their own country is primarily the responsibility of national authorities as they are civilians. Unlike refugees, internally displaced persons do not enjoy special legal status under international law. However, the international community has a role to play in promoting and reinforcing efforts to ensure protection, assistance and solutions for internally displaced persons. UNHCR generally considers internally displaced persons to be persons of concern under its mandate, and the mission often makes special efforts to protect internally displaced persons' sites under its protection of civilians mandate. United Nations military will often be tasked with securing the perimeter of camps housing internally displaced persons, while United Nations police may work with the local police to ensure law and order within the camp.

Internally displaced persons maintain all their human rights as citizens of the country, such as the right to vote in elections. Therefore, the State must make arrangement for all eligible persons to be able to vote at the site of their displacement.

In 1998, the Representative of the Secretary-General on the human rights of internally displaced persons issued the Guiding Principles on Internal Displacement. The principles, which have been repeatedly endorsed by the international community of States,

reflect, and are consistent with, the binding legal obligations set out in international humanitarian and human rights law.

Leading the way at the regional level, in 2009, the African Union adopted the Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention). The Convention reinforces States' obligation to protect internally displaced persons.

SLIDE 19: INTERNATIONAL CRIMINAL LAW

International Criminal Law

- **War crimes:**
Grave breaches of Geneva Conventions and other serious violations of IHL
 - **Crimes against humanity:**
systematic or widespread inhumane acts
 - **Genocide:**
intent to destroy ethnic or religious group

- **State duty to prosecute**
perpetrators of war crimes, crimes against humanity and genocide
 - **International tribunals & courts** can prosecute (e.g. International Criminal Court)


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Some violations of international human rights, refugee law and humanitarian law are considered so grave by the international community of States that they are regarded as international crimes. Those are war crimes, crimes against humanity and genocide.

All States have a duty to prosecute and punish such crimes if they are committed within their territory. The international community may set up international tribunals and courts to prosecute and punish international crimes. For example, in response to international crimes committed during conflicts, the Security Council set up the International Criminal Tribunal for the former Yugoslavia (ICTY) in 1993, and International Criminal Tribunal for Rwanda (ICTR) in 1995. The International Criminal Court, established in 2002, is the first and only permanent international court with jurisdiction to prosecute individuals for international crimes committed in States that have accepted its jurisdiction (more than

120 States so far), and in places that are referred to the Court by the Security Council (e.g., Darfur, Libya, among others).

Military personnel should be aware of the following three categories of international crimes that are within the International Criminal Court's jurisdiction:

War crimes: Violations of the provisions of the Geneva Conventions of 1949; also breaches of other sources of international humanitarian law may entail war crimes on the part of the individuals who commit such crimes during an armed conflict;

Crimes against humanity: Inhumane acts committed by State authorities or non-State armed groups in a widespread or systematic manner against any civilian population, such as murder, rape, torture, among others. Such crimes are typically the outcome of an underlying policy to commit the crimes and/or elaborate planning at a high level of authority;

Genocide: In accordance with the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention), committing acts, such as killing, causing serious bodily or mental harm to or imposing measures on members of a national, ethnic, racial or religious group with the "intent, to destroy, in whole or in part, the group, as such" may amount to genocide. The killing of some individuals because of their religion or race does not constitute genocide. It is the "intent to annihilate the entire group, either in a specific area or globally" that determines the international crime of genocide.


The historic example that precipitated the concept of genocide as an international crime was the Holocaust, the result of Nazi Germany's attempt to annihilate the entire Jewish population of Europe.

SLIDE 20: CASE 4: IRRESPONSIBLE COMMAND

Case 4: Irresponsible command

- The military systematically looted a city, and soldiers raped hundreds of women and girls.
- The military commander troops never ordered her troops to commit such atrocities. However, she knew about them and did nothing to stop the troops under her command.

Has she committed an international crime?

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Learners may discuss this case in plenary or, if time permits, in small groups.

 *Key points to be emphasized:*

- Military commanders must have command responsibility; they cannot close their eyes to grave violations committed by their subordinates.
- Regardless of whether a commander has ordered soldiers to carry out an act, commanders will be held responsible for all international crimes committed by the troops under their command and for failing to prevent or repress the commission of such crimes (see slide 21).
- United Nations military commanders should consider invoking the principle of responsibility in their engagement with national forces, if they find that national military commanders are not effectively controlling their troops. Discussion of the principle of command responsibility in a peer-to-peer dialogue between military professionals may have a significant positive impact and may enhance human rights and humanitarian compliance on the part of national forces.

SLIDE 21: COMMAND RESPONSIBILITY

Command responsibility

Commanders are responsible for war crimes and crimes against humanity committed under their command if:

- They **knew or should have known** about the commission of the crimes

AND

- failed to take all necessary and reasonable measures to **prevent or repress** the crimes, including by investigating and prosecuting the perpetrators

Criminal responsibility without direct participation in the crime

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As demonstrated by case 4 (slide 20), command responsibility is an important principle for military commanders. Indeed, a military commander can incur criminal responsibility for grave international crimes by simply doing nothing to prevent the commission of the crime, even without actively participating in the crime.

SLIDE 22: PEACEKEEPING-SPECIFIC LAW



The rules that apply specifically to peace operations will be discussed in the rest of this lesson (2.1).

SLIDE 23: SECURITY COUNCIL MANDATE

Security Council Mandate

- A Security Council resolution is the highest legal basis for the deployment of a mission
- It outlines the tasks and responsibilities that the mission is expected to accomplish



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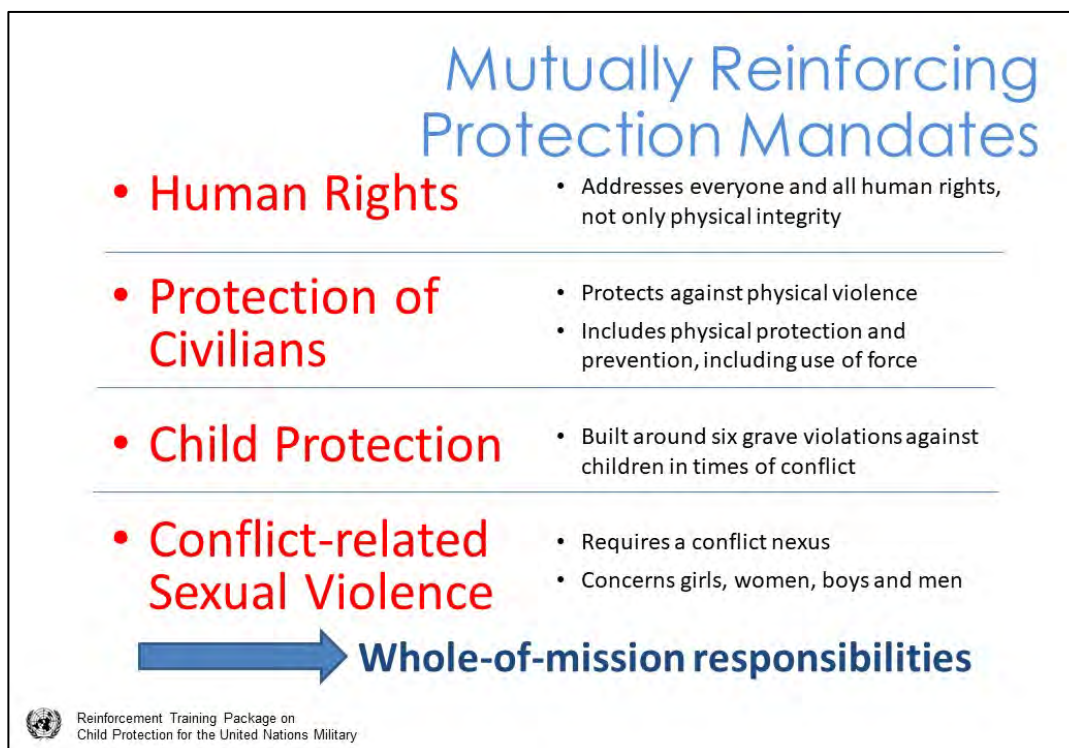
Photo on slide: The Security Council in session in New York.

Every peacekeeping operation begins with the adoption by the Security Council of a resolution to establish the mission. The Council seeks to establish a mission with the consent of the host State. Depending on the mission's mandate and role, the Council will want to obtain the consent of the parties to the conflict.

The Security Council resolution defines the mandate of the mission, that is, the tasks assigned to it, including any explicit authorization to use force. Mandates and/or tasks, differ from mission to mission. The range of mandated tasks differs between peace operations based on the conflict environment, challenges on the ground and other factors. Security Council mandates may also set cross-cutting thematic tasks for all missions, for example, prevention of conflict-related sexual violence.

Resolutions that authorize the deployment of a peace operation also establish the maximum strength of the uniformed components (i.e., military and police). The Security Council mandate is typically established for a fixed period (usually one year), after which it may be renewed. At this stage, the Council will review the authorized strength of the mission and make any adjustments it deems necessary.

SLIDE 24: MUTUALLY REINFORCING PROTECTION MANDATES



Before presenting the slide, show the United Nations training video on military components and their work to protect human rights (8 minutes).

Based on real mission examples, the video shows how military components contribute to upholding human rights, protecting civilians and preventing conflict-related sexual violence.

The video is available in English at <http://webtv.un.org/search/military-human-rights-cooperation/6214386490001/?term=2020-12-05&sort=date>; and in French at <http://webtv.un.org/search/composantes-militaires-%E2%80%93-coop%C3%A9ration-en-mati%C3%A8re-de-droits-de-l%E2%80%99homme/6214384098001/?term=2020-12-05&sort=date&lan=french>.

More and more, peace operations are placed in situations in which there is no firm peace to be kept, and with the expectation that their presence will protect the most vulnerable. Therefore, multidimensional peacekeeping missions are regularly assigned protection mandates. Although specialized civilian staff, including Human Rights Officers, Civilian Protection Advisers, Women Protection Advisers and Child Protection Advisers, work on these mandates, they nonetheless remain whole-of-mission responsibilities to which the United Nations must contribute.

🗨️ Protection mandates may overlap as they complement and reinforce each other:

- The human rights mandate seeks to protect the entire population and the full range of human rights. The mission advocates peaceful means, such as reporting to Headquarters, and other advocacy or capacity-building measures, to advance this mandate;
- The *protection of civilians mandate* is more limited, in that it is only concerned with physical violence and protects civilians only (as opposed to detained fighters, for example). However, it goes deeper than the human rights mandate because it authorizes the mission to use force where necessary to protect civilians;
- The *child protection mandate* focuses on the six categories of grave violations against children in armed conflict, namely, killing and maiming, recruitment or use, rape and other grave sexual violence, abduction, attacks on schools and hospitals, and denial of humanitarian access. See module 1 and lesson 2.2 for more details;
- The *conflict-related sexual violence (CRSV) mandate* requires the existence of a nexus between sexual violence and conflict (e.g., domestic violence would typically not be covered).

👉 Provide examples of how protection mandates overlap or differ:

- If State authorities order the closure of a newspaper criticizing the Government, that would be a violation of the human rights to freedom of expression, media and information. However, the protection of civilians mandate is not triggered unless there is physical violence. For example, if State agents physically assault journalists, the mission may intervene under its protection of civilians mandate, which includes the use of force, where necessary;
- If an armed group traffics underage girls for purposes of child prostitution (commercial sexual exploitation) in order to finance its armed activities, that would amount to abuse under the human rights mandate. The mission must take action under its protection of civilians mandate to protect the girls. Such sexual violence against children is of grave concern to both the child protection and the conflict-related sexual violence mandates.

SLIDE 25: CASE 5: MANDATE INTERPRETATION


Case 5: Mandate interpretation

The Mission's mandate authorizes it to take **"all necessary measures to protect civilians"**

Local villagers captured **three 16-year olds** who they accuse of being **fighters of an armed group** involved in crimes against humanity.

The Mayor of the town wants the United Nations Mission to **send Blue Helmet peacekeepers to detain the three youths and put them on trial**. The Mayor fears that riots may break out or the three may be lynched if not detained and tried.

What is the mission legally allowed to do?
What is it not allowed to do?



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The discussion of this case should show that the mission's protection of civilians mandate determines its action:

Civilians: The population of the town are civilians who are not participating in hostilities (see definition, discussed above, under international humanitarian law). If the three 16-year-olds are indeed armed fighters, then they are not civilians, but rather combatants in the conflict. However, as children (under 18 years), they deserve special protection because they are victims of a grave violation against children, namely recruitment and use. Moreover, maybe they are being wrongly accused of being fighters in an armed group, therefore the mission has a duty to protect them, in any case;

Threat of physical violence: The local community faces constant threat of physical violence owing to the presence of an armed group committing crimes against humanity. The threat of physical violence does not have to be imminent (i.e., about to happen). The captured 16-year-old children also face a risk of physical violence (i.e., summary execution by lynching);

Protection without prejudice to the responsibility of the host State: The mission should first assess whether the local police can manage the situation. However, it is likely that the local police cannot deploy officers with the necessary strength and urgency. Therefore, the mission must act;


All necessary measures: Under its protection of civilians mandate, the mission may use force, if deemed necessary, to protect civilians. Using graduated force, it would first seek to show authoritative physical presence to contain the situation. The mission may also apprehend and temporarily detain the teenagers (including for purposes of protecting them).


However, the protection of civilians mandate does not give the mission prosecutorial or judicial powers. These remain the sovereign prerogative of the host State. Instead, the mission would seek to promptly hand over the children to the local authorities, provided that the authorities can guarantee that they will be treated humanely. The mission has 96 hours to carry out a risk assessment and hand over the detainees (see DPO/DPPA/DSS, revised Standard Operating Procedures: The Handling of Detention in United Nations Peacekeeping Operations and Special Missions, 2021). If the teenagers were indeed used in armed conflict, they should be referred to a reintegration programme, which the mission's Child Protection Unit and UNICEF can usually arrange (see lesson 1.2, slide 14: Child protection coordination, and subsequent lessons for details).

SLIDE 26: PROTECTION OF CIVILIANS MANDATE: "TAKE ALL NECESSARY ACTION"

Protection of Civilians Mandate: "Take all necessary action"

- Includes military, civilian and police action
- Does not replace the sovereign responsibilities of the host State
- Authority to use deadly force (as a last resort) to protect civilians under threat
- Must comply with IHRL and IHL as spelled out in the rules of engagement




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The protection of civilians mandate is the strongest protection mandate in the sense that it authorizes "all necessary measures", including the use of deadly force, to be taken as a measure of last resort.

This authority can be invoked where the host State is not willing or is unable to protect civilians on its own.

Any action to protect civilians, including the use of force, must comply with human rights principles and with international humanitarian law, if United Nations military forces use combat-level force. The military component's rules of engagement will provide details specific to the mission.

SLIDE 27: RULES OF ENGAGEMENT

Rules of Engagement

- Provides guidance on **authority** and **limits** to use force, and basis for accountability
- Covers weapons use, detention, searches
- Must abide by international human rights law at all times
- When the military is engaged in hostilities, must also comply with international humanitarian law





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Guidance as to when and how the mission may use force can be found in the rules of engagement applicable to the military component and the directives on the use of force by the police component.

Rules of engagement provide mission-specific guidance that builds on the mandate assigned to the particular mission by the Security Council, international human rights and humanitarian law, as well as DPKO/DFS, Guidelines on the Use of Force by Military Components in United Nations Peacekeeping Operations (2017).

The rules of engagement not only cover “force” in the narrow sense of the word (i.e., kinetic force), but also forcible measures such as detention, searches and seizures of materials.

Rules of engagement commonly cover:

- Use of force
- Use of weapons systems
- Authority to carry weapons
- Authority to detain, search, disarm
- Reactions to civil actions or unrest


Troop-/Police-contributing countries are not permitted to modify the rules of engagement according to national interpretation(s), nor to impose any caveats on the authorizations on the use force contained in the rules of engagement without formal consultation with United Nations Headquarters and the express written agreement of DPO.

Troop-contributing countries must prepare and train personnel on the rules of engagement of United Nations military peacekeepers.

SLIDE 28: USE OF FORCE BY PEACEKEEPERS

Use of Force by Peacekeepers

<p style="color: #008000; font-weight: bold; text-decoration: underline;">Authority to Use Force</p> <ul style="list-style-type: none"> • Self-defence • Defence of mandate, including freedom of movement • Protection of civilians • Other mandates given by the Security Council 	<p style="color: #CC0000; font-weight: bold; text-decoration: underline;">Limits on Use of Force</p> <ul style="list-style-type: none"> • Generally minimal use of force: IHRL/ policing rules • Military can escalate to combat-level force when necessary: IHL/ military rules
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The rules of engagement set out when the mission has authority to use force, and the mission always has the authority to use force in self-defence. The use of force beyond self-defence is defined in the mandate. Multidimensional missions may be authorized to use force in defence of the mandate, including for purposes of asserting their freedom of movement. Furthermore, missions are generally mandated to use all necessary means to protect civilians against physical violence. In some cases, the mandate may further extend the mission's authority to use force. Some mandates may give authority to use force to neutralize armed groups in support of the host State.

The rules of engagement and the directives on the use of force establish limitations on the use of force. Under the directives on the use of force, uniformed police may use force within the limits of international law enforcement and human rights standards.

The rules of engagement for the military limits the use of force to the minimum necessary to achieve the aim. However, military personnel may resort to combat-level military force when necessary to effectively implement mandates authorizing the use of force. In such situations, military peacekeepers are bound primarily by the international humanitarian rules governing the conduct of hostilities.


Missions have a responsibility to make full use of their authority to use force to the extent that is appropriate and necessary to effectively implement their mandate. United Nations Blue Helmets (peacekeepers) may be held accountable and face disciplinary measures and criminal sanctions under the jurisdiction of their home country if they use excessive force beyond what international human rights or humanitarian law permit. It should be pointed out, however, that findings of use of excessive force have rarely, if ever, been made against United Nations peacekeepers. Rather, there may be instances in which peacekeepers fail to use the force necessary to protect the mission or civilians. Since all United Nations troops are under the command of the Force Commander, any failure to follow lawful orders issued by the Force Commander would constitute insubordination, which is subject to the jurisdiction of the respective contingent's home country.

SLIDE 29: DPO GUIDELINES ON MILITARY USE OF FORCE: MINIMUM FORCE NECESSARY


DPO Guidelines on Military Use of Force Minimum Force Necessary

- Minimum force to achieve objective
- Graduated force
- Proportionality (lethal force only to protect life)

- ✓ Avoid escalation of violence
- ✓ Avoid participation in conflict
- ✓ Minimize harm to civilian population



Note: United Nations Police shall use non-military force only!

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DPO has established guidelines on the use of force by the military, which also shape the rules of engagement of the specific missions. The guidelines emphasize that missions should use the minimum force necessary to achieve their objective. In particular, the use of firearms and other potentially lethal weapons may only be used to protect persons from physical violence, and not solely to protect mission property. This is a deliberate policy decision that serves to:

- Avoid escalation of violence;
- Avoid the possibility of military components become participants in armed conflict;
- Minimize the risk of harm to civilians that any escalation of force entails.

United Nations police (UNPOL) must never go beyond the minimum force necessary to carry out their duty, United Nations military may apply combat-level force whenever it has the authority to use force and such force is necessary. For example:


- The military component may deploy helicopter gunships to protect civilians living in a city that is being attacked by an armed group;
- United Nations forces may launch a military assault to dismantle an armed group's heavily guarded, but illegal, roadblocks in order to defend its mandate and assert freedom of movement.

When using this level of force, United Nations military forces must respect international humanitarian law, including the fundamental principles of distinction, precaution and proportionality.

SLIDE 30: UNITED NATIONS POLICIES AND GUIDANCE

United Nations Policies and Guidance

- The Secretary-General's policies apply to all United Nations work.
- The Department of Peace Operations' policies apply specifically to peace operations.
- Details of the policies are transmitted through guidelines, standard operating procedures and standing orders
- Guidance issued by the Secretary-General or by the Department of Peace Operations is legally binding.

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United Nations internal regulations are binding on United Nations infantry battalions and other peace operations personnel. The Secretary-General issues policies containing basic principles that are applicable to all United Nations staff (see, for example, the Human Rights Due Diligence Policy discussed in slides 8 and 9); while DPO and DPPA adopt policies specifically for peace operations. The details for implementing the policies are laid out in guidelines, standard operating procedures or mission-specific guidance.

The following slides present two particularly important DPO policies that establish binding rules on how United Nations personnel, in particular uniformed personnel, should handle issues relating to peacekeeping intelligence and human rights violations.

SLIDE 31: DPO POLICY ON PEACEPEEKING INTELLIGENCE – LIMITS ON
UNITED NATIONS INTELLIGENCE ACTIVITIES

DPO Policy on Peacekeeping Intelligence – Limits on UN Intelligence Activities

- ✓ Full respect for human rights and international law
- ✓ No clandestine activities
- ✓ No exposure of sources to harm
- ✓ Independence of UN peacekeeping intelligence
- ✓ Cooperation with States subject to conditions

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Also, with a view, in particular, to better protecting the mission and civilians from security threats, United Nations peace operations may collect, process and share peacekeeping intelligence. However, this work is subject to strict rules that are laid out in DPO Policy on Peacekeeping Intelligence and underlying peacekeeping intelligence (PKI) guidelines. Some guidelines are based on international human rights standards; others have been established by the United Nations to protect the independence and impartiality of the missions.

Intelligence gathering must fully respect human rights. For example, United Nations personnel shall not physically abuse captured armed group fighters nor deny them water, food or necessary medical care as a means of forcing them to provide information.

Clandestine activities are outside the boundaries of peacekeeping intelligence and shall not be undertaken as they undermine the reputation of the mission and may place United Nations personnel at risk. United Nations policy defines clandestine activities as:

“the acquisition of information or intelligence conducted in such a way as to assure secrecy or concealment of the activities, because they are illicit and/or

are inconsistent with the legal framework, principles, policies and mandates of United Nations peacekeeping operations”.

For example, United Nations staff must never hack into the database of a government authority or a non-governmental organization in order to seek information.

However, the limitation on using non-clandestine means to seek information does not mean that the mission has to reveal its sources to the host State or others. On the contrary, all mission personnel are required to apply particular care not to expose any sources or potential sources of information to harm. Before approaching human sources, careful assessment must be carried out to determine whether contact with the United Nations would place the source at risk and whether confidentiality can be ensured. For example, United Nations military observers (UNMO) decided not to ask villagers about armed group activity in the region, because they were aware that armed group informants were closely watching the village, and anyone merely suspected of providing information to the United Nations could have been subject to reprisals from the armed group. When interviewing sources, military observers should always ensure confidentiality, for example, by meeting sources away from their place of residence.

United Nations peacekeeping intelligence activities must be fully autonomous and independent of all aspects of any national intelligence system or other operations, and must maintain their exclusively international character. The mission's independence and perceived impartiality may be compromised if United Nations personnel are viewed as being an intelligence arm of the host Government or third States. Information may be shared with State authorities but must be subject to the conditions and limitations of international human rights law. In particular, the United Nations shall not invite the provision of any information if there is a real risk that such information was obtained under torture or other serious human rights violations.

Similarly, the United Nations shall not share information with intelligence actors if there is a real risk that such information would be used to further violations of international human rights or humanitarian law. For instance, the United Nations Mission shall not share the location of an armed group with the army of the host country if such information would incite an airstrike, conducted without regard to civilian casualties, in contravention of international humanitarian law principles of distinction, precaution and proportionality.

SLIDE 32: CASE 6: A NEW ARMED GROUP

Case 6: A new armed group

To obtain information about a new armed group, United Nations military observers are considering approaching children who work for the group as porters and cooks. They do not intend to pay the children for any information provided.

Is this course of action allowed?



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Learners should discuss in plenary whether this course of action is allowed under United Nations rules.

DPO Guideline on Acquisition of Information from Human Sources for Peacekeeping Intelligence specify that missions must never recruit children as sources of intelligence, because they cannot give free and informed consent to assume the grave risks involved in an informant's role. Paying children for military information may also violate the prohibition from recruiting children for military activities under international human rights and humanitarian law.

SLIDE 33: POLICY ON HUMAN RIGHTS IN PEACE OPERATIONS: RESPONSIBILITIES OF UNITED NATIONS INFANTRY BATTALION TROOPS

Policy on Human Rights in Peace Operations – Responsibilities of UNIBAT troops

- **Identify**
- **Record**
- **Report**
- **Confidentiality**
- **Refer victims (support)**
- **Protect**
- **Follow up situation**





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The Policy on Human Rights in United Nations Peace Operations establish specific responsibilities for United Nations military and police personnel when they encounter violations of human rights and international humanitarian law.

As United Nations mission personnel you may be required to observe, monitor and report on developments that have an impact on the human rights situation, including ceasefire and human rights violations, abuses against children associated with armed forces or patterns of conflict-related sexual violence. You should actively identify issues by reaching out to all sectors of society.

Peacekeepers must promptly record and share with the Human Rights component all allegations of violations received or observed for follow-up. Child Protection Advisers/Officers will deal with cases specifically involving grave violations against children. Formal mechanisms such as standard of procedures (SOP) will address such information-sharing.

Respect for the principle of confidentiality must always be maintained; names of victims and witnesses should not be included in reports with broad circulation.

Based on referral systems established by the mission or United Nations agencies, victims must be promptly referred to appropriate providers of medical assistance, psychosocial support and protection.

In some cases, intervention such as raising an urgent concern with the party concerned or more robust action under the protection of civilians mandate may be appropriate.

SLIDE 34: TAKEAWAYS



- All mission work must respect, promote and protect international human rights, humanitarian and refugee law.
- The Security Council has issued several mutually reinforcing mandates that protect children and establish priorities for missions.
- DPO and other UN policies establish binding rules by which all staff must abide, including rules to protect children.

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Summary

Takeaways from Lesson 2.1:

- All mission work must respect, promote and protect international human rights, humanitarian and refugee law.
- The Security Council has issued several mutually reinforcing mandates that protect children and establish priorities for missions.
- DPO and other United Nations policies establish binding rules by which all staff must abide, including rules to protect children.

SLIDE 35: QUESTIONS



NOTES (FOR TRAINER)

- ☞ *Allow sufficient time for questions to be asked/answered. Actively encourage questions from learners.*

Lesson 2.2



Child Protection Framework

The Lesson



Starting the Lesson 2.2



For an interactive start to lesson 2.2, ask learners:

Why do peacekeepers have a legal and moral obligation to protect children?

OVERVIEW

This lesson will explore the child protection framework that applies to all United Nations peacekeepers. The discussions should engage learners from the outset.

LEARNING OBJECTIVES

- Understand the legal obligation, mandate and authority to protect children;
- Understand the main guiding frameworks on child protection:
 - The international legal framework for the protection of children in armed conflict;
 - Security Council resolutions on children and armed conflict, and child protection provisions in peacekeeping;
 - DPKO/DFS/DPA Policy on Child Protection in United Nations Peace Operations (2017);
 - The Paris Principles and the Vancouver Principles.

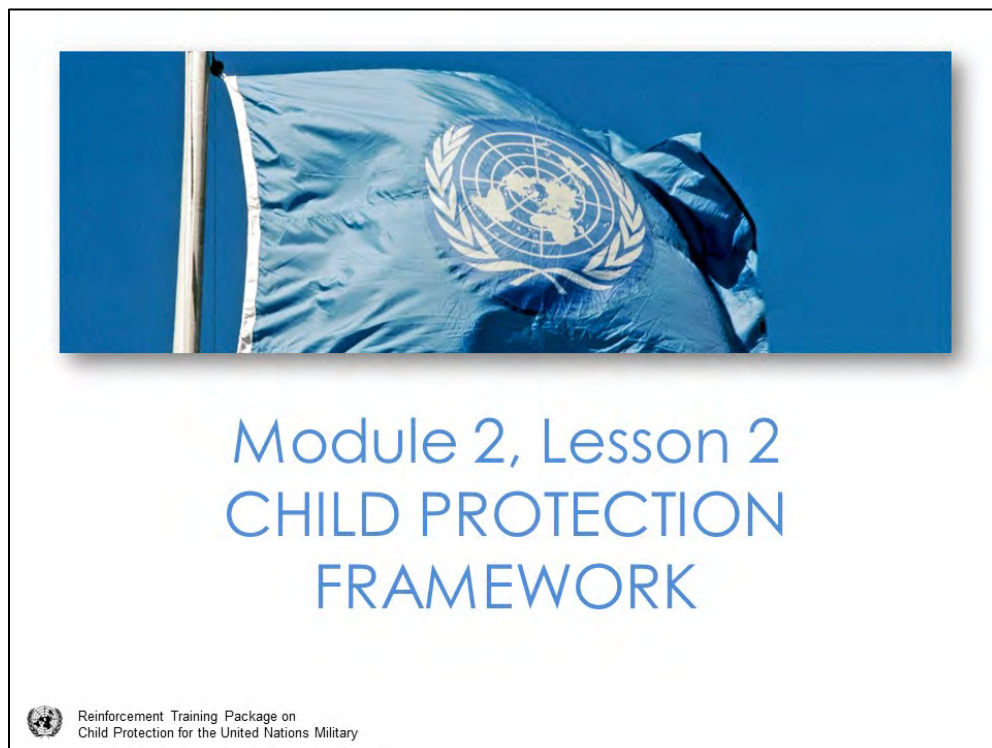
ACTIVITIES

- Child Protection Framework scenario exercise
- Optional group discussions

HANDOUTS (FOR LEARNERS)

1. Excerpts from Security Council resolutions on children and armed conflict (slides 15 and 16)
2. Paragraphs on child protection in Security Council resolutions (Democratic Republic of the Congo, South Sudan, Central African Republic) – (slide 18, also used in Module 3)
3. Child Protection Framework scenarios
4. UNMISS Force Commander's Child Protection Directive (slide 21)
5. Convention on the Rights of the Child
6. ICRC, Legal Protection of Children in Armed Conflict (Factsheet 2003)
7. List of references

SLIDE 1: MODULE 2, LESSON 2: CHILD PROTECTION FRAMEWORK



NOTES (FOR TRAINER)

- In this lesson, we will explore the Child Protection Framework that applies to all United Nations peacekeepers. Children are entitled to special protection and care under international human rights and humanitarian law.

Furthermore, specific Security Council resolutions and DPKO/DFS/DPA Policy on Child Protection in United Nations Peace Operations (2017) outline the obligations of peacekeepers to protect children in United Nations peace operations.

SLIDE 2: LEARNING OBJECTIVES


Learning Objectives

- **Understand** the legal obligation, mandate and authority to protect children;
- **Understand** the main guiding frameworks on child protection:
 - The international legal framework for the protection of children in armed conflict;
 - Security Council resolutions on children and armed conflict, child protection provisions in peacekeeping;
 - DPKO-DFS-DPA Policy on Child Protection in United Nations Peace Operations (2017);
 - The Paris Principles and the Vancouver Principles relating to peacekeeping and child soldiers.

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NOTES (FOR TRAINER)

Key Message: It is imperative that military Child Protection Focal Points understand the legal framework on child protection in order to promote the obligations and the authority of military personnel to protect children.

 *The legal framework on child protection is vast. There is not enough time to cover all the legal issues in detail in this presentation. Provide a general overview of the legal provisions so that learners obtain a basic understanding. While learners will not be called upon to act as lawyers, they must be aware of the legal frameworks that guide child protection and the legal obligations of United Nations peacekeepers.*

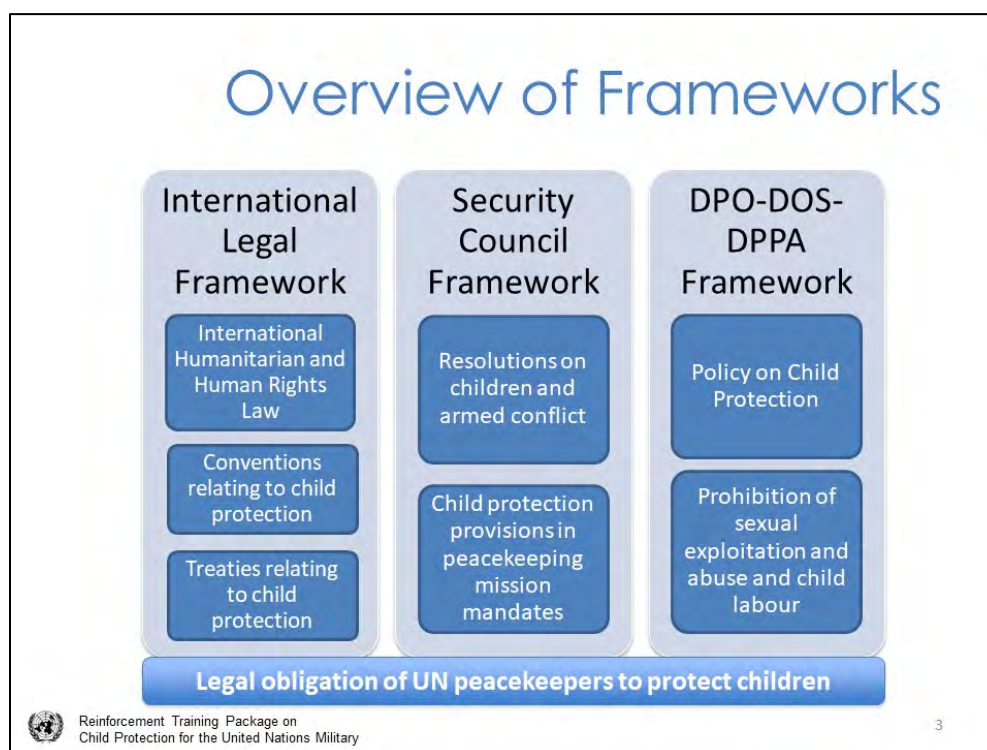
 In this lesson, you will develop a thorough understanding of the main guiding frameworks for child protection:

1. The international legal framework for the protection of children in armed conflict, which includes international human rights law, international humanitarian law, and conventions and protocols on child protection.
2. The Security Council framework, which comprises resolutions on children and armed conflict and child protection provisions in peacekeeping and mission-specific mandates.
3. The DPO-DOS-DPPA framework, which includes DPKO/DFS/DPA Policy on Child Protection in United Nations Peace Operations, as well as other policies and

guidelines such as the Human Rights Due Diligence Policy, civilian protection policies and guidelines, the United Nations Infantry Battalion Manual (UNIBAM) developed by DPO, DOS and DPPA.

4. Guiding principles such as the Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (2007), and the Vancouver Principles on Peacekeeping and the Prevention of the Recruitment and Use of Child Soldiers (2017).

SLIDE 3: OVERVIEW OF FRAMEWORKS



NOTES (FOR TRAINER)

Key Message: The legal framework on child protection can be divided into three pillars: the international legal framework, the Security Council framework and the DPO-DOS-DPPA framework.

- The slide presents an overview of the child protection frameworks for peacekeepers. We will explore each one in this presentation.

SLIDE 4: INTERNATIONAL HUMANITARIAN LAW

International Humanitarian Law

- Applies in times of armed conflict;
- Aims to limit the negative impact of armed conflict, especially on civilians;
- Protects persons who are not (or no longer) participating in hostilities;
- Restricts the means and methods of warfare;

**Geneva Conventions (1949) and
their Additional Protocols (1977)**

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NOTES (FOR TRAINER)

Key Message: International humanitarian law is intended to limit suffering during conflict by specifically prohibiting attacks against civilians. This also applies to peacekeepers.

☞ International humanitarian law is also known as the *law of war* or the *law of armed conflict*.


1. International humanitarian law applies in times of armed conflict – both international and non-international (i.e., internal) – armed conflicts.
2. International humanitarian law comprises a set of rules aimed at limiting the negative impact of armed conflict and reducing suffering during wartime. The parties to conflict must, at all times, distinguish between the civilians and combatants. Attacks may be made only against military object and must be consistent with the principle of proportionality. Torture and other cruel, inhumane or degrading treatment or punishment are prohibited at all times and in all circumstances.
3. International humanitarian law protects persons who are not/no longer participating in hostilities, such as civilians, wounded persons, prisoners, medical personnel and humanitarian workers.

4. International humanitarian law restricts the means and methods of warfare; the use of certain weapons, such as incendiary weapons (i.e., weapons that cause a fire), is not permitted, because they can cause undue suffering.
5. The main rules of international humanitarian law can found in the Geneva Conventions (1949) and their Additional Protocols (1977).

SLIDE 5: PROTECTION OF CHILDREN UNDER INTERNATIONAL HUMANITARIAN LAW

Protection of Children under International Humanitarian Law

- Children shall not be the objects of attack;
- Children are entitled to special protection, care and aid;
- Children must be evacuated from besieged or encircled areas;
- If detained or interned, children must be held in separate quarters from adults;
- Prohibitions apply to recruitment of children, participation of children in hostilities, the death penalty for children under 18 years of age.


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NOTES (FOR TRAINER)

Key Message: International humanitarian law contains specific provisions to safeguard children during conflict.

- **Additional Protocol I to the Geneva Conventions (art. 77)** sets out the principle of special protection for children: “Children shall be the object of special respect and shall be protected against any form of indecent assault. The parties to the conflict shall provide them with the care and aid they require, whether because of their age or for any other reason.” These provisions apply in both international and non-international (i.e., internal) conflicts as customary humanitarian law.


Additional Protocol II to the Geneva Conventions (art. 4) stipulates that: "Children shall be provided with the care and aid they require," and lists special measures devoted exclusively to children.

SLIDE 6: WHO IS BOUND BY INTERNATIONAL HUMANITARIAN LAW?

Who Is Bound By International Humanitarian Law?

- States and organized armed groups;
- United Nations peacekeeping forces;
- UN military personnel who violate IHL are subject to prosecution in their national courts.



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NOTES (FOR TRAINER)

Key Message: All parties to a conflict are bound by international humanitarian law. That law also applies to United Nations military components.

☞ All parties to conflict are bound by the rules of international humanitarian law. The law applies once a conflict has begun, and equally to all sides, regardless of who started the fighting. International humanitarian law also applies to United Nations forces if they are actively engaged in hostilities as combatants, and to the extent and for the duration of their engagement.

☞ *The obligations of United Nations peacekeeping personnel under international humanitarian law are stated in the Secretary-General's bulletin ST/SGB/1999/13 of 6 August 1999, on observance of United Nations forces of international humanitarian law.*

☞ Particularly for training courses with contingent commanders, trainers should consider handing out a copy of the Secretary-General's bulletin, which is available from <http://hrlibrary.umn.edu/instate/unobservance1999.pdf>.

SLIDE 7: INTERNATIONAL HUMAN RIGHTS LAW

International Human Rights Law

- Applies to all human beings in times of both war and peace;
- Human rights are universal;
- No one can take away a person's human rights;
- Human rights are interdependent and equally important;
- Human rights are legal and internationally guaranteed.


Reinforcement Training Package on
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NOTES (FOR TRAINER)

Key Message: Human rights is at the core of United Nations peace operations.

☛ International human rights law applies in times of both war and peace, and to all human beings.

The universality of human rights is highlighted in the Charter of the United Nations, which commits Member States to promote and encourage respect for human rights and fundamental freedoms for all, without distinction as to race, colour, sex, language or religion. The United Nations Charter is a binding international treaty.

No one can take away a person's human rights. A person's human rights may be violated – and they often are – but this doesn't mean that they have been taken away from the person concerned.

Human rights are interdependent and indivisible. This means that the realization of one human right is linked to the realization of the others. For example, in order to be

able to express their political opinion by voting, citizens must have access to adequate and relevant information.

Over time, human rights have come to be protected by domestic laws, national constitutions and international law. Human rights are established in international law, therefore they are legal and internationally guaranteed.

SLIDE 8: PROTECTION OF CHILDREN UNDER INTERNATIONAL HUMAN RIGHTS LAW

Protection of Children under International Human Rights Law

- **Convention on the Rights of the Child (1989)**
- **Optional Protocol to the Convention on the involvement of children in armed conflict (2000)**
 - Children are entitled to special protection during armed conflict;
 - Prohibition against compulsory recruitment of persons under 18 years into ***national armed forces***;
 - Prohibition against voluntary or compulsory recruitment of persons under 18 years into ***armed groups***.




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NOTES (FOR TRAINER)

Key Message: Under international human rights law, children are entitled to special protection in times of conflict.

- Children are entitled to special protection and care under international human rights law.

The Convention on the Rights of the Child (CRC), adopted in 1989, outlines the fundamental rights of children, including the right to protection from economic exploitation and harmful work, all forms of sexual exploitation and sexual abuse, and physical and mental violence. Children are entitled to special protection in times of war. *The Convention is one of the most widely ratified human rights treaties.*

There are three Optional Protocols to the Convention on the Rights of the Child: one outlaws the sale of children, child prostitution and child pornography, one prohibits the involvement of children in armed conflict, and one focuses on a communications procedure, through which children can report violations of their rights.

The *Optional Protocol on the involvement of children in armed conflict (OPAC)*, adopted in 2000, obligates States Parties to take all feasible measures to ensure that members of their armed forces who have not reached the age of 18 years do not take a direct part in hostilities (art. 1). It prohibits non-State armed groups from recruiting or using in hostilities, under any circumstances, persons under the age of 18 years, and obligates States Parties to take measures to prevent, prohibit and criminalize such practices (art. 4).

Any voluntary recruitment into armed forces of individuals under the age of 18 must include sufficient safeguards.

☞ *In times of conflict, those safeguards usually cannot be ensured. Peacekeepers encountering a child (anyone under 18 years) in national armed forces or non-State armed groups must report it as a violation.*

SLIDE 9: ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT

Rome Statute of the International Criminal Court



- There is ***NO impunity*** for those who commit violations against children;
- Impunity means exemption or freedom from punishment, harm, or loss.



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NOTES (FOR TRAINER)

Key Message: There is no impunity for those who commit violations against children. Peacekeeping missions play a key role in reporting and documenting such violations.

- Impunity is defined as the “exemption or freedom from punishment, harm, or loss”. Perpetrators of crimes against children WILL BE punished.


The *Rome Statute of the International Criminal Court (1998)* has established conscripting or enlisting into national armed forces or using children under the age of 15 years in hostilities as a *war crime*.


- The participation of children between 15 and 18 years in hostilities is prohibited by the *Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC)* and is deemed a grave violation, but it does not constitute a war crime.

SLIDE 10: THE CASE OF THOMAS LUBANGA DYILO

The Case of Thomas Lubanga Dyilo

Thomas Lubanga Dyilo was found **GUILTY** of forcibly enlisting and conscripting children under the age of 15 years. Lubanga was the first war criminal convicted by the International Criminal Court and sentenced to 14 years imprisonment on 10 July 2012.



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NOTES (FOR TRAINER)

Key Message: The International Criminal Court plays a key role in seeking justice for war crimes and crimes against humanity, including the recruitment and use of children in hostilities.

- On 26 January 2009, the International Criminal Court opened its first trial in the case against Congolese warlord *Thomas Lubanga Dyilo*. Lubanga was the first person charged in the Democratic Republic of Congo case as well as the Court's first detainee. The trial marked a turning point for the Rome Statute, the International Criminal Court's founding treaty, which entered into force only in 2002. The Lubanga proceedings included the first test of formal victim participation in an international criminal trial. The case also highlighted the gravity of recruitment, enlistment and conscription of children. As the alleged leader of the Union of Congolese Patriots (UPC) and the commander-in-chief of its military wing, the *Forces patriotiques pour la libération du Congo* (FPLC), Lubanga was accused of enlisting and conscripting children under the age of 15 years and using them to actively participate in hostilities from September 2002 to 13 August 2003.

☞ For more information, see:

1. <http://www.coalitionfortheicc.org/cases/thomas-lubanga-dyilo>
2. http://www.icc-cpi.int/en_menus/icc/situations_and_cases/situations/situation_icc_0104/related_cases/icc_0104_0106/Pages/democratic_republic_of_the_congo.aspx

- Another significant case was that of *Charles Taylor*, former President of Liberia, who, in 2012, was indicted, tried, and found guilty of war crimes and crimes against humanity by an international criminal tribunal – the Special Court for Sierra Leone –, including for enlisting and conscripting children under the age of 15 years and using them in active and direct participation in hostilities. He was sentenced to 50 years' imprisonment.

☞ For more information, see <http://www.rscsl.org/Taylor.html>

SLIDE 11: OTHER RELEVANT CONVENTIONS

Other Relevant Conventions

- **International Labour Organization (ILO) Convention No. 182 (1999):**
 - Prohibits and eliminates the worst forms of child labour, including forced and compulsory recruitment of children for use in armed conflict.
- **Mine Ban Treaty (1997) and the Convention on Cluster Munitions (2008):**
 - Bans the use of mines and cluster munitions;
 - Offers specific provisions for risk education, and gender- and age-appropriate victim/survivor assistance for affected individuals (including children) and communities.

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NOTES (FOR TRAINER)

Key Message: These conventions also provide specific provisions aimed at protecting children and prohibiting specific weapon systems that disproportionately impact them.

- In addition to international human rights and humanitarian law and the Statute of the International Criminal Court, other conventions also protect children.

The International Labour Organization Convention No. 182 (1999) on the worst forms of child labour established “forced or compulsory recruitment of children for use in hostilities” as *one of the worst forms of child labour*.

Mines and explosive remnants of war pose a substantial threat to civilians, especially children in post-conflict areas, such as serious injuries and maiming. The Mine Ban Treaty (1997) and the Convention on Cluster Munitions (2008) prohibit the use of those weapons and contain specific provisions for risk education, and gender- and age-appropriate victim/survivor assistance for individuals and communities affected by explosive remnants of war.

SLIDE 12: INTERNATIONAL LAWS VS. NATIONAL LAWS

International Laws vs. National Laws

In some cases, the national laws and traditional customs of a State may not fully reflect or even contradict international law. In such cases, ***international laws and standards supersede national laws.***



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NOTES (FOR TRAINER)

Key Message: Peacekeepers must uphold and protect children in line with international child protection standards.

- 🗣️ National laws differ from country to country. One point that often causes confusion, especially among military peacekeepers, is the relationship between national and international laws, and how to respond if the two systems of law are in conflict. In such cases, international laws and standards supersede national laws.



Ask learners:

How old should one be to join your national armed forces?

- 🗣️ Many of you may have been 17 years. Does that mean that you were child soldiers? Note that, under national laws, the army may be able to recruit individuals under the age of 18; however, under international law, an army shall not use soldiers under 18 years in active or direct combat.



Ask learners:

Should you report violations of international laws if they contradict national laws?

- 🗣️ Absolutely!

- Even if the age of adulthood in the country is 15 years, peacekeepers must report violations against children, i.e., persons under 18 years;

Even if under the country's laws, the minimum age of service is 15 years, peacekeepers must monitor and report any child soldier, i.e., a person under 18 years.

SLIDE 13: SECURITY COUNCIL ACTION



NOTES (FOR TRAINER)

Key Message: Security Council resolutions are legally binding on Member States, peacekeeping missions and peacekeepers.

- The Security Council has adopted resolutions that spell out peacekeepers' obligations on child protection. Security Council resolutions are legally binding documents by which all peacekeepers must abide.

SLIDE 14: SECURITY COUNCIL ACTION – CHILD PROTECTION

Security Council Action – Child Protection

- Graça Machel's report, **Impact of Armed Conflict on Children** (1996), revealed the terrible impact of war on children;
- In its resolution 1261 (1999), the Security Council decided that the situation of children in armed conflict was an **international peace and security concern**;
- Specific child protection language is now included in peacekeeping mandates;
- Peacekeeping missions have specific responsibilities regarding child protection.

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NOTES (FOR TRAINER)

Key Message: The establishment of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict (OSRSG-CAAC) in 1996, and Security Council resolution 1261 (1999) are considered key milestones that enhance the protection of children in conflict.

🗨 In 1996, Graça Machel, an expert appointed by the Secretary-General, prepared a ground-breaking report (A/51/306) on the horrific impact of armed conflict on children, and called upon the international community to take action.

In 1997, upon the recommendation of General Assembly resolution 51/77, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict was established as the global advocate for children in armed conflict.

In 1999, the Security Council (resolution 1261 (1999)) recognized that the protection of children in armed conflict situations was an international peace and security issue and decided to include it on its agenda going forward. Since then, the Security Council includes specific language on child protection in mission mandates and has also decided to deploy Child Protection Advisers in peacekeeping missions.

- ☞ Depending on their future roles in the mission, some learners may be interested in learning more about Security Council resolutions and the MRM. Refer them to the Child Protection Adviser in the mission or the UNICEF Child Protection Specialist, and recommend the Specialized Training Materials on Child Protection and the suggested references.


SLIDE 15: SECURITY COUNCIL RESOLUTIONS – CHILDREN AND ARMED CONFLICT (1)


Security Council Resolutions – Children and Armed Conflict (1)

Resolution 1261 (1999): Child protection is a **concern for international peace and security**. All peacekeepers **must be trained** on child protection;

Resolution 1612 (2005): Peacekeeping missions **must monitor and report** on grave violations against children. Armed groups/forces committing those grave violations will be **listed** in the Secretary-General's annual reports on children and armed conflict (the "Shame List");

✓ *Peacekeepers have the responsibility to monitor and report on the six grave violations.*




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NOTES (FOR TRAINER)


Key Message: Security Council resolutions define specific responsibilities for Member States and peacekeeping missions, including training on child protection for all peacekeepers, and monitoring and reporting the six grave violations.

- ☛ Security Council resolution 1261 (1999) recognized that the situation of children in armed conflict was a concern for international peace and security, as evidenced by the prevalence of child soldiers, and condemned the six grave violations against children in armed conflict.

Security Council resolution 1612 (2005) established an elaborate monitoring and reporting mechanism to track the six grave violations against children. Parties to conflict who commit any of the six grave violations, namely recruitment or use, killing and maiming, sexual violence, abduction, attacks against schools or hospitals, denial of humanitarian access, will be listed in the annexes of the Secretary-General's annual reports on children and armed conflict.

This public naming and shaming have led many armed forces and armed groups to sign action plans with the United Nations to stop the recruitment and use of children as soldiers. The peacekeeping missions support the implementation of the action plans.

 *For example, action plans have been signed by FARDC – the Armed Forces of the Democratic Republic of the Congo, SPLA – Sudan People's Liberation Army (South Sudan), CMA – Coordination of Azawad Movements (Mali), MPC – Central African Patriotic Movement (Central African Republic), SAF – Sudanese Armed Forces (Sudan), as well as various armed groups in Sudan. For information on action plans, see <http://childrenandarmedconflict.un.org>.*

 The responsibility of peacekeepers is to monitor and report on these grave violations and support the implementation of action plans through screening of troops, capacity-building, among others.

☐ Handout: Excerpts from Security Council resolutions on children and armed conflict

SLIDE 16: SECURITY COUNCIL RESOLUTIONS – CHILDREN AND ARMED CONFLICT (2)


Security Council Resolutions – Children and Armed Conflict (2)

Resolutions 1882 (2009), 1998 (2011) and 2225 (2015): Rape and sexual violence, killing and maiming (res. 1882), attacks against schools and hospitals (res. 1998), and abduction (res. 2225) added to criteria for listing in the Secretary-General's reports.

Resolution 2143 (2014): Reaffirms the urgency of child protection, and monitoring and reporting in peacekeeping missions; strongly encourages training for peacekeepers to effectively contribute to monitoring and reporting.

Resolution 2427 (2018): Emphasizes that **children recruited** in violation of applicable international law by armed forces and armed groups and who have been accused of committing crimes during armed conflicts **should be treated primarily as victims** of violations of international law; condemns **attacks on schools and hospitals**, including their military occupation; emphasizes the importance of **accountability of non-State armed groups** responsible for abuses and violations.

✓ *Child protection should be integrated in pre-deployment and in-mission training, standard operating procedures, security sector reform, etc.*

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NOTES (FOR TRAINER)

Key Message: Military peacekeeping components must ensure that child protection is fully emphasized in in-mission training, standard operating procedures (SOP) and military guidance.

- ☛ The criteria for listing in the Secretary-General's reports have been expanded to include sexual violence against children, killing and maiming of children, attacks on schools and hospitals, and abduction of children.

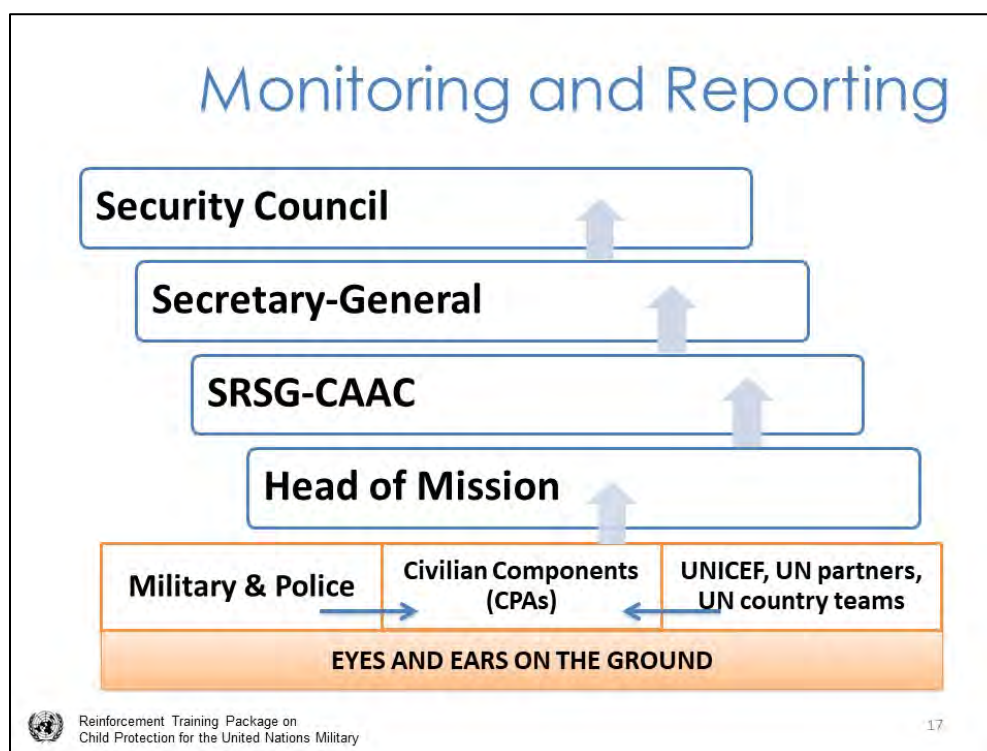
On 7 March 2014, the Security Council adopted resolution 2143 (2014) on protection of children in armed conflict, and reiterated the importance of child protection training for United Nations peacekeepers (para. 20):

"Recommends that Member States include child protection in military training and standard operating procedures, as well as in military guidance as appropriate; ... that United Nations entities and United Nations peacekeeping troop and police contributing countries undertake targeted and operational trainings for the preparation of United Nations mission personnel, including troop and police contingents on their contribution in preventing violations against children so as to give all mission personnel the ability to effectively recognize, report and respond to violations and abuses committed against children and to

successfully support child protection activities for better implementation of their respective mandates”.

The latest Security Council resolutions 2225 (2015) and 2427(2018) also stress the need for mandatory pre-deployment child protection training for peacekeepers.

SLIDE 17: MONITORING AND REPORTING



NOTES (FOR TRAINER)

Key Message: Military peacekeepers play a key role in the monitoring and reporting mechanism.

🗨 The diagram (slide 17) shows how the monitoring and reporting mechanism works.

Military peacekeepers are crucial to the reporting process. They play an important role as “the eyes and ears” of the mission on the ground. When peacekeepers see or hear about the commission of any of the six grave violations, it is their duty to alert the civilian Child Protection Advisers and Officers in the mission, who will investigate the information and include it in their reports to the Head of Mission.

The mission's reports on violations are then sent to the Special Representative of the Secretary-General on Children and Armed Conflict (SRSG-CAAC), for inclusion in the Secretary-General's annual report to the Security Council.

Based on these reports, the Security Council can determine which parties to the conflict are committing grave violations, and take measures against the perpetrators, including sanctions.

SLIDE 18: UNDERSTANDING THE CHILD PROTECTION MANDATE


Understanding the Child Protection Mandate

Security Council resolution 2531 (2020) - Mali

Preambular paragraph: *Strongly condemning* all violations and abuses of international human rights and violations of international humanitarian law ..., as well as **killing, maiming, recruitment and use of children, attacks against schools, humanitarian actors and services, and medical personnel and infrastructure ...**;

28(a)(iii): ...to support the cantonment, disarmament, demobilization and reintegration of armed groups ..., taking into account the **particular needs of women and children ...**;

28(c)(iii): To provide specific protection and assistance for women and **children affected by armed conflict, including through Protection Advisors, Child Protection Advisors, Women Protection Advisors ...**, and address the needs of victims and survivors of sexual and gender-based violence in armed conflict ...;


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NOTES (FOR TRAINER)

Key Message: Understand the child protection mandate. What are the specified and implied tasks for the military component?

- Slide 18 contains an example of a child protection mandate in Security Council resolution 2531 (2020) on the situation in Mali. We will examine the child protection mandate in detail in Module 3.

But you can already see here that child protection involves more than the physical protection of children; it entails disarmament, demobilization and reintegration, monitoring and reporting, and other activities by which military peacekeepers support the implementation of the child protection mandate.


- ☐ Handout: Paragraphs on child protection in Security Council resolutions on Democratic Republic of the Congo, South Sudan and the Central African Republic.

☞ *Mention to learners that this handout will also be used in the exercise in Module 3.*

SLIDE 19: DPKO-DFS-DPA POLICY ON CHILD PROTECTION IN UNITED NATIONS PEACE OPERATIONS

DPKO-DFS-DPA Policy on Child Protection in UN Peace Operations

- Designate a Child Protection Focal Point at mission HQ, and Child Protection Officers at Battalion and Company levels (military);
- Ensure that all peacekeeping personnel are trained on child protection (military, police and civilian components);
- Monitor and report on grave violations against children;
- Engage in dialogue for action plans on grave violations;
- Advocacy on child protection issues;
- Role and function of Child Protection Advisers;
- Collaborate with United Nations and non-UN actors.



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NOTES (FOR TRAINER)

Key Message: The DPKO/DFS/DPA Policy on Child Protection in United Nations Peace Operations defines the scope and core responsibilities of missions and peacekeepers with regard to child protection.

- 💬 Child protection responsibilities of peacekeeping missions and peacekeepers are outlined in the DPKO/DFS/DPA Policy on Child Protection in United Nations Peace Operations, which was adopted in June 2017. The Policy will be discussed in more detail in Module 3.

The purpose of the Policy is to strengthen, institutionalize and streamline DPO's engagement in children and armed conflict, on the basis of specific provisions of Security Council resolutions on children and armed conflict.

The Policy defines the scope of DPO's engagement in the protection of children affected by armed conflict and applies to all peacekeeping personnel.

The Policy states, inter alia, that:

- Principles and obligations on child protection are mainstreamed and integrated across all operational decisions, activities and processes of United Nations peace operations, including considerations in relation to child protection in core mission planning and mandate implementation documents, and in the overarching documents guiding the work of the military, police and civilian components (para. 11);
- All personnel in a peacekeeping mission contribute to the protection of children (para. 5).
- It defines the core child protection responsibilities of peacekeeping personnel, including dealing with violations such as sexual exploitation and abuse, child labour, detention, use of schools by armed groups, and providing support to non-United Nations security forces.

SLIDE 20: MISSION-SPECIFIC GUIDANCE

Mission-specific Guidance

- Mission guidelines on child protection
- Force Commander's directives/ guidelines on child protection for the military component
- Concept of operations (CONOPS), plans and orders
- Rules of engagement





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NOTES (FOR TRAINER)

Key Message: Mission-specific guidance, including the Force Commander's Child Protection Directive, operational and tactical orders and SOPs, supports peacekeepers' child protection activities.

- In addition to international legal instruments and mandates contained in Security Council resolutions, there are mission-specific documents on child protection. The Force Commander's Child Protection Directive must be disseminated to the military component.

Battalion commanders, unit commanders and staff officers should refer to the mission-specific documents when making decisions about their activities in the field.


In carrying out their activities, peacekeepers should address their questions about the application of these instruments to their commanding officers and/or the mission's legal adviser. If necessary, they may refer their questions to United Nations Headquarters.


- ☞ See also other key operational documents, such as the concept of operations and rules of engagement, in the Core Pre-deployment Training Materials package. Explain to learners that rules of engagement, including directives on the use of force, will be addressed during the scenario discussions in Module 3.

SLIDE 21: UNMISS MILITARY GUIDELINES

UNMISS Military Guidelines

- Know to identify who is a child and the six grave violations;
- Know how to implement plans and procedures during military operations;
- Know the specific roles and responsibilities of the Force;
- Know how to report violations;
- Recognize the warning indicators of possible violations against children:
 - ✓ Presence of children
 - ✓ Gender ratio in a village
 - ✓ Military use of schools
 - ✓ Presence of military/weaponry
 - ✓ Movement of unaccompanied children
 - ✓ Changes in movement patterns, etc.




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NOTES (FOR TRAINER)

Key Message: All missions with a child protection mandate and a military component should develop specific guidance on child protection for military personnel.

☛ Some missions have specific guidelines on child protection. See slide 21 for guidance based on UNMISS Force Commander's Child Protection Directive.


☐ Handouts:

- UNMISS Force Commander's Child Protection Directive;
- Paragraphs on child protection in Security Council resolutions on Democratic Republic of the Congo, South Sudan and the Central African Republic.

SLIDE 22: PRINCIPLES AND GUIDELINES ON CHILDREN ASSOCIATED WITH ARMED FORCES OR ARMED GROUPS (THE PARIS PRINCIPLES)

Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (The Paris Principles)

- **Guide international interventions to:**
 - Prevent recruitment or use of children;
 - Facilitate the release and reintegration of children associated with armed groups/forces;
 - Ensure the most protective environment for children.
- **Provides definitions and overarching principles for engagement with children associated with armed groups or armed forces;**
- **Addresses the specific situation of girls.**



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NOTES (FOR TRAINER)

Key Message: The Paris Principles are a set of principles and guidelines intended to prevent and minimize the impact of the recruitment of children by armed forces and armed groups. The protection and needs of girls are emphasized.

● The Paris Principles aim to guide interventions for the protection and well-being of children, with the following objectives (para. 1.11):

- Prevent unlawful recruitment or use of children;
- Facilitate the release of children associated with armed forces/groups;
- Facilitate the reintegration into society of all children associated with armed forces/groups;
- Ensure the most protective environment for all children.

The Paris Principles provide a framework for child protection and bring together ideas and approaches, which have been used successfully across the globe.


They recognize that there is usually a significant number of girls among children associated with armed forces or armed groups. For a range of reasons, however, these girls are rarely provided with assistance. While there are commonalities between the circumstances and experiences of girls and boys, the situation for girls can be very different in terms of the reasons and manner in which they join the armed forces or armed groups, the potential for their release, the effects of their experience on their physical, social and emotional well-being, and the consequences on their ability to reintegrate into community life (para. 4.0).

They also cover children in other situations, including refugee and internally displaced children, and children and justice mechanisms.

SLIDE 23: THE VANCOUVER PRINCIPLES ON PEACEKEEPING AND THE PREVENTION OF THE RECRUITMENT AND USE OF CHILD SOLDIERS

The Vancouver Principles on Peacekeeping and the Prevention of the Recruitment and Use of Child Soldiers

- Aim to prioritize and operationalize child protection within United Nations peace missions to ensure that peacekeepers are prepared to prevent the recruitment and use of child soldiers;
- Specify actions that Member States should take with regard to training and planning, and the conduct of their national forces in peacekeeping;
- Contribute to monitoring and reporting, prevention, early warning, disarmament, demobilization and reintegration, protection and care of children, including in detention.


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NOTES (FOR TRAINER)

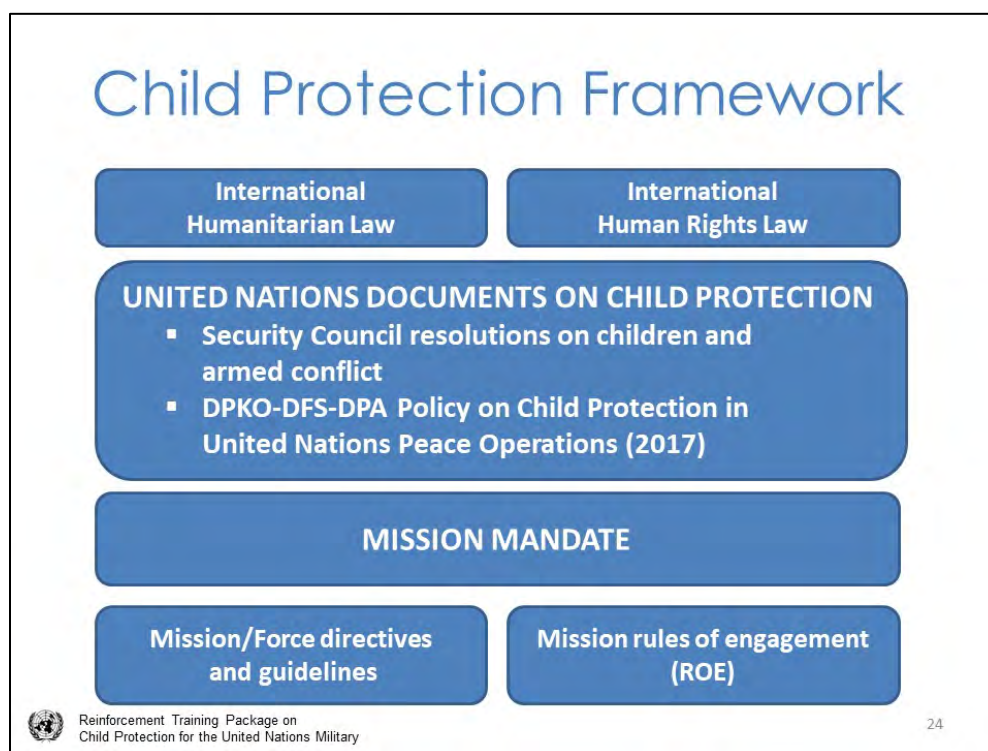
Key Message: The Vancouver Principles aim to ensure that peacekeepers receive specific training on dealing with issues related to the recruitment and use of child soldiers, so as to enhance military capability to support child protection.

- The Vancouver Principles are a set of political commitments endorsed by Member States to prioritize and further operationalize child protection in United Nations peacekeeping, and to ensure that, in the context of peacekeeping operations, peacekeepers are prepared to prioritize the prevention of the recruitment and use of child soldiers.

The Principles specify the actions that Member States may undertake with regard to training, planning and the conduct of their national police and military forces, in a peacekeeping context:

- Prioritize the prevention of the recruitment and the use of child soldiers in the strategic and operational planning of all peacekeeping operations;
- Appoint child protection focal points throughout mission command structures, both military and police, to support the development of an international standard;

- Contribute to monitoring and reporting, prevention, early warning of violations, and disarmament, demobilization and reintegration, protection and care of children, including in detention.

SLIDE 24: CHILD PROTECTION FRAMEWORK


NOTES (FOR TRAINER)

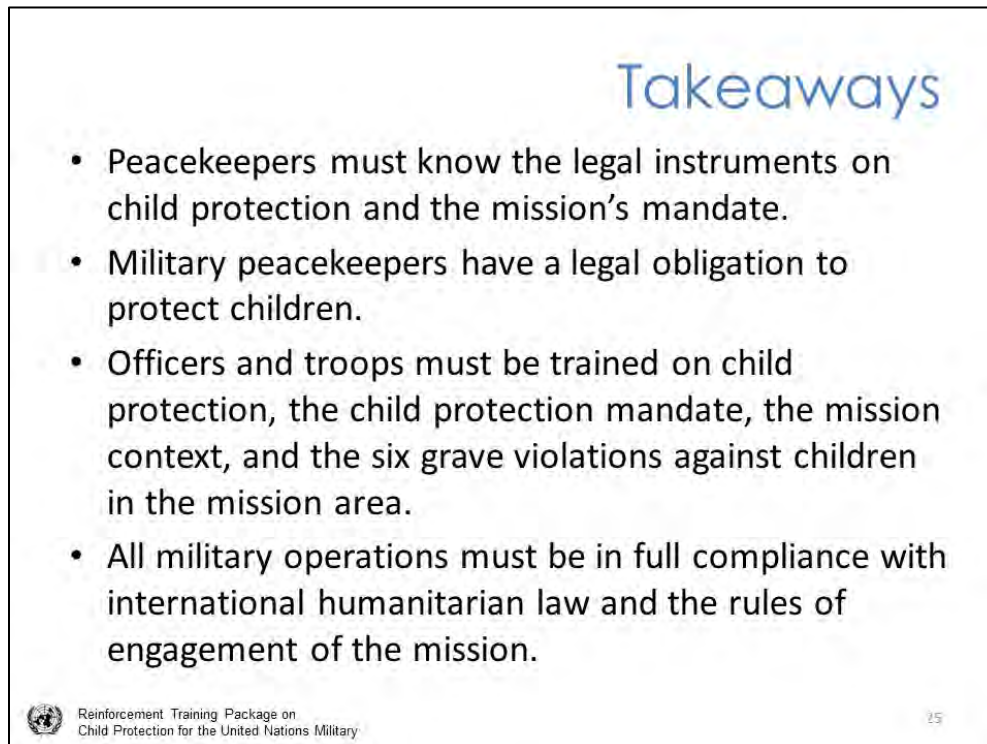
Key Message: The child protection framework (slide 24) provides the legal authority and establishes the legal and moral obligation of peacekeepers to protect children in peacekeeping missions.

- Slide 24 outlines the framework that protects children's rights. It is based on international humanitarian and human rights law and refers to specific United Nations documents and mandates on child protection.

Although these are different types of documents, peacekeepers are bound by all of them.


This comprehensive legal framework gives peacekeepers the authority and the responsibility to act and respond to child protection violations that they encounter on the ground.

SLIDE 25: TAKEAWAYS



Takeaways

- Peacekeepers must know the legal instruments on child protection and the mission's mandate.
- Military peacekeepers have a legal obligation to protect children.
- Officers and troops must be trained on child protection, the child protection mandate, the mission context, and the six grave violations against children in the mission area.
- All military operations must be in full compliance with international humanitarian law and the rules of engagement of the mission.

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NOTES (FOR TRAINER)

Key Message: All peacekeepers have a legal and moral obligation to protect children.

🗣 Military peacekeepers have a legal obligation to protect the rights of children.

In order to effectively protect children, officers and troops must be trained on child protection, and must be fully aware of the child protection mandate and the context of the mission, and of the common grave violations against children in their areas of responsibility.

Mission-specific directives and guidelines related to child protection must be key aspects of pre-deployment and in-mission training. Peacekeepers must also understand and correctly apply rules of engagement and guidance on the use of force, if they encounter child soldiers. International laws and other legal provisions presented in this training course apply to all peacekeepers.

Summary

Takeaways from Lesson 2.2:

- Peacekeepers must know the legal instruments on child protection and the mission's mandate.
- Military peacekeepers have a legal obligation to protect children.
- Officers and troops must be trained on child protection, the child protection mandate, the mission context, and the six grave violations against children in the mission area.
- All military operations must be in full compliance with international humanitarian law and the rules of engagement of the mission.

SLIDE 26: REFERENCES (1/3)

References (1/3)

- United Nations, DPKO-DFS-DPA Policy on Child Protection in United Nations Peace Operations, 2017
- United Nations, DPKO (Integrated Training Service), Core Pre-Deployment Training Materials, 2017
- Convention on the Rights of the Child, 1989 (see also http://www.unicef.org/crc/index_30160.html)
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 2002
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 2000



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SLIDE 27: REFERENCES (2/3)

References (2/3)

- 1949 Geneva Conventions and their 1977 Additional Protocols
- International Labour Organization (ILO), Worst Forms of Child Labour Convention (No. 182), 1999
- Rome Statute of the International Criminal Court, 1998
- Security Council resolutions on children and armed conflict: 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004), 1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012), 2143 (2014), 2225 (2015) and 2427 (2018)
- International Committee of the Red Cross (ICRC), “Legal protection of children in armed conflict”, Factsheet, 2003



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SLIDE 28: REFERENCES (3/3)

References (3/3)

- United Nations, DPKO/UNICEF/OSRSG-CAAC, Field Manual: Monitoring and Reporting Mechanism (MRM) on Grave Violations Against Children in Situations of Armed Conflict, 2014
- Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (The Paris Principles), 2007
- The Vancouver Principles on Peacekeeping and the Prevention of the Recruitment and Use of Child Soldiers, 2017
- International Criminal Court, Lubanga Case (<https://www.icc-cpi.int/drc/lubanga>)



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SLIDE 29: QUESTIONS



Questions



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NOTES (FOR TRAINER)

-  Allow sufficient time for questions to be asked/answered. Actively encourage questions from learners.
- ☐ Handout: List of references
-  Also encourage learners to conduct additional personal research to gain a more detailed and in-depth understanding of child protection mandates.