

POLICY PAPER

Child Protection Policy

NETZ Partnership for Development and Justice

approved by NETZ EC 12/19/2020

1. Introduction

NETZ Partnership for Development and Justice, in short NETZ, is a charitable and independent organisation registered in Germany and Bangladesh. Since 1979, full time staff members, volunteers, individuals, supporter groups and enterprises have engaged in actions to end poverty. Together with local partner organisations NETZ supports self-help for nutrition, education and human rights. Self-help capacities are strengthened, nutrition and health status improved, income generating activities and schools supported, women's rights and access to the legal system demanded. Through all these actions, NETZ aims to enable long lasting and far reaching structural changes.

On the basis of the "United Nations Convention on the Rights of the Child"(i), the "National Child Labour Elimination Policy, 2010"(ii), and the "VENRO Code of Conduct for Children's Rights"(iii), NETZ has introduced this policy to extend the attention on children's rights in every working area of the organisation, all projects and programmes. According to aforementioned UN convention, a "child" is every human being below the age of 18 years. Every child needs to be protected from any kind of abuse. Forms of abuse can be physical, psychological and sexual as well as neglect and exploitation (see also 6.). This "Declaration of Commitment for the Protection of Children" follows the contents of the above-mentioned UN Convention as well as the principles of non-discrimination, best interest, participation of children in decision-making, ensuring survival and **and** promoting development.

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2. Background

NETZ stands up against child marriage and child labour. Bangladesh has one of the highest child marriage rates worldwide. The Child Marriage Restraint Act (CMRA) (iv) poses the threat of misuse of its "special circumstances" provision, which allows underage marriages with the permission of parents in conjunction with a magistrate; especially girls face increased risk of legally supported child marriage. Child labour is a violation of fundamental human rights and hinders children's development, potentially leading to lifelong physical or psychological damage and limiting their prospects for social mobility. The National Child Labour Elimination Policy provides a comprehensive framework to eradicate all forms of child labour. While important achievements in the fight against child labour have been made, more than one million children in Bangladesh are still trapped in its worst forms. NETZ acknowledges this legal framework in Bangladesh and promotes joint actions and initiatives to prevent child marriage and child labour as well as advocacy dialogue for policy reforms.

3. Declaration

NETZ actively promotes the wellbeing of children, with zero tolerance for any kind of child abuse, maltreatment or exploitation. We are fully committed to the gender-responsive safeguarding of all children from all forms of violence. We promote child safe practices, approaches, interventions and environments. We respond to a child who may be in need of protection or support.

We hereby declare that we follow the guidelines laid out within this policy. We take very seriously our responsibility and duty to ensure that we, as an organisation, and anyone who is active for us or represents us does not in any way harm, abuse or commit any other act of violence against children and/or place them at risk of the same. This policy directly applies to anyone directly or indirectly involved with NETZ. We ensure all who work with us understand and are supported in their meeting safeguarding roles and responsibilities.

We take positive action to prevent anyone who might be a risk to children from becoming involved with us and take stringent measures against any staff, associate or visitor who perpetrates an act of violence against a child. Partner organisations and their staff members as well as voluntary supporters, any service provider, contractor, evaluator and auditor recruited by NETZ are made aware of this policy. If NETZ gets to know about any form of abuse or maltreatment against a child an investigation will be started and, in case of proof of debt, the cooperation with the violating party will be terminated immediately. In case partner organisations of NETZ have their own policies and guidelines to ensure the protection of children's rights, these should be followed at any time and will be complemented by this policy.

4. Roles and responsibilities

To ensure full protection of children in all activities, strategies and planning of NETZ, and to create a low-risk-environment, following guidelines are taken as obligatory.

- (1) All people directly involved with NETZ are aware of the protection of children's rights as outlined in the Child Protection Policy of NETZ.
- (2) Partner organisations and their staff members as well as voluntary supporters, any service provider, contractor, evaluator and auditor recruited by NETZ are made aware of this policy and confirm that they abide by it.
- (3) All actions conducted by NETZ are obliged to strengthen the rights of children and to protect them from any kind of abuse and maltreatment, e.g. physical, psychological and sexual abuse as well as neglect, exploitation, child labour, violence and child marriage.
- (4) Every child is treated with respect and in the best interest of the child, regardless of gender, religion, ethnicity, social origin, language, physical and psychological ability or sexual orientation.
- (5) Language and behavior towards children must be appropriate and respectful of the child's age, this means in no case harassing, abusive or sexually provocative.
- (6) Children are encouraged to voice concerns. Employees and partners of NETZ listen to children and take them seriously.
- (7) NETZ ensures, to the greatest extent possible, that adults are not alone with children.
- (8) Any sexual activity with a child or any engagement of children in sexual activities is prohibited and will be prosecuted.
- (9) The dignity of every child within media, educational and public relations work of all parties directly involved with NETZ is ensured. Depiction of children's nudity must be avoided in any publication of and for NETZ.
- (10) If somebody observes any kind of abuse against a child, it needs to be reported immediately to the responsible person, Programme Manager, Education Programme or Ombudsperson of NETZ, see (11). Every form of abuse against a child is a criminal offence and will be prosecuted. It is ensured that the child is immediately supported and protected from any kind of further abuse.

- (11) Any case of abuse against a child can be reported to the contact or Ombudsperson NETZ made available on the NETZ webpage under <https://bangladesch.org/en/about-netz/our-team/bangladesh-office.html>.
- (12) Nobody who reports violations or suspected violations or submits tip-offs regarding violations with honest intent needs to fear any disadvantage or other consequences, even if the report or tip-off later turns out to be unfounded. It is not the responsibility of the whistle-blower to conduct investigations, deliver evidence, or determine whether or not child abuse or exploitation have taken place.
- (13) If any of the above-mentioned parties violate this policy, NETZ has the right to terminate the contract.

5. Definitions

5.1. Child

Child means, as defined in the UN Convention on the Rights of the Child (“UNCRC”), a person under 18 years of age.

5.2. Child protection

Child protection means taking measures and creating structures to prevent and address incidents of child abuse or exploitation. The objective of child protection is to promote, protect and fulfil children’s rights as defined in the UN Convention on the Rights of the Child (UNCRC) and other human rights declarations, humanitarian agreements and conventions and legislation at the national level. (Appendix 3)

5.3. Child abuse and exploitation

Child abuse and exploitation exist if the actions of people or institutions directly or indirectly harm the health or dignity of children or their prospects of a safe and healthy development. Said actions may be intentional or unintentional. The primary categories of child abuse and exploitation are:

- **Physical abuse**, which means that a child is intentionally injured or threatened with physical harm. This may involve beating, shaking, kicking or striking the child. Injuries can also present as bruises, lacerations or fractures. Another form of physical abuse is to burden children with tasks that exceed their physical abilities and can hinder their physical development.
- **Psychological (mental) abuse**, which refers to any form of humiliating or degrading treatment. This may include insulting, threatening, mocking, intimidating or isolating a child either directly or indirectly (e.g. via social media).
- **Sexual abuse**, which occurs if a child is used by another person for that person’s sexual stimulation or satisfaction. This includes rape. Sexual abuse can also take non-physical forms, e.g. if someone exposes a child to pornographic material or induces a child to undress or change in his or her presence for purposes of providing sexual stimulation or satisfaction.
- **Sexual exploitation**, which occurs if someone takes advantage of a child’s trust, vulnerability or relative lack of power in sexual matters in order to gain financial, social or political benefits. This includes participation in pornography and prostitution.
- **Neglect**, which means that a child’s basic needs for food, clothing, shelter, attention, supervision or medical care (as applicable) are ignored, either wittingly or unwittingly.
- **Child labour**, which refers to the practice of employing children for labour in a way that deprives them of their childhoods, limits their ability to attend school, causes long-term damage or is dangerous in social, ethical, physical or psychological terms.

6. References

The above-mentioned documents can be accessed under (last access on 30.11.2020):

(i) United Nations Convention on the Rights of the Child:

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

(ii) National Child Labour Elimination Policy, 2010:

http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=99017&p_count=4&p_classification=04

(iii) VENRO Code of Conduct for Children's Rights:

<http://venro.org/english/venro-codes/>

(iv) THE CHILD MARRIAGE RESTRAINT ACT, 2017 (Act No. VI of 2017), Government of the People's Republic of Bangladesh Ministry of Women and Child Affairs

NOTIFICATION Date : 26 Augrahayana 1424 BE/10 December 2017 AD

Appendix 1: Standards for Human Resources Policy and Training (in progress, planned completion 31.12.2021)

Appendix 2: Intervention-Development of a case management system (in progress, planned completion 31.12.2021)

Appendix 3: Links to National (Germany, Bangladesh) conventions and legislation for child rights (in progress, planned completion 31.12.2021)