

# AMI POLICY ON PROTECTION OF CHILDREN AND YOUNG PEOPLE

AMI policy that safeguards the protection of children and young people with whom it comes into contact, aiming to protect against forms of abuse and reduce risks.

## REPORT:

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# **[PROTECTION POLICY OF CHILDREN AND YOUNG PEOPLE]**

Politics | People | Procedures | Responsibility



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## **Introduction: AMI's Vision, Mission, Principles and Values**

AMI is a Portuguese humanitarian aid organization founded in 1984 whose vision, mission and values are fully aligned with the principles of the **Protection of Children and Young People**.

### **Vision**

Mitigate inequalities and suffering in the world, with Human Beings at the center of our concerns. Create a more sustainable, more harmonious, more inclusive, more tolerant, less indifferent, less violent world.

### **Mission**

Bring humanitarian aid and promote human development, taking into account Human Rights and the Sustainable Development Goals, in the areas of health, social and environmental, anywhere in the world, regardless of race, gender, age, nationality, language, politics, religion, philosophy or social position, looking at each person as a unique, irreplaceable being, worthy of attention and care.

### **Humanitarian Principles**

The AMI Foundation acts in accordance with the 4 Principles of Humanitarian Action:

**Humanity:** Alleviate human suffering wherever it is. Protect life and health and ensure respect for human beings.

**Neutrality:** Do not take sides in conflict situations or participate in controversies of a political, racial, religious or ideological nature.

**Impartiality:** Act only according to needs, giving priority to the most urgent situations without distinction of nationalities, races, genders, religions, beliefs, social classes or political opinions.

**Independence:** Humanitarian action must be autonomous from the political, economic, military or other objectives that any actor may have in relation to the areas where humanitarian action is being implemented.



## Values

Guided by these principles, AMI seeks to achieve its Mission in accordance with the following Values:

- 1. Fraternity:** Believing that “All Human Beings are born free and equal in dignity and rights. They are endowed with reason and conscience and must act towards each other in a spirit of brotherhood.”
- 2. Solidarity:** Assuming the concerns and needs of human beings as their causes of action.
- 3. Tolerance:** Seek a personal and community attitude of acceptance towards values different from those adopted by the original group.
- 4. Equality:** Guarantee equal treatment without distinction of ancestry, age, sex, race, language, territory of origin, religion, political or ideological beliefs, education, economic situation or social condition.
- 5. Truth:** Always seek adequacy between what is done and what is proclaimed.
- 6. Frontality:** Dialogue and speak clearly, respecting the other's values, while at the same time respecting your own.
- 7. Transparency:** Ensure that the action and decision-making process is carried out in such a way that all relevant information is available to be understood.



## **I. AMI Policy on Protection of Children and Young People**

This document aims to structure a common policy of the International Medical Assistance Foundation (also known as AMI for short), reflected in procedures and mechanisms that safeguard the protection of children and young people with whom it comes into contact, aiming to protect against forms of ill-treatment and risk reduction.

### **1. Definitions:**

**1.1.** For the purposes of this policy, it is understood that:

A) “**Collaborator**”: all workers who have a salaried employment relationship with the Foundation, internships, service provision, contracts or other similar, as well as volunteers.

A) “**Child or young person**”: any person under the age of 18, therefore considered as a target group for this policy.

B) “**Mistreatment**”: any practice that is harmful to a child, whether carried out by one or more adults or by another child(ren) or young person(s). The various forms of mistreatment of children and young people include abuse and physical violence; sexual abuse or exploitation; physical, psychological and/or emotional neglect; and commercial exploitation.

### **What happens if the victim of abuse does not want to press charges?**

This is an extremely delicate subject! The crime of mistreatment of children and young people is considered public under Portuguese law, so it does not depend solely on the victim to report it, but can occur through witnesses or people who have knowledge of the crime. However, the victim's cooperation is essential in order to prove the accusation.

Therefore, if this situation occurs within the scope of AMI's action, the work that must be done is to provide the victim with all psychological support, legal support, security measures and social assistance (if necessary), to assist them in presenting a formal complaint and reporting of the alleged aggressor.

Despite this work, if the victim does not wish to press charges, AMI may be obliged to respect that decision, to a certain extent, and as long as the victim's life is not at risk. The support given by AMI to the victim will be fundamental to the success of a process like this. The principle of Respect for the Victim (based on the Portuguese Law of 2009 and the Victim Statute provided for in Law No. 130/2015 of September 4) provides that:

- Professional intervention must be centered on the victim's perspective, considering respect for their life stories, cultural context and diversity.
- The victim has the right to be treated with dignity, without prejudice of values or stereotypes, especially with regard to any attitude, behavior or reaction of the victim before, during or after the sexual assault.

- The victim must be informed of the options they have and professionals must respect their autonomy and ability to make decisions they consider best for their life. If the victim does not have the capacity or is not old enough to make these decisions, their legal guardian must do so.

**D) “Risk”:** internal and/or external situation to the organization, of such vulnerability, whose exposure to children and young people could lead to the occurrence of mistreatment of them, which could lead to future danger or damage to education, safety, health, training or integral development of the child or young person.

These concepts are contained in Law n° 147/99 of September 1st.

## **2. Scope of the application:**

**2.1.** This policy sets out **AMI's approach to protecting Children and Young People.**

**2.3.** The policy applies to **all** employees, both on and off duty, inside and outside normal working hours, nationally and internationally.

## **3. Policy Statement:**

Considering the fundamental importance of children and young people in society and in Humanity itself, AMI recognizes and adopts, as essential, all the rights provided for in the Convention on the Rights of the Child, approved by the United Nations General Assembly in 1989, making all possible efforts to ensure the well-being and safety of all children and young people.

AMI recognizes that the protection of children and young people is a global need, with a particularly relevant dimension in humanitarian crises, and that its bases are embedded in unequal power relations, representing a complex problem that requires responses from a wide range of actors and a change in the culture and organizational approach of humanitarian agencies.

Therefore, AMI declares:

**3.1.** Commit to ensuring that the projects, programs and other actions of the AMI Foundation and its collaborators do not expose children and young people to the risk of mistreatment and that any suspicions or concerns about the safety of children and young people in communities are duly reported to the competent authorities.

**3.2.** The mistreatment of children and young people violates universally recognized international legal norms and standards and these violations are unacceptable behavior, constituting prohibited conduct for all AMI employees, including *workers, national and international volunteers, local employees and related personnel*, operating in Portugal and abroad.



**3.3.** AMI has a **zero-tolerance policy** regarding child and youth abuse. All AMI employees and volunteers must maintain the highest standards of personal and professional conduct, at all times, and fulfill their duties and responsibilities, in a way that respects and promotes the rights of children and young people, whether they are beneficiaries or members of local communities, whether in the context of Humanitarian Action, Development Cooperation, Social Support in Portugal or any other AMI Foundation action anywhere in the world.

**3.4.** AMI is committed to always acting in the best interests of children and young people, ensuring their physical and emotional safety, ensuring their right to well-being, as well as access to positive development.

**3.5** AMI is committed to implementing this policy across the organization and in an integrated manner with other policies and principles, of which the following stand out:

- The **AMI Code of Conduct**, which includes, in addition to essential points for the Protection of Children and Young People, aspects of ethical and moral behavior, which mirror the AMI matrix.
- AMI's Policy on **Protection against Sexual Exploitation and Abuse**, which includes specific aspects of protecting children and young people;
- The **Principle of Impartiality**, which implies the principle of proportionality, and through which AMI recognizes that certain individual, family, social or other characteristics, and that certain political, geographic, religious, cultural, ethnic or other contexts, may lead to greater difficulty in accessing protection for children. AMI must, therefore, take every step to ensure that, despite different difficulties, all children have access to the same protection, developing adaptive efforts to each situation.



## **II. People in the Protection of Children and Young People**

### **1. Framework of the Children and Young People Protection Policy:**

#### **1.1. Prohibited Practices and Behaviors:**

##### **1.1.1. Physical Abuse**

AMI protects children and young people from any type of **physical abuse**. The practice of any act of physical violence, real or potential, against children and young people is strictly prohibited. If these practices are observed by third parties, whether adults or other children or young people, this must be reported and the victim must be protected.

Acts of physical violence may include, among others, hitting, beating, violently shaking, burning, poisoning, or drowning the victim. The deliberate induction of real or fictitious symptoms of illnesses in children and young people, by their parents or caregivers, also constitutes a practice of physical abuse.

##### **1.1.2. Emotional Abuse**

The exercise of any **emotional abuse** on children and young people is prohibited by AMI. The practice of this type of persistent violence has a negative impact on the emotional development of children and young people and must therefore be prevented and combated.

Acts of emotional abuse may include, among others, restriction of movement and forms of humiliating, degrading, threatening, terrifying, discriminatory, ridiculing and/or any other non-physical form of hostile or rejecting treatment, including bullying and cyberbullying.

##### **1.1.3 Physical, psychological and/or emotional neglect**

AMI combats all forms of **neglect**, based on the continued failure to meet the most basic physical and/or psychological needs of children and young people, with an impeding impact on their healthy physical, spiritual and mental development.

Examples of negligent practices include the inability to adequately supervise and protect children and young people from danger, as well as the inability to provide food, shelter and other essential living conditions, such as access to healthcare and education.

#### **1.1.4. Commercial Exploitation**

The **commercial exploitation** of children and young people, in any form, is not tolerated by AMI.

It is prohibited to exploit a child and young person, whether through **child labor** or any other activity whose benefit is for others and to the detriment of the socio-emotional development, or physical and mental health, as well as the education of the child and young person.

#### **1.1.5. Sexual Abuse**

As explicit in point 4.2 of the AMI Policy on SEA: *“Sexual activity with children (under 18) is completely prohibited, regardless of the age of majority or the age of the suspect or the local age of consent. A mistaken belief as to a child’s age does not constitute an excuse.”*

Acts of **sexual abuse** are not limited to conventional sexual activity, including inappropriate touching, kissing and comments, as well as incitement and sexual harassment of children and young people, whether or not they realize the acts to which they have been subjected.

#### **1.1.6. Sexual Exploitation**

As explicit in point 4.3 of the AMI Policy on SEA: *“The exchange of money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior, is prohibited. This includes the exchange of assistance owed to beneficiaries.”*

The **sexual exploitation** of minors will always be combated in the most vehement way by the AMI Foundation, and for this purpose, as for sexual abuse, there are specific measures for reporting, protecting and assisting victims, as well as properly referring the perpetrating person/group to the judicial authorities.

### **1.2 Conduct of employees and volunteers relating to the protection of children and young people (hereinafter referred to as PCY for short):**

- Demonstrate commitment to zero tolerance towards any conduct prohibited by the Children and Young People Protection Policy (hereinafter referred to as CYPP for short) and when in contact with children and young people, treat them with courtesy, dignity and respect, as well as with conscience of their own behavior and how it may be perceived and/or received by third parties;
- Take action if any team member witnesses any prohibited conduct, ensuring confidentiality and including anonymity if requested, promoting a safe and comfortable



environment in which to do so and to support affected children and young people, as appropriate and to the best of their ability.

- All AMI employees must read, recognize and fully respect AMI's Code of Conduct.

### **1.3. Other Practices:**

#### **1.3.1. Recruitment Policy**

AMI undertakes, in its recruitment policy, to focus on measures to prevent the hiring of employees with backgrounds that pose an increased risk to children and young people. In addition, AMI requests, every year, the criminal record of employees who deal, or may deal, directly with children, namely in Social Centers, Night Shelters and in AMI accommodation and tourism, even the Directors of these structures at headquarters level. It is mandatory by law to request criminal records from all those who may have contact with children in their jobs. From 2021 and with the implementation of this Action Plan, the criminal record of AMI expatriates will also be requested. Furthermore, in all recruitment procedures, it is now mandatory for the person responsible for conducting the procedure to fill out a form, which contains at least two recommendations from previous employers.

#### **1.3.2. Risk Assessment and Mitigation**

AMI is committed to constantly assessing the risks in its actions, as well as providing a timely and appropriate response to mitigate them.

As such, the risk assessment grid and mitigating measures will always be carried out, before and during any activity that directly or indirectly involves any child or young person. Particular attention will be paid to the application of the “do no harm” principle, which aims to draw attention to negative side effects of apparently positive or non-harmful actions.

#### **1.3.3. Training**

AMI provides training for employees on the Organization's PCY policy and procedures. Specific training is planned to be provided in Portugal by the International Department and the Legal Department, both at headquarters and in delegations and at the level of social and tourist facilities. Differentiated training is planned abroad, where AMI has permanent missions with teams of expatriates.

#### **1.3.4. Cooperation Agreements**

**1.3.4.1. All AMI employment contracts** in Portugal or abroad and all international volunteer agreements (to carry out missions abroad) must guarantee the



commitment to a zero-tolerance policy regarding the mistreatment of children and young people.

AMI reviewed and updated all models of its contracts in order to add a clause related to the CYPP.

National Volunteers also recognize AMI's CYPP and make their commitment by signing the National Volunteer Form.

**1.3.4.2. All AMI financing agreements** with local NGOs in Portugal or abroad, and all types of partnership agreements, include a standard clause requiring contractors, suppliers, consultants and sub-partners to commit to a zero tolerance policy regarding mistreatment of children and young people.

**1.3.4.3. AMI's Internal Purchasing Regulations** were also revised to establish that AMI cannot purchase goods or services from any entities suspected of mistreating children and young people.

**1.3.4.4.** The failure of all parties mentioned above to take preventative measures to protect children and young people, to investigate allegations of child abuse, or to take corrective action when child abuse has occurred, shall constitute grounds for termination of any cooperative agreement.

### **1.3.5. Use of *Media***

It is essential to minimize the risk of inappropriate use of information, stories or images (photographs, videos or social media content) of children and young people.

To achieve this, the content used must contain the following rules:

- Images of children and young people will not contain nudity or inappropriate poses;
- Whenever appropriate, blur the faces of children and young people, using image editing mechanisms;
- The details of the images, information and stories cannot allow the child to be traced back to their home or community (In the case of identifying children or young people for reporting purposes by AMI's Communication Department, the beneficiary's social equipment cannot be identified, therefore so as not to conflict with the tracking of the community in which the beneficiary is located.)
- Geographical landmarks or signs that identify the location of the child or young person should not be used.
- Disable geotagging when collecting images.

- Ensure that whoever collects the images has been scrutinized, in accordance with this policy as well as AMI's hiring policy.
- Ensure that the parents or legal representatives of children and young people give oral consent to the collection and use of the image and other information. Children and young people must also authorize, whenever they already have the necessary discernment.

### **1.3.5. Right to Report**

AMI has safe, confidential and accessible mechanisms and procedures for staff, beneficiaries and communities, including children and youth, to report alleged episodes of child and youth maltreatment and ensures that beneficiaries are aware of them, notably by implementing a reporting channel. Report templates are adopted for use in Portugal and developing countries.

### **1.3.6. Right to Assistance**

AMI has a list of service providers to promptly refer abused children and youth to available services based on their needs and legal consent. Customer service providers in Portugal and abroad stand out.

### **1.3.7. Investigation and Referral**

AMI has a procedure to properly forward the investigation of allegations of harmful practices against children and young people, appropriately and quickly, forwarding the procedure to the entity recognized for this purpose. There are different investigation procedures in Portugal and abroad. There are also different procedures in cases where the aggressor is an AMI employee or someone external to the organization.

The report is made internally to the Legal Department, which forwards it to the competent authorities, in the case of an employee.

If there is a suspicion of aggression against a beneficiary in which the aggressor is external, the communication process to the competent authorities (CPDJ; PSP) must be carried out by whoever accompanies the child from the social facility, in order to safeguard the child's best interests and minimize maximum number of people involved and, consequently, minimize the disclosure of personal and sensitive information. This procedure is in accordance with the Principle of Minimum Intervention provided for in law 147/99, with a view to involving the minimum number of people/entities in the process to safeguard the child's privacy..



**This document is complemented by an internal document with a set of internal procedures for prevention and action in the face of child and youth abuse scenarios in the AMI Universe.**

**To file a complaint:**

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