
Module 3:

SAFEGUARDING CHILDREN

OVERVIEW

This module aims to show learners how to interact with children according to UN standards of conduct. It addresses the appropriate standards of conduct for UN Police but also illustrates the principle of the best interests of the child by using examples of good practices for positive interactions with children.

LEARNING OUTCOMES

- Know the UN Standards of Conduct applicable to all UN Personnel and guiding principles that govern interaction with children
- Understand the importance of systematically reporting on misconduct and know the different channels of reporting
- Know the zero tolerance policy on sexual exploitation and abuse, prohibition of child labor and the consequences for failing to adhere

ACTIVITIES

- PowerPoint Presentation
- Plenary discussion on case studies
- Quiz

LEARNING HANDOUTS

- Ten Rules on Standards of Conduct
- DPKO Policy on Child Labor
- Secretary-General's Bulletin on Special measures for protection from sexual exploitation and sexual abuse
- Case Study 1
- Case Study 2

FACILITATION TIME

90 minutes

TRAINER'S NOTES

SLIDE 1: Learning Outcomes

 Police officers are representatives of the law. They must set the right example by respecting and following established rules. When they are respecting the law, police officers encourage the population to do the same.

 Police officers are often the first point of contact between the public and the judicial system. Their behavior will influence the perception and level of trust of the public in the judicial system and the police. If a police officer acts disrespectfully and dishonestly, the public may be reluctant to contact the police in the future. This risks damaging the capacity of the police to maintain law and order. According to the principles of community policing, good working relationships between the police and the community are crucial in law enforcement, and trust is the central anchor of community policing.

 Police officers' interventions have a great impact on the lives of children they interact with. Police work directly affects the rights of children. UN Police Officers mentor and train host State police officers; their conduct must be up to the highest standards.

 UN Police Officers have two responsibilities for child protection. The first one concerns protecting children against violations of their rights. The second one concerns UN Police Officers' behavior: police officers must respect children's rights and act in ways that promote children's rights in all cases, including when interacting with children in contact with the law.

 If UN personnel violate the Standards of Conduct, it is important that they face the consequences, both internally within the UN system and externally through legal proceedings if crimes have been committed.

 This module will introduce you to the main UN Standards of Conduct for peacekeeping mission personnel when it comes to interacting with children and the reporting mechanisms for violations of those standards.

 Slide 2 explains the four main principles of the UN Convention on the Rights of the Child. Slide 3 provides examples of positive interactions with children. Slides 4 to 9 describe the UN Standards of Conduct for mission personnel with a focus on the absolute prohibition of sexual exploitation and abuse and child labor. Finally, slides 10 to 14 explain the reporting mechanisms for misconduct.

SLIDE 2: Guiding Principles



PLENARY DISCUSSION

 Ask learners the following question in plenary:

 What do you think the *principle of the best interests of the child* means?



Take a few answers, then complete the discussion with the following possible answers.

POSSIBLE ANSWERS:

- ❖ Treating the child properly
- ❖ Giving priority to the child
- ❖ Listening to the child: taking seriously what the child thinks he/she needs, not just what we think is good for the child
- ❖ Protecting the child
- ❖ Securing the prosperity of the child
- ❖ Respecting the rights of the child
- ❖ Taking the child's view into account in decisions that concern him/her
- ❖ Etc.



The principle of the **best interests** of the child is an essential principle of the UN Convention on the Rights of the Child (article 3). It emphasizes that the most important factor in actions and decision-making in relation to a child should be based on the best interests of that child. This means that, practically, when police officers deal with a child, they should treat that child's best interests as a priority.



There is no precise definition of the best interests of the child and the principle must be applied on a case by case basis, using one's own judgment. What constitutes the best interests of one child will not necessarily constitute the best interests of another child. An individual assessment that takes into account the situation of each child individually (age, gender, religion, maturity, background) is crucial to determine what actions/decisions will be in the best interests of that child. The main principles and the rights of children included in the CRC provide a foundation to assess and determine the best interests of the child.



Ask learners the following question in plenary:



Can you give an example of a situation within your police work where the best interests of the child were in conflict with the needs of your investigation?



Encourage learners to discuss their experience as well as other cases they may have witnessed in the course of their duties as police officers. One example could be a case where there is a need for a child to testify in a criminal case against a family member or a community member. How would this affect the best interests of the child? Another example is where the psychosocial and medical needs of the child take precedence over the course of the investigation and interview process. Another example could be when the child wishes to stay with a parent or a relative, although the latter may be abusive.



The principle of **non-discrimination** (article 2) stresses the obligation to provide equal opportunities and treat all children equally, regardless of their age, gender, social origin, religion, race or any other consideration. All children enjoy the same rights without any discrimination or distinction.

 In addition, the **do no harm** principle is derived from medical practice and is used to guide humanitarian actions. The principle aims at understanding the ways in which international humanitarian aid impacts conflict and ensure that aid does not fuel conflict. The principle also refer to affected individuals within humanitarian response, which means that additional precautions are required to make certain that their actions do not jeopardize the security of the people they are trying to help, or expose them to further violence or to other rights abuses (e.g. What would happen if you interview a child about a sensitive issue (sexual violence and identification of the perpetrator) in front of the community who gathered around you when you arrived into the village? Possible response: Revictimization and risk of stigmatization or rejection by the child's peers are highly foreseeable in this scenario and would do more harm than good even if the primary intention was good.

 Moreover, the **principle of confidentiality** stresses that 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. Don't take any action that might put the child, siblings or peers at risk even when identities are changed, obscured or not used.

SLIDE 3: Positive interactions

 There are a number of activities that UN Police Officers undertake to protect children from abuse, violence and exploitation. These are the core activities of the child protection mandate. **These activities will be discussed at more length in the following modules.**

 There are three types of activities:

1. **Child protection actions:** this category includes taking into consideration child protection issues such as the best interests of the child while performing policing duties, reporting on the grave violations and mentoring the host State police on child-friendly policing techniques (use simple language, show appropriate body language, adapt your approach based on the age of the child, be patient, seek consent from the child or include him or her in the decision making processes, etc.).
2. **Outreach activities:** this category includes the support of activities that promote children's rights, such as sensitization and awareness raising activities, community outreach, and other tasks under the principle of community policing. The community oriented policing approach, among other things, could help reinforce the partnership with communities and the resourceful mechanism that is laying within the informal child protection schemes.
3. **Daily interactions:** in the course of your deployment to a peacekeeping mission, you will come into contact with children in a range of daily situations, for example in the market, on the street, etc. Your behavior during everyday interactions with children will be guided by the UN's standards of conduct, always keeping in mind the principle of the best interests of the child.

SLIDE 4: Standards of Conduct

 The UN Standards of Conduct apply to all peacekeeping personnel: military, police and civilians. The Standards are based on three key principles:

1. Highest standards of efficiency, competence and integrity
2. Zero-tolerance policy on sexual exploitation and abuse
3. Accountability of those in command who fail to enforce the Standards of Conduct

 And a specific mention of children is made in rule 4 of the “Ten Rules: Code of Personal Conduct for Blue Helmets”:

“Do not indulge in immoral acts of sexual, physical or psychological abuse or exploitation of the local population or United Nations staff, **especially women and children.**”

 The UN Standards of conduct specifically related to children matters are detailed in different instruments such as in the prohibition of child labor in UN Peacekeeping Operations, the ten rules code of personal conduct for blue helmets and the special measures for protection from sexual exploitation and sexual abuse.

 Distribute the handout “UN Standards of Conduct, Ten Rules: Code of Personal Conduct for Blue Helmets”.

 Encourage all learners to read the rules in their own time. All UN Police Officers should be familiar with the Rules before deployment.

SLIDE 5: Standards of Conduct

 Ask the following question in plenary. Encourage learners to discuss. Then, complete the discussion with the suggested answers presented in the next slides.

What is Misconduct?

SLIDE 6: Standards of Conduct

 **Misconduct** is defined as “failure by a staff member to comply with his or her obligations under the Charter of the United Nations, the Staff Regulations and Staff Rules or other relevant administrative issuances or to observe the standards of conduct expected of an international civil servant. Misconduct may lead to the institution of a disciplinary process and the imposition of disciplinary measures.”¹

¹ United Nations Conduct and Discipline, Unit: <https://cdu.unlb.org/FAQ2.aspx>

Serious Misconduct concerns acts, including criminal acts that result in, or are likely to result in, serious loss, damage or injury to an individual or to a mission. For example:

- Sexual Exploitation and Abuse (SEA)
- Criminal activities e.g. offences against the person and offences against property, including fraud but excluding minor offences

SLIDE 7 and 8: Sexual Exploitation and Abuse

 The UN Policy on Sexual Exploitation and Abuse (SEA)² applies to all UN staff, including staff of UN peacekeeping missions, UN agencies and other affiliated UN organizations. The Policy defines sexual exploitation as:

“Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.”

And sexual abuse as:

“The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions”.

 The Policy’s absolute prohibition applies to all children, regardless of gender, age, or any other consideration. The Policy states that “sexual activity with children (any person under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defense.”

 It is important to raise awareness of the fact that sometimes friendly behaviour towards children could lead to allegations of child abuse by other colleagues (e.g. admitting an unaccompanied child into a UN compound, holding a child hand, hugging a child, etc.).

 As UN Police Officers, you have the obligation to report any violations of child’s rights you may witness and it is essential that you coordinate with the child protection experts within the mission. They will be able to provide support and guidance on the appropriate existing reporting mechanisms.



PLENARY DISCUSSION



Ask the following question in plenary:



What makes children in conflict and post-conflict areas vulnerable to sexual exploitation and abuse?

² Special measures for protection from sexual exploitation and sexual abuse, United Nations resolution ST/SGB/2003/13 of 9 October 2003, <https://cdu.unlb.org/Portals/0/Documents/KeyDoc4.pdf>



Encourage learners to discuss and complete the discussion with the following suggested answers.

SUGGESTED ANSWERS:

Children in conflict and post-conflict areas are vulnerable to sexual exploitation and abuse for a number of different reasons, including but not limited to:

- Being impoverished, unaccompanied, orphaned or homeless (children living on the street), children easily become victims of exploitation
- Living in a refugee camp or a camp for internally displaced persons without adult supervision
- Being illiterate or poorly educated
- Having no community/social networks or having lost these networks due to armed conflict
- Being addicted to drugs
- Etc.



Distribute the handout “Special measures for protection from sexual exploitation and sexual abuse” to all learners.



Encourage all learners to read the full policy in their own time. All UN Police Officers should have a comprehensive understanding of the policy before deployment.

SLIDE 9: Prohibition of Child Labor



In 2011, DPKO and DFS adopted a policy to prohibit child labor in UN operations. The “Policy on the Prohibition of Child Labor in UN Peacekeeping Operations” states that:

“The use of children under the age of 18 for purposes of labor or other rendering of services by UN peacekeeping operations is strictly prohibited.”



The policy applies to all components of UN peacekeeping missions, including contractors and their associates, and to all children (any person under the age of 18), regardless of the legal age for work under national legislation. The policy concerns all types of work (washing cars, shining shoes, cooking, cleaning, using as messenger, etc.) regardless of any form of compensation, including money, food or other compensation.



This also means that children are not allowed on UN premises to perform any tasks. For example, in some cultures it is extremely common for young girls and boys to set up stalls to sell milk or vegetables, polish shoes or wash cars. These activities are not permitted inside UN premises and UN Police Officers must not support these activities when performed by children outside the premises either.



PLENARY DISCUSSION



Ask learners the following question in plenary and encourage especially those learners who have already served in a peacekeeping mission to share their experiences:



Have you ever encountered similar situations in your work? Please share some examples and your opinion.



Distribute the handout “UN DPKO Policy on Child Labor” to all learners.



Encourage all learners to read the full policy in their own time. All UN Police Officers should have a comprehensive understanding of the policy before deployment. Trainers should stress that child labor includes various forms. Good intentions are not sufficient. The policy forbids ALL forms of child labor, even if the intention was to support the child and his or her family. Buying goods from children near the police stations, retributing children for carrying material or buying food from a local stand where children work are all examples of prohibited actions against child labor.

SLIDE 10: Reporting Misconduct



According to UN policy, UN personnel have a duty to report all concerns or suspicions of sexual exploitation and abuse:

“Where a United Nations staff member develops concerns or suspicions regarding sexual exploitation or sexual abuse by a fellow worker, whether in the same agency or not and whether or not within the United Nations system, he or she must report such concerns via established reporting mechanisms.” (UN Policy on SEA)



Missions have established a range of reporting mechanisms, including conduct and discipline teams, locked drop-boxes, private meeting rooms to allow reporting in a confidential setting, telephone hotlines, secure email addresses, regional focal points, local women’s organizations and the local UN-NGO network. The UN whistleblower policy protects from retaliation staff members who report in good faith.

SLIDE 11: Reporting Misconduct



All UN personnel are duty bound to:

- Know the UN code of conduct
- Report suspected misconduct through the different channels available (Chain of Command, Focal points, Office of Internal Oversight Services, Conduct and Discipline Team, etc.)
- Report in good faith supported by evidence

- Cooperate with UN investigations
- Make reports to UN officials, to the Office of Internal Oversight Services (OIOS) or to others in special circumstances
- Report misconduct directly to OIOS without a need for supervisory approval (ST/SGB/273, para 18)

Failure to report will be considered as a breach of UN regulations on its own and may lead to disciplinary measures.

SLIDE 12: Consequences of Misconduct



Consequences of misconduct will vary depending on the gravity of the offense. They include for:

The perpetrator (UN Peacekeeping Personnel)

- Disciplinary measures
- Redeployment
- Repatriation, Termination of contract
- Dismissal from command positions
- Criminal proceedings
- Financial liability

SLIDE 13: Consequences of Misconduct



Consequences of misconduct will vary depending on the gravity of the offense. They include for:

The victim (child):

- Physical trauma
- Psychological stress
- Stigmatisation from peers
- Interruption in development

SLIDE 14: Consequences of Misconduct



The consequences on the Organization as a whole are also extremely significant not only on its reputation but also on mission mandates and contributions to peace and security.

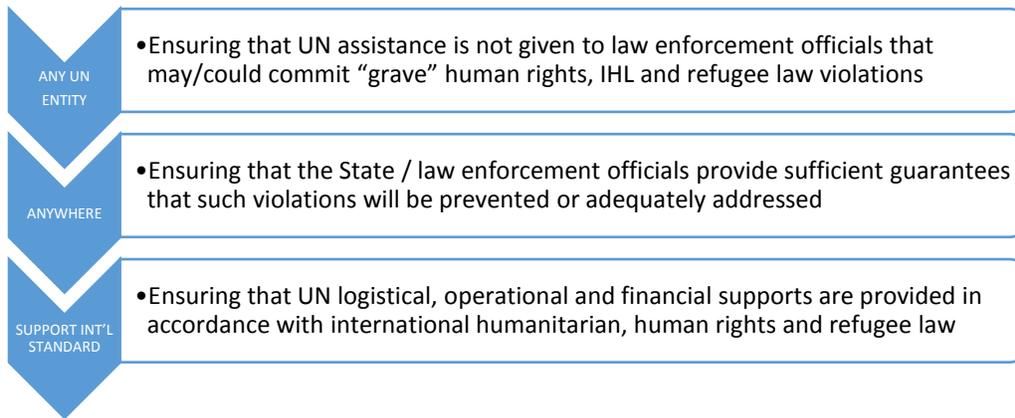
The organisation:

- Its reputation
- Effective implementation of mission mandates
- Loss of confidence amongst local community on the protective role of the United Nations

SLIDE 15: Human Rights Due Diligence Policy

“The policy sets out measures that all United Nations entities must take in order to ensure that any support that they may provide to non-United Nations forces is consistent with the purposes and principles as set out in the Charter of the United Nations and with its responsibility to respect, promote and encourage respect for international humanitarian, human rights and refugee law”³

In other words, any UN entity (UN Offices, agencies, funds and programmes), anywhere, in conflict and non-conflict environment, in mission and non-mission settings, must ensure that the support they provide to non-UN law enforcement officials is in accordance with international humanitarian, human rights and refugee law.



 For more details on the Policy please refer to the supporting material provided for this module.

Discussion in plenary on case studies

Time required: 25 minutes

10 minutes	To read case studies and discussion questions
15 minutes	For plenary discussion

 Distribute the two case studies to learners. Ask one learner to read case study 1 and the discussion question aloud.

³ Human rights due diligence policy on United Nations support to non-United Nations security forces, Resolution A/67/775–S/2013/110 of 5 March 2013, http://www.un.org/ga/search/view_doc.asp?symbol=S/2013/110&referer=http://www.un.org/en/sc/documents/letters/2013.shtml&Lang=E

Case Study 1⁴

You are deployed to a UN peacekeeping mission and assigned to a police station in the countryside. One day, a young boy from a neighboring village comes to visit you and offers to clean your UN vehicle every day if you pay for his school fees. He tells you that you will be helping him continue his education and improve his life, as his father is very poor and cannot afford the school fees.

You think this is a good action that will benefit the boy. Moreover, the roads are unpaved in your area of operation and so your car is always dirty, which is wrong for the image of the UN.

Discussion Question:

1. Is your action violating the Standards of Conduct? Why?
2. On which document can you base your arguments?
3. Why is employing the boy not in his best interests?



Encourage learners to provide their answers to the question in plenary. If possible, write down the answers on a flipchart or a board.



After taking a few answers, complete the discussion with the following suggested answers.

SUGGESTED ANSWER:

1. Is your action violating the Standards of Conduct? Why?

Yes, this action violates the Standards of Conduct, as all child labor is prohibited in UN peace operations. It does not matter that you are not paying the boy directly and that he is the one who offered, this is still child labor.

2. On which document can you base your arguments?

The Policy on the Prohibition of Child Labor in UN Peacekeeping Operations (2011)

3. Why is employing the boy not in his best interests?

Child labor is not in the best interests of the child. In addition, by making him work for his school fees, you are creating a dependence; he will not have anyone to support him once you complete your deployment and may have to drop out of school then.



Ask another learner to read case study 2 and the discussion question aloud.

⁴ Source: Specialized Training Materials on Child Protection for UN Peacekeepers, Trainer's Guide, UN DPKO.

Case Study 2

A UN Police Officer has recently been deployed to a town near a camp for internally displaced persons. The town is fairly large and the officer is new, so he does not yet know his way around.

One evening, the officer leaves the UN compound on foot to go to his place of residence in a street nearby. A young woman approaches him and tells him she lives in the camp. She tells him she has noticed that he is new in town and offers to show him around if he buys her dinner and some drinks. She looks like she is between 16 and 18 years old, but the officer does not ask her age.

The officer decides to accept the offer and they walk around town together for an hour. She tells him she has lost her parents and that she is very poor. They then sit down at a small outdoor restaurant where they have some fried chicken and beer. The officer pays for the food and drinks. Before they part later at night, he walks her back to the camp entrance and kisses her. She promises to come back to see him the next day.

Discussion Question:

1. Has the officer violated the Standards of Conduct? If yes, why?
2. Why do you think the girl has approached the officer?
3. As UN police officers, what will be the course of actions in the event that you witness such scenario?



Encourage learners to provide their answers to the question in plenary. If possible, write down the answers on a flipchart or a board.



After taking a few answers, complete the discussion with the following suggested answers.

SUGGESTED ANSWERS:

1. Has the officer violated the Standards of Conduct? If yes, why?

Yes, this is a violation of the Standards of Conduct. What the officer has done amounts to sexual exploitation, as the police officer is making use of the girl's vulnerability and her economic situation (she has explained to the police officer that she has lost her parents and that she is very poor). Above that, the girl could be a child, as her age is not known. Kissing is considered a sexual act. The officer seems to want to start a relationship with the girl as he agreed to see her again the following day.

2. Why do you think the girl has approached the officer?

She is alone and poor, so she probably hopes that the officer will provide her with additional food and maybe other items, and protection, if they develop a relationship. Despite what the officer may think, she is doing this out of necessity and not because she is interested in him. Moreover, even if she is interested in him, there is still a relationship of exploitation due to the fact that the police officer is in a position of power due to his status as UN staff and his economic advantage.

3. As UN police officers, what will be the course of actions in the event that you witness such scenario?

- Report immediately the facts witnessed through the Conduct and Discipline Team
- Report the event to the supervisor to raise awareness on the necessity to provide a refresher on UN Code of Conduct and SEA policy to all UN police officers present at the duty station
- Try to raise awareness at the community level through outreach activities about sexual exploitation and abuse and child protection mechanisms.

SLIDE 16: Questions



Ask learners if they have questions on the content of this module. It is important to allow sufficient time to answer all questions.

SLIDES 17: Key Messages



The key messages slides summarise the important take-aways that connect with the objectives of the module as described at the beginning of the session. Ask learners what the key messages are before showing the slide with the possible answers. It will help them synthesise and integrate the key concepts taught throughout the module and it will help you in assessing the learning and concentrate on gaps or inaccuracies.



Ask the following question in plenary. Encourage learners to discuss. Then, complete the discussion with the suggested answers presented in the next slides.



What are the key messages of this module?

SLIDES 18 and 19: Key Messages

Key Messages

1. UN Police must adhere to the highest standards of behaviour and practice – they are role models, mentors and good examples for the local population and host police.
2. It is important that UN personnel face consequences if misconducts have been committed, and that misconducts are properly reported.
3. UN Police have responsibility to not only promote children's rights, but also refrain from any actions that cause harm to children.
4. The Zero Tolerance policy prohibits all forms of sexual contact with children (boys and girls less than 18 years old).
5. The guiding principles of the Convention on the Rights of the Child should guide the actions of the UN police in relation to children.



Distribute the end of module quiz to learners and gives them 10 minutes to answer the questions. Then distribute the answers for auto-correction. Ask learners to work in pairs and correct each other's answers.