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Policy

Child Protection in United Nations Peace Operations

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**DPKO, DFS and DPA Policy on
Child Protection in United Nations Peace Operations**

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A. PURPOSE

1. The purpose of this Policy is to outline the role of DPKO, DFS and DPA in the protection of children affected by armed conflict in United Nations peace operations, which include both peacekeeping and special political missions.¹
2. The mandate on children and armed conflict derives from General Assembly resolution A/RES/51/77 (1996). The Security Council has created mechanisms and tools to implement this mandate in multiple resolutions, starting with 1261 (1999) and in subsequent resolutions². The Special Representative of the Secretary-General for Children and Armed Conflict (SRSG-CAAC) serves on behalf of the Secretary-General as the United Nations system lead entity for the Security Council agenda on CAAC.
3. The Policy outlines the engagement of DPKO, DPA and DFS on child protection within the framework of Security Council resolutions on children and armed conflict and mission specific resolutions and underlines the obligation of all UN peace operations personnel to uphold and respect children's rights.

¹ A child refers to any person (girl or boy) below the age of 18.

² 1314 (2000), 1379 (2001), 1460 (2013), 1539 (2004), 1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012), 2143 (2014) and 2225 (2015).

B. SCOPE

4. The Policy is tailored equally to peacekeeping and special political missions. While noting the distinct roles, compositions and activities of peacekeeping and special political missions, the Policy strives to ensure relevance and applicability in both contexts.
 5. The Policy applies to all personnel of United Nations peace operations, whether uniformed or civilian. Uniformed personnel include military and police components, military and police experts on mission, and seconded military and police personnel. Civilian personnel include staff members, seconded civilian personnel, United Nations Volunteers, contractors and consultants. Compliance with the Policy is mandatory for those directly involved in its implementation, as well as enabling management components.
 6. The Policy also serves as a resource for regional peacekeeping forces when operating under a United Nations Security Council mandate, including but not limited to the African Union (AU), the European Union (EU), and the North Atlantic Treaty Organization (NATO), with a view to encouraging consistency in the application of international norms and standards on child protection in peace support operations mandated by the Security Council.
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C. RATIONALE

7. In resolution 1261 (1999), the Security Council formally acknowledged that the protection of children in armed conflict is a fundamental peace and security concern. By including child protection in the Security Council's peace and security agenda, it created a role for United Nations peace operations on this issue. To date, the Security Council has adopted a series of thematic resolutions on Children and Armed Conflict (CAAC), including 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2013), 1539 (2004), 1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012), 2143 (2014) and 2225 (2015). These thematic resolutions provide a United Nations-wide framework and a set of tools for strengthening the protection of children in situations of armed conflict.
8. In resolution 1379 (2001) and subsequent thematic resolutions, the Security Council specifically called for the inclusion of child protection provisions in mission-specific resolutions of United Nations peace operations and for the deployment of Child Protection Advisers (CPAs). Subsequent mission-specific resolutions mandating and renewing United Nations peace operations reiterated the request for the deployment of child protection capacities in specific mission settings.
9. Children in situations of armed conflict are protected by a comprehensive body of international norms and standards. This normative framework creates an obligation for United Nations peace operations to both promote and adhere to these standards, which include inter alia the Geneva Conventions (1949) and their Additional Protocols (1977); the Convention on the Rights of the Child (1989) and its Optional Protocol on the Involvement of Children in Armed Conflict (2000); the International Labour Organization

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Convention on the Worst Forms of Child Labour (1999); the Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (2007); and the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict (2014) [for a complete list, see references in section H].

10. The protection of children in situations of armed conflict also forms an inherent priority within the broader obligations of the United Nations to promote the protection of civilians and to put protection at the center of peace and security efforts. This was reaffirmed by the Secretary-General in his 2015 report on implementing the recommendations of the High-Level Independent Panel on Peace Operations (HIPPO).

D. POLICY

D.1. Guiding principles

11. DPKO, DFS and DPA reaffirm their commitment and role in protecting children affected by armed conflict in situations where United Nations peace operations are deployed. This is a collective responsibility that requires a collective response. One of the most effective ways of protecting children affected by armed conflict is for United Nations Special Representatives of the Secretary-General/Heads of Mission (SRSG/HOM) to ensure that principles and obligations on child protection are mainstreamed and integrated across all operational decisions, activities and processes of United Nations peace operations. This means including considerations in relation to child protection in core mission planning and mandate implementation documents and in the over-arching documents guiding the work of the military, police and civilian components.
12. In order to effectively and credibly promote the protection of children, all personnel deployed in United Nations peace operations shall at all times adhere to the highest standards of integrity envisaged in the Charter of the United Nations. In all interactions with children, United Nations peace operations personnel shall implement and respect the principles enshrined in the international norms and standards for protecting children in situations of armed conflict. These principles include but are not limited to: the best interest of the child, non-discrimination, do no harm, confidentiality, gender awareness and a child rights-based approach [see terms and definitions in section G].
13. DPKO, DPA and DFS shall be guided by the principles of complementarity and coherence in the implementation of the child protection mandate in UN peace operations and shall coordinate closely with the Special Representative of the Secretary-General for Children in Armed Conflict, who leads the efforts of mainstreaming the concerns of children affected by armed conflict across the United Nations system, United Nations Children's Fund (UNICEF), the Office of the High Commissioner for Human Rights (OHCHR), and all relevant UN entities (see section E on partnerships).

PART I

D.2. Roles and responsibilities

Special Representatives of the Secretary-General/Heads of Mission

14. Special Representatives of the Secretary-General (SRSGs)/Head of Missions (HOMs) have an important role to play in promoting the rights and concerns of children affected by armed conflict and ensuring effective implementation of relevant international human

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rights instruments and systematic follow-up to Security Council resolutions on Children and Armed Conflict as well as relevant Conclusions of the Security Council Working Group on Children and Armed Conflict. They shall be the lead actors for integrating DPKO, DFS and DPA's obligations on child protection across all strategic and operational decisions, activities and processes of a mission.

15. SRSG/HOMs shall promote a mission-wide approach to implement the child protection aspects of the mission's mandate and shall bear overall responsibility within the mission for child protection planning, mainstreaming, training, coordination, monitoring and reporting, and dialogue with parties to conflict. The SRSG/HOM's direct leadership and personal involvement, in tandem with the United Nations Children's Fund (UNICEF) Representative, is critical with respect to key issues such as the establishment of the Country Task Force on Monitoring and Reporting (CTFMR) on grave violations against children, dialogue action plans with parties to conflict, and political demarches at the country level with government authorities and other relevant actors. SRSG/HOMs are also well positioned to ensure that the mission's mediation and national reconciliation efforts are informed by child protection concerns and the child protection normative framework, as well as to support the inclusion of child protection measures and provisions in peace negotiations and peace agreements.

Child Protection Advisors

16. Child Protection Advisors are deployed to peace operations in accordance with the Security Council Resolutions on children and armed conflict and recommendations of the Secretary-General to the Security Council. CPAs fulfil a crucial role in implementing the child protection mandate of United Nations peace operations in specific mission settings, including by:
 - 16.1. Advising senior mission leadership, including SRSG/HOMs, Deputy SRSGs, Force Commanders and Heads of United Nations Police (UNPOL) components, on child protection issues and relevant actions to be taken, with particular attention to the mission's overall work, including mediation and national reconciliation efforts;
 - 16.2. Monitoring grave violations committed against children in situations of armed conflict, in accordance with Security Council resolutions 1539 (2004), 1612 (2005) and other relevant resolutions;
 - 16.3. If and when established, co-chairing with UNICEF the CTFMR at the technical level and supporting senior mission leadership in co-chairing with the UNICEF Representative the CTFMR at the principal level [see terms and definitions in section G];
 - 16.4. Fulfilling reporting obligations under the Security Council mandated Monitoring and Reporting Mechanism (MRM) on grave violations against children including Global Horizontal Notes; the Secretary-General's country reports on CAAC, and the Secretary-General's annual report on CAAC;
 - 16.5. Engaging in dialogue with parties to conflict on the signing and implementation of Security Council mandated action plans to halt and prevent grave violations against children, in line with Security Council resolutions 1612 (2005), 1882 (2009), 1998 (2011) and 2225 (2015);

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- 16.6. Ensuring that child protection concerns are reflected in other reporting processes including the Monitoring, Analysis and Reporting Arrangements (MARA) on conflict-related sexual violence, public human rights reporting and the Secretary-General's mission-specific reporting;
 - 16.7. Supporting the release and reintegration of children associated with armed forces and armed groups, as part of action plan dialogue, peace negotiations and peace agreements, Disarmament Demobilization and Reintegration (DDR) programs or other relevant processes;
 - 16.8. Advocating for protective, preventive and remedial measures in relation to other violations of children's rights identified as key child protection concerns by the mission, including for instance the security detention of children and the use of schools for military purposes;
 - 16.9. Providing training, guidance and expertise on child protection issues, tools and methodologies to other components and sections of United Nations peace operations;
 - 16.10. Acting as a child protection entry point to the mission for other United Nations and non-United Nations actors working on child protection issues that are relevant to United Nations peace operations, building on the complementarity of respective roles and mandates;
 - 16.11. Liaising with United Nations specialized agencies and other child protection actors and channeling in specific technical expertise in pursuance of the child protection mandate of the mission when such expertise is not readily available within the immediate operating environment;
 - 16.12. Promoting local ownership and greater protection of children through advocacy, sensitization, capacity-building and training activities at community level.
 - 16.13. Advocating with host State governments, diplomatic and donor communities, regional and international organizations, including through the release of public advocacy reports on children affected by armed conflict and participation by the CPAs and child protection staff in relevant bilateral and multilateral fora.
17. In 2015, the Secretary-General³ indicated that dedicated capacities on child protection would be consolidated within the Human Rights Divisions (HRD) of United Nations peace operations to enhance coherence in the delivery of human rights and protection mandates, with due consideration for the requirements of flexibility to respond to different mission contexts. In missions where child protection capacities are consolidated within HRDs, the CPAs shall report to the Heads of HRD and child protection staff to the CPAs. In missions where child protection capacities remain separate from HRDs, the CPAs shall continue to report to the SRSG/HOMs and child protection staff to CPA as first reporting officer. Close partnership, coordination and exchange of information related to human rights violations against children between the CPAs and HRDs shall be routine, as well as with the MARA and Protection of Civilians (POC). The SRSG/HOMs shall at all times remain accountable for the overall implementation of the mission's child protection mandate.

³ Paragraph 66, Report of the Secretary-General to the General Assembly and the Security Council (A/70/357–S/2015/682, 2 September 2015).

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18. United Nations peace operations with a mission-specific Security Council mandate on child protection shall have a senior CPA and dedicated child protection staff. CPAs shall have direct access to senior mission leadership as specialized advisors on the implementation of the mission's child protection mandate; shall have the political and operational space needed to engage on child protection with relevant United and non-United Nations counterparts; and shall lead the mission's work on the MRM. Dedicated child protection capacities shall be recruited from existing child protection rosters. Child protection capacities consolidated within HRDs shall retain dedicated budget lines and staffing for the implementation of the child protection mandate.

Other civilian components

19. In line with the mission's collective responsibility for protecting children affected by armed conflict, all relevant civilian components of United Nations peace operations shall identify specific child protection actions they can undertake within the framework of their respective roles and functions. Such actions shall complement each other and the work of other United Nations and non-United Nations child protection actors. Relevant civilian components include but are not limited to Political Affairs, Civil Affairs, Legal Affairs, Human Rights, Justice and Corrections, Gender, Conflict-Related Sexual Violence (CRSV), POC, DDR, Mine Action (UNMAS), Security Sector Reform (SSR), Joint Operations Center (JOC), Joint Mission Analysis Center (JMAC), Field Support and Safety and Security, and may continuously evolve parallel to the changing mandates, structures and priorities of United Nations peace operations. The CPAs shall convene all relevant civilian components in the design and roll-out of a mission-wide mainstreaming plan on child protection and shall support those components in mainstreaming child protection in their respective activities. Such an approach shall guide and enable each section to play a specific child protection role in a strategic and coordinated manner. For example:

- 19.1. For mediation, Political Affairs and Civil Affairs components shall ensure that conflict analysis and mediation efforts at local, regional and national levels are informed by child protection concerns and the child protection normative framework, and that child protection considerations are included in the overall mediation and national reconciliation efforts of the mission;

- 19.2. With regard to DDR and SSR, Justice and Corrections and Human Rights components shall ensure that mission and national strategies include provisions on release and reintegration of children from armed forces and armed groups as well as screening mechanisms for preventing the enrolment of children in security institutions. Rule of Law, Justice and Corrections and Human Rights components shall ensure that questions concerning the rights of children in conflict with the law, criminalization of violations and abuses against children, and advocacy on legal protections for children are integrated in their work plan.

- 19.3. With regards to mine action, the United Nations Mine Action Service (UNMAS) will ensure that their programming is adapted to the specific vulnerabilities and needs of children, who are particularly at risk from the threats of landmines and other explosive remnants of war (ERW). For example, mine/ ERW risk education materials and sessions will be developed specifically for children. Other activities delivered by UNMAS, such as the clearance of landmines and explosive remnants of war, form an important aspect of broader PoC mission strategies, specifically in the area of creating a protective environment.

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- 19.4. It is also crucial to include child protection within the broader protection efforts of the mission, such as early warning mechanisms, community alert networks, conflict and threats analysis, and unarmed civilian protection strategies, through the work of POC Advisors, WPAs, Community Liaison Assistants, Joint Protection Teams, the MARA, JOC and JMAC [see terms and definitions in section G].

Military components

20. Military components of United Nations peace operations have an important role to play in protecting children and preventing violence, abuse, neglect and exploitation affecting children in the mission area, including by streamlining child protection concerns and activities in all their operations. This role is described in various guidance documents, such as the United Nations Infantry Battalion Manual (2012), the United Nations Force Headquarters Handbook (2014), the Protection of Civilians Implementing Guidelines for Military Components of United Nations Peacekeeping Missions (2015) and the DPKO/DFS Interim SOP on Detention in Peace Operations (2010). Child protection provisions in these guidance documents include *inter alia* the following:

- 20.1. Force Commanders shall be responsible for ensuring that all strategic and operational documents for military personnel include child protection guidance to promote a common understanding by all military personnel under their command regarding what actions should and should not be taken to protect children. In this regard, Force Commanders shall issue mission-specific directives and standard operating procedures on military actions in relation to children in the course of military operations, including the provision of alerts on violations and abuses against children, procedures for the handover and release of children associated with armed forces or armed groups, and measures to prevent and respond to violations and abuses against children, including sexual exploitation and abuse (SEA) [see terms and definitions in section G].
- 20.2. Force Commanders shall ensure that all military personnel under their command receive in-mission induction briefings and ongoing training on child protection enabling them to recognize, report and respond appropriately to child protection concerns in the mission area.
- 20.3. Force Commanders shall designate a military child protection focal point at mission headquarters to coordinate and work closely with CPAs and child protection staff. Battalion Commanders shall appoint a full-time child protection officer within each Battalion Command Group and Company Commanders shall designate a child protection focal point within Company Headquarters, tasked with, among other responsibilities, channeling alerts of violations against children to CPAs and child protection staff based on agreed information sharing protocols.
- 20.4. Commanding Officers, under the guidance of the Force Commanders, shall inform parties to conflict about the consequences of violations and abuses against children and shall liaise between the mission and non-United Nations forces, as appropriate and in coordination with the SRSG/HOMs and the CPAs.

Police components

21. UNPOL components, including Individual Police Officers, Formed Police Units and specialized teams of police experts, also play an important role in protecting the rights of

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children in the course of the fulfilment of their functions. UNPOL components must ensure that child protection is integrated into their work, including in their mentoring and advising activities, as well as in their capacity building efforts in support of the host State police and host State juvenile justice system. Relevant issues that should be taken into account by UNPOL components include child sensitive interviewing techniques; monitoring child protection concerns through community-oriented policing; compliance with international norms and standards, including those in relation to the apprehension and detention of children; and prevention and response to violations and abuses against children, including SEA.

22. Heads of UNPOL components shall ensure that all UNPOL officers are trained in, apply and integrate international norms and standards on children's rights into their work and shall issue appropriate guidance, including mission-specific directives and standard operating procedures, to inform the actions of UNPOL officers in relation to the protection of children. Heads of UNPOL components shall also designate a police child protection focal point at mission headquarters and police child protection focal points in field offices to facilitate coordination and sharing alerts of violations and abuses against children with CPAs and child protection staff.

PART II

D.3. Respect for children's rights

23. All United Nations peace operations personnel not only have the obligation to promote and safeguard the rights of children throughout their work and in interactions with national and local interlocutors, but also to adhere to and abide by the highest international norms and standards reflected in the body of law and guidance on children's rights. United Nations peace operations personnel shall at all time refrain from causing any harm to children and their protective environment.
24. SRSG/HOMs shall ensure that all United Nations peace operations personnel are informed of the child protection obligations described below through the development and dissemination of mission-specific directives, including the obligation to report any allegations of violations and abuses against children committed by United Nations peace operations personnel through existing reporting mechanisms, in line with their respective mandates, structures and procedures. The CPAs and child protection staff shall monitor compliance with the child protection obligations described below and shall also report any allegations to senior mission leadership and relevant in-mission actors for follow-up, response and prevention.
25. Information on child protection obligations for United Nations peace operations personnel and avenues for complaints for victims shall be made available to children, families, communities and other relevant actors in an age-, gender- and culture-sensitive manner.

*Sexual exploitation and abuse*⁴

26. Acts of SEA as set forth in the Secretary-General's Bulletin "Special measures for protection from sexual exploitation and sexual abuse"⁵, by United Nations peace

⁴ The provisions on SEA included in this Policy will be further reinforced by the upcoming guidance on SEA for the United Nations system, which is currently under development.

⁵ Secretary-General's Bulletin, Special measures for protection from sexual exploitation and sexual abuse, ST/SGB/2003/13, 9 October 2003.

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operations personnel are prohibited, constitute acts of serious misconduct and are grounds for disciplinary measures. United Nations peace operations personnel may be subject to summary dismissal, repatriation and barring from future service. Certain acts of sexual abuse may also result in criminal proceedings in the host State or the State of nationality.

27. The United Nations implements a zero-tolerance policy on SEA. DPKO, DFS and DPA commit to implement the United Nations zero-tolerance policy and measures adopted for the protection from SEA, including arising from Security Council resolution 2272 (2016), with particular emphasis on complaints, reporting, investigations and assistance to victims. In this regard, DPKO, DFS and DPA shall actively work to prevent, protect and support victims of SEA and seek to ensure accountability of United Nations peace operations personnel involved in SEA.
28. In line with the Secretary-General's 2003 Bulletin, sexual activity with children is prohibited regardless of the age of majority or age of consent stipulated under national law in the mission area. Mistaken belief in the age of a child is not a defense. Exchange of money, promise of employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior, is prohibited. This includes any exchange or promise of assistance that is due to beneficiaries of assistance. Any involvement of United Nations peace operations personnel in human trafficking or any other form of exploitation or abuse of children also constitutes serious misconduct. All the above-mentioned acts are grounds for disciplinary measures and may also constitute violations of national and/or international law. SRSG/HOMs shall ensure that all United Nations peace operations personnel are aware of these provisions through the dissemination of adequate information to that effect.
29. The CPAs and child protection personnel play an important role in preventing, monitoring, reporting and responding to all protection issues faced by children in United Nations peace operations, including SEA. They assume an advisory role towards senior mission leadership, in consultation with the CDTs, the Conduct and Discipline focal points and the Heads of HRD, on addressing and responding to allegations of SEA involving children. Priority will be given to facilitating timely and confidential assistance to child victims and supporting them through referral mechanisms. The CPAs and child protection personnel also play a support role for the lead United Nations entities on prevention and response to SEA, in terms of sensitization on SEA and training on child-sensitive interviewing techniques. The CPAs and child protection staff shall also participate in the missions' coordination mechanisms on prevention and response to SEA.
30. The SRSG/HOMs, the CDTs and the Office of Internal Oversight Services (OIOS) shall be promptly informed of any allegations of SEA, including against children, for follow-up, including investigations. All United Nations peace operations personnel shall immediately report any allegations of SEA to the CDTs, while being careful not to interfere with investigations that may be conducted by the mission, OIOS and/or the national authorities of troop and police contributing countries, under applicable procedures.

Child labour

31. The use of children by United Nations peace operations or their personnel for purposes of labour or other rendering of services by children is strictly prohibited, regardless of the minimum working age for children stipulated under national law in the mission area, and irrespective of the involvement of compensation (in the form of salary, food or other benefits) [see terms and definitions in section G]. All means must be taken to ensure

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children are not allowed on the premises or facilities of any United Nations peace operation for the purpose of the provision of labour or rendering of services, including but not limited to the proper use of access control, strict identity verification measures and the non-issuance of access or identity cards to children involved in any form of child labour. Senior mission leadership shall ensure that all United Nations peace operations personnel are aware of these provisions through the development and dissemination of mission-specific directives and administrative circulars.

Detention of children

32. Under the DPKO-DFS Interim SOP on Detention in Peace Operations (2010) (ISOP Detention), the Mission's Detention Focal Point (DFP) (or in the absence of a DFP, the HOM) and the HRD shall be notified immediately of any apprehension and/or temporarily detention of individuals by United Nations military or police personnel. In the case of children, the CPA and/or relevant mission child protection personnel shall also be kept informed at all stages of the apprehension and/or detention. The DFP, HRD, CPA and/or relevant mission children protection personnel shall be provided full and unimpeded access to the child throughout the duration of his or her stay at the holding facility
33. Should United Nations military or police peace operations personnel apprehend and/or temporarily detain children in accordance with mission-specific military rules of engagement or police directives on the use of force, child-specific measures shall be implemented, consistent with the ISOP Detention, to ensure that children deprived of their liberty are treated in a manner consistent with international norms and standards, as well as the special status, needs and rights of children, including the following:
 - 33.1. The apprehension and/or detention of a child by United Nations military or police peace operations personnel shall only be used as a measure of last resort, for the shortest possible period of time, and in line with international norms and standards in relation to the deprivation of liberty of children. In all decisions, the best interests of the child shall be the primary consideration and alternatives to detention shall be prioritized;
 - 33.2. Children 14 years or below shall be handed over within a maximum of 48 hours from United Nations peace operations personnel to government child protection authorities or humanitarian child protection actors for interim care until the time of family reunification or other durable solution;
 - 33.3. Given that armed groups should not, under any circumstances, recruit or use children under the age of 18 years, children associated with armed groups shall be primarily treated as victims. Children associated with armed groups and kept in the custody of United Nations military or police peace operations personnel shall be referred as a matter of principle to existing release and reintegration programs for children in support of their physical and psychosocial rehabilitation and reintegration into the community;
 - 33.4. If the host State asserts the prerogative of prosecution for the alleged commission of a crime, handover to the competent national authorities shall be undertaken pursuant to any supplementary arrangement to the SOFA concluded with the host Government concerning the treatment of individuals detained and handed over to the Government. Additional measures than those set out in a supplemental arrangement may be negotiated by the mission, through its Legal

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Adviser, or in close consultation with him or her. UN HQ should ideally be consulted on such measures. In the absence of such supplemental arrangement, handover to the competent national authorities shall in any event be conditional upon the outcome of a risk assessment, while ad hoc assurances by the competent authorities may also be negotiated at the mission level, where possible in consultation with UN HQ.

- 33.5. Basic guarantees include that no child shall be handed over to any authority in situations where there are substantial grounds for believing that there is a real risk the child will be tortured or ill-treated, persecuted, subjected to the death penalty, arbitrarily deprived of life, being subject to enforced disappearance, to underage recruitment or participation in hostilities, face a flagrant denial of fair trial rights, or further handed over by the host State to another authority where the child would face such risks. Neither shall any child be handed over to any authorities where there are substantial grounds for believing that they will be detained by military authorities and/or prosecuted before a military court; they will be prosecuted by a military or civilian court solely on the basis of alleged association with an armed group; or they will be placed in detention without charges;

Use of schools by peace operations

34. In line with Security Council resolutions 1998(2011) and 2143(2014), United Nations peace operations should refrain from all actions that impede children's access to education, including the use of school premises. This applies particularly to uniformed personnel. Furthermore, recognizing the adverse impact of the use of schools for military purposes, in particular its effects on the safety of children and education personnel, the civilian nature of schools, and the right to education, United Nations peace operations personnel shall at no time and for no amount of time use schools for military purposes, in compliance with the prohibition included in the United Nations Infantry Battalion Manual (2012) [see terms and definitions in section G].
35. Senior mission leadership shall ensure that all components are aware of the above. They shall put in place precautionary, protective and remedial measures to ensure that schools remain civilian safe havens for children. This includes the development, adoption and dissemination of mission-specific directives and standard operating procedures to protect schools, complemented by awareness raising and training on their implementation.
36. If United Nations peace operations occupy school premises, all steps shall be taken to ensure that such premises are vacated at the earliest possible time to allow for the resumption of educational activities. When schools are vacated by United Nations uniformed peacekeepers, all efforts shall be made to demilitarize those schools without delay, including by clearing all weapons, munitions and unexploded ordnance from the schools and the surrounding areas.
37. United Nations military peace operations personnel shall avoid to the extent possible any presence at or in close proximity to schools, shall refrain from direct interactions with school children, and shall consider civilian unarmed protection strategies where safety concerns exist. [see terms and definitions in section G]

Deployment of troops to United Nations peace operations

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38. In line with the 2015 Secretary-General's report on the implementation of the HIPPO recommendations, as welcomed by the Security Council,⁶ State parties repeatedly listed in the annexes of the Secretary-General's annual reports on CAAC for committing grave violations against children shall be prohibited from participating in United Nations peace operations. Troop and police contributing countries that are currently listed shall engage with the Special Representatives for Children and Armed Conflict and for Sexual Violence in Conflict in order to be de-listed, by making and implementing specific time-bound commitments and concrete actions plans to address violations for which they are listed. Failure to expeditiously sign and implement action plans and cease violations may result in their barring or suspension from United Nations peace operations.⁷

Support to non-United Nations security forces

39. In compliance with the United Nations Human Rights Due Diligence Policy⁸, United Nations peace operations shall not provide support to or conduct joint operations with non-United Nations security forces that recruit or use children or commit other grave violations against children. Support includes training and mentoring, technical cooperation, financial support, and strategic, logistical or operational support. Non-United Nations security forces include military forces, paramilitary forces, police forces, intelligence services, border control services, and regional peacekeeping forces. The United Nations peace operations shall carry out risk assessments of units of non-United Nations security forces that may be assisted by the United Nations to ensure that they do not recruit or use children or commit grave violations against children.

40. United Nations peace operations may, however, engage with non-United Nations security forces that recruit or use children or commit other grave violations against children with a view to promoting adherence to international child protection norms and standards. This includes: delivery of training or sensitization on child protection issues; provision of advice on and review of legislation, directives and policies to promote compliance with international norms and standards; and dialogue on the release and reintegration of children associated with armed forces or armed groups and other grave violations against children and violations and abuses of children's rights. DPKO, DFS and DPA shall be guided by the list of perpetrators of grave violations against children included in the annexes of the Secretary-General's annual reports on CAAC.

D.4. Prevention and accountability

41. Prevention includes both training and awareness raising on children's rights and accountability for any violations and abuses against children. DPKO, DFS and DPA shall ensure that specific training on child protection and respect for children's rights are part of mandatory pre-deployment, in-mission and ongoing training for all United Nations peace operations personnel. Such training shall enable them to recognize, report and respond appropriately to violations and abuses committed against children, to uphold the respect for children's rights and to effectively include child protection activities in their work.

⁶ SC resolution 2242 (2015) (para.10)

⁷ Paragraph 127, "The Future of United Nations Peace Operations: Implementation of the Recommendations of the High-level Independent Panel on Peace Operations", Report of the Secretary-General to the General Assembly and the Security Council (A/70/357-S/2015/682, 2 September 2015).

⁸ Human Rights Due Diligence Policy on United Nations Support to Non-United Nations Security Forces (2013).

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42. To support pre-deployment training efforts on child protection, DPKO, DFS and DPA shall systematically identify training needs, develop and disseminate training materials on child protection to all troop and police contributing countries. DPKO and DFS shall also provide, upon request, training support to troop and police contributing countries on child protection. The CPAs, in collaboration with the Integrated Mission Training Centers (IMTCs), shall identify in-mission training needs and provide child protection training and briefings on a regular basis.
43. Prevention also includes the strengthening of accountability for violations and abuses committed against children by United Nations peace operations personnel. In this regard, DPKO, DFS and DPA shall work with troop and police contributing countries to ensure timely and transparent follow-up on all allegations of violations and abuses committed against children by United Nations peace operations personnel and to institute and implement clear and effective procedures for investigating and responding to allegations.

E. PARTNERSHIPS

44. DPKO, DFS and DPA work closely with other United Nations and non-United Nations child protection actors, building on the comparative advantage of each and respecting each other's mandate and independence.
45. At United Nations headquarters, the main partners are the SRSG-CAAC, UNICEF, OHCHR, the Special Representative of the Secretary-General for Sexual Violence in Conflict (SRSG-SVC), the Special Representative of the Secretary-General for Violence Against Children (SRSG-VAC), the United Nations High Commissioner for Refugees (UNHCR), the International Labor Organization (ILO), the World Health Organization (WHO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Office on Drugs and Crime (UNODC), the United Nations Population Fund (UNFPA), the United Nations Entity for Gender Equality and the Empowerment of Women (UNWOMEN), and other relevant United Nations entities and international NGOs. At field level, the main partners are national authorities, UNICEF and relevant United Nations agencies, humanitarian actors, international and national NGOs, civil society organizations and local communities.

The Special Representative of the Secretary-General for Children and Armed Conflict

46. The Special Representative of the Secretary-General for Children and Armed Conflict serves as the leading UN advocate for the protection and well-being of children affected by armed conflict. As the United Nations system lead entity for the Security Council agenda on CAAC on behalf of the Secretary-General, the SRSG-CAAC chairs the United Nations Headquarters Task Force on CAAC, which serves as the principal United Nations policy forum for implementation of the Security Council agenda on CAAC. The SRSG-CAAC serves as the primary interface with the Security Council and provides substantive support to its subsidiary working group on CAAC. The SRSG-CAAC is also responsible for the preparation of the annual report of the Secretary-General on CAAC, and plays an important role in supporting the CTFMRs in their activities, in collaboration with UNICEF, DPKO, DPA and other relevant actors

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UNICEF

47. With its global mandate for children, UNICEF is a key actor in driving the CAAC agenda forward through advocacy efforts and support for both political and technical developments in the field of child protection in emergencies. UNICEF plays a key role in ensuring that CTFMRs receive the technical guidance and support necessary for effective implementation of the MRM, in cooperation with the Office of the SRSG-CAAC, DPKO, DPA and other relevant actors. As the United Nations lead agency for children, UNICEF carries a special responsibility for the effective implementation of the MRM at country, regional and headquarters levels, and particularly to support timely and adequate monitoring, response programming, advocacy and services for children. UNICEF also leads the Inter-Agency Standing Committee sub-cluster for child protection and, as such, is responsible for coordination between the CTFMR and the sub-cluster, as appropriate.

Regional Organizations

48. In line with Security Council resolution 2167 (2014), DPKO, DFS and DPA, in cooperation with the SRSG-CAAC and UNICEF, shall promote and strengthen effective partnerships with regional organizations including but not limited to the AU, EU and NATO in the area of child protection to encourage consistency in the application of international norms and standards, mainstreaming of child protection, guidance and policy development; mission planning; deployment of child protection capacities; training of peace operations personnel; and conduct of peace support operations. Such partnerships are of increasing importance in light of the growing cooperation in the field between regional peacekeeping forces operating under Security Council mandates and United Nations peace operations. Regional peacekeeping forces are expected to strictly adhere to relevant provisions of international law including those related to protecting children, in the conduct of operations. Such compliance is a pre-requisite for United Nations support to non-United Nations peace operations authorized by the Security Council.

F. PLANNING, RESOURCES AND SUPPORT

49. DPKO, DFS and DPA shall reflect child protection considerations in all mission planning instruments and processes, including strategic and technical assessments, review missions and reports to the Security Council. DPKO, DFS and DPA shall also ensure that adequate technical, human and financial resources are allocated to the CPAs and child protection staff in Results Based Budgets with a view to enabling effective implementation of the child protection mandate. To this purpose, DPKO, DFS and DPA shall conduct an objective assessment of the resources required during the planning of each peacekeeping and special political mission.

50. During the transition or withdrawal of a United Nations peace operation, missions shall implement a phased handover of core child protection tasks, resources and capacities to UNICEF as the child protection mandated United Nations Country Team member, with the aim to increase the impact, continuity and consistency of United Nations child protection efforts.

51. DFS with the support of DFS and DPA at United Nations headquarters shall maintain a roster of dedicated child protection experts to ensure that child protection capacities are readily available for deployment to United Nations peace operations with a mission-specific Security Council mandate on child protection. DPKO, DFS and DPA shall also

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ensure that CPAs receive induction briefings and ongoing training, and shall organize periodic workshops to build their capacity enabling them to effectively fulfil their functions and responsibilities.

52. With a view to advancing the Departments' efforts in implementing the Policy, the Child Protection Team within the DPKO-DFS Division of Policy, Evaluation and Training (DPET) and the Child Protection Focal Points within the DPA Policy and Mediation Division (PMD), in cooperation with the Office of the SRSG-CAAC, UNICEF and other relevant entities, shall: develop guidance and tools on child protection and ensure that the Departments' other policies and guidance processes include child protection; develop, disseminate and provide child protection training for uniformed and civilian United Nations peace operations personnel; identify and disseminate good practices and lessons learned from the field; provide substantive support on child protection issues, methodologies and tools to CPAs, child protection staff and other mission components and sections in the field; provide child protection expertise and advice to relevant DPKO, DFS and DPA offices at United Nations headquarters; build partnerships and ensure reporting by representing DPKO, DFS and DPA on child protection in relevant Member State and coordination fora; and monitor on an ongoing basis compliance with the Policy.

G. TERMS AND DEFINITIONS

Best interest of the child

In all actions and decisions concerning children, the best interest of the child shall be a primary consideration. Assessing the best interest of a child means evaluating and balancing all elements necessary to make a decision in a specific situation for a specified individual child or group of children.

Child labour

For the purpose of this Policy, child labour refers to any work or provision of services by a person under the age of 18 irrespective of its duration, frequency, compensation, or the nature of the underlying agreement.

Child rights-based approach

To further the realization of the rights of all children, a child-rights-based approach identifies and evaluates children's needs by reference to their rights under international norms and standards, including the Convention on the Rights of the Child.

Children associated with armed forces and armed groups

A child associated with an armed force or armed 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 children, boys and girls, used as fighters, cooks, porters, messengers, spies or for sexual purposes. It does not only refer to a child who is taking or has taken a direct part in hostilities.

Confidentiality

It is essential for the protection of children and their families that personal identifiable information relating to violations and abuses of children's rights be treated as confidential. Inter-agency information management systems should be developed and agreed between all actors that implement programmes and collect information, based on the need to protect children and to enable effective action on their behalf. Principles on

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protection of data should be developed and implemented and training should be provided as necessary.

Do no harm

In all actions and decisions concerning children, all efforts shall be made to minimize possible negative effects and maximize possible benefits. It is the responsibility of those engaged with children to protect them from harm, as well as ensure that they experience the greatest possible benefits from their involvement.

Grave violations against children

The Secretary-General identified six grave violations against during armed conflict, based on their suitability for monitoring and verification, their egregious nature and the severity of their consequences on the lives of children. The legal basis for these violations lies in relevant international law, which in turn encompasses international humanitarian law, international human rights law and international criminal law. The six grave violations include: recruitment and use of children, killing and maiming of children, sexual violence against children, attacks on schools and hospitals, abduction of children, and denial of humanitarian access. These grave violations are monitored and reported upon under the Security Council mandated MRM. Parties to conflict responsible for these grave violations, except for denial of humanitarian access, can be listed in the Secretary-General's annual reports on CAAC.

Military use of schools

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

Monitoring and Reporting Mechanism

Security Council resolutions 1539 and 1612 called for the development and operationalisation of a Monitoring and Reporting Mechanism (MRM) aimed at providing timely, objective, accurate and reliable information on grave violations against children in situations of armed conflict. The MRM supports United Nations wide engagement on strengthening the protection of children affected by armed conflict, including through dialogue with parties to conflict to promote compliance with international norms and standards and action plans to halt and prevent grave violations against children. The MRM also enhances efforts to foster accountability and informs the response for children by relevant United Nations entities. The MRM is implemented at the country level by the United Nations CTFMR. In mission settings, the CTFMR is co-chaired by the SRSG/HOM and the UNICEF Representative. The CTFMR ensures monitoring and reporting of the six grave violations against children, in accordance with the MRM Guidelines (2014), and submits regular reports, through the Office of the SRSG-CAAC, for inclusion in the Secretary-General's reporting to the Security Council and its Working Group on Children and Armed Conflict.

Non-discrimination

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

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Sexual exploitation and abuse

Sexual exploitation means any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including but not limited to profiting monetarily, socially or politically from the sexual exploitation of another. Sexual abuse means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Schools

Schools refer to all learning sites and education facilities, as determined by the local context, including both formal and informal, secular and religious, providing early childhood, primary and secondary education, as well as vocational training to children. Schools include all school-related spaces, structures, infrastructure and grounds attached to them, such as water, sanitation and hygiene facilities, which are recognizable and known to the community as such, but may or may not be marked by visible boundaries or signage.

Unarmed civilian protection

Unarmed civilian protection refers to a strategy for the protection of civilians, localized violence reduction and supporting local peace infrastructures, in which unarmed, trained civilians live and work with local civil society in areas of violent conflict. The High Level Independent Panel on Peace Operations recommended that unarmed approaches must be at the forefront of United Nations efforts to protect civilians, including children.

H. REFERENCES

International norms and standards on children's rights

- International humanitarian law, including the Geneva Conventions (1949), their Additional Protocols (1977) and customary international humanitarian law
- International Covenant on Civil and Political Rights (1966) and the Human Rights Committee Comment No. 35
- International Covenant on Economic, Social and Cultural Rights (1966) and the Education, Social and Cultural Rights Committee Comment No. 13
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)
- Convention on the Rights of the Child (1989) and the Child Rights Committee Comments No. 10, 13 and 14
- Rome Statute of the International Criminal Court (1998)
- African Charter on the Rights and Welfare of the Child (1999)
- International Labour Organization Convention No. 138 (1973) on Minimum Age for Admission to Employment
- International Labour Organization Convention No. 182 (1999) on the Worst Forms of Child Labour and its Recommendation No. 190
- Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (2000)
- Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000)
- Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2000)

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- Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa ("The Maputo Protocol") (2003)
- The Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (2007)
- Convention on Cluster Munitions (2008)
- Arms Trade Treaty (2014)
- Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict (2014)
- Safe Schools Declaration (2015)

Relevant United Nations policies and guidelines on children's rights

- United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("Beijing Rules") (1985)
- United Nations Rules for the Protection of Juveniles Deprived of their Liberty ("Havana Rules") (1990)
- United Nations Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime (2005)
- United Nations Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS) – Module 5.30 on Children and DDR (2006)
- DPKO-DFS Lessons Learned Study on the Impact of Child Protection Advisers in United Nations Peacekeeping Operations (2007)
- Guidance Note of the Secretary-General: United Nations Approach to Justice for Children (2008)
- DPKO-DFS Policy on the Prohibition of Child Labor in United Nations Peacekeeping Operations (2011)
- Global Good Practices Study: Monitoring and Reporting Mechanism on Grave Violations against Children in Situations of Armed Conflict (2013)
- Guidelines: Monitoring and Reporting Mechanism on Grave Violations against Children in Situations of Armed Conflict (2014)
- Field Manual: Monitoring and Reporting Mechanism on Grave Violations against Children in Situations of Armed Conflict (2014)
- Protect Schools and Hospitals: Guidance Note on Security Council Resolution 1998 (2014)

Other related policies and guidelines

- Guiding Principles on Internal Displacement (1998)
- United Nations Secretary-General's Bulletin, Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13, 2003)
- African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa ("Kampala Convention") (2009)
- DPKO-DFS Policy on Gender Equality in United Nations Peace Operations (2010)
- EU Guidelines on Children and Armed Conflict (2008) and Implementation Guidelines (2010)
- DPKO-DFS Interim SOP on Detention in Peace Operations (2010)
- Policy on Human Rights in Peace Operations and Political Missions (2011)
- United Nations Infantry Battalion Manual (2012)
- United Nations Policy on Integrated Assessment and Planning (2013)
- Human Rights Due Diligence Policy on United Nations Support to Non-United Nations Security Forces (2013)
- Child Soldiers: A Handbook for Security Sector Actors (2013)
- United Nations Force Headquarters Handbook (2014)

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- UN Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice (2014)
 - DPKO-DFS Note on "Reporting and follow-up obligations in response to allegations of serious human rights violations committed by international security forces" (2015)
 - DPKO-DFS Policy on the Protection of Civilians in United Nations Peacekeeping (2015)
 - NATO Policy "Protection of Children in Armed Conflict – the Way Forward" (2015)
 - Guidance Note and Operational Framework: Consolidation of Protection Functions in Peace Operations (2016)
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I. MONITORING AND COMPLIANCE

At Mission level, the SRSG/HOMs shall maintain overall management and oversight of this Policy and shall ensure, with the support of CPAs and child protection staff, that child protection is a priority across the mission's work and all United Nations peace operations personnel are aware of the contents of this policy. At United Nations headquarters, the Under-Secretary Generals for Field Support, Peacekeeping Operations and Political Affairs shall provide leadership for the implementation of this Policy, including by allocating adequate resources and ensuring, with the support of the DPKO-DFS Child Protection Team and the DPA Child Protection Focal Points, that child protection is a priority across the respective Departments and all United Nations peace operations personnel are aware of the contents of this policy.

The SRSG/HOMs, with the support of the CPAs, will share with DPKO, DFS and DPA an annual summary of activities, lessons learned, best practices, challenges and needs relevant to child protection in mission contexts.

Compliance with this Policy is mandatory for all uniformed and civilian personnel in United Nations peace operations, as mentioned in paragraph three above.

J. CONTACT

The contacts for this Policy are the DPKO-DFS Child Protection Team and the DPA Child Protection Focal Points.

K. HISTORY

This Policy updates the DPKO-DFS Policy on Mainstreaming the Protection, Rights and Well-Being of Children Affected by Armed Conflict within United Nations Peacekeeping Operations (2009.17), which was endorsed by DPA in 2010.

This Policy supersedes the DPKO-DFS Policy on the Prohibition of Child Labour in United Nations Peacekeeping Operations (2011.21), in order to have one comprehensive reference document on child protection in United Nations peace operations.

APPROVAL SIGNATURE:


USG DFS

DATE OF APPROVAL:

22/5/2017

APPROVAL SIGNATURE:


USG DPKO

DATE OF APPROVAL:

23.05.2017

APPROVAL SIGNATURE:


USG DPA

DATE OF APPROVAL: