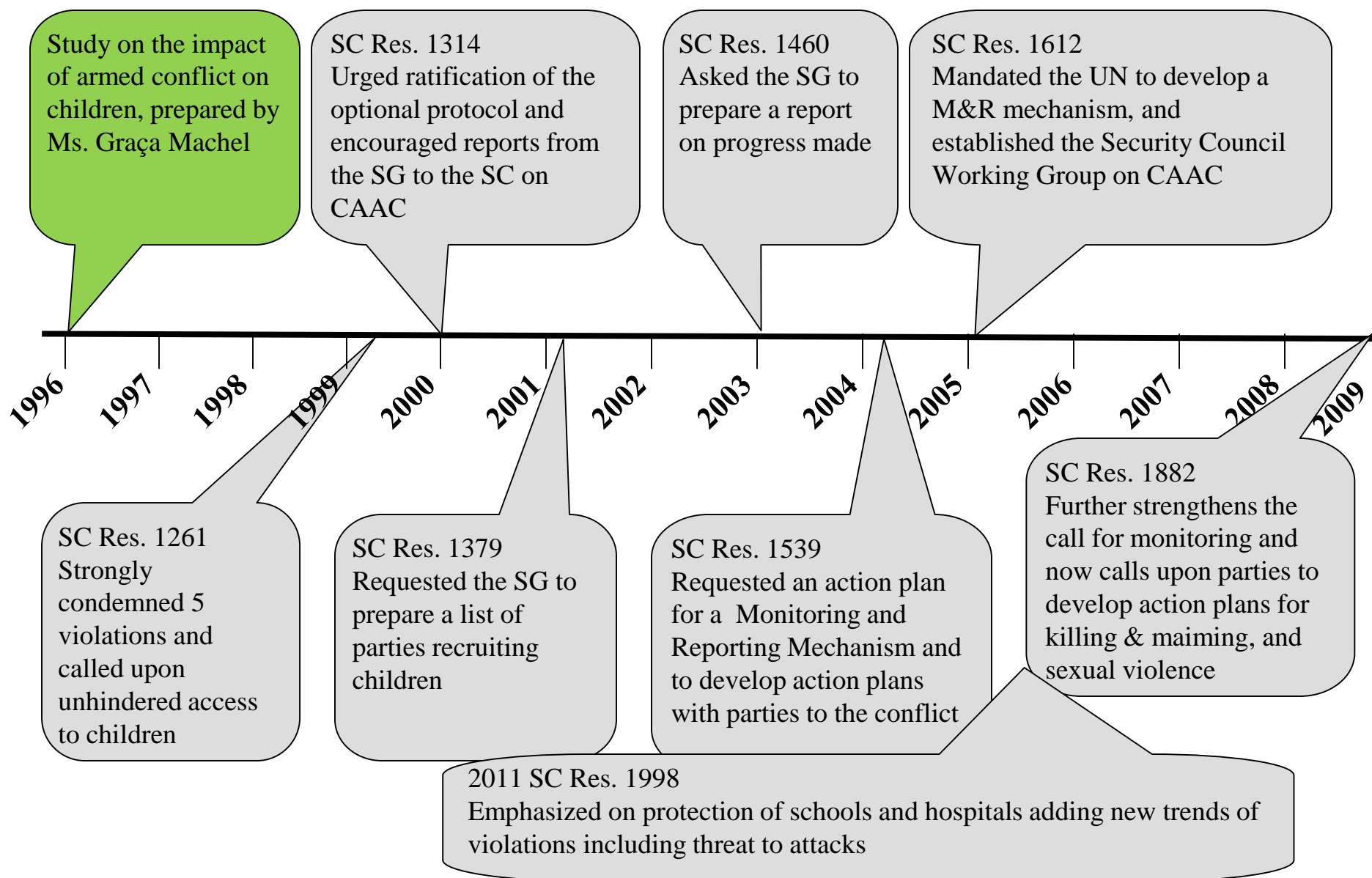


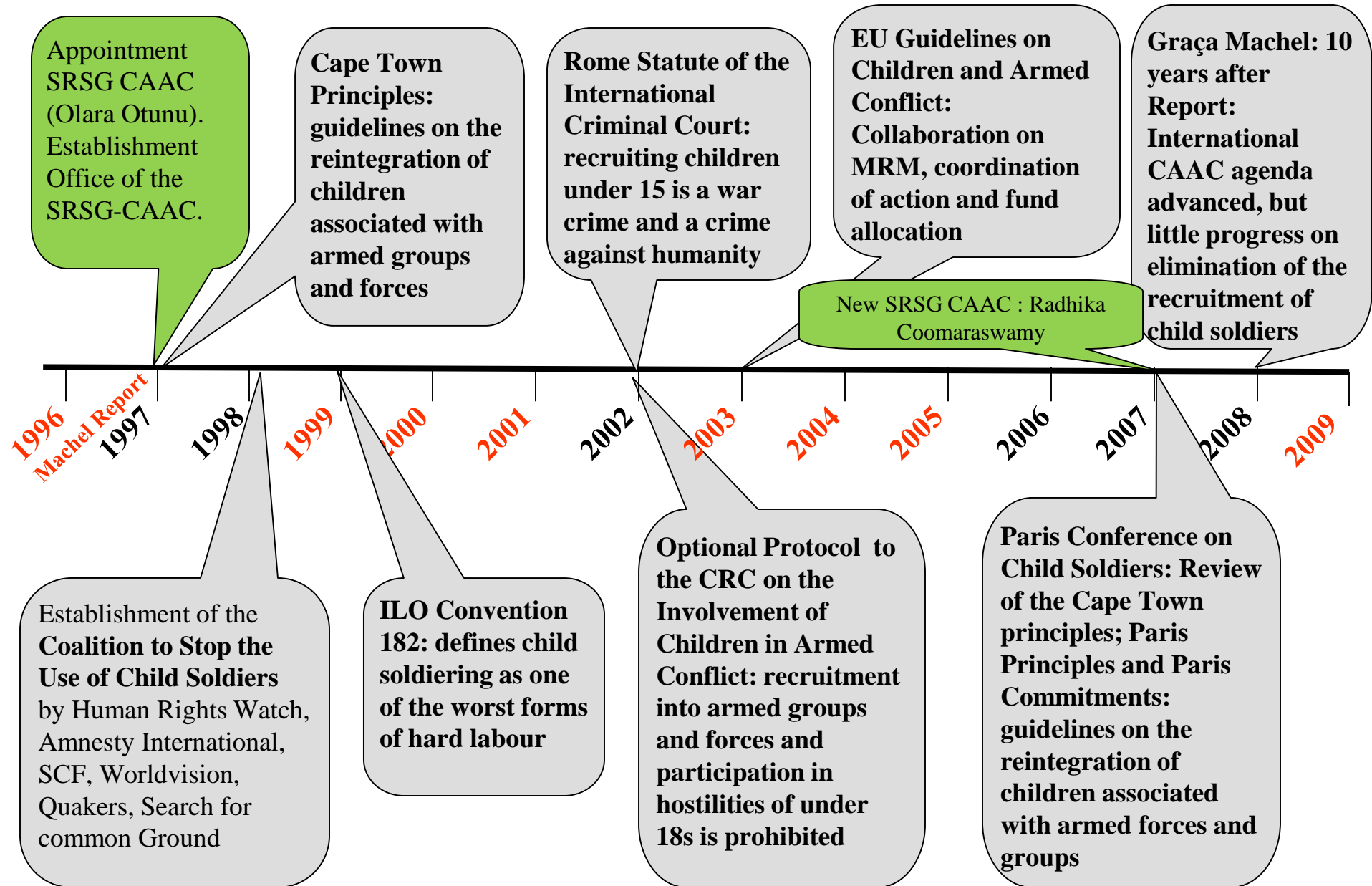
Monitoring and Reporting Grave Violations against Children



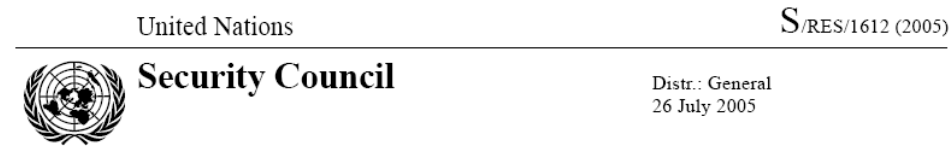
The Road to UN Security Council Resolutions



Other benchmarks for the advancement of CAAC agenda



In the history of the Security Council, the first human rights issue that led to the creation of a special Security Council Working Group to regularly review the situation...



Resolution 1612 (2005)

**Adopted by the Security Council at its 5235th meeting,
on 26 July 2005**

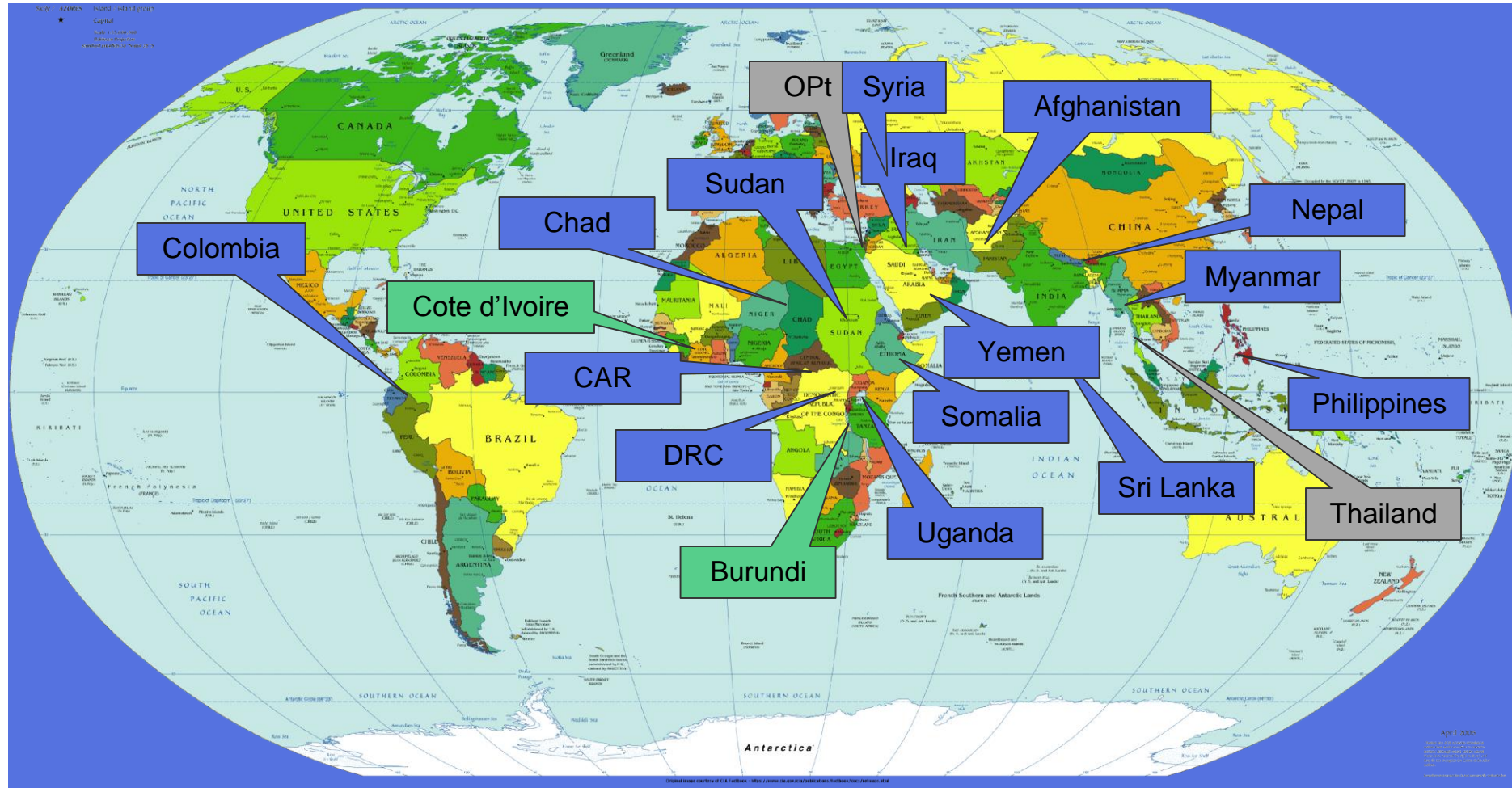
The Security Council,

Reaffirming its resolutions 1261 (1999) of 25 August 1999, 1314 (2000) of 11 August 2000, 1379 (2001) of 20 November 2001, 1460 (2003) of 30 January 2003, and 1539 (2004) of 22 April 2004, which contribute to a comprehensive framework for addressing the protection of children affected by armed conflict,

While noting the advances made for the protection of children affected by armed conflict, particularly in the areas of advocacy and the development of norms and standards, remaining deeply concerned over the lack of overall progress on the ground, where violence to conflict continues to inflict with increasing the victims

= the issue of children and armed conflict.

15 MRM Country Task Forces currently Monitoring and Reporting



Plus CAAC Working Groups such as in OPT and Thailand.

Security Council Resolution 1612

- Adopted by the Security Council on 26 July 2005.
- The SG is requested to establish a Monitoring and Reporting Mechanism on **grave child rights violations in situations of armed conflict**.

Main requirements of SCR 1612:

- Monitoring and Reporting Mechanism;
- Security Council Working Group established;
- Task force at country level lead by UN – Co-chaired by SRSG & RC with UNICEF Representative (*as outlined in SG's Annual Report 2005*)
- Action plans for children affected by armed conflict; focused on recruitment but also raises other concerns
- Support national institutions and local civil society networks for response mechanisms to violations
- Calls for member States to end impunity and to prosecute for war crimes especially those against children
- **The MRM is NOT conducted to directly secure criminal prosecutions or contribute to national or international criminal processes.**

Security Council Resolution 1882

- Adopted by the Security Council on 4 August 2009.

Main components of SCR 1882:

- **Expansion of triggers** to implement MRM – previously recruitment but now includes parties engaging in patterns of **killing & maiming**, and/or **sexual violence** against children;
- Offending parties to be called upon to make **action plans** for all of the above **AND** to make commitments on other grave violations against children;
- Enhanced communication with the **Security Council Sanctions Committee**;
- **Bringing perpetrators to justice**: Member States are called upon to take decisive and immediate action against persistent perpetrators of violations
- Need to ensure triggering of appropriate **response**

Monitoring and Reporting Mechanism

The MRM is a UN-led process, which involves a broad circle of stakeholders, including the UN Security Council, national governments, various UN departments and agencies, international and local NGOs, and affected communities. The cooperation and 'buy-in' of this broad range of actors is an important prerequisite and an 'added value' of the MRM.

Purpose

The purpose of the MRM is to provide for the systematic gathering of accurate, timely, objective and reliable information on grave violations committed against children⁴ in situations of armed conflict, as well as in other situations of concern as determined by the Secretary-General.⁵

Such information should be used as a basis to foster the accountability and compliance of parties to conflict with international child protection standards and norms, and should lead to well informed, concerted and effective advocacy and responses to protect and care for children.

WHAT ARE GRAVE CHILD RIGHTS VIOLATIONS?



THE SIX GRAVE VIOLATIONS

Listed in the Annual Report of the SG 2005

- 1. Killing and maiming**
- 2. Use and recruitment of children by armed forces or armed groups**
- 3. Sexual violence against children**
- 4. Attacks on schools and hospitals**
- 5. Abduction of children**
- 6. Denial of access to humanitarian assistance**

Grave violations included in the MRM are committed against children by armed forces and armed groups, in the context of an armed conflict

WHO ARE THE PARTIES TO THE CONFLICT WHO NEED TO BE MONITORED?



In what situations should the MRM be implemented?

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

- **INFORMATION MUST BE:**

- **ACCURATE**
- **OBJECTIVE**
- **RELIABLE**
- **TIMELY**

General principles for monitoring and reporting

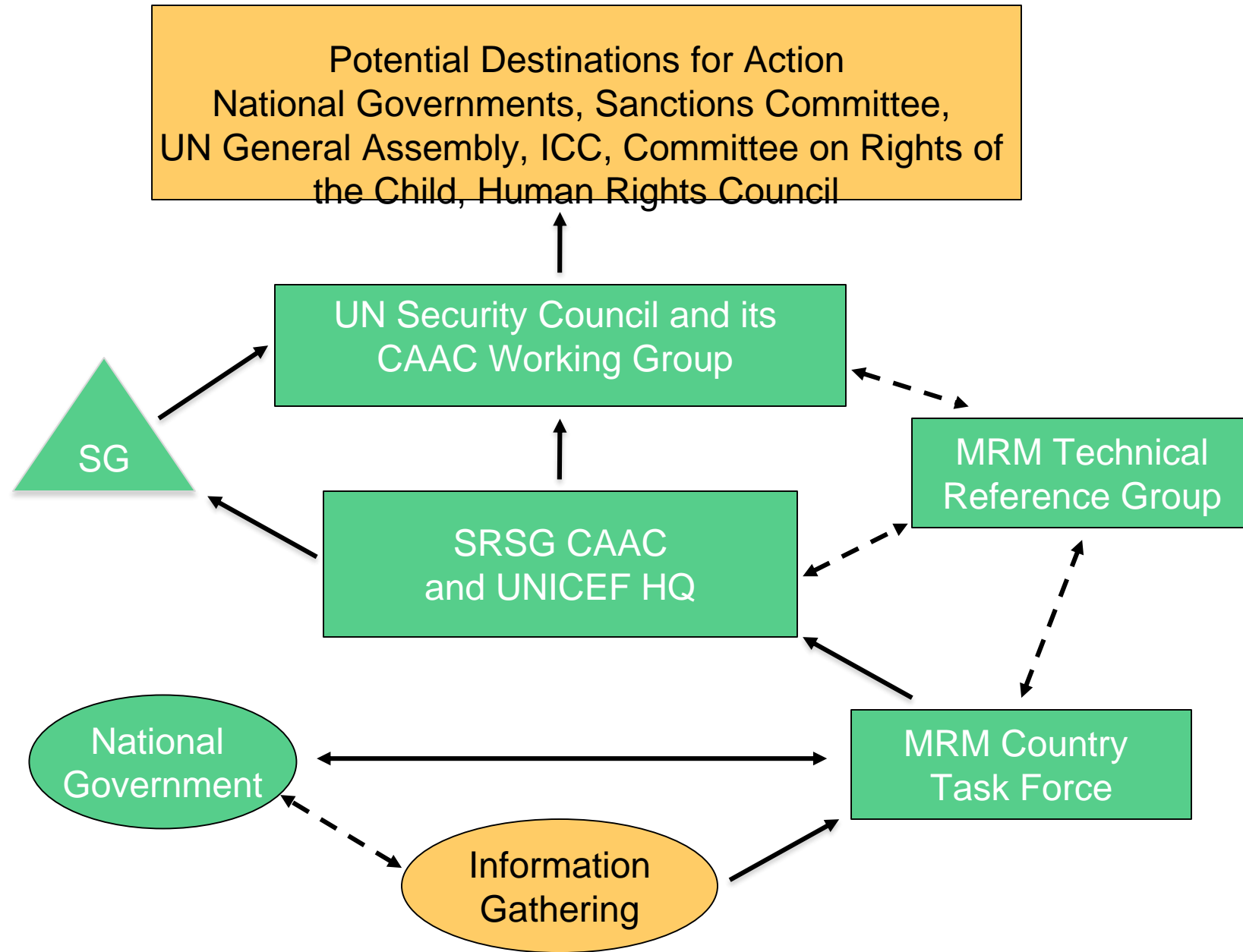
The MRM should be guided by the following principles:

- . a) The 'best interest of the child' as articulated under the Convention on the Rights of the Child (CRC) is the primary consideration in the implementation of all aspects of the MRM;
- . b) Ensuring impartiality and objectivity of information gatherers – Information collectors should be independent of parties to conflict, and should provide, without prejudice, information on violations committed by all parties to an armed conflict;
- . c) Ensuring security and confidentiality – Due consideration must be given to the security of children who have suffered violations and their families, of witnesses and other information providers, and of monitoring staff. Individuals who provide information on violations and victims should be protected with anonymity in public reports and confidentiality in the interview process. Protocols to secure information and data should be established.
- . d) Ensuring accuracy, reliability and timeliness of information – A system of analysis and verification should be established, and the process should ensure that information is gathered and transmitted in a timely manner.

Who can monitor? Some ways we get information

- a. Human rights monitoring with specific mandate for investigative / outreach work
- b. Humanitarian and **programme staff** who take reports when incidents come to their attention during the normal course of their work
- c. Monitors, humanitarian or programme staff **respond to an alert** of a specific incident or case; and investigate and report
- d. UN Peace keepers' observations
- e. Reports taken when **complainants approach an agency directly** to provide information

What happens to the information?



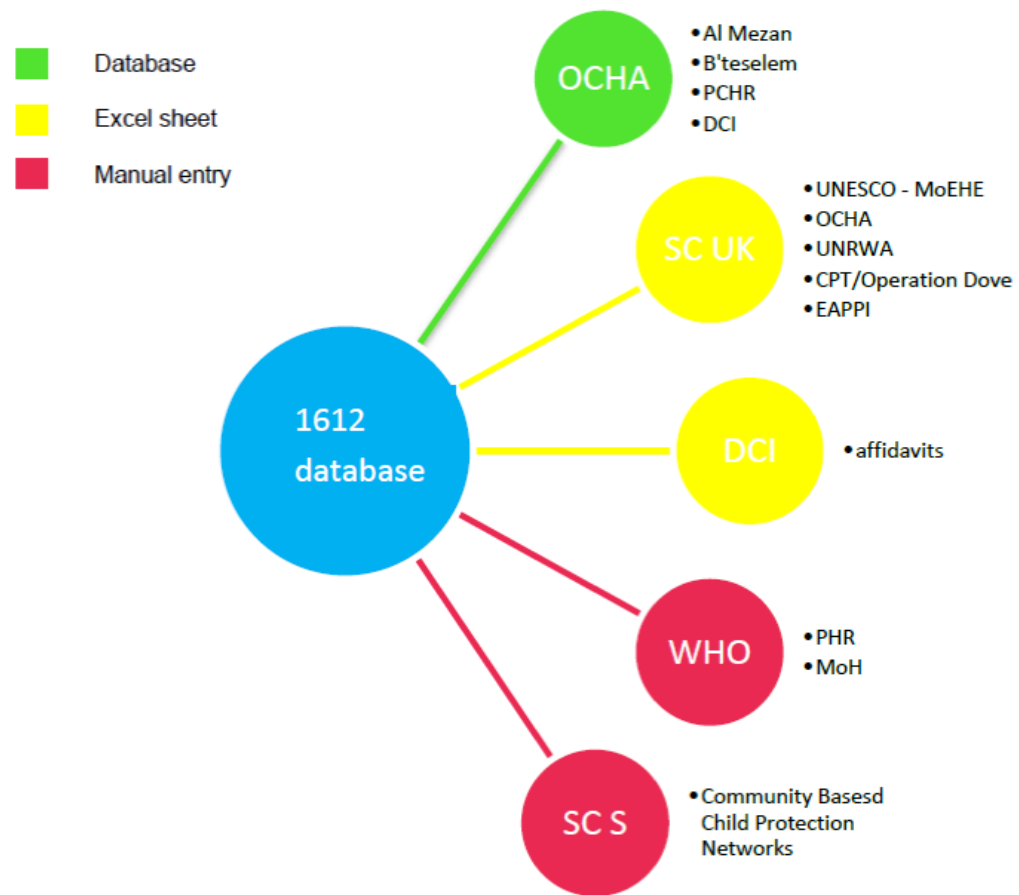
MRM in oPT/Israel

Voluntary Working Group established in oPT/Israel in 2007 by UNICEF and Save the Children.

Current members of the MRM Working Group include: Save the Children, DCI-Palestine, B'Tselem, Palestinian Centre for Human Rights (PCHR), War Child Holland, OCHA, OHCHR, UNICEF, UNESCO, UNRWA, WHO and EAAPI.

Multiple human rights agencies provide information to the MRM database – in order to systematize the data collection a number of agencies function as informal ‘indicator leads’ for the different violations

New violations trends were added to the national mechanism (Settlers attacks, Force despoilment, Child detention and ill-treatment)



Destination of Action

1. Bi-monthly reports (Global Horizontal Notes)
2. Annual Report of the Secretary General and the SRSG CAAC
3. Reporting to EU Committee for Children Affected by Armed Conflict
4. Feed into CRC Monitoring Committee & other treaty bodies
5. Child Protection Networks at District, National, Regional and Global level with a focus on a. Programme responses, b. Informs needs analyses and the CAP process, c. Informs Governments & Multi-lateral entities
6. Information to donors
7. Inputs to regular child and human rights reports
8. Can provide for evidence-based advocacy with State and non-state actors
9. Entry point for dialogue with the PA to discuss violations, action plans and response as well as review reports and recommendations
10. Informs UN Bodies and other international organizations

Responses – whose responsibility?

1. UN SC Res 1612 stresses that national Governments have the primary role to provide effective child protection.
2. UN SC Res 1882 additionally stresses that reintegration programmes for children, building on best practice identified by UNICEF and other child protection actors should be provided.
3. Role of CTFMR
 - Provide information to Government and the protection cluster on trends or areas of particular concern that require a programme response
 - To make appropriate referrals for response where required
 - Raise awareness on grave violations of child rights with government, civil society and peacekeepers
 - Advocacy with the parties to the conflict on specific issues
4. Role of Protection Cluster
 - Develop appropriate programmes in response to key issues
 - Link with government on programme response

Situation on listing parties to conflict in oPT/Israel

- Background
- Why its important?
- What can we do? Ideas?
- What is next?

Thank you....

