Office of the Special Representative of the Secretary-General for Children and Armed Conflict (OSRSG-CAAC), United Nations Children's Fund (UNICEF) and United Nations Department of Peacekeeping Operations (DPKO)

FIELD MANUAL

Monitoring and Reporting Mechanism (MRM) on Grave Violations Against Children in situations of Armed Conflict

June 2014

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Field Manual – The Monitoring and Reporting Mechanism (MRM) on Grave Violations Against Children in situations of Armed Conflict

Acknowledgements

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Introduction

The MRM Guidelines and Field Manual are divided into two parts.

Part One: MRM Guidelines

The MRM Guidelines describe the purpose and focus of the MRM; specify the leadership, roles and responsibilities of implementing actors; describe the MRM architecture and information flow; outline reporting requirements; and highlight the critical linkage of the MRM to response programming and advocacy.

This section is essential reading for co-chairs and members of the Country Task Force for Monitoring and Reporting (CTFMR).

Part Two: MRM Field Manual

The Field Manual accompanying the Guidelines, together with its related annexes, is designed to serve as a comprehensive resource for practitioners responsible for implementing the MRM. The Field Manual covers in detail the technical aspects of monitoring and reporting practice, as well as critical issues related to information management and security. It also covers the issue of response, to ensure that monitoring and reporting activity is underpinned by adequate programmes and services for victims of violations.

It is anticipated that the Field Manual will develop as a working tool. Therefore, practitioners are encouraged to provide feedback on the Guidelines and Field Manual, and suggest areas that may be further elaborated or where additions can be made, as the MRM is a living document and these reference documents will undergo periodical reviews under the auspices of the Global Task Force on Children Affected by Armed Conflict (CAAC).

This current document only includes Part Two: MRM Field Manual. Part One: MRM Guidelines is available in a separate document.

Foreword

We are extremely pleased to present the MRM Field Manual, for the use by field practitioners implementing the Monitoring and Reporting Mechanism (MRM) on children and armed conflict.

In 2005, the MRM was established by the Security Council as an unprecedented mechanism to foster accountability and compliance with international law and child protection standards. It also provides a unique platform for our offices and all child protection actors operating in conflict affected areas to work in a concerted effort to enhance the protection of children. Through the years, the work of child protection practitioners implementing the MRM has yielded real results for children in some of the most difficult and dangerous places on earth.

The MRM Field Manual is based on the many lessons learned while implementing the mechanism in over 17 different situations to date. They are the product of extensive consultations over the years with a multitude of UN and NGO partners at the country, regional and global levels.

We hope that you will find the MRM Field Manual a practical reference guide and that their usage will contribute to enhancing the protective environment of children affected by armed conflicts – by harmonizing our interventions, strengthening systematic monitoring and reporting of grave violations against children; raising the stakes by demanding accountability of perpetrators; and by ensuring a coordinated and appropriate response by relevant stakeholders, including most importantly responses by the concerned Government. With our strengthened concerted action, we will achieve even greater outcomes for children.

We wish to sincerely thank all those who provided their valuable time and constructive contributions. It is envisaged that the MRM Field Manual will remain as a 'living document.' We therefore encourage you to provide feedback, and suggest areas that may need further elaboration or where additions can be made. A continuing and open dialogue among us is essential to the success of the MRM and greater protection of children.

As always, we stand ready to support you.

Sincerely,

Ms. Leila Zerrougui SRSG CAAC	Mr. Anthony Lake UNICEF, Executive Director,	Mr. Hervé Ladsous Under-Secretary-General for Peacekeeping Operations

New York, June 2014

PART TWO: MRM Field Manual

A. Introduction to the Field Manual

The information contained in the manual is meant to guide the United Nations and its partners to implement a mechanism to monitor, report and respond to grave violations against children in line with Security Council Resolutions 1612,1882, 1998, 2028 and 2143; and in particular to assist persons at the technical level to establish an effective application of the MRM.

This information should be read in conjunction with Part One of this document, the Guidelines on the Monitoring and Reporting Mechanism on Grave Violations against Children and Armed Conflict under Security Council Resolutions 1612, 1882, 1998, 2068 and 2143.

The sections in the Field Manual cover the basic elements for implementing the MRM. The annexes provide additional or detailed information and some specific examples that may be used or adapted for country-specific needs.

Figure 1 illustrates the key elements of the MRM. The contents of the Manual are arranged in an order that is likely to be required for understanding and taking action, to properly implement the MRM.

Figure 1: Elements of the MRM

The security of monitoring staff, child victims and any witnesses is of primary importance to work of this nature. In recognition of how this manifests itself in different aspects of implementation, the issue has been mainstreamed throughout the field manual where appropriate attention needs to be paid. There is therefore no distinct section on security.

For quick reference, 'key messages' and 'further reading' are highlighted in boxes within each section.

The purpose of the MRM is to provide for the systematic gathering of accurate, timely, objective and reliable information on grave violations committed against children[1] in situations of armed conflict, as well as in other situations of concern as determined by the Secretary-General.[2]

Such information should lead to well-informed, concerted and effective advocacy and responses to protect and care for children and foster compliance with international child protection standards and norms.

The MRM is formally established when parties in country situations are listed in the annexes of the annual Report of the Secretary-General on CAAC.

UN country teams will be formerly notified to launch formalized monitoring and reporting via official correspondence from the SRSG-CAAC.

B. When is MRM Established?

B.1 Country situations where MRM must be implemented

The implementation of the MRM is automatically triggered in all situations covered in the first annex to the Annual Report of the Secretary-General on CAAC. However, in those situations that fall under Annex II of the Report, the United Nations should consult with the national government for the implementation of the formal MRM process.[3] A new situation becomes a formal MRM as soon as the Global Annual Report on CAAC is endorsed by the Security Council at its open debate.

B.2 Other situations of concern

Some situations addressed in the annual Report of the Secretary-General on CAAC are not included in either of its two annexes. This may be due to insufficiency of verified information, or to the determination that current information does not satisfy the threshold for inclusion of a party in the annexes. Since such situations have been deemed of concern by virtue of their inclusion in the report of the Secretary-General, the UNCTs and peacekeeping or political

1 Article 1 of the CRC states that a child means every human being younger than 18 years old unless under the law applicable to the child, majority is attained earlier.

2 See Security Council Resolution 1612, para 3.

3 Refer to relevant OP in Security Council Resolution 1612.

missions should seek to establish alternate arrangements to strengthen MRM activities, such as a Working Group on CAAC aided by practice as laid out in these Guidelines and the accompanying Field Manual in order to strengthen monitoring and reporting activities.

It should be stressed that monitoring and reporting on child rights violations represents a core mandate and responsibility of the United Nations in all situations of concern, and the conduct of such activities do not require the prior agreement of governments.

Civil society, child protection networks and human rights groups, as well as treaty body mechanisms, particularly the CRC Committee, can be driving forces advocating for stronger monitoring and reporting on child rights violations.

For clarification or guidance on implementation of the MRM beyond the Field Manual, contact the MRM focal point in one of the following: O/SRSG-CAAC, UNICEF or DPKO/DPA.

C. Steps towards Establishing the MRM

For UNCT and missions newly establishing the MRM, the following are steps that need to be covered to carry out the functions of the MRM. While this is in a logical sequence, some of the steps will need to be taken in parallel and the order may differ, depending on the context. In countries where monitoring is previously activated, not all of the steps detailed below will be necessary.

Given that reporting requirements begin immediately (GHN are typically required every two months), it should be stressed that the steps below may be necessary for the complete roll-out of the MRM, but they are not a prerequisite for monitoring and reporting activities. The most successful MRMs have evolved and strengthened gradually throughout time as a result of practice.

C.1 Orientating the UN Country Team and mission on the MRM

It will be necessary to provide an orientation to the UN Country Team (UNCT) and mission and partners at the management level on Security Council Resolutions 1539, 1612, 1882, 1998 2068 and 2143, and of the MRM. Such an orientation should highlight the key areas of responsibilities and requirements of the Security Council. The session should spell out clearly for management and technical levels what the process is, what reports and activities are expected, and the timeline concerned.

C.2 Establish the Country Task Force for Monitoring and Reporting

The Country Task Force for Monitoring and Reporting (CTFMR) is the main MRM coordinating structure at the country level. The MRM Task Force is typically situated in the country's capital; however, locally based sub-task forces may also be established to ensure the effective implementation of the MRM throughout the conflict-affected areas of a country.

Determine membership of the CTFMR

The CTFMR shall be composed of all relevant UN entities, represented at the most senior level in-country. These may include, at a minimum and as relevant to the country context: representatives of the peacekeeping or political mission, as well as UNICEF, OCHA, UNHCR, UNHCHR, UNDP and UNFPA or UNIFEM.

The CTFMR will be co-chaired by the highest UN authority in the country, whether SRSG or Resident/Humanitarian Coordinator, and the UNICEF representative. Designation of an additional co-chair may also be considered in contexts where specific UN entities play a lead role in the MRM process.

Invitations to become a member of the MRM Task Force may also be extended by the co-chairs of the MRM Task Force to other members of the human rights and child protection community operating in-country, as appropriate. Such entities must be neutral, impartial and independent from all parties to the conflict. This may include NGOs and independent national bodies such as a Human Rights Commission or Ombudsman. The composition of the MRM Task Force may be reviewed and amended by its co-chairs on a yearly basis, to ensure the most appropriate representation.

At an early stage, members should agree on key areas of responsibility, including information management and security and final preparation of reports (co-chairs). Information collection and protection response should be mainstreamed throughout the CTFMR.

1. Inform the government

Governments are not part of the CTFMR, as monitoring and reporting needs to be necessarily an independent and neutral activity. However, as states have particular responsibility vis-à-vis the protection of children, the highest level of transparency and dialogue is required, at the earliest opportunity, while ensuring the confidentiality of sensitive information and the protection of all involved.

The establishment of a parallel forum is encouraged to enable the MRM Task Force chairs to regularly meet with the government and other parties to discuss violations, Action Plans and response; and to discuss reports, recommendations and Security Council Working Group conclusions. The appointment of focal points in key governmental bodies, and the formation of

an inter-ministerial coordination body can increase effectiveness. For example, it could include relevant ministries and institutions, such as the Ministries of Foreign Affairs and Defence, Children's Welfare, Social Affairs, Human Rights, Interiors, etc. It has also been found helpful if this body is coordinated by a high-level focal point.

2. Implementation assessment and planning

It is recommended that at an early stage, if necessary, a study be carried out to enable the most effective implementation to be made. This should be a consultative process with the United Nations, NGOs and donors.

The areas recommended to be included in such a study include:

In the overall assessment, the following needs to be considered:

- Monitoring capacities – of different organizations and in different geographical locations;
- Available sources of information;
- Assessment of the security situation;
- Assessment of potential risks;
- Evaluation of human resource implications;
- Identification of funding needs/gaps; and
- To the extent possible, a baseline assessment of grave violations against children in situations of armed conflict. At a minimum, this should include the nature of the violations being committed, the parties to the conflict and the geographical locations of violations being committed.

To develop an implementation plan:

- Identify key organizations;
- Determine focal points in the capital and other key locations;
- Advise on standard operating procedures that will be required;
- Advise on guidelines required for maintaining confidentiality;
- Determine the information management mechanism that will be employed;
- Determine the nature of the potential use of information (beyond the reporting requirements) – this will assist in implementation planning; and
- Ensure that services and other protection response to violations are available.

The completion of this study would assist the CTFMR to operationalize the MRM and highlight areas of concern that need to be addressed.

3. Roles and responsibilities

At an early stage it is essential to determine key areas of responsibility. These include:

- Focal point for collation of information and preparation of reports – both in the capital and at field level. This would normally be either the Child Protection Advisor in a peacekeeping or political mission, or UNICEF Child Protection Officers, but depending on the country context, may be determined and mutually agreed by CTFMR members, under the leadership of the CTFMR co-chairs.

Determine how the CTFMR will compile, manage and store information and who will be primarily responsible for this. However, more than one CTFMR member, in certain circumstances, may operate their own databases, which can feed into the consolidated shared one.

4. Planning for roll-out of the MRM

At an early stage, it is recommended that key actors should come together – possibly a workshop – to comprehend the MRM Guidelines and Field Manual and its application within the country.

It is vital that the development of how this will be implemented is worked out in a multi-agency setting to ensure the buy-in of all organizations involved – both the UN and civil society.

It will take some time to develop key aspects for the MRM and put this in place. Some of the key areas will be:

- Briefing the UNCT and UNCT mission management on roles and responsibilities.
- Setting up a plan for ensuring monitoring and reporting coverage in conflict-affected areas. NB: In situations where this cannot be guaranteed, a prioritization exercise should be undertaken.
- In addition to the CTFMR members, identify which additional organizations may be involved in the MRM but not formally members of the CTFMR.[4]
- Planning any necessary training for staff who may be involved in monitoring.
- Planning for orientation/awareness-raising of the MRM for non-protection specialists, other organizations and the community, as appropriate.

4 Due to security concerns, some NGOs involved with the MRM do not wish to be members of the CTFMR; therefore some NGOs will be MRM participating organizations but not formally CTFMR member organizations.

5. Development of information tools and protocols

At an early stage, it is necessary to develop relevant information tools and protocols, including:

- Agreement of minimum data sets;
- Mapping out of information flows;
- Information-sharing and security protocols, etc.

For further details, see Section G.

6. Training of staff

The information collected needs to be timely, accurate, reliable and objective, as well as conducted in an ethical and appropriate manner. It is thus key that any staff who will be involved in the MRM receive training on all aspects related to the MRM, including monitoring, verification and reporting of information, security and ethical considerations, etc. This includes staff who are full-time monitors and staff who may provide reports on grave violations in addition to their normal programme activities.

7. Establish a verification system

The SRSG or RC is ultimately responsible for ensuring that the information reported through the MRM is timely, objective, accurate and reliable. Designated members of the CTFMR should review all information submitted to the MRM CT to verify that it is credible, according to the criteria set out in this manual.

8. Organizational orientation and mainstreaming

It is vital that programme staff in humanitarian organizations are aware of the MRM and can provide alerts when they become aware of violations during the course of their work. It is also important that staff are aware of security implications due to the nature of this work, but that they are also aware of the benefits for children. Any additional security staff in organizations should be briefed and kept informed of MRM activities; they may be a source of information for alerts.

9. Responses

It is vital to provide orientation and liaise with the protection cluster or child protection and gender-based violence sub-clusters or sector groups for the purposes of creating a bridge between the MRM and development of appropriate programmatic responses. Mechanisms should be put in place to ensure that participating organizations are consulted on advocacy strategies to ensure for security of staff, organizations, victims and sources of information.

10. Feedback

Many people, including victims but also NGOs and staff in the UN, contribute information to the MRM. A well-functioning MRM system should integrate strong feedback loops; it is essential that feedback is provided where possible and as appropriate at different levels – to staff, victims and communities, but also from headquarters to country. It is suggested that feedback be provided on accountability, advocacy and on programmatic responses. It is only through providing feedback that staff of participating organizations will continue to be motivated to provide information.

For details on the above and other areas within the MRM, see under the relevant sections in this Field Manual and in the annexes.

D. The Violations

The descriptions below are provided as guidance for inclusion under each of the listed violations in Security Council Resolutions 1612, 1882, 1998, 2068 and 2143. The six categories of grave violations, as defined, constitute acts that contravene international humanitarian law, international human rights law, international criminal law or other international protection norms.

For further information, please refer to Annex II: International Legal Foundations and Standards.

i. Context	The acts must be committed in the context of and be associated with an armed conflict.
ii. Victim	A child or children, i.e., persons under 18 years of age.
iii. Perpetrator	Members of state armed forces or non-state armed group (NB: Armed forces: refers to the armed forces of a state. Armed groups: refers to groups distinct from armed forces as defined by Article 4 of the Optional Protocol to the CRC on the involvement of children in armed conflict. The MRM does not focus activities on civilians, although international practice shows that civilians may also be responsible for war crimes).
Violation	Meaning for MRM purposes and types of incidents to report.

Killing and maiming	Killing: Any action in the context of the armed conflict that results in the death of one or more children. Maiming: Any action that causes a serious, permanent, disabling injury, scarring or mutilation to a child. Killing and injuring of children as a result of direct targeting and also indirect actions, including: crossfire, landmines, cluster munitions, improvised explosive devices or other indiscriminate explosive devices. Killing or injuring can take place in the context of military operations, house demolitions, search-and-arrest campaigns, or suicide attacks. Torture can also be reported under this category.
2. Recruitment or use of children in armed forces and groups	Recruitment: refers to compulsory, forced or voluntary conscription or enlistment of children into any kind of armed force or armed group(s) under the age stipulated in the international treaties applicable to the armed force or armed group in question. Use of children: refers to the use of children by armed forces or armed groups in any capacity, including, but not limited to, children, boys and girls, used as fighters, cooks, porters, messengers, spies and collaborators. It does not only refer to a child who is taking or has taken a direct part in hostilities.[5]
3. Attacks on schools or hospitals	Attacks include the targeting of schools or medical facilities that cause the total or partial destruction of such facilities. Other interferences to the normal operation of the facility may also be reported, such as the occupation, shelling, targeting for propaganda of, or otherwise causing harm to schools or medical facilities or their personnel. Note: A 'school' denotes a recognizable education facility or learning site. Education facilities and learning sites must be recognized and known by the community as a learning space and marked by visible boundaries. 'Medical facilities' are places where the sick and wounded are collected and/or provided with health-care services.

5 United Nations Children's Fund, The Paris Principles: Principles and Guidelines on Children Associated with Armed Forces or Armed Groups, UNICEF, New York, February 2007.

4. Rape or other grave sexual violence	A violent act of a sexual nature to a child. This encompasses rape, other sexual violence, sexual slavery, enforced prostitution, forced marriage/pregnancy, or enforced sterilization. Rape/attempted rape: is an act of non-consensual sexual intercourse. This can include the invasion of any part of the body with a sexual organ and/or the invasion of the genital or anal opening with any object or body part. Any penetration is considered rape. Efforts to rape someone, which do not result in penetration, are considered attempted rape. Sexual violence: is any sexual act, attempt to obtain a sexual act, or acts to traffic a child's sexuality. Sexual violence takes many forms, including rape, sexual slavery and/or trafficking, forced pregnancy, sexual harassment, sexual exploitation and/or abuse, and forced abortion.
5. Abduction	The unlawful removal, seizure, capture, apprehension, taking or enforced disappearance of a child either temporarily or permanently for the purpose of any form of exploitation of the child. This includes, but is not limited to, recruitment in armed forces or groups, participation in hostilities, sexual exploitation or abuse, forced labour, hostage-taking and indoctrination.[6] If a child is recruited by force by an armed force or group, this is considered as two separate violations – abduction and recruitment.
6. Denial of humanitarian access for children	The intentional deprivation of or impediment to the passage of humanitarian assistance indispensible to children's survival, by the parties to the conflict, including wilfully impeding relief supplies as provided for under the Geneva Conventions; and significant impediments to the ability of humanitarian or other relevant actors to access and assist affected children, in situations of armed conflict. The denial should be considered in terms of children's access to assistance as well as humanitarian agencies' ability to access vulnerable populations, including children.

These six categories of violations are the primary focus of reporting to the Security Council. In order to provide comprehensive protection for children, however, the MRM should seek to monitor and respond to other violations as relevant to a particular context. Such information should inform advocacy and response at the country level. For example, detention of children for alleged association with non-state armed groups has been reported on because of its close

6 For additional clarification on determining abduction, see Annex III: Abduction & Detention – Clarification.

relation to recruitment and use violation. In addition, forced displacement has been covered when it has been related to fear of child recruitment, sexual violence or any of the other grave violations.

Violations are such that contravene international humanitarian law, international human rights law, international criminal law or other international protection norms. Note that the UN Convention on the rights of the Child is non-derogable, meaning that even in situations of armed conflict, all rights of children must always be respected. For applicable legal basis and further reading, see Annex II: International Legal Foundations and Standards.

Key messages:

- Ensure that violations reported fall under one of the noted definitions.
- Although the violations are clear, there are certain situations and certain peripheral violations that need case-by-case deliberations. YOU ARE NOT ALONE! Contact the OSRSG-CAAC or HQ focal points to discuss at any time.

Further reading – The violations:

- Annex II: International Legal Foundations and Standards
- Working Paper I: The Legal Foundations of the Six Grave Violations – <www.un.org/children/conflict/_documents/SixGraveViolationspaper.pdf>.
- Annex III: Abduction & Detention – Clarification
- UN CRC: <www.unicef.org/crc/>.
- Optional Protocol to the CRC on the involvement of children in armed conflict.
- International humanitarian law: <www.icrc.org/web/eng/siteeng0.nsf/htmlall/section_ihl_in_brief?OpenDocument>.
- ICRC – Summary table of provisions of international humanitarian law specifically applicable to children. Available at <www.icrc.org/eng/resources/documents/misc/5fflj5.htm>.
- International human rights law: <www.ohchr.org/EN/ProfessionalInterest/Pages/InternationalLaw.aspx>.
- Paris Commitments, Principles and Guidelines on Children Associated with Armed Forces or Armed Groups: <www.un.org/children/conflict/english/parisprinciples.html>.

E. Guiding Principles

E.1 Basic principles

The chief guiding principle of the MRM is the best interests of the child – as articulated in the CRC – which must be a primary consideration in implementing all aspects of the MRM as well as response and prevention activities. Key principles that guide the MRM are the principles of impartiality, accuracy, objectivity and neutrality.

See Annex VII: MRM Guiding Principles for specific details on how humanitarian principles guide the MRM's monitoring, reporting and response activities.

E.2 Ethical considerations

Ethical considerations should guide all MRM activities. These include the principles of 'do no/less harm', humanity, and sensitivity to local customs and culture. Monitoring, reporting and response should aim to do no harm to those whom MRM practitioners seek to assist and protect. For example, by gathering information within a particular community on violations of children's rights, humanitarian workers should not expose that community to any adverse consequence. Further, the monitoring, reporting and response should be undertaken with due regard and respect for culture and custom. There is also a need to be accountable to children and information providers as primary stakeholders; informing children and information providers of the purpose of the MRM and securing consent in the limited situations where it is appropriate. The safety and security of child victims and witnesses is paramount.

Monitors should respect cultural norms and customs on issues of sexuality and gender. Additionally, where sexual violence violations have occurred, allowing the child survivor and survivor family to play and active and informed role in the process is an important safeguard to ensure no further harm to the survivor.

The MRM process should not impose unnecessary burdens on children and families, and MRM staff should ensure that there is as little duplication of interviews being conducted as possible.

It is essential that the monitoring and reporting of violations be closely linked to appropriate responses regarding violations, whether it is a referral of a child to a service provider, for advocacy or other form of response. The MRM was envisioned to not only monitor and report but also to lead to an appropriate protection response. It is also essential that specific information gathered through the MRM is used ethically, protects the identity of child victims, and is used for the reasons as consented by the source of information.

E.3 Gender considerations

There are several ways in which gender considerations should be reflected in the design and implementation of the MRM. Information on the violation of children's rights should be disaggregated according to sex (girls and boys) during data collection.

Further, certain violations of children's rights may constitute gender-based violence, as the violation is particularly directed against children due to her/his sex or identity. MRM practitioners should be sensitive to the specific needs and coping mechanism of girls and boys, when dealing with all violations against children, but particularly those that may relate to a child's sexuality or self-image. Interviews of child victims should also be conducted with due consideration to the sex of the interviewer and the victim.[7]

In respect of all violations, girls and boys have different ways of experiencing violations, different coping mechanisms and different needs. MRM staff need to be sensitive to this, as well as to the responses needed by children.

E.4 Child participation

Children cannot be directly involved with the MRM Task Force, although appropriate ways in which the MRM and youth or children's groups can interact may be cautiously explored, with due consideration to safety and security concerns. All efforts must be taken to ensure that the participation of youth and children's groups does not increase the risks of threats, attacks or other violence against the participants or communities.

The MRM must actively seek out the meaningful participation of children, both as victims and as agents of protection themselves.

Child victims should be fully informed when they are being interviewed by MRM staff. This means that they, and their families, are made aware of the purpose of the MRM and the options available to them post-interview, including any follow-up on activities or services which may be offered.

Children have, in certain situations and under supervision by responsible adults, been involved in advocacy, awareness and protection alert activities through their community activities and in schools. For example, children have undertaken community-based awareness activities in conflict-affected areas informing parents and children of where they can report in the event of recruitment of children or other grave violations. Children may also be consulted and their opinions sought on the effectiveness of protection efforts and the accessibility of protection programmes for children in affected communities.

7 For further information, see the IASC Gender Handbook, accessible at: <www.ochaonline.un.org/aboutocha/genderequality/key documents/iascgender handbook/tabid/1384/default.aspx>.

Key messages – Guiding principles:

- The best interests of the child and the humanitarian principles of humanity, neutrality, impartiality, and do no or less harm guide the implementation of the MRM.
- Respect for culture and custom.
- Victims need a response – not just seen as information providers.
- Protect the identity of the child and other information providers.
- Be sensitive to the specific needs of boys and girls.

Further reading – Guiding principles:

- Annex VII: MRM Guiding Principles
- Guiding Principles for Human Rights Field Officers Working in Conflict and Post-Conflict Environments: <www.reliefweb.int/rw/lib.nsf/db900SID/OCHA-7H2QBE?OpenDocument>.
- Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons: Guidelines for Prevention and Response, UNHCR, <www.rhrc.org/resources/gbv/gl_sgbv03_02.pdf>.
- The Minimum Standards for Child Protection in Humanitarian Action Handbook <http://cpwg.net/minimum-standards/
- Guidelines on Gender-Based Violence Interventions in Humanitarian Settings <http://www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-subsidi-tf_gender-gbv
- IASC Gender Handbook: <www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-subsidi-common-default&sb=1>.

F. Monitoring

F.1 Introduction to monitoring for the MRM

The monitoring of grave violations of child rights is a complex task. Four sections are included in this section: An introduction to monitoring; data collection; verification; and documentation. All information obtained needs to be managed – while part of monitoring, information management is a complex area in its own right and is therefore covered in the next chapter of the manual.

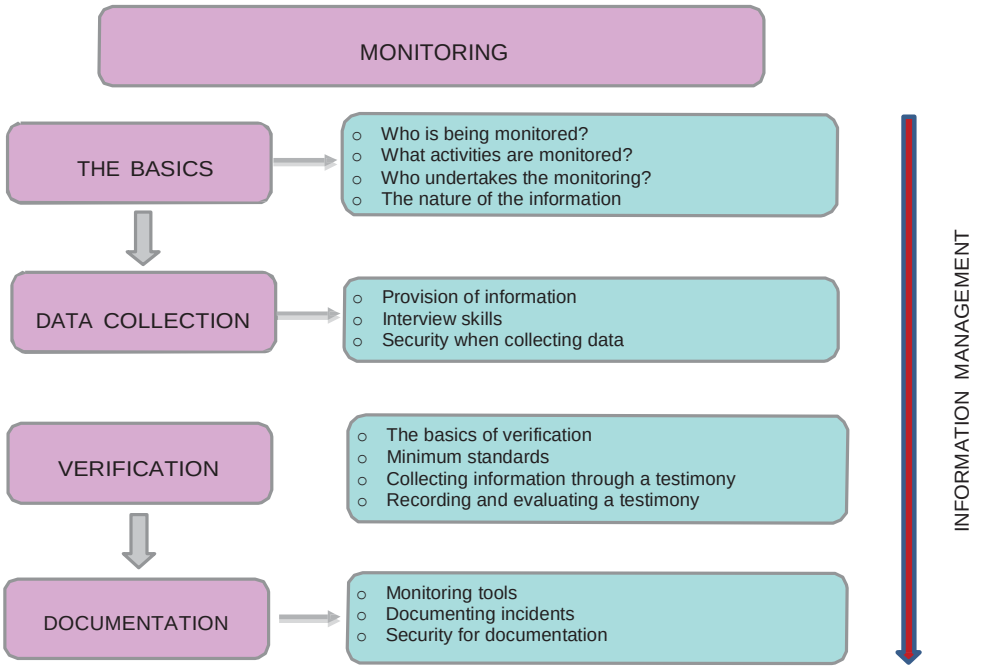

Figure 2: An overview of monitoring and its components.

F.1.1 What is being monitored?

The violations that are monitored are:

1. Killing or maiming
2. Recruitment or use of children in armed forces and groups
3. Attacks on schools or hospitals
4. Rape or other forms of sexual violence
5. Abduction
6. Denial of humanitarian access for children

All six grave violations should be monitored, regardless of which violations have triggered the MRM. For example, if the MRM has been triggered in a country situation where one group has been listed for recruitment and use, this does not imply that the MRM should be limited to recruitment and use; it should undertake monitoring on all six grave violations.

F.1.2 Whose activities are monitored?

All parties to the conflict – whether state armed forces, paramilitaries, or non-state armed groups – should be monitored. Parties to be monitored are not limited to those listed in the annexes of the annual Secretary-General's Report on CAAC. For example, if the MRM has been triggered in a country situation because of the listing of one party, this does not imply that the MRM should be limited to the activities of that party; all parties to conflict in that country situation should be covered.

Should an armed group change its name or fragment into multiple groups, monitoring would continue for new factions as well as the original groups. It should be noted that the monitoring and reporting of an armed group does not provide any form of recognition or legal determination to that group, and this should be communicated to all parties concerned.

F.1.3 Who should be undertaking the monitoring?

Monitoring should be undertaken by personnel from the CTFMR, and by partners, who have been specifically trained in the MRM. All information must be verified as per the standards outlined in Section F.3 Verification below.

F.1.4 Roles of different actors in the MRM

UN missions and UN agencies

In situations where peacekeeping or political missions are present, the Security Council has requested that UN missions increasingly play a role on certain aspects of child protection, especially in monitoring and reporting and in dialogue with parties to conflict for commitments to protect children. The Secretary-General's action plan for the implementation of the MRM under SCR 1612 (2005) stipulates that, where there is a peacekeeping or political mission, the CTFMR is coordinated and co-chaired by the Deputy Special Representative of the Secretary-General and a UNICEF representative, with the former serving as the reporting conduit to the SRSG. Peacekeeping and political missions also make significant contributions to the collection and verification of information on violations through Child Protection Advisors (CPAs), in collaboration with other mission components, notably, human rights, UN police and military observers. CPAs conduct systematic monitoring and reporting as well as advocacy on the prevention of grave violations against children. Within the mission, they also act as the secretariat for the preparation of specific reports required by the Security Council under the MRM. In addition, CPAs serve as the technical- level representatives of SRSGs and as the primary interlocutors with child protection partners.

As the UN's lead agency for children, UNICEF carries a special responsibility for the effective implementation of the MRM at country, regional and HQ levels, and particularly to support timely and adequate monitoring, response programming, advocacy and services for children. UNICEF also leads the Inter-Agency Standing Committee sub-cluster for child protection and, as such, is responsible for coordination between the CTFMR and the sub-cluster, as appropriate. Other UN agencies and departments play different roles, depending on their presence and mandate in the country. They include the International Labour Organization (ILO), United Nations Office for the Coordination of Humanitarian Affairs (OCHA), Office of the United Nations High Commissioner for Human Rights (OHCHR), United Nations Development Programme (UNDP), United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Population Fund (UNFPA), United Nations High Commissioner for Refugees (UNHCR), United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and World Food Programme (WFP).

NGOs

NGOs, both international and local, can be invited to take part in the CTFMR upon consent of the CTFMR members. NGOs may associate themselves to the work of the CTFMR either as formal members or, in situations where security or other considerations preclude this, they may be associated informally. As with all task force members, NGOs involved in MRM Task Forces either formally or informally should be actively involved in monitoring and reporting activities and able to contribute to the work of the task force.

Additional child protection actors and monitoring networks

The MRM Task Force should also seek to build and support local networks that can contribute to the MRM. Though many of the organizations in child protection networks of the child protection sub-clusters may not actively participate in the MRM due to their mandate, capacity, security concerns and or sensitivity of the issues to be monitored, the networks can contribute to the MRM by:

- alerting Task Force members to violations;
- increasing information-sharing through existing thematic groups;
- assisting Task Force members to access communities; and
- being involved in the response component of the MRM.

The relationship between the MRM Task Force and the broader networks does not need to be formal, but the MRM Task Force should establish a clear focal point or procedure through which alerts and other assistance can be channelled.

International Committee for the Red Cross (ICRC)

The ICRC is not a formal member of the CTFMR, but it remains a key actor in ensuring respect for international humanitarian law, and as such is a party that should be consulted. The CTFMR may invite the ICRC to attend relevant meetings with observer status, if deemed appropriate.

Government

Security Council Resolution 1612 (2005) emphasized the need for the MRM to operate with the "participation of and in cooperation with" national governments.[8] However, governments are not part of the CTFMR, as monitoring and reporting is, by definition, an independent and neutral activity. The "participation of and in cooperation with" national governments does not require governments to be involved with monitoring or "consent" to the report. In respect of states, there is a requirement for governments to be engaged with the MRM by facilitating and supporting

8 See paragraph 2(b) of Security Council Resolution 1612 (2005).

the collection of information by granting access to conflict-affected areas; allowing contact with non-state armed groups; respecting and ensuring the respect of the protection owed to victims, eye-witnesses and monitors.

Governments hold the key responsibility for children in the country and are therefore the key actor responsible to provide prevention and appropriate responses, and to ensure accountability mechanisms for grave violations against children. The establishment of a parallel forum is encouraged to enable the MRM Task Force chairs to regularly meet with the Government and other parties to discuss violations, Action Plans and response; and to discuss reports, recommendations and Security Council Working Group conclusions. The appointment of focal points in key governmental bodies, and the formation of an inter-ministerial coordination body can increase effectiveness. For example, it could include relevant ministries and institutions such as the Ministries of Foreign Affairs and Defence, Children's Welfare, Social Affairs, Human Rights, Interiors, etc. It has also been found helpful if this body is coordinated by a high-level focal point.

Parties to the conflict

Parties to the conflict, including states and non-state armed groups, should not be involved in the monitoring and reporting components of the MRM. They have an important role, however, to play in relation to prevention, response and accountability.

Government departments and agencies, and non-state armed groups may, however, be sources of information for the monitoring and reporting activities, to alert Task Force members to violations that subsequently require independent verification.

Humanitarian clusters

Whilst the MRM Task Force is unique and distinct from the humanitarian clusters operating in the country, the Task Force should work closely with and keep the clusters informed of its work. However, the distinction is an important principle as some of the NGOs involved in clusters may not wish to be associated with the MRM for security reasons. When clusters are developing assessment tools, they may choose to develop definitions that are consistent with those of the MRM, where applicable.

The Task Force should also seek support from the protection cluster and other clusters for programmatic response to grave violations against children's rights, particularly the child protection area of responsibility or sub-cluster and the gender-based violence sub-cluster. Cluster organizations should also refer cases to the MRM as appropriate.

F.1.5 The nature of information collected for the MRM

For the purposes of the MRM and reporting to the Security Council, it is imperative that the information provided is timely, accurate, reliable and objective.

Grave violations against children fall into three groupings:

- Incident involving one child
- Incident involving a number of children
- Impersonal violations (i.e., attack on a school or hospital, and denial of humanitarian access), which may not have physically impacted on a specific child at that point in time. [However, the physical or other impact on these sites or lack of access in the case of humanitarian efforts may later have an impact on children, which is important not to miss.]

For the purposes of the MRM and reporting to the Security Council, it is imperative that information provided is timely, accurate, reliable and objective. Therefore, the core information required and verification standards remain the same, regardless of whether it concerns a large-scale incident such as an attack on a village, an individual violation such as sexual violence, or multiple children such as a group of children abducted (See more under Section F.3 Verification below). Note that while the core information required remains the same, it is vital that, in cases of sexual violation, the interview is conducted by specialist trained staff.

For the purposes of monitoring grave violations, it is possible to monitor incidents accurately but to be recorded in MRM reports sent to the Security Council with anonymous information[9] and, therefore, provide protection for victims, sources of information and staff from NGOs and UN agencies. (See more detail under Section G.4 Documentation below).

For the purposes of appropriate accountability and response measures, more detailed information should be held on each child against whom grave violations have been committed. While the child profile is needed by the CTFMR, personal information is not essential to be held on the CTFMR information system, but can remain with the partner organization. This would allow reports to be generated from information held and provides the possibility of referring back to the organization holding the individual information if further clarification is required.

9 Anonymized means non-personalized information but can include child profile – age, gender, ethnicity, religion, status (internally displaced person, refugee, etc.); and details about the violation, date, location, perpetrator, etc. Appropriate qualitative detail to be included, but no names, addresses, etc. Full data to be held by the organization that collected the report. See documentation sections for more details.

Key messages – Monitoring:

- Ensure clarity to all parties and to staff involved in MRM on what is being monitored
- All parties to the conflict are monitored – State armed forces and non-state armed groups
- Personnel undertaking monitoring must be specifically trained in the MRM
- All information must be UN verified. The chair of the CTFMR is responsible for establishing a verification system to ensure that the inputs provided are timely, objective, accurate and reliable. State and non-state parties should not be involved in the monitoring, but can provide an alert to an incident.

F.2 Information gathering

F.2.1 Accessing information

Some personnel who are full-time monitors (e.g., human rights officers, and child protection officers) will be in a position to actively seek and collect information, while other staff may not be in this position but may access information during the course of their normal programme activities. This highlights the importance of awareness-raising and training of all partners in the field.

Some of the ways in which information can be accessed or reported are through alerts to CTFMR members. This information should then be verified as detailed in Section G.3.

- Networks and contacts – e.g., a CPA who establishes a network of partners interested in child protection and who is alerted by this network on a regular basis as part of his or her work.
- Special investigations – e.g., an office such as OHCHR that undertakes a special thematic or incident-based investigation and comes across relevant child rights violations.
- Programme providers – e.g., NGOs, civil society or service providers such as hospitals that, in the course of their work, are alerted to child rights violations.
- Trained staff from other disciplines – e.g., trained peacekeepers who provide information on child rights violations in the course of their missions or tasks.
- Non-trained staff from other disciplines who become aware of an incident but do not have the training or specialist background to take a report (e.g., water, sanitation and hygiene officer, DPKO logistics officer or UN driver).

- Victim or witness-driven contact – e.g., victims or families who access field offices of CTFMR members to report or seek assistance.
- Media reports – e.g., a reliable media source highlighting serious allegations of grave violations.

Members of the CTFMR should be conscious of potential biases that may exist in data collection if it depends upon self-reporting by individuals and witnesses to the UN or NGOs, and should actively seek to rectify such potential biases through active inquiries where necessary. For example, where demobilization programmes exist with attractive incentives, child and or caregivers may falsely report their association with an armed group.

F.2.2 Interviewing children and other persons providing information

Below are some general pointers when taking information on sensitive or painful subjects.

- Ensure the best interests of the child: Persons involved in the MRM should uphold the fundamental principle that the best interests of the child are to be protected.
- From the outset, consideration must be paid to the approach depending on the person being interviewed and the situation.
  - Speaking to children generally requires different approaches depending on age.
  - Girls and women may feel more comfortable speaking to a female interviewer.
  - In some cultures, boys may find it difficult to discuss sensitive subjects with a woman.
  - Is the information likely to be sensitive or break cultural taboos if discussed?
  - What may be the implications for the victims or witnesses if they tell their story?
- It is important, where possible, to avoid interviewing victims and witnesses repetitively regarding the same violation. One of the first questions a field worker should ask is if the person has already provided information to another organization. If this is the case, the field worker should consider contacting the relevant organization to see if it has sufficient verified information on the case.
- Children and their caregivers providing information should be informed of the purpose of the interview. From the outset, the field worker must ensure that the child, parents, family and community understand what they will (and will not) get out of their participation in the data collection process and whether there could be any other potential implications from their participation. It should also be clearly explained, at the time a statement is provided, that the information collected does not necessarily intend to secure criminal prosecutions, and that these are steps that the information provider can separately do

through appropriate channels.[10] The field worker should not indicate or promise that the MRM will improve the participant's individual situation.

- Once information has been provided, ask if consent is provided to share information for the purpose of monitoring. Explain what information would be shared and what would not. Ask this at the start or end of the interview as appropriate to the situation.
- Informed consent for advocacy may also be desirable. Where appropriate, consent of the child and/or his/her guardian may be required in order to engage with local, regional, national or international actors (e.g., communication with human rights mechanisms) on responsive action related to the case. Informed consent can be given by signature on a consent form, if appropriate, or orally, after which the field worker would note that consent was given. If deemed appropriate in the given setting, a consent form could be made available in the local language and should be read to those who are illiterate. Written consent is recommended where individual advocacy is being undertaken.
- Information on sensitive subjects is normally easier for victims or witnesses to share if they are allowed to tell their own story, at their own pace, rather than in the format of an interview. Also, children may not have the words to describe sexual assaults – listen carefully and do not expect specific words or descriptions that an adult may use.
- Rephrase and read back the information provided to ensure it is understood correctly.
- Ask questions to clarify.
- It can be off-putting for people if an official-looking document is used while they are being interviewed, and it may be preferable for the staff member to complete the document later from notes.
- On the contrary, some persons actually like to see that their story is being taken seriously and documented.
- Finding a quiet space can be challenging in small villages where everyone crowding around is the norm; if information is provided in this manner, people must be informed that it is impossible to ensure confidentiality when stories are told with an audience.
- Be aware that a child may have suffered multiple violations and may not disclose the more sensitive of these initially. Listen carefully for clues about this.

F.2.3 Security when collecting information

Security is of great importance and must be a prime consideration when collecting information of grave violations against children.

10 Staff should be in a position to supply details of organizations that can provide advice and support for persons who wish to pursue legal redress.

Who is at risk?

- Children and their families – the children who have suffered the violations and their immediate families, whether they have reported the incidents themselves or the information has come to the MRM via a third party.
- Witnesses and other information providers – any individual who reports an incident or who provides information about one, whether first-hand or as a third party, or anyone who provides access to relevant documentary evidence.
- Monitoring staff – both the staff who take reports on incidents AND those who are responsible for storing and analysing the data involved can also be vulnerable. It should be stressed that local staff working for NGOs and/or at the UN are typically more vulnerable and due consideration should be given to their protection.

Minimizing risk when collecting information

- A general risk assessment should be carried out in areas of operation prior to undertaking monitoring activities in conflict areas. This may be a UN security assessment; specific organization assessment or the assessment by the individual staff member on the day. Staff should be continually aware of the risk level in all situations and make decisions on information gathering accordingly.
- When asking children specific questions or information relating to the activities of the armed force or armed group, great care should be taken to ensure the child's safety and confidentiality. When a child or a witness wishes to tell you details, allow them to speak at their own pace and what they feel comfortable to do so.
- For the security of the individual staff member, the organization, children and individual witnesses, the section on confidentiality must be adhered to, and persons advised on this (see Section G.3 Confidentiality below).
- To ensure security, staff should be advised that information received on grave violations of children's rights should only be discussed with others on an essential need-to-know basis.

Key messages – Information gathering:

- Staff should continually be aware of the situation and risk levels for both themselves and persons being interviewed.
- If at any time a staff member becomes concerned regarding immediate security for himself/herself, the victim or the witness, the interview should be halted.

F.3 Verification

F.3.1 Basics of verification for MRM

The UN Secretary-General and the heads of the UN country presence [SRSGs/RCs] are responsible and accountable for the veracity and accuracy of the information provided in the reports and, as such, the information must reach the standards of verification used within the UN system. Hence, the CTFMR must have a verification system and the chair of the CTFMR must be satisfied that the inputs reach the minimum standards of verification outlined below, and endorse the reports.

Information in the reports generated under the MRM identifies individuals and parties to the conflict as perpetrators of grave violations against children. This information has potentially serious political and other implications. It is therefore important that the information is verified to the highest standards.

Verification includes three general considerations:

- Identifying and weighing the source of the information – Is it a primary source (an eyewitness) or a secondary source, someone who is aware of the general circumstances prevailing or has non-eyewitness information pertaining to the case in question (see Figure 3 below). Primary sources are always more reliable than secondary sources.
- Triangulation or cross-checking of information concerning the case in question. For example, this includes testimony from various independent sources (primary or secondary) regarding the incident in question so that the MRM staff member is able to reasonably assess the veracity of the allegations.
- Analysis of the veracity of the allegations through application of the MRM staff members' reasonable sound judgment in light of additional information provided by other specialists (e.g., security specialists, peacekeeping staff, and relevant political and human rights experts).
- The information has to ultimately be endorsed by the co-chairs of the CTFMR.

Primary sources	Supporting sources	
	Testimony	Material
Testimony from: ■ Victims ■ Witnesses (including adult caregivers if applicable) ■ Adult caregivers ■ Perpetrators	■ Relatives ■ Adult caregivers ■ Community leaders ■ Teachers ■ Religious institutions ■ Lawyers ■ Prosecutors ■ Journalists ■ Medical personnel ■ National Human Rights Commission ■ Local human rights activists ■ Members of civil rights groups, trade unions, ethnic groups, etc.	■ Hospital and/or autopsy records ■ Police reports ■ Weapons and ammunition left behind, bullet shells, landmine casings ■ Photographs, videotapes ■ Body scars and wounds ■ Documents left behind by the deceased ■ Official acknowledgement or response to the alleged violations ■ Reports of independent investigative bodies

Figure 3 – Primary and supporting sources of information

F.3.2 Minimum standard of verification

Multiple sources of information are ideal.

If you have information from only one primary source, the following criteria should be met:

i. Information has been received from a primary source. A primary source is a testimony from the victim, perpetrator or direct eyewitness.

AND

ii. The information has been deemed credible by a trained and reliable monitor.

AND

iii. The information has been verified as such by designated person(s) of the CTFMR.

In some situations, supporting sources such as police and medical reports or official government documentation of an incident (especially in sexual violence), if assessed as credible by the CTFMR, may be sufficient. In the best interests of the child, such an official document maybe taken in lieu of an interview with the primary source.

Information that does not meet the full criteria for verification

When the CTFMR has information that has been assessed credible, but for which complete verification has not been completed or is not possible, this should still be documented and may be reported as 'alleged' or 'subject to verification'.

F.3.3 Collecting information through testimony[11]

The field worker should in each instance ask the victim or witness to explain what happened from start to finish. The following provides guidance on minimum key aspects to be documented and which will aid verification:

1. Violation(s) – What violation(s) were committed?

2. Circumstances and details of the violation.

3. Location: Be as specific as possible. Ask the person to draw a map of the village if it will support the process.

4. Date and time of day: Depending on when it happened, this can sometimes be difficult. Field workers should be aware of any calendars unique to ethnic groups in the area.

5. Identity of the victim: Attain the information on the name, age, sex and number of children affected by the incident, if relevant. Other information relating to specific vulnerabilities and status of the individual/group may be useful: ethnicity, religion, internally displaced person, refugee, unaccompanied minor, separated child, etc.

6. It may be necessary to ask further questions to determine the age of a child, particularly when in adolescence.

   For date of birth, the parent or carer may only know the year; if there is any doubt about the year of birth, then check the year by asking relevant questions, such as: (NOTE: These sample questions are only for situations where the interviewer is unsure of the age.)

11 See also United Nations Guidelines on Justice in matters involving child victims and witnesses of crime; ECOSOC resolution 2005/20 of 22 July 2005; and UN common approach on justice for children 2008.

- Age of other siblings and ages. Determine age differences.
- Any significant event that occurred during the year of his/her birth (or before or after)
- Whether he/she had been to school? – How long ago did he/she finish primary school? (secondary, if appropriate)
- Has the child met different age-appropriate cultural signposts/events?
- How tall is he/she?
- Point out another child who looks the same age.

7. Alleged perpetrator(s): Try to identify the armed group/force. Some people will be able to identify the perpetrator by recognizing the uniform. Be sure to ask if the perpetrator was wearing a uniform and, if not, how the respondent was able to identify his group membership. Be aware that in some situations fighters from one group will wear the uniform of another to try to place blame on an enemy or sow confusion within a population. Ask the respondent if they know which brigade or battalion the perpetrator is from (be aware of how the armed forces or groups in your areas are organized and the numbers or names of their divisions). See also if the person is able to identify an individual perpetrator by name or rank (e.g., you can ask the respondent whether the perpetrator had any stripes or other markings on his uniform). At a minimum, it is sufficient for the perpetrator to be identified to the level of armed group/force, although for advocacy and accountability purposes further details would be needed.

8. How and why the armed group/force committed this violation: Although this may be speculation, it could provide useful information that the field worker may verify later.

9. Details of others who may have witnessed it that could provide additional information and aid verification.

10. How does the person know what he/she has told you? This is a key question that must be answered and will aid verification – decisions on the credibility of the information provided.

F.3.4 Recording and evaluating a testimony

The quality and reliability of a victim's or witness' testimony can be influenced by a range of factors, including the amount of time that has elapsed since the event, age of the witness, emotional stress, and possibly intent to deceive.

One key challenge affecting the reliability of testimony in highly politicized conflict areas is that bias can lead an interviewee to skew the information to favour one side in the conflict more than another. To the extent possible, the interviewer must be aware of the information provider's background, particularly suspected political allegiances and sympathies, and make sure to

detail the case carefully. As a way to test the reliability of testimony, the interviewer should check for apparent inconsistencies throughout the interview and clarify contradictory statements.

Beyond the "who did what to whom, where, when and how" queries that are the foundation of incident documentation, the interviewer must also take care to document answers to the question of "How do you know?" When witnesses describe an event, the interviewer must check how the person knows what happened. For example:

- How was the person able to see or hear what happened? Where were they standing? Was it during the day or night?
- How did they know the alleged offender came from a particular armed group?
- How did they know the name of the offender?
- What language was spoken?

Key messages – Verification:

- Ensure that all participating organizations agree and implement minimum standards of verification.
- Designated person(s) should review all information to determine it is credible.
- Cross-reference to determine credibility of information.
- Verify ages, perpetrators, etc., by asking same question in different ways to ensure information is correct
- Document precise and specific information.
- How does the witness know the information? Ask questions to ensure credibility.

F.4 Documentation

F.4.1 Monitoring tools

Although preferable, it is not essential that all incidents be documented in a standard format. Organizations that need information on providing a service to victims may already collect very detailed case information and it is not necessary to create extra work in duplicating reporting. What is important, however, is that an agreed minimum set of indicators are reported on.

- Determine minimum data set that will be collected in the country on each of the violations. Use of a standard format can be helpful – see Annex IX Monitoring Tools – Global Examples for samples that can be adapted for use in different contexts.

- Reports should be completed as soon as possible after the interview; greater accuracy is achieved when information is fresh in a person's mind.
- If organizations are not all using the same format, unilateral arrangements on how information will be shared will be required.

F.4.2 Documenting incidents

It is suggested that the minimum data provided for MRM include:

- Source of information (e.g., child, parent, witness, community leader – name not essential)
- Date incident happened;
- Location;
- Numbers of children involved;
- Nature of the violation;
- Entity responsible;
- Description and details of the incident; ensure that this is well described, as it will be key for purposes of accountability and advocacy.
- Action taken – if any;
- Child profile – age, sex, nationality, ethnicity, religion, status (e.g., refugee, displaced), care situation (e.g., unaccompanied minors, separated); and
- Date of interview/monitoring report with monitor's identification when possible.

For non-personalized incidents (e.g., attack on a school or denial of humanitarian access), while it is highly preferable for child profiles to be provided, it is not mandatory for the reporting of the incident. However, where possible child profiles on each individual victim should be provided and therefore allow for greater analytical capacity and use of information.

While the above is the minimum information, the MRM also requires sufficient qualitative information or case studies to include within the reports, to illustrate and substantiate patterns of violations.

F.4.3 Security for documentation

- Documentation is important, but, at times, being in possession of documentation may pose risks for monitors; consider the security risks and, if necessary, complete documentation back at the office. See also Section H Information Management below.

- Security may be a concern if a staff member is in possession of a tape or involved in recording a testimony with the use of a tape; it is therefore strongly recommended that tape recording should be avoided.
- In situations that pose security risks, it is suggested that names of organization or staff are not included on hard copies nor on the information management system but that a code system is developed. See details in Section G3 Confidentiality.

Key messages – Documentation:

- All participating organizations must agree on the indicators and the minimum data required to be documented.
- Staff should complete documentation/writing-up reports when in a safe place to do so.
- Do not include names of staff on documents.

F.5 Quality control

The credibility of MRM reports and the whole MRM mechanism relies on the quality and timeliness of information provided and recorded. While the MRM Task Force has the ultimate responsibility to endorse information contained in reports, MRM reporting coordinators are key to ensuring that information is of a high standard and that information gathering is carried out in a manner fitting with UN humanitarian principles.

The MRM reporting coordinators must ensure that for every case, appropriate standards are met and the following aspects are considered:

1. Who gathered the information and provided the report? Personnel trained in the MRM?
2. How were the victims interviewed?
3. Was consent asked for?
4. Ensure highest ethical standards, including avoidance of multiple interviewing of victims.
5. Is there enough information to evidence the case?
6. Is the source of information credible?
7. Has documentation achieved a high level of confidentiality?
8. Has security been considered for staff member, victim and witnesses?

9. Has an appropriate response been offered to the child or a referral been made for service provision?

F.6 Caring for staff

Personnel carrying out a monitoring function may hear some very difficult testimonies, and it is vital that appropriate mechanisms be in place to support field staff. This can be particularly important for national staff who live in the affected communities and are unable to seek peer support due to the need for confidentiality, and for security reasons – for both them and their families.

Further reading – Monitoring:

- 'Protection' An ALNAP Guide for humanitarian agencies, <www.alnap.org/pool/files/alnap-protection-guide.pdf>.
- For more on interviewing children, see: 'Working with Children', Action for the Rights of the Child (ARC)
- 'Growing the Sheltering Tree', – <http://protection.unsudanig.org/data/general/IASC-Growing%20the%20Sheltering%20Tree%20(2002).pdf>.
- UNICEF, 'Reporting Guidelines to Protect at-Risk Children' (though targeting media, principles related to interviewing children are useful), <www.unicef.org/media/media_tools_guidelines.html>.

G. Information Management

G.1 What is information management for the MRM?

Information comes in many different forms and can be organized in different ways depending on the aims of the system and it can be managed using many different techniques and tools. Information management for MRM will vary in different countries and contexts but should cover the management of information from the time it is collected in the field, to recording that information in regular reports, through to analysis of the information and how this is presented and made accessible for specific reports, etc. The objective is to implement efficient, confidential and secure management of information that leads to sound analysis for reports and responses. This will ensure that the MRM operates efficiently and provides as accurate a picture as possible.

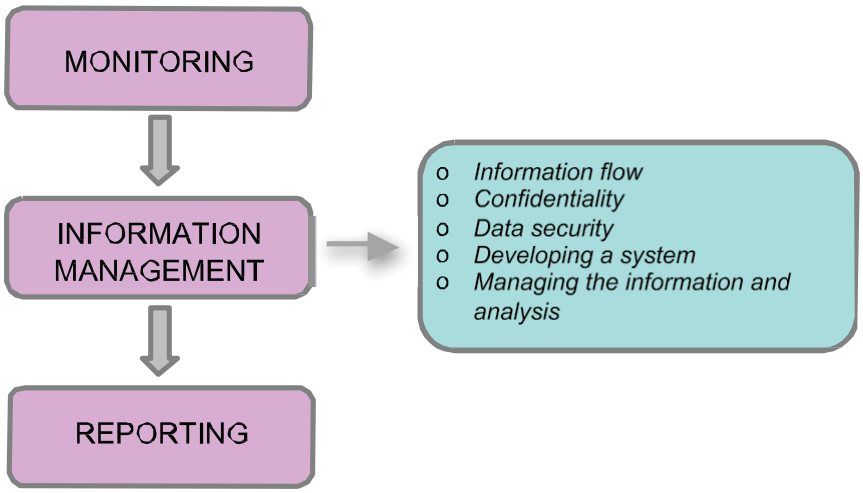

Figure 4: An overview of information management and its components

G.2 Flow of information

The following are some comments and questions to be taken into account for processing information. It is suggested that an agreed process is determined and clear written guidance provided on the specifics of who does what.

1. When information has been collected in the field, clarify whom the field staff should provide the report to (designated information focal point). This will vary within different organizations but needs to be clearly outlined.

2. Is a centralized information management system safe or necessary?

3. Do field staff provide a hard copy report or electronic?

4. How is information shared among organizations? That is, what information-sharing protocols are in place, if any?

5. Identify one focal point in each field location for managing information if appropriate.

6. How is information transferred from the field office to the central location?

7. Who is responsible for ensuring information is recorded accurately? Who do the checks for accuracy in information input?

8. Who is responsible for analysing and generating reports?

G.3 Confidentiality

The greatest area of concern for participating organizations and particularly NGOs has been in the aspect of confidentiality. The MRM can be secure and confidential, but certain parameters have to be agreed and clear guidance provided and adhered to. The information below provides some comments and poses questions that need consideration when establishing the MRM.

1. What information is required? Does this need to be detailed with personal information or can this be anonymized? It is possible for the reporting agency (e.g., NGO) to hold the personal data but for anonymous information be provided for MRM data recording and analysis? (Does this work for application of MRM in your country?)

2. When interviewing, confidentiality can only be assured if the interview is conducted in private. If others are listening, the staff member cannot assure confidentiality.

3. If information is provided when in a group situation, inform the group that in such a setting you cannot assure confidentiality.

4. Witness name and address may be recorded but should remain confidential. Names and addresses would only be used with consent (and this would be rare).

5. No personal information to be shared with the government or other groups (except for where advocacy has been requested and consent provided (See Section L: Responses).

6. Concern is not only for the victims but also for the monitoring staff and the organizations. This risk can be reduced by using codes or reference numbers in place of the names of monitoring staff and organizations (can also be used for victims/survivors and witnesses). A list cross-referencing the codes with the individual organization details can then be kept separately in another location.

G.4 Information security

1. In certain circumstances, highly sensitive information may need to be subject to additional security precaution such as restrictive access, etc. Information that is not deemed highly sensitive should be accessible to a larger number of CTFMR partners. Security protocols should be worked out at the CTFMR level at an early stage.

2. Information should be held in a secure location with named people as key holders or with access to passwords.

3. All paper records require a lockable filing cabinet or cupboard available exclusively for this purpose.

4. All electronic information must be protected. Field-level IT experts should be consulted at an early stage to assist the CTFMR.

5. Design an emergency strategy. If you need to evacuate an office, how will the information be protected and how will confidentiality be preserved?

H. Reporting

Reporting is a central aspect of the MRM as it is the CTFMR's tool for packaging and presenting information on grave violations for the Security Council, governments and parties concerned. An important aspect of reporting is the CTFMR's proposals, which form the basis of the Secretary-General's recommendations for action to the Council (see page 61 of the SCWG Toolkit). Regular reporting for the Secretary-General's Annual Country Reports and periodic GHNs also allows the CTFMR to track trends and to report upon remedial measures and gaps in protection throughout the year; as well as progress or challenges in fulfilling the SCWG conclusions from previous reporting cycles. Additionally, reports, the recommendations and the issuing conclusions of the SCWG have proven very useful in galvanizing advocacy efforts at the country and/ or regional level, and can serve as a first step in accountability efforts. In the preparation of inputs for reporting, it is useful and important to refer to previously published reports. Analysis should reflect on changes and developments from the previous reports, and build on the recommendations. All reports published through the MRM process are available on the OSRSG website.

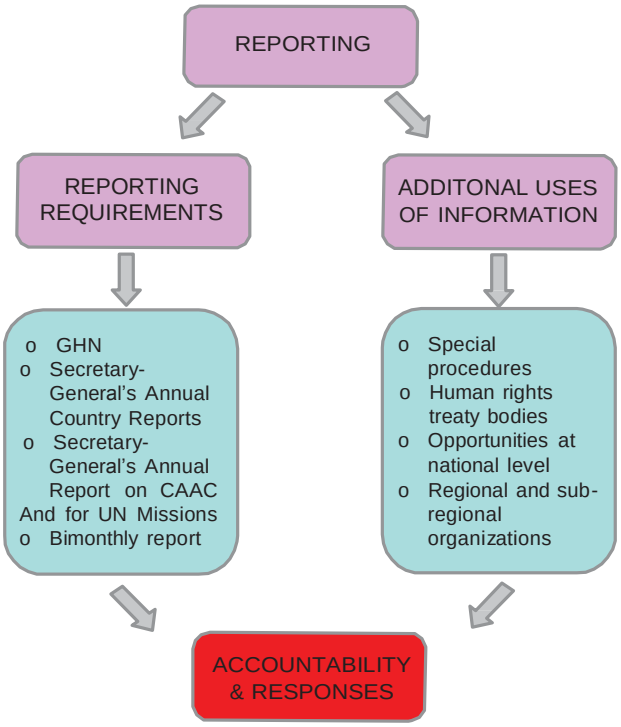

Figure 5: MRM reporting requirements and additional uses of information

H.1 Reporting requirements

The primary reporting pathway for presentation of the reports on the six grave violations is to the UN Security Council and its Working Group on CAAC. The CTFMRs provide three types of reporting inputs to the Secretary-General, which is subsequently considered by the Security Council and its Working Group, being inputs to:

i. The Global Annual Report of the Secretary-General on CAAC

ii. The Global Horizontal Note (GHN)

iii. The Secretary-General's country-specific report on CAAC

The Working Group provides a political response, upon consideration of the Secretary-General's annual reports on CAAC and determines conclusions to enhance the protection of children affected by conflict in each country situation.

Additionally, there is a reporting requirement for UN missions to provide reports to the UN Security Council (see mission reports below).

Also, see below for the SCWG Toolkit, which can provide a reference when developing appropriate recommendations to the UN SCWG.

H.1.1 Secretary-General's Global Annual Report on CAAC

Since 2000, the Secretary-General has issued an Annual Report on CAAC. Each year, the SRSG-CAAC sends out a request for contributions to the Report, and details the requirements. Information on the grave violations is required and crucially updates on developments, Action Plans and responses to recommendations made, plus specific challenges. In recent years, there have been requests that the Report also provide an update on implementation of the MRM. The contributions for the Report should closely follow the guidance given by the OSRSG-CAAC to ensure consistency in the report.

All countries in conflict are invited to contribute to this, but specific attention is paid to countries that are listed in the annexes to the Report. Annex 1 lists those parties on the Security Council's agenda and Annex 2 lists other countries of concern. Until 2009, the trigger to be included in the annexes was parties that recruited or used children. Security Council Resolutions 1882 (2009) and 1998 (2011) expanded the triggers which now also includes parties that have patterns of killing and maiming children or grave sexual violence against children by armed forces or non-state armed groups in situations of conflict; or recurrent attacks on schools and/or hospitals; or recurrent attacks or threats of attacks against protected persons in relation to schools and/or hospitals.

It is emphasized that in order for parties to be listed, information has to identify clear trends or patterns of the violation, in contravention to applicable international law. It is imperative,

however, that obtaining this information must conform to the child-centred and ethical approaches discussed above.

H.1.2 Global Horizontal Note

The Global Horizontal Note (GHN) provides a timely update of the situation of children affected by armed conflict across several situations, which enables the Working Group to be kept informed of important trends and developments that can lead to earlier action and response, than that which may follow
from the Secretary-General's Annual Country Reports on CAAC. A GHN covers the situation in countries on the work plan of the Working Group and other situations of concern that may not have appeared in the Secretary-General's Global Annual Report and is presented to the Working Group at every meeting, which is usually held on a quarterly basis. The GHN provides a situational update on documented cases of violations against children (with a primary focus on the six grave violations), as well as updates on important developments in response taken during the period covered. A copy of the GHN reporting format is provided in Annex X. The CTFMR must provide quarterly inputs (one every three months) for the GHN, which is compiled by the OSRSG-CAAC with comments from UNICEF and DPKO at the global level.

As with all MRM reports, it is essential to ensure that no information is included in the GHN which could identify or otherwise be harmful to the source of information, victims, communities or monitors. It is important to note that the GHN is confidential and not a public document; nor is it a formal 'report'. All GHN submissions should be made by the co-chairs of the CTFMR to the OSRSG-CAAC. Where there is a peacekeeping or political mission, the SRSG, upon submission by the Child Protection Advisor, transmits the reports to headquarters (Info: SRSG CAAC), while keeping the co-chairs informed.

H.1.3 Secretary-General's Annual Country Report

The Working Group adopts a provisional work plan at the beginning of each year, which is used by the SRSG-CAAC and partners (UNICEF, DPKO/DPA, ILO, etc.) to prepare a provisional schedule for the CTFMR's inputs to the Secretary-General's Annual Country-Specific Report. It is important to note that the provisional work plan is not fixed and is subject to change.

The Secretary-General's Annual Country-Specific Report on CAAC ('Annual Country Report') is prepared for each country on the Work Plan of the Working Group. The Annual Country Report provides a detailed analysis of the six grave violations throughout the previous reporting period or since the previous Annual Country Report was presented (if the time frame was more or less than one year). The Annual Country Report reflects ongoing protection concerns and progress made for children, and also makes specific recommendations on how to improve the situation for children affected by conflict in the country. The CTFMR submits the country inputs through the SRSG or RC to the OSRSG-CAAC and copied to UNICEF (and DPKO headquarters where DPKO or DPA missions are operating and/or other third CTFMR co-chair organization headquarters, as appropriate).

Unlike the GHN, the Secretary-General's Annual Country Reports are public reports of the United Nations once it is signed by the Office of the Secretary-General, adopted and published by the United Nations for general distribution. These reports are subject to strict

Summary outline of the Security Council Working Group Toolkit:

Assistance

- Specific requests to other United Nations bodies (General Assembly, Human Rights Council ...) or agencies (ILO, World Bank ...).
- Request for advocacy and official visits of the SRSG for CAAC to countries of concern.

Demarches

- Advocacy for accountability for crimes against children in situations of armed conflict and calls on the United Nations and members to provide support to programmes ensuring the protection of children involved in accountability or truth-seeking mechanisms.
- Letters/appeals to the parties concerned
- Draw the attention of the Security Council to the full range of justice and reconciliation mechanisms to be considered, including national, international and 'mixed' criminal courts and tribunals, while emphasizing the responsibility of Member States to comply with their relevant obligations to end impunity.

Enhanced monitoring

- Request from the Secretary-General for additional information/reports on specific issues or parties.
- Specific field trips on CAAC by members of the Working Group followed by a report, subject to availability of funding.
- Convening of a closed or open meeting with the participation of the state concerned and/or parties concerned, as appropriate.
- Press conferences to highlight a specific issue and to raise awareness about the CAAC provisions of international humanitarian and human rights law.

Improvements of mandates

- Invitation to stakeholders concerned to pay particular attention to children, including girls exploited by armed forces and groups, in disarmament, demobilization and reintegration processes.
- Request that the specific needs of children are considered in forthcoming peace processes and/or peacekeeping mandates.

- Setting strong child protection standards for troop-contributing countries and other actors involved in peacekeeping operations, and providing adequate and regular training.

Other measures

Possible recommendations to the Security Council

- Consider and forward to the existing Sanctions Committees relevant information received by the Working Group and its conclusions thereon, in particular regarding issues of concern.
- Letters to the relevant justice mechanisms, in order to bring information to their attention and contribute to ending impunity of violators.

See Annex VI SCWG Toolkit for the full text and options available.

length restrictions of 8,500 words. The CTFMR inputs constitute an important, but not the sole, input to the Secretary-General's report. The Secretary-General's Office is the final editor and signatory of the report and can therefore edit some of the information provided by the CTFMR in accordance with its own sources of information.

The Secretary-General's Annual Country-Specific Report includes not only information regarding violations, but recommendations for action by the Security Council. The CTFMR should consider recommendations for the Secretary-General that may effectively address violations, bearing in mind the SCWG's Toolkit, which outlines actions that they may take, as well as the Security Council's commitment (SCRs 1539, 1612, 1882, 1998 and 2143) to consider the application of targeted measures against parties that refuse to end violations.

Country MRM Task Forces are encouraged to develop a strategy on how to use the Secretary-General's report, the recommendations and the issuing conclusions of the SCWG after it becomes a public document. This includes distributing the report to national authorities, non-state armed groups, CTFMR members, UNCTs, international and national NGOs, donors, civil society actors and communities for advocacy; planning; feedback to monitors and communities; programmatic responses and resource mobilization purposes. (Refer to Reporting formats in Annex X).

H.1.4 Periodic Reports of the Secretary-General on peacekeeping operations

While the periodic mission reports are not specific requirements of the MRM itself, Security Council Resolutions 1460, 1539, 1612, 1882, 1998 and 2143 all require Reports of the Secretary-General on country-specific situations in peacekeeping operations to include a specific section on child protection.

The Secretary-General's reports are usually issued on a quarterly basis, or at the request of the Security Council, and are used inter alia to inform Security Council members on a (future or) existing peacekeeping operation(s), including:

- The situation in a country/region in which the Council has declared its readiness to authorize or has authorized a peacekeeping operation;
- Progress made by the peacekeeping operation towards its establishment and/or the implementation of its mandate;
- Latest and significant developments on a conflict situation outside of the Secretary-General's standard reporting cycle; and/or
- A specific aspect of, or a specific request relating to, a peacekeeping operation.

Country MRM Task Forces are encouraged to collaborate with child protection advisers in peacekeeping operations in integrating child protection concerns into these periodic reports, including information on grave violations committed against children, focusing on trends, progress on the implementation of the MRM, and critical observations that should be brought to the attention of the Security Council.

H.2 Additional avenues for uses of information

In addition to the regular reporting pathways to the Security Council, published reports or other information pertaining to violations against children generated from the MRM may be shared by the Country MRM Task Force with other reporting mechanisms as appropriate for further advocacy action, accountability and response. Human rights mechanisms provide additional reporting avenues and other opportunities at the national level.

The CTFMR is the owner of the information collected on the grave violations and may choose to use the information for a number of different advocacy and response purposes.

The information provided by the CTFMR to the Secretary-General for the Global Annual Country Reports on CAAC and the Country-Specific Annual Report on CAAC should not be shared in the actual format as provided to the Secretary-General until after it have been released as public documents.

Similarly, the GHN document itself should remain confidential and not be shared in the GHN format with other partners or stakeholders.

H.2.1 Special Procedures

The human rights 'Special Procedures', established by the Commission on Human Rights, and now assumed by the Human Rights Council, address either specific country situations or

thematic human rights issues in all parts of the world. The OHCHR supports these mechanisms with personnel, and substantive and logistical assistance.

There are two main ways in which the MRM can interact with the Special Procedures:

- Annual Reports: Many of the Special Procedures mandate-holders submit annual reports to the Human Rights Council and, in some cases, to the UN General Assembly. Information from the MRM can be shared with the OHCHR during the drafting stage for these reports so that issues relating to children affected by armed conflict can be integrated in the reports. The Country MRM Task Force should contact OHCHR to discuss ways to share information.
- Country visits: The Special Procedure mandate-holders also carry out country visits at the invitation of the country concerned or on the basis of a 'standing invitation'.[12] After their visits, mandate-holders issue a mission report including their findings and recommendations. The Country MRM Task Force can similarly share information with the OHCHR prior to, during and subsequent to missions and, in some instances, may wish to advocate for a visit and assist in follow-up to their recommendations.

H.2.2 Human rights treaty bodies

There are nine human rights treaties bodies,[13] which are committees of independent experts who monitor implementation of the core international human rights treaties. When a state ratifies a human rights treaty, it assumes a legal obligation to implement the rights recognized in that treaty and allows the relevant expert committee to monitor the degree of progress made at the national level.[14]

To meet their reporting obligation, states must submit an initial report – usually one year after the treaty entered into force (two years in the case of the CRC) – and then periodically, in accordance with the provisions of the treaty (usually every four or five years). In addition to the government report, the treaty bodies may receive information on a country's human rights situation from other sources, including NGOs, UN agencies, other intergovernmental organizations, academic institutions and the press.

The Country MRM Task Force should seek to contribute to reviews by treaty bodies, when relevant, as these provide a valuable opportunity to raise concerns relating to violations of children's rights in armed conflict.

The treaty bodies of particular relevance to the MRM, but not exhaustive, are:

12 As of August 2008, 62 countries had extended standing invitations to the special procedures.

13 The nine human rights treaty bodies are the Human Rights Committee; Committee on Economic, Social and Cultural Rights; Committee on the Elimination of Racial Discrimination; Committee on the Elimination of Discrimination Against Women; Committee Against Torture; the Subcommittee on Prevention of Torture; Committee on the Rights of the Child; Committee on Migrant Workers; and the Committee on the Rights of Persons with Disabilities.

14 For further information, see OHCHR Fact Sheet 30 on the United Nations Human Rights Treaty System, 2005.

1. Committee on the Rights of the Child: Monitors implementation of the CRC and its two Optional Protocols.

2. Human Rights Committee: Monitors implementation of the International Covenant on Civil and Political Rights.

3. Committee Against Torture: Monitors implementation of the Convention Against Torture or Other Cruel, Inhuman or Degrading Treatment.

4. Committee on the Elimination of Discrimination Against Women: Monitors implementation of the Convention on the Elimination of Discrimination Against Women.

Interaction between the MRM and the Committee on the Rights of the Child

The CRC and its Protocols and the Committee that monitors their implementation are of particular relevance to the MRM Task Force.

The Optional Protocol on the Involvement of Children in Armed Conflict review is an important opportunity for the MRM Task Force to advocate for legislative reform and propose specific recommendations, e.g., regarding accountability of perpetrators and in the area of recovery and reintegration of victims. Thus, it is important that the MRM Task Force engage during the review in order to ensure that the outcome of the process and the concluding observations provide a useful basis for follow-up at the national level.

For full information on additional avenues for reporting, see Annex XI: Additional International and Regional Reporting Avenues.

H.2.3 Universal Periodic Review

The Universal Periodic Review is a relatively new (commenced 2008) and unique human rights mechanism of the UN Human Rights Council aiming at assessing and improving the human rights situation in all countries. Under this mechanism, the human rights situation of all UN Member States is reviewed every four years. Three reports serve as a basis for each Member State review; i.e., a national report (prepared by the state under review); a compilation of UN information (from all relevant official UN documents, including specific Universal Periodic Review submissions by UN entities); and a summary of stakeholders (summary of information from NGOs, national human rights institutions and other relevant stakeholders). The compilation and the summary are prepared by OHCHR.

Submissions can be sent to OHCHR before the review (guidelines and deadlines are available on its website) and comments can be made by NGOs with ECOSOC status, UN entities and other relevant stakeholders in the plenary session. The UNCT may wish to coordinate submissions of relevant information through the RC's office to OHCHR. Individual UN entities may also consider sending to OHCHR specific country submissions, based on their entity's particular mandate. UN entities may send their submissions to UPRsubmissions@ohchr.org.

The Universal Periodic Review is an inter-governmental process and Member States have ultimate control over the review. However, UN entities, as well as stakeholders including NGOs, have opportunities to influence the process.

H.2.4 Regional and sub-regional organizations

The Country MRM Task Force may also share public Secretary-General reports on CAAC and provide updates to intergovernmental and regional institutions, as appropriate, such as the African Union, African Commission on Human and People's Rights, European Union,[15] Inter-American Commission on Human Rights and the Organisation of American States, as well as other intergovernmental and regional institutions, in order to enhance advocacy, accountability and policy issues pertaining to CAAC.

H.2.5 Opportunities for reporting at a national level

In addition to the formal reporting mechanisms, the CTFMR is encouraged to periodically and systematically update relevant stakeholders, such as governments, non-state armed groups, donors, partners and communities on the situation and progress for children affected by conflict within the country. The updating of stakeholders is used for accountability, response and feedback purposes.

Information that has been collected by the MRM can be utilized to provide regular information at the country and regional levels, and also for briefing foreign delegations visiting the country. Additionally, information can be shared with national and international human rights organizations.

Analysis of the information collected may at times be used as appropriate in press statements and to respond to queries from the national and international media.

Key messages – Additional avenues for uses of information:

- Use the information collected for the MRM, but do not quote it as being part of the GHN.
- Do not release or use content from the Secretary-General's Country or Annual Reports until they have been made public.
- As with all reports, ensure that information is objective, accurate and reliable.
- If providing reports for Special Procedures or to other treaty bodies, ensure that appropriate guidelines are followed.

15 Of additional relevance, on 8 December 2003, the European Union General Affairs Council approved the European Union's Guidelines on Children Affected by Armed Conflict.

Further reading – Additional avenues for uses of information:

- Annex XI: Additional International and Regional Reporting Avenues
- For full information on reporting bodies and mechanisms for reporting, visit the OHCHR website: <www.ohchr.org>.
- For details on the Universal Periodic Review process, see: <www.upr-info.org/-UPR-Process-.html?q=&siteurl=www.upr-info.org%2F-UPR-Process-.html>.

I. Accountability

> "The purpose of a monitoring, reporting and compliance mechanism is to provide for the systematic gathering of objective, specific and reliable information on grave violations committed against children in situations of armed conflict, leading to well-informed, concerted and effective responses to ensure compliance with international and local children and armed conflict protection norms."[16]

Source: Secretary-General's Report on CAAC (2005).

A key objective of the MRM is to enhance the accountability of state and non-state armed groups of grave violations against children. Accountability includes, inter alia, holding parties to armed conflict responsible for their actions, which negatively impact the lives of children in armed conflict. This includes holding parties to armed conflict to their responsibilities during armed conflict, including actions or inactions, monitoring and sharing reports of violations, and obtaining remedial action and, in certain cases, judicial or other redress.

As such, this chapter focuses on the accountability of state and non-state actors of grave violations against children at all times, at the national, regional and international levels, which not only seeks justice for affected children and their communities, but also acts as a preventive tool against future violations by contributing to a culture of enforcement of norms and applicable legal instruments and responsibility.

16 Report of the Secretary-General on CAAC, United Nations A/59/695–S/2005/72.

Figure 6: Overview of the components of accountability

National governments have the primary responsibility for the protection of children. As stated in Security Council Resolution 1612 (2005), the MRM does not intend to replace or to substitute the protection or rehabilitation role of local governments, but rather aims to support and complement this role. The national government should remain the ultimate guarantor of the respect of the rights of children even in situations of armed conflict, and remains the main actor to ensure accountability and to establish mechanisms to prevent further violations. It is fundamental that national governments play a key role in the response, accountability and prevention activities associated with MRM.

The work that the MRM Country Task Forces are doing in implementing Security Council Resolutions 1612,1882, 1998, 2068 and 2143 in conflict-affected countries has led to a more evidence-based approach in advocacy and action to address child rights violations. It has also led to raised responsibility for the UN and other organizations to do something with the information that is collected.

As noted in paragraph 102 of the above-mentioned Secretary-General's Report,[17]" reports compiled should serve as triggers for action on the part of the appropriate international, regional and national bodies, each employing the means and levers of influence at its disposal to ensure the protection, rights and well-being of war-affected children.

17 Report of the Secretary-General on CAAC, United Nations A/59/695–S/2005/72.

I.1 Security Council and Action Plans

I.1.1 Security Council

Due to its primary responsibility for peace and security, the Security Council has a special responsibility for ensuring the protection and well-being of children exposed to armed conflict, and the MRM has its closest, though not exclusive, interaction with the Security Council through regular meetings of its Working Group on CAAC. The SCWG holds regular detailed sessions on country situations of concern throughout the year and proposes concrete recommendations to the parties which carry great weight, and failing which sanctions may be applied. As noted in the Report of the Secretary-General, "With respect to ensuring compliance with children and armed conflict protection norms, the Security Council is by far the most important international "destination for action."[18] The Secretary-General's monitoring and compliance reports on children and armed conflict received by the Security Council serve as triggers for action. As noted in the Report, "In order to end impunity, it is critical that grave and persistent violations lead to targeted and concrete measures of response by the Council. The SCWG has a number of options at its disposal that have been outlined in the Options for Possible Actions by the CAAC Working Group of the Security Council ('Toolkit') - see Annex VI: UN Security Council Working Group Toolkit. A summary of this Toolkit has already been presented in the previous chapter.

The Toolkit includes actions in the areas of assistance, demarches, enhanced monitoring and improvement of mandates. It is also possible for the Council to forward to the existing Sanctions Committees relevant information received by the Working Group and its conclusions thereon. Another option available to the Council is to inform the relevant justice mechanisms, in order to bring information to their attention and contribute to ending impunity of violators. For example, the Security Council may use information provided by the MRM as the basis for recommending investigations of violations by the International Criminal Court, ad hoc or national justice mechanisms.

The recommendations of the Secretary-General's Report and the Security Council's conclusions provide important accountability tools for CTFMRs to advocate, monitor and ensure implementation by parties to the conflict. The Security Council's attention and ultimate power to compel compliance is a prime motivator for many parties to armed conflict to cooperate with CTFMRs on the ground. This should not be underestimated. The following section looks at how such pressure may be channelled by CTFMRs and the UN at country level to secure commitments and in the development of Action Plans to end violations.

18 Ibid.

I.1.2 Action Plans and other commitments

As stated in paragraph 75 of the Secretary-General's 2005 Annual Report,[19] "it is crucial to engage in protection dialogue with all entities whose actions have a significant impact on children, without any implications as to their political or juridical status. My Special Representative for Children and Armed Conflict, UNICEF and other MRM partners have developed a systematic practice of engaging in dialogue with and obtaining concrete commitments from all parties to conflict, and the Security Council has called on all parties to conflict to observe the concrete commitments they have undertaken."

The UN-led MRM Country Task Force is also required by Security Council Resolutions 1539, 1612, 1882, 1998 and 2143 to develop Action Plans with the parties to the conflict who are listed in the Annual Secretary-General's Report to address grave violations against children, with specific reference to Action Plans to address recruitment and use of children; killing and maiming of children; grave sexual violence of children; and attacks on schools and hospitals.

The MRM Country Task Force has the responsibility of developing concrete, time-bound and verifiable agreements with the parties to the conflict in order to enhance the accountability of responsible parties, and to respond to and prevent future grave violations against children affected by conflict. The MRM Country Task Force is also responsible for monitoring and reporting on progress and compliance to the Action Plan, to the SCWG-CAAC.

Once the Secretary-General's Report on CAAC is published, the MRM Country Task Force should discuss the Secretary-General's key findings, recommendations and a plan of action to follow-up on the recommendations with the parties to the conflict. Similarly, once the SCWG's conclusions are publicly issued, dialogue and follow-up to the conclusions by the parties of the conflict should be regularly maintained by the MRM Country Task Force.

The leadership of the co-chairs of the Task Force – the SRSG or Resident Representative, as well as the UNICEF representative – is critical in taking forward advocacy for Action Plans. Special Representatives of the Secretary-General and resident coordinators are ultimately responsible for ensuring UN-wide follow-up, mainstreaming, coordination and monitoring, and engaging in dialogue with parties to conflict on children and armed conflict issues; they are the focal points at the country level (S/2005/72). In addition, senior staff of other relevant agencies of the CTFMR should also be involved and engaged from the outset.

Templates for Action Plans to address killing and maiming and sexual violence may be found in the annexes of this Manual.

19 Report of the Secretary-General on children and armed conflict, United Nations A/59/695–S/2005/72.

Key messages – Action Plans and other commitments:

CTFMRs should:

- Enter into dialogue with parties to the conflict to prepare and implement concrete, time-bound and verifiable Action Plans on the four trigger violations – recruitment or use, patterns of killing and maiming, rape or other acts of sexual violence, and/or recurrent attacks on schools and hospitals, in line with Resolutions 1539, 1612, 1882,1998 and 2143.
- Seek concrete commitments from parties to the conflict to end other violations, if being committed, including specific actions to be taken.
- Meet with government and other parties to the conflict on a periodical basis to:
  - Monitor the implementation of Action Plans and other commitments received form parties to the conflict to put an end to violations against children in armed conflicts.
  - Discuss reports, recommendations and conclusions when issued by the SCWG;
- Review progress in the development and implementation of the various Action Plans to stop the use of children recruited and or used by armed forces; to prevent killing and maiming of children; to cease grave sexual violence against children; and to prevent attacks on schools and hospitals.

I.2 Security Council and other UN actions

I.2.2 General Assembly

The Annual Report of the Secretary-General to the Security Council on CAAC, which records grave abuses and lists parties responsible for the violations, is submitted simultaneously to the General Assembly to enable it to take appropriate action within the context of its own mandate. The General Assembly also undertakes an Annual Debate on the Rights of Children, in which CAAC issues are also noted.

I.2.3 United Nations human rights mechanism

The United Nations human rights special procedures and treaty bodies play a crucial role in enhancing accountability and are systematically channelled to promote effective monitoring and compliance. For further details on reporting to human rights committees, see Section H.2: Additional avenues for uses of information.

Treaty Bodies (see below) and Special Procedures gather information on specific human rights concerns, frequently including a specific or even exclusive focus on children (e.g., the

Committee on the Rights of the Child), and issue public conclusions and recommendations. In some instances, the positions taken by Treaty Bodies can be used as an actual source of international law. UN Member States have a legal obligation to respect and implement the treaties to which they are a party, or which form a part of international customary law. They also have an obligation to report to the Treaty Bodies on their progress and must take the Treaty Bodies recommendations into account.

Special Procedures focus on specific countries or themes and do similar monitoring and reporting. The UN Secretariat frequently also conducts monitoring and investigations in certain countries (e.g., through the human rights components or peacekeeping operations, or through Security Council-mandated investigations).

I.3 Justice Mechanisms

Under the requisite conditions of consent, any information collected under UN auspices can be used to pursue accountability, whether through domestic, regional or international proceedings. Accountability can range from truth and reconciliation mechanisms to individual criminal prosecutions.

However, the MRM is not implemented to automatically feed directly into national or international criminal processes. There is a different evidentiary process and standard of proof to determine criminal responsibility for violations against children and criminal intent, which goes beyond the scope and purpose of the MRM. National and international criminal bodies, according to their mandates, separately pursue investigations with a view to securing criminal prosecutions for grave violations against children. Some of these bodies may use the public documents emanating from the MRM – such as the Secretary-General's Annual Country Reports – to inform their own investigations.

For some of the actions that could be taken towards achieving accountability – particularly through justice mechanisms, NGOs may be in a better position (as opposed to the CTFMR) to provide support to individuals, families and community groups who wish to pursue legislative action. An appropriate role for the CTFMR could be in provision of appropriate legal advice and support to NGOs who are supporting victims and their families to pursue accountability.

I.3.1 International Criminal Court

The International Criminal Court and ad hoc international and hybrid criminal tribunals provide further enhancement of the accountability of perpetrators in certain circumstances. As noted in paragraphs 121–123 of the 2005 Report of the Secretary-General, "The establishment of the International Criminal Court is important because of both its deterrence effect and the prospect of prosecution for war crimes against children… Concrete steps should be taken to ensure the earliest possible prosecution of persons responsible for war crimes against children. Some initiatives are already under way in this direction. The Office of the Special Representative of

the Secretary-General for Children and Armed Conflict, and the Task Forces on monitoring and reporting can contribute to this by providing the International Criminal Court Prosecutor with relevant information at their disposal. The deterrence role of the International Criminal Court needs to be actively promoted through proactive advocacy and public information activities by United Nations and CTFMR partners at all levels."

I.3.2 Domestic courts

Domestic courts have the primary responsibility for dealing with human rights and international humanitarian law violations, and cases can be pursued independently to be considered by the court. It would be possible to also promote more child-focused cases. This could, for instance, require the engagement of a local lawyer(s) or a legal NGO. For example, the DPKO child protection section in coordination with UNDP in the Democratic Republic of the Congo initiated a programme to support the country's military courts martial for cases of armed forces or group members who were suspected of recruiting children or engaging in sexual violence against children to some success. The process should include identification of issues, which might be most appropriately addressed through this legal procedure. In such proceedings, it is important to consider violations undertaken by all parties to the conflict, as well as to ensure that the procedure is in line with UN guidelines on justice in matters involving child victims and child witnesses of crime.

I.3.3 Truth and reconciliation processes

Truth and reconciliation processes can include investigation and documentation of past events and violations; provide a forum for victims to be heard and for perpetrators to acknowledge their actions; and also recommend further action by other bodies.[20] Truth and reconciliation processes are generally non-punitive, which can encourage perpetrators to openly acknowledge violations they may have committed and to face their victims. Truth and reconciliation processes should be complementary to other justice processes in seeking accountability for grave violations against children. An example of this is the Truth and Reconciliation process that took place in Sierra Leone; children participated in this with child protection agencies involved in ensuring victims and witnesses were supported appropriately.

20 For more detailed information on truth commissions and the protection of children involved as victims, witnesses and active citizens, see Children and Truth Commissions, UNICEF Innocenti Research Centre, 2008.

Possible roles for the MRM Country Task Force – Justice mechanisms:

- Based on patterns of violations documented by the CTFMR, the Country Task Force may recommend that the Secretary-General request formal investigations by national, ad hoc or international justice mechanisms in order to establish criminal responsibility and possible prosecution of perpetrators.
- It is important to note that the MRM is not directly linked to the below processes, however, the MRM Country Task Forces may link or provide advice to appropriate processes if desired; and the public Secretary-General's Annual Country Reports may be utilized as a reference.
- There may be circumstances that individual MRM Country Task Forces choose to proactively disseminate certain information from the MRM data through amicus briefs to relevant courts and tribunals, which would contextualize specific cases.
- The CTFMR should ensure that any procedures are in accordance with the UN Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, and that children's participation must be guided by the principles of their best interests.
- The CTFMR may provide legal advice and appropriate support to NGOs who are working with individuals and their families on pursuance of actions described above.

Key messages – Accountability:

- National Governments have the primary responsibility and accountability for the protection of children, although all actors, including non-state armed groups, humanitarian actors, donors and civil society have accountabilities to protect children.
- Accountability for grave violations against children can be held at the national, regional and international levels:
- The MRM is not directly linked to any form of criminal procedure or investigation, truth and reconciliation processes or customary accountability mechanisms. However, information provided through public Reports of the Secretary-General has triggered the interest of competent judicial organs in the past.

Further reading – Accountability:

- Children and Transitional Justice: Truth-telling, Accountability and Reconciliation, <www.unicef-irc.org/publications/pdf/tj_publication_eng.pdf>.
- Strengthening Protection of Children through Accountability, by Gerard McHugh, <www.cdint.org/Conflict_Dynamics-UNSC_Actions_CAC_Report_MASTER_March_2009_PR.pdf>.

J. Engaging with Parties to the Conflict

J.1 Introduction to engaging with parties to the conflict

"The United Nations should undertake dialogue for the explicit purpose of child protection with all parties to the conflict, irrespective of whether they are state or non-state parties; non-state parties should be held accountable to international protection standards."[21] The MRM Country Task Forces should regularly meet with the parties to the conflict to raise child protection concerns and discuss violations, provided that the identity of victims, sources of information, communities and monitors are protected. As such, it is recommended that credible interlocutors within armed groups or armed forces who have the necessary authority to engage in dialogue on all six grave violations, other relevant child protection concerns and the development and implementation of Action Plans, are identified early in the process, as appropriate. In several country situations, it has been found that when dealing with state armed forces, an inter-ministerial structure can help frame and strengthen engagement from the government.

As stated in paragraph 75 of the Secretary-General's Report,[22] "it is crucial to engage in protection dialogue with all entities whose actions have a significant impact on children, without any implications as to their political or juridical status." The UN-led MRM Country Task Force is also required by Security Council Resolutions 1539, 1612, 1882, 1998 and 2143 to develop Action Plans on recruitment and use, rape and sexual violence, killing and maiming, and attacks on schools and hospitals, with the parties to the conflict to address the grave violations against children for accountability purposes. Action Plans are an essential tool that the MRM Country Task Force has the responsibility of developing with the parties to the conflict in order to enhance the accountability of the alleged perpetrators; respond to and prevent future grave violations against children affected by conflict. Action Plan templates may be found in the annexes, along with the Q&A. The MRM Country Task Force is also responsible for monitoring and reporting on progress and compliance to the Action Plans, to the SCWG-CAAC through the SRSG-CAAC.

Once the Secretary-General's Report on CAAC is published, or the SCWG's conclusions are publicly issued, the MRM Country Task Force should discuss the key findings, recommendations and a plan of action to follow up on the recommendations with the parties to the conflict. To effectively undertake this area of work, the CTFMR should interact with both national governments and non-state armed groups. Depending on the context and intended outcomes, engagement with these different actors can take several forms, including: advocacy,

21 See recommendations A2, p. 14, Report of the Special Representative of the Secretary-General for Children and Armed Conflict to the General Assembly, 6 August 2008, A/63/227.

22 Report of the Secretary-General on children and armed conflict, United Nations A/59/695–S/2005/72.

negotiation, mediation and liaison interactions. These different types of engagement generally share some common elements of process and objectives.

Detailed guidance on engagement with parties to conflict may be found in the further reading section.

Further reading – Engaging with parties to conflict:

- Humanitarian Negotiations with Armed Groups: A Manual and Guidelines for Practitioners (OCHA, in collaboration with IASC): <http://ochaonline.un.org/humanitariannegotiations/index.htm>.

Additional resources for UNICEF staff:

- Programme Guidance Note on Engaging with Non-State Entities in Humanitarian Action, UNICEF, <www.intranet.unicef.org/Emops/EMOPSSite.nsf/root/Page0602>.

K. Responses

K.1 Overview of responses

Monitoring and reporting is not an end in itself, but it should trigger appropriate responses to all of the grave violations against children in order to make a real difference in children's lives. The purpose of the MRM, as articulated in the Secretary-General's Report on CAAC in 2005, "is to provide for the systematic gathering of objective, specific and reliable information on grave violations committed against children in situations of armed conflict, leading to well-informed, concerted and effective responses to ensure compliance with international and local children and armed conflict protection norms."[23] Security Council Resolution 1612, additionally, "stressed the responsibility of United Nations peacekeeping missions and United Nations country teams, consistent with their respective mandates, to ensure effective follow-up to Security Council resolutions, ensure a coordinated response to CAAC concerns and to monitor and report to the Secretary-General." This was reiterated in Security Council Resolutions 1882 and 1998, which further requested "the Secretary-General to continue to take the necessary measures including, where applicable, to bring the monitoring and reporting mechanism to its full capacity, to allow for prompt advocacy and effective response to all violations and abuses committed against children and to ensure that information collected and communicated by the mechanism is accurate, objective, reliable and verifiable."[24]

23 Report of the Secretary-General on children and armed conflict, United Nations A/59/695–S/2005/72.

24 As per paragraph 8 and 17, Security Council Resolution 1882 (2009) and paragraphs 12 and 17, Security Council Resolution 1998 (2011).

Ultimately, the MRM can make a real improvement to the situation of conflict-affected children on the ground.

Objectives of the MRM response:

- addressing the immediate needs of affected children;
- taking action to enhance the protection and situation of children;
- preventing further violations; and
- enhancing the accountability of perpetrators of violations against children.

Responses are required from multiple actors and can take place at the community, national, regional and international levels.

National governments have the primary responsibility for the protection of children and to ensure an adequate response to each of the grave violations against children through a myriad of actions such as supporting humanitarian assistance, legislative and policy reforms and other activities. The CTFMR should establish regular meetings with the Government, to discuss the impact of conflict upon the children and to develop collaborative initiatives for responding to grave violations against children; enhancing accountability of perpetrators and preventing future grave violations. The CTFMR may meet with the government but the responsibility to enhance response lies with the protection cluster and, in particular, the child protection sub-cluster. Therefore, the CTFMR should have a close relationship with the protection cluster and ensure it is briefed on a regular basis on information on grave violations against children.

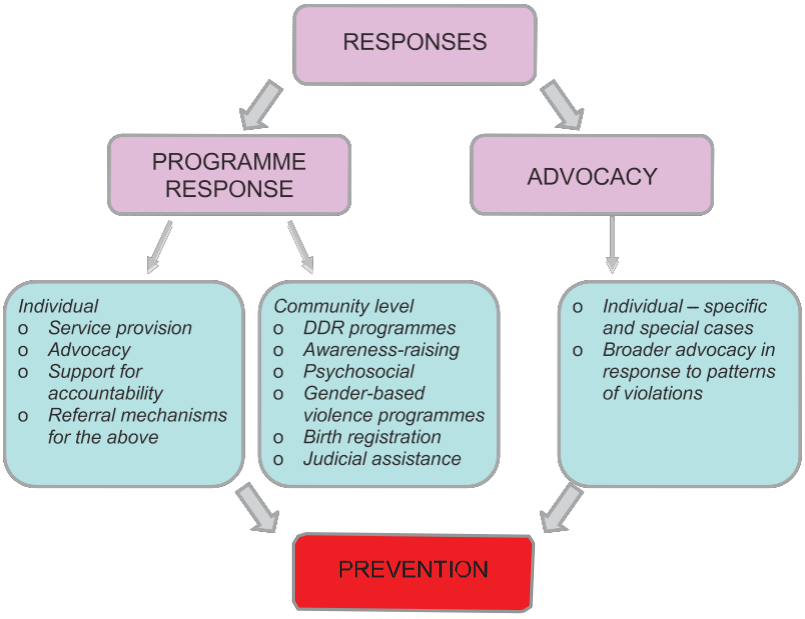

Figure 7: Responses – provides some examples of implementing programme and advocacy responses, but is not exhaustive.

K.2 Programme response

K.2.1 Individual responses

Not all MRM actors are service providers, but all have a responsibility to ensure that a victim of grave violations is referred appropriately and so receives appropriate service or other support.

Responses for individual victims fall into three main categories;

1. Service provision – support for the immediate and long-term needs of the child and/or the family.

   Child victims of any form of neglect, exploitation or abuse are entitled to care and non-discriminatory access to basic social services. Health workers, teachers, police, social workers and others who interact with children need to be equipped with the motivation, skills and authority to identify and respond to the grave violations.

   Potential responses for this component include:

   - Ensure that child survivors have access to appropriate medical services.
   - Provision of appropriate psychosocial care for children and their families. This may be through community programmes (see Section L.2.2 below), but for some children who require specialist individual services, these must be available and support provided for the child to attend.
   - Specialist services to support children who have been sexually assaulted.
   - A referral mechanism should be developed within the child protection actors to ensure that all children who require a service are referred appropriately for either service provision or to an organization that can support them to pursue this.
   - A referral mechanism should be developed to ensure that any child who was previously part of an armed force or armed group receives the services established for children being reintegrated into communities.

2. Advocacy – for individual children or groups of children.

   At times advocacy for individual is appropriate. See Section K3: Advocacy below for details.

3. Accountability

   Some children and their families may wish to pursue accountability through legal mechanisms for individual violations committed against them, e.g., filing complaint with the police or other authorities. Accountability is key to the MRM process and protection actors should be in a position to advise children and their families.

It is recommended that a mechanism be established to refer victims to appropriate organizations, in the country, who are supporting children and families to pursue legal action.

Key messages – Individual responses:

- Develop a clear and easy-to-understand referral mechanism.
- Referrals for victims can be for a) service provision or b) to an organization that can advise and/or support a family as it pursues legal redress.
- Whatever action is taken for and on behalf of children, consent must be provided to share information and/or act on their behalf.

K.2.2 Community-level programmatic response

As noted above, the CTFMR should ensure that the information collected through the MRM is used to improve the design and delivery of programmes, so that they are better targeted and better able to enhance the protection of children and prevent future violations.

Programmes should be in line with international standards and programming guidance, including for example, the Paris Commitments, Principles and Guidelines on Children Associated with Armed Forces or Armed Groups, IASC Guidelines on Mental Health and Psychosocial Support in Emergency Settings. Further suggested readings are provided in the text box panel.

Suggestions for community-level response activities include:

- Provision of essential services and rehabilitation, including reintegration programmes, psychosocial support, services for survivors of sexual violence, community-based child protection networks, birth registration campaigns, etc.
- Creating awareness of international and national commitments to protect children from violations; and enhancing the capacity of families and communities to protect their children. This can also ensure that community members are aware of reporting and referral mechanisms in case of violations.
- Programmes to improve children's life skills, knowledge and participation.

Further reading – Programme responses:

- For further information on a protective environment for children, see: <www.unicef.org/protection/index_action_children.html>.
- 'A Fighting Chance: Guidelines and implications for programmes involving children associated with armed groups and armed forces' Save the Children.
- Paris Commitments, Principles and Guidelines on Children Associated with Armed Forces or Armed Groups <www.un.org/children/conflict/english/parisprinciples.html>.
- IASC Guidelines on Mental Health and Psychosocial Support in Emergency Settings: <www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-products-products&sel=22>.
- IASC Guidelines for Gender-based Violence Interventions in Humanitarian Settings: Focusing on Prevention of and Response to Sexual Violence in Emergencies, 2005, <www.humanitarianreform.org/Default.aspx?tabid=657>.
- Handbook for Coordinating Gender-based Violence Interventions in Humanitarian Settings:
- <http://oneresponse.info/GlobalClusters/Protection/GBV/Pages/default.aspx>.
- 'Child Friendly Justice and Children's Rights', CRIN, <www.crin.org/docs/Child-Friendly%20Justice%20and%20Children's%20Rights.pdf>.

K.3 Advocacy

Advocacy for the purposes of this manual is defined as:

> Deliberate efforts, based on demonstrated evidence, international law and humanitarian principles; to persuade decision makers to adopt certain policies or actions in order to protect children's rights in situations of armed conflict.

Advocacy plays a crucial role in responding to all six grave violations monitored and reported on through the MRM; enhancing the accountability of perpetrators, and ultimately contributing to the prevention of further violations against children. Advocacy can be undertaken at the local, national, regional and global levels.

K.3.1 Local level – Advocacy for individual victims

In some situations, it may be appropriate to conduct advocacy on behalf of an individual child or small group of children. For example, where a known armed group is holding recently recruited

children in a specific known location, experience has shown that immediate advocacy can deliver results with the children being released.

To conduct advocacy on behalf of specific children requires the informed consent of the parents or the child themselves (if age appropriate and depending on the situation). The risks of advocacy, appropriate to the situation, should be fully explained to the child and/or family. When feasible, it is strongly recommended that signed consent be obtained prior to any action being taken on behalf of individuals.

K.3.2 Local level – Broader advocacy responses

Advocacy at the local or national level may be targeted at changing policies or behaviour, enhancing accountability or aimed at achieving an immediate result in response to a specific grave violation. The CTFMR may also be able to reach out to international-level advocacy to effect policies and actions in the country. This can be done through the Office of the SRSG-CAAC, who can enhance advocacy and raise awareness on specific situations at the international level.

There are many resources available on advocacy strategy (see further reading below); this section confines itself to highlighting key aspects for MRM. Effective advocacy strategies should lead to specific actions, which may, for example, lead to greater humanitarian access or the release of children in armed forces or groups; attract greater political, human and financial support; promote adherence to international laws and standards, such as to enhance the protection of civilians and schools and hospitals under international humanitarian law; and lead to accountability for perpetrators of grave violations against children. Ultimately, the goal is to enhance accountability of perpetrators of violations against children; increase humanitarian response capacity; and prevent further violations.

Advocacy can take place by the MRM Country Task Forces direct with government or other parties to the conflict; additionally, and when appropriate, advocacy at the global and regional levels by advocates such as the SRSG CAAC, UNICEF, High Commissioner for Human Rights, Committee on the Rights of the Child, Special Rapporteur on Torture, etc.

At times, a dual approach to advocacy can provide solutions; e.g., with UN senior personnel meeting with the leader of an armed group while other staff meet on a regular basis with known commanders from their field duty station localities on specific localized issues. Ideally, advocacy efforts should reach leaders who are responsible for the chain of command and to give direct orders to their troops to stop grave violations against children. However, according to the shape and dynamics of an armed group, parallel low key advocacy may give faster results (this is very common in trying to get children released from an armed group).

Examples of specific advocacy that MRM Country Task Forces must engage into include:

- Regular updates of the impact of the conflict on children with key stakeholders such as the government, donors, child protection networks, humanitarian community and other actors with influence (such as diasporas) at the national and regional levels.
- Press releases of the Secretary-General's report on children and armed conflict, providing a synopsis of key findings and recommendations (once the report is officially published). Similarly, once the SCWG's conclusions are publicly issued, awareness campaigns could be conducted, as appropriate.
- In relation to the killing and or maiming of children: press releases raising concern of the incident; advocacy at the global and regional levels by advocates such as the SRSG-CAAC.
- In relation to the recruitment or use of children: community-level prevention of recruitment campaigns with community leaders, families, youth groups, schools, etc; advocacy for national legal reform in conformity with international legal standards, considering children as victims and ensuring their security; direct advocacy with the government and or offending parties to the conflict to advocate for immediate cessation of recruitment of children and release of children in their armed forces and groups.
- In relation to abduction of children: community-level prevention of abduction campaigns with community leaders, families, youth groups, schools, etc.
- In relation to sexual violence of children: use of non- identifying information to conduct specific advocacy on sexual violence to highlight issue but maintain confidentiality. Where appropriate, community leaders or the media may be used to break the silence and to raise awareness on the prevalence of sexual violence.
- In relation to attacks on schools and hospitals: press releases raising concern of the attack; awareness-raising and training of the parties to the conflict's international legal obligations to protect schools and hospitals that may lead to policy or legislative amendments; "Schools as Zones of Peace" campaigns and community partnerships including collaborations with schools.
- In relation to denial of humanitarian access: direct dialogue with the government or other parties to the conflict raising concern of a specific incident or to negotiate and ensure future access, reiterating the parties to the conflict's obligations to enable access and for the government to ensure the rights of children to access certain humanitarian assistance;[25] press releases raising concern of the incident and the impact upon the communities, particularly children.

25 General Assembly Resolution 46/182, which calls for strengthening the coordination of UN humanitarian emergency assistance, is a useful negotiation tool used by the UN to advocate for access.

MRM advocacy should be:

- Rights-based, participative where appropriate, and guided by the best interests of the child.
- Evidence-based and guided by international legal instruments, particularly international humanitarian and human rights laws; humanitarian principles and other relevant agreements and commitments such as peace agreements and commitments made by government and non-state armed groups.
- Strategic and linked to programmatic responses: advocacy mechanisms should be part of an integrated approach to problem solving.
- Tailored to the specific context, including the security situation at any given time.
- Addressing any of the six grave violations that may be applicable in the context.
- Based in partnership and cooperation with other actors.
- Multifaceted and diverse, depending on audience, message and priority.

K.3.3 Global and regional levels

At the global and regional levels, MRM Country Task Forces can request the advocacy support of the SRSG CAAC, UNICEF, the Watchlist on Children and Armed Conflict and a number of other key UN, NGO, civil society, donors and global and regional human rights bodies.

The OSRSG-CAAC serves as an independent advocacy office for the protection and well-being of children affected by armed conflict. The Office works with partners to propose ideas and approaches to enhance the protection of children and to promote a more concerted protection response. The Special Representative undertakes humanitarian and diplomatic initiatives to dialogue with parties to conflict for specific commitments to protect children. The MRM Country Task Forces should also seek further guidance and technical support from the MRM Technical Reference Group, led by the OSRSG-CAAC and UNICEF headquarters, to bolster global inter-agency and inter-institutional advocacy support at the global and regional levels.

Key messages for MRM Country Task Force's advocacy strategy:

- Identify the issue and establish the expected outcome.
- Care must be taken and assessed on a case-by-case basis, as to the appropriateness of advocacy, given particular sensitivities of child victims.
- Consider the different levels and advocacy avenues and decide which is the most appropriate given the context and desired outcome.
- Determine the key actors: Who should be targeted by the advocacy efforts and who should bring the advocacy message? A variety of actors, including governments and policymakers, non-state armed groups, additional reporting and accountability mechanisms, international organizations, NGOs and civil society, as well as the public itself could be targeted.
- Adapt the delivery of the message to the intended target.
- Identify the possible adverse effects of engaging in advocacy strategies on staff security, country programmes and vulnerable populations. The humanitarian community should not be silent, but risks do need to be taken into account – advocacy should be discussed with partners and their views taken into account when planning for advocacy.
- Include a plan of action that details the most appropriate channels for action; identifies key responsibilities for realizing that action; and adapts tools to the intended audience.
- Feedback should be provided where possible and as appropriate at different levels – to staff, victims and communities. It is suggested that feedback be provided on accountability, advocacy and on programmatic responses. It is only through providing feedback that staff of participating organisations will continue to be motivated to provide information.

Further reading – Advocacy

- 'Handbook for the Protection of Internally Displaced Persons' Global Protection Cluster Working Group (includes an excellent section on Advocacy), <http://ocha.unog.ch/humanitarianreform/Default.aspx?tabid=294>.
- 'Protection' An ALNAP Guide for humanitarian agencies, <www.alnap.org/pool/files/alnap-protection-guide.pdf>.
- 'Proactive Presence: Field strategies for civilian protection', Liam Mahoney – Centre for Humanitarian Dialogue, <www.hdcentre.org/files/Proactive%20Presence.pdf>.

L. MRM Phasing Out

1. When should the MRM stop?

The MRM is terminated in-country when all parties have been delisted for one cycle of the Secretary-General's Global Annual Report. Parties can be delisted when the UN verifies that violations for which the party was listed have ended during the previous global Secretary-General report cycle, and Action Plans on those violations have been finalized. In exceptional circumstances where it may be very difficult or not possible to develop an Action Plan with a party to conflict but where violations have ceased, the CTFMR co-chairs should seek guidance from the OSRSG-CAAC and UNICEF headquarters on how to proceed in the given circumstances.

In a country situation where all parties to the conflict have been delisted in the Global Annual Report of the Secretary-General on CAAC, the CTFMR should engage in a discussion about the termination of the formal MRM. The co-chairs of the CTFMR should deliberate with their respective headquarters and with O/SRSG-CAAC. An initial informal assessment can ensure a systematic overview of the situation, and gauge that risks and other relevant issues in the short- to medium-term future are properly taken into account. After completing technical-level discussion with the O/SRSG-CAAC and their respective headquarters, the CTFMR co-chairs may make a recommendation on this basis in writing to the SRSG-CAAC in New York. Final decision to terminate the MRM will be made with consultation and agreement of the SRSG-CAAC in consultation with the UN Task Force on CAAC in New York.

2. Moving forward – A phased approach

If there is a delisting and formal MRM ends, this does not mean that all monitoring ends. Indeed, it is recommended that Security Council Resolution 1612 monitoring continues informally for at

least one cycle of the Global Annual Report, to ensure there are no renewed violations. Please note, in certain circumstances the MRM has been terminated in a country; but has been re-activated at a later date as information of renewed violations is confirmed.

Beyond this, efforts should be made to ensure a proper handover to other monitoring systems that exist or to emerging initiatives, as appropriate. Where possible, the CTFMR should support capacity and continuity, so that if grave violations of children do occur, they will be monitored and reported on.

During the phasing out, data and reports should be safeguarded, and the CTFMR should ensure that any transfer of data does not put victims and witnesses at risk. For example, it would be unethical to transfer data to government, if it was a party to conflict that was monitored.

Phasing out should also consider how skills, knowledge and systems created through the MRM can support broader and ongoing monitoring of child rights violations. For example:

- Specific materials developed for MRM training on interviewing children, documentation, etc., may benefit broader child rights monitoring training and capacity building.
- Referral mechanism for appropriate services and justice mechanisms.
- Development of appropriate monitoring tools – This may be based on the tools used for MRM but will require providing a broader function, responding to a wider range of child rights and enabling case management.
- Development of an information management system. It might be applicable to build on software developed for MRM, but it should not contain any data if this is provided.
- The UN and NGOs, as appropriate, should maintain or develop relationships with armed forces and non-state armed groups to ensure that there can be a response to any violations committed.