

Lessons Learned Study: Child Protection

The Impact of Child Protection Advisers in UN Peacekeeping Operations

Peacekeeping Best Practices Section

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This study does not necessarily represent the policies of the Department of Peacekeeping Operations or of the United Nations.

Executive Summary

1. Over the past decade, peace agreements have increasingly referred to child rights and protection issues, and peacekeeping missions have been called upon to support the child-conscious aspects of peace agreements. As a result, Child Protection Advisers (CPAs) have been deployed in peacekeeping operations as a distinct category of personnel for about seven years. In order to assess their effectiveness, the Peacekeeping Best Practices Section commissioned a survey of the activities and impact of Child Protection Advisers. The survey included the completion of a questionnaire by current and former Child Protection Advisers, interviews with a wide array of stakeholders at United Nations headquarters, including the Office of the Special Representative of the Secretary-General for Children and Armed Conflict (OSRSG/CAAC) and UNICEF, and visits to MONUC and UNMIS, the two field missions with the largest number of CPAs.

2. The child protection mandate of each peacekeeping mission is determined by the most urgent child protection issues in the mission area and the overall mandate of the mission. The difference in the mandates is reflected in the great variations in the number of Child Protection Advisers deployed and their location within the mission structure. Possibly as a result of this diversity, the survey found that there is an inconsistent understanding of the terms of reference for Child Protection Advisers among mission personnel and senior management, Child Protection Advisers, and child protection partners. However, most Child Protection Advisers considered their priority activities to consist of the following: (1) advising senior mission leadership to ensure that child rights concerns are raised in all political and peace-building fora; (2) advising colleagues in other mission components to ensure that their relevant initiatives are “child-sensitive”; (3) advocating on behalf of children’s rights in collaboration with child protection partners on the ground; and (4) collaborating with mission and child protection personnel to monitor and report on child rights violations and issues.

3. The survey showed that Child Protection Advisers, through their monitoring and reporting activities, have helped to increase the attention given to the rights and needs of war-affected children on the United Nations peace and security agenda. They have also played an important role in efforts to mainstream child protection issues into the work of other components of peacekeeping operations. However, Child Protection Advisers are not always as effective as they could be because of several factors: (i) there is a lack of clarity about their role; (ii) the profile and selection of Child Protection Advisers vary significantly; (iii) their activities are not always adequately coordinated with other child protection actors on the ground; and (iv) there is no capacity in DPKO to provide guidance and operational support.

4. The following main lessons emerged from the survey:

- a. The concept of Child Protection Advisers and their current terms of reference should be jointly reviewed and clarified by DPKO, OSRSG/CAAC and UNICEF.

- b. There is a need for specialized capacity at DPKO headquarters to provide guidance, training and daily operational support to the Child Protection Advisers in the field.
- c. Best practices need to be captured from Child Protection Advisers and fed into policy and guidance development by DPKO, in consultation with UNICEF, OSRSG/CAAC, and other partners, as appropriate.
- d. The location of child protection units or advisers within the mission structure needs to be reviewed and possibly standardized.
- e. The profile and selection process for Child Protection Advisers should be reviewed by DPKO, in consultation with OSRSG/CAAC and UNICEF.

Background

5. On 26 August 1996, the Secretary-General submitted a note to the fifty-first session of the General Assembly on “The impact of armed conflict on children” (A/51/306). In response to a subsequent recommendation from the General Assembly, the Secretary-General appointed a Special Representative for Children and Armed Conflict in September 1997. The Special Representative took immediate steps to reflect the concerns and recommendations of the 1996 report in the peace and security activities of the United Nations. In 1998, the Security Council took up the issue of children and armed conflict for the first time as a separate subject. With the adoption of resolution 1261 (1999), the Council placed child protection issues firmly on its agenda and initiated annual reporting by the Secretary-General. Subsequent resolutions on this issue included SCR 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004) and 1612 (2005). The Council now considers information on the needs and welfare of children regularly in thematic and country-specific reports. In 1999/2000, only 12.5 percent of the Secretary-General’s reports to the Security Council mentioned child protection; by 2004, this level had risen to 37 percent.

6. Resolution 1261 (1999) also requested the Secretary-General to ensure that “personnel involved in United Nations peacemaking, peacekeeping and peace-building activities have appropriate training on the protection, rights and welfare of children”. Shortly thereafter, the Secretary-General highlighted the importance of ensuring that the United Nations Assistance Mission in Sierra Leone (UNAMSIL) address the many needs of children and, in particular, sought approval for the introduction of a new category of personnel, namely Child Protection Advisers. The first Child Protection Adviser was deployed to UNAMSIL in 2000. Child Protection Advisers have since been deployed in seven other peace operations: MINUSTAH (Haiti), MONUC (Democratic Republic of the Congo), ONUB (Burundi), UNMA (Angola), UNOCI (Côte d’Ivoire), UNMIL (Liberia), and UNMIS (Sudan).¹ As of January 2007, 60 CPA posts have been

¹ ONUB, UNAMSIL and UNMA have since closed.

established in six missions, with the largest number concentrated in UNMIS and MONUC with 34 and 17 posts, respectively.

7. In this context, the OSRSG/CAAC, DPKO and UNICEF jointly drafted and endorsed terms of reference in 2000 to guide the work of Child Protection Advisers in peacekeeping operations (see annex). The terms of reference emphasize that Child Protection Advisers would assist the Head of Mission in ensuring “a comprehensive approach to child protection throughout all stages of the making and consolidation of peace, as appropriate.” They also emphasize that Child Protection Advisers “should promote and enhance the approach being taken to this end by the UN agencies and other competent bodies in the specific country”. Complementarity and collaboration with partners were understood to be critical to the effectiveness of Child Protection Advisers, particularly given the temporary and distinct nature of a peacekeeping operation. In this context, the terms of reference highlighted the CPA role as facilitator, trainer and advocate, and required that CPA reports be copied to the Special Representative of the Secretary-General for Children and Armed Conflict (SRSG/CAAC) and the UNICEF Executive Director.

Findings

8. The child protection mandate of each peacekeeping mission flows from the Security Council resolutions on Children and Armed Conflict and is determined by the most urgent child protection issues in the mission area as well as the overall mandate of the given mission. The number of Child Protection Advisers and their location in the mission structure vary accordingly. Possibly as a result of this diversity, the survey found that there is an inconsistent understanding of the terms of reference for Child Protection Advisers among mission personnel and senior management, Child Protection Advisers, and child protection partners. However, most Child Protection Advisers considered their priority activities to consist of the following: (1) advising senior mission leadership to ensure that child rights concerns are raised in all political and peacebuilding fora; (2) advising colleagues in other mission components to ensure that their relevant initiatives are “child-sensitive”; (3) advocating on behalf of children’s rights in collaboration with child protection partners on the ground; and (4) collaborating with mission and child protection personnel to monitor and report on child rights violations and issues.

Monitoring and reporting

9. All serving and former Child Protection Advisers who contributed to the survey felt that monitoring and reporting was an effective CPA activity which had significant impact. Respondents felt that Child Protection Advisers can have a comparative advantage over other field actors working on child protection, because they function under the umbrella of the overall political mandate of the mission. Other stakeholders may be constrained from engaging in politically-sensitive reporting, because their very ability to remain in the country and work with national counterparts depends on the maintenance of a non-controversial relationship with all parties. Similarly, some actors

may have to be cautious about reporting critically on parties on whom they have to rely for access to populations in need of humanitarian assistance. The OSRSG/CAAC, UNICEF and DPKO (CPAs) have been working together closely, in the field and at headquarters, to implement the monitoring and reporting mechanism on violations of child rights in armed conflict settings, called for by Security Council resolutions 1539 (2004) and 1612 (2005). The child protection monitoring mandate and the presence of Child Protection Advisers ensure that there will be additional witnesses on the ground to report on the situation affecting children and draw attention to children's needs at all stages of post-conflict peacebuilding.

10. The information provided by monitoring activities also enables Child Protection Advisers to support the mission, UNICEF and other child protection partners in operational interventions to avert or halt child rights violations. For example, CPAs in MONUC helped to obtain the release of a number of children from armed groups and worked with the Military Prosecutor in Bunia to stop the arrest and detention of children under age 18, pending law reform. The systematic documentation of violations and abuses against children is also critical to the work of truth and justice-seeking institutions. Such information has, for example, supported the prosecution of former Congolese militia leader Thomas Lubanga by the International Criminal Court (ICC) for the forced recruitment of children in the Democratic Republic of the Congo, and the indictment by the Special Court for Sierra Leone of former Liberian President Charles Taylor and former Sierra Leonean Minister of Defence Sam Hinga Norman for forced child soldier recruitment.

Advocacy

11. Peacekeeping missions are often mandated to go beyond monitoring and reporting and to assist in the development or strengthening of key national institutions. The survey found that Child Protection Advisers can play a crucial role when they work with other mission components (including rule of law, human rights, police, and gender) as well as with those United Nations and NGO partners that are spearheading relevant institution-building initiatives. In Sierra Leone, for example, the UNAMSIL Child Protection Advisers and Police component worked together to achieve the creation of child protection units in key police stations across the country. In Liberia, the Child Protection Advisers helped ensure that the Police component and the Gender Adviser's Office collaborated to propose the establishment of Women and Children's Units in police stations. In 2006, training was provided in Khartoum, Sudan for senior police personnel and mid-level ranking police officers.

12. In addition to ensuring child-sensitive institution-building, the terms of reference for Child Protection Advisers require that "the CPA will assist the SRSG to identify resources and advocate that they be directed to gaps in funding or technical support for child-conscious programmes, (...) as identified by the UN Country Team and other competent bodies". This was to include advocacy for an appropriate national mechanism to ensure "that the rights and protection of children are a central concern in the aftermath of war". In many post-conflict settings, an adequately-funded national child protection

entity will be the institution to which child protection actors can have recourse after the closure of a peacekeeping operation. However, some Child Protection Advisers did not feel that the identification of resources and advocacy for national child protection institutions was a function they carried out on a regular basis; others were not even aware that this was a component of their terms of reference. As a result, this aspect tended to be lacking in several missions.

13. On a critical mission-internal advocacy issue, the survey showed that Child Protection Advisers had played a vital role in helping to implement the United Nations zero-tolerance policy on sexual exploitation and abuse (SEA). Child Protection Advisers have assisted in this process through their contribution to the SEA training of mission personnel, referral of cases to conduct and discipline units, advice on the development of victim assistance policies, and involvement in investigations to ensure that the rights of child victims or witnesses are protected throughout the process.

Training

14. Another important area in the CPA terms of reference is the training of mission personnel in child protection requirements. In every mission where they are deployed, Child Protection Advisers provide induction training and training-of-trainers workshops for military and police personnel. Such personnel, along with the mission's Human Rights Officers, routinely meet with representatives of the parties to the conflict, often in remote locations, and can serve as valuable advocates on child protection issues.

15. To this end, UNMIS Child Protection Advisers have conducted weekly induction briefings for arriving staff, and the mission's training unit reports a high level of awareness of child protection issues among trainees. MONUC Child Protection Advisers worked with the Military Training Cell, Human Rights component and the Senior External Affairs Officer to develop a practical training module on child protection and human rights issues, including a scenario discussing sexual abuse and exploitation by MONUC personnel. Training was provided to uniformed and civilian staff. In UNAMSIL, Child Protection Advisers developed a successful training-of-trainers programme, which led military personnel in specific sectors to design child protection action plans that included training rank-and-file soldiers, and building or renovating schools, recreation facilities and playgrounds. UNAMSIL worked together with UNICEF and the local child protection networks to provide such training, which strengthened collaboration among peacekeeping personnel, the United Nations Country Team, and members of NGOs.

16. Overall, the survey found that CPA training and engagement of mission personnel had focused predominately, although not exclusively, on uniformed personnel. This may be partly due to the additional challenges posed by their high rate of turnover and rotation. However, there is clearly scope for increasing child protection awareness and activities among all components of a mission, including political/civil affairs; rule of law; human rights; DDR; gender; electoral; and conduct and discipline, among others.

17. In select cases, Child Protection Advisers have also supported training initiatives for national and regional actors. In 2003, UNAMSIL Child Protection Advisers helped to catalyze the development of a Framework for Cooperation between the Truth and Reconciliation Commission (TRC) and Child Protection Agencies and worked with UNICEF and national child protection agencies to provide specialized training for all TRC statement takers who might come into contact with children. This was in recognition of the need to provide special protection to children who are involved in truth commissions or war crimes tribunals as victims or witnesses. In the same year, UNAMSIL's Child Protection Adviser worked very closely with the Head of Mission and with the ECOWAS Child Protection Adviser to help ensure that ECOWAS troops preparing for deployment with ECOMIL in Liberia received child protection training, pocket cards, booklets and other materials. Close cooperation with the incoming Special Representative of the Secretary-General for Liberia and the Nigerian Army Chief of Staff allowed for the early promotion of child protection initiatives in Liberia.

Concerns

18. The survey showed that there is a need for further clarification of the role of Child Protection Advisers in two areas. One issue is the duplication of effort in relation to other child protection actors, in particular the human rights components in missions and the UNICEF Country Offices. Many respondents to the questionnaire felt that CPA activities often overlap with others who undertake child rights advocacy, perform monitoring and reporting functions, provide support to national ministries for social welfare and children's affairs, and disseminate child protection information, among other activities. It was suggested that Child Protection Advisers should always be integrated into existing inter-agency child protection coordination mechanisms or take the initiative, together with UN Country Team partners, to establish such mechanisms. This would allow the UN System to formulate, and measure progress towards, country-specific child protection objectives and priorities and to identify the comparative advantages and mandates of each actor for a mutually supportive division of labour on the ground. The survey identified good examples of such consultation, clear division of labour and joint planning in UNAMSIL and UNMA.

19. Related to the above is a lack of clarity about the mandate of Child Protection Advisers. As mentioned earlier, the survey reflected differences in the understanding of the CPA terms of reference among key actors, including Child Protection Advisers themselves. These differences even applied to the primary function of Child Protection Advisers, namely to advise the senior management of the mission. The terms of reference state clearly that "the CPA must be qualified to fill a post at the level appropriate for a key adviser to the Special Representative of the Secretary-General". However, the survey found that few Child Protection Advisers benefited from access to the mission leadership and, consequently, many of the advising functions had not been carried out. While UNAMSIL's CPA was located in the Office of the SRSG, the current child protection units in MONUC, UNMIS and UNOCI are located under the DSRSG in charge of humanitarian affairs. This might send a misleading message that the role of Child Protection Advisers is humanitarian, rather than political.

20. Finally, the survey showed great disparities in the profile of individuals being selected as Child Protection Advisers for peacekeeping operations. This might partly account for the different ways in which Child Protection Advisers have defined their roles on the ground. For example, Child Protection Advisers with solely operational child protection backgrounds tended to focus on operational initiatives and thereby created the appearance of overlapping mandates. The survey found the most effective outcomes were achieved by senior Child Protection Advisers with policy, advocacy and substantive child protection experience. The survey showed clearly that Child Protection Adviser posts should be established at an appropriate level to ensure that CPAs can credibly execute their politically-sensitive monitoring, liaison and training functions.

Conclusions

21. The survey and interviews yielded valuable information for PBPS to understand the impact of Child Protection Advisers in field missions since their initial deployment in 2000. There is a clear need for rethinking the way in which CPA capacity should be used and supported. PBPS recognizes that a specialist is required at headquarters to lead the process of addressing current shortcomings and redefining how Child Protection Advisers can make an effective contribution. The following main lessons emerged from the survey:

- a. The concept of Child Protection Advisers and their current terms of reference should be jointly reviewed and clarified by DPKO, OSRSG/CAAC and UNICEF.
- b. There is need for specialized capacity at DPKO headquarters to provide guidance, training and daily operational support to the Child Protection Advisers in the field.
- c. Best practices need to be captured from Child Protection Advisers and fed into policy and guidance development by DPKO, in consultation with UNICEF, OSRSG/CAAC, and other partners, as appropriate.
- d. The location of child protection units or advisers within the mission structure needs to be reviewed and possibly standardized.
- e. The profile and selection process for Child Protection Advisers should be reviewed by DPKO, in consultation with OSRSG/CAAC and UNICEF.

ANNEX

TERMS OF REFERENCE CHILD PROTECTION ADVISER – LEVEL P4

Child rights and protection are explicit priorities of this UN peacekeeping operation and a senior child protection adviser (CPA) is being attached to the operation to assist the SRSG in addressing these priority issues. The CPA must be qualified to fill a post at the level appropriate for a key adviser to the Special Representative of the Secretary-General (SRSG).

The CPA will be guided in the execution of his/her tasks by the UN Convention on the Rights of the Child, relevant international humanitarian and human rights law, and applicable regional standards. The CPA will also be guided by pertinent Security Council resolutions, including those relevant to the particular mission, and Resolutions 1261 and 1265 (1999), which, *inter alia*, call upon all parties to armed conflicts to ensure the protection of children's rights throughout peace negotiations and the consolidation of peace and highlight the importance of including special provisions for the protection of children and women in the mandates of peace operations. The work of the CPA will be complemented by, and complementary to, the UNICEF Country Office and its Programme of Cooperation, the mandate and purpose of which is to ensure the well-being and protection of children and the full realisation of their rights.

The Child Protection Adviser's principal tasks:

The CPA works under the overall guidance of the SRSG or Head of Mission and the following comprise his/her principal tasks:

1. *The CPA should enable the SRSG to ensure that the rights, protection and well-being of all children are a priority throughout the peacekeeping process, the consolidation of peace and the re-building of the war-affected country.*

The CPA will assist the SRSG in developing an overall approach to children's rights and child protection requirements and needs. Under the guidance of the SRSG, the CPA should ensure a comprehensive approach to child protection throughout all stages of the making and consolidation of peace, as appropriate. The CPA should promote and enhance the approach being taken to this end by the UN agencies and other competent bodies in the specific country.

2. *The CPA should assist the SRSG to ensure that the rights, protection and well-being of children are on the agendas of the full array of relevant peace-making commissions and bodies. The CPA should also advocate, together with the UN Country Team, for the inclusion of children's rights and protection concerns on the agendas of UN coordination mechanisms, international and local NGOs and the international donor community.*

3. *The CPA should assist the SRSG to ensure that all key actors and mechanisms within the mission and in the context of the peace process take a child-conscious*

approach to their respective mandates. The CPA must identify and convey the child-relevant aspect of a wide range of topics being addressed within the peace-building process.

4. The CPA will assist the SRSG to identify resources and to advocate that they be directed to gaps in funding or technical support for child-conscious programmes, in particular to humanitarian assistance and development programmes for children as identified by the UN Country Team and other competent bodies. This involves, *inter alia*, ensuring appropriate participation in meetings with donor countries and the international community, to promote child rights and protection issues and advocate for adequate and sustained allocation of resources to child protection programmes.

5. Advocate for an appropriate national mechanism or process to ensure child protection (such as a national commission for children). The CPA should explore the possibility, as appropriate, of establishing, facilitating, supporting and providing training for a national mechanism or process (such as a national commission for children) that will ensure that the rights and protection of children are a central concern in the aftermath of war, and that this is reflected in national priority-setting, policy-making and resource-allocation.

6. Ensure that the SRSG is fully apprised of the full array of child rights and protection issues and how they are being addressed. The CPA will provide guidance to the SRSG on the options to address gaps and strengthen existing mechanisms and on-going efforts to protect children in the short-run and ensure their long-term well-being. The CPA will undertake field visits or participate in joint inter-agency assessment missions as required, including within the region when deemed relevant. The CPA will propose to the SRSG draft text and recommendations on the rights, protection and well-being of children for the Secretary-General's reports to the Security Council. The CPA will draft position papers for the SRSG and will keep the SRSG abreast of all international and national developments with potential implications for the well-being of children and the protection of their rights. The CPA will represent the SRSG, as requested by him/her, in the discussions and planning of the various relevant peace process committees, national child protection and human rights committees and networks, and UN coordination mechanisms.

7. Reporting requirements. The CPA will report to DPKO through the SRSG, with copies to the Special Representative of the Secretary-General for Children and Armed Conflict (SRSG/CAC) and the Executive Director - UNICEF.

8. Facilitate information-sharing among all relevant agencies and actors. The CPA will facilitate information-sharing among all key actors both in and outside the country. The CPA will prepare and disseminate monthly situation reports on child protection within the peacekeeping and peace-building process. The CPA will share all pertinent information and copy relevant reports through the SRSG to UNICEF and to the Office of the Special Representative of the Secretary-General for Children and Armed Conflict (OSRSG/CAC).

As the focal point for the protection of children's rights within the peace process, the CPA will act as liaison across the peace operation's divisions and from the peace operation to all relevant agencies and entities, including the UN system, Government, the international community, civil society and NGOs. The CPA will work in tandem with all substantive components of the Mission, including in particular the human rights, humanitarian, military and political affairs officers, and all child-focused staff within the peace operation. The CPA will work in close collaboration with the child-focused components of the UN Country Team and will support the work of the SRSG in his or her collaboration with the Country Team, especially with the Resident Coordinator and/or Humanitarian Coordinator.

9. The CPA shall keep abreast of developments in the implementation of the CRC and the preparation of State Party reports to the Committee on the Rights of the Child and will ensure that relevant concluding observations adopted by the Committee are taken into consideration in the work of the Mission, and will provide to UNICEF appropriate information on the work of the Mission relevant to the implementation of the CRC.

10. The CPA should act as an advocate for children within the framework of the peace operation, helping to ensure that all personnel involved in peacemaking, peacekeeping and peace-building activities have appropriate training on the protection, rights and well-being of children. The CPA should assist the SRSG in addressing complaints about the behavior of UN personnel related to the infringement of child rights.

11. Briefing and de-briefing of the CPA. Whenever possible the CPA should be briefed prior to his/her deployment, and de-briefed periodically and at the end of his/her assignment, jointly by DPKO, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, and UNICEF. The CPA will be expected to submit an end of assignment report before leaving the mission for de-briefing.