

CHILD PROTECTION POLICY

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INTRODUCTION

As a responsible and respectful organization, CAMBOREA is truly involved in the child well-being and their protection. This policy will set up rules and documents that every people working with us will have to follow and use, to be sure that child will be safe and well threatened during activities of our organization, different projects, but also back home in their everyday life and everywhere.

CAMBOREA is carrying very high some essential values, that every child has rights, and must be protected from abuse as he is vulnerable, even more if he has disabilities. We are not accepting child abuse, and we are all strongly committed in our organization for the children protection, together.

Child are the future of our community, and Cambodia in general. Make them grow in a safe and respectful surroundings, will be the key for their good development and the good development of the whole country.

Please read conscientiously all the different chapters from this document. Don’t hesitate to ask us if you don’t understand a point or have any doubt about. After reading, if you share the values of CAMBOREA’s NGO, we will ask you to sign at the end of this policy, and to fill up the Annex 1 (*Statutory Declaration*) of the file, by swearing that you never had any problem with justice about child abuse or anything else mentioned in the “code of conduct”.

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WHAT IS A CHILD ?

Biologically, a child (plural: children) is a human being between the stages of birth and puberty. The legal definition of child generally refers to a minor, otherwise known as a person younger than the age of majority (18 years old in Cambodian).

Children are highly vulnerable, often facing daily threats to their health, education, safety and overall development. All over the world, children are exposed to abuse, violence, exploitation and neglect. These issues are often exacerbated by gender inequity, marginalization of urban and rural poor, the negative attitudes and discrimination towards ethnic minorities and people with disabilities.

Some principles from the United Nations Convention on the Rights of the Child (UNCRC or CRC), which the most widely accepted human rights treaty in history, that Cambodia ratified in 1992.

- **Non-discrimination (article 2):** Each child is a unique and equally valuable human being. Children must be treated equally regardless of their sex, sexual orientation, religion, race, origin, age etc. Children must receive at least the same treatment as adults do.
- **The best interests of the child (article 3):** Children deserve to have their best interests met. Decisions should be made based on what is most likely to protect a child's rights, physically, emotionally, intellectually and morally.
- **Life Survival and Development (article 6):** Each child has a right to life and survival, and also to development to their fullest potential. The dignity of the child is recognized, children need special protection from adults in order to achieve their maximum potential.
- **Participation (article 12):** Children offer the best understanding of their own situations and have experiences to offer. Boy and girls should be willingly involved in all matters that affect their lives. Children have the right to be listened to, taking into considerations their capacities as they grow.

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WHAT IS CHILD PROTECTION ?

The term 'child protection' is used to refer to preventing and responding to violence, exploitation and abuse against children – including commercial sexual exploitation, trafficking, child labour and harmful traditional practices.

WHAT IS A CHILD POLICY ?

A child policy is a statement that makes it clear what an organization will do to help ensure that children are safe from harm. It is also an opportunity for the organization to express its commitment to protect children. Child policy is composed of a set of rules (code of conducts) that are enforced with consequences.

1. CODE OF CONDUCT

2.

This code of conduct is a set of rules related to the best practices, to do or not to do, for all the employees of our organization, volunteers, visitors and sub-contractor. By following this code together, we will keep child safe in our community and around, and we will respect the values of CAMBOREA as well as showing our commitment to child protection and their rights.

- Show respect to children around you, and try as much as possible to teach them respect to each other's.
- Words or behaviors can be abusive to children, be careful to your language especially by being sexually provocative or culturally inappropriate.
- Insults will not be tolerated, even for joking or if they are common in local culture.
- Never use strength against children, never hit or bit them. Neither physical punishment nor physical humiliation are the solution of troubles.

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- When working with children, try not to be the only adult to avoid problem and the suspicion of having inappropriate acts.
- Except in case of emergency, never bring a child alone with you inside a room.
- Never sleep close to unsupervised children.
- Always wear decent outfit in front of children, and never change clothes in front of them.
- For their safety and their good development, children are not allowed to work in Cambodia, so don't hire them or pay them for any labor.
- Comply with all relevant Cambodian legislation, including labor laws in relation to child.
- Never use any computers, mobile phones, video cameras, cameras or social media to exploit or harass children, or watch Medias and visit site from others people who are doing.
- Never show videos or pictures to children with inappropriate scenes, violence, nudity, sexual acting or anything which might hurt them.
- The religious convictions and all discussion to impose your or others ideas on this subject will be banished. Camborea respects the cultures and beliefs of everyone, and proselytism is not a solution to help communities.
- Immediately report cases or allegations of child exploitation and abuse, and policy non-compliance in accordance with appropriate procedures.
- Immediately disclose all charges, convictions and other outcomes of an offence that relates to child exploitation and abuse, including those under traditional law, which occurred before or occurs during association with the Australian's Department of Foreign Affairs and Trade.
- Keep in mind that every act or behavior might been seen as a sign of child abuse or exploitation, even sometimes a simple gesture of sympathy or friendship.
- Every actions or project should respect the school attendance of the children, and be sure that they will not miss school or neglect it to take part of CAMBOREA's activities.
- Any sign or feeling that a child is being abused or exploited, must be reported to the management of the organization.
- Children must not take part in any form of sexual games, sexual intercourse, together or with adults, pushed to that or being paid for any sexual services or touching.

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- Every game, as soon as it has something to do with nudity or private parts, is no longer a game but a sexual abuse. Touching private parts for playing, joking, teasing, give a pledge, is humiliating and can hurt someone for his/her entire life, and bring you in front of the justice for abusing him/her.
- Alcohol or drugs consumption are prohibited on our projects. Their use, before or during activities must be reported to the management team, which will take immediate sanctions, and in drug case, report it to the local police.
- Alcohol or drug uses cannot be promoted to children. Giving or selling it to children is totally forbidden, as well as using children to transport/keep it.
- Cambodian culture includes practices, particularly in traditional medicine, that can be considered as physical abuse, such as coining, abdominal burns with cigarettes, contortion for Apsara dancing, etc. If you witness it, talk about to the management of the organization that will do the necessary to raise awareness among families.
- Pictures or videos from children cannot be taken without their approval or their parents' approval. You will have to explain before how or why the images will be used.
- Pictures or videos from children must respect local traditions and restrictions to personal images before being taken.
- Pictures or videos taken must show the children in an appropriate outfit, and never in a humiliating position, subjective, or sexual.
- Pictures and videos taken must show children in a dignified and respectful way, and not in a vulnerable, demeaning or submissive manner.
- Pictures and videos taken must show an honest representations of the context and the facts. The miserabilism never bring anything.
- Ensure file labels, Meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.
- The organization management reserve the right to have a look to all the pictures and videos which have been taken during activities, and to destroy it if they judge that it's infringe rules of their child protection policy.

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2. SOME USEFUL DEFINITIONS

Child abuse – child abuse includes all forms of physical and emotional ill-treatment, sexual abuse, neglect, and exploitations that results in actual or potential harm to the child’s health, development or dignity.

Physical abuse – the use of physical force against a child (including hitting, shaking, punching, kicking, burning and poisoning) that causes harm to a child.

Sexual abuse – use of children for sexual benefit by an adult or older child or teenager, including using children in child pornography.

Emotional abuse – verbal or other acts towards a child which can damage a child’s self-esteem or confidence.

Neglect - the failure to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their development and wellbeing.

Child exploitation - using children for profit, labor, sexual benefit, or for other personal or financial advantage. Includes producing, obtaining or distributing child exploitation material.

Definition of a ‘child’ - any human being up to the age of 18.

Respect - is a positive feeling or action shown towards someone or something considered important, or held in high esteem or regard; it conveys a sense of admiration for good or valuable qualities; and it is also the process of honoring someone by exhibiting care, concern, or consideration for their needs or feelings. You can respect things as well as people, nature or animals.

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3. PLEASE ALWAYS REMEMBER...

Child abuse can happen to any child in the world, in any country, or in any community, even ours where you might think it will never happens.

There is no exception at all, and child of any age, sex, race, religion, and socioeconomic background can suffer from abuse or neglect.

A child who is being abused may experience more than one type of abuse. For example, physical and sexual abuse almost always involves emotional abuse as well.

Child with disabilities are even more vulnerable, and often a more easy target.

The trauma of being abused will follow the child all his life, if he survives because he can sometimes die as a result of treatment or even being pushed to commit suicide.

4. REMINDER ON CAMBODIAN LAWS

➤ **Article 239: Elements of Rape**

All acts of sexual penetration, of any kind whatsoever, or an act of penetrating any object into sexual organs of a person of either the same sex or different sexes by violence, coercion, threat or surprise constitutes a rape:

The rape is punishable by an imprisonment from 5 (five) to 10 (ten) years.

Legality of sexual intercourse is determined from the age of 15 (fifteen) years old.

➤ **Article 250: Sexual Harassment**

Sexual harassment is an act that a person abuses the power which was vested to him/her in his/her functions in order to put pressure again and again on other persons in exchange for sexual favor.

The sexual harassment is punishable by an imprisonment of between 6 (six) days to 3 (three) months and a fine of between 100,000 (one hundred thousand) Riels and 500,000 (five hundred thousand) Riels.

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- **Article 339: Placing a Minor to Working Conditions which Endanger his/her Health**
The acts of placing a minor to working conditions which are detrimental to his/her health or his/her physical development are punishable by an imprisonment from 2 (two) years to 5 (five) years and a fine from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.
- **Article 341: Obscene Acts on a Minor of Less Than 15 Years of Age**
The acts of, by a mature person, committing the obscene acts on a minor of less than 15 (fifteen) years of age without violence is punishable by an imprisonment from 1 (one) year to 3 (three) years and a fine from 2,000,000 (two million) Riels to 6,000,000 (six million) Riels.
- **Article 349: Gathering for Sexual Exhibitions or Sexual Relations with Involvement of Minors**
The act of, by an adult person, gathering that includes sexual exhibitions or sexual relations at which a minor has seen or participated is punishable by an imprisonment from 1 (one) year to 5 (five) years and a fine from 2,000,000 (two million) Riels to 10,000,000 (ten million) Riels.
- **Article 344: Inciting Minors to Use Addicted Drugs**
The act of directly inciting a minor to illegally utilize addicted drugs are punishable by an imprisonment from 2 (two) years to 5 (five) years and a fine from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.
- **Article 345: Inciting Minors to Transport, Keep or Supply Addicted Drugs**
The act of directly inciting a minor to transport, keep in possession or to supply the addicted drug is punishable by an imprisonment from 2 (two) years to 5 (five) years and a fine from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.
- **Article 346: Inciting Minors to Consume Habitually and Excessively Alcoholic Drinks**
The act of directly inciting a minor to consume habitually and excessively the alcoholic drinks is punishable by an imprisonment from 6 (six) months to 2 (two) years and a fine from 1,000,000 (one million) Riels to 4,000,000 (four million) Riels.

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5. INCIDENT REPORTING PROCEDURE

This procedure was created in case a child abuse have been reported to any employee/volunteer of the organization, or if any employee/volunteer has suspicions on a child who might be abused by someone during NGO's activities or outside.

The most important in case of child abuse allegation is to go fast. Every incident **must be reported within 24 hours** to the management team of CAMBOREA's.

Never wait or postpone to report any harm to children that occurred or could occur, as at the end serious problems might never be known. The document in Annex 2, named "Incident Procedure Form", must be filled up immediately in two copies, with as much details as possible and without any judgment or interpretation. The first copy will be send straight to Christophe BAILLET, and the second to Sina NOU, who will investigate and take action on what to do next.

If management team cannot be reached on time, or if any other problem occurred in the report, please call the **"CHILD SAFE HOTLINE" to this number in Siem Reap: + 855 12 476 100**

6. WHAT TO DO IF CHILDREN TELL YOU THAT THEY HAVE BEEN HARMED

Children can tell you they have been abused at any time. If a child reports abuse, there is a good chance that they trust you. Also, it may be the first time the child has told anyone!

- *Try to keep calm and give the child your attention*
- *Let the child take his or her time*
- *Reassure the child that it is the right thing to tell*
- *Let the child use his or her own words to tell*
- *Don't make promises you can't keep*
- *Let the child know what you will do next*
- *Don't confront the person who has allegedly harmed the child (this can put yourself and the child in danger)*
- *Follow the procedure for Incident Reporting below and fill up the form in Annex 2*

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7. AGREEMENT ON THIS CHILD PROTECTION POLICY

“Every employee or volunteer from the organization will be suspended or transferred to other duties, if he/she is under investigation of breaking those rules. Then, he/she will be fired if the management team of CAMBOREA found out that he/she has breached their Child Protection Code of Conduct, and Cambodian authorities will be inform if they are not yet aware of the facts”.

By this signature, I acknowledge having read the rules above from the Child Protection Policy of CAMBOREA’s organization, understand all and that I approve it.

DATE:

NAME:

SIGNATURE:



M. BAILLET Christophe
Camborea's manager/founder