Child Protection in Emergencies

Priorities, Principles and Practices

Save the Children

The International Save the Children Alliance is the world's leading independent children's rights organisation, with members in 28 countries and operational programmes in more than 100. Save the Children fights for children's rights and deliver lasting improvements to children's lives worldwide.

Table of Contents

Introduction to Save the Children

Since its inception in 1919, the International Save the Children Alliance (or Save the Children) has worked with children in emergency situations.[1] The range of interventions has included: basic medical coverage, feeding centres, family tracing and reunification, support to education, advocacy for schools as "zones of peace", eliminating the use of children in armed groups and forces, support to economic livelihoods, and psychosocial support.

Over the decades, the member agencies of Save the Children have worked in virtually every armed conflict and large-scale emergency that has occurred.[2] Save the Children currently works in 119 countries, of which more than 20 are experiencing or recovering from emergencies. Where possible, the organisation aims to prevent crisis situations and to address recurring challenges such as poverty and instability. On the ground and through advocacy offices in New York, Geneva and Brussels, Save the Children responds to armed conflicts, natural disasters and other complex situations that overwhelm local capacity through emergency programming, and seeks to ensure that interventions include a rights-based developmental approach. The organisation operates long-term initiatives in these areas, sometimes for decades, to improve outcomes for girls and boys.

As a child rights-based organisation, Save the Children works with all children regardless of their legal or social status. Thus, it has extensive experience with refugees, ethnic minorities, internally displaced children, those without identification papers, whole communities affected by emergencies, and returnees amongst others.

Aim of this document

Save the Children's emergency strategy states that child protection interventions are to be part of every first phase response and subsequent recovery. This document details both Save the Children's current perspective on the main protection dangers that children face in an emergency and how to address them. While this document does not aim to provide an all-encompassing strategy, it does provide Save the Children's alliance members and partners with a clear framework for the protection of children in emergencies by outlining a common definition and approach, programmatic priorities, useful programme examples, and the relevant legal framework and standards. Finally, the document serves as

---

[1] An emergency can typically be defined as: *"A situation where lives, physical and mental well-being, or development opportunities for children are threatened as a result of armed conflict, disaster or the breakdown of social or legal order, and where local capacity to cope is exceeded or inadequate".*

[2] *The responses made by Save the Children are coordinated by the Emergencies Liaison Team (ELT - comprised of various member agencies). The Child Protection in Emergencies Professional Exchange Network (CPIE-PEN) provides the ELT and Save the Children members with technical advice on policy and practice for the protection of children in emergencies.*

an extensive reference to additional guidelines, tools and other materials useful to practitioners and policy-makers.

A definition and introduction to child protection

Save the Children fights for children's rights to protection. Save the Children defines child protection as measures and structures to prevent and respond to abuse, neglect, exploitation and violence affecting children.

The goal of child protection is to promote, protect and fulfil children's rights to protection from abuse, neglect, exploitation and violence as expressed in the UN Convention on the Rights of the Child (see the box below) and in other human rights, humanitarian and refugee treaties and conventions, as well as national laws.

Children's Rights to Protection from Abuse, Neglect, Exploitation and Violence

Key child protection articles in the UN Convention on the Rights of the Child (CRC) are Articles 9 (family separation), 10 (family reunification across borders), 11 (illicit transfer of children), 16 (right to privacy, honour and reputation), 19 (protection from violence, injury, abuse, neglect, maltreatment or exploitation), 20 (alternative care), 21 (adoption), 22 (refugee children), 23 (disabled children), 24 (harmful practices), 25 (periodic review of alternative care), 32 (economic exploitation), 34 (sexual abuse and exploitation), 35 (abduction, sale or trafficking of children), 36 (other forms of exploitation), 37 (juvenile justice and protection from torture or other cruel, inhuman or degrading treatment or punishment), 38 (protection in armed conflict), 39 (recovery and reintegration) and 40 (children in conflict with the law).

Articles that are not protection rights but represent important approaches to securing children's protection rights include Articles 5 (support for the parent, extended family and community), 7 (birth registration and protection of identity), 18 (parental responsibility), 26 (social security), 27 (adequate standard of living and social protection), 28 & 29 (education), and 31 (play and leisure). In addition, Articles 2 (non-discrimination), 3 (the best interests of the child), 4 (accountability), 6 (survival and development) and 12 (children's right to be heard) are all essential complements to the above articles.

Child protection work aims to prevent, respond to, and resolve the abuse, neglect, exploitation and violence experienced by children in all settings. It is a specialist sector in its own right but of necessity works very closely with other sectors.

It requires a multi-disciplinary and multi-sectoral approach (linking closely, for example, with work in education, health and criminal justice). Increasing the effective protection of children also involves working with a wide range of formal and informal bodies, including governments, multilateral agencies, donors, communities, carers, and families. Importantly, it also requires close partnership with children, including initiatives to strengthen their capacity to protect themselves. Child protection work aims to strengthen the capacity of all these actors to protect children and to develop systems and mechanisms that provide

meaningful protection for all children in the longer term. It seeks to address the root causes of child protection failures such as chronic poverty, insecurity, power imbalances and harmful traditional attitudes and behaviours.

The State has the main responsibility for the fulfilment of children's protection rights and should establish a national and community-based child protection system with a coordinated and holistic approach, integrating the contributions of the different sectors and actors. Such a system should be based on a combination of law and knowledge (in line with human rights standards), and include well-trained staff, children's participation and awareness raising on the nature and response to child protection concerns. The accountability of the State for such a system is essential for its effectiveness and sustainability. In situations of conflict and disaster where the State is unable or unwilling to ensure the protection of children, international bodies need to take on the responsibility for the fulfilment of children's protection rights.

Child protection is an important component of broader protection activities aiming to ensure the care and protection of vulnerable population groups such as elderly persons, disabled persons, and the chronically ill, as well as children. This includes emergency settings where child protection practitioners work with others to provide a specialist component of overall humanitarian protection for displaced and refugee populations.

Child protection should not be confused with the protection of all children's rights, which is the responsibility of everyone working with children. Similarly, child protection is related to – but distinct from - the organisational protocols, policies and procedures aiming to ensure that every child with whom Save the Children and its partners works is safe while they are in our care.[3]

---

[3] *Save the Children and Child Protection, SC Alliance Child Protection Definition, 2007.*

The current situation of child protection in emergencies

Armed conflicts and increasingly frequent natural disasters continue to scar children's lives. Each year, natural and man-made disasters affect an estimated 231 million people worldwide[4], causing countless injuries and deaths and costing billions of dollars. The majority of the affected people are usually children. In 2006, there were 395 different natural disasters around the world, compared with well under 100 three decades ago.[5] For example, there was a sharp increase in the number of floods - 226 compared with an average of 162 over the previous six years.[6] During January 2007 alone, severe drought and flooding affected nearly 7.5 million people in Bolivia, Indonesia, Mozambique, Madagascar, Somalia, Kenya and Ethiopia.

There are currently 250-300 million children affected by humanitarian crises and disasters globally[7]; increasingly, they come from or stay in urban areas. Of the estimated 24.5 million conflict-related internally displaced people (IDPs) in the world[8], about 50% are children. After a period of decreasing numbers of refugees worldwide, 2006 saw an overall increase to over 9.9 million.[9] It is estimated that between 250,000 and 300,000 children are associated with government armed forces or armed opposition groups in at least 13 countries.[10]

Whether internally displaced or a refugee, whether as a result of war, civil unrest or natural disaster, whether in an urban, rural or semi-rural setting, a child's vulnerability to abuse during a crisis is very high. Families suffer multiple and severe disruptions: losing their homes and livelihoods, and often also losing their autonomy and dignity when trying to obtain humanitarian relief and protection. With an uncertain future, repeated emotional stress and only minimal access to education, children are at risk of sexual abuse and exploitation, physical harm, separation from their families, psychosocial distress, gender-based violence, economic exploitation, recruitment into armed groups, and other forms of harm.

---

[4] *Beyond Disasters: Creating Opportunities for Peace. Worldwatch Institute Report. 2007.* http://www.worldwatch.org/node/5111

[5] *2006 Natural Disasters in Numbers,* Centre for Research on the Epidemiology of Disaster, 2006. http://www.em-dat.net/documents/Confpress%202006.pdf

[6] *Ibid.*

[7] *This is based on a number of recently reviewed UN emergency appeals and information collected by the International Federation of the Red Cross. The number of children impacted by emergencies rises and falls depending on the occurrence of conflict and natural disasters. Child Protection in Emergencies, International Save the Children Alliance, 2006. p. 8.*

[8] *Internal Displacement – Global Overview of Trends and Development in 2006. NRC and IDMC, April 2007, p. 6.* http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/9251510E3E5B6FC3C12572BF0029C267/$file/Global_Overview_2006.pdf

[9] *2006 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons, UNHCR, 2007. p. 4.*

[10] *News release Child Soldiers Being Actively Recruited as Frontline Fodder in at least 13 Countries, International Save the Children Alliance, 2006.*

In the aftermath of the 2004 tsunami, thousands of Indonesian children were abandoned to orphanages, in a phenomenon that has become known as 'secondary separation'; their families placed them there because everything they owned - including their livelihoods - had been destroyed, thus undermining the care and protection they could normally provide.

In the chaos of conflict and emergencies, boys and girls routinely get separated from their parents and families, who may have been killed, maimed or forced to flee. In 2000 there were more than one million children separated or orphaned by an emergency.[11] In Sudan alone, more than 50,000 children have been orphaned, while another 170,000 have no information about their biological parents.[12]

The full extent of sexual exploitation, gender-based violence, neglect and abuse of children in conflict and disaster is unknown. However, according to UNIFEM in Sierra Leone, 94% of displaced families experienced sexual abuse; furthermore, 40% of the population, including 692,000 children, suffered sexual abuse at the height of that civil war.[13] Sexual abuse and exploitation of women and girls by humanitarian staff and peacekeepers has also emerged as a threat, caused by the power differential created by humanitarian dependence.[14] Sexual exploitation is a common feature of the wartime landscape, making its victims more vulnerable to the spread of HIV/AIDS and other diseases.

Save the Children staff has daily experience of the changing nature of natural disasters and armed conflicts. Not only are the latter increasingly internal in nature, but they are increasingly gang or militia-based with neither obvious channels of accountability, nor clear ends to the fear and havoc they create. Millions of children grow up surrounded by actual or threatened fighting. The global "war on terror" brings new dimensions to this heightened sense of childhood and humanity under siege, as does the planet's increasingly fragile eco-system. While several recent armed conflicts have been - at least in part - over the control of mineral wealth (i.e. Democratic Republic of Congo (DRC), Sudan, Colombia), Save the Children sees a clear trend of increased conflict over access to the most basic natural resources (i.e. water, basic fuel, agricultural land).[15] The picture remains bleak indeed for children.

---

[11] *UN agencies' estimates in 2000.*
[12] *Watchlist on Children in Armed Conflict: Sudan, Watchlist on Children in Armed Conflict, March 2003, p. 6.*
[13] *Child Protection in Emergencies, International Save the Children Alliance, p.10.*
[14] *From Camp to Community. Save the Children UK, 2006. pp. 6-11.*
[15] *See Legacy of Disasters, Save the Children UK, 2007.*

Programming priorities for child protection in emergencies

To ensure the highest level of response and protection during an emergency, Save the Children has defined five programming priorities. They have been identified - from the vast range of violations of children's rights to protection - in order to guide sustainable child protection activities in the field, to use resources efficiently, and to target advocacy efforts to achieve systemic change. They are listed briefly below, while subsequent chapters go into some depth on each issue. It is important to note that these are categories constructed to facilitate work; in reality, the issues are often cross-cutting and children's experiences overlap. Thus, practitioners need to focus on each child in his or her entirety.

- **Family separation:** Children are at risk of being separated from their primary caregivers during emergencies, either as a direct result of the emergency or as a result of its consequences. The identification of separated children, as well as tracing of their families and subsequent reunification, are therefore priorities in every phase of any emergency. Interventions that prevent secondary separation are also required.

- **Recruitment into armed forces or armed groups:** In situations of armed conflict, boys and girls are regularly recruited into armed forces or armed groups. While this involvement may be forced or "voluntary", they take on a range of roles - including fighting, acting as spies or messengers, cooks and porters, and for sexual purposes. Recruitment exposes children to a number of extreme risks, such as death, physical injury, psychological damage, and sexual abuse. Return to civilian life can pose many challenges for both children and communities.

- **Exploitation and gender-based violence:** Sexual violence and exploitation are chronic risks to girls and boys in situations of emergency. In times of social crisis, when their support and protective structures are limited or non-functional, children – particularly those who are displaced – are most vulnerable to abuses such as rape, incest, molestation, trafficking and early marriage.

- **Physical harm:** In every emergency, boys and girls risk being physically harmed. As the nature of armed conflict and natural disasters evolves, civilians are increasingly becoming targets and victims of violence and are at risk of being maimed or killed. The tremendous stress under which caregivers live can lead to disproportionate punishments. Programmes that enhance children's physical safety - such as landmine awareness - and that advocate for greater protection of girls and boys are essential in all emergencies.

- **Psychosocial distress:** During emergencies, children are exposed to a variety of extreme circumstances, some of which are beyond their capacity to cope. It is now accepted that in addition to meeting basic needs, such as food and shelter, it is essential to consider the emotional and developmental support of

children. They recover from distressing experiences more quickly when supported by their family and community in a child-friendly environment.

The right to protection from family separation

The risk of family separation

Families are the basic protective unit for children in society, and in almost all cases provide the best environment for meeting a child's developmental needs. A separated child[16] is thus very vulnerable to a number of risks - including recruitment into armed forces or armed groups, living in institutions, abduction, trafficking, sexual exploitation and abuse - during and beyond emergencies, and requires urgent assistance.

During population displacement, such as fleeing a disaster or being trucked to a new camp for IDPs, children can easily become separated either voluntarily or involuntarily. The scale of the problem is often determined by the nature of the emergency, as well as the community's circumstances pre-crisis. Young and differently-abled children are particularly vulnerable, as they may be unable to move as quickly as others. Separation can also be triggered when families lack the services they need to care for their children and believe such services would be available elsewhere, or when residential childcare facilities are created that may provide better services than the family is able to access. This kind of separation can often develop un-noticed in the weeks and months following a humanitarian crisis, falling under the radar of emergency response personnel focused on the impact of the initial shock.

Where family separation is lengthy, it may be extremely difficult for children to reintegrate into families. The death or absence of one or more carers, or a remarriage, can mean that the care of the child is no longer seen as a priority for the household. Children may not only lose the care and protection of the family, but may also be excluded from household assets, such as land.

For some children, separation from their original family may be permanent, due to the death of those family members or tracing efforts (where they exist) being unsuccessful. These children are at particular risk of ending up in hazardous labour, such as sex work or association with an armed group, or of being exploited or neglected in unsuitable care arrangements, such as institutions.

---

[16] *"Separated children" are those separated from both parents - or their previous legal or customary primary caregiver - but not necessarily from other relatives. These may therefore include children accompanied by other adult family members. "Unaccompanied children" (also called unaccompanied minors) are children who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so. "Orphans" are children with both parents known to be dead. In some countries, a child who has lost one parent is called an orphan.*

Reducing the risk

No matter the situation, all children have a right to family care, just as families have a right to care for their children. Some forms of family separation are avoidable and, thus, programming must include an element of prevention. When separation does occur, rapid reunification of separated children with their parents or customary caregivers is a priority.

Programmes identify and register separated children, using the global inter-agency registration format and case management database. Save the Children and other agencies have developed a common format for registration and a database for effective case management. Family tracing begins as soon as the child is registered and can take many forms. In times of mass population movements, methods such as 'tracing kiosks' and lists in public places are often used. Case by case tracing is usually conducted for girls and boys in interim care, while photo and video tracing are commonly used for babies and children under the age of five. Children themselves may be involved - for example, older separated children can often sensitively interview their peers for documentation purposes.

> The Interagency database for tracing separated children was initially set up in Aceh, Indonesia after the 2004 tsunami. It was hosted and run by the social services department, and Save the Children seconded some staff to provide technical assistance. Two years on, its scope has been expanded to include other children in need of protection and it is on course to become a social services case-management tool. A similar interagency database is running in Juba, southern Sudan to assist in the tracing and reunification of children who were separated during the conflict there.

> In eastern DRC, Save the Children set up mobile 'listening points' or tracing kiosks in strategic places where people gathered, such as IDP camps. These kiosks displayed names of missing children and also registered tracing requests. Any information gathered would be collated centrally and analysed for matches. Tracing agents would then facilitate the reunification of children whose parents have been found.

While some children may require interim care to ensure their protection and well-being while their families are being traced; focus must always remain on the reunification of the child and traditional caregiver. High quality care is interrelated with other aspects of integration, such as community-based support services, education and skills training. Research and experience have shown that residential centre-based care is rarely the most appropriate form of interim care. The very existence of institutions may encourage children to leave their families or vice-versa. Institutions may seem to offer benefits to children, but they are rarely the best place for them to grow up.[17] Instead, alternate arrangements, such as foster families or group homes, usually provide more suitable environments for a child's growth and development.

---

[17] *See A Last Resort: The Growing Concern about Children in Residential Care, Save the Children, 2003.*

Once families or habitual caregivers are found, they undergo a verification process, on which Save the Children works closely with local authorities wherever possible. These authorities can be instrumental in resolving complex cases, especially when parenthood is disputed. Experience has shown that most separated children have family members willing and able to care for them. However, in cases where families are not found, alternative arrangements – such as adoption and fostering – need to be made. These are measures of last resort and should not be made during the emergency phase.

Family and community mediation processes can be important to ensure the full acceptance of a child. Children formerly associated with an armed actor or survivors of sexual abuse may face stigmatisation, for which social rituals, such as cleansing ceremonies, may help. Reunification with families improves children's reintegration but needs to be followed with appropriate community-level services that assist children to remain with their families. It is important to encourage children to join educational institutions, including those offering vocational skills training. It may be necessary to establish referral systems at community level and/or advocate for access to basic services. Follow-up is a long-term process; while best practice recommends at least two visits to monitor reintegration and link children with appropriate, available support, this can prove very difficult given security concerns and large distances.

Prevention programmes encourage family and community preparedness. Where there is population movement, special messages to keep families together are given at points where separation may occur. Coordination, information exchange and coherence at policy level are also vital in preventing separation, as is close collaboration with actors providing other forms of assistance. All agencies active in emergencies need to consider the long-term implications of their actions, as these can sometimes cause family separation and other protection concerns.

> In Pakistan, Save the Children disseminated guidance to all helicopter carriers evacuating the wounded to promote good practice and prevent separations occurring in the immediate days following the earthquake.

> As a result of frequent separation, families in southern Sudan were encouraged to teach children their extended family tree - including names of their parents, grandparents and great-grandparents, home area, and other relevant information - in the form of a song. This made tracing faster in the event of separation. The agency suggested to families in the DRC to designate a meeting point in the event of flight from danger.

During the mass displacements that characterised the Liberian civil war, Save the Children staff would drive alongside the lines of people fleeing, using a loud speaker to encourage families to prevent involuntary separation, by keeping their children close and having them walk closely in front of the adults.

The right to protection from recruitment into armed forces or armed groups

The risk of recruitment into armed forces or groups

The recruitment of girls and boys[18] by a variety of armed actors remains widespread, with almost half of the states engaged in warfare in 2004 reportedly using combatants under the age of 15.[19] Horrifying stories have emerged from the DRC of children constantly beaten and forced to commit atrocities, such as rape and sexual torture. In Burma, little if any progress has been made, with an estimated 70,000 boys and girls in the government's armed forces. Disturbing reports from Colombia reveal that the number of children used by armed groups has increased to around 11,000 in recent years, with some as young as 12 being trained and deployed. In many locations – such as Sri Lanka and Côte d'Ivoire – government–backed militias are carrying out abductions and recruitment.[20]

Children Associated with Armed Forces or Armed Groups (CAAFAG - referred to in this document as "child soldiers") risk being exposed to horrific levels of violence and exploitation, torture, sexual violence and witnessing of atrocities. Additionally, they may be exposed to landmines, unexploded ordnance, HIV and other sexually transmitted diseases. By definition, they are separated from their families and alienated from their usual ways of life. These physical and emotional wounds manifest in different ways and can last a lifetime.

Certain groups of children are most at risk of recruitment. They include children who have been displaced (especially those who live in camps that no longer have a civilian character), separated, migrating - for work or any purpose – or living in communities that are severely impoverished or affected socially by conflict.

Re-recruitment of previously demobilised children is also a concern. The 'push' factors are usually lack of educational, economic and social opportunities in children's civilian lives. The 'pull' factors can be earning a salary, being provided for by the fighters, or feeling part of a group.

---

[18] *Any person under 18 years of age used in any capacity by an armed force or armed group - including but not limited to use as combatants, cooks, porters, messengers, spies and for sexual purposes and forced marriage - is deemed a child associated with an armed force or armed group (commonly known as a 'child soldier'). The term does not, therefore, only refer to a girl or boy who is carrying or has carried arms. It also includes a child who is considered or treated as a deserter for choosing to flee.*
[19] *Children and Armed Conflict, 2002. Ploughshares.*
http://www.ploughshares.ca/imagesarticles/ACR03/Child_armed.conflict.pdf
[20] *Annual Report 2004, Coalition to Stop the Use of Child Soldiers, 2004. http://www.child-soldiers.org/library/global-reports?root_id=159&category_id=165*

Girls

It is important to note that while the majority of child soldiers are boys, in some cases girls are recruited in high numbers (e.g. the 2006 OSRSG report estimated that girls make up 32% of recruitment to Sri Lanka's Liberation Tigers of Tamil Eelam.[21] Office of the Special Representative of the Secretary-General for Children and Armed Conflict also reports that nearly one–third of child soldiers in Northern Uganda are female.[22]), and their situation can be equally serious. In addition to taking part in combat, girls also risk being subjected to gender-based and sexual violence, which can cause grave reproductive problems, vulnerability to HIV/AIDS and severe social, psychological and physical complications. For example, Colombian girl fighters have reported the enforced use of contraceptives and abortions, often after coercion to become the "girlfriend" or "wife" of an adult soldier.

The extent to which girls are included in formal demobilisation is extremely low, due to the fact that they are simply not considered as "child soldiers" (despite the expanded definition) and due to a lack of information, reluctance of captors to release girls and non-inclusive programme design. In DRC, for example, it is estimated that girls formed 12% of demobilisations, yet the overall figure of girls within armed groups is felt to be much higher. In the event that girls manage to leave an armed group, they often face extreme difficulty in being accepted by their communities – to the extent that many opt not to return home. This puts them at risk of having to resort to undignified, exploitative and unsafe methods of survival, including sexual exploitation and abuse.

Programmes must pay special attention to identifying, documenting and responding to the specific needs of and threats to girls, including the medical impact of sexual violence, early motherhood, intense stigma and the responsibility of looking after their own children.

> Save the Children is implementing a project called "Life after the LRA: Piloting Positive Deviance with the child mothers and vulnerable girl survivors in Northern Uganda". The project's purpose is to create an enabling reintegration process for the young mothers and vulnerable girls returning from the LRA and to reduce their engagement in transactional /commercial sex by strengthening peer support networks, identifying sustainable reintegration strategies and facilitating access to social services. The Positive Deviance Approach includes: 1) Livelihood skills support to provide alternative coping mechanisms. 2) Counselling and mentoring for those that often exhibit extreme anti-social behaviour, and who have difficulty reintegrating into their communities. 3) Capacity building strategies in income generating activities, such as training in basic business skills to meet income needs. 4) Peer support networks to discuss influential and confidential issues that affect their lives.

---

[21] *Report of the Secretary-General on Children and Armed Conflict in Sri Lanka, Office of the Special Representative of the Secretary-General for Children and Armed Conflict, 2006. UN Document S/2006/1006, p. 6*

Reducing the risk

In the past ten years, between the initial 1997 Cape Town principles and the 2007 Paris Principles, a legal and policy framework[23] has been developed, along with a shared understanding and approach to the protection of children from recruitment and to rights-based community reintegration. The Paris Principles incorporate knowledge and lessons learned from the Cape Town Principles and from international law and standards, with particular emphasis on the informal ways in which boys and girls both become associated with and leave armed forces or groups. They are standards to which all actors – UN agencies, governments, donors, NGOs – should aspire and against which they should be measured. They state that interventions must recognize the specific context of the problems and solutions (1.7.0); that any solution must address the needs of all children affected by armed conflict and support local capacity to provide a protective environment for children (1.7.1); that the environment supported or established should act to prevent discrimination against girls (1.7.2); that a long–term commitment by all actors is needed to prevent unlawful use of children, promote their release, protect them, and support their reintegration (1.7.3); that the family, clan and community should be actively incorporated in the development and implementation of interventions and activities, and should participate in finding solutions (1.7.4); and that continuous advocacy is needed to raise awareness of the criminality of recruiting children (1.7.4).

Reducing the incidence of recruitment

Prevention through community-based actions and networks: Save the Children aims to strengthen the ability of communities and young people to prevent the recruitment of children. For example, in Sri Lanka, mothers grouped together to force recruiters to leave their village.[24]

> Of the thousands of children who attended Save the Children's socio-education and recreation centres in Cote d'Ivoire, only a handful responded to armed groups' calls for re-recruitment in 2004. It was clear that the safe, structured environment that the local Child Protection Committees had created for them served as a buffer between them and armed groups who hoped to draw children back into their ranks.

Advocacy for unconditional, immediate release: Save the Children's global advocacy strategy (often with UN agencies such as UNICEF and OHCHR) calls for the immediate and unconditional release of girls and boys by all armed actors; ceasefires and/or peace agreements can never be a condition for release. Armed actors vary in their levels of openness about the number of children in their ranks. Dialogue with armed groups, in particular, is difficult as they are often remote, in

---

[22] *"Former girl soldiers bringing hope to their peers in Uganda" Press release 9 Nov 2007, Office of the Special Representative of the Secretary-General for Children and Armed Conflict, online: http://www.un.org/children/conflict/pr/2007-11-09171.html*
[23] *See annex 1 for details.*
[24] *See Fighting Back and the section below on "Working with Local Communities to Build Capacity".*

hiding and may see little incentive to releasing children.[25] However, carefully planned advocacy can bear fruit with individual commanders or with a centralised – usually government – army.

Where there is a formal disarmament, demobilisation and reintegration (DDR) programme, provisions for any remaining children need to be made in order to ensure safe reintegration. Children should not be required to relinquish a weapon in order to participate in DDR programmes, as in keeping with the Paris Principles, nor should they be prosecuted for their participation in hostilities or for acts committed during that period. Any judicial proceeding involving former child soldiers needs to be within a framework of restorative justice that promotes the psychological and social rehabilitation of the child and must be carried out in accordance with the CRC and other international standards for juvenile justice.

Child protection training: Training armed forces and groups on child protection issues can have multiple objectives and positive outcomes. It is also important to ensure that peacekeeping troops who will be dealing with DDR have a good knowledge of child protection issues.

In January 2001, Save the Children provided the Congolese Army's 6th Brigade with training focussing on the CRC, international law and international humanitarian law prohibiting the recruitment of children, including its impact on children. The number of children demobilised in South Kivu that month had been five – the release figure for the following month was 68.

Save the Children's training program for the Ugandan army (UPDF) has enabled the latter to enhance directly and indirectly the protection of boys and girls. The UPDF's Child Protection Units act as the initial reception centres for children rescued from the rebel forces; from there, the children are taken to Save the Children sites for family reunification.

Within the community, the UPDF have shown commitment to addressing cases of rights violations and abuse brought forward through civil-military relations. Boys and girls have been encouraged to participate in dialogues with the UPDF and have raised such issues as recruitment, child labour, sexual abuse, neglect, and expectations of IDP protection.

Reintegration support prevents further problems

Being prepared for any kind of release/exit: It is important to realise that children leave the fighters in many ways – unconditional release during ongoing conflict, capture by government troops, formal DDR programmes, escape, or clandestine release post-conflict – and to be aware of and provide support to environments where they appear; particularly in the case for girls. DDR programmes during an ongoing conflict can help children break links with their commanders. For "self-demobilising" children, it is very difficult to provide assistance and support in a manner that allows them to remain anonymous. While

---

[25] *See OCHA's Manual on Dialogue with Non-state Actors.*

it is challenging to reach those who have been released informally, programmes can use a mix of advocacy with commanders, public awareness campaigns, and child-to-child outreach.

A brief period in age and gender-appropriate interim care may be required for some children, such as those who require family tracing or medical care. Transit centres, community-based care and a network of foster families have all been used both in ongoing and post-conflict situations. The type and length of care must be determined using a context analysis and individual case assessment. Interim care can prepare children for civilian life, as well as be useful in preparing families and communities for their return. Interim care and reintegration efforts must take into account the former child soldiers' age, gender and specific health and development needs, including their psychological and social needs. It must always be planned and implemented as part of a community-based programme that facilitates the reintegration of child soldiers to their communities.

Long-term, inclusive programming: The needs of released children can be immense. Most face one or more emotional, psychological and psychosocial challenges in coming to terms with their new status and being able to find their place in their communities. The victimisation they have experienced can lead to stigmatisation. Communities still deeply affected by conflict may suffer from broken social and economic structures. Family members may have been killed, possibly by the very armed group the children were part of. Communities may seek revenge for atrocities the children were forced to commit. Girls and boys alike may find it hard to readjust to traditional gender roles and to non-violent behaviour.

The Baratashye "going home" project was designed to provide post-reunification support to former child soldiers and their families and communities in Rwanda. Its objectives were: (1) to enhance the capacity of families and community to recognise and respond to the needs of former child soldiers and other vulnerable children, (2) to support vocational and life skills education opportunities to former child soldiers and other vulnerable children, (3) to promote service provisions and assistance to former child soldiers and their families, other vulnerable households and support groups, particularly in relation to access to health services, community development, food security and economic activities, and (4) to develop greater understanding of most effective interventions to meet the needs and guarantee the rights of returning child soldiers and other vulnerable children, including street children.

Unless reintegration work begins to address the needs of all vulnerable children and adolescents, the overall impact of selective assistance will further break apart communities, create harmful tensions and result in former child soldiers not benefiting from assistance for the reason that they do not want to be identified as former fighters. Clubs - open to all children and adolescents - can provide a supportive environment for creative growth and learning. Reintegration must be a

long-term commitment by Save the Children and other agencies.[26] Livelihoods interventions should be planned with technical input, in order to determine access to markets, longevity of programme, possible partnerships and related matters.

Regional instability, poor reintegration programme implementation, and lack of long-term funding have contributed to children being re-recruited either within their own community or in neighbouring situations. Demobilisation, reintegration and prevention of recruitment or re-recruitment are indivisible components, and must all form part of any programming designed for child soldiers. Finally, those programmes need to recognise and to build on the strengths and capacities of girls and boys who were formerly associated with armed groups or forces.

---

[26] *Stolen Futures: The reintegration of children affected by armed conflict. Submission to the ten-year review of the 1996 Machel study on the impact of armed conflict on children. Save the Children Alliance, 2007*

The right to protection from exploitation and gender-based violence

The risk of exploitation and gender-based violence

The incidence of exploitation and gender-based violence often increases during and immediately after armed conflict and in times of natural disaster because of the breakdown in social structures and protective mechanisms normally provided by the state, community and family.[27] Gender-based violence is the threat of or actual physical, psychological or emotional harm, including sexual harm, which is directed at an individual or group of individuals on the basis of their sex or gender. It is an abuse of power and is the result of actions or inaction by individuals, communities and/or the state. The term includes sexual violence such as rape, sexual exploitation, forced prostitution, female genital mutilation, forced marriage, domestic violence, abduction and trafficking. Although males also are victims of this type of violence, females tend to be the primary victims. The use of violence is inextricably gendered and linked to the exercise of power.[28]

Fighters may use rape and forced pregnancy as an instrument of warfare to degrade, humiliate, and destroy a community's social fabric. For example, between 250,000 – 500,000 women were raped during the genocide in Rwanda, while 94% of displaced households in Sierra Leone experienced sexual assaults, including rape, torture or sexual slavery.[29] Even in places where rape is not used as a systematic strategy of humiliation and degradation, unaccompanied children or vulnerable women might be victims of sexual exploitation or outright rape by neighbours and community members. Many displaced people are hosted in family arrangements where power inequalities may lead to exploitation, sexual violence and abuse by relatives. Women and girls also may fall victim to exploitation, as those who have power, goods or other assets demand sex for humanitarian assistance or protection.

The level of food rations and the ways it is distributed also play major roles in sexual exploitation. Displaced Liberian children revealed that when food rations and other supplies ran out towards the end of the month, they were put under greater pressure to seek out alternative means of supplementing the family income. One young girl stated that they would often resort to "doing things we shouldn't do with men" in order to obtain food. Others noted that many of their peers would "hang around" soldiers as a means of obtaining food or money. High rates of teenage pregnancy were also reported in the camps, forcing many

---

[27] *If Not Now, When? The Reproductive Health for Refugees Consortium, 2002.*
http://wwww.reliefweb.int/rw/rwb.nsf/AllDocsByUNID/40b847015485b34749256bfe0006e603 and Women, War and Peace by Elisabeth Rehn and Ellen Johnson Sirleaf,
http://www.reliefweb.int/rw/lib.nsf/db900SID/LGEL-5FMCM2/$FILE/unicef-WomenWarPeace.pdf?OpenElement, UNIFEM, 2002.
[28] *Gender-Based Violence: Care and Protection of Children in Emergencies. Save the Children US, 2003, pp. 3-4.*
[29] *Women, war and peace. UNIFEM. p. 9.*

girls to leave school and fend for themselves and their babies. In addition, the lack of security in camps was a serious problem for them and their families. Girls expressed that rape and the threat of rape was a major concern, with the perpetrators being both from within the camp community as well as military forces from outside.[30]

> A 2006 study conducted in Liberia by Save the Children found that a high proportion of girls, in both the camps and returnee communities, were involved in "selling sex". The girls reportedly ranged in age from eight to 18 years, with girls of 12 years and upwards identified as being regularly involved in "selling sex". Reference was consistently made to men with money or status being involved in this exploitation. Camp officials, humanitarian workers, businessmen, peacekeepers, government employees and even teachers were frequently cited.

The effects of sexual exploitation and gender-based violence are devastating. It leads to an increase in rates of HIV/AIDS; forced/unwanted pregnancies; and high maternal and infant mortality rates due to the lack of infrastructure and health care. Young girls whose bodies are not yet fully developed to carry a child may also face long-term health problems. Babies born as a result of rape/exploitation face a high risk of being abandoned or neglected. Other consequences include girls being ostracised from their communities due to the shame of having been raped and/or becoming pregnant outside of wedlock, and sexually abused boys being stigmatised. Survivors can become even further vulnerable to commercial sexual exploitation due to the lack of social support and alternative, viable livelihood options.

Boys who are survivors of sexual abuse and exploitation may face life-long feelings of guilt and distorted bodyimage. Male survivors of sexual abuse may develop aggressive of self-harming behaviours as adults.

In an effort to protect their children or as a means of survival, parents may be more likely to impose harmful traditional practices on their children during conflict or disaster. Early marriages increase when families cannot provide for their children's basic needs or when they feel it is safer for the young women to be married. In the conflict-affected population of Darfur, Sudan, there are indications that female genital mutilation is increasing, as families believe the practice may protect their girls from sexual violence. After the devastating earthquake in Pakistan, a number of humanitarian interventions targeted non-food items to IDP households. As families were desperate to increase their access to goods, they 'established' additional households by marrying off daughters at a younger age.

---

[30] *"Field visit to Liberia & Sierra Leone, March 2003", Internal document, Save the Children UK.*

Reducing the risk

The likelihood of boys and girls experiencing gender-based violence or exploitation is determined by a number of interconnected factors. Pre-existing inequalities and discriminations are mirrored and magnified by the effect of the disaster, unless countermeasures are put in place. Children who are involved in a disaster are much less likely to experience exploitation if their community already had a high level of understanding of the importance of protecting children. [31]

There are many ways that a humanitarian setting can be designed to reduce the likelihood of gender-based violence and exploitation. Of critical importance are measures to enhance civilian security, which can be complex given that peacekeepers' camps themselves can be a magnet for sexual exploitation. Other examples are: distribution systems should be structured to reach vulnerable groups - such as separated children and child-headed households - so that they are not forced to engage in exploitative behaviour in order to survive; all staff, peacekeepers, and officials should be trained in children's rights, gender sensitivity and the humanitarian code of conduct[32]; site planners should collaborate closely with women and children on the placement of latrines and wells, as well as on procedures for collecting firewood; and crowded living conditions – which can undermine social norms and practices and result in increased risk of abusive behaviour – should be avoided.

Programming should be designed to restore survivors' dignity. For example, education and vocational training must reach vulnerable children, so they can learn skills to support themselves. Awareness campaigns are useful in sensitising the community to women's and children's rights, as well as to the ramifications of sexual violence. Child survivors must have access to appropriate support services and provisions, including access to appropriate reproductive health care, such as specific support to pregnant girls or those who have babies. Support systems should also include psychosocial programmes and assistance in reintegrating children.

International relief organisations should work with local communities and children to ensure that community-based protection strategies and mechanisms are supported and strengthened. Working in partnerships with local NGOs, national and local government, advocacy efforts can be directed toward the creation of legislation and action plans that prevent and address trafficking and

---

[31] *Protecting Children from sexual exploitation and sexual violence in Disaster and Emergency situations - A guide for local and community based organisations. ECPAT, 2006, pp. 37-40* http://www.crid.or.cr/digitalizacion/pdf/eng/doc16534/doc16534-contenido.pdf

[32] *The United Nations has responded in several ways to the allegations of sexual exploitation and abuse: The Inter-Agency Standing Committee (IASC) Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises was established in 2002 by the UN and nongovernmental entities. It developed measures, definitions and adopted principles of behaviour related to sexual exploitation and abuse, the so-called six core principles, for the UN and other NGOs to include in their code of conduct. See the Report of the Inter-Agency Standing Committee Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises and the Zero-Tolerance Policy Regarding Sexual Exploitation and Abuse for more information.*

exploitation. Targeted training of district officials, community leaders, law enforcement and media also helps to facilitate an environment that will not tolerate these abuses.

> In Darfur, Sudan, Save the Children provides opportunities for women and adolescent girls to acquire life-skills and to set up preventive measures to reduce the exposure to Gender Based Violence and provide support to survivors through women's centres. These women's centres provide literacy classes, vocational training and awareness-raising sessions that help them to learn how to protect themselves from STDs and train them on basic GBV issues.

Children's meaningful participation is crucial when developing programmes for their protection and recovery. Boys and girls are less vulnerable to abuse if they have skills to keep themselves safer, and if they have higher levels of confidence and self-esteem, and the ability to articulate and explain their wishes, together with a range of coping skills. All of these skills and attitudes can be taught prior to an emergency and then reinforced during the relief and recovery efforts.

> **Cote d'Ivoire – integrated support**
> As part of a hospital and health centre rehabilitation project in Cote d'Ivoire, Save the Children is training health workers, social workers, police gendarmes and other local authorities on appropriate and coordinated responses to cases of child abuse, including sexual abuse. In this way, the hospitals and health centres will not only serve as places providing primary health care, but as more protective environments situated in communities in crisis.

> In Liberia, Save the Children worked with adolescent girls and boys affected by the conflict to develop and deliver life skills training. Part of this training covered the risks and causes of sexual violence – for example providing boys with techniques to recognise and mitigate violent tendencies in themselves, or enabling them to reassess assumptions about girls and gender-based violence. Girls were able to learn and share strategies to reduce the risk of violence and sexual violence and sexual and reproductive health problems.

Agencies responsible for collecting information on gender-based exploitation in conflict areas should engage local organisations and community leaders. Children who report sexual abuse, especially in emergencies, are often not believed or even are blamed for the abuse. The system for monitoring and reporting violations and recourse mechanisms should be implemented with child-friendly procedures to ensure that boys and girls feel comfortable reporting violations and that they and their families are protected from retribution.

> In Cote d'Ivoire, Save the Children strengthened community mechanisms to tackle gender-based violence in emergencies through:
>   • training community-selected gender-based violence focal points and peer educators;
>   • providing community sensitisation on causes and consequences of GBV;
>   • working with communties to create referral systems.
> While some villages have been more receptive than others, overall the programme has helped to highlight the issue and provoke discussion.

With Resolution 1612 in July 2005, the UN Security Council set up a monitoring and reporting mechanism aimed at reducing impunity for grave violations – including sexual violence – against children affected by armed conflict. This resolution is significant for the fact that it brings sexual violence directly to the attention of the Security Council and creates the possibility for the Council to take action to address this serious issue.

The right to protection from physical harm

The risk

There are many forms of physical harm to children: violence, unsanitary conditions, bad physical environment, malnutrition, and others. This document highlights the issues on which Save the Children works that are related to protection. As the 2006 *UN Study on Violence Against Children* detailed, physical harm[33] is a widespread problem that appears to be on the rise. In an emergency, the various forms of targeted and generalised violence against children are often exacerbated.

Generalised Violence

In conflict situations, both boys and girls face brutal, indiscriminate acts of violence. During a recent ten-year period, two million children died as a direct result of armed conflict, and an additional six million were injured or disabled.[34] They may be drawn into wider societal or communal fighting or violent street demonstrations. Sometimes, they simply find themselves in the wrong place at the wrong time, such as at home during a security sweep or armed attack. Children are hurt while fleeing violence or intercepted by immigration or security forces that may beat or detain them.

Eight to ten thousand children are killed or maimed annually by landmines and unexploded ordnance (UXOs).[35] Globally, rural male adolescents are most at risk.[36] The threat of injury or death continues for decades and is elevated even in natural disasters – for example, landmines may have shifted during flooding or people may be travelling through unsafe areas looking for food or water.

The overall breakdown in children's protective environments can lead them into anti-social and violent behaviour. Joining a gang as a means of "belonging" and being protected, boys – in particular – can turn to looting, drug trafficking, and/or consumption, which then places them in confrontation with police.

---

[33] *The most visible form of child maltreatment, physical harm can be inflicted by children or adults intentionally or unintentionally. It can have negative emotional and social effects, including, for example, stigmatisation in societies where disabilities are shunned.*

[34] *Situations of Concern, Office of the Special Representative of the Secretary-General for Children and Armed Conflict. http://www.un.org/children/conflict/english/conflicts.html*

[35] *Report Profile: Children and Armed Conflict, United Nations Security Council, 12 July 2006. http://www.securitycouncilreport.org/site/c.glKWLeMTIsG/b.1846403/k.49B3/Profile_Children_and_Armed_ConflictBR12_July_2006.htm*

[36] *Landmine Monitor Report, 2006, International Coalition to Ban Landmines. http://www.icbl.org/lm/2006/intro/mine_action.html*

Targeted Violence

Children may be subject to arrest and illegal detention for political reasons on an individual or group basis, and are frequently rounded up when their relatives are suspects. Their status as minors is often disregarded and they are held in adult facilities, facing torture, maiming or extra-judicial killing, especially if linked to any sort of armed group. Perceived as outsiders who bring disease and social unrest, refugee and internally displaced children may be singled out for physical harm when they mix with the host population.

Children report an increased incidence of severe punishment (e.g. thrashings or being burnt with a cigarette) from neighbours and community leaders during times of social crisis, particularly when alcohol is widely available. Domestic violence frequently increases in times of stress, when families (especially heads of households) have difficulty coping. Separated children and those in extended family care are particularly vulnerable to abuse and neglect as tensions rise and resources dwindle. Students also report teachers' elevated stress and overly harsh punishments. Years after an armed conflict has ended, children continue to feel its effects in how adults – who themselves grew up with the army as their family – discipline them in schools and in the home.[37]

Reducing the risk

In emergencies, Save the Children prioritises programmes that lessen the risk of children being physically harmed – such as establishing child friendly spaces, providing accessible information on the risks boys and girls face, advocating for safe passage to water and fuel points or for child detainees to be separated from adults – as well as running programmes that allow survivors to live normal lives in their communities.

Child-friendly spaces were set up as part of Save the Children's response to the 2006 crisis in Lebanon. The conflict had led to the presence of many UXOs, especially cluster bombs, so staff included landmine awareness into the curricula for the play areas.

A crucial constraint to reducing and mitigating physical harm is humanitarian access. Save the Children underscores the critical importance of the Security Council's call for parties to an armed conflict to make special arrangements to meet the protection and assistance requirements of children.[38] A coalition approach to documenting obstacles to working with boys and girls in need of protection, as well as attacks against them and the impacts of the situation on them, may be appropriate. It may prove effective to then raise the concerns through a carefully structured advocacy campaign that highlights gross atrocities, such as children being injured and killed by bombings, indiscriminate shellings, and other forms of attacks.

---

[37] *See Violence Against Children in Southern Sudan, Save the Children Sweden, 2007.*
[38] *See annex 1 on International Legal Framework, particularly UN SC Resolution 1612, and OCHA website on Protection of Civilians in Armed Conflict.*

In the aftermath of the 2005 earthquake in Pakistan, Save the Children established child-friendly spaces for children where they could play and engage in non-formal education in supervised areas away from the rubble and debris that posed considerable threats to their physical safety.

Save the Children has worked closely with the Ivorian National Child Protection Commission to establish a national action plan for preventing and responding to child abuse. With the agency's encouragement, the Commission decided to lobby the Ministry of Civil Service and Employment to hire psychologists to work with abused children in the country's social welfare centres. If successful it will represent the first time that psychologists are included in Cote d'Ivoire's civil service.

While it is extremely rare to have influence on political demonstrations, it is possible to work with the police and others to improve how they handle child protesters. It may also be feasible to run very popular activities for children at the time of a rally, in order to encourage some of them to stay away from the demonstrations.

It is particularly important to ensure regular monitoring of all prisons, holding centres and border points.[39] In order to do so effectively, child protection workers need to know national and international refugee, humanitarian and human rights law.

Children want to help other children avoid being hurt. By talking with their peers, creating awareness posters, and other such activities, children can take a role in the prevention of harm. Equally, they can identify other children facing personal violence, and can be trained as counsellors and mediators to intervene as appropriate. A community awareness campaign on children's rights, especially their right to grow up without corporal punishment, can lead to a reduction in both the frequency and severity of punishments. Non-violent parenting can be enhanced in families through awareness campaigns and direct work with parents, community leaders and teachers. Harsh and inconsistent discipline has devastating effects on children's development and self-esteem.

Save the Children has been operating a cross-border programme for Liberia for more than a decade. Working with the community to identify official and unofficial crossing points, the agency then trained and equipped volunteers to monitor migration patterns and to intervene in child protection cases. These focal points have raised the alarm on a number of issues, such as cross-border child recruitment, significant refugee flows, cases of family separation, and girl prostitution.

---

[39] *See section on Monitoring and reporting egregious violations of children's rights in emergencies.*

The children's clubs that Save the Children supported in Liberian IDP and the refugee camps proved both very popular and very successful. They were a forum for boys and girls to raise issues and resolve some of them. Children tackled individual cases of corporal punishment, sexual abuse, exploitation, and abandonment.

Psychosocial distress

The risk of psychosocial distress

In all situations, Save the Children works to protect boys and girls from harm and subsequent psychological distress, as the latter hampers their ability to develop and thrive. The psychological and social aspects of child development, and children's overall well-being, are continually compromised during the violence, insecurity and instability of armed conflict, as well as in the mass destruction and disruption of natural disasters. In recognition of this, increasing attention has been paid over the last two decades to the importance of psychosocial focus in emergencies and post-disaster humanitarian assistance.

The term "psychosocial" relates to the close relationship between the psychological state of an individual, and his/her social capacities and behaviour, the one continually affecting the other in ways mediated by the particular cultural context and circumstances the person is living in.[40] Children who have experienced overwhelmingly fearful events, often accompanied by losses of significant persons, often react with age-related disturbances in behaviour and feelings, which may include flashbacks of stress events, nightmares, headaches, withdrawal, aggression and inability to concentrate. Small children often lose developmental gains such as speech and bladder/bowel control. Parents, siblings, friends and teachers may not understand their changed behaviour and the emotions and thoughts behind it, and children may be punished. Children may be unable to find the words to express what they feel, or feel uncertain about the reactions of others if they talk about what is troubling them. Caregivers and others might be equally distressed by the situation; thus, there may not be trusted people who have the time to listen. In other words, just when children most need the closeness, comfort and support of others, it may be unavailable.

Life-threatening events happen suddenly and overwhelm both the sensory system and the ability to defend oneself, making the person feel horror, helplessness and an inability to respond adequately. The short and longer-term consequences of these experiences vary between individuals, and are contingent on factors such as age, gender, the meaning given to the event, nature and number of events, and cultural and environmental factors. However, the *interpretation and significance* of such reactions is culturally embedded, and thus they are understood and treated in very different ways in different cultures.

Armed conflicts and disasters are frequently accompanied by the death of, or separation from, loved ones, as well as the loss of home and living environments that are familiar and provide a sense of security. Grief and the inconsolable sorrow of loss accompany and prolong the psychological and social effects of emergencies. The condition of the caregivers and their distress seriously affect the children too.

---

[40] *Psychosocial Intervention in a Complex Emergency: A Conceptual Framework. The Psychosocial Working Group, October 2003. p. 2.*
http://www.forcedmigration.org/psychosocial/papers/Conceptual%20Framework.pdf

Reducing the risk

Any intervention that improves access to basic services or security is likely to have some positive effect on psychosocial recovery, although this is unlikely to be assessed, and those most in need may not be reached. Psychosocial programmes are cross-cutting activities that explicitly set out to prevent and reduce negative impacts on emotional well-being, and are designed to reach those most in need of psychosocial support. They include community-based activities that promote the ability of families and communities to support each other, resume everyday activities, and heal (e.g. via parenting groups, children's recreational and educational activities).[41]

There has been increasing focus on the concept of *resilience* in children, in both programming and research. Resilience is "the capacity to withstand stress in a way that allows self-confidence and social competence to increase through mastery and appropriate responsibility"[42], or, in other words, a person's ability to overcome difficulties and adapt to change. Resistance building activities can be implemented on three levels of intervention.[43] The first level refers to activities on the broader community basis. The second level comprises structured and semi structured in schools, children's spaces and so forth. The third level refers to counselling or psychotherapy to especially vulnerable children.

For children, the presence of parents or caregivers who are able to provide support and safety is a key factor in significantly increasing their resilience to the negative effects of an emergency. Children look to their parents or caregivers regarding how to respond to crisis and change, which explains why children usually cope only as well as their parents, though other family members can also be important. When a parent or other close family member is able to be a good role-model and show that it is acceptable to grieve and to be upset while still functioning, then a child is far more likely to respond accordingly.

---

[41] *Children in Crisis: Good Practices in Evaluating Psychosocial Programming. Save the Children US 2004, p. 3.*
[42] *Stress, coping, and development in children, edited by Michael Rutter and Norman Garmezy, 1985.*
[43] *Stokes et.al. "Psychosocial issues for children and families in disasters." Workgroup on disasters, US Dept. of Health and Human services, 1994*
Pynoos et.al. " A public mental health approach to the post-disaster treatment of children and adolescents." P.C of North America 7, pp 195-210, 1998.

Protective Characteristics of the Child	Protective Environmental Factors
• Takes positive steps to solve problems e.g. talks to others about feelings • Takes responsibility for own actions • Is hopeful about the future • Is respectful of self and others • Has the ability to play/ interact with others	• The existence of a secure attachment or bond with caregivers/parents • Parents who are models of coping and appropriate behaviour • Caregivers who the child can trust and who provide warmth and support • People who set limits to stop the child getting into danger • People who encourage the child to learn how to do things themselves and who help when they are in trouble • Presence of supportive family, friends and community support network, including religious groups • Establishment of routine e.g. school attendance • Access to shelter, hygiene, and medical care Right to play • Access to education and/or economic opportunities • Positive and consistent discipline

Once the protection a family provides is lost or seriously weakened, children are far more vulnerable to secondary stress. Programmes should work to promote protective factors in the environment and in the child, in order to increase resiliency.

Most children and adolescents will regain well-being once basic survival needs are met, safety and security have returned, and developmental opportunities are restored within the social, family and community context. But it is extremely important to achieve this normalisation of daily life as soon as possible, in order to avoid prolonging distress unnecessarily. Some children, in addition to normalisation, will need special attention from adults in order to regain their well-being. The priority in psychosocial programming is for child protection workers to advocate for basic security and services to be provided by working closely with other sectors. At the same time, child protection workers must promote community and family-based support and the resumption and maintenance of everyday activities.[44]

There are many ways to support and develop children's own strengths in withstanding adverse situations. However, actions that focus on *children alone* will have little sustained effect; programmes have to include the family, community and school environment of the children. The whole social system must be taken into consideration when building up the programme.

Palestinian and Occupied Territories
Through a programme run by Save the Children, school counsellors and social workers from the West Bank and Gaza received special training in trauma psychology. These individuals are working in their communities to help children in need and to train others in ways to restore children's emotional well-being. In 2004, Save the Children worked to ensure that counsellors in the schools were trained in classroom-based crisis intervention.

---

[44] *Emergencies and Psychosocial Care and Protection of Affected Children. Save the Children Sweden, 2005. p. 3*

To recover from a distressing event, it is important that children and their families have the opportunity to share their thoughts and feelings about the incident, as well as other concerns about the present and future. This can take place either individually with a child protection worker or in group or family settings. Such supportive conversations are generally referred to as defusing or de-briefing and should always be administered by well-trained staff and be complemented with discussions that generalise the reactions and inform the participants about common reactions. Interventions on this level should also always offer a chance to discuss and learn about coping, resilience and concrete actions to take. These approaches may well be supplemented by relevant traditional approaches. These must only be used with the consent of both caregiver and child and with sensitivity for traditions, cultural understandings and beliefs. Great caution should be taken not to undermine the role and authority of parents or caretakers. Rather the intervention should strive to support them in their roles.

Save the Children's experiences in emergencies shows that the community-based projects are important as part of a total programmatic response in reducing psychosocial distress and in promoting children's capacities. Naturally, these must be based on the realities and cultural understandings of the particular situation. The genuine participation of children in both conceptualising and implementing programmes makes the programmes more tailored, as well potentially leading to better self-esteem and improved social relationships among children.

STOP - a framework for child protection in emergencies
This particular framework for providing children with psychosocial care and early childhood development in an emergency setting was developed by Save the Children Sweden in the context of refugee children in camps. The model has been adapted to a various number of settings and is the basis for "safe spaces" or "child-friendly spaces".
STOP stands for:
S – Space, structure
T – Trust, time, talking
O – Opportunity to play, organised play
P – Play, and partnership with parents
It is a particularly useful model for refugees or internally displaced populations living in fragmented communities without the ordinary support of daily routines and activities for adults and children.

A displaced camp for 30,000 refugees outside Jalalabad, Afghanistan
Save the Children trained Afghan social mobilisers who organised workshops with the parents in the camp. The workshops focused on children's rights, child development and how children might react/what their needs are in situations of distress. The parents shared their own frustrations and realised they could help each other. Many had been too absorbed in their own problems to see their children's needs and some described their children as either having become aggressive or having gone very quiet. The social mobilisers helped organise the parents into activity and play groups for the children. Those with teaching experience organised non-formal classes. Save the Children assisted with material, built a suitable shelter for activities and classes in each camp section and provided sports equipment and toys. The boys and girls received more adult attention and supervision, as well as organised recreational activities and non-formal education, providing a daily routine which helped them overcome some of the distresses of being displaced. Children were also invited to the workshops to learn about their rights, discuss their problems and to come up with suggestions for activities.

Fundamental approaches to Save the Children's work

A number of key approaches underpin all of the work that Save the Children does during an emergency:
• Child Rights Framework
• Working with Local Communities
• Links between Protections and other Sectors
• A Mix of Advocacy and Programmatic Response
• Cross-cutting Issues
• Prevention, Preparedness and Risk Reduction

Child Rights Framework

In theory, applying a child-rights framework in an emergency is no different from doing so in any other environment. In reality, however, working in emergencies and heightened insecurity presents a whole set of additional operational challenges and adapted responses. In fact, the setting provides an additional urgency to work from a child-rights framework. Fortunately, a growing acceptance of the rights-based approach as good humanitarian practice has emerged with donors and agencies, putting greater emphasis on accountability, participation, local capacity and ownership.[45] Each Save the Children programme activity should explicitly promote, protect or fulfil one or more of the rights in the CRC, as well as build an environment in which all children's rights can be fulfilled.

---

[45] *"Getting it right for children: A practitioner's guide to child rights programming." Save the Children Alliance, 2007.*

Child Rights Programming – a summary

In addition to adopting a child-centred approach to work and incorporating all that is recognised as good development practice, child rights programming demands that:

• The CRC is used as a normative and analytical framework, providing legitimacy, a reference point and opportunities for engagement with its monitoring mechanisms.

• The four general principles of the CRC constitute a filter mechanism throughout the organisation's work, systematically focusing attention on issues of discrimination, the views of children, the mobilisation of resources to assure children's survival and development, and decision–making processes that make children's best interests a primary consideration.

• The perspectives of children are sought, both within the agency's own work but also in the work of others, ensuring that children are recognised as people with dignity and evolving capacities; that they are empowered and assisted to speak out, have their views heard and become an integral part of processes of change.

• Duty bearers are identified and held to account.

• Attention is paid to the most marginalised, whose rights are presently least assured and recognised.

• The overall goal is a measurable impact on the lives of girls and boys and their rights.

• A long-term perspective is taken, necessitating an analysis of trends, opportunities and capacities, while also addressing urgent and immediate rights violations.

• Evidence based advocacy is used to increase the scale of impact on girls and boys (e.g. through replication, policy change, increased resource allocation).

• Ideally, the programme operates at all levels of society, ensuring links from one level to another and so maximising impact.

• Processes are participatory (with a variety of stakeholders including children and young people) and empowering.

• Consideration is given to the variety of partners (state, civil society, communities, private sector, etc.) and diverse forms or partnership (formalised partnerships, coalitions, networks, etc.) that are necessary to achieve real change.

Key concepts

Participation: Of critical importance in a child rights framework is boys' and girls' participation in their own protection, as well as the overall humanitarian response. Save the Children argues that actions aimed at protecting children in emergencies can only become sustainable and efficient if there is the robust participation of a diverse group of girls and boys.[46] Even at the earliest stages, involving children in identifying their problems and solving them can help them and their families to recover from a crisis and to begin rebuilding their lives. It is important that their views and experiences are not only sought during

---

[46] *Please see International Save the Children Alliance's Practice Standards in Children's Participation 2005 for further guidance.*

assessments and planning but that they influence the implementation and monitoring and evaluation of all sectors' programmes. Programmes should also promote child-friendly materials and support children's organisations and initiatives.

Children's clubs in Sri Lanka, Uganda, Nepal, Sudan and elsewhere offer multiple examples of providing a platform for children's own initiatives. With the support of their peers, children have confronted armed forces on both sides on issues of recruitment, safe passage to school, and school occupation by forces. They have solicited help for their families, spread messages of peace and held discussions in their villages with adults on issues such as alcohol abuse and violence.

Save the Children formed boys' clubs and girls' clubs among Sierra Leonean refugees in Liberia. The young people were given training in issues such as children's rights, child protection and participation, issues of sexuality and HIV and AIDS, etc. Each club elected a committee and, increasingly, they became self-directing. They also sent representatives on to the Camp Management Committee. In each block of the camp, a girl or boy was appointed to act as advocate and took on child protection responsibilities within their block. This successfully provided all children – and especially separated/fostered children – with an opportunity to share problems and concerns with another young person whom they could trust. This enabled many to reveal such issues as abuse and discrimination to a peer rather than an adult, with the young person then being able to take up the matter with Save the Children or with the appropriate community group. More broadly, the clubs enabled separated children and children with disabilities to integrate with other young people.

The review of Save the Children's response to the Pakistan earthquake in 2005 demonstrated that the establishment of forums for children's participation while responding to a mass scale emergency reduced the traumatic effect of emergency on children, rebuilt children's confidence in their abilities to take initiatives for common good, ensured quick identification of child protection and development needs and gave access to the most marginalised children and families.

Survival and development: Children form the larger part of an affected population in most emergencies. Whether the results of armed conflicts or natural disasters, emergencies are always a threat to children's immediate survival needs and to their long-term development. Neglecting children's needs in emergencies has consequences for their survival as well as development rights.

Non-discrimination: Central to all efforts to protect children in emergencies are advocacy and proper programme planning to ensure the mobilization of resources for equal access of all children (regardless of age, gender, ability, religion, or ethnic background) to basic services, protection and education, ensuring children's emotional well-being and safeguarding their legal and human rights. It is also

important to ensure that programmes do not promote gender or minority group stereotypes.

Accountability: Within the context of an extensive international legal framework the CRC provides a comprehensive support of children's rights, including mechanisms of accountability. Rights-based approaches to emergency response stress the legal and moral accountability of the state and/or other statutory bodies to protect or assist a population affected by armed conflict or disaster.[47] A moral accountability also applies to all actors involved in emergency response, and Save the Children supports a range of mechanisms to enable programme beneficiaries to offer input and/or state grievances. In a rights-based approach, the affected people are not seen as "objects of charity" or helpless victims, but are encouraged and empowered to claim their rights. Children, their families and communities are perceived as central actors in the emergency response.

Best interest: Any actions or decisions taken regarding an individual child must be in his or her best interest, in terms of long-term development and wellbeing.[48] This assessment will be influenced by his or her ability to make informed choices, the wishes of legal guardians, specific threats and resources, as well as the CRC and other legal norms that apply in the specific context.

Indivisibility: The indivisibility of rights means that a holistic approach needs to be taken when working with children. This involves considering children as whole human beings first and foremost, rather than fragmenting their lives into "problems" or separate roles (e.g. child solider, refugee). It also means recognising that achieving positive change in one area, such as reducing child prostitution, may require work in other areas as well (e.g. psychosocial support, income generation).

Situation analysis: Carrying out a high-quality situation analysis best ensures that direct action – through advocacy and programming – is taken to protect children and prevent further violations. It is also the first step towards establishing priorities and creating the baseline for assessing progress and evaluating impact of interventions. A situation analysis is a process of continually assessing a complex, volatile situation; where programming and planning have to be adjusted accordingly. A long-term perspective is necessary from the outset to safeguard from dependency and abrupt service termination.

After the Pakistani earthquake, Save the Children's situation analysis identified that orphaned girls were being married off to strangers. Child protection staff informed the concerned authorities, who put up road blocks on the main roads leading out of the area and started checking all the vehicles to ensure that no girl was taken out of the area against her will.

---

[47] *See Annex 1 for outline of International Legal Framework.*
[48] *See Guidelines on the Formal Determination of the Best Interests of the Child, UNHCR, 2006. p. 6 & Action for the Rights of Children (ARC).*

A situation analysis identifies actors that influence the situation, both positively and negatively. It identifies and assesses existing local resources, both human and material. It also draws attention to gaps, risks and protective factors[49] in the actual situation for different groups of children and families. The situation analysis should also identify Save the Children's own strengths and weaknesses and present ways forward in order to facilitate the process of planning in a strategic and integrated manner.[50]

There may be moments – particularly at the onset of an emergency – when a rapid assessment is the only possible way to gather information. This may be achieved through a combination of desk review and on the ground interviews/observation. The participation of communities and children in the data-gathering and analysis is essential.

Working with local communities

Community-based approaches are an effective way of restoring the wellbeing of children affected by armed conflict or disaster, as they enable communities to begin to restore control over their own lives, facilitate the development of services (such as schools, preschools, health facilities and recreational activities), help to restore or create a range of other supportive structures within the community, and enable people to address those aspects of their lives that continue to create stress for them.[51]

One of the main criticisms of the humanitarian response to the 2004 tsunami was the lack of understanding of the local context and the reluctance and/or inability to consult with and work through and with local communities, groups and organisations. This laid the basis for some inappropriate and poor quality programming, which in some cases even undermined the progress of local initiatives. Reviews made clear that international agencies must respect the role and responsibility of affected states as the primary duty bearers and authorities in responding to natural disasters.

A community-based approach identifies existing coping strategies and protective mechanisms within the community and seeks to use them to enhance the resilience of children and their families. Communities identify their needs and current resources, and then participate in identifying and implementing strategies that they consider appropriate to their circumstances. Special attention should be given to the capacity-building of children on how to protect themselves, how to report abuses and, simultaneously, how to build the capacity of adults to consult and involve boys and girls.

---

[49] *Protective factors are, for example, strong engagement and commitment in the community, functioning networks between people and a tradition to care for the vulnerable, a trusted and functioning leadership, knowledge and education.*
[50] *See ARC Resource Pack: Situation Analysis.*
[51] *See ARC Resource Pack: Working with Children.*

> Save the Children supports 67 child protection committees in Cote d'Ivoire, which have successfully tackled birth registration, organised non-formal education and skills training, mediated with families (identifying and resolving cases of child abuse), organised play activities, advocated for children's exemption from armed service, and acted as a link to government ministries.

> Experiences from Pakistan after the 2005 earthquake[52] showed that active participation of communities in defining the response and its implementation process improved both its quality and speed:
> - Communities are often the best judge of protection needs of children and vulnerable families. Involving them in relief operations can ensure maximum and sustainable protection of vulnerable children.
> - Many indigenous social structures are protective of children. With some motivation and support, these structures can be mobilised to ensure protection of children without families or adult support.
> - Lack of economic opportunities often forces families to place their children in risky situations - a reality which is only exacerbated in emergencies. By linking child protection initiatives with livelihood support children can be prevented from entering harmful child labour.
> - Lack of access to school coupled with teachers' absenteeism keep children out of school. But more serious is families' attitude towards children's education. This needs to be addressed through massive community mobilisation campaigns.

While there has been much documentation of community mobilisation in relief camps, relatively little attention has been given to urban settings. With the growing number of city-dwellers, this is an area that needs further consideration.

Building child protection systems

A fundamental approach to Save the Children's emergency response is to work with and build on the capacity of national child protection systems, especially the governing ministries, as they have primary responsibility to protect citizens.

Save the Children's long-term presence in countries, particularly those involved in armed conflict, is well-suited for a continuing co-operation with government authorities, local partners and institutions at all levels in the development or strengthening of a national child protection system.

The system should operate within a CRC's framework, and evolve using a strategy which includes inter-departmental co-operation, measures for ongoing public education, law reform, policy and guideline development, research and documentation. Government authorities representing health, social welfare/child protection, education and justice departments are the most relevant.

---

[52] *Rising from the Rubble – Communities lead the Earthquake Response, Save the Children Sweden, 2006, p. 32.*

Since child protection is such a multi-dimensional undertaking, the national system needs to invite co-operation from a wide range of institutions and organisations working with child protection, children's rights and child development. The protection system should be operational at all administrative levels, with linkages between levels. Those working in the system should have well-defined roles.

The most important level in regards to prevention and direct response to children at risk is the community level. Community-based child protection committees must develop the capacity to handle war-related injuries through a referral system, issues of separation of children with their families, prevention of recruitment of children into armed forces/groups, the prevention of and response to all forms violence against children, and advocacy.

Save the Children and its partners can play a significant role in capacity building, co-operation and financial assistance to community-based child protection committees. Facilitating the meaningful participation of children at all levels is crucial to the functioning of a child protection system.

In Nepal, Save the Children supported the establishment and capacity building of village (VCPC) and district level child protection committees (DCPC) during the armed conflict, and was also a member of the government-led Central Child Welfare committee, which develop mandates for the lower-level child protection committees. The DCPC co-ordinated both government and NGO resources in the district also compiled statistics on children at risk and received referrals from the VCPC. The latter identified injured and separated children and took measures to help them. They approached both sides in the conflict at a local level and appealed to them to respect the rights of children. They co-operated with children's clubs who were also represented in the VCPC. In the post-war era, the VCPC are becoming a formal part of the national system, and are also turning their attention to all forms of violence against children.

Capacity building is important in regard to governments and other identified duty bearers; they have the primary responsibility to protect children within their territory. Many governments face resource constraints, which limit their capacity to extend and monitor services needed for protecting children. National and local government officials should be included in planning dialogues, assessments, trainings, and policy discussions.

Following the tsunami 2004, Save the Children immediately agreed to 2 long-term secondments of protection staff to the Indonesian government at provincial and national level. This greatly enhanced the agency's ability to achieve long –term change for children affected by the emergency and in the country as a whole. Eventual handover of the separated children's database to the government was linked to one of these secondments.

In 2000, Save the Children identified four rural communities in the DRC for the establishment of networks to protect children (called Community Child Protection Networks or CCPN). Their activities were primarily social outreach and mediation with vulnerable families and their children, non-formal education, literacy, and low-scale skills training (such as embroidery, sewing, carpentry and low-scale animal husbandry) aimed at facilitating the income generation capacity of the children to prevent exploitation. The agency targeted the most war-affected communities where they were already working, including through emergency assistance or health and nutrition work. This multi-sectoral approach facilitated efficiencies, since the networks prioritised school and health centre rehabilitation as being activities that benefited all children. By 2003, there were 11 CCPNs: one each in Bukavu and Goma and the remaining nine in rural communities.

Links between protection and other sectors

Coordination

Lately, there has been a move towards more standardised approaches in implementation of protection in emergencies, which has had some positive effects for children. Through collaborative action, the bar has been set higher on a number of fronts: children associated with armed forces and armed groups (the Paris Principles), reintegration (inter-agency guidelines in West Africa), tracing and reunification (an inter-agency database), general coordination (an inter-agency child protection network), and mental health (guidelines).

All actors involved in a humanitarian response must coordinate among themselves and with the government to reduce the risk of overlap and marginalisation of certain geographical areas/certain groups among the affected population. The increased emphasis on integrated approaches in emergencies – through the UN cluster approach – has improved coordination between agencies. However, its potential to improve the response to the specific risks boys and girls face and their subsequent needs remains unfulfilled, and strong leadership is necessary on the ground.

Successful protection programmes require effective coordination among many partners such as local people, camp managers, district officials, national government agencies, NGOs and inter-governmental agencies. Agencies should coordinate to ensure that regular visits are scheduled to all locations where protection is a priority concern. For effective coordination, it is vital that different agencies network and plan together regarding visits to the area, assessment of

needs, follow-up of activities, monitoring and evaluation, and giving further feedback. Agencies should designate protection focal points within their organisations to collect and present child protection issues and concerns across sectors and to facilitate referrals of individual cases.

Save the Children will provide a range of responses during emergencies, as dictated by a comprehensive situation analysis, which recognises that children can be exposed to several risks simultaneously. The organisation works towards integrating its programming from the onset of every emergency response and coordinating with all relevant actors to increase its effectiveness.

The protection of children is enhanced by work in other sectors. The protection problems faced by children can be reduced through the provision of high-quality basic services, such as food, shelter, health, education, water and sanitation, and adherence to well-crafted, child-friendly laws. Equally, problems can be exacerbated by services that are poorly designed and/or delivered – for example, where latrines are the wrong size for children or badly maintained, girls and boys will go further from their homes or schools to relieve themselves, or where distributions require carers to leave the home and wait for protracted periods, children can be left without adequate supervision.

Save the Children worked for many years in Sinje refugee camp in Liberia. The agency's overall protection strategy could have been described as a 'horizontal' one, which required careful integration of the separated/fostered children's work with other aspects of its programme and those of other agencies – i.e. education, vocational training, life-skills education, support to children with disabilities, livelihood programmes, etc. This helped to avoid the further stigmatising of separated children. An awareness of the dangers of discrimination in foster homes led to a multi-pronged support strategy involving various community structures, including the close involvement of children themselves. Community-wide training and awareness-raising in areas such as children's rights, child protection, the importance of child participation, the dangers of early marriage, HIV and AIDS, among others, helped to underpin the more specific work with separated children.

Save the Children protection staff has developed links with three particular sectors in emergency response: education, livelihoods and health.

Education

Education needs to be prioritised in emergency responses because it can protect children when provided in an appropriate, safe and high-quality manner. This protection can be physical, psychosocial or cognitive and can be effective in mitigating the risks identified above.

In Indonesia, Save the Children developed a Framework for Learning for Children Affected by Emergencies that outlines three particular areas of learning important for children whose lives and education have been disrupted. The first addresses survival skills to help children live safely in camps and other temporary places. The second is focused on individual and social development to help children overcome the negative experiences they have had during the conflict. The third helps them develop learning skills and provides teachers with activities to help children re-engage with learning when their education has been disrupted.

Education plays a fundamental role in providing structure through a regular routine, contributing to stability, and restoring a semblance of normality in an extreme and stressful situation for children and families. Going to school gives children a chance to be with their peers and to have hope for a better future. Additionally, community-based healing activities - such as recreation and creative self-expression - that can give children avenues for coping with distressful events are often easier to implement in an educational setting.

Structured educational activities can be targeted to respond to specific threats that children face in the emergency context, such as recruitment or social isolation stemming from their emergency-related experience. Accurate information, coupled with basic skills in literacy and numeracy, can help children to make safer decisions. Schools can provide physical protection in the form of safe, structured places to learn and play which should be accessible to all boys and girls.

Schools also have the opportunity of detecting and reporting cases of domestic violence and child abuse, as well as to detect and register children who need particular follow up, protection or support from the existing protection systems. Indeed, teachers who are trained in child rights and to use child-friendly learning materials are important leaders in their communities; they can be very persuasive in ensuring that school administrators and ministry officials are held accountable in delivering children's right to education in any situation. Finally, schools can also provide an effective way to identify and reunite separated children with their families.

Livelihoods
A sudden onset or a protracted emergency can destroy the livelihoods of individual families and entire communities. The strategies adopted by these people to adjust to their changed or deteriorating settings may involve coping mechanisms that put children at risk of exploitation and abuse. Save the Children's extensive experience has demonstrated the centrality of adequate family income in the protection of boys and girls in emergencies.

It is not only important for their survival and development, but for their protection from exploitation and abuse and for the promotion of their and their parents' dignity. Poverty can increase the risk of children being exploited, both sexually and physically, and can increase the risk of other forms of abuse such as neglect and abandonment. It can also lead to children engaging in other high risk survival strategies (e.g. joining a gang or engaging in criminal activity for economic gain). Adolescent girls, in particular, are vulnerable to pressure to perform sexual services with richer men, in order to provide for the family's basic needs.[53]

Many children who are uprooted during an emergency lack the opportunity to learn good agricultural practices, and are often alienated from their family's traditional livelihoods by a prolonged stay in a relief setting. Protection staff need to work closely with the livelihood actors in all stages of an emergency, and to

---

[53] See *From Camp to Community: Liberia Study on Exploitation on Children*, Save the Children UK, 2006.

consult with children and their caregivers on a regular basis to adjust programmes according to their evolving economic realities.[54]

> In Liberia, Save the Children created a programme to partner former child soldiers and other vulnerable children with companies. One 16 year-old landed himself in trouble when it was discovered he had taken money from a woman to fix a chair, but had failed to carry out the work. He dropped out from class and began to hang around with his friends in the ghettoes. Community outreach workers followed up the case with support from members of the Child Welfare Committee; the boy was pardoned and allowed to return to the training. Save the Children's social workers maintained constant follow up with him until the end of his training and conducted regular mediation sessions with community members who had experienced similar issues with other beneficiaries.

Health

The linkages between child protection and health are numerous and go far beyond gender-based violence. Close collaboration may be required in designing and implementing hospital services that discourage abandonment, in screening and referals of former child soldiers, in awareness campaigns on the issue of corporal punishment, in assisting orphans and other vulnerable children, and a host of other challenges.

Health workers are often the first points of contact for sexual or physical abuse, as well as neglect. Health staff and community health committees can play an important role in both referring individual protection cases and identifying trends. Health committees often run community-based outreach programmes, which can be coupled with the spread of protection messages.

It is important to have a focal person designated on a health team with whom child protection practitioners can plan programmes and manage cases and issues as they arise.

---

[54] *See section 7.4 in Inter-Agency Reintegration Guidelines for a tool to use in planning an integrated approach to economic reintegration.*

A mix of advocacy and programmatic responses

Advocacy on children's rights is a strategic means to "speak up for children and their rights" and to generate changes in policies, practices and attitudes that will make a positive and lasting difference to the lives of children.[55] Advocacy and programming are equal tasks in Save the Children's fight for children's rights, even in times of armed conflict and natural disasters. Strong emergency response necessitates a mix of approaches, in order to serve boys and girls both directly and indirectly and to amplify positive impacts.

Good use of advocacy may influence actors to work for the protection of children across areas and sectors where Save the Children is not operational. Organisations can serve as local voices for encouraging partners to reach the most vulnerable people, including children. Donors can require prospective grant recipients to construct a plan indicating how their work will strengthen the protection of children.[56]

> In Nepal, schools were frequently in the cross-fire between Maoist guerrillas and the army. As a response, Save the Children developed a concept of "schools as zones of peace (SZOP)" and launched a carefully designed advocacy strategy. Five major political parties made a public commitment to respect SZOP, and a National Coalition for SZOP including 35 child rights organisations was formed. As a result, the Prime Minister's Office issued child protection guidelines for security forces. Children and child clubs have claimed themselves as zones of peace at school and community level. By declaring this, no one is allowed to enter into school grounds with arms. Both sides of the conflict must accept ceasefire for certain occasions, and accept that disturbing organised activities for or by children is not allowed and that all children shall be treated in a child-friendly manner.

Advocacy requires evidence-based research and careful planning in order to be effective.

Cross-cutting issues

Pre-existing vulnerability

In most situations of armed conflict and natural disasters, the children who are most severely affected are those who already live in poverty and/or who already suffer from discrimination and social marginalisation. Unstable and insecure environments are characterised by an accumulation of risk, which in itself can lead to abuse and exploitation. Natural disasters, armed conflict and displacement may compound the problems.

---

[55] *International Save the Children Alliance's Advocacy definition.*
[56] *Making Protection a Priority: Integrating Protection and Humanitarian Assistance, InterAction Protection Working Group, April, 2004.*

In order to maximise the coping strategies of the affected population it is important to acknowledge the various vulnerabilities, needs and capacities of different groups. Specific factors, such as gender, age, disability and disease affect vulnerability and shape people's ability to cope in an emergency. Failure to recognise differences and barriers faced in gaining equal access to appropriate services and support can result in further marginalisation.[57]

Children of different ages and developmental stages are vulnerable in specific ways during emergencies. For instance, separated babies are very difficult to reunify as they cannot speak, and adolescents are often more vulnerable to involvement with armed forces or armed groups due to their need for meaning and identity and their comparative usefulness for commanders. Children also become vulnerable by being in specific situations or by going through particular experiences. For example, young girls who have lost their parents may be more at risk of sexual harassment, abuse, trafficking and early marriage than those who still have parental protection.[58]

Existing research, documentation and situational analysis will throw light on vulnerabilities and social barriers that existed before the crisis. Solutions may be identified through community discussions or through the process of situational analysis outlined above.

Gender

Save the Children believes in helping all children develop to their fullest potential. Thus, the fact that gender inequality persists and can even be exacerbated in an emergency remains a concern for all aspects of our work.

The ways boys and girls are socialised to behave are rooted in child-rearing practices from birth. At the age of three, girls and boys already imitate the behaviour of family members of the same sex. Boys who observe men in their communities and the media being violent towards women, treating them as sex objects and inferiors, believe that this is a normal male behaviour. It is important that potential or actual negative attitudes and traditions are brought to light in the child-rights situation analysis that includes a gender analysis.

Some boys reject these negatively-gendered behaviours, and many males take actions to address discrimination and violence against women and girls. In fact, sometimes an emergency situation and subsequent exposure to new ideas provide opportunities to question existing gender roles and to address root causes through a long-term approach.

These experiences should be used as a resource for building interventions where boys and men - in partnership with girls and women - take action against gender discrimination and violence, which often increase in emergencies. Child protection staff need to work from a life cycle approach and do more work with

---

[57] *The Sphere Project: Humanitarian Charter and Minimum Standards in Disaster Response, The Sphere Project, 2004, p. 57-58.*
[58] *Tool for rapid child-oriented assessment in the earliest stages of emergency situation, Save the Children Sweden, 2002.*

younger boys from various backgrounds in order to promote gender equality and non-violence. It is important to develop age-specific tools and methodologies for working with boys at different ages. The tools need to be developed together with boys from various cultural backgrounds, and focus on the positive message that change is possible and that it has positive effects on the lives of boys.

HIV/AIDS

HIV/AIDS and emergencies are in combination a major threat to the lives of children, especially girls. An estimated 15 million young people are directly threatened by HIV/AIDS in conflicts and related emergencies around the world.[59] Many children have also lost their parents (either through AIDS or through the emergency) and are living without protection and assistance. They are often denied their basic rights to food, shelter, education and healthcare.

In war, HIV spreads rapidly as a result of sexual bartering, sexual violence, low awareness of HIV/AIDS, and the breakdown of vital services in health and education. Norms regarding acceptable sexual behaviour often change in conflict situations. Many girls in emergency and post-emergency settings are forced to use their bodies to get food, clothing and other essentials for themselves and their families.

All of the above is exacerbated by the acute lack of knowledge and information of HIV/AIDS, as well as an almost total absence of sexual and reproductive health services and information in most emergency situations. In communities with high prevalence of HIV/AIDS, the threshold for external stressors to cause a disaster may be lowered. Since people living with HIV/AIDS often suffer from discrimination, they and their children need special attention to ensure that their needs are met.[60] Approaches that have been designed to assist HIV-affected children living in stable communities – such as legacy books and family conferences – may be adapted and used in emergency settings.

The physical living environment

The poor standards of accommodation and physical surroundings in emergency settings can have a profound effect on boys' and girls' survival and development. Young children, with their immature immune systems and drive to explore, are far more vulnerable to unsanitary surroundings and safety hazards than adults. Children may not want to use latrines that are filthy and dark. Younger children will defecate in the open resulting in increased risks of diarrhoeal illnesses, which children are more susceptible to than others. Older children and adolescents might go out in the fields instead of using the latrines, where they become much more vulnerable, especially girls, to abuse and abduction from adults or where they might be exposed to landmines.[61]

---

[59] *HIV and Conflict: A Double Emergency, International Save the Children Alliance 2002, p. 8 and see IASC Guidelines for HIV/AIDS Interventions in Emergency Settings 2003.*
[60] *ibid*
[61] *The Sphere Project: Humanitarian Charter and Minimum Standards in Disaster Response, The Sphere Project, 2004, pp. 71-75, and see UNHCR's guidelines on refugee/IDP camps settings." Handbook for Emergencies", Geneva 2000.*

Crowded living conditions may undermine social norms and practices if, for instance, girls have to bathe and change in sight of other family members, guests or strangers, or if there is discomfort and risk about children sleeping in the same room as adults. These kinds of challenges can result in a general lowering of standards of behaviour, which can be especially threatening to girls.

Children's emotional security is also affected directly and indirectly by the physical environment. Difficult living conditions (such as insufficient water to keep things clean, lack of privacy, and feelings of insecurity) make adults tired, anxious, irritable and depressed. This affects their ability to be a dependable source of comfort and reassurance to their children – a critical factor in restoring a sense of stability and security after a disaster.

Birth registration

The official recording of the birth of a child by a state administrative process is often compromised or non-existent in times of armed conflict or disasters. This permanent and official record of a child's existence is fundamental to the realisation of his or her rights and practical needs. Securing boys' and girls' right to an identity and nationality helps ensure access to basic services, including immunisation, health care and school enrolment at the right age. It will allow them to get a passport, open a bank account, obtain credit, vote and find employment.

Birth registration is also essential in protection efforts, including: preventing child labour by enforcing minimum age laws; ensuring that children in conflict with the law are not treated as adults; shielding children from underage military service or conscription; countering early marriage; reducing trafficking, and helping children repatriate and reunite with family members.[62] Efforts must be made in all emergencies to find ways to register newborns and ensure an identity.

Conflict sensitivity

In any emergency, the work of Save the Children needs to take into account the effect it has on existing structures and mechanisms. Before implementing programmes and activities, measures should be taken to ensure that they will not negatively affect – or even harm – children and their rights. The resilience and coping strategies of children and their families should be enhanced and supported, while obstacles for children to realise their rights should be addressed and dealt with.

In areas of armed conflict, the mere presence of Save the Children could affect the parties or the situation and have an influence on developments. The advocacy and programmatic response could also change power dynamics and be seen as a support to certain interests. Thus, it is crucial that Save the Children is sensitive to the underlying forces at hand and that our interventions support efforts to reduce the conflict and foster an environment of reconciliation where peace efforts can thrive. This can be achieved through a strong – and regularly revisited – situation analysis.[63]

---

[62] *Child Protection Information Sheets, UNICEF, 2006. p. 13.*
[63] *For further information see SIDA, Manual for Conflict Analysis, 2006.*

Prevention, preparedness and risk reduction

Before humanitarian response – before the crisis itself – children should be centrally engaged in preventing and reducing the risks of emergencies, in order that their impacts are significantly reduced on children and their caregivers. National emergency preparedness plans save lives and mitigate harm to the children and families caught up in the disaster. Disaster Risk Reduction (DRR) is a "conceptual framework of elements [that looks at] the possibilities to minimise vulnerabilities and disaster risks throughout a society, to avoid (prevention) or to limit (mitigation and preparedness) the adverse impacts of hazards, within the broad context of sustainable development".[64] It locates the risks at a point where hazards, communities and environments interact, and strives for a systematic approach to reducing risks associated with them.

Save the Children believes that boys and girls have a right to play a part in making themselves and their communities safer. They are not only keen but can be highly capable of contributing to emergency preparedness and forms of response.[65] Thus, the organisation is working on a number of child-led disaster risk reduction (CLDRR) programmes.

The Cuban Ministry of Education and Cuba's Civil Defence – in collaboration with Save the Children and other organizations – launched the 'We are Prepared, Listening to the Waters' project. Its aim was to involve young people in risk management strategies for floods, earthquakes and hurricanes in Holguin, a province in the east of the country. Forty-two schools joined in, and the project's success has meant that local authorities and members of the community responsible for protecting the public in the face of emergencies can now call on a large number of children for assistance in times of emergency.

Many emergency operations lose sight of preventing further harm. Save the Children believes it is important to intervene in a manner that prevents potential protection problems, as well as addressing current concerns.

---

[64] *International Strategy for Disaster Reduction, http://www.unisdr.org.*
[65] *See Child-led Disaster Risk Reduction, Save the Children UK (forthcoming).*

Child participation in school reconstruction

Save the Children in Sri Lanka has been promoting children's participation in school reconstruction committees. Physical environment is a very important aspect of children's lives. Children should definitely have a say in the designing of their school. School reconstruction committees are a very effective tool for engaging children in designing their physical environment, with strong focus on Disaster Risk Reduction. All the reconstruction being carried out by Save the Children in Sri Lanka is flood proof, tsunami proof, cyclone proof and earthquake proof. All construction designs consist of basic emergency exits and fire exits. The designs are child-friendly and have been made by taking children's suggestions into account.

"We mostly face cyclones. It will be good if this building is constructed to protect us from such disasters."
- A school-going girl from Trincomalee

Challenges and ways forward

Working towards sustainable child protection

Bridging the gap between the first phase humanitarian assistance and the longer-term rehabilitation, reintegration and development work remains a challenge. Most typically, agencies are funded to provide services for children during the crisis, but this provision drops off and is not replaced as humanitarian funding streams dry up. National governments are expected to take up the functions previously filled by a range of humanitarian organisations, often without sufficient funding, capacity or technical expertise. In some cases, lack of commitment or poor governance means that those who have survived the emergency are left with little or no access to essential services and protection.

Emergencies can, however, provide opportunities for change to a more democratic society characterised by sustainable development and durable peace. Any emergency response should have an in-built follow-up component of at least three years to ensure that the community benefits from the programmes. In areas prone to crises, emergency preparedness, CLDRR and preparation for emergencies are also ways of linking emergency and development work.[66]

In periods of armed conflict and transition from conflict to peace, it is common for children to feel isolated, angry, marginalized and stigmatised, particularly if they have been victims or recruited perpetrators of violence. Girls and boys who survive are often physically injured and psychologically scarred, having lost years of schooling and socialisation. Furthermore, they may be shunned, while others are expected to resume their pre-emergency roles.[67] They may not receive guidance or direction of how to move beyond their experiences to become productive members of their communities. Those who are not properly reintegrated may also be susceptible to participating in renewed violence, especially if they are former fighters. A concentration of children may, in turn, lead to an increase in banditry and armed conflict in the region.[68]

In Latin America, Save the Children supported research into boys' and girls' involvement in organised, armed violence. In a number of countries there was a significant link between the children of parents who had lost their childhoods to armed conflict and a current culture of gun violence.

It is also important to understand how the emergency has affected adult caregivers, since they make up the immediate protective environment for the child. In the aftermath of armed conflict and disasters, there is often a rise in domestic violence, alcohol abuse, despair and general family breakdown. These

---

[66] *See section "Prevention, Preparedness and riks Reduction".*
[67] *Children and Armed Conflict: Report of the Secretary General (S/2000/712-A/55/150), United Nations Security Council, 2000.*
[68] *See Neither War nor Peace* by Luke Dowdney. *Children and Organised Armed Violence, 2006* http://www.coav.org.br *and Struggling Through Peace' Return and Resettlement in Angola, Human Rights Watch, 2003.*

secondary effects within the household are often perceived by the child to be more grave and detrimental to his/her well-being than bombing, material losses, flight and other direct consequences of emergencies. It is therefore necessary that programming addresses the needs of parents and other caregivers both in the family and community, and to realise the long-term nature of such work.

In fact, a key advocacy message to donors must be that the rehabilitation of children and the rebuilding of stable and protective environments call for a long-term commitment requiring years, not months. This work includes reunification with families, renewing education and livelihood opportunities, strengthening of community-based child protection networks and national child protection systems and peace building and reconciliation activities.

Children and young people's active participation in rebuilding their own lives and societies is a crucial element in the psychosocial recovery of children affected by armed conflicts and disasters. The responsibility for long term-commitment and follow-up lies with agencies and donors. How projects and communities are followed up after the first three-six months of emergency interventions is crucial for people's ability to survive and cope, and will make a huge difference in breaking the downward cycle of crisis and poverty that often follows a crisis.

It is vital to recognise the critical importance of social integration and reconciliation in the emotional and social healing process of a community affected by violence.[69] Therefore, it is essential to support programmes that incorporate these protective coping mechanisms into their outreach activities.

Adequate funding

Child protection in emergencies receives less funding than other sectors: The 2004 Secretary-General Report, a comprehensive assessment of the United Nations system response to children affected by armed conflict, found from an analysis of the Consolidated Appeals Process (CAP) from 2000 to 2002 that donors did not fund children affected by armed conflict projects at the same level they are funding other projects. On average, donors provided 73% of funding requested for all projects in the CAP, but only 60% of funding requested for children and armed conflict projects.[70] Projects focusing on child protection received less funding than child survival projects.

Humanitarian space

Child protection in emergencies is predicated on the basic notions of neutrality and the humanitarian imperative. One of the key means of protecting children and other civilians is to be physically present through their suffering. Unfortunately, discriminate and indiscriminate attacks on civilians and humanitarian workers are on the rise and, thus, it is increasingly difficult to access children and communities affected by conflict, or in oppressive political environments.

_____

[69] *See InterAgency Guidelines for developing reintegration programmes for children affected by conflict in West Africa. Save the Children UK, 2007.*
[70] *Child Protection in Emergencies, International Save the Children Alliance, p. 11.*

Save the Children is pleased to see - and to play a part in - the increasing prioritisation of the protection of civilians by the UN (especially through OCHA) and the wider international community. However, the deteriorating security situation requires new and creative ways of working, as well as robust advocacy for and enforcement of the principle of humanitarian access.

In 2006, a staff member of one of Save the Children's partners for child protection in DRC was brutally murdered due to his role in the demobilization of children from armed groups.

The community-based child protection networks also report insecurity. In July 2006 a bus escorting children for family reunification was stopped; the children were abducted and imprisoned for several days until they managed to escape.

Throughout the first half of 2007, staff cannot access areas such as Rutshuru in Nyamilima to reunify children due to ongoing fighting.

Information on child protection data

A significant impediment to child protection in many emergencies is the lack of accurate data regarding vulnerable children. Accurate counts of people at risk, including children in different age groups, often do not exist in IDP and refugee camps. This makes it difficult to assess needs accurately and to plan for the provision of services. All humanitarian agencies should contribute to child protection by collecting and disaggregating data by age and gender as part of any assessment. Through regular sharing of this data with mandated child protection agencies, the humanitarian community could achieve a clearer picture of the child protection situation. It is important to be aware that data can be used for political purposes and to ensure the agency's political impartiality at all times.

Compounding the lack of available data is the issue of accuracy owing to the silence and sensitivity of many protection issues, such as sexual violence, fostering, trafficking and violence in the family. Programmes must identify what information is necessary for their work and collect or encourage others to collect it, and then ensure that it is used and not just a paper exercise.

Child protection in emergencies is a relatively new area of work, compared with such sectors as health or water and sanitation. As such, it is still creating a written body of knowledge. In addition, while linkages between emergency and non-emergency work need to be fostered, child protection cannot apply non-emergency research findings in a way that others, such as education or health, may. For example, there is need for research on outcomes of different approaches to closing or transferring individual case files between systems. Save the Children has played a central role in driving forward the documentation and research agenda for the sector. It remains committed to that function, despite the difficulties in funding research.

Capacity of the sector

As mentioned above, child protection is an emerging discipline in humanitarian response. Thus, there is no established practice framework, global pool of professionals, or centre of excellence for research, documentation and training. Sectoral teams are smaller, newer and less trained than other colleagues.

There is a general agreement that child protection is a first phase response. However, there has been no mapping to determine what it should look like or how large it should be. The responses – and, thus, the sector itself - are generally led by the availability of funding and capable staff, instead of needs. In protection more than other sectors, the size and nature of the response needs to be well-defined and justifiable against objective criteria. This is for two reasons: first, the interventions can be life-saving, and secondly, the behaviour of the duty bearer and the responsibilities they take on in this area are particularly critical to resolving some of the immediate issues and root causes of violence.

In sum, there is a pressing need to create quality standards and learning systems from which more-established disciplines benefit, as well as to train staff and adequately fund the programmes. Save the Children has embarked on this process and already has achieved some critical work by fast-tracking the training of new professionals, using a competency-based framework designed by current practitioners.

Monitoring and reporting egregious violations of children's rights in emergencies

There remains widespread impunity for violations of the rights of the child in emergencies. A comprehensive protection response for children affected by disaster, civil unrest and armed conflict should be informed by accurate data on the type and prevalence of violations happening in the context - where it is possible to collect this information without endangering children, communities or project staff, or compromising humanitarian access.

Reports of child rights violations come through many avenues, though most often from parents and communities. For example, information on recruitment may come to light throughout the course of a conflict (i.e. in the build-up, during hostilities or post-ceasefire).

Information on violations can be used for advocacy and programme purposes, to deliver responses as well as promote compliance with legal commitments such as the CRC at field level.[71] In addition to the mechanism outlined below, there are numerous single-context and inter-country systems for monitoring and reporting child rights violations and protection issues, some of which respond only to one thematic issue, such as gender-based violence, forced displacement or child trafficking.

All systems to monitor and report on children's rights - regardless of their objective or scale – must be designed in accordance with the best interests of children, including survivors of violations and witnesses, who may be exposed to risk in the course of implementation. As well as taking into account safety of these groups, this means ensuring that children are fully informed about, and consent to, the use of case information collected about them, and that the data collected is consistent, and accurate, and used to the best effect for children – including to initiate and guide immediate responses where possible.

The Monitoring and Reporting Mechanism established by the UN Security Council (Resolution 1612)

United Nations Security Council resolution 1612 called for the implementation of a Monitoring and Reporting Mechanism (MRM) to monitor six grave violations against children in armed conflict: killing or maiming of children; recruitment or use of children as soldiers; attacks against schools or hospitals; denial of humanitarian access for children; abduction of children; rape and other grave sexual abuse of children.

---

[71] *See Protecting Children in Armed Conflict: Blueprints for Compliance,* Watchlist, *2004. p. 2.*

The data is collected, compiled and presented as an official report of the Secretary General to the Security Council Working Group on Children and Armed Conflict. This data comes primarily from the MRM Task Force at the field level and is vetted through a headquarters level Steering Group chaired by the Office of the Special Representative for Children and Armed Conflict and UNICEF. Whether Save the Children should engage with the MRM Task Force in data collection remains a decision for each individual country programme, based on an in-depth risk assessment.

Once the Security Council receives these reports, it can take a series of actions aimed at increasing the pressure applied to recalcitrant States to stop these violations and take appropriate preventive measures.

Monitoring compliance with United Nations Convention on the Rights of the Child (CRC) and its Optional Protocols

The CRC has been ratified more quickly and by more governments (all except Somalia and the US) than any other human rights instrument. This Convention is also the only international human rights treaty that expressly gives non-governmental organisations a role in monitoring its implementation (under Article 45a). Since the CRC's adoption in 1989, two Optional Protocols have been added: one on the involvement of children in armed conflict and the other on the sale of children, child prostitution and child pornography.

The Committee on the Rights of the Child is a body of experts who review States Parties' reports on progress made in fulfilling their obligations under the CRC and its Optional Protocols. The Committee can make suggestions and issue recommendations to governments and the UN General Assembly on ways to meet the Convention's objectives. It has published a number of Comments, which can be used as more detailed monitoring tools; the most relevant of these is No. 6 on the "Treatment of Unaccompanied and Separated Children Outside Their Country of Origin".

Monitoring compliance with the African Charter on the Welfare and Rights of the Child

The African Committee of Experts on the Rights and Welfare of the Child draws its mandate from articles 32-46 of the African Charter on the Rights and Welfare of the Child, which was adopted by the Heads of State and Government of the OAU on 11th July 1990 and came into force on 29th November 1999. The Charter provides for the Establishment of an African Committee of Experts on the Rights and Welfare of the Child, consisting of 11 members.

The functions of the Committee include to collect and document information, commission inter-disciplinary assessment of situations on African problems in the fields of the rights and welfare of the child, organise meetings, encourage national and local institutions concerned with the rights and welfare of the child and, where necessary, give its views and make recommendations to government and to monitor the implementation and ensure protection of the rights enshrined in the Charter. According to Article 45 of the Charter, the Committee is required

to submit to each Ordinary Session of the Assembly of Heads of State and Government every two years, a report on its activities and on any communication received by the Committee under Article 44 of the Charter.

Monitoring compliance through the Human Rights Council

The Human Rights Council was created in 2006 to replace the discredited Commission on Human Rights. Its aim is to promote human rights and to address situations of violations. Periodically, each member state is requested to put forward a review of its implementation of the Universal Declaration of Human Rights; to this end, other actors may submit additional information and raise concerns. The Council has held special sessions on individual conflict situations, such as Darfur, Sudan.

Working with the International Criminal Court

The Rome statute of the ICC classifies the recruitment of children under the age of 15, attacks on schools and rape, among other violations, as war crimes. Just as with the MRM of UN Resolution 1612, whether and how Save the Children should engage with the International Criminal Court (ICC) remains a decision for each individual country programme, based on an in-depth risk assessment.

Collaborating with UN Special Rapporteurs

The UN Secretary General has appointed a number of Special Rapporteurs that have relevance to Child Protection in Emergencies, such as Torture, Violence Against Women, and IDPs. Save the Children country programmes can opt to pass information to these investigators who deliver annual reports to the Human Rights Council, including country-specific reports.

Global network monitoring of child soldiers

The Coalition to Stop the Use of Child Soldiers also systematically collects data related to the use of children by armed forces and groups, states compliance to their legal obligations and national programmes. This extensive survey is carried out every four years and provides the Global Report on Child Soldiers, a comprehensive and comparative world overview of the situation.

UN oversight of peacekeeping missions

Humanitarian actors and civilians often feel frustrated by the restrictive mandate of peacekeeping operations and their weakness in preventing the abuse of children. Despite the inclusion of Child Protection Advisers, there is frequently an inadequate structure and resources for reporting and investigating violations.[72] In addition, children and communities regularly allege the physical and sexual violation of children by the very people sent to maintain peace and uphold UN principles. The most severe disciplinary action the UN can take is dismissal from

---

[72] *See Can the Powerful Protect? Save the Children UK, 2007*

the peacekeeping contingent, although soldiers can be prosecuted in their home countries for violations committed as a UN peacekeeper, as Morocco has done.

General principles of monitoring and reporting mechanisms

Informed consent: Those reporting violations must be made aware of all the potential threats that could arise from making the disclosure. Age appropriateness is an issue – in some jurisdictions, children over 12 have primary decision-making in matters that will affect them. Ideally, the issue of consent should be fully covered before any potential disclosures are made.

Agreement among stakeholders: Agencies involved in monitoring and reporting need to agree on very clear processes. All roles and responsibilities should be clarified, including confidentiality. Ideally, communities and those who may be reporting violations will also have agreed to the process.

Respect for the views of the child or young person: Along with the issue of informed consent, no action(s) should be taken that may jeopardise the safety and confidentiality of the child or young person.

Quality of information: The information collected needs to clearly state the following: who; what; when; where; how and why – information should give a clear sequence of events. The source should always be clearly stated so that the user of the information can assess its reliability.

Verification and accuracy: The system should have standard methods for ensuring that information is verified and reliable. For example, eyewitnesses placing information in chronological sequence to check for contradictions, and/or comparing information from multiple sources are all tested methods of verification.

Security of information: Security of information and confidentiality for its providers must be key values for the National Child Protection Network and all others. Sensitive information must be carefully stored to ensure confidentiality as appropriate, and to avoid loss of information. Information security systems do not need to be sophisticated; however, they must be developed according to particular contexts. Encryption of electronic data or double copying of audio cassettes are examples of systems used in different types of armed conflict situations. Confidentiality should be discussed by each Child Protection Network to ensure consensus on how it is defined in specific cultural contexts. In all cases, the minimum level of detail of information should be used. For example, where a case-by-case response is planned, identity of the survivor and other details will be necessary. However, it will probably not be necessary to store or share this information where the objective is to deliver a report on trends in violations or to develop an advocacy strategy.

Timeliness: Both monitoring and reporting must be done in a timely and strategic way. For instance, monitoring should take place consistently or as near in time to the event as possible and reporting should be done to facilitate and ensure appropriate responses.

Database: A database should be designed to provide aggregate data for reports about violations, as well as detailed, descriptive cases that provide context and point to trends. A tool will need to be developed for the database to ensure that egregious cases are flagged for urgent action and new types of incidents point to early warning activity. Databases must ensure respect for confidentiality, security of children, and safety of reporters.

Assistance for those reporting: Survivors of serious violations will have psychosocial, medical and possibly material and security needs. Information-gathering must be accompanied by support to the victim, through referral to essential services, and further monitoring to ensure there is no negative impact from making a disclosure.

Reference material

General

- Action for the Rights of Children (ARC) - A Rights Based Capacity Building and Training Initiative. Save the Children & UNHCR, October 2002. (2nd edition forthcoming)

- Boys for Change. Save the Children Sweden, 2007.

- Can the Powerful Protect? How the UN Security Council needs to shape up to protect children. Save the Children, 2007.

- Child-led Disaster Risk Reduction: A Practical Guide. Save the Children, 2007.

- Child Rights Perspective in Response to Natural Disasters in South Asia: A retrospective study. Save the Children Sweden, 2006.

- Child Rights Programming: How to apply rights-based approaches to programming. Save the Children, 2005.

- Core Commitments for Children in an Emergency. UNICEF, 2002.

- Eight Elements of a Protective Environment. UNICEF.

- Gender Mainstreaming in Emergency Response – Handbook for Programme Staff. Save the Children UK, 2006.

- Humanitarian Principles Training: A Child Rights Protection Approach to Complex Emergencies (Session 7 – Protecting Children). COE-DMHA.

- Inter-Agency Guidelines for Developing Reintegration Programmes for Children Affected by Armed Conflict in West Africa. Save the Children UK, 2007.

- Internal Displacement – Global Overview of Trends and Development in 2006. Norwegian Refugee Council & Internal Displacement Monitoring Center, 2007.

- Introduction to Child Protection in Emergencies, an Inter-agency modular training package. UNICEF, CCF, IRC, Save the Children, Terre des Hommes and UNHCR, 2007.

- Legacy of Disasters. Save the Children UK. 2007.

- Making a Difference: Training Materials to Promote Diversity and Tackle Discrimination. Save the Children UK, 2005.

- Manual for Conflict Analysis. Methods Document, Division for Peace and Security through Development Cooperation, Swedish International Development Cooperation Agency (SIDA), 2006.

- PATH (A Principled Approach to Humanitarian Action) Training Programme. UNICEF, 2006.

- Rapid Assessment Guide and Tools for Child Protection in Emergencies (draft). UNICEF, 2006.

- Protecting Children in Emergencies. Save the Children, 2005.

- Refugee Children: Guidelines on Protection and Care. UNHCR, 1994.

- Technical Notes: Special Consideration for Programming in Unstable Situations. UNICEF, 2000.

- Tool for rapid child-oriented assessment in the earliest stages of emergency situations, Save the Children Sweden, 2002.

- Why effective national child protection systems are needed. Save the Children's key recommendations in response to the UN Secretary-General's Study on Violence against Children. Save the Children, 2006.

Children's Participation
- Children's Participation in Humanitarian Action – Learning from Zones of Armed Conflict. Refugee Study Centre, Oxford University, 2004.

- Getting It Right for Children: A Practioner's Guide to Child Rights Programming, PEN-CRP, Save the Children Alliance, 2007.

- Practice Standards in Children's Participation. Save the Children, 2005.

- So You Want to Consult with Children - A Toolkit of Good Practice. Save the Children, 2003.

- Training Manual Child-led Disaster Risk Reduction in Schools and Communities. Save the Children Sweden – Southeast Asia and the Pacific Regional Office, 2007.

Community-based Approaches
- Helping Children Outgrow War. USAID, 2002.

- Making Space for Children - Planning for Post-Disaster Reconstruction with Children and their Families. Save the Children, 2006.

- Protecting Children's Rights Using Community-based Approaches – Southern Sudan. Save the Children Sweden, 2007.

- Rising from the Rubble – Communities Lead the Earthquake Response. Save the Children Sweden, 2006.

- Together – How Communities in Côte d'Ivoire are Protecting their Children. Save the Children Sweden, 2006.

Family separation
- Guidelines for the Protection and Alternative Care of Children without Parental Care (draft). UNICEF & ISS, 2006.

- Guidelines on the Formal Determination of the Best Interests of the Child. UNHCR, 2006.

- Interagency Guidelines on separated and unaccompanied children. ICRC / UNHCR / Save the Children UK / IRC / UNICEF / World Vision International, 2004.

- Interagency Child Protection Database, Save the Children, IRC, UNICEF, 2006.

- The Lost Ones - Emergency Care and Family Tracing for Children from Birth to 5 Years. IRC, 2005.

- Mobility Mapping and Flow Diagrams: Tools for Family Tracing and Social Reintegration Work with Separated Children. USAID, 2003.

- Separated Children: Care and Protection of Children in Emergencies, Save the Children US, 2004.

- Separated Children in Europe Programme, Statement of Good Practice, Second Edition, Save the Children & UNHCR, July 2004.

- Statement of Good Practice, 2nd Ed. Separated Children in Europe Programme (Save the Children and UNHCR), 2004.

- Training Guide. Separated Children in Europe Programme (Save the Children and UNHCR), 2001.

- Whose Children? Separated Children's Protection and Participation in Emergencies. Save the Children Sweden, 2004.

- Working with Separated Children: A Field Guide, by Sarah Uppard & Celia Petty, Save the Children UK, 1998.

Recruitment into armed forces and armed groups
- Cape Town Principles and Best Practice on the Prevention of Recruitment of Children into Armed Forces and Demobilisation and Reintegration of Child Soldiers in Africa, 1997.

- Child Soldiers. Global Report. Coalition to Stop the Use of Child Soldiers, 2004.

- Child's Rights and Child Protection Before, During and After Conflict. Training Manual. Save the Children Sweden, 2000.

- Child Soldiers – Care and Protection of Children in Emergencies. Save the Children US, 2001.

- Children, Not Soldiers. S. Uppard & I. McConnan, Save the Children UK, 2002.

- Children and DDR. IDDRS 05.30 (Interagency Disarmament, Demobilisation, and Reintegration Working Groups), 2005.

- Fighting Back. Save the Children UK, 2005.

- A Fighting Chance. Save the Children, 2004.

- Forgotten Casualties of War: Girls in Armed Conflict. Save the Children UK, 2005.

- Going Home: Demobilising and Reintegrating Child Soldiers in DRC. Save the Children UK, 2003.

- Getting it right, doing it right: Gender disarmament, demobilisation and reintegration. UNIFEM, 2004.

- Impact of Armed Conflict on Children, Graça Machel, UN, 1996.

- Machel Study 10 Year Strategic Review: Children and Conflict in a Changing World. UNICEF and the Special Representative of the Secretary-General for Children and Armed Conflict (SRSG CAAC), 2007.

- Neither War, Nor Peace: Children in Organised Armed Violence, Luke Dowdney, 2006.

- Paris Principles, 2007.

- Prevention of Underage Military Recruitment. Save the Children.

- Stolen Futures: The reintegration of children affected by armed conflict, Submission of the 10 Year Review of the Graca Machel Study, Save the Children, 2007.

- Why Do Adolescents Volunteer for Armed Forces or Armed Groups? Rachel Brett, Quaker United Nations Office, 2003.

- Youth and DDR. IDDRS 05.20 (Interagency Disarmament, Demobilisation, and Reintegration Working Groups), 2005.

Exploitation and Gender-based violence
- Beyond Firewood: Fuel Alternatives and Protection strategies for Displaced women and girls. Women's Commission for refugee women and children, 2006.

- From Camp to Community: Liberia Study on Exploitation of Children. Discussion Paper, Save the Children UK, 2006.

- Gender-Based Violence: Care and Protection of Children in Emergencies. J. Benjamin & L. Murchison, Save the Children US, 2003.

- Gender-based Violence Module, Reach Out: (UNHCR), 2005.

- Guidelines for Gender-based Violence Interventions in Humanitarian Setting: Focusing on Prevention of and Response to Sexual Violence in Emergencies. IASC, 2005.

- Handbook for the Protection of Women and Girls (draft). UNHCR, 2006.

- Masculinities: Male Roles and Male Involvement in the Promotion of Gender Equality. Women's Commission for Refugee Women and Children, 2005.

- Protectiing Children from sexual exploitation and sexual violence in Disaster and Emergency situations - A guide for local and community based organisations. Stephanie Delaney. ECPAT International. March 2006 (Asia Focus).

- Sexual and Gender-based Violence against refugees, returnees and IDPs: Guidelines for prevention & response. UNHCR, 2003.

- Task Force Report on protection from sexual exploitation & abuse in humanitarian situations, IASC, 2002.

- Training Manual on caring for Survivors of Sexual Violence in Conflict Situations. UNICEF, 2004.

Physical harm
- Child Landmine Survivors. Save the Children, 2002.

- Corporal Punishment. Save the Children, 2003.

- Positive discipline of children: a human rights framework for practice. Save the Children Sweden and SEAP, 2006.

- UN Study on Violence against Children. UN, 2006.
- Violence Against Children in Southern Sudan. Save the Children Sweden, 2007.

Psychosocial distress
- A Toolkit on Positive Discipline with particular emphasis on South and Central Asia, Save the Children, 2007 http://sca.savethechildren.se/sca/Publications/Children-and-violence/

- Children in Crisis: Good Practices in Evaluating Psychosocial Programming. Joan Duncan and Laura Arntson, Save the Children US, 2004.

- Community-based Psychosocial Support Training Manual. IFRC.

- Emergencies and Psychosocial Care and Protection of Affected Children. Save the Children Sweden, 2005.

- IASC Guidelines on Mental Health and Psychosocial Support in Emergency Settings. IASC, 2007.

- The Refugee Experience – Psychosocial Training Module, Refugee Study Centre, Oxford University, 2001.

- Promoting Psychosocial Well-being Among Children Affected by Armed Conflict and Displacement. Principles and approaches. Save the Children UK, 1996.

- Psychosocial Care and Protection of Children in Emergencies - A Field Guide. Save the Children US, 2004.

- Psychosocial Care and Protection of Tsunami-Affected Children. Guiding Principles. IRC, SCUK, UNICEF, UNHCR, WVI, 2005.

- Psychosocial Interventions - Training Manual, Save the Children, 2001.

- Working with Children in Unstable Situations – Principles and Concepts to Guide Psychosocial Responses. UNICEF, 2003.

HIV/AIDS
- Guidelines for HIV/AIDS interventions in emergency settings. Inter-Agency Standing Committee (IASC), 2003.

- HIV and Conflict: A double emergency. Save the Children, 2002.

- HIV/AIDS and Humanitarian Action. ODI, 2004.

- Mainstreaming AIDS in Development and Humanitarian Programmes. Action Aid, Oxfam GB, Save the Children UK, 2004.

Links with other sectors

- Minimum Standards for Education in Emergencies, Chronic Crises and Recovery. Inter-Agency Network for Education in Emergencies, 2004.

- Rewrite the Future. Save the Children. 2006.

- The role of education in protecting children in conflict, Nicolai, S. and Triplehorn, C., Humanitarian Practice Network, ODI, 2003.

- Child Protection in Complex Emergencies: An Analysis of Law and Practice. Children and Armed Conflict Unit, University of Essex, 2002.

- Global Report 2004: Research Guide. Coalition to Stop the Use of Child Soldiers, 2004.

- Humanitarian Negotiations with Armed Groups: A Manual for Practitioners, Gerard McHugh and Manuel Bessler. United Nations, 2006.

- Aide Memoire for the Consultation of Issues Pertaining to the Protection of Civilians. OCHA, 2004.

- Protecting Children in Armed Conflict: Blueprints for Compliance. Watchlist on Children and Armed Conflict. 2004.

International legal framework

United Nations Security Council Resolutions:

- Security Council Resolution 1261 (1999), UN document S/RES/1261

- Security Council Resolution 1314 (2000), UN document S/RES/1314

- Security Council Resolution 1379 (2001), UN document S/RES/1379

- Security Council Resolution 1460 (2003), UN document S/RES/1460

- Security Council Resolution 1539 (2004), UN document S/RES/1539

- Security Council Resolution 1612 (2005), UN document S/RES/1612

- Security Council Resolution 1674 (2006), UN document S/RES/1674

Conventions on the Rights of the Child

United Nations Convention on the Rights of the Child (1989), UN document A/44/49 (1989).

- The Optional Protocol on the sale of children, child prostitution and child pornography (2000), UN document A/RES/54/263.

- The Optional Protocol on the involvement of children in armed conflict (2000), UN document A/RES/54/263.

- The African Charter of the Rights and Welfare of the Child (1990), OAU Doc. CAB/LEG/24.9/49.
- International Labour Organisation Convention 182, Worst Forms of Child Labour Convention (1999).

The Geneva Conventions (1949)

- Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field. Geneva.

- Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea. Geneva.

- Convention (III) relative to the Treatment of Prisoners of War. Geneva.

- Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva.

The two additional protocols to the Geneva Conventions (1977)

- Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I).

- Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II).

Other

- Rome Statute of the International Criminal Court (1998), UN document A/CONF.183/9.

Convention on the Status of Refugees (1951).

Key Organizational Websites
Better Care Network: www.crin.org/bcn

Child Rights Information Network: www.crin.org

Coalition to Stop the Use of Child Soldiers: www.child-soldiers.org

Human Rights Watch: www.hrw.org

Interaction: www.interaction.org

International Save the Children Alliance: www.savethechildren.net

International Social Services: www.iss-ssi.org

OCHA (resources): www.reliefweb.int

Sphere: www.sphereproject.org

Special Representative on CAC:
www.un.org/children/conflict/english/home6.html

The Human Rights Council: http://www.ohchr.org/english/bodies/hrcouncil/

UNHCR: www.unhcr.org

UNICEF: www.unicef.org/emerg/index_issues.html

Watchlist: www.watchlist.org

Annex 1: International legal framework

After many years of extensive, coordinated advocacy by Save the Children and other actors there is now a substantial body of international legal instruments, Security Council resolutions, interagency guidelines, procedures and protocols, provisions in peace accords, agreed standards and concrete commitments made by parties to protect children in emergencies from abuse, neglect, exploitation and violence[1]. It is important to remember that these legal instruments and programmatic procedures complement and reinforce the UN CRC, which is universally applicable. Practitioners, advocates, policy-makers and decision-makers can draw upon this extensive body of work to ensure that pressure is exerted on the duty-bearers, as well as on the perpetrators of violations, and that corrective action is taken.

Humanitarian Law

International Law, in particular International Humanitarian Law (Geneva Conventions), lays down the standards for the protection of civilians in armed conflict. The four **Geneva Conventions of 1949** and their two additional protocols of 1977 are the main instruments of international humanitarian law:

- Geneva Convention I – sets out obligations for warring parties relating to the treatment and protection of members of the armed forces who are wounded or sick in the field;
- Geneva Convention II – sets out obligations for warring parties relating to the treatment and protection of members of the armed forces who are shipwrecked or wounded and sick at sea;
- Geneva Convention III – sets out obligations for warring parties relating to the treatment and protection of prisoners of war;
- Geneva Convention IV – sets out obligations for warring parties relating to the treatment and protection of civilian persons in time of war, occupation or internment.

International Humanitarian Law specifically demands for the protection of civilians. It states that warring parties will:

- respect the **distinction** between combatants and non-combatants;
- weigh the **proportionality** of violence as against the potential of harming civilians;
- take **precautions** to avoid civilian losses and damage.

The Fourth Geneva Convention has very little information about children, although it provides for parties to the convention to provide special protection for children. Specifically, Article 12 obliges parties to allow for the free passage of food, clothing and medicine intended for children; Article 24 obliges states to assist children who are separated or orphaned; and Article 14 allows state parties to establish hospital and safety zones to protect children, including other vulnerable groups.

Given the changing nature of armed conflict since the Geneva Convention came into force, there was a requirement for additional protocols to address internal conflicts. These additional protocols were adopted in 1977, which effectively updated the Geneva Convention, allowing it to extend protection to civilians in international conflicts and to set out minimum guarantees in internal conflicts:

- **Additional Protocol I** – widens the protection afforded to children in international conflicts, ensuring that they shall be subject to special respect and be protected from any form of indecent assault. Parties must also provide care and aid that children require:
  - Article 77 (2) & (3) – minimum age of recruitment being 15;
  - Article 77 (3) & (4) – juveniles shall be held separate from adults and not subject to the death penalty;
  - Article 78 (1) – provides that children shall not be evacuated unless there are compelling reasons and that parental consent shall be sought prior to any evacuation;
  - Article 78 (2) – provides that after the child has been evacuated a child's education shall continue.

- **Additional Protocol II** – addresses the conduct of parties in non-international armed conflicts, the obligations are less restrictive and the conflict must fulfil the requirement in Article 1. Protocol II provides similar obligations to Protocol 1 but more limited in nature:
  - Article 4(3a) – children are entitled to education;
  - Article 4(3b) – children are to be reunited with their families where they have been separated;
  - Article 4(3c) – children under the age of 15 are to be protected from recruitment by government and armed opposition groups.
  - Article 4(3e) – children are to be removed from conflict zones to safer areas with parental consent;

Human Rights Law

United Nations Convention on the Rights of the Child (1989)

United Nations Convention on the Rights of the Child sets out comprehensive economic, social and cultural rights as well as civil and political rights for children. The United Nations Convention on the Rights of the Child provides a comprehensive framework of children's rights, as well as a mechanism through which those obliged to fulfil these rights can be held to account. The articles in the Convention which are most relevant to child protection in emergencies include:

- Article 2 – the right to non-discrimination;
- Article 3 – best interest of the child;
- Article 6 – the right to life;
- Articles 7 & 8 – identity;
- Article 9, 10 & 20 – avoidance of separation from parents; family reunification; the protection of a child without family;
- Article 11 – freedom from illicit transfer and non-return;

- Article 12 – the right to participation
- Articles 19 & 37 – freedom from abuse and neglect;
- Article 22 – the protection of refugee children, or children seeking refuge;
- Article 25 – rights regarding alternative care and placement in institutions;
- Article 28 – the right to a primary education, which should be free;
- Article 32 – economic exploitation and protection from hazardous work;
- Article 34 – freedom from sexual exploitation;
- Article 35 – freedom from sale, trafficking and abduction;
- Article 36 – freedom from other forms of exploitation;
- Article 37 – freedom from torture and deprivation of liberty;
- Article 38 – children under 15 years of age have no direct part in hostilities, nor shall they be recruited into the armed forces;
- Article 39 – rehabilitative care: child victims of armed conflicts, torture, neglect, maltreatment or exploitation receive appropriate treatment for their recovery and social reintegration;
- Article 40 – juvenile justice, rights regarding administration of justice (conditions of arrest, trial and detention).

UN CRC's Optional Protocols (2000)

In 2000, the United Nations General Assembly adopted by consensus an Optional Protocol to the CRC on the involvement of children in armed conflict, which raises from 15 to 18 years the age at which direct participation in armed conflict will be permitted and establishes a ban on compulsory recruitment below 18 years. Although the Optional Protocol sets 18 as the minimum age for compulsory recruitment, it does not establish age 18 as a minimum for voluntary recruitment. The Optional Protocol urges governments to take all feasible measures to ensure that children have no direct part in hostilities, and is applicable to both armed forces and armed groups.

International Labour Organisation Convention 182 (1999)

ILO Convention 182 deals with the worst forms of child labour. Article 3 of ILO Convention 182 defines the worst forms of child labour as: child slavery, the commercial sexual exploitation of children, use of children for illegal activities, and any form of work which is likely to compromise the child's health, safety or morals, including children associated with armed groups and forces. All countries that adopt ILO Convention 182 are accountable for the child labour practices within their country. The Convention requires that each State establish effective measures that prohibit and eliminate the worst forms of child labour.

Rome Statute of the International Criminal Court (1998)

The International Criminal Court (ICC) is an important deterrent to the abuses against children, specifically the conscription, enlistment, or use in hostilities of children under the age of 15 years, which was defined as a war crime in the ICC statute. The statute also included other important measures to protect children in armed conflict: it recognized intentional attacks on educational institutions as a war crime; provided special arrangements for children as victims and witnesses; and exempted children below the age of 18 from prosecution by the court. Ultimately, the court will assist in ensuring that there is accountability for the crimes perpetrated against children, which endure with impunity all over the world.

Convention on the Status of Refugees (1951)

The Convention on the Status of Refugees and its 1967 Protocol also provides for the right of protection for child refugees in times of armed conflict and emergencies. States have an obligation to respect the principle of non-refoulement. Non-refoulement is defined as the right not to be returned if an individual's life would be threatened. Refugees have the right to enjoy the same rights (political, civil, social and economic) as those granted to foreign residents of the country of asylum, such as the freedom of thought, movement and freedom from torture and degrading treatment.

In particular:
- Articles 3 & 4 – Right of Non-discrimination: the rights contained in the Refugee Convention must be equally applied to every refugee, without any distinction on the grounds of race, religion, nationality, membership of a particular group or political opinion;
- Articles 25 & 28 – Right to documentation and certifications on status, including travel documents;
- Article 16 – Right of access to courts of the country of asylum;
- Articles 17 & 24 – Right to work, refugees shall benefit from the labour legislation and social security regimes accorded to nationals of the country of asylum;
- Article 22 – Right to education (1951 Refugee Convention).

African Charter of the Rights and Welfare of the Child

This charter is the first regional treaty to establish 18 as the minimum age for all compulsory military recruitment and participation in hostilities.

Security Council Resolutions

Prior to 1999 there were no Security Council Resolutions that dealt specifically with children and armed conflict. Through steady work of child rights agencies, the issue of children affected by emergencies has been placed firmly on the peace and security agenda of the United Nations. These resolutions are:

Security Council Resolution 1261 (1999)

The first resolution in 1999, resolution 1261, significantly stated that the protection and security of children affected by armed conflict was an international peace and security issue and therefore within the mandate of the Security Council. The resolution urges all member states and all parts of the UN system to intensify their efforts to ensure an end to the recruitment and use of under-age combatants, as well as facilitating the disarmament, demobilisation, rehabilitation and reintegration of children already being used as soldiers. In addition, it urges all warring parties to take "special measures" to protect children, particularly girls, from rape and other forms of sexual abuse. Resolution 1261 urges that appropriate priority be placed during such negotiations on the protection and rehabilitation of children. It also calls for agencies, organisations and governments implementing post-conflict reconstruction programmes to place children's needs at the centre of planning and resource allocation. Resolution 1261 also recognises the damaging impact of the proliferation and cross-border flow of small arms on the security of vulnerable populations, particularly children.

Security Council Resolution 1314 (2000)

The Security Council emphasizes the responsibility of all countries to exclude from amnesty arrangements anyone responsible for grave crimes against children. It calls for measures against the illicit trade in natural resources such as diamonds, which fuel war machines and contribute to the massive victimisation of children. The resolution calls for greater protection and assistance to refugees and internally displaced persons – most of whom are children and women – and stresses the importance of addressing the special needs and vulnerabilities of girls affected by armed conflict. It also calls for intensified efforts to obtain the release of abducted children. Resolution 1314 followed the publication on 19 July 2000 by the UN Secretary-General, Kofi Annan, of a comprehensive report (S/2000/712), which was mandated by Resolution 1261. Many of the new resolution's provisions follow on from the 55 specific recommendations made in the Secretary-General's report, which was the subject of an Open Debate in the Security Council on 26 July.

Security Council Resolution 1379 (2001)

This resolution based upon the previous resolution addressed other issues of concern including HIV/AIDS. Building upon the measure against those parties who use and recruit children in hostilities, the Security Council asked the Secretary-General to draw up a list of parties that recruit or use children in violation of international law. The Council also asked the Secretary-General to continue, and intensify, monitoring and reporting activities by peacekeeping and peace-building support operations on the situation of children in armed conflict. In a report requested by the Council on the resolution's implementation, the Secretary-General was requested to attach a list of parties to armed conflict that recruit or use children in violation of their international obligations. The resolution also called on all parties to armed conflict to fully respect international laws related to the rights and protection of children in armed conflict; provide protection and assistance to refugees and internally displaced people; take special measures to promote and protect the rights of girls, meet their needs and put an end to all forms of violence and exploitation; and provide protection for children

in peace agreements. The Council also expressed its readiness to continue to include child protection advisers in peacekeeping operations. States were urged to ratify the Optional Protocol to the Convention on the Rights of the Child on involvement of children in armed conflict

Security Council Resolution 1460 (2003)

This resolution requested the Secretary-General to submit a report, which would include, among other things, progress made by the parties listed in the Annex of his previous report in ending the recruitment or use of children in armed conflict and an assessment of violations of rights and abuses of such children. The resolution requested the Secretary-General to ensure that in all his reports to the Council on country-specific situations, the protection of children in armed conflict is included as a specific aspect of the report. The Council also noted with concern all the cases of sexual exploitation and abuse of women and children, especially girls, in humanitarian crisis, including those cases involving humanitarian workers and peacekeepers. In that regard, it requested countries that contribute peacekeepers to incorporate the Six Core Principles of the Inter-Agency Standing Committee on Emergencies into pertinent codes of conduct for personnel and to develop appropriate disciplinary and accountability mechanisms. Further, it called upon Member States and international organisations to ensure that children affected by armed conflict are included in all disarmament, demobilization and reintegration processes, taking into account the specific needs and capacities of girls, and that the duration of these processes is sufficient for a successful transition to normal life. In this regard, the Council emphasised the importance of education, including the monitoring - through schools - of children demobilized, in order to prevent re-recruitment.

Security Council Resolution 1539 (2004)

As in previous resolutions, 1539 condemned the use and recruitment of children in armed conflict, but further broadened the list of violations to include killing and maiming, rape and other sexual violence mostly committed against girls, abduction and forced displacement, denial of humanitarian access, attacks against schools and hospitals, trafficking, forced labour, all forms of slavery and all other violations committed against children during conflict. The Security Council requested the Secretary-General, in a report to be submitted by 31 October 2004, to devise an action plan for a systematic and comprehensive monitoring and reporting mechanism, utilizing expertise from the UN system, national governments, regional organisations, and NGOs in their advisory capacity, in order to provide information on the recruitment and use of child soldiers as well as other violations. The Council called upon parties listed in the Secretary General's report in situations on the Security Council agenda to prepare concrete, time-bound action plans to halt the recruitment and use of children, in close cooperation with UN peacekeeping missions and country teams. It further requested the Secretary-General to regularly review compliance and expressed its intention to consider imposing targeted measures in country-specific resolutions, such as weapons bans and bans on military assistance, if parties refuse to enter into dialogue, fail to develop action plans or meet commitments made in their action plan. Resolution 1539 also called upon States and the UN system to recognize the important role of education in conflict areas in halting and preventing recruitment and re-recruitment of children.

Security Council Resolution 1612 (2005)

Resolution 1612 authorized the implementation of a mechanism for monitoring, reporting on and punishing those responsible for grave violations against children in conflict. The Council noted that the mechanism will monitor grave violations by governments and non-state actors, focusing especially on crimes identified in Resolution 1539: recruiting child soldiers in violation of international instruments, killing and maiming of children, rape and other sexual violence mostly committed against girls, abduction and forced displacement, denial of humanitarian access to children, attacks against schools and hospitals, as well as trafficking, forced labour and all forms of slavery. The resolution called for the mechanism to be implemented immediately in those situations listed in the Secretary-General's report that are already on the Security Council's agenda and then later to be applied to those situations in the Secretary-General's report that are not on the Council's agenda. The Security Council authorized the establishment of a working group comprised of all 15 Council members, who would be responsible for monitoring the implementation of this and its previous resolutions on children and armed conflict and conducting an independent review of the monitoring and reporting mechanism. Additionally, the Council expressed concern about the lack of progress by listed offending parties on developing and implementing the action plans for ending violations, called for in Resolution 1539 (2004), and called on the involved parties to do so without delay. The resolution also requested regional and sub-regional organisations involved with children affected by armed conflict to mainstream child protection into all aspects of their work, including training for peace operations and establishing child protection mechanisms within their secretariats. The Security Council also reaffirmed its intention to consider imposing targeted measures against those parties to situations of armed conflict that are on the Security Council's agenda and are in violation of applicable international law relating to the rights and protection of children in armed conflict.[73]

Security Council Resolution 1674 (2006) – Protection of Civilians in Armed Conflict

This resolution reaffirmed the Security Council's concerns regarding the protection of civilians, particularly women and children, in armed conflict. Of particular importance, the Security Council used this resolution to recognize the important role education plays in supporting efforts to halt and prevent abuses committed against civilians affected by armed conflict. The resolution notes that education is particularly useful in efforts to prevent sexual exploitation, trafficking in humans, and the recruitment/re-recruitment of child soldiers. The resolution also reaffirmed previous condemnations against acts of violence committed against civilians, in particular gender-based and sexual violence, violence against children, the recruitment and use of child soldiers, and the intentional denial of humanitarian assistance, demanding that all parties put an end to such practices. In this resolution the Security Council emphasized the responsibility of States to

---

[73] *See Security Council website for press statements on the establishment of Security Council working group on follow-up to resolution 1612.*

comply with their relevant obligations to end impunity for those responsible for such crimes.

The Security Council called upon all parties concerned to ensure that peace processes, peace agreements and post-conflict recovery and reconstruction planning have regard for the special needs of women and children, with specific measures for their protection, including the facilitation of the provision of humanitarian assistance, the facilitation of early access to education and training and the ending of impunity. The resolution reaffirmed the need to maintain the secure, civilian character of refugee and internally displaced person camps and encourages the Secretary-General to use existent peacekeeping operations and their respective mandates to take all feasible measures to ensure the security in and around such camps. The Security Council condemned in the strongest terms sexual and other forms of violence against civilians generally, and in equally strong terms against such acts committed by military, police and civilian personnel involved in United Nations operations. Finally, the resolution noted that the deliberate and widespread violations of international humanitarian and human rights law in situations of armed conflict may constitute a threat to international peace and security and reaffirmed in this regard the Security Council's readiness to consider such situations, and, where necessary, to adopt appropriate steps.