

**Action Plan
Between
(Party)
And
The United Nations Country Task Force on Monitoring and Reporting
Regarding
Children subjected to Killing and Maiming**

Preamble

Stressing the unconditional commitment of *Party* to fully comply with its obligations under international humanitarian law and international human rights 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), 1539 (2004), 1612 (2005) and 1998 (2011), 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, 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 delisting 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 & 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 armed forces or armed groups of February 2007';

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

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 party¹ 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 and maiming of children in contravention of international law have ceased for a period of [xx], as spelled out in the commitments and activities below.

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

- a) To prevent and halt the pattern of killing and maiming of children in contravention of international law committed by members of the Party or persons associated with the Party.

¹ Insert name of party to the conflict.

- 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 cooperation 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 the rank and file members of the Party to inform them about the precise terms and aims of this Action Plan.
- 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 organizations to relevant persons, such as child survivors of maiming, medical personnel, witnesses, and members of civil society, and to institutions and areas, such as hospitals, IDP camps, 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 execution and implementation of the Action Plan between the Party and the UNCTFMR.
- g) To promptly investigate allegations of violations of killing and/or maiming against children and to facilitate the prosecution, 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.
- h) 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 Party as well as relevant partners, is committed to support programmatic initiatives, including support for psycho/social services, medical services, rehabilitation, educational and vocational programmes for children who were subjected to maiming, as well as programmes that address prevention, such as mine clearance or risk education.

3.3 The Office of the Special Representative for Children and Armed Conflict is committed to support the full 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 international organizations		
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.	Ongoing; monthly meetings or, more often, as required	Party
2. Issue a clear military order and political directive to all members of party and to private persons associated with the Armed Group 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.	Immediate	Party
3. Name high-level military and, if applicable, a civilian person as focal points to oversee a Working Body, the regular interaction with the UNCTFMR and child protection actors 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 of 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. Make available to UNCTFMR and 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	Party
6. 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	Immediate and ongoing	Party

procedures in order to monitor, report and verify the implementation of the Action Plan.		
Prevention of killing and maiming		
Activity	Time frame	Responsible authority
7. Issuance of an order to members of the Armed Group and a political directive to persons associated with the Armed Group to immediately halt the killing(s) 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 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.	Immediate upon signing the Action Plan	Party
8. 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 killings and maiming 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
9. Party will coordinate with UNCTFMR and relevant partners to ensure that children, identified as maimed or at risk of being maimed or killed, have access to safe environments, access to medical evacuation and/or care and, when feasible, are reunited with their parents, guardian or family.	Within one week and ongoing	Party, UNCTFMR and relevant partners

Awareness-raising and capacity-building		
Activity	Time frame	Responsible authority
10. The Party, 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 Party or associated persons, which: <ul style="list-style-type: none"> - denounces the killing and maiming of children; - disseminates the aforementioned 	Within three to four months and ongoing	Party, UNCTFMR and relevant partners

order and the directive to halt killing and maiming; - reiterates the Party's duty to investigate, prosecute and punish or take relevant disciplinary measures, should a crime be committed; and - informs the affected communities, of the Party's duty to comply with international and national law governing children during periods of armed conflict.		
11. 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 the killing and maiming of children.	Within four months and ongoing	Party, UNCTFMR and relevant partners
12. Coordinate with UNCTFMR and other partners to monitor the awareness among military elements, especially commanders, of obligations concerning child protection and the rights of the child not to be killed or maimed in contravention of international law.	Within six months and ongoing	Party and UNCTFMR

Support services to survivors, their families and communities		
Activity	Time frame	Responsible authority
13. The Party will coordinate with UNCTFMR, UNCT and relevant partners to support the ongoing medical care, both physical and psychosocial; social, economic, educational and rehabilitative support services for any children who were maimed, including children formerly associated with the Party; and initiatives that address prevention, such as mine clearance or risk education.	Immediate and ongoing	Party, UNCTFMR, UNCT and relevant partners
14. The Party will set up or grant unimpeded access to emergency services, in conjunction with UNCTFMR, UNCT and relevant partners, or with local health, psychological and social service providers for new survivors of maiming or emergency health needs of	Within one month	Party, UNCTFMR, UNCT and relevant partners

previous victims of maiming.		
15. The Party, in consultation with the affected 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.	Immediate and ongoing	Party, UNCTFMR and relevant partners, in close cooperation with local communities
16. The Party and partners, in keeping with local protocols, will arrange, facilitate or conduct dignified and respectful community commemoration or memorial services, erect public edifices or, in any manner, honor children killed during armed conflict.	Immediate and ongoing	Party, UNCTFMR and relevant partners, in close cooperation with local communities

Redress, legal enforcement and discipline		
Activity	Time frame	Responsible authority
17. Establish or re-enforce accessible confidential and effective complaint procedures, which are widely communicated to the public, to report incidents of maiming or killing committed 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 should allow for monitoring by the UNCTFMR.	Within two weeks to one month	Party
18. Diligently investigate, prosecute, adjudicate or discipline prior incidents, recent cases and ongoing complaints of killing and maiming 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
19. Whenever possible, grant reparations, compensation or other forms of recognition to survivors of sexual violence as a result of judicial,	Ongoing throughout the Action Plan	Party and relevant partners

disciplinary, reconciliation procedures or other means of acknowledgement.		
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4.2 The signatories hereto are ultimately 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 all killing and maiming of children is 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 actions requested by 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 monthly 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 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 Party 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 violations of killing and maiming of 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 subjugated to maiming 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 killings and 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 Party 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 for violations 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 regards 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 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 of 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 xxxx:

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:

Date:

Co-Chair of the Country Task

Name: Witness

Force
Name:

Title:

Title:

Signature:

Signature:

Date:

Date:

Name : Witness

Co-Chair of the Country Task
Force
Name:

Title:

Title :

Signature:

Signature :

Date:

Date: