

Child Protection Systems in Emergencies

**A review of current thinking and
experience**

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Introduction

Purpose of this paper

In support of the ongoing work of the Child Protection Working Group¹, this paper sets out to examine the current thinking of agencies dedicated to Child Protection programming in emergencies (CPIE) on building and supporting child protection systems in crisis, as well as related experiences their operational work has generated. This paper is also intended to identify opportunities, challenges and areas for further learning on building or strengthening child protection systems in crisis.

The emergence of child protection systems as a key concept in the humanitarian sector

The effort to build or strengthen child protection systems can perhaps be most easily explained in contrast to an ‘issue-based approach’. Up until recently, many development and humanitarian agencies have organised their child protection work by identifying and responding to priority threats facing boys and girls, such as recruitment and use of children by armed actors, or sexual violence against children. In this vein, agencies have often targeted responses at a particular vulnerable group, such as ‘ex-child-soldiers’, street children or separated children. However, there is increasing interest in reframing child protection work by looking more broadly at the deficits in protection available to all children, and addressing the structural or root causes for these gaps in prevention and response – in other words, assessing and strengthening the child protection system.

¹ This group is a network of actors, coordinated by UNICEF, which represents one area of responsibility under the Protection Cluster Working Group led by UNHCR.

Currently the discussion on child protection systems is in its early stages, and interagency agreement of key concepts and terminology has yet to be established. Whilst the move towards a ‘systems approach’ has gained more momentum in development contexts (where the attainment of a long-term sustainable solution is explicitly or implicitly an overarching goal for all sectors), thinking and guidance on how emergency responses should seek to build or strengthen child protection systems has yet to be developed. Innovative field experience does exist and promising practices are beginning to emerge, but agencies have yet to systematically collect, review and analyse these experiences. This is a critical first step in developing much-needed guidance in this emerging area of CPIE response.

In the longer term, it is clear that the growing commitment to building or strengthening child protection systems in emergencies is likely to have significant implications for how agencies undertake assessment; how they plan and implement humanitarian interventions; the type, volume and duration of funding required; the role of advocacy in humanitarian situations; the orientation of staff and training they are offered; approaches to post-emergency work; and the direction of research in the sector, including evaluations and multi-context studies².

Why are child protection systems needed?

The Child Protection in Emergencies community’s ongoing call for a focus on systems has been driven by several factors. These include:

- a dissatisfaction with the impact of fragmented approaches – particularly

² For an interesting parallel development in the field of mental health see the IASC Guidelines for Mental Health and Psychosocial Wellbeing in Emergency Settings, 2007.

expressed by larger child protection agencies such as UNHCR, UNICEF and Save the Children, which address a range of interconnected issues in their work³ and operate in both emergency and development settings;

- concerns over undermining existing traditional or state protection mechanisms;
- and a growing understanding of children's experiences – which often indicate a range of interconnected protection failures.

The call for a focus on child protection systems (CPS) was reiterated in the UN Secretary-General's study on Violence Against Children, which concluded that a holistic, systemic approach, which emphasised prevention, was necessary to eliminate violence against children. A further formative experience for some practitioners was the 2005 Asian Tsunami where the value of a robust and resourced national child protection system was demonstrated in the differential effectiveness of responses in the affected countries.

The discussion on child protection system-building has developed to a certain extent through a differentiation between this new approach and others used currently or previously by agencies. It is generally expected that a systems approach will:

- **Work for the protection of all children** to address underlying vulnerabilities (rather than targeting individual groups or categories of vulnerable children with disparate

³ As early as 2005 UNHCR mentioned the issue of child protection systems in its contribution to the Secretary-General's report on Assistance to Unaccompanied Refugee Minors; and Save the Children UK established the building or strengthening of national child protection systems as its overarching goal for all child protection programme and advocacy work.

initiatives). Recognise children as whole beings and not just categories.

- **Address the full range of child protection issues** in the context (rather than focussing on one or two "fundable" concerns)
- **Make existing efforts and structures in child protection more efficient** by improving coordination, maximising scarce resources, and eliminating duplication within a previously fragmented set of activities. Since a system is better placed to identify and address gaps in child protection in an ongoing way and link children with a multitude of actors, it frequently maximises benefit from finite resources.
- **Unite the child protection efforts of all actors at the various levels**, emphasising their complementarity, under a common goal and to common standards.
- **Place a strong emphasis on prevention**, in compliance with the 'best interests' principle and thereby also achieve greater long-term cost-effectiveness.⁴
- **Include measures to respond to and ameliorate** the effects on children of protection violations.
- Convert fragmented programme and policy efforts in child protection into **investment in a sustainable benefit** that can continue to provide predictable prevention and response services in child protection.
- **Address the structural and organisational means to achieve children's rights to protection**, for example by considering financing and budgetary processes, coordination between government departments and others, professional case

⁴ The UN study on violence asserted that prevention is more cost effective than response.

management systems, and the accountability mechanisms to ensure that established standards and procedures are respected⁵.

Although these expectations indicate an intended improvement on pre-existing practice, some people question how much of a radical change a focus on child protection systems is likely to represent for humanitarian agencies. On the one hand, it is very consistent with Child Rights Programming [CRP] and human rights based programming approaches currently used by a number of agencies, as well as with UNICEF's Protective Environment approach⁶. On the other hand, a focus on systems places greater emphasis on issues relating to mechanisms for delivery (i.e. how a protective environment is developed and coordinated, or how children's rights are realised), such as financing and budgetary processes, coordination between actors and the interplay between child protection and other systems (e.g. education and health). A focus on systems also more clearly implies going beyond a response to the immediate presenting issues and encourages a longer term view than many emergency response actors normally take. It is a core component of child protection and early recovery.

⁵ In some situations, humanitarian agencies have been criticised for failing to operate under national laws on child protection (often owing to their extreme weakness and lack of child-rights focus) and totally replacing the existing child protection systems. International agencies need to be accountable to either a national regulatory framework or to a (yet-to-be-developed) clear set of international standards.

⁶ Like these approaches, a child protection systems focus begins from a comprehensive understanding of the problem, recognises the interconnectedness of protection failures, tackles both immediate protection threats as well as the need to build sustainable long term solutions, stresses the need for meaningful accountability, emphasises children's own involvement as well as the need to build wider ownership of responses to protection threats, and emphasises the need for particular attention to marginalised and discriminated groups.

What is a child protection system?

As a whole, the Child Protection sector has yet to agree on a definition or description of a child protection system, and most agencies do not have documented positions on child protection systems. Some have commented that a fundamental starting point is to define more generally what is meant by the word 'system'. The process of developing a definition for a child protection system is under way in many agencies, although current versions are likely to be refined in the near future as thinking evolves.⁷

Defining characteristics of a child protection system

A review of agencies' documentation reveals the following areas of apparent consensus on defining characteristics of child protection systems:

- They consist not simply of a list of components – the suggested components of the system are discussed below and many of them are ongoing processes – but also of **the dynamic interplay between the components**.
- They focus on prevention of and response to **violence, abuse, exploitation and neglect**⁸. Whilst emphasising the

⁷ UNICEF's latest child protection strategy describes child protection systems as "a set of laws, policies, regulations and services, capacities, monitoring and oversight needed across all social sectors – especially social welfare, education, health, security, and justice – to prevent and respond to protection –related risks." Save the Children has described Child Protection Systems as "comprehensive approaches to the protection of children from abuse, neglect, exploitation and violence and to the fulfilment of children's rights to protection" (Bell, Bill; 30 September 2008 (draft, unpublished) "A rough guide to child protection systems").

⁸ The definition of child protection and the parameters of this work are currently under discussion within the humanitarian agencies of the CPIE sector. This apparent focus of child protection systems broadly reflects the documented efforts of CPIE agencies to define their sector, and the views of those who have contributed to this paper.

interconnectedness of child protection and other sectors, a systems approach pre-supposes that **child protection is a distinct sector of work**, the entirety of which would not be covered by other sectors in the absence of a child protection system. For example, measures to prevent family separation; family tracing and reunification; monitoring of care arrangements for children; and provision of guidance, advice and support on child care to parents and carers are not routinely covered by any other sector.

- They are based on a **child rights** framework, and where applicable, are inclusive of rights to protection enshrined in international humanitarian law. Amongst other things, this means that they must be designed and implemented to serve the best interests of children; involve the meaningful participation of children, and be accessible to, relevant to, and actively inclusive of all children in the territory covered, regardless of nationality, gender, race, age or stage of development.
- They are **national in scope**⁹ and for this reason they necessitate government responsibility and ownership; and their development is a project to which humanitarian agencies as external and temporary actors can only contribute.¹⁰ Whilst bearing in mind this scope, it is important to emphasize that child protection systems are built up of

⁹ There may be a distinction to make between the use of the word 'system' to indicate something national in scope, from the use of the term to describe a set of interventions carried out by agencies responding to and preventing child protection issues at the individual and/or community level. Whilst individual case management systems are sometimes referred to as child protection systems, and may be de facto the extent of the system in some contexts, these do not meet all the criteria suggested in this paper to be considered complete child protection systems on their own.

¹⁰ One consideration here is the applicable legal framework, including the standards to which the State and other actors can be held to account, and the means for doing so. The applicable legal framework may include national and regional law, as well as Human Rights law, Refugee law and International Humanitarian Law.

essential elements, processes and activities at the levels of, and between the levels of, the individual child, the family, the community and interim levels (i.e. municipality, district, province); as well as the linkages between formal and informal structures. In particular, children, youth, and civil society are extremely important actors in both the functioning and ongoing assessment of the system.

- They are **needed and relevant in emergency and crisis situations**. While some see an inevitable conflict between the humanitarian imperative and a systems approach, others see their complementarity and inter-connectedness (this is discussed further below). The range of situations in which child protection needs may be heightened and changed, and capacity may be weakened, includes situations of natural disasters, extreme poverty, conflict and complex emergencies – each of which presents distinct challenges (this is also discussed further below). In these situations, the priorities to which a child protection system should answer are likely to be different from more developmental settings. Priorities for the system to address may also need to change as the nature of threats to children's protection change (e.g. with resources redirected to more urgent tasks such as family tracing or the prevention of recruitment into armed groups). Furthermore, such situations may offer new opportunities for building or strengthening systems that not only build the capacity to cope with future shocks but also provide improved protection for larger numbers of children.
- Their structure and composition **respond to their context** and will depend upon many situation-specific factors and priority child protection concerns.

Purposes of a child protection system

Arguably, agreement on the *purposes* or *functions* of the system (what the system is expected to achieve) is a prerequisite to

consensus on content and structure. Currently, the functions of a child protection system are conceptualised in different ways¹¹, but the following appear to be emerging themes.

- **To prevent and respond to abuse, exploitation, neglect and violence and to mitigate their effects.**¹² The system does this in a range of ways, including by setting legal, practice and other standards; collecting data; providing social services including family tracing, reunification, psychosocial and reintegration services; mobilising families and communities; raising public awareness; initiating legal action; etc.
- **To develop and maintain links with other systems or act in concert with them** in order to meet all child protection needs. This includes engaging with justice systems, national security systems, health systems, education systems, economic and social welfare systems. The quality of joint work between the child protection system and these other systems is central to the effectiveness of the child protection system, since these other systems also provide services to children which directly influence their protection. A central mechanism for joint work is effective referral and follow-up of individual cases between systems. Please see text box for an expanded discussion on this point.
- **To prepare for and respond to shocks** where child protection needs are likely to escalate, such as natural disasters or sudden displacements. This includes

¹¹ Participants at UNICEF's recent global workshop on child protection systems developed a relatively detailed (but not definitive) list of seventeen Child Protection functions, interventions or services, using as a starting point five broad categories: prevention; family support and early intervention; detection and reporting; justice and gate-keeping; and response and reintegration).

¹² There are various views on how the terms 'prevention' and 'response' should be defined. Some argue that both of these activities exist on the same continuum of activity. Others break 'prevention' down into three types of activity, primary, secondary and tertiary prevention, the last of which is similar to others' conceptions of response.

pre-emergency work to mitigate the negative effects of potential emergencies on child protection, meeting the child protection needs generated by any emergency and its subsequent effects, as well as engaging in an optimal way with other governmental and non-governmental actors which offer supplementary capacity in emergencies¹³.

Where does the child protection system begin and end?

Debate is ongoing on the question of the 'borders' of the child protection system vis-a-vis other systems; and the limits of responsibility of each system. For example, whereas some have described juvenile justice issues as falling within the parameters of the child protection system, others feel that such issues would in fact fall within the justice system. In this view, the latter is seen as a separate system, which should operate in harmony with the child protection system through, for example, adherence to common child protection standards and establishment of well-coordinated referral and monitoring systems. Many aspects of child protection work (such as identification of individual cases, messaging, and provision of general and targeted responses) may be carried out by those working in other systems (for example health workers, policemen, teachers, etc.), making the questions of coordination and referral central in considering the child protection system. Indeed multiple, distinct systems relevant to children in emergencies do not simply interface but overlap. Some functions may involve and require practitioners from two or more systems to

¹³ Here, 'optimal' is intended to indicate both effective use of resources for optimal impact, and safe ways of working where children are protected from exploitation and abuse by those responding to the emergency.

act in an integrated way. Investigation of and response to child protection violations, for example, can involve social work, justice, and health personnel acting as a team. In Thailand, UNICEF found that putting clear conceptual parameters around the child protection system (defined broadly as the 'child and family welfare system') was a key first step to analysing the system, pinpointing accountability for child protection, identifying areas for improvement, and keeping both a clear focus and achievable goals for the child protection sector. UNICEF's June 2008 global workshop on Child Protection Systems addressed the same issue by charting - on a table with columns such as 'protection sector', 'education sector', 'health sector', etc. - where responsibility lay for different activities, such as 'alternative care' or 'background checks for those working with children'.

Components of a child protection system

The question of what 'ingredients' comprise an 'ideal' child protection system is a logical second step following agreement on the system's purposes. Although there is no final consensus on these, the following components – which are a mix of institutions, frameworks processes and behaviours / attitudes - are commonly mentioned:¹⁴

1. **Legal and policy framework** including regulations and standards compliant with the CRC, other international standards and good practice.
2. **Effective regulation and oversight** to ensure standards are upheld at all levels. Some argue that this

component necessitates the existence of a specific agency or ombudsperson dedicated to child protection and / or child welfare, with the mandate, means, authority and responsibility to ensure the overall working of the system.

3. **Preventive and responsive services** which include both the institutions and structures (formal and informal; government and non-government) which deliver the services, and the processes through which these services are delivered – including case management systems, other information systems, and appropriate budgeting and management. In a formalised system, this will have, as a core element, a social work system providing a response to specific child protection issues and cases.
4. **Effective coordination** – particularly on case management - between relevant government and non-government actors and between sectors at different levels.
5. **Knowledge and data** on child protection issues and good practices to inform evidence-based policy development and advocacy.
6. **A skilled child protection workforce**
7. **Children's voices and participation**
8. **An aware and supportive public**
9. **Adequate funding** for all of the elements listed above, and appropriate budgeting processes.

¹⁴ Sourced and adapted from Bell, Bill; "A rough guide to child protection systems"; and UNICEF. Global Child Protection Systems Mapping Workshop.

In both emergency and non-emergency situations in developing countries, such elements of a national child protection system may be supported, supplemented, substituted or gap-filled by external structures and agency efforts. For example, in situations of conflict, the activities of the Security Council and its Working Group on Children and Armed Conflict (and in particular the Monitoring and Reporting Mechanism for grave violations of children's rights established under Security Council Resolution 1612), as well as the International Criminal Court and peacekeeping forces, may provide oversight and hold duty bearers to account. Similarly, international humanitarian agencies may provide a range of child protection services to a displaced or disaster-affected population that their own government is unable to deliver at that point.

Indicators of a functioning child protection system

The need to assess an existing child protection system, as well as progress in efforts to build or strengthen systems, is widely acknowledged. So far, attempts to establish indicators for a functional child protection system are limited and disparate. Some efforts focus on the components of a system, developing more detailed indicators for each one and then assessing the context on this basis. Other efforts focus more on outcomes for children, inferring the reach and quality of the system, or deficits and failures, from this. Save the Children, UNICEF and UNHCR have attempted to 'map' child protection systems in a range of contexts; and UNICEF and Save the Children are currently collaborating in the development of indicators to facilitate the assessment of child protection systems in emergencies.

Agencies' experiences in strengthening or building

child protection systems in emergency situations

The potential for increased impact through system-building

In addition to some of the arguments for child protection systems described in the introduction to this paper, building and strengthening child protection systems in emergency situations appears to increase the potential to achieve greater impact for children in the following ways:

- Firstly, these efforts aim to deliver benefit for all children who are in need of support and not just groups identified as or assumed to be vulnerable. Where there is sufficient provision of response to reach all children in need of support (or a good proportion of them), this may significantly increase impact. There is less risk of children not wishing to self-identify or having to fit others' perhaps rigid notions and prioritisation of "vulnerability". Most importantly, a systems approach allows humanitarians to identify and support children and families that would otherwise not access services and support because they do not fall into one of the priority risk groups. As practitioners in conflict-affected western Uganda came to realise: 'The strategic shift by the sub-cluster to building child protection systems resulted in a more holistic and efficient response. The current child protection committees and referral mechanism are designed to support all vulnerable children, regardless if they are formerly abducted children, survivors of sexual abuse, or orphaned as a result of HIV / AIDS.'¹⁵

¹⁵ Interagency review and documentation, Uganda Child Protection Sub-Cluster, 2008. However, it should be noted that unhelpful categorisation (and different treatment) of children can still occur. Save the Children's analysis of the child protection response to the Tsunami observed that a kind of 'tsunami exceptionalism' had resulted in a series of separate policies, laws and services for tsunami-affected children that were not extended to children whose parents had died at other time or of other

- Applied pro-actively and universally, a child protection systems approach can prevent protection problems from occurring, thus reducing overall caseloads and their complexity and severity.
- Finally, in seeking to respond as far as possible through existing processes and structures (i.e. to extend or strengthen existing elements of the child protection system), agencies are able to capitalise on current resources and thereby avoid starting from scratch or developing parallel or duplicate systems (see the text box below on system-building work at community level during the conflict in Ivory Coast for an example of this). UNHCR's analysis of child protection efforts in Uganda involved comparison of areas where agencies had worked using a 'child protection systems approach' with areas where refugee populations were living and no such approach was in place.¹⁶ In the latter, there were no community-based or other informal child protection structures, and UNHCR and its partners were heavily reliant on individual case management, which tended to be reactive, inefficient, and poorly organised with some cases slipping through the net. Thus, in a context where refugees have access to national systems and services, UNHCR identified a valuable opportunity to work to improve refugees' access to national child protection resources, instead of establishing a parallel system.

Opportunities and challenges in working with a systems approach in emergencies

Emergencies present a range of opportunities which can facilitate system-building efforts.

- An improvement in provision of basic services can enable key actors - such as parents and community members -

to give more priority to child protection and to building their longer-term capacity in child protection.

- In the time of peak crisis, the national and international media are often present, which can spotlight neglected protection concerns and place pressure on the government to fulfil children's rights and to resolve protection issues, such as acknowledging marginalized children as citizens and ensuring that all children have access to services.
- With a clear model and understanding of core functions of a child protection system, the relief phase has a great role to play in the promotion of embryonic aspects of the system (from preventative services - such as family support to avoid secondary separation - to case management for separated, unaccompanied or abused children; from alternative and interim care service provision to reintegration support to families). As the case study from Sierra Leone below shows, however, there may be difficulties in sustaining this through to the post-emergency phase.
- The early recovery and post-emergency phases can be excellent times to reform the social and financial systems while practitioners and legal experts may have an opportunity to overhaul relevant legislation and radically improve society's perception of children.
- Finally, the convergence of agendas between emergency response and development actors in the post-emergency phase is an opportunity for the development of more effective transition strategies, where system-building can be a uniting goal for all efforts.

causes. This resulted in a fragmented system rather than an enduring and all-encompassing one.

¹⁶ It should be noted that these areas were different to the conflict-affected areas in western Uganda mentioned above in discussions of the sub-cluster's work.

Child Protection in Sierra Leone in the transition to the post-conflict phase

Prior to the 1991 civil war, the Ministry of Social Welfare focused its work for children almost exclusively on juvenile justice. During the war, a Child Welfare Secretariat (CWS) was established with a primary focus on separated children, as well as ensuring good information system, and quality control for the many NGOs and INGOs that were directly working on service provisions. In addition, a tripartite committee (made up of the Ministry, UNICEF and Save the Children) was established to coordinate the overall Family Tracing and Reunification (FTR) process, while a Child Protection Committee forum was established to coordinate all the CPIE actors.

As the Ministry was unable to monitor reintegrated children, it was felt that a community-based group - such as a CWC - would serve as a monitoring body to prevent further abuse of children. The CWC was given a statutory mandate for care and protection of vulnerable children at the community level.

However, the central government failed to make any budget allocations to support the CWCs' work in the post-conflict phase. As a result, many of them ceased to function when their INGO funders started to leave.

It has become clear that:

- There is a lack of political will and ownership as the CPS is perceived as imposed by outside organizations during the emergency phase.
- Support to the relevant ministry was reduced and resources as well as overtime payments to staff were stopped, which resulted in staff feeling un-supported and de-motivated. A planned, gradually phased withdrawal

of support to the Ministry and CWCs would have led to better results.

- Until now, only an FTR database exists. An emergency-generated database should include information on post-emergency issues such as street children and sexual violence.
- For the CPS to continue to function in a post-emergency context and with less external support, the Ministry needs:
 - skills development training – such as database management / analysis, strategic planning, proposal development
 - to be left with the skills to continue to do their direct work and also to lobby (through showing the impact of their work) for increased budgetary allocation.

Alongside these opportunities, there are several challenges present in emergency situations; some of them may seriously mitigate the success of efforts to build or strengthen child protection systems. They include the following:

- Whilst the national scope of a formal child protection system implies work with State structures, this may not be possible for a range of reasons. For example, the State may be extremely weak; may not extend to geographical areas or populations affected by the emergency; and / or may itself be abusive or negligent. Equally, there may be parts of the affected area where the competent authority is a non-state actor. Even where states are apparently committed to child rights, there may be denial of child protection issues, lack of political will on the part of the state, competition within the elements of the state for resources, and a lack of flexibility in the existing system (please see text box on challenges in extending the child protection system in South Africa). In such situations, NGOs, UN agencies, and other non-governmental service providers may need to assume part or all

of the responsibility for service provision; while work to identify and support appropriate governmental actors and departments continue, immediate system-building efforts will need to focus on community and other viable levels.

Challenges in the responsiveness of the child protection system in South Africa

South Africa's child protection system is relatively well-developed based on a sound legal framework. Orphans and Vulnerable Children are a focus for the system because of the high prevalence rates of HIV/AIDS in the country. The Department of Social Development (DSD), a highly decentralised body with limited capacity and resources, plays a central role at all levels: national, provincial, municipal and district.

The xenophobic attacks on migrants in 2008, subsequent displacements and establishment of camps occurred within a period of two weeks, and was perceived by the authorities as a rapid onset emergency. The extension of the child protection system into the emergency response varied from one province to another, and was inhibited by the following challenges:

No emergency contingency plan: The crisis was not anticipated, and the government had a clear policy against the set up of camps in response to emergencies. As a result, the division of responsibilities between government departments, and between state actors and international agencies, was confused. Two weeks into the emergency, government representatives stopped attending child protection coordination meetings facilitated by UNICEF. Although a national disaster management body was responsible for the first phase response, in the province of

Gauteng (Johannesburg and Pretoria) the municipalities took initial management of emergency shelters. Planned handovers to the province and to DSD never happened, resulting in a management vacuum for the camps. Conversely, in the Western Cape, DSD was very involved in the daily running of the shelters but stood down from any role in reintegration for children leaving camps.

Questions about the applicability of the national child protection system in the emergency: Despite the supposedly universal applicability of the legal framework, in practice undocumented migrant children are generally excluded from service provision. There was no indication that this would change in the emergency, and humanitarian agencies were unable to clarify key protocols, such as for foster care, local adoption and other care provision, or family tracing processes.

Furthermore, normal procedures within the child protection system were in some cases inadequate for the emergency situation. For example, family separations in the emergency were mainly short term and resulted from parents leaving children for a couple of days with extended family members, or parents being detained. Standard responses would have impeded family tracing efforts in these cases, since they were not easily accessible for parents with alien or 'illegal' status. Processes for cross-border tracing pre-dating the emergency were lengthy and often ineffective. As a result, humanitarian agencies decided to largely bypass standard services for separated children.

- The lack of access to basic services, such as food, shelter, health and education in emergency situations is likely to exacerbate levels of exploitation and abuse, and this may be ongoing if the response in these sectors is inadequate. Furthermore, in conflict situations levels

of violence and grave violations of children's rights increase. This means that in most emergency situations the overall burden on the child protection system is greatly increased.

- The detection of high-risk groups of children, or patterns of grave violations, in combination with limited time, access and resources, may necessitate a narrow focus on specific categories of children or issues, at the expense of building a system for the benefit of all vulnerable children. This may be exacerbated by funding streams and priorities – for example, when particular issues or violations are priorities for donors, or achieve greater visibility.
- There is a lack of clear guidance or practice on how the early recovery and child protection sectors should collaborate – and how humanitarians in all sectors can better support more development-oriented actions in a crisis situation.
- IASC¹⁷ and other guidelines may be applied in isolation from national guidelines or frameworks, offering a different standard of service delivery or protection. Here the challenge is to develop and review national guidelines, frameworks or standards in the light of those used in the emergency phase.
- Coordination between the range of actors in child protection – from grass-roots community groups to national authorities and the gamut of international agencies - may be weak, agency-centric, and ill-prepared to build common strategies for systems.
- In some cases, the emergency responses already provide a higher standard of service delivery and care than is available in the national system. For example, in Burundi, an inter-agency child protection database containing case information for separated and reunified children was handed over to a government department with such limited capacity that computers were in short supply.

- Every country context has a unique child protection system or set of potential components at different stages of development. This means CPIE actors would have to identify and assess guidelines, procedures, and mechanisms in all contexts; and limits the extent to which generic system-building guidance can be developed.
- There is a paucity of both immediate and sustained funding for CPIE (for example, a survey of donors by CIDA indicated that child protection is an area of work that is badly funded and neither understood nor prioritized within emergency responses;¹⁸ in addition, problems of sequencing in funding, where post-conflict or recovery work suffers, is well documented).

No two emergency situations are the same, and different types of emergencies present different challenges and opportunities for systems building. However, the identification of the following broad categories of experience may help in the identification of relevant strategies:

1. Situations where a child protection system is largely non-existent or not applied. (Examples include fragile states such as the DRC, Chad and Somalia; and refugee/IDP settings outside of the reach of the national child protection system. In displaced populations, communities may be very mixed or fragmented, eliminating any remnants of a system even at this level). These can be termed **'Initiate'** situations.¹⁹
2. Situations where elements of a system exist, and can provide a platform for further enhancement or development. These can be termed **'Build Back Better'** situations. There are at least two sub-categories within this group:
 - 2.1. Situations where some components of the system exist but there cannot be said to be a system that is national in scope - for

¹⁷ Inter-Agency Standing Committee of the UN

¹⁸ Montgomery, Michael et al, 2006

¹⁹ Some of the challenges presented in these situations may be similar to those in low-income countries such as Niger.

example, when some structures and good practice at the community level exist, but government and / or civil society capacity is extremely weak. In this type of situation, the post-emergency phase may offer the opportunity to begin to develop a more comprehensive child protection system, such as in Sierra Leone. In these situations, the linkage between efforts at the community and national levels, as well as **sustained funding and political commitment** may be the most important pre-requisites for successful systems-building efforts.

- 2.2. Situations where a system can be said to be national in scope, but may be largely nominal and / or may have serious weaknesses (examples include Uganda, Thailand, Kenya and Indonesia). In these situations, the emergency can reveal flaws in the system and at the same time, provide opportunities for improvement if programming is sustained beyond the immediate phase.

Finally, emergencies themselves fall into two categories: sudden, onset emergencies, and those that develop more gradually. In sudden onset situations, particularly where the volume of need is great (such as the tsunami that hit south Asia in December 2005), the initial stages of the response are likely to be very fast moving, with considerable emphasis on meeting the immediate child protection needs.

Lessons learned on building or strengthening systems in emergencies

A review of documented experiences of humanitarian agencies reveals some learning on working with child protection systems. Some of this is incidental or inferred – i.e. the intention may not explicitly have been to use a ‘systems’ approach but simply to innovate in order to achieve lasting improvements in child protection following an emergency; and in other cases, system-building attempts have

been more deliberate. The following points appear to be lessons learnt to date:

- **Effective system-building work must be a shared priority between the development and emergency response actors** (including the donor community). Building or strengthening a child protection system, or elements of a system, does not appear to be achievable in a short (one year or less) response, and requires extensive preparatory and follow-up work²⁰. Much of the useful learning on building systems comes from the tsunami-affected countries and West Africa, both of which saw long-term engagement by humanitarian agencies during and following the emergency phase; and transition to a national development track. By contrast, in the recent, less sustained emergency response to the Kenya post-election violence, humanitarian agencies struggled to achieve tangible improvements in those parts of the child protection system responding to separated children during the emergency phase, despite working closely with the existing social work structure and the Department of Social Welfare from the outset.
- **The extent and quality of coordination among child protection actors is a central factor in building or strengthening systems.** For example, the child protection sub-cluster in Uganda appears to have had some success enhancing the child protection system. Members of the sub-cluster found that the common understanding of and commitment to a systems approach greatly facilitated their work to develop and uphold common standards in programming, and that their collective efforts were no longer fragmented but presented a concerted effort to strengthen community-based work (see text box on strategies for

²⁰ Essential preparatory work relates to assessment or mapping of the existing child protection system, and is discussed further on. Follow-up work, also discussed below, most often relates to formalising community-based work and linking it to national structures.

system-building developed by the Child Protection Sub-cluster in Uganda). An essential feature of this effort was the collaboration that non-governmental and UN agencies fostered with the government on system-building. One such example is their development of minimum standards for community-based child protection groups that are under consideration for government endorsement for non-conflict affected areas.

Strategies for system-building developed by the Child Protection Sub-cluster in Uganda

Prior to the adoption of the cluster approach in Uganda, child protection agencies demonstrated a tradition of good collaboration. Under the leadership of various NGOs and UNICEF, the government established a Psychosocial Core Team to better coordinate interventions in Uganda, including efforts in the North. Psychosocial work reached beyond children and targeted the community as a whole. The national core group remained very active until 2006, when leadership faltered and the structure essentially collapsed.

The disbandment of the team coincided with the establishment and rise of the child protection sub-cluster as the main child protection coordination forum. The new coordination structure expanded the core group's narrow psychosocial focus to incorporate a broader, more holistic child protection mandate. The sub-cluster created a new vision, which was supported by a new injection of resources and interest.

Members of the sub-cluster maintain that the coordination mechanism itself was a key facilitator in the development and implementation of some key strategies for

system-building in the child protection response, including the following:

- Interagency agreement of, and adoption of, a common approach to child protection programming at the community level, including the development of minimum standards and core competencies for child protection committees²¹.
- Government buy-in to agreed approaches: these standards and guidelines are now endorsed by the government, which is currently considering how to apply them in non-emergency-affected areas of the country. This essentially recognises and legitimises the work of child protection committees at the community level.
- Establishment of an effective network and two-way communication system between field-based and national coordination structures which helped to foster ownership by building on existing government policy and structures at local and national levels.
- Establishment of lead agencies along with referral systems across all affected areas: in each district, an international or national NGO managed child protection cases and issues in the area and used a standardised referral mechanism as needed between agencies and provinces. Lead agencies trained child protection committees and provided technical support to the government focal points in each district.
- The allocation by UNICEF of a dedicated coordinator for the sub-cluster's work. This capacity was essential in channelling multi-agency efforts into a systems approach, such as negotiating standards and building the commitment of government.

²¹ Jessica A. Lenz. InterAgency Guidelines on the guiding principles and minimum standards for supporting and establishing community-based child protection structures

- **Fostering ownership of emergency interventions at the community level**, which can then be formally linked to a national system, appears to be a successful strategy. In both the Ugandan example and in Sierra Leone, community engagement in children's reintegration was essential; the community was the locus of many resources for protection, through which it was possible to identify replicable and applicable strategies (such as traditional cleansing and healing in Sierra Leone). UNICEF's experience in Thailand also underlined the importance of emergency-affected children's families and communities, drawing the conclusion that in order to strengthen systems it is important not to focus solely on the affected child²². In each of these cases, child protection work by community members was recognised and eventually formalised as part of the system following the emergency. In fragile states, this learning may be particularly important since it may not be possible to work at other levels.

System-building work at the community level during the conflict in Ivory Coast

Upon independence from France, Ivory Coast had a clear civil structure, including functional police and justice systems, as well healthcare, schooling, postal services, and importantly, civil registry (for birth, death and marriage documentation). Ivory Coast had ratified the CRC, though a thorough legislative review and concrete implementation were elusive; thus, there were few national policies based on the fulfillment of children's rights. Children's issues were part of the Ministry of Solidarity, Social Security and the Disabled. Prior to the

conflict, professionally-trained social workers were assigned to government-run social centres. The exception to this structure was in the Liberian refugee camps located on the Western border, which were under UNHCR's management with support from a number of national and international agencies working in child protection. Here, situation-specific child protection systems were created. Although the quantity and quality of social services varied throughout the country, Ivory Coast had an appreciable starting point for building effective child protection systems, including elements of infrastructure, human resources, and a promising legal framework.

In 2002, the country was divided by the rebellion of a group from the less-developed north, known as the Forces Nouvelles (FN). Some civil servants were targeted and killed by the FN and their followers; most fled back to government-held territory. Activities carried out through the social centres ground to a halt. However, some civil servants – including some social workers - continued on with their duties in FN areas. While the FN established its own administration - appointing judges, senior civil administrators, etc. - it did not re-activate or create a social services structure.

Save the Children worked with social workers on both sides of the conflict. The agency provided training, site visits, and transportation allowances. A key duty was for the social workers in FN areas to identify social services and other forms of assistance to children that remained in their communities. Using this information, they built up a referral network for individual cases. In addition, they raised awareness of children's concerns with the authorities, as well as the general public, and established a tracing and reunification system with the Red Cross and UNHCR. This was particularly successful in one town where the former Director of Children's Services managed to persuade her

²² Krueger, Alex. Model of a Comprehensive Child Protection System for Thailand.

old colleagues and new volunteers to mobilize to protect children. The rebel forces also identified one child protection focal point for each town that they controlled; these focal points received training on children's rights and issues affecting children in areas of armed conflict from UNICEF and Save the Children.

This cross-line experience provided a number of lessons.

- A key facilitating factor in the work was for the local population to be able to identify a focal person for children's issues.
 - It was important for the work to take place simultaneously on both sides of the conflict, in order to facilitate the flow of information, and to promote a consistent approach.
 - Because Save the Children had been operational prior to the conflict, the response was based on a good understanding of social arrangements, administrative structures, historical issues (such as the contentious issues of birth registration and citizenship), and of the conflict itself; and this greatly increased the extent to which existing elements of the system could be used and supported.
-
- **One strategy for system-building is to develop aspects of a child protection system that can be formalised and applied nationally** following the emergency. For example, a UNICEF evaluation found that a community-based social welfare strategy that had originated in the Tsunami response was subsequently adopted by the Indonesian Parliament. This means that the Government has committed to budget for, implement this strategy and scale it up to all sub-districts in Aceh over the years to come.
 - **Some emergency interventions appear to be 'good entry points' for systems building or strengthening.** One example is family tracing and

reunification programmes²³ as these tend to have a lot of support from governments, community members and donors, and require information management and referral systems to be successful. Another example may be child-friendly spaces, particularly if these are the locus for interventions addressing a range of child protection needs (such as psychosocial support for all children, advice for parents and carers affected by the emergency, and identification and referral of children with specific care or protection needs). A third is prevention work, which normally entails investment by agencies at the family and community level to build up capacity for child protection in response to a range of current and potential threats.

- **Humanitarian agencies appear to have identified some practical steps which facilitate the strengthening of child protection systems in different contexts.** These include the following:
 - Supporting or creating a focal point within relevant government structures²⁴;
 - Seconding a child protection expert to the relevant government structure in order to build their capacity and influence their decisions on a daily basis²⁵
 - Building on an existing community structure in responding to an institutional and legal framework; an example would be in Ethiopia, where the youth offenders, after being put on trial on a 'child friendly bench' are taken into a community-based system where elders guide these offenders'

23 UNICEF. Summary of Highlights: Global Child Protection Systems Mapping Workshop.

24 For example, UNICEF created women and children's desks at the local level in Indonesia, and supported a Child Protection Secretariat, together with Save the Children, in Aceh with a link to another secondment designed to build capacity at Jakarta level; Save the Children supported a database manager within Sierra Leone's Ministry of Social Welfare.

25 As UNICEF did in Aceh, Indonesia. It is important that the host department is prepared for the secondment and open to new approaches.

learning and development, building on a traditional and previously almost forgotten practice.

- Making provision for the eventual linkage of community-based protection structures set up during an emergency response to an institutional and legal framework at local or national level.²⁶
- Undertaking a comprehensive, national assessment of all institutions touching on child protection post-emergency, along with a policy and budget analysis.
- Building incrementally on existing governmental budget categories, as they are easier to influence than a major new initiative²⁷.

Possible risks in focusing on systems building in emergencies

The following is a list of potential areas of risk for actors working to build or strengthen child protection systems in emergencies, drawn from documented agency experiences. Many risks, including some of those listed below, are not unique to a system-building effort, and may also arise in 'issue-based' CPIE work; indeed the many risks and uncertainties involved in identifying and responding to child protection concerns in an emergency are extensively documented. Key considerations in the case of each identified risk should be the extent of the risk in the given context, its potential impact in relation to the best interests of children, and in what ways the risk can be mitigated.

- If system-building is unduly prioritised before pressing child protection needs are addressed, there is a **risk of diminished response for the children who are most vulnerable**. Where CPIE efforts are under-funded or other resources (such as human resources or the capacity of responding agencies) are limited, there

²⁶ This relates to experiences of UNICEF in Uganda and Indonesia, as well as Save the Children in South Sudan.

²⁷ UNICEF. Summary of Highlights: Global Child Protection Systems Mapping Workshop.

is a risk that an inclusive approach to vulnerability, as opposed to a focus on one or two narrowly defined high risk groups (such as separated children, or displaced children), may lead to identification of a larger caseload of 'vulnerable children', for whom there is then no adequate response, and / or, a focus on structural, generalised concerns at the expense of focus and progress within a defined area of work.

- **Developing aspects of the system at different 'speeds' may place children at risk** (see text box on risks to children during system-building efforts in Afghanistan).

Steps forward and back – system-building efforts in Afghanistan

In 2003, following the fall of the Taliban, Save the Children instigated the development of regional child protection action networks (CPANs). CPANs developed action plans involving international and national NGOs, governments and other stakeholders to help resolve identified protection issues. After the first year of the regional child protection action networks running within 6 regions, a national CPAN was established, drawing on the regional CPANs for its agenda.

This work led to several impressive achievements, including the following:

- a national Child Protection police department was established in Kabul;
- female police officers were trained nationally to work with women and children at a regional level;
- a national plan of action to protect vulnerable children was developed and signed by the government;
- President Karzai met with child representatives from 16 regions of Afghanistan and made commitments to improve conditions for girls and boys;

- traffic police were trained to be more child-friendly; and
- children were given free access to transportation for school.

The Afghan government and child protection police department were eager to establish a child helpline where children could call and the police could immediately respond to protection cases. Within a month the government had committed resources for changes to the phone system, creating a free non-traceable 4 digit phone number for public reporting of protection cases. Staff for the helpline were to be trained at regional and national level, and the government media department committed the resources to publicise the service to children

The commitment of government resources and mobilisation of political will around this project were unprecedented. However, the lack of response and case management facilities for children who might use the line were serious potential risks. For example:

- If a child was to be taken from a family, there were no alternative care options.
- No social workers were there to work with children and families to resolve issues or to support a child staying within the family after a violation had been reported.
- Police officers were not trained to listen to children – and this was especially a concern for girls.
- It was a normal (and legally sanctioned) practice to place children reporting violations in prison, for their own protection.
- Child-friendly court systems were not in place.
- Prosecution was very limited and collecting forensic results was very difficult.

Given these risks, humanitarian agencies were forced to recommend that the project be postponed indefinitely.

- **The appropriate level of investment in government capacity can easily be misjudged.** Even in contexts where the government is willing and able to strengthen the child protection system and so humanitarian agencies can invest time and effort in systems-building during the emergency phase, work with government structures may not yield the anticipated benefits for children if capacity, time or other constraints prevail. For example, in Kenya, while the investment by some child protection agencies in building government capacity to manage information on separated children may have longer-term benefits, it was seen to be at the cost of immediate service delivery for those children – large numbers of whom were registered but not followed up (see text box below for more detail).

Limitations in strengthening government capacity for family tracing in Kenya

In December 2007, post-election violence in Kenya displaced an estimated 350,000 people across the country. Houses and businesses were attacked and destroyed. As a result, families fled to other parts of the country seeking shelter and safety. During flight, children were separated from their families, while in other instances, children were left orphaned or cared for by other family members. As the months passed and people returned to their homes, an increasing number of children were left in urban centres since parents still feared further violence. Many were left in Charitable Children's Institutions²⁸, and others were left in child-

²⁸ These were often private or religious-based residential care facilities. Increasing numbers began to open after the election violence and were often unregulated.

headed households in urban centres around the conflict-affected areas.

Prior to the emergency, Kenya had a Department of Children's Services with Children's Officers located at Provincial and District Levels. In most conflict-affected areas, each district Children's Officer was assisted by two Volunteer Children's Officers. Whilst many Children's Officers had a relevant academic background, the volunteers did not have any relevant, formal training. In addition, their attendance was often erratic, given the unpaid nature of their posts. As a result, the response at the district and provincial levels was spread between a handful of professionals who were not only responding to the needs of displaced and conflict-affected children but also to those of pre-existing caseloads of vulnerable children, such as street children, and children at risk of exploitation and abuse.

From the outset, UNICEF and key child protection agencies engaged directly with the Department of Children's Services and conducted initial, rapid assessments. In the following period, as increasing numbers of separated children were identified, humanitarian agencies trained Children's Officers and Volunteer Children's Officers to register separated children and conduct tracing activities. However, limited staffing hindered coordination efforts, while lack of technical expertise and resources (such as vehicles) were key limitations on tracing work.

At the onset of the programme, an inter-agency database was established and housed within the headquarters of the Department of Children's Services. Although training in use of this information management system was provided, as of September 2008, limited entries had been made into the database, due to limited human resources and capacity constraints

Child Protection agencies had engaged with the existing child protection system in this

part of the response, and the Department felt a sense of ownership over the process.

However, deficits in the Department's human resources and technical capacity seriously affected the success of this work.

Humanitarian agencies offered support at different levels, but the demands were overwhelming, as many national NGOs also required capacity-building. International actors had limited resources to adequately coach child protection actors and to meet the many and sustained technical assistance needs generated by the emergency response.

- **Capacity and commitment at the community level, an important building block for a system in emergencies, can be uneven.** Because systems-building in emergencies emphasises local ownership and contextualisation at an early stage alongside service delivery for individual children (as opposed to a fully resourced, imported, and temporary service delivery model), it is more dependent on community-based protection mechanisms. Community committees have played critically important roles in some emergency situations, such as the reintegration of separated children during and after the conflict in Sierra Leone, as well as the reunification and reintegration of former child soldiers in northern Uganda. However, there are many questions pending about community-based systems, as research in Kenya, Uganda and Sierra Leone has shown²⁹. A conclusion of research into the work of the Child Protection Sub-cluster in Uganda was that community volunteers with minimal training should not fulfil specialist roles for which they were not qualified [e.g. case management]. This study found a high variance in the quality of community-based child protection groups and committees. Related to this, particularly in

²⁹ Inter-Agency Review and Documentation: Uganda's Child Protection Sub-Cluster (Delay, B. and Knudsen, C.), Community Based Reintegration: Programme Evaluation (J. Alexander).

conflict and post-conflict settings, community-based groups may be perceived as, or may actually be, political groups with agendas that may conflict with their child protection mandate.

Furthermore, emergencies highlight the risk of the “over-responsibilization” of communities and the need to ensure that states assume their core – non-delegable - rights as duty bearers.

Conclusions

Implications for emergency preparedness

Emergency preparedness has different connotations for different actors. Through the lens of building a child protection system, preparedness refers to the actions in system-building or system-strengthening that can be taken in country (by a State, its citizens and its partners) in preparation of a response and to pre-position resources, which can mitigate the effects of emergencies. The following appear to be key points of learning in this vein:

- Experience appears to indicate that countries with pre-existing, well-established child protection systems are better able to cope and recover from the ‘shock’ caused by disasters such as earthquakes, floods and environmental change.³⁰ Thus, on-going development work on the child protection system, prior to a crisis but with emergency-specific provisions, is central to the success of efforts to build and strengthen systems in emergencies.³¹ “A community with a functioning protective network around its children where violence, abuse and exploitation are not accepted, is in a much stronger position to maintain its

30 Bell, Bill. “A rough guide to child protection systems”.

31 The convergence of development and humanitarian projects in this vein may present some interesting dilemmas. For example, UNHCR in Ecuador has had to consider investment in development work to build the national child protection system – something not squarely within the organisation’s mandate – since the government allowed refugee children access to this system.

network, or rebuild it, in an emergency situation.”³²

- Practitioners should put less emphasis on national emergency response mechanisms for use in exceptional circumstances, and more emphasis on building good, ongoing policy and practice at all levels, so that a national system is better placed to respond to shocks.
- As humanitarian agencies are called on to respond in an increasing array of contexts (including in more natural disasters); understanding what child protection systems and traditional mechanisms exist, and tracking their development, is essential to ensure resources are used efficiently and to maximum impact in the event of an emergency.
- Training and capacity building of staff (Government, UN, INGO, NGO) to have confidence, skills and knowledge on children’s participation should be integrated into emergency preparedness efforts.
- Support for child-led Disaster Risk Reduction strategies, processes and tools can also be integrated into emergency preparedness systems.
- National preparedness planning should include dialogue with humanitarian agencies to agree and lay the foundations (such as MOUs) for their roles in child protection responses, ensuring that these roles are supportive of the national child protection system.

Implications for emergency responses

Some of the learning described above may allow the child protection sector to identify **facilitating factors** for building or strengthening child protection systems in emergency responses. These could include:

- **Excellent coordination** between child protection efforts (both emergency response and development), including agreement on the system’s model.
- **Ownership of the response by key actors at all levels** in an eventual system including girls and boys, community

32 Child Rights-based National Child Protection Systems. Save the Children Sweden.

members and government bodies. Ownership can be fostered through joint planning and delivery, through advocacy and dialogue, and / or through involving these actors in monitoring and evaluation of the emergency response.

- **Establishment of locally agreed standards** (based on international standards) for child protection work and children's participation work.
- **Identifying and building on or mirroring existing informal and/or formal protective structures.**
- Ensuring community level structures involving children and adults are developed in a way that facilitates their **eventual inclusion in or linkage with formal structures.**
- **Close collaboration from the outset between those involved in the effort to build child protection systems and other systems of response**, such as justice, health, education and livelihoods.

'Initiate' situations (where no or almost no system existed previously) present particular challenges. However, using the above principles, agencies may be able to promote embryonic elements of a CPS by ensuring that ongoing service provision at the very least builds on approaches and elements already in place or under development, and does not either undermine existing informal protective structures (such as cultural or social resources for protection) or jeopardise chances of eventually building a formal child protection system.

The dual objectives of responding to immediate needs and system-building can be seen as two workstreams which at the very least are complementary, and where work on the second system-building objective can be seen as an incremental process running simultaneously to service provision. A key challenge appears to be navigating the balance in investment between these two workstreams, so that attention to the

immediate and pressing protection needs of very vulnerable children is not diminished.

In both emergency preparedness and response, it is important to ensure that existing standards and newly developed ones are upheld at the various levels of operation. This would ideally necessitate the existence of a specific agency or ombudsperson dedicated to child protection and / or child welfare, with the mandate, means, authority and responsibility to ensure the overall working of the system.

Areas for further learning

Overall, documented experience in using a child protection systems approach in emergencies is limited, and much of the discussion emphasises the need for continued learning on all aspects of systems-building, including cost, impact, successful strategies and any areas where there is cause for caution or concern. Part of the emphasis on learning is driven by concerns that the CPIE sector needs to have an in-depth understanding of any risks which could be associated with a shift away from issue-based programming to a focus on systems.

The need for learning is particularly articulated by those working in fragile states, where work is likely to emphasise building the pre-conditions for a system, and working at community level with a view to eventual formalisation or transition, rather than building a national level system.

In particular, CPIE practitioners have identified the following learning and development needs for their sector, whilst noting that some of these may be shared by child protection specialists in development settings:

- I. Develop **shared definitions**. This includes shared definitions for the technical field of child protection and for child protection systems along

with their purposes, functions and components. The development of this shared vocabulary should form part of a broader effort to develop shared criteria and measures. In the continuing development of consensus and learning on child protection systems there needs to be collaboration across the emergency – development continuum, where the concept of a child protection system is a shared one, and similar experiences and learning may emerge (for example between efforts in low income countries and fragile states).

2. Develop **shared tools and guidance on system-building** for child protection actors to use in emergency responses. There are many areas in which these will be needed.

- Currently, agencies tend to build emergency responses around an assessment of needs, resources and capacities. However, to guide a systems-building effort, and to inform decisions on how to balance investment in the first phase of the response (e.g. what priority to give to strengthening the national system and extending it to the affected area; and what priority to give to humanitarian agencies' efforts to meet immediate protection needs) an analysis of existing child protection system (or existing components of a system) at all levels, from community to national will be necessary. A central focus of this assessment needs to be the extent and quality of linkage between the child protection system and other relevant systems.³³

³³ Ideally, this should happen in emergency prone areas as part of emergency preparedness and / or the ongoing development effort. In sudden onset emergencies and where this assessment information is not already available, it may be appropriate for parts of the assessment of the

- **Advocacy** is likely to become more emphasised as humanitarian agencies reorient themselves around child protection systems – pushing for systemic level changes and policy development in a concerted way, at the same time as changing traditional attitudes and practices where these are harmful to children; however, the combined advocacy capacity of agencies is typically weak in emergency responses.
- Similarly, **capacity-building** of the people and institutions who play key roles in the child protection system - including community workers and / or social workers, community-based organisations; social analysts; policy makers and government institutions - is essential to systems-building, and represents a relatively under-developed area of child protection work in emergencies. In emergency preparedness (some of which may be integrated into responses when the situation allows), capacity-building may be the single most important activity in ensuring that a nationally 'owned' child protection system is envisaged and developed.
- Equally important will be **guidance on how to develop and support the key roles of children** and other members of civil society (such as youth, parents and other community members) in building, maintaining and assessing (and holding to account) child protection systems. Whilst participation of children in programme work is a relatively

existing system to be incremental, and developed alongside the systems-building aspect of the response. However, information on key child protection structures in country - such as government case management systems, existing social work capacity, and care practices - is crucial even in the first phase if the ambition is to strengthen or mirror existing structures

developed area in terms of tools and methodologies, practice lags behind. In the field of system-building, there is almost no documented guidance or practice on this theme.

- Within assessment methodology, the CPIE sector will need to develop more intelligent **indicators for vulnerability** than identified and isolated protection issues. For example, Save the Children's analysis of the response for separated and orphaned children in Aceh found that this categorisation was not a helpful guide to vulnerability, and set the wrong basis for some of the investment in the national child protection system. Many separated or orphaned children were spontaneously fostered by extended family, and factors other than separation, such as income, shelter and security were also important in children's exposure to protection risks.³⁴ However, experiences in other emergencies points to the need to ensure high-risk groups are identified and remain a priority for the immediate protection response.
- Finally, as documented experience has illustrated, a child protection system is "a complex system that needs regular and continuous review, adaptation and improvement."³⁵ In fragile states, ongoing assessment will require a kind of gauge which can flag situational changes and opportunities when investment in systems-building can be extended.

3. Generate learning on **how to develop other important systems**

³⁴ Dunn, Andrew; Parry-Williams, John and Petty, Celia; for Save the Children, 2006; Picking up the pieces – caring for children affected by the tsunami

³⁵ Krueger, Alex. Model of a Comprehensive Child Protection System for Thailand. UNICEF, 2008.

simultaneously to the child protection system. The impact of a child protection system is limited where other, linked systems - such as health, education, livelihoods and justice - are weak or absent. As discussed above, lack of access to these basic services itself generates exploitation and abuse of children, creating a greater workload for the child protection sector. Conversely, in some contexts there may be lessons learned from the successful development of systems in other sectors.

Justice systems are a particular priority for the child protection sector, for several reasons. Firstly, the justice system is a recurring gap in emergency and post-emergency work, and one where efforts risk being piecemeal, and de-linked from other sectors of work. For example, there is room for far greater cohesion between response work which prioritises the delivery of services and the range of structures and efforts which promote accountability, such as the International Criminal Court, the UN Security Council's Monitoring and Reporting Mechanism for grave violations of children's rights, advocacy on human rights violations, support to the national justice system, etc.). Secondly, the civil element of the national justice system is central to meeting child protection needs both during and after the emergency phase – for example, on issues of guardianship, inheritance rights and rights to participation in care placement proceedings. Finally, the protection of children in conflict with the law (through elements of a protection system such as welfare functions) is likely to be an urgent need both during and after the emergency phase.

In some ways the current structure of the humanitarian system (where the

protection cluster covers several areas of responsibility, including rule of law) is conducive to these sectors joining efforts in relation to building a child protection system. However, in practice, there are weaknesses in delivery within this broader protection sector. Collaboration with the early recovery cluster on key protection issues, such as the building of CPS post-emergency, is a potentially rewarding area of work yet to be explored.

4. **Build support for child protection systems** amongst the broader community of humanitarian and post-conflict actors by building alliances, emphasising convergence of interests, and using evidence as a neutral criterion.
5. Develop **concrete proposals to offer host governments and donors** in areas of response. These may include a draft 'vision' of a child protection system, a measurement tool to chart progress against a system-building goal, system-building tools and strategies, and suggested funding models.
6. Develop **funding models** for child protection system building. Funding volume and sequencing for CPIE is not currently conducive to systems-building, and needs review and improvement, including on extension of investment into the post-emergency phase. Using the aforementioned improved tools as well as growing evidence base, CPIE actors will need to establish a dialogue with emergency and development investors. Objectives of this dialogue should include:
 1. Co-planning the effort to generate an evidence base.
 2. Determining where the development of child protection systems fits into the priorities and planning processes for these

actors, in emergency and post-emergency contexts.

3. Ascertaining how the protection of children is / can be measured and monitored as an outcome of emergency and development investment.
4. Finding ways for response efforts during the emergency and early recovery stage can best lay the groundwork for, and be followed through by, subsequent investment in the building of a child protection system.

The need for an evidence base

An overall conclusion is that the CPIE sector now needs to generate evidence - with the wider child protection sector, as well as on its own - that a systems approach to child protection can be effective in emergencies. This can be done through pilot work involving a range of actors, as well as in contexts offering different constraints and opportunities – such as fragile states, sudden onset emergencies, and under-funded emergency responses. These pilots will require an objective, systematic methodology for assessing outcomes and impact. They should explore different strategies at all levels, innovate, build on learning, measure and document replicable models for success. Impact should be measured over the medium and long term, to ensure that longer term impacts (both positive and negative) are identified alongside immediate outcomes for emergency-affected populations. The sector needs to assess and document the cost of building systems, both to make credible and sufficient requests for funding its own system-building efforts, and to be able to advocate more broadly for investment in the child protection system in each context.

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