

**Action Plan
Between
(the Government of...)
And
The United Nations Country Task Force on Monitoring and Reporting
to eliminate killing or maiming of children in contravention of international law**

Preamble

Stressing the commitment of the Government to fully comply with its obligations under international humanitarian law and international human rights law, including the Convention on the Rights of the Child and its Optional Protocol (when applicable)

Noting relevant UN Security Council resolutions, including Security Council Resolutions 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004), 1612, (2005) and 1998 (2011) and relevant statements by the Security Council President, which condemn, inter alia, the killing and maiming 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. Additionally, as specifically called upon by Article 5 c) of Security Council Resolution 1882, 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 Nations 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 killing and maiming of 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' and the 'Paris Commitments' (when applicable) signed in xx;

Mindful of the commitments made to the Special Representative of the Secretary-General for Children and Armed Conflict in (*date of SRSR's mission, if any*) and/or commitments specifically for the protection of children made within peace processes;

Considering the recommendations made by the Secretary General in his report[s] on children and armed conflict in X [with report reference]; and subsequent conclusions adopted by the Security Council Working Group on children and armed conflict, directed to the Government of X.

The Government of XX hereby undertakes to implement the following ‘Action Plan’ to halt the killing and maiming of children in armed conflict:

Article 1 – Scope

1.1 This Action Plan applies to the Government and its Armed Forces (spell out if needed) and/or any personnel acting on behalf of or in the name of said 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 Annual 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 the Government 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 Annual Report on Children and Armed Conflict to the Security Council (if relevant to context).*

Article 2 – Purpose

2.2 The Government undertakes to implement this Action Plan to halt the killing and maiming of 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 the killing or maiming of children in contravention of international law have ceased for a period of [xx], as spelled out in the commitments and activities below.

2.3 The Government further undertakes to implement this Action Plan for the purpose of taking measures to ensure the long-term prevention of killing and maiming children in the future.

Article 3 – Commitments

3.1 The Government commits specifically to implement fully and effectively the following provisions:

- a) To prevent and halt the killing and maiming of children, in contravention of international law, committed by members of the Armed Forces, paramilitary groups under its control or private persons associated with the Armed Forces.
- b) Identify actions to end ongoing violations and to prevent their recurrence; issue appropriate orders; and ensure implementation of those orders.
- c) To appoint focal points at the highest level within the Government and the Armed Forces to provide oversight, monitor and implement the activities enumerated in Article 4.1 of this Action Plan in collaboration with the UNCTFMR, in cooperation with relevant partners.
- d) To issue and disseminate a clear political executive directive to non-military persons associated with the Armed Forces and a military order to military rank and file to inform them about the precise terms and aims of this Action Plan.

- e) To respect the independent verification of implementation of this Action Plan, including providing unimpeded and regular access to its territory, including military bases, installations, camps, training facilities, recruitment centres, hospitals and schools, burial sites, current and former battle sites or other relevant locations, to the UNCTFMR to verify compliance with the provision of this Action Plan.
- f) To guarantee free and confidential access of staff of the United Nations and relevant local organizations to relevant persons, including child survivors of maiming, families, medical personnel, witnesses and members of civil society, and to institutions and areas, such as hospitals, IDP camps, communities, burial sites or other relevant locations, and to objects, such as documents, records, physical evidence, identified and unidentified remains, or personal effects of deceased children, and to ensure that no retaliatory action is taken against monitors, victims, witnesses or any third party in connection to monitoring and verification activities.
- g) To ensure the access of UN monitoring and reporting staff to all members of the Armed Forces, paramilitary groups and private persons associated with the Armed Forces, and to facilitate the execution and implementation of the action plan between the Government and its Armed Forces and the UNCTFMR.
- h) To promptly investigate allegations of killing and/or maiming of children in contravention of international law and to ensure accountability for violations that have occurred by ensuring the prosecution of and/or 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.
- i) To implement an agreed preventive strategy to address the killing and maiming of children as referred to in the list of activities below.

3.2 The UNCTFMR, in collaboration with the Armed Forces, the Government, as well as relevant partners, is committed to working with the UNCT to:

- a) support programmatic initiatives, including psychosocial and medical services and rehabilitation, educational, vocational programmes for children who were maimed, as well as programmes that address prevention, such as mine clearance or risk education.
- b) support initiatives and programmatic interventions, such as: facilitation of the search, identification and dignified return of the remains and/or personal effects, when feasible, of deceased children; access to the burial sites or other locations of deceased children; and transmission of all relevant information concerning their demise of the deceased children to the relatives.

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 independent monitoring, reporting and verification of the successful completion of its terms.	Monthly meetings or more often as required	Government and Armed Forces
2. Issue a clear military order and political directive to all members of the Armed Forces, paramilitary and to private persons associated with the Armed Forces 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	Government and Armed Forces
3. Name high-level military and civilian focal points to oversee an appointed inter-ministerial Working Group responsible for the regular interaction with the UNCTFMR and child protection actors and to ensure the short- and long-term execution of the Action Plan.	Immediate	Armed Forces and Government
4. Expedite timely, approved clearance for entry into territory, areas, facilities, institutions, detention centres, displacement camps, burial sites, or other relevant locations to United Nations staff, relevant partners and to their interpreters in order to monitor, report and verify the implementation of the Action Plan.	Immediate and ongoing	Armed Forces and Government
5. Make available to UNCTFMR and relevant partners identified and unidentified remains and/or personal effects of deceased children, together with attendant documents, records or accounts of their demise.	Immediate and ongoing	Armed Forces and Government
6. Grant to UNCTFMR and relevant partners and to their interpreters full and confidential access to all relevant persons, including child survivors and members of the Armed Forces; to objects, such as documents, records or other physical evidence; and to	Immediate and ongoing	Armed Forces and Government

relevant meetings, hearings, judicial or disciplinary procedures in order to monitor, report and verify the implementation of the Action Plan.		
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Prevention of killing and maiming		
Activity	Time frame	Responsible authority
<p>7. The Government and the Armed Forces will develop and adopt a focused plan to address the killing and the maiming of children in armed conflict, which:</p> <ul style="list-style-type: none"> - identifies gaps and initiates concrete measures to fulfil the state's international and national legal obligations. - promotes the adoption of necessary laws, or the issuance of directives, ordinances and rules to further protect children from the impact of military operations. - instills a policy of 'zero tolerance' for the killing and maiming of children in contravention of international law. - re-enforces the judicial organs' pursuit of offenders, including persons in position of command. 	Within three months and ongoing.	Government and Armed Forces, together with UNCTFMR and relevant partners
<p>8. The civilian and military focal points, as part of the implementation of the focused plan, should implement a situational analysis and ongoing review mechanism to determine and address the origin, frequency and patterns of killing and maiming attributable to members of the Armed Forces and associated persons, with the aim to prevent and forewarn the Armed Forces' command structure and appropriate ministerial bodies of the potential for future incidents.</p>	Within three months	Government and Armed Forces
<p>9. To ensure that children maimed, or at risk of being maimed or killed, are now in or have access to safe environments, including access to medical evacuation, and the opportunity to reunite with their families, when feasible.</p>	Within one week and ongoing	Government and Armed Forces, with UNCTFMR and relevant partners

<p>10. The Government will conduct a sustained nationwide campaign to alert citizens, governmental entities, schools, hospitals, schools, religious and education institutions, social service providers, etc., of the prohibition of killing and/or maiming children in contravention of international law. The Government will utilize the campaign to inform citizens of the measures to be taken to prevent such crimes and to punish offenders, including commanders. The campaign will use all-effective means of communication, including the mass media.</p>	<p>Within three months and ongoing</p>	<p>Government representative and Armed Forces together with partners</p>
<p>11. Issue and disseminate an order to members of the Armed Forces and a political directive to persons associated with the Armed Forces to immediately halt actions that result in the killing and maiming of children in contravention of international law. The order and directive should list the sanctions for its breach and require the reporting of any breaches to the appropriate authorities. Effectively dispense the order and directive in writing and orally. Broadcast it by any means of mass communication as deemed necessary.</p>		

Awareness-raising and capacity-building		
Activity	Time frame	Responsible authority
<p>12. The Government, in consultation with the UNCTFMR and relevant partners, should undertake a Recognition Initiative addressed to communities immediately affected by children who were killed or maimed by the Armed Forces, paramilitary or associated persons, which:</p> <ul style="list-style-type: none"> - denounces the killing and maiming of children. - disseminates the aforementioned order and directive to halt killing and maiming of children. - reiterates the Armed Forces' duty to investigate, prosecute and punish or 	<p>Within three months and ongoing</p>	<p>Government and Armed Forces</p>

take relevant disciplinary measures should a crime have been committed. - informs the affected communities of the Governments' duty to comply with international and national law governing children during periods of armed conflict.		
13. Together with the UNCTFMR, establish training for members of the Armed Forces, including the command structure, to ensure compliance with the relevant military directives, national law and international law that prohibit the killing and maiming of children.	Within four months and ongoing	Armed Forces and UNCTFMR
14. Coordinate with the UNCTFMR and other partners to monitor the awareness among military forces, especially commanders, of obligations concerning child protection and the rights of the child, especially prohibitions against killing or maiming.	Within six months and ongoing	Armed Forces, UNCTFMR and relevant partners

Support services to survivors, their families and communities		
Activity	Time frame	Responsible authority
15. The Government will coordinate with UNCTFMR, which will coordinate with the wider UNCT and relevant partners to provide, strengthen or support with access to services such as medical care; psychological treatment; social, economic, educational or rehabilitative programmes for any children who were maimed, including children formerly associated with the Armed Forces; as well as initiatives that address prevention, such as mine clearance or risk education.	Within one week and ongoing	Government, UNCTFMR and relevant partners
16. The Government authorities will set up emergency services, in conjunction with UNCTFMR and relevant partners or with local health, psychological and social service providers for new survivors of maiming or emergency health needs of previous victims of maiming.	Within a month	Government, UNCTFMR and relevant partners
17. The Government and the Armed Forces, in coordination with		Government, Armed Forces, UNCTFMR and relevant partners

UNCTFMR and relevant partners, will assist in the location, identification and dignified return of human remains and/or of personal effects of deceased children to their families.		
18. The Government or the Armed Forces will, assisted, in appropriate way, by UNCTFMR and relevant partners, convey to the families the full circumstances of the death(s) of children, whether or not the remains have been located, identified or returned.	Within one week and ongoing	Government, Armed Forces, UNCTFMR and relevant partners
19. The Government, in consultation with the affected families and in cooperation with UNCTFMR and relevant partners, will facilitate access to burial sites and/or facilitate re-burials of deceased children in keeping with local traditions.	Immediately and ongoing	Government, Armed Forces, UNCTFMR and relevant partners, in close cooperation with local communities
20. The Government and Armed Forces and partners, in keeping with local protocols, will arrange, facilitate or conduct dignified and respectful community commemoration or memorial services, erect or rename public edifices, or in any manner honor children killed during armed conflict.	Immediately and ongoing	Government, Armed Forces, UNCTFMR and relevant partners, in close cooperation with local communities

Redress, legal enforcement and discipline		
Activity	Time frame	Responsible authority
21. Establish or re-enforce accessible, confidential and effective complaint procedures, which are widely communicated to the public, to report incidents of maiming and killing by members of the Armed Forces, including commanders responsible for their subordinates' acts. The procedures should protect the confidentiality and security concerns of child victims, families, witnesses and support persons. These procedures should allow for monitoring by the UNCTFMR.	Within two weeks to one month	Government, Armed Forces and UNCTFMR
22. Diligently, investigate, prosecute adjudicate or discipline prior incidents, recent cases and ongoing complaints of killing and maiming	Immediate and ongoing	Government representative in collaboration with UNCTFMR

committed by members of the Armed Forces or persons associated with the Armed Forces, 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 victims, witnesses and of any support persons.		
23. Whenever possible, grant reparations, compensation or other forms of recognition to families of killed or maimed children as a result of judicial, disciplinary, reconciliation or other means of acknowledgement.	Ongoing	Government, Armed Forces, UNCTFMR and relevant partners, in close cooperation with local communities

4.2 The signatories hereto are responsible for the implementation of this Action Plan. In addition, the following institutions and Governmental authorities are also made particularly responsible for overseeing, facilitating and ensuring the timely and effective execution of this Action Plan:

- a) The high-level civilian and military focal points of the Government and Armed Forces are responsible for ensuring timely and regular interaction with the UNCTFMR.
- b) The aforementioned high-level focal points are also responsible for the implementation of an inter-ministerial Working Group, as referred to in Article 4.1.c of this Action Plan to halt the killing and maiming of children made of, but not limited to, the Ministries of Defense, the Interior, Health, Social Affairs, Justice, etc. The role and obligations of this Working Group are to ensure timely and continual execution of actions requested by the Action Plan, to link with relevant governmental and local authorities, and to monitor and report on progress and challenges.

4.3 ***The high-level civilian and military focal points*** shall undertake coordination meetings on a monthly basis, or more often as required, with the UNCTFMR.

4.4 The ***Government and the Armed Forces*** shall report on a bimonthly basis to the UNCTFMR on progress achieved in regard 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 future violations of killing and maiming 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 Armed Forces who were subjugated to maiming will be provided protection. Their reintegration into society shall include the active participation of the communities, children and 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 killings and/or maiming in contravention of applicable international law.*** Children are especially protected under international humanitarian law, international criminal law and human rights law from acts of killing or maiming.

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 arbitrary criteria.

5.5 ***Accountability and transparency*** – The Government will be accountable for implementation of the Action Plan; interact transparently 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 to account.

5.6 ***Confidentiality and informed consent*** – Personal information related to violations of children's rights to be protected from killing and maiming 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 victims, 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 Government and the UNCTFMR in conjunction with the Office of the Special Representative for Children in Armed Conflict.

6.2 This Action Plan may be amended or revised at any time by the written mutual consent of the Government and the UNCTFMR, in conjunction with the Office of the Special representative for Children in 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 (Date):

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

For and on behalf of
Secretary-General's Special Representative on 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

SRSG or RC

Co-Chair of the Country Task Force (Other Country Co-chair if there are more than two co-chairs)

Name:

Name:

Title:

Title:

Signature:

Signature:

Date:

Date:

Name: Witness

Name:

Title:

Title:

Signature:
Date:

Signature:
Date: