

**Action Plan
Between
(Party)
And
The United Nations Country Task Force on Monitoring and Reporting
to eliminate Sexual Violence against Children**

Preamble

Stressing the unconditional commitment of *Party* to fully comply with its obligations under international law, and with other international norms protecting children, including the Convention on the Rights of the Child and its Optional Protocols (*when applicable*)

Noting relevant UN Security Council resolutions, including Security Council Resolutions 1261 (1999), 1314 (2000), 1379 (2001), 1539 (2004), 1612 (2005) and 1998 (2011), which condemn, inter alia, sexual abuse and sexual exploitation of children in armed conflict and in particular resolution 1882 (2009), in which the Security Council called upon parties listed in the annexes of the Secretary-General's Report on children and armed conflict that commit, in contravention of applicable international law, killing and maiming of children and/or rape and other sexual violence against children in situations of armed conflict, to prepare time-bound action plans to halt those violations and abuses, and to address all other violations and abuses committed against children and undertake specific commitments and measures in this regard;

Working in close collaboration with the United Nation's Country Task Force on Monitoring and Reporting (hereafter 'UNCTFMR'), and in cooperation with relevant United Nation agencies, local partners and members of civil society, which seek to promote and protect the rights of the child;

Noting the criteria and procedures used for listing and de-listing parties to armed conflict in the annexes to the Reports of the Secretary-General on Children and Armed Conflict, in particular the Report of 13 April 2010 (A/64/742 and S/2010/181), at paragraphs 167–180; and seeking to halt rape and sexual violence against children, as well as to implement measures to prevent their occurrences in the future;

Guided by the 'Paris Principles and Guidelines on children associated with the Armed Forces or Armed Groups of February 2007'

Mindful of the commitments made by (*party*) to the Special Representative of the Secretary-General for Children and Armed Conflict in (*date of SRSG's mission, if any*)

The (*party*) hereby undertakes to implement the following ‘Action Plan’ to halt sexual violence against children:

Article 1 – Scope

1.1 This Action Plan applies to (*party*). Principles of this Action Plan should also be applicable, but not limited to the following parties listed in the Annexes of the Secretary-General’s Report on Children and Armed Conflict to the Security Council (reference to last Secretary-General’s report on CAAC: S/.../... and A/.../...), for whom supplementary Action Plans should be sought in conjunction with (*party*) of (name of country): *List of other party or parties to the conflict as referred to in the Annexes of the last Secretary-General’s Report on Children and Armed Conflict to the Security Council (if relevant to context).*

Article 2 – Purpose

2.1 The party* undertakes to implement this Action Plan to halt rape and other forms of sexual violence against children in times of armed conflict and shall be eligible for delisting from the annexes to the Reports of the Secretary-General on Children and Armed Conflict upon UN verification that sexual violence against children has ceased for a period of [xx], as spelled out in the commitments and activities below.

2.3 The party further undertakes to implement this Action Plan for the purpose of taking measures to ensure the long-term prevention of sexual violence against children in the future.

Article 3 – Commitments

3.1 The (*party*) commits specifically to implement fully and effectively the following provisions:

- a) To prevent and halt the perpetration of rapes and all other forms of sexual violence against children, committed by members of the party or persons associated with the party.
- b) To appoint focal points at the highest level of the party’s military and/or political structure to implement the activities enumerated in Article 4.1 of this Action Plan, in collaboration with the UNCTFMR, in cooperation with relevant partners.
- c) To issue and disseminate a clear political executive directive to non-military persons associated with the party and a military order to military rank and file to inform them about the precise terms and aims of this Action Plan.

* Insert name of party to the conflict.

- d) To provide unimpeded and regular access to territories under party's control, including military bases, installations, camps, training facilities, recruitment centres, hospitals and schools, current and former battle sites or other relevant locations to the UNCTFMR to verify compliance with the provisions of this Action Plan.
 - e) To guarantee free, confidential and unaccompanied access of staff of the United Nations and relevant local and international organizations to relevant persons, including child survivors of rape and other forms of sexual violence, families, medical personnel, witnesses, and members of civil society, and to institutions and areas such as hospitals, IDP/refugee sites, communities, and other relevant locations, and to objects, such as documents, records and physical evidence. The party undertakes to ensure that no retaliatory action is taken against monitors, survivors, witnesses or any third party in connection with monitoring and verification activities.
 - f) To ensure the access of UN monitoring and reporting staff to all members of the party, and other persons associated with the party and to facilitate the implementation of the Action Plan between the party and the UNCTFMR.
 - g) To promptly and independently investigate allegations of rape and all other forms of sexual violence against children and to facilitate the prosecution and punishment of, including but not limited to the taking of disciplinary measures, with due regard to international standards, against all perpetrators, including commanders, and to provide verifiable information with respect to such measures taken to ensure the accountability of perpetrators.
 - h) To implement an agreed preventive strategy to address sexual violence, as referred to in the list of activities below.
- 3.2 The UNCTFMR, in collaboration with the party as well as relevant partners, is committed to support programmatic initiatives, including mental health and psycho/social services, medical services, rehabilitation, educational and vocational programmes for children who were subjected to rape or other forms of sexual violence.

3.3 The Office of the Special Representative for Children and Armed Conflict is committed to support the implementation of the provisions of this Action Plan.

Article 4 – Process

4.1 The following framework constitutes the activities and timelines for the implementation of the Action Plan.

Cooperation with the United Nations		
Activity	Time frame	Responsible authority

1. Engage the UNCTFMR in the concrete implementation of this Action Plan, including the monitoring, reporting and verification of the successful completion of its terms.	Monthly meetings or more often as required	Party
2. Issue a clear military order and political directive to all members of the party and to private persons associated with the party to inform them of the precise terms of the Action Plan. The order and directive should list the sanctions for their breach and require the reporting of any breaches to the appropriate authorities. They should be broadly and effectively disseminated in writing and orally.	Immediately	Party
3. Name high-level military and, if applicable, a civilian person as focal points to oversee through a Working Body, the regular interaction with the UNCTFMR and child protection actors including relevant national organizations to ensure the short and long term execution of the Action Plan.	Immediate	Party
4. Expedite timely, approved clearance for entry into territory, areas, facilities, institutions, camps or other relevant locations or places to UNCTFMR staff and relevant partners and to their interpreters in order to monitor, report on and verify the implementation of the Action Plan.	Immediate and ongoing	Party
5. Grant to UNCTFMR staff and relevant partners and their interpreters full and confidential access: to all relevant persons, including child survivors, members of the party; to objects, such as documents, records and physical evidence, and; to relevant meetings, hearings, judicial or disciplinary procedures, in order to monitor, report and verify the	Immediate and ongoing	Party

implementation of the Action Plan.		
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Prevention of sexual violence		
Activity	Time frame	Responsible authority
6. The civilian and military focal points should implement a situational analysis and ongoing review mechanism to determine and address the origin, frequency and patterns of sexual violence attributable to members of the Armed Group and associated persons with the aim to prevent and forewarn the Armed Groups' command structure of the potential for future incidents.	Within three months	Party
7. Party will coordinate with UNCTFMR and relevant partners, to ensure that survivors of rape or other forms of sexual violence have access to safe environments, medical evacuation and/or care and, when feasible, are reunited with their parents, guardian or family.	Within one week and ongoing	Party, UNCT and relevant partners
8. Issuance of an order to members of the Armed Group, and a political directive to persons associated with the Armed Group, to immediately halt rape(s) and any other forms of sexual violence that is inflicted upon children. The order and directive should list the sanctions for its breach and require the reporting of any breaches to the appropriate authorities within the Armed Group. Effectively diffuse the order and directive in writing and orally. Broadcast it by any means of mass communication as deemed necessary.	Immediately upon signing the Action Plan	Party

Awareness-raising and capacity-building		
Activity	Time frame	Responsible authority
9. The party, in consultation with the UNCTFMR and relevant partners, should undertake a Recognition Initiative addressed to communities immediately affected by sexual violence against children by the party	Within three to four months and ongoing	Party, UNCTFMR and relevant partners

<p>or associated persons, which:</p> <ul style="list-style-type: none"> - denounces sexual violence; - disseminates the aforementioned order and the directive to halt sexual violence; - reiterates the party's duty to investigate, prosecute and punish, or take relevant disciplinary measures, should a crime be alleged or proven; and - informs the affected communities of the party's duty to comply with international and national law governing children during periods of armed conflict. 		
<p>10. Together with the UNCTFMR, establish training for members of the party, including the command structure to ensure compliance with the relevant military directives, national law and international law that prohibit sexual violence.</p>	<p>Within four months and ongoing</p>	<p>Party, UNCTFMR and relevant partners</p>
<p>11. Coordinate with the UNCTFMR and other partners to monitor awareness among military elements, especially commanders, of obligations concerning child protection and the rights of the child to be free from all forms of sexual violence.</p>	<p>Within six months and ongoing</p>	<p>Party and UNCTFMR</p>

Support services to survivors, their families and communities		
Activity	Time frame	Responsible authority
<p>12. The party will coordinate with UNCTMR, which will coordinate with the UNCT and relevant partners to support ongoing medical care, both physical and psychological; social, economic, educational and rehabilitative support services for survivors of sexual violence, including children formerly associated with the party; and children who are born as a result of rape.</p>	<p>Immediate and ongoing</p>	<p>Party, UNCT and relevant partners</p>

Redress, legal enforcement and discipline		
Activity	Time frame	Responsible authority
13. Establish or re-enforce accessible, confidential and effective complaint procedures, which are widely communicated to the public, to report incidents of sexual violence by members of the party, including commanders responsible for their subordinates' acts. The procedures should respect the confidentiality and security concerns of all survivors, families, witnesses and their support persons. These procedures will allow for monitoring by the UNCTFMR.	Within two weeks to one month of the signing of the Action Plan.	Party
14. Diligently investigate, prosecute, adjudicate or discipline prior incidents, recent cases and on-going complaints of sexual violence committed by members of the party or persons associated with the party, including commanders responsible for their subordinates' acts. Investigations, prosecutions and disciplinary measures should take into due consideration the interests and rights to confidentiality of child survivors, families, witnesses and support persons.	Immediate and ongoing	Party
15. Whenever possible, grant reparations, compensation or other forms of recognition to survivors of sexual violence as a result of judicial, disciplinary, reconciliation procedures or other means of acknowledgement.	Ongoing	Party and relevant partners

4.2 The signatories hereto are responsible for the implementation of this Action Plan. In addition, the party's representatives and focal points listed below in (a) and (b) are to ensure the timely and effective execution of this Action Plan:

- a) The party, its highest representative or focal point (s) and a designated Working Body, who are responsible to oversee that rape and all forms of sexual violence committed against children are halted, prevented and redressed.

b) The party's focal point (s) and the Working Body are responsible for conducting timely and regular interaction with the UNCTFMR. The role and obligations of the UNCTFMR are to ensure the constant and continual execution of commitments taken in the Action Plan, to link with relevant authorities and to monitor and report on progress and challenges.

4.3 ***The party's focal point (s)*** shall undertake coordination meetings on a bimonthly basis, or more often if required, with the UNCTFMR.

4.4 The ***party*** shall report on a bimonthly basis to the UNCTFMR on progress achieved with regards to the implementation of the Action Plan. This will be reflected in the bimonthly notes of the UNCTFMR to the Office of the Special Representative on Children and Armed Conflict. This report will also be regularly reviewed by the UN Security Council Working Group on Children and Armed Conflict.

Article 5 – Applicable principles

In implementation of all its work on behalf of children affected by armed conflict, the Government and its Armed Forces will be guided by the following overarching principles:

- 5.1 ***Best interests of the child*** – All measures to assure the protection from and the prevention of sexual violence inflicted upon children shall be determined by the best interests of such children.
- 5.2 ***Participation and respect for the views of the child*** – All children associated with the party and who were subjected to sexual violence will be provided protection. Their reintegration into society shall include the active participation of the communities, the children and the families concerned. All activities to provide protection shall respect the views of the child.
- 5.3 ***Respect for the child's right not to be subjected to rape or other forms of sexual violence***. All inflictions of sexual violence are unlawful and, thus, never justifiable.
- 5.4 ***Non-discrimination*** – There shall be no advantage given or denied to children based on their ethnicity, their race, their gender, their age, nor any other trait, characteristic, vulnerability or other arbitrary criteria.
- 5.5 ***Accountability and transparency*** – The party will be accountable for implementation of the Action Plan; interact transparently in that regard with the UNCTFMR, the Office of the Special Representative for Children and Armed Conflict and other relevant partners; will establish or re-enforce and use mechanisms to monitor and report violations, and will hold those responsible for violations accountable.

5.6 Confidentiality and informed consent – Personal information related to violations of children’s rights, including infliction of rape and other forms of sexual violence or abuse by the party or persons associated with the party, shall be treated as confidential. The confidentiality of the information collected by the UNCTFMR through the Monitoring and Reporting Mechanism will be respected. The informed consent of the parent or guardian, as well as that of the child, shall be given due regard in all monitoring and reporting activities covered in this action plan. Guarantees of protection, security and confidentiality for survivors, witnesses, families, sources of information, third parties such as medical, social or psychological care providers, or administrators shall also be given due regard.

Article 6 – Time frame and applicability of this Action Plan

6.1 The activities outlined in the Action Plan will be verified and monitored for a period of xx months from their commencement, and will be extended based on a review by the party and the UNCTFMR, in conjunction with the Office of the Special Representative for Children and Armed Conflict.

6.2 This Action Plan may be amended or revised at any time by the written mutual consent of the party and the UNCTFMR in conjunction with the Office of the Special Representative for Children and Armed Conflict. The parties should seek the advice of the Office of the Special Representative for Children and Armed Conflict in the event of a need for clarification.

6.3 This Action Plan takes effect on the date of signature.

In witness whereof, the duly authorized representatives of the parties to this Action Plan have put their signatures on this day being xx xxx

For and on behalf of
(name of party to which the Action Plan applies)

For and on behalf of
Secretary-General’s Special Representative for CAAC

Name:

Name:

Title:

Title:

Signature:

Signature:

Date:
Government

Date:
Co-Chair of the Country Task Force (UNICEF

Name

Name

Title

Title

Date

Date

Signature

Signature

SRSB or RC

Co-Chair of the Country Task Force
(if another co-chair is present and/or
another UN body is deemed an
appropriate signatory)

Name:

Name:

Title:

Title:

Signature:

Signature:

Date:

Date:

Name: Witness

Name:

Title:

Title:

Signature:

Signature:

Date:

Date: