

GUIDANCE NOTE:
UNICEF Roles and Responsibilities
in the Children and Armed Conflict
Agenda of the Security Council

November 2015

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Introduction

In 1996, Graça Machel's report to the General Assembly on the impact of armed conflict on children called for UN system-wide enhanced engagement on behalf of conflict-affected children. The following year, the Special Representative for Children and Armed Conflict (CAAC) was established and in 1999, the Security Council adopted Resolution 1261 which placed the issue of children affected by armed conflict on the agenda of the Security Council.

The children and armed conflict agenda within the UN continued to be strengthened and in 2005, the Security Council adopted Resolution 1612 which established a Monitoring and Reporting Mechanism (MRM) to systematically monitor, document and report on grave violations committed against children in armed conflict. These include:

- Killing and maiming of children
- Recruitment or use of children by armed forces and armed groups
- Rape and other forms of sexual violence against children
- Attacks against schools or hospitals
- Abduction of children
- Denial of humanitarian access for children

As the lead agency for protection of children's rights, UNICEF is a key partner in the implementation of the MRM and plays a central role in the CAAC agenda.

Purpose of the Guidance Note

Today, the challenges regarding the protection of tens of millions children who are growing up in countries affected by conflict are unprecedented. Armed conflict has significantly intensified and threats to children have increased.

In this context, UNICEF's role in the CAAC agenda is essential and serves to strengthen UNICEF's core commitment to protect girls and boys from all forms of abuse, including in armed conflict settings. It also serves to strengthen monitoring and reporting mechanisms for effective evidence-based programming. UNICEF's area of responsibility within the CAAC agenda, however, can also pose risks to country offices and programming.

The purpose of this guidance note is to:

1. Summarize the CAAC agenda and the process for MRM activation.
2. Specify UNICEF's roles and responsibilities in countries that are on the CAAC agenda, both in countries where the MRM is activated and also in countries that are on the CAAC agenda but where the MRM is **not** activated¹.
3. Identify risks associated with the CAAC agenda and provide guidance on mitigation and internal procedures.

¹ This guidance note is complemented by the MRM Guidelines and MRM Field Manual: <http://www.mrmtools.org/mrm/>.

1. Overview: The Security Council Children and Armed Conflict Agenda and Process

1.1 Role of the Office of the Special Representative for Children and Armed Conflict and the Secretary-General's Report on Children and Armed Conflict

The role of the Special Representative for Children and Armed Conflict (SRSG-CAAC) is to strengthen the protection of children affected by armed conflict, conduct high-level political advocacy, raise awareness, promote the collection of information about the plight of conflict-affected children and foster international cooperation to improve their protection. As part of the CAAC agenda, the Office of the SRSG-CAAC (OSRSG-CAAC) leads the drafting of the annual report of the Secretary-General on children and armed conflict.

1.2 The Secretary-General's Report on Children and Armed Conflict

The Secretary-General's Report on Children and Armed Conflict provides an overview of the global situation of children affected by conflict and action taken for their protection over the previous calendar year, including on the implementation of the Security Council's related resolutions and presidential statements. This report also sets the CAAC agenda for the subsequent period.

The report covers two types of situations:

- **Situations on the agenda of the Security Council**

These situations are included as "matters of which the Security Council is seized." The majority of these are situations for which the Council has adopted a resolution on the basis of Chapter VI (Pacific Settlement of Disputes) or Chapter VII (Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression) of the UN Charter.

- **Situations not on the agenda of the Security Council (referred to as 'other situations of concern' or 'other situations')**

The SG's Report on CAAC refers to situations not on the agenda of the Security Council but which still warrant attention within the CAAC mandate. The Secretary-General can add these situations to the report based on Article 99 of the UN Charter, which empowers the SG to bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security. The thematic issue of children and armed conflict has been identified as one of those matters.

1.2.1 The Process for Inclusion of Country Situations in the SG's Annual Report on CAAC²

The inclusion of country situations in the SG's report on CAAC is based on evidence gathered across the UN system (including UNICEF) and other sources throughout the year.

- In addition to those country situations already listed in the previous year's report, the OSRSG-CAAC scans the horizon, drawing on publicly available information, for any new evidence of grave violations of child rights in situations of armed conflict.
- Usually in late November or early December, the SRSG-CAAC convenes the Task Force on Children and Armed Conflict³ to discuss an outline of country situations, to be included in the annual report, including new country situations or those that may be removed. UNICEF, at DED or Director level, participates in this Task Force.

² See process diagram for production of the SG's annual report in Annex 2

- Prior to the Task Force meeting, the UNICEF DED for Programmes and the DED for Partnerships chair an internal meeting to discuss CAAC / MRM situations, in order to consolidate UNICEF’s input to the proposed outline. Recommendations for inputs to the SRSG-CAAC, including available evidence (or lack thereof) of grave violations committed against children in situations of armed conflict, are presented by the EMOPS Director based on consultation between the EMOPS Humanitarian Policy Section (HPS), PD Child Protection in Emergencies (CPiE), as well as Regional Offices and Country Offices. UNICEF’s inputs to the Task Force on CAAC are cleared by the 2 DEDs, and presented at the Task Force by the DED (or EMOPS Director).
- Once the SRSG-CAAC makes a decision on country situations to be included in the annual report, he/she sends a request for inputs for the annual report to the RC (or SRSG where applicable) and the UNICEF Representative in those countries.
- For those country situations where the MRM is already activated, these inputs are prepared through the Country Task Force on Monitoring and Reporting (CTFMR) – the main MRM coordinating structure at country level which is co-chaired by the highest UN authority in the country (SRSG or RC) and the UNICEF Representative (See 2.5 for further details).
- In all situations, the inputs for the annual report, including those from UNICEF CO, are provided to the SRSG-CAAC via the RC (or SRSG where applicable).
- Once all inputs are received, the OSRSG-CAAC drafts the SG’s annual report on CAAC, with informal technical review provided by the EMOPS HPS Policy and Advocacy Specialist, in consultation with PD CPiE.

1.2.2 The Listing of Parties to Armed Conflict for Committing Grave Violations

The SG’s report contains two annexes that list parties which have engaged in patterns of grave violations against children in situations of armed conflict:

- **Annex 1** lists parties that are on the agenda of the Security Council.
- **Annex 2** lists parties that are in “other situations of concern” NOT on the agenda of the Security Council.

Out of the 6 grave violations identified, 5 are triggers for listing:

1. Killing and maiming of children
2. Recruitment or use of children by armed forces or armed groups
3. Rape or other forms of sexual violence against children
4. Attacks against schools or hospitals
5. Abduction of children

As part of the drafting of the annual report, the SRSG-CAAC recommends a list of parties to armed conflict that should be included in these annexes. The final decision on which parties to armed conflict are listed is made by the SG.

1.2.3 Delisting of Parties to Armed Conflict

- Parties are delisted once the UN verifies that they have ended the violations for which they are listed, for a period of at least one reporting cycle. This is usually achieved through a time-bound action plan implemented by the party with the support of the UN.
- Progress of the parties toward ending and preventing the grave violations for which they are listed is discussed at the headquarters-level meeting of the Task Force on CAAC convened by the SRSG-CAAC to review the draft SG report on CAAC, but the final decision on delisting is made by the Secretary-General. In some cases, listed parties cease to exist or are integrated

with another party to conflict. The decision can then be taken to “remove,” though not “delist,” these parties from the annexes.

- Once a party is delisted, ongoing monitoring and reporting is required as long as the SG remains concerned that such violations may recur. The delisted party must ensure continuous access to the UN for monitoring and verification of compliance for a minimum period of one reporting cycle following delisting.

1.3 Activation and Deactivation of the MRM

- The implementation of the MRM is triggered by the listing of parties to armed conflict in either of the two annexes of the SG’s report⁴.
- The MRM is managed by country-based task forces co-led by UNICEF and the highest UN representative in the country, to provide timely and reliable information on these six grave children’s rights violations as well as progress toward ending and preventing them.
- The information collected through the MRM is then used by the Security Council to press parties to conflict toward compliance with international child rights standards. This is often achieved through the development with the CTFMR of time-bound action plans to end and prevent these violations.
- It is important to note that some countries included in the report are not implementing the MRM because no party is listed in either annex. This could be due to a variety of reasons, including in cases where the data is unavailable or is insufficient, or the data is available but does not confirm a pattern of grave violations.
- The MRM is deactivated when all parties to conflict in the country have been delisted and a formal recommendation is made by the co-chairs of the CTFMR following technical-level discussions, and a final decision is made by the SRSR-CAAC, in consultation with the Task Force on CAAC.

Details regarding UNICEF’s role at different levels in the CAAC agenda are outlined in the following section.

2. UNICEF Roles and Responsibilities in Countries where the MRM has been Activated

- Co-chairing the Country Task Force on Monitoring and Reporting
- Risk management
- Monitoring grave violations
- Information management
- Formal reporting
- Dialogue with parties to conflict and action plans
- Links to programming and advocacy

The activation of the MRM triggers a number of responsibilities for UNICEF which are defined in this section. UNICEF acts as the co-chair of the Country Task Force on Monitoring and Reporting (CTFMR), and in mission settings should work in close collaboration with the mission Child Protection Section/Advisors with an agreed division of labour. The CTFMR is meant to be an independent body and thus does not include representation from the parties to conflict in its membership.

⁴ For country situations in Annex 2, the UN should consult with the national government regarding the implementation of the MRM. This consultation is led by the SRSR CAAC.

2.1 UNICEF Representative Role as Co-Chair of the Country Task Force on Monitoring and Reporting⁵

- Once the MRM is activated, the UN convenes a Country Task Force on Monitoring and Reporting (CTFMR), which is co-chaired by the highest UN authority in the country and the UNICEF representative. In a country with a peacekeeping or special political mission, the SRSG may delegate the role of co-chair to the Deputy Special Representative of the Secretary-General. In a country without a peacekeeping mission, the Resident Coordinator co-chairs the CTFMR.⁶ The SRSG or RC is the conduit for transmitting formal reports to the SRSG-CAAC.
- The UNICEF Chief of Child Protection or a designated child protection officer co-chairs the technical-level CTFMR with the chief of the child protection unit in peacekeeping and special political missions or with a designated officer in the Resident Coordinator's office in non-mission settings.
- The UNICEF Representative and child protection team support the establishment and operationalization of the MRM in the areas of raising the profile of the CAAC agenda, capacity building, monitoring, information management, analysis, reporting, advocacy, action plan negotiation and monitoring of its implementation, as well as programmes for prevention and response. They also have a key role in establishing partnerships with UN agencies (the mission, ILO, OCHA, OHCHR, UNESCO, UNHCR, WFP, WHO, *inter alia*) and international and local NGO partners.

2.2 Risk Management (See Section 5 below for more detail)

- At the onset of the MRM, the Representative, as co-chair of the CTFMR, should play a lead role in organizing a risk assessment regarding the operation of the MRM and in the preparation of a strategy for risk mitigation. Periodic updates of the risks and the risk mitigation strategy will need to be undertaken to account for changes in the operational environment. Programme criticality exercises in situations of high or very high residual security risk should take consideration of MRM activities.

2.3 Monitoring Grave Violations

- The UNICEF Child Protection Section in the Country Office, in consultation with the Headquarters Child Protection Section, provides technical and operational support for the implementation of the monitoring and reporting mechanisms on grave violations against children, including processes for the ethical documentation and verification of grave violations with witnesses and survivors.
- UNICEF staff members with specialized training may conduct interviews with witnesses, survivors, and other information providers, and collect other relevant information necessary to document cases and incidents. In some circumstances, they make arrangements to conduct this work in collaboration with partners.
- UNICEF Child Protection Section builds capacity of partners to support the documentation of grave violations.

⁵ For additional information on the CTFMR, please see "Annex 5: Country Task Force – Terms of Reference" in the *MRM Field Manual*, pp. 99 – 105.

⁶ Secretary-General's Report on Children and Armed Conflict (2005), para 83.

2.4 Information Management and Sharing

2.4.1 Information Management and Security

Under the coordination and management of the UNICEF Country Office, the CTFMR establishes and maintains a monitoring and reporting information management system (MRM-IMS) at country level.⁷ As CTFMR co-chair, UNICEF ensures that adequate and secure information management systems are put in place and maintained. The detailed data in case files is confidential to protect those affected and should not be shared beyond a select group of persons who need access to the files within the CTFMR and for individualized response.

It is preferable that only one institution be responsible for establishing and maintaining the information database. In the exceptional cases where the MRM-IMS is handled jointly by the co-chairs, UNICEF as co-chair must put in place SOPs that stipulate it will be consulted on all matters related to the use of this IMS and encourage the development of a CTFMR information-sharing protocol governing MRM contributions to other human rights and protection monitoring mechanisms.⁸

In order to ensure the highest security level possible, UNICEF is in the process of developing a secure, reliable interagency information management system for child protection named PRIMERO, which is currently being field tested. UNICEF (PD, EMOPS, Legal Office, and ITSS) will also develop SOPs on information management which will cover issues such as the storage of original documents, minimum standards for the confidentiality of the information, information-sharing protocols (internal and external), and other aspects of this critical area.

2.4.2 Information Sharing

The MRM is a compliance mechanism that seeks to end and prevent grave violations against children. It is not a legal/judicial mechanism. The CTFMR does not share information on individual cases with judicial courts, either national or international. However, survivors and/or the families of survivors or victims can be supported to pursue legal action, including through referral to a partner providing legal support or directly to national authorities to file a complaint, pursue justice through the courts and obtain compensation/reparations.

- External requests to access MRM case files, such as requests by members of Groups of Experts of Sanctions Committees or Commissions of Inquiry, should be systematically directed to the UNICEF Principal Legal Advisor to the Executive Director's Office with a copy to the EMOPS and PD Directors.⁹
- All requests related to the International Criminal Court (ICC) or other criminal courts should be immediately directed to the UNICEF Principal Legal Advisor to the Executive Director's Office with a copy to EMOPS and PD Directors.

2.5 Formal Reporting

- As CTFMR co-chair, UNICEF contributes to and often leads the in-country drafting of three types of reports, submitting inputs through the RC/SRSG to the OSRSG-CAAC:
 - SG's annual report to the Security Council on CAAC;
 - SG's country-specific reports to the Security Council on CAAC;

⁷ Secretary-General's Report on Children and Armed Conflict (2005), para. 88.

⁸ The Child Protection Section in UNICEF HQ can provide guidance on preparing these SOPs.

⁹ Specific guidance on this aspect of sharing information is under development at Headquarters.

- quarterly reports to the Security Council Working Group on CAAC, called Global Horizontal Notes
- Submissions for each of these reports must be cleared by the UNICEF Representative and the other CTFMR co-chair.
- For the Secretary-General's annual report on CAAC, the OSRSG-CAAC solicits information from the UN at all levels, including from UNICEF Country Offices and HQ. The concerned UNICEF CO submits information through the CTFMR, which UNICEF co-chairs. The submission, based on a template provided by the OSRSG-CAAC, includes information on patterns of violations and progress made toward addressing them, but does not include a formal recommendation on listing/delisting. The UNICEF CO, Regional Office, and HQ carefully review the draft country section of the report and provide further comments and inputs. The Humanitarian Policy Section in EMOPS is responsible for organizing review and feedback of the SG's Report, as well as for supporting Country Offices throughout the drafting process. The DEDs of Partnerships and Programme clear the input to the annual report that is presented in meetings of the Task Force on Children and Armed Conflict. DED Partnerships represents UNICEF in those meetings (See process diagram for production of the SG's annual report in Annex 2 as well as section 4.2 on roles of HQ below).
- The Child Protection in Emergencies team in the Headquarters Child Protection Section reviews and provides support for the preparation of the SG country-specific reports and the quarterly Global Horizontal Notes. No management level review or clearance at HQ is required for these two reports.

2.6 Dialogue with Parties to Conflict to End Grave Violations through Action Plans

- The CTFMR co-chairs are responsible for entering into dialogue with listed parties to conflict (which may be state or non-state entities) in order to negotiate, develop and implement time-bound action plan(s), with clear benchmarks, to end and prevent the violations against children for which they are listed. The CTFMR negotiates action plans drawing on the conditions set out in standard templates and with the support of UNICEF HQ and the OSRSG-CAAC.¹⁰
- UNICEF often has specific responsibilities by itself or as part of the CTFMR within the action plan, particularly for supporting programme response for children but also for monitoring the implementation and compliance of the party.
- UNICEF is either a signatory to action plans or, in certain high political risk situations, signs as a witness. Any assumption of responsibility as signatory or witness should be considered carefully in consultation with EMOPS and PD at UNICEF HQ.
- Once full compliance with the action plan¹¹ is verified by the CTFMR, the decision to de-list is taken by the Secretary-General, following a recommendation of the OSRSG-CAAC on the basis of information provided by the CTFMR.¹²

2.7 Links to Programming and Advocacy

The MRM enables trend analysis and reveals patterns of violations which inform UNICEF evidence-based advocacy, programme response and prevention strategies.

- As CTFMR co-chair, UNICEF can reinforce linkages with relevant bodies so as to maximise the overall impact of information gathered through the MRM. For example, UNICEF chairs the child

¹⁰ For further detail, see MRM field manual (UNICEF, O-SRSG CAAC, DPKO).

¹¹ In cases where no action plan has been or can be developed (e.g. in some cases of non-state entities), delisting would have to be linked to verifiable end to the violations for which the party was listed.

¹² Criteria and procedures for delisting are outlined in the SG's 2010 annual report on CAAC (S/2010/181, paras 178-180).

protection Area of Responsibility (AoR), co-chairs the GBV AoR and can establish links between these groups, as well as the Protection, Education, Health and WASH Clusters and the CTFMR. UNICEF can also ensure that MRM activities are reflected in the Humanitarian Action Plan (HAP) and UN Development Assistance Framework (UNDAF).

- In addition, through its programming and coordination responsibilities, where security allows, UNICEF can strengthen response by promoting linkages with programmatic response to children affected by those violations. A 2013 global evaluation of Child Protection in Emergencies found that the MRM and action plans are prompting the release of children and preventing recruitment. Advocacy in the seven MRM countries covered by the evaluation contributed to the release of 2,064 children in 2011/2012 and to rejection of 1,379 children from recruitment through age screening. Reintegration programmes have benefited many of these children.
- The Country Office engages in programmatic and advocacy efforts to address and end grave violations against children.¹³ The Country Office integrates MRM-related activities and indicators in UNICEF annual work plans, mainstreams the MRM in protection, education, health, WASH, and emergency sectors (including via the clusters as appropriate) and relevant integrated programming initiatives (such as mine action/disability) - thereby strengthening results in monitoring, advocacy, prevention and response.
- The Country Office integrates MRM-related activities in fundraising strategies and seeks to broaden support to the CAAC agenda of key Member States and regional organizations present at country level, both for funding programmes and political support for dialogue on action plans and other measures to end grave violations.
- CTFMRs are responsible for advocating with national Governments to encourage them to promptly investigate all violations and abuses and to prosecute alleged perpetrators.

3. UNICEF Roles and Responsibilities in Countries on the CAAC Agenda of the Security Council but where the MRM is not activated

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| <ul style="list-style-type: none">• Monitoring• Requests for information from the SRSG CAAC• Sharing of information outside of the OSRSG-CAAC |
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The MRM is not activated in countries included in the SG's annual report on CAAC but where no party is listed in either annex. UNICEF Country Offices in these countries are responsible for monitoring the situation of children within the remit of the CAAC agenda.

3.1 Coordination

- Different levels of child rights/child protection monitoring has been undertaken by Child Protection Working Groups, which may be sub-clusters of the Protection Clusters and as such sometimes include the participation of the Government, or by standalone CAAC Working Groups. These working groups are not considered CTFMRs under the MRM and in order to avoid confusion should not be referred to as such.

¹³ For guidance on public advocacy related to grave violations, please refer to the guidance note "Managing Communications and Public Advocacy on Grave Violations of Children's Rights: A Guidance Note & Decision-Making Process," October 2015.

3.2 Monitoring

- UNICEF Country Offices, in situations in which the MRM is not activated, must undertake child rights/protection monitoring as per the standards and benchmarks detailed in the CCCs. The methodology for monitoring is at the discretion of the concerned Country Office (often it is done through programme monitoring, assessments, and data collection), though the office should be rigorous and to the extent possible cross-check information from multiple sources to ensure accuracy given that information is often manipulated in conflict-affected areas toward political ends. Information on grave violations is also rarely revealed through traditional government systems due to its sensitivity and because the government may be one of the main violators in some situations. **UNICEF, however, is not obliged to undertake the level of case and incident documentation that is required by the MRM.**

3.3 Reporting: Requests for Information from the SRSR-CAAC

The SRSR-CAAC may request information from offices in non-MRM countries for two main types of reports:

Global Horizontal Note (Quarterly Updates on Country Situations)

- The SRSR-CAAC frequently requests information on child rights issues in the early stages of armed conflict be submitted through the Global Horizontal Note (quarterly updates) or for special briefings during the formal meeting of the Security Council Working Group on CAAC.
- **The response to the request for information is not obligatory in countries where the MRM has not been activated** but in principle, UNICEF should be providing the available information to the OSRSR-CAAC for the Global Horizontal Note.
- However, the pros and cons of this must be carefully weighed. It is recommended that the decision on whether to contribute to the Global Horizontal Note be discussed with the Resident Coordinator's Office or with the mission leadership. Furthermore, UNICEF RO and HQ should be involved in the discussion on whether or not to provide requested information and, if approved, how to do so. In such situations, at UNICEF HQ the Senior Advisor for Child Protection in Emergencies in PD and the Chief of the Humanitarian Policy Section in EMOPS are the points of contact for the CO and with the Office of the SRSR-CAAC.
- If the decision has been made to provide information, it should be submitted to the OSRSR-CAAC via the RC or via the SRSR in mission contexts. UNICEF HQ (Child Protection in Emergencies and the Humanitarian Policy Section) must be in copy.
- As a risk management measure, the information provided should not be attributed to UNICEF.

Contributions to the SG's Annual Report

- No SG country-specific report on CAAC is produced for situations in which no party is listed, however, the COs in these countries are required to contribute to the SG's annual report on CAAC which covers all countries implementing the MRM, as well as countries which may be on the Security Council's agenda, or may be 'other situations of concern,' but for which no party is listed in the annexes of the report.
- When preparing to provide such information for the SG's annual report, countries where no party is listed (MRM is not activated) should consult with UNICEF HQ (EMOPS/HPS) early in the process. The country level input to the SG's annual report is transmitted by the RC or the SRSR to the SRSR-CAAC with copy to UNICEF HQ (EMOPS/HPS).

- The submission does not include a recommendation on listing. As part of the submission for the annual report, UNICEF, through the RC or SRSR, provides the OSRSG-CAAC with factual information on patterns of violations and efforts made to end and prevent them, which may inform the SRSR’s listing recommendations and subsequent decisions by the SG.

3.4 Sharing of Information outside of the OSRSG-CAAC

- Decisions on other uses of child protection information, in addition to those mentioned above, that are in support of the country programme and advocacy strategy are within the purview of the Country Office.¹⁴
- Sharing of information with international bodies, such as the ICC, Groups of Experts of Sanctions Committees, and Commissions of Inquiry **must be decided in consultation with the Regional Office, EMOPS and the Principal Legal Advisor to the Executive Director’s Office.**

4. Role of Regional Offices and Headquarters in the CAAC Agenda of the Security Council

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| <ul style="list-style-type: none"> • Regional level role in the CAAC agenda • Headquarters level role in the CAAC agenda |
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4.1 Regional Level Role in the CAAC Agenda of the Security Council

- Regional Offices, in close collaboration with HQ, support and strengthen country, regional, and sub-regional monitoring and reporting and foster cross-border regional dialogue, analysis, and exchanges, including contributions to regional advocacy, training, and capacity building. This is often done with the engagement with key partners.¹⁵
- Regional Offices engage regional organizations to identify ways those organizations can contribute to the effort to prevent and respond to grave violations against children.

4.2 Headquarters Level Role in the CAAC Agenda of the Security Council

- UNICEF HQ provides leadership on CAAC issues in its role as the lead UN organization on child rights and child protection. UNICEF, at DED or Director level, participates in the Task Force on CAAC for the review of the Secretary-General’s annual report on children and armed conflict. It is important to note that UNICEF does not recommend whether to list or delist parties. UNICEF does provide technical contributions to the OSRSG-CAAC Office which may inform listing/delisting recommendations and decisions.
- The OSRSG-CAAC and UNICEF co-lead the global level MRM Technical Reference Group¹⁶, providing key technical and policy guidance to the field, and carry out joint missions to the field.
- The Deputy Executive Director, Partnerships provides information on the situation of children to the Security Council Working Group on CAAC, in particular to highlight progress and concerns at

¹⁴ For guidance on public advocacy related to grave violations, please refer to the guidance note “ Decision Making Procedure for Managing Communication and Public Advocacy on Sensitive Issues in Complex and High Risk Environments” October 2015.

¹⁵ For guidance on public advocacy related to grave violations, please refer to the guidance note “ Decision Making Procedure for Managing Communication and Public Advocacy on Sensitive Issues in Complex and High Risk Environments,” October 2015.

¹⁶ This body was initially called the Steering Committee on Monitoring and Reporting.

country level, including through the presentation of the Global Horizontal Note. EMOPS/HPS, in close collaboration with PD/CPiE, supports this role.

- As of June 2015, the DED for Programmes and the DED for Partnerships will chair a quarterly meeting on CAAC/MRM situations to discuss country situations where particular issues have or are expected to come up. Relevant COs and ROs will participate in these meetings.
- UNICEF HQ, under the lead of EMOPS/HPS, advocates for measures to strengthen the protection and promotion of the rights of conflict-affected children, including at the Security Council Open Debate on CAAC, through bilateral advocacy with Member States, through participation in the Group of Friends on CAAC, and through the development of working papers.
- EMOPS/HPS, works closely with the chair of the Security Council Working Group on CAAC and the OSRSG-CAAC to provide information briefings to members and support field missions and other Security Council Working Group on CAAC initiatives.
- DOC, EMOPS and PD have specific roles to coordinate public advocacy on grave violations.¹⁷
- The Child Protection in Emergencies Team in Programme Division (PD /CPiE) develops, in close cooperation with EMOPS, the OSRSG-CAAC and DPKO, technical tools and guidelines for MRM implementation¹⁸, and organizes trainings and workshops at global and regional level, and serves as the focal point in HQ for the implementation of the MRM action plans, working closely with UNICEF CO and RO colleagues and the CTFMRs.
- PD/CPiE and EMOPS/HPS provide COs with technical guidance¹⁹ on monitoring and reporting grave violations against children, dialogue with parties to conflict (in particular negotiation and implementation of action plans) and integration of MRM in programming across sectors remotely and through field missions/surge support²⁰.

5. Managing Potential Risks associated with the MRM: Issues for UNICEF²¹

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| <ul style="list-style-type: none">• Security and risk assessment prior to the activation of the MRM• Risks to people or property• Risks to programmes or reputation |
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The MRM is politically sensitive due to the negative attention it draws to listed parties who are “named and shamed,” as well as due to the political and punitive measures that the Security Council can take to bring offending parties into compliance with international child rights standards. It may

¹⁷ For guidance on public advocacy related to grave violations, please refer to the guidance note “Decision Making Procedure for Managing Communication and Public Advocacy on Sensitive Issues in Complex and High Risk Environments,” October 2015.

¹⁸ “In order to provide common approaches and guidelines for the monitoring and reporting mechanism, the Office of the Special Representative and UNICEF will compile monitoring and reporting guidelines, drawing on experience to date and working with the Task Force, United Nations peacekeeping operations, United Nations country teams and NGOs.” [Para. 104, [Secretary-General’s Report on Children and Armed Conflict, 9 February 2005 \(A/59/695-S/2005/72\)](#)]. Examples of joint guidance development are the Monitoring and Reporting Mechanism Guidelines, Monitoring and Reporting Mechanism Field Manual, Monitoring and Reporting Mechanism Training Toolkit, and Monitoring and Reporting Mechanism Global Good Practices Study, as well as a dedicated MRM global guidance website.

¹⁹ UNICEF is advocating for a strengthened MRM Technical Reference Group (equivalent to the technical CTFMR at country level) which, through more systematic inter-agency cooperation, would provide key technical and policy guidance to the field.

²⁰ With regards to engagement with Non State Entities, as per the UNICEF Programme Guidance Note on Engaging with NSE’s, EMOPS is lead to provide advice and support to COs.

²¹ For detailed guidance on the management of risks associated with the MRM, please see the *MRM Field Manual*.

also be falsely perceived by some parties as a tool of international criminal justice mechanism, such as the ICC. Engagement with Non-State Entities to develop action plans to end violations can be viewed by governments as support to these groups, which could afford them greater legitimacy. Furthermore, if monitors are unable to document abuses by all parties, the MRM may be viewed as biased. This perception of the MRM creates potential risks for UNICEF staff, our partners, programmes, and information providers, including children. This section presents a brief assessment of the potential risks associated with the MRM, especially as it affects UNICEF, and outlines measures that can or have been taken to mitigate and manage these potential risks.

5.1 Prior to the Activation of the MRM: Security and Risk Assessment

Prior to implementation of MRM, Country Offices typically should undertake a risk mapping and analysis. The assessment should identify whether and where it is possible for UNICEF to be involved in monitoring with reasonable measures of safety; and how risk can be managed. Guidance for the MRM also recommends that the leadership of the Country Task Forces be briefed on the security risks and that the Country Task Force develop a strategy to manage risk around the MRM in the country.

Security risks must be managed within the UN Security Risk Management Framework. Where high or very high residual risks are assessed, the UN team must conduct a Programme Criticality Exercise.

5.2. Risks to People or Property

- **Security risks to staff and partners:** UNICEF staff (and the staff of our partners) may assume a greater degree of personal risk when engaging in the MRM, depending on their role and the context in which they are working. National and international staff members also face different risks. Staff who monitor and verify incidents, as well as staff responsible for managing and analyzing data may face intimidation, threats, and/or physical attacks. UNICEF senior management who advocate for protection of children may also be vulnerable to all or some of these risks. Some staff could also be at potential risk of deportation and being designated *persona non grata*. Political pressures on the representative and other senior UNICEF staff can be strong. Therefore a common position and clarifying the roles of CO, RO, and HQ, on sensitivities around the MRM is important as a basis for a corporate backing of the representative, if needed.
- **Risk to information providers:** Witnesses, child survivors, and other information providers could be threatened, detained, and/or physically harmed for being involved in the MRM. Some may also face stigma in their home community should information on the violation they faced (such as sexual violence) become known.
- **Risk to property:** Theft or destruction of computers or hard files containing sensitive data remains a potential risk.
- **Mitigation measures to address risks to people or property:**
 - A general risk assessment should be carried out in areas of operation prior to undertaking monitoring activities in conflict areas.
 - The best interest principle must always guide decisions on whether and how to seek information from a child or any other person.
 - An information sharing protocol should be devised by the Country Task Force to clarify steps and information channels for safe information sharing prior to undertaking monitoring activities.

- Staff who will document grave violations, particularly through collection of primary information, must receive specialized training and implement interview protocols.
- Great care should be taken to protect the affected child's or information provider's safety and confidentiality. Military personnel, including from peacekeeping missions, cannot attend interviews with children. Data security protocols for electronic and hard copy information must be developed in UNICEF and the broader CTFMR.
- Interviewers should always secure informed consent, oral or written, from survivors and witnesses prior to an interview. Photographs and video recordings of survivors and witnesses should be avoided.
- The CTFMR must adhere to principles of confidentiality. Information received on grave violations of children's rights should only be discussed with others on an essential need to know basis.
- Names of organisation and/or staff members are not to be included on hard copies nor in the MRM information management system: a code system is to be used instead.

5.3 Risks to Programmes or Reputation

While the following risks should not be overlooked, they have in practice rarely materialized – partly due to UNICEF's own risk management and mitigation measures, and partly due to the structure of the MRM, whereby UNICEF inputs to MRM reporting are aggregated with other UN contributions and not directly attributed to UNICEF.

- **Risk to Country Programmes:** Concern has been expressed that UNICEF participation in the MRM could jeopardize our Country Programmes in that a government would not approve UNICEF projects or overall access to an area or a Non-State Entity (NSE) could bar access to the area under its control.
- **Political risks of engaging with non-state entities:** The MRM requires the negotiation of action plans with those parties to the conflict listed in the annexes of the Secretary-General's annual report. Some of these are "proscribed" entities. The responsibility for enforcing the measures imposed on "proscribed" individuals/entities is incumbent upon Member States and not upon international organizations. There is no clear statement that the terrorist-designation of or sanctions against an individual, organization or state restricts UNICEF's ability to engage for humanitarian objectives.²² In cases of engagement with groups designated by Member States as terrorist entities, sign-off should be sought from the Office of the Executive Director through the Director of EMOPS.
- **Reputational risks:** The MRM requires considerable human resources to collect and analyze information. Allocating inadequate resources for monitoring, reporting, prevention and response might pose reputational risks to UNICEF. The inability to follow up or to position monitors to record violations by all parties to conflict could suggest bias.
- **Risk of inaccuracies:** The strength of the MRM as a mechanism partially rests in providing impartial, accurate information. Information on rights violations, particularly in conflict-affected areas, can be misrepresented for many reasons. Claims of human rights violations can be used as a propaganda tool to discredit others or reports may be biased against one party due to allegiances and/or fears among a particular population. Incorrect information poses an additional reputational risk to UNICEF and to confidence in the MRM in general.

²² See Non-Paper On Policy Issues Affecting UNICEF Humanitarian Action In Complex Threat Environments (January 2014)

- **Risks to programme resources:** The MRM could disproportionately draw resources away from broader child protection activities and other programming.
- **Mitigation of risks to programmes and reputation:**
 - The MRM's UN-wide structure in part provides a buffer between UNICEF and the parties that are listed under the Secretary-General's report. All reports are cleared and transmitted by the SRSG or Resident Coordinator to the Office of the SRSG-CAAC. Country-specific reports are issued by the Secretary-General and presented by the SRSG-CAAC in the Security Council Working Group.
 - UNICEF Country Offices should not make recommendations on listing/delisting as the decision is made by the Secretary-General based on a recommendation that the SRSG-CAAC prepares following consultation with the UN system and review of other sources of information. The CO should only provide factual information on patterns of violations and efforts made to end and prevent them.
 - UNICEF engagement and development of action plans with listed parties can help to reduce risks, as parties to the conflict may perceive this as an effort to support them to end the violation and ultimately be delisted.
 - In several countries, as part of an action plan, governments have established inter-ministerial committees which seek to coordinate the necessary reforms to end and prevent grave violations. UNICEF as co-chair of the Country Task Force participates in these committees which allow for a practical discussion of how to address the problem through national capacity strengthening and reforms rather than a "name and shame" approach only. If an inter-ministerial committee does not exist, the Country Task Force may wish to seek another mechanism by which to keep the government engaged to address the problems and informed of relevant developments.
 - UNICEF may also at times wish to make public statements about grave violations that have been documented by UNICEF and the broader Country Task Force. Such public advocacy should be guided by careful risk analysis and in line with the "Decision Making Procedure for Managing Communication and Public Advocacy on Sensitive Issues in Complex and High Risk Environments". Clarity on which level of the organization, CO, RO or HQ is best placed to undertake this advocacy should be part of the strategy.
 - UNICEF must plan to deliver on its goals and manage the expectations of response that may come with collection of information on grave violations. This requires a realistic assessment of what is necessary to link monitoring and reporting with response and support at all levels of the organization and to raise resources to meet these needs.
 - Offices should proactively undertake a comprehensive costing for MRM monitoring, reporting and programme response; prepare advocacy strategies; and design preparedness plans, including resources needs, for operationalization of an action plan or other response.
 - Country Offices engaged in the CAAC agenda, whether or not the MRM is activated, must receive coordinated and proactive support and advice from HQ and Regional Offices in the conduct of regular risk assessments and the mitigation of risks. To provide this support, the DED for Programmes and the DED for Partnerships chair a quarterly meeting on CAAC/MRM situations. PD, EMOPS, DOC, PPD and the relevant RO/COs take part in this meeting which will discuss country situations where particular issues have or are expected to come up. The agenda for the quarterly meetings will be prepared by the Chief PD/CPiE and Chief EMOPS/HPS. Representatives or Regional Directors can propose items for the agenda.

5.4 Conclusions

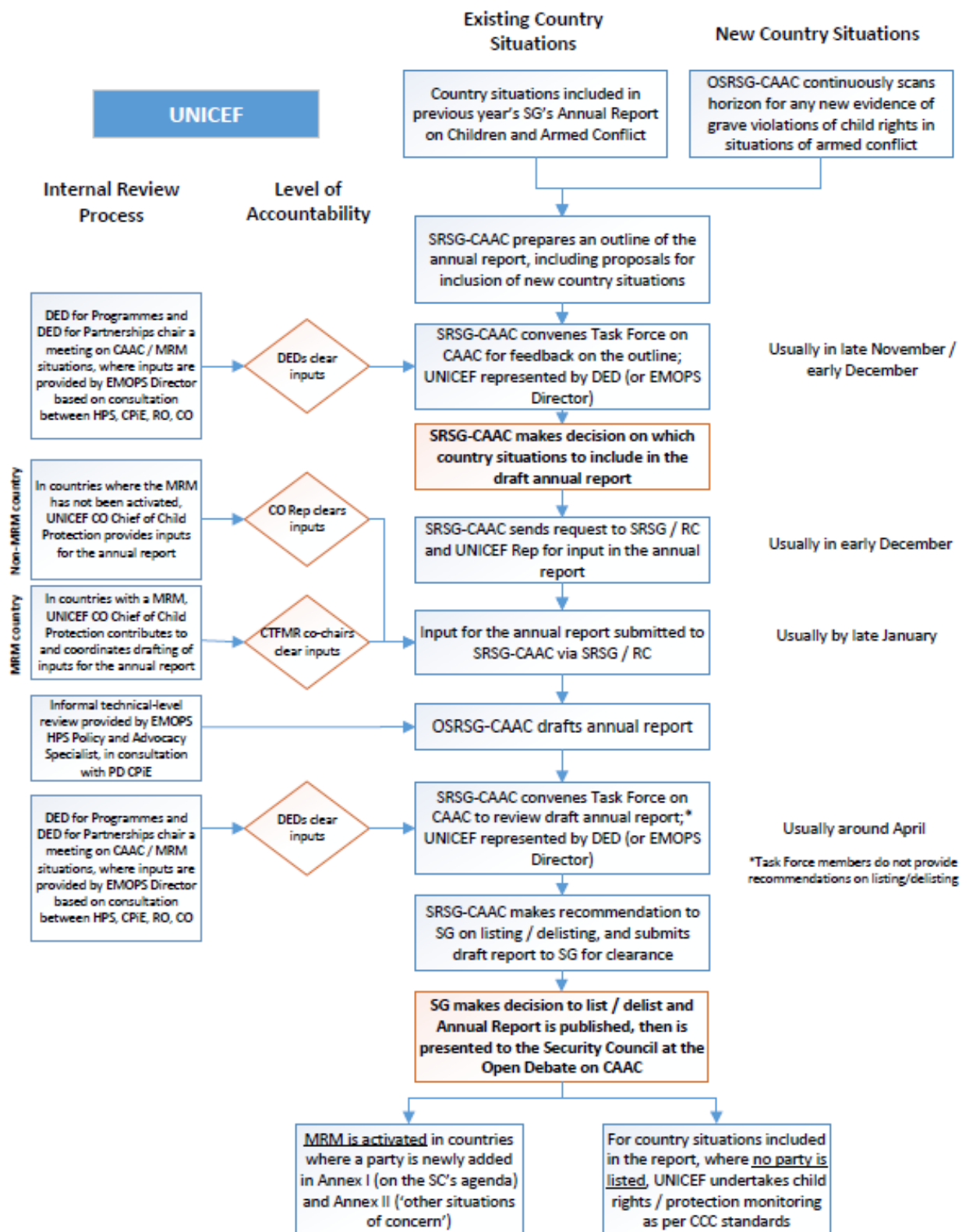
There are certain risks for UNICEF associated with its role in the MRM. These should not be overlooked. However, UNICEF is familiar with, and has applied, various measures to manage or mitigate these risks. UNICEF will continue to build on risk mitigation measures based on practical experiences from country offices and learn from their experience. As a result, they have rarely materialized in practice. It is essential to consistently apply risk mitigation measures to keep risks to a minimum.

The MRM is an opportunity for UNICEF, not just a responsibility. The information it generates and the relationships it requires can equip UNICEF country teams to deliver stronger programming and more effective advocacy on behalf of children in armed conflict.

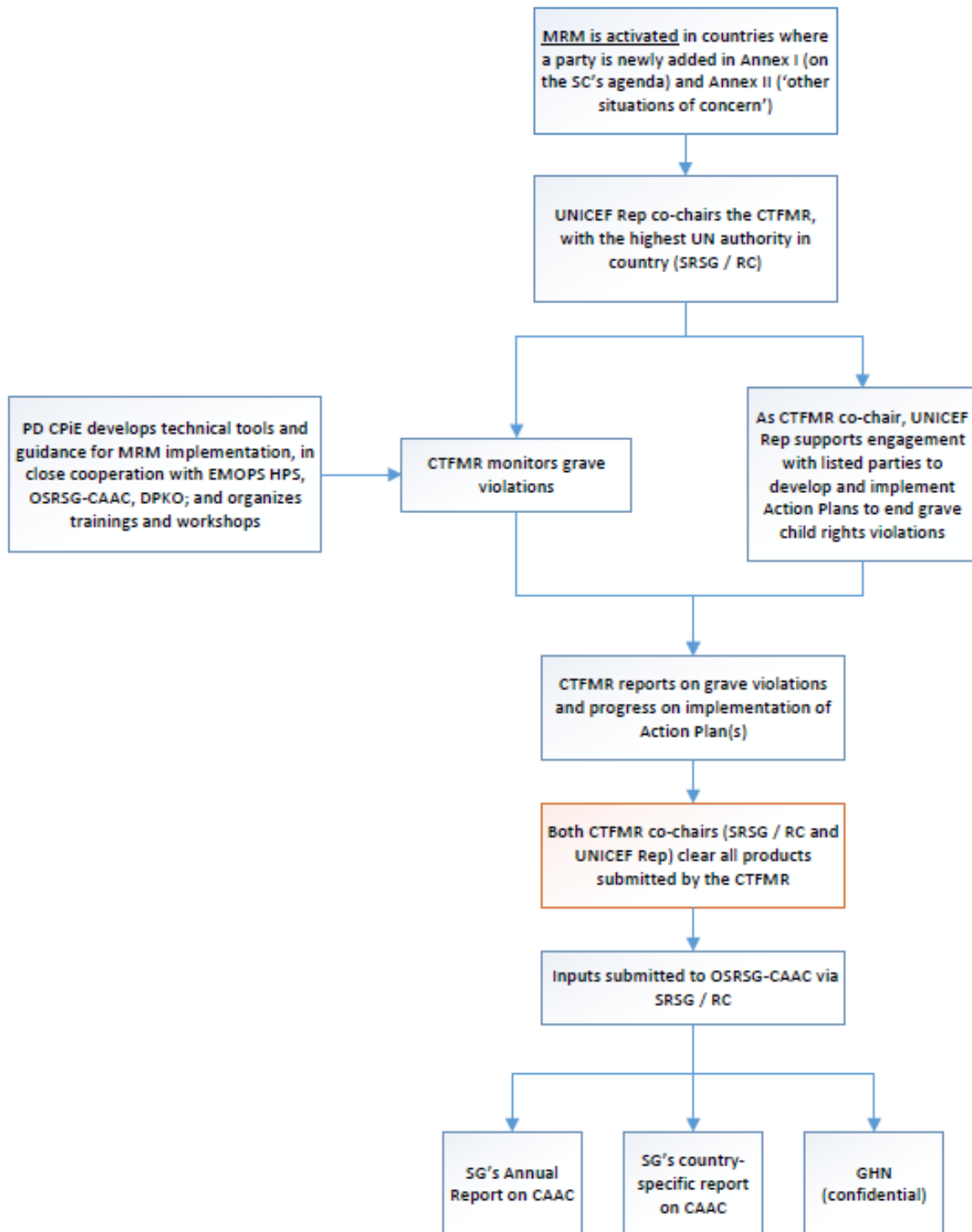
**Annex 1: Situations on the CAAC Agenda
2015 Report of the Secretary-General on Children and Armed Conflict**

	Situations on the agenda of the Security Council	Situations not on the agenda of the Security Council or other situations
Situations where parties are listed and the MRM is activated	<u>Annex 1</u> Afghanistan Central African Republic DRC Iraq Lord's Resistance Army Mali Myanmar Somalia South Sudan Sudan Syrian Arab Republic Yemen	<u>Annex 2</u> Colombia Nigeria Philippines
Situations where parties are not listed and the MRM is not activated	Chad Cote d'Ivoire Israel/State of Palestine Lebanon Libya	India Pakistan Thailand

Annex 2: Production of the SG’s Annual Report on CAAC and MRM activation



Annex 3: Overview of procedures following MRM activation



Annex 4: Production of the SG’s Country-Specific Report

