

Safeguarding in conflict and crisis

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Safeguarding in conflict and crisis

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Robust, comprehensive safeguarding measures, including those used in crisis- and conflict-affected contexts, need to take appropriate account of local contexts in order to adhere to the highest international standards, including in safeguarding children.

Since its creation in 2001, Keeping Children Safe (KCS), a global network of organisations committed to child safeguarding, has driven forward standards and implementation in efforts within the aid sector to address sexual exploitation and abuse (SEA). Together with experts in the field, KCS developed a set of International Child Safeguarding Standards that can be adapted and implemented for all organisations working with children. The Standards are supported by a comprehensive toolkit for implementation,¹ which has been used by thousands of organisations in almost every country in the world.

The Standards emphasise the key aspects of managing child safeguarding within an organisation, describing the features, systems and processes essential to ensuring that child safeguarding is fully and effectively embedded in organisations. This is particularly important for organisations that work in humanitarian crises and conflict and post-conflict situations, where many children are likely to be in situations of extreme physical and emotional vulnerability. The extreme imbalance of power between humanitarian aid workers and peacekeeping personnel, on the one hand, and the people they have been sent to protect, on the other, makes it essential that robust systems are in place throughout the organisation across all aspects of its work.

An overall approach to safeguarding children is rooted in understanding the risks to children from the organisation, including its staff, programmes, operations and partners. The toolkit provides a roadmap for a robust and comprehensive process that begins with developing – or strengthening – a child safeguarding policy. The process then includes organisational development through allocating staff time to safeguarding, and through ensuring that all personnel

are trained and that there is effective and accessible communication on safeguarding. Sound planning, implementation, monitoring and review processes are required, as are clear and transparent lines of accountability throughout the organisation, including at board level. The four Standards relate to:

Policy: The organisation sets out a clear policy that describes how it is committed to promoting the well-being of children, preventing abuse and creating a positive environment for children in which their rights are upheld and they are treated with dignity and respect.

People: The organisation communicates clearly its commitments to keeping children safe and the responsibilities and expectations it places on staff, associate personnel and partners, through relevant policies, procedures and guidance. It is crucial that all relevant actors, including children themselves, are supported in understanding and acting in line with those responsibilities and expectations.

Procedures: The organisation implements a systematic process of planning and implementing child safeguarding measures.

Accountability: The organisation has measures and mechanisms in place for monitoring and reviewing safeguarding measures and to ensure both upward and downward accountability.

To implement the Standards, organisations need to answer the following questions:

- Where, when and how does the organisation come into contact with children and what risks does this present?

- What policies and procedures are needed to prevent harm and to respond to concerns appropriately?
- Who is the appropriate designated person/s to act as the focal point to receive and manage any safeguarding concerns and to handle subsequent investigation?
- What safeguarding induction and training are needed to ensure staff know what the organisation expects of them and what to do if they have a concern?
- Is there a clear code of conduct so that all staff understand their professional boundaries when working with children and what is and is not acceptable behaviour?
- How can we recruit safely?

When fully implemented, child safeguarding measures offer a set of practical tools for tackling a culture of impunity around child abuse. Children are safer because, when the Standards are properly implemented, every individual within an organisation receives clear instructions on their obligation to act to prevent and report abuse and the sanctions they will face if they fail to comply. The existence and implementation of the Standards act as a powerful deterrent to abusers before they even apply for a job, and they ensure that organisations in positions of trust are held to account.

Conflict and crisis zones

A key problem within conflict and crisis settings is that laws, policies and practices operate at different scale, including at the international, regional and local levels.² This means that humanitarian organisations operating in these contexts require knowledge and understanding of the (often overlapping or, indeed, contradictory) range of laws, policies and contexts that apply. This is particularly difficult when organisations have to enter an emergency setting quickly, or when rule of law has broken down. In these most fragile settings the opportunity to

commit harm with impunity is significantly higher than in other contexts.

One of the principal reasons that KCS and the University of Reading have focused on this area over recent years is because so few effective solutions have been proposed (let alone designed or implemented) to address the causes and consequences of SEA in those fragile settings. We have therefore adapted the International Child Safeguarding Standards and Toolkit to provide robust, evidence-based solutions through a victim-centred approach which foregrounds human rights and human experiences.³

Initially our work focused on peacekeeping operations, and the need to implement child safeguarding with international organisations, troop-contributing countries and peacekeeping training centres, and among other actors involved with peacekeeping and peacebuilding in conflict and post-conflict societies. Working with these actors, we developed a toolkit to assess each organisation and its strengths and weaknesses, carried out a comprehensive mapping of laws and practice on safeguarding in the countries in which the organisation operates, and then produced and implemented safeguarding measures that take into account national laws, institutional policies, and context-specific laws and policies. For example, our work with national armed forces in key troop-contributing countries incorporates the policies of the international organisations to which they contribute peacekeepers, their domestic and military laws, and the local laws of the countries to which they are deployed. Organisations must be prepared and know how to take action locally when concerns arise; they will therefore need to have information on local services and to identify authorities to whom to report and local organisations which can provide support.

These context-specific child safeguarding measures are then integrated into an organisation's systems and processes in a way that takes account of different country and local contexts. For example, although definitions of 'child' and 'child abuse' may differ according to national

and cultural understandings, organisations need to be clear that in international law 'children' are defined as all those under 18 years of age, and that 'child abuse' includes the range of acts, intentional or otherwise, which harm children.

Working with donors

Keeping Children Safe and the University of Reading have also adapted for the aid sector our approach for peacekeeping in order to support funders in assessing humanitarian organisations' safeguarding measures (which include adults at risk of harm as well as children) and make recommendations to address any gaps. In one such project, working with the UK's Department for International Development (DFID), the project team designed an assessment framework and conducted initial assessments of some of the largest UK-funded non-governmental organisations, and worked with them to identify areas of strength and weakness across the six main areas of DFID's safeguarding standards: safeguarding, whistleblowing, human resources, risk management, code of conduct, and governance and accountability.

This initiative and the evidence from KCS programmes and work with other funders demonstrated that while there are areas of good practice across the sector, significant attention and improvement are required in a number of key areas, most notably: developing a victim-centred approach; leadership and organisational culture; child safeguarding; accessibility and inclusion; strengthening accountability to communities; and ensuring partners have safeguarding measures in place.

One of the most significant gaps was a lack of robust and realistic safeguarding risk assessment. While many organisations are clear about the risks to the organisation if a safeguarding incident occurs (reputational, legal, loss of funding), far fewer have made a rigorous and comprehensive appraisal of the risks of abuse faced by the people they serve. An even smaller proportion had adequate systems in place for meaningful consultation with communities on safeguarding risk assessment or developing and monitoring

safeguarding measures. This is a fundamental gap that organisations must focus on.

Following renewed attention in 2018 to SEA by humanitarian workers (initially in relation to Haiti and then elsewhere), and increased media attention around safeguarding, it has become apparent that there is a need for renewed commitment to robust and meaningful safeguarding from the sector, funders and organisations themselves. Although signing up to charters, guidelines and principles does signal a desire to make such a commitment, this will only take place when an organisation takes a transparent, evidence-based approach to assessing safeguarding, identifies areas of weakness, designs and implements measures that uphold international standards, and ensures that safeguarding is at the heart of its mission, culture and work.

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1. www.keepingchildrensafe.org.uk/how-we-keep-children-safe/capacity-building/resource-library
2. See Freedman R (2018) 'UNaccountable: A New Approach to Peacekeepers and Sexual Abuse' *European Journal of International Law*, 29 (3), 961-985 <https://doi.org/10.1093/ejil/chy039>
3. For more information and resources see: <https://research.reading.ac.uk/safeguarding-children/>



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