

# tool 11

## Action Plans

### Q&A

#### What is an Action Plan?

An Action Plan is an agreement between a listed party to the conflict and the UN with a view to complete a series of time-bound, concrete activities to halt and prevent violations and to take remedial action<sup>8</sup>. Action Plans cover grave violations for which the armed actor has been listed in the annex of the Secretary-General's Annual Report on Children and Armed Conflict. Successful completion of an Action Plan leads to de-listing.

#### What are some examples of activities typically included in Action Plans?

Action Plans can cover any of the four 'trigger violations' for which an armed party can be listed. Action Plans are composed on the basis of a pre-established template for each 'trigger violation'. While activities are mandatory, the manner of implementation may be flexible depending on the armed party and context at stake. The following are some of the activities typically included, among others:

- **Prevention:** visit to recruitment centers, training camp and detention facilities for periodic identification and verification activities and release of children present in the ranks; issuance and dissemination of military orders or directives concerning the terms of the Action Plan with sanctions for non-compliance; review and modification of rules of engagement to prevent killing and maiming of children; campaigns informing the public of measures to prevent violations and seek redress.
- **Awareness-raising and capacity building:** public recognition and apology for violations; training for compliance with military orders or directives relevant to the protection of children.
- **Support to survivors, their families and communities:** access to medical, psycho-social assistance, as well as vocational and educational training; mine clearance and mine risk education (in the case of Action Plans on killing and maiming); identification and return of human remains and facilitation of dignified re-burials of deceased children.
- **Accountability:** establishment or reinforcement of complaints procedures, disciplinary measures, investigation and prosecution of alleged cases of violation.

#### Who is usually involved in the negotiation of an Action Plan? Can NGOs contribute to that process?

Action Plans are agreements between the UN and a listed armed actor. On the side of the UN, actors involved in Action Plan negotiation are: globally, the Special Representative of the Secretary-General for Children and Armed Conflict (SRSR-CAAC); and at country level: Resident Coordinators or Special Representatives of the Secretary-General (in the case of countries with peacekeeping missions), UNICEF and any other UN entity engaged in the Country Task Force on Monitoring and Reporting (CTFMR). On the side of the armed party: high-ranking commanders, relevant government entities (in the case of Action Plans with a state actor). Because Action Plan negotiation is a political process, NGOs are traditionally not involved directly in this phase. This is however subject to discussion and agreement by the main negotiating parties.

#### What is the role of governments in the negotiation and implementation of an Action Plan with an armed non-state actor operating in its country?

Action Plan negotiations with armed non-state actors are initiated by the UN with the express or tacit consent of the government. The UN will not move forward with engaging with an armed non-state actor if the government formally denied the access necessary for such discussion. However, in cases where dialogue is possible, governments are not parties to these negotiations nor to any Action Plan eventually signed with the armed non-state actor.

<sup>8</sup> *MRR Field Manual - The Monitoring and Reporting Mechanism (MRR) on Grave Violations Against Children in Situations of Armed Conflict*, OSRSG-CAAC/UNICEF/DPKO, April 2010 p.39

## TOOL 11

(cont'd)

**What can be done when the UN is denied access to an armed non-state group for the purposes of signing an Action Plan?**

While signing an Action Plan is not possible in some situations, non-state armed groups can still be encouraged to unilaterally release children from their ranks or adopt other relevant measures to end and prevent grave violations. If security allows, NGOs are encouraged to reach out to non-state armed actors and support them in ending grave violations outside of an Action Plan framework and to inform the CTFMR. Denial of access to armed non-state actors is publicly denounced in annual and country-specific reports on children and armed conflict. Similarly, any efforts by such actors to end and prevent grave violations are publicly acknowledged in these reports.

**Are Action Plan requirements different for state actors and armed non-state actors?**

Action Plans do not assign non-state actors responsibilities that are the prerogative of the state. As such, certain requirements are not applicable to non-state armed groups, for instance: enacting laws, ratifying international treaties or carrying out nationwide campaigns.

**How are Action Plans monitored? Can NGOs play a role in that process?**

Action Plans are primarily monitored by UN members of the CTFMR, on the basis of a monitoring plan devised after signature of the Action Plan. This may include, for instance, visits to facilities and sites, review of documentation, interviews with survivors or other stakeholders, etc. Action Plans require that the UN and other relevant actors (to be determined at the time of signature) be granted unhindered access to all relevant areas, facilities and sites for monitoring purposes. This may include NGO members of the CTFMR. NGOs that are not members of a CTFMR can also contribute to Action Plan monitoring by:

- **Alerting the MRM:** it is critical that any cases of grave violations committed by an armed actor party to an Action Plan be reported to the MRM focal points or the CTFMR, so that preventive activities can be strengthened.
- **Advising:** due to their proximity with affected communities and knowledge of the local context, NGOs may be able to provide CTFMRs with critical context and stakeholder analysis to help set up adequate and effective implementation and monitoring strategies for Action Plans.
- **Community outreach:** NGOs can facilitate access to affected children and communities for consultation and dissemination of information about the Action Plan. NGOs may also be well placed to echo the voices of affected children and communities regarding Action Plan implementation.
- **Service provision:** NGOs may have response programs that support survivors, their families and communities, or have the expertise to set them up.
- **Sustainable reintegration:** through their day-to-day work with communities, NGOs are well placed to monitor the reintegration of children in their communities and identify risks of re-recruitment/re-enrolment or reintegration challenges that need to be addressed either within the Action Plan or in the longer-term.

**Are signed Action Plans made available to the public?**

Action Plan signatures are widely reported, but Action Plans themselves are not made public unless signatories choose to do so. This has to do with the fact that some activities, being linked to the military and national security, could be considered as sensitive. However, NGOs and the public are informed of Action Plan commitments and the general implementation process as part of targeted outreach and public communication campaigns. Awareness-raising campaigns that publicize Action Plan commitments are a crucial activity in Action Plan implementation.

**How many Action Plans have been implemented so far?**

Watchlist keeps an updated table with an overview of Action Plans on its website and iPhone app.

## TOOL 11

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**How is Action Plan implementation funded? Can NGOs access funds for response programs in support of Action Plan implementation?**

There is no specific fund for Action Plan implementation. Mobilization of funds for Action Plan implementation is a challenge, as negotiations with armed actors may last several years, making it impossible to raise funds until the document is actually signed. CTFMR members are then collectively responsible for raising funds and managing the allocation of those funds to activities implemented in support of Action Plans by their organizations or partners.

**Who determines the successful completion of an Action Plan?**

This is determined by the SRSB-CAAC upon recommendation of the CTFMR and after verified execution of each activity in the Action Plan.



**What happens if new reports of violations emerge after the completion of an Action Plan and de-listing of an armed actor?**

Verified reports of violations that meet the threshold for listing would lead to the re-listing of the armed party in the annex of the Secretary-General's Annual Report on Children and Armed Conflict. This has so far never happened.

**How do Action Plans relate to peace processes and peace agreements?**

Action Plans are not dependent on the existence of a peace process, since grave violations against children are contrary to international humanitarian law and, as such, should stop even if the conflict continues. However, peace processes can create enabling environments and opportunities for dialogue, signature and implementation of Action Plans. Moreover, incorporating concrete child protection safeguards as early as possible in ceasefires and political agreements facilitates the timely release and reintegration of children associated with armed forces and groups.

## related tools

-  **tool 16** – Factsheet 'NGO participation in the MRM: potential challenges and limitations'
-  **tool 7** – Factsheet 'Key actors in the MRM'

## other resources

- *Action Plans to Prevent and End Violations against Children, Discussion Paper, Watchlist on Children and Armed Conflict, April 2013.*
- *Report of the Special Representative of the Secretary-General for Children and Armed Conflict, A/68/267, 5 August 2013 - paras. 81-87 on 'Mainstreaming child protection in peace agreements'.*
- *Engaging Armed Non-state Actors on Humanitarian Norms: Reflections on Geneva Call's Experience, Pascal Bongard, Humanitarian Practice Network - Humanitarian Exchange Magazine - Issue 58, July 2013.*
- *Building Respect for Humanitarian Action and IHL among 'Other' Weapon Bearers, ICRC, Overview.*
- *Humanitarian Negotiations with Armed Groups - A Manual for Practitioners, Gerard McHugh and Manuel Bessler, United Nations, 2006.*