



Council of the
European Union

Brussels, 4 June 2024
(OR. en)

10703/24

LIMITE

**COPS 311
CIVCOM 146
POLMIL 202
COHOM 125
EUMC 282
RELEX 757**

NOTE

From: Committee for Civilian Aspects of Crisis Management
Politico-Military Group

To: Political and Security Committee

Subject: Updated Checklist for the Integration of the Protection of Children Affected
by Armed Conflict into CSDP Mission and Operations

Delegations will find annexed the Updated Checklist for the Integration of the Protection of Children Affected by Armed Conflict into CSDP Mission and Operations, as agreed by CivCom, PMG and COHOM on 22 May 2024.

UPDATE 2024**CHECKLIST FOR THE INTEGRATION OF PROTECTION OF CHILDREN AFFECTED
BY ARMED CONFLICT INTO CSDP MISSIONS AND OPERATIONS****I Introduction**

For over two decades, the protection of children¹ in situations of armed conflict has been an integral part of the international peace and security agenda. Despite efforts, however, the world witnesses grave violations of children's rights in conflicts at an unprecedented scale. The enduring harm inflicted on children in armed conflict affects severely their physical, social and mental wellbeing and limit their future life opportunities. War trauma is carried over across generations, hindering the development of peaceful societies.

The UN has defined six grave violations against children during armed conflict², informing the work of the UN Security Council that has developed a comprehensive framework for the protection of children affected by armed conflict (CAAC)³. Conscious of the fact that ensuring child protection, including in conflict settings, is a legal obligation in line with the international human rights law and international humanitarian law, the EU has supported the UN CAAC agenda since the outset, including the development of specific guidelines to support this agenda in its external action. It has expressed its strong political support to upholding and delivering on child protection in its security, defence and crisis management policies, including the 2022 Strategic Compass for Security and Defence, and the 2023 Civilian CSDP Compact.

¹ Article 1 of the UN Convention on the Rights of the Child (CRC) defines the child as a human being who is below the age of 18 years.

² Killing and maiming of children, recruitment or use of children in armed forces and groups, rape and other forms of sexual violence against children, abduction of children, attacks against schools and hospitals, and denial of humanitarian access to children.

³ UN SCRs: 1261, 1314, 1379 1460, 1539, 1612, 1882, 1998, 2068, 2143, 2225, 2427, and 2601.

II Objectives of the CSDP Checklist

The first CSDP Checklist on CAAC⁴ was issued in 2006. The present document replaces the 2006 Checklist and complements the updated EU Guidelines on Children and Armed Conflict (2024) by providing operational and hands-on guidance for the integration of child protection into the planning and conduct of operations.

The updated Checklist seeks to ensure that child protection is systematically addressed from the planning to the implementation and review of CSDP missions and operations. The document is intended for use by staff responsible for mission/operation planning as well as for the conduct of activities. It offers practical guidance and tips on how CSDP missions and operations can integrate child protection into their work, in accordance with their specific mandate. The EU CSDP missions and operations support typically justice, security and defence sectors, and have many avenues to support partners with child protection advice and training and with strengthening accountability mechanisms to fight impunity for crimes against children, among other things.

III Child protection in the planning and review of CSDP missions and operations:

The planning and review processes of CSDP missions and operations should systematically consider child protection concerns, for example through the following measures:

- Incorporate child protection concerns explicitly into terms of reference for planning, assessment and review of missions/operations.
- Address child protection concerns and commitments by host countries in planning documents. Examples of relevant issues include institution-building and strengthening of child protection initiatives, including child-friendly justice systems, juvenile justice administration, legislative reform, training and advice for local police and armed forces, penitentiary and justice administration officials, strengthening the capacity of local child rights NGOs; child-conscious Disarmament, Demobilisation and Reintegration (DDR) and Security Sector Reform (SSR).

⁴ Checklist for the Integration of the Protection of Children affected by Armed Conflict into ESDP Operations (Council doc. 9767/06, dated 23 May 2006).

- Planning should take into account needs and vulnerabilities of children, bearing in mind the specific vulnerability of a girl child and unaccompanied children.
- Ensure that the CSDP mission/operation, within its respective mandate and as relevant, addresses child protection concerns and provides options on how mission/operation could engage. Rules of engagement for military operations should address key child protection concerns, including with regard to children associated with armed forces or groups in the mission area. The annual report as well as the country specific reports of the UN Secretary-General on Children and Armed Conflict⁵ can also provide a good basis of information.
- In the planning of CSDP mission/operation, as well as the review and lessons processes, seek the advice, cooperation and support from relevant international partners, in particular UNICEF, the Office of the Special Representative of the UN Secretary General for Children and Armed Conflict (OSRSG/CAAC), UN Department of Peacekeeping Operations (DPO), UN Department of Political and Peacebuilding Affairs (DPPA), OHCHR, ICRC, relevant regional organisations and civil society child protection partners.

IV Operational aspects of protecting children within CSDP missions and operations:

Under the guidance of Heads of Mission and Mission/Operation Force Commanders, a CSDP mission/operation should in particular:

Mainstream child protection throughout the conduct of operations and activities:

- Develop a mission-wide approach to implementing child protection aspects of the mission's mandate and consider how each component of the mission might take account of child protection concerns, for example as a part of the mission's Human Rights and Gender Action Plans.

⁵ Available at <https://childrenandarmedconflict.un.org/document-type/annual-reports/>.

- Include child protection concerns and violations of children's rights in monitoring and reporting activities of the mission, particularly when the host country and/or parties have made specific commitments in this regard⁶.
- Integrate a gender and age perspective into all policies, programmes, projects, monitoring and data collection. This includes disaggregating data by sex and age, to the extent possible.
- During all phases of operations, seek the collaboration with relevant international partners, including in particular, UNICEF, UN OSRSG/CAAC, UN DPO, UN DPPA, OHCHR, ICRC and geographically relevant regional organisations (such as the African Union and the Organisation for Security and Co-operation in Europe (OSCE), in headquarters and at the field level, to facilitate the identification of and cooperation with existing local child protection networks and/or Country Task Forces for Monitoring and Reporting (CTFMR) or their equivalent working groups⁷.

Report on child protection issues:

- Ensure that relevant Council Working Groups, and in particular, the Political and Security Committee (PSC), the Committee for Civilian Aspects of Crisis Management (CIVCOM), the Working Party on Human Rights (COHOM), the Politico-Military Group (PMG) and the EU Military Committee (EUMC) are informed, including through six-monthly reports and briefings, of the child-relevant aspects in the mission mandate and operational activities. Geographical Council Working Groups should also be informed of the efforts to integrate CAAC into CSDP missions and operations deployed in the regions falling under their competence.
- Heads of Mission and Commanders should include in their periodic reports and analysis information on the effects of conflicts on children, in particular violations and abuses against children, as well as periodic evaluations of the possible impact of the mission/operation actions with regard to child protection.

Appoint a child protection focal person:

⁶ For example, by signing and ratifying the UN Convention on the Rights of the Child and/or its additional protocols or when they have signed a CAAC Action Plan with the UN.

⁷ The CTFMR (or its equivalent) is always co-chaired by the highest UN entity in the country (SRSG of the peacekeeping or special political position or in non-mission contexts the Resident Coordinator) and the Unicef Representative.

- Each mission and operation should appoint at least one Child Protection Focal Person, to provide advice and support to other mission members. A Child Protection Focal Person should be appointed even if a mission's or operation's structure and mandate and/or the local context of deployment do not fall under a typical CAAC situation, to focus on preventive aspects of the CAAC agenda.
- The Child Protection Focal Person should liaise with key child protection partners, including with the co-chairs of the Country Task Force on Monitoring and Reporting at technical level.

Collaborate with child protection partners:

- Engage with child protection partners to obtain a good knowledge of the key players in child protection and child rights in the mission and operation area and a clear sense of the local child protection concerns and priorities.
- In regular civil society consultations and trust building activities, ensure that organisations working on children's rights are invited and involved. Civil society consultations involving child protection partners can inform the mission/operation of the key child protection priorities and concerns relevant to the mission/operation mandate.
- Seek cooperation with UN child protection partners, in particular, through the Country Task Force on Monitoring and Reporting, in the implementation of relevant aspects of the mandate of the mission and operation, e.g. training, monitoring and reporting and capacity building.
- In partnership with local child protection actors, ensure that institution-building initiatives carried out within the scope of mission/operation mandate account for child protection concerns.
- Ensure coordination with EU Delegations in the context of EU human rights country strategies and EU country roadmaps for the engagement with the civil society.

- Within the nexus approach, ensure that humanitarian-peace-development needs are well coordinated and complementary in order to address protracted crises, including by addressing both immediate needs and long-term solutions with a specific focus on children's needs and child protection.

Key child protection concerns for consideration:

Under the guidance of Heads of Mission and Mission/Operation Force Commanders, a CSDP Mission/Operation should in particular consider the following thematic issues:

Prevention of children's rights violations:

- Promote and provide trainings to relevant national counterparts on international human rights law (IHRL) and international humanitarian law (IHL), including with a dedicated focus to child protection norms and standards.
- Raise awareness and provide trainings on other relevant commitments for the protection of children in contexts of armed conflict such as:
 - the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups ("the Paris Principles");
 - the Vancouver Principles on Peacekeeping and the Prevention of the Recruitment and Use of Child Soldiers ("the Vancouver Principles");
 - the Safe Schools Declaration on protecting education in armed conflict;
 - the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences arising from the use of Explosive Weapons in Populated Areas (EWIPA), and encourage their signature and implementation.

Protection of children exposed to abuse and violations:

- Stress the importance that all parties to conflict take special measures to protect civilians, in particular children, from all forms of violence and abuse, especially the recruitment or use of children in armed forces and groups, killing and maiming of children, rape and other forms of sexual violence, abduction of children, attacks against schools and hospitals, and denial of humanitarian access.

- Remind parties to conflict of their obligations under IHRL and IHL, in particular child protection.
- Advocate for the importance of trauma-informed and victim-centred approaches and of providing mental health and psychosocial support (MPHSS) services for children victims of violence and abuse.
- Advocate for and advise on safe referral procedures and mechanisms for children in migration and unaccompanied children who are particularly vulnerable and might be victims of human trafficking. Safe referral mechanisms should guarantee that vulnerable children receive adequate and age appropriate assistance and protection.

Human rights and IHL risk management:

- In line with the EU Human Rights Due Diligence Policy on Security Sector Support to third parties (EU HRDDP) include six grave violations of children's rights in conflict within the scope of work to identify, assess and mitigate the risks associated with security sector support to third parties.

Monitoring and reporting on the situation of children affected by armed conflict:

- Include in internal reporting information on serious violations of the rights of the child committed by the parties to conflict, as appropriate.
- Support the development or strengthening of networks/task forces for the monitoring, investigating and responding to child rights violations, as foreseen in UNSC resolution 1612 (2005), including through training and capacity-building of civil society groups.

Release and reintegration of children associated with armed forces or groups:

- Encourage the adoption of standard operating procedures on the handover of children associated with armed forces or groups to civilian child protection actors and encourage their implementation.
- In line with the 2021 EU Joint Communication on Disarmament, Demobilization and Reintegration (DDR) of former combatants advocate for the victim-centred approaches, which consider children primarily as victims of six grave violations, irrespective of their role and the designation of the group. If children have committed abuses while associated with armed groups, restorative justice should be prioritised over criminal justice option.
- If supporting DDR programmes, prioritise long-term and sustainable approach involving children, families and receiving communities. Specialised child protection agencies should be engaged early in DDR processes and children should always be separated from adults in DDR processes. Particular attention should be given to the communal work required to break any cycle of violence, to address and unpack stigmas and to help build mutual trust.

Security Sector Reform (SSR):

- Promote inclusive security sector reform responding to the security needs and concerns of all segments in the population, including boys and girls, by including the protection of children in SSR strategies, concepts and programmes.
- Ensure that the reform of the police and the national armed forces addresses child protection concerns and the provision of training on human rights law, including the rights of the child, and international humanitarian law.

Rule of Law (law reform, legislation, juvenile justice, law enforcement):

- Promote the ratification of international and regional instruments relevant for the protection of children⁸ and provide support for their implementation.
- Advise and assist governments on law reforms concerning children (new legislation, e.g. child rights bill, or reform of existing laws) in accordance with the UN Convention on the Rights of the Child and other applicable international human rights norms and standards.
- Promote appropriate protection and child friendly justice systems for children in need of legal protection, in contact with the law and deprived of liberty.
- Advocate for the alignment of national juvenile justice system with international juvenile justice standards and ensure that the content of legislation, policies and guidelines on juvenile justice address the rights and needs of children.
- Provide training, information and sensitisation campaigns for judges and lawyers, prosecutors, law enforcement officials and social workers on child protection legislation, child-friendly justice, and juvenile justice systems.
- Support the provision of technical assistance for the improvement of birth registration, including through the adoption of national legislation and establishment of birth registration systems.
- Carry out an analysis of the national justice systems' capacity and readiness from a child protection perspective and ensure that existing laws and procedures are in line with international standards.
- Promote and provide support for the development and implementation of child protection policies and for the creation of child protection units within law enforcement agencies.
- Provide support and training to law enforcement officials on child protection standards and child-friendly procedures, including on the establishment of child sensitive and age appropriate interview techniques and measures that are in line with international norms while handling children in contact with the law.

⁸ The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC); the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (OPSC); the Rome Statute of the International Criminal Court; the ILO Convention No.182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour; the African Charter on the Rights and Welfare of the Child; the Council of Europe's Lanzarote Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

Accountability mechanisms:

- Promote the criminalisation of crimes against children in situations of armed conflict⁹ in national legal systems, where appropriate.
- Promote the investigation and prosecution of the six grave violations against children to end impunity for child rights violations in conflicts and to hold the perpetrators accountable.
- Support justice and truth-seeking mechanisms in the development and implementation of child-sensitive procedures, e.g. building capacity of investigators, statement takers and officials involved in how to address cases involving children and how to interview and take testimonies from children.

Gender dimension and intersecting forms of vulnerability:

- Raise awareness and consider the gender dimension and intersecting forms of vulnerability, which may contribute to the increased vulnerability of some children. Displaced children, unaccompanied children, children with disabilities, living in poverty, lacking access to education or victims of gender-based violence (including domestic violence) are at higher risk of recruitment and other forms of grave violations. Girls are more at risk of sexual and gender-based violence; boys are more at risk of recruitment and of being victims of unexploded ordnances. In situations of armed conflict, harmful practices such as early and forced marriage and female genital mutilation tend to increase.

⁹ Killing and maiming of children; recruitment and use of children by armed forces and armed groups; sexual violence against children; attacks against schools or hospitals; abduction of children; and denial of humanitarian access for children.

Prevention of sexual and gender-based violence:

- Promote and support the establishment of an effective system within the security sector for preventing, monitoring, and reporting on sexual and gender-based violence (SGBV) and sexual exploitation and abuse (SEA), as well as the provision of special care for sexually exploited and abused children, including sexual and reproductive health care services. This could entail support to comprehensive one-stop centres, which would facilitate holistic support to victims of SGBV and SEA, including child victims.
- Provide advice and training to security sector actors on child and victim-centred and trauma-informed handling of victims of SGBV and SEA.

Child involvement:

- Seek the views and engagement of children in processes and decisions that concern them. Children should be considered as rights holders and active members of their communities, and it is important to get their views and involve them to the extent possible.
- In the context of civilian missions, seek to include children in the consultations carried out through civil society platforms and include children in confidence building activities. In military missions and operations, seek to engage with children within CIMIC activities. The principles of ‘Do No Harm’ and ‘the best interests of the child’ should always guide all interactions with children.
- Interactions with children should be coordinated with child protection experts, when possible. A dedicated training for civilian experts or military actors on interaction with children in conflict and crisis zones should be made available, when relevant.

Communication on child protection:

- On international human rights days, including the World Children's Day on 20 November, the International Day against the Use of Child Soldiers on 12 February, International Day to Protect Education from Attack on 9 September and the International Day of the Girl Child on 11 October, communicate around the issues affecting children in armed conflict to raise awareness and mobilise support for the cause of children.

V Training in child protection and on the protection of conflict-affected children:

- Member States should ensure that child protection issues are adequately covered in their national training programmes, in particular for military and civilian personnel to be deployed in CSDP missions and operations.
- PMG and CIVCOM to take into account human rights aspects, including CAAC, when considering future training needs for military and civilian crisis management.
- Include human rights, including child protection, in pre-deployment trainings for the personnel deployed to CSDP missions and operations, and in-mission induction trainings, particularly when child protection is explicitly included in the mission/operation mandate.
- In missions and operations, ensure that all mission personnel receive periodic training on human rights and gender equality, international humanitarian law, including on child protection. Scenario-based trainings should be prioritised to ensure the transfer of theory into practice. Training should seek to maximize the positive potential of mission personnel to improve child protection while ensuring adherence to the relevant codes of conduct.
- Regular, fact-based CAAC training provided by experts and adapted to the respective audiences should be made available to the EU, including EEAS, EU delegations, EU Commission, Military Planning and Conduct Capability (MPCC) and Civilian Planning and Conduct Capability (CPCC) personnel.
- Engage with the UN actors, in particular with the UN OSRSG/CAAC, to cooperate on and coordinate child protection trainings internally and for the host country

counterparts. To this effect, ensure effective communication between actors on already available training opportunities.

VI Follow-up:

- All CSDP missions and operations, within their respective mandates, Member States, the Council General Secretariat and all other relevant EU bodies are invited to implement the proposed measures. The implementation of the CSDP Checklist will be included in assessments and reviews of specific missions and operations.
- To assess the progress and challenges concerning the implementation of the updated CSDP Checklist as well as the updated EU CAAC Guidelines, an annual discussion will be organised in Political and Security Committee (prepared in cooperation with all relevant working parties).

Annex - Definitions of six grave violations¹⁰

Killing and maiming:

Killing: Any action in the context of the armed conflict that results in the death of one or more children.

Maiming: Any action that causes a serious, permanent, disabling injury, scarring or mutilation to a child.

Killing and injuring of children as a result of direct targeting and also indirect actions, including: crossfire, landmines, cluster munitions, improvised explosive devices or other indiscriminate explosive devices. Killing or injuring can take place in the context of military operations, house demolitions, search-and-arrest campaigns, or suicide attacks. Torture belongs also into this category.

Recruitment or use of children by armed forces and groups:

Recruitment: refers to compulsory, forced or voluntary conscription or enlistment of children into any kind of armed force or armed group(s) under the age stipulated in the international treaties applicable to the armed force or armed group in question.

Use of children: refers to the use of children by armed forces or armed groups in any capacity, including, but not limited to, children, boys and girls, used as fighters, cooks, porters, messengers, spies and collaborators.

¹⁰ The UN Manual on the Monitoring and Reporting Mechanism, 2014, available at: <https://www.mrmttools.org/>

Attacks on schools or hospitals:

Attacks include the targeting of schools or medical facilities that cause the total or partial destruction of such facilities. Other interferences to the normal operation of the facility may also be reported, such as the occupation, shelling, targeting for propaganda of, or otherwise causing harm to schools or medical facilities or their personnel.

Rape and other forms of sexual violence against children:

A violent act of a sexual nature to a child. This encompasses rape, other sexual violence, sexual slavery, enforced prostitution, forced marriage/pregnancy, or enforced sterilization.

Rape/attempted rape: is an act of non-consensual sexual intercourse. This can include the invasion of any part of the body with a sexual organ and/or the invasion of the genital or anal opening with any object or body part. Any penetration is considered rape. Efforts to rape someone, which do not result in penetration, are considered attempted rape.

Sexual violence: is any sexual act, attempt to obtain a sexual act, or acts to traffic a child's sexuality. Sexual violence takes many forms, including rape, sexual slavery and/or trafficking, forced marriage/pregnancy, sexual harassment, sexual exploitation and/or abuse, and forced abortion.

Abduction of children:

The unlawful removal, seizure, capture, apprehension, taking or enforced disappearance of a child either temporarily or permanently for the purpose of any form of exploitation of the child. This includes, but is not limited to, recruitment in armed forces or groups, participation in hostilities, sexual exploitation or abuse, forced labour, hostage-taking and indoctrination. If a child is recruited by force by an armed force or group, this is considered as two separate violations - abduction and recruitment.

Denial of humanitarian access for children:

The intentional deprivation of or impediment to the passage of humanitarian assistance indispensable to children's survival, by the parties to the conflict, including wilfully impeding relief supplies as provided for under the Geneva Conventions; and significant impediments to the ability of humanitarian or other relevant actors to access and assist affected children, in situations of armed conflict. The denial should be considered in terms of children's access to assistance as well as humanitarian agencies' ability to access vulnerable populations, including children.
