



YOUTH PROTECTION GUIDELINES

PURPOSE

By increasing access to financial inclusion and Youth education to those who need it most, Mastercard Foundation (the “Foundation”) is enabling people to realize their potential and lift themselves out of poverty through collaboration with committed organizations that share similar values and objectives. Throughout all our efforts, we are dedicated to providing a safe environment for Youth (as defined below) who participate in programs of the Foundation, wherever they may be carried out. The Foundation is committed to upholding The Universal Declaration of Human Rights, and all organizations that work as contracted parties with the Foundation are required to comply with the entirety of that convention, applicable key principles of which have been incorporated into the minimum guidelines contained within this document.

This document outlines the minimum guidelines for policies to protect Youth (“Guidelines”) which are required to be adhered to by all organizations (including vendors and contractors) that work with the Foundation in carrying out its programs involving Youth. The Guidelines illustrate the Foundation’s commitment to support and respect Youth rights to be protected from violence and abuse. It articulates the Foundation’s zero tolerance approach to the abuse and exploitation of Youth and the Foundation’s commitment to provide a safe environment for Youth who are involved with any programs of the Foundation.

STATEMENT OF PRINCIPLES

The Universal Declaration of Human Rights recognizes fundamental human rights, the dignity and worth of people at any age and in the equal rights of men and women.

Abuse and exploitation of Youth occur throughout the world and in all societies, and involves the physical, sexual and emotional abuse of Youth. The Foundation endorses the principles and articles of The Universal Declaration of Human Rights, and is committed to supporting and respecting the rights of Youth and protecting them from harm. The Foundation takes its responsibility to protect Youth from all forms of violence very seriously and will not tolerate any form of abuse or exploitation of Youth in the programs of the Foundation.

SCOPE

The Guidelines contained within this document apply to all organizations and individuals who are involved in carrying out Foundation programs directed at assisting Youth. These include, but are not limited to: contractors, sub-contractors, (including their employees, volunteers, directors and officers and any other personnel), as well as any consultants or affiliates that may work with such contractors or subcontractors, as applicable (collectively referred to as “Organizations” throughout this document).

All Organizations are required to adopt their own policy to protect Youth that reflects the Guidelines contained herein as minimum requirements, subject to applicable local laws as may be recommended by legal counsel for each Organization. The Youth protection policy for each Organization may, in the discretion of the Organization, reflect requirements that exceed the Guidelines that are contained in this document, but they may not be lower.

DEFINITIONS

The Youth protection policy for each Organization needs to reflect the definitions below. The definitions also apply to the Guidelines and to this document as a whole.

Abuse includes Physical Abuse, Sexual Abuse, Emotional Abuse and Exploitation;

Physical Abuse is the deliberate application of force by any person (including Children, Youth or Other Persons) to any part of the body of Youth, which results or may result in non-accidental harm or injury to the Youth. Physical Abuse may include shaking, choking, biting, kicking, burning, poisoning, holding Youth under water, or any other harmful or dangerous use of force or restraint.

Sexual Abuse occurs when a person (including Children, Youth or Other Persons) uses Youth for sexual purposes, without the consent of the Youth in question. Sexual Abuse includes fondling, intercourse, incest, sodomy, exhibitionism, and commercial Exploitation through prostitution or the production of pornographic materials. Sexual Abuse may include, but is not limited to, permitting, encouraging or requiring Youth to engage in any of the following activities if they occur between a person (including Children, Youth or Other Persons) and Youth:

- using or engaging in sexually provocative language, acts or conduct towards Youth;
- rough-housing or engaging in conduct which involves physical contact with Youth and which is sexually suggestive in nature;
- kissing, fondling, caressing, patting or pinching Youth or engaging in sexual intercourse or other sexual conduct designed to sexually stimulate either or both of Organizational Personnel and Youth;
- using sexual remarks, jokes, innuendo or taunting about Youth's body or sexual orientation or uttering, either verbally or in writing, invitations, requests or sexually suggestive remarks or displaying pornographic or sexually suggestive material to Youth;
- conduct of a sexual nature for the stimulation, gratification, profit and self-interest of Organizational Personnel who are in a position of trust or authority or with whom the Youth are in a relationship of dependency; and/or
- prostitution or production of material of a pornographic nature.

Emotional Abuse involves actions towards Youth that cause or could cause serious behavioural, cognitive, emotional, or mental disorders in the Youth. Emotional Abuse also occurs when a person (including Children, Youth or Other Persons) makes verbal threats, socially isolates Youth, intimidates, Exploits, terrorizes, or routinely makes unreasonable demands on Youth.

Exploitation refers to situations whereby an abuser makes unfair profit and/or takes advantage of unequal power and/or economic status of Youth.

Best Interests of Youth: The principle of best interests of Youth applies to all actions concerning Youth and requires active measures to protect their rights. These measures should promote Youth safety; Youth physical, emotional and developmental needs; well-being of Youth; and support and assist Youth to realize Youth rights. This includes Youth participation to ensure that the opinions of Youth are heard in matters affecting them.

Child (or Children) is defined as any person, of either sex who is under the age of 18 years.

Organization: All organizations and individuals who are involved in carrying out Foundation programs directed at assisting Youth, which includes, but is not limited to, contractors, sub-contractors, (including their employees, volunteers, directors and officers and any other personnel), as well as any consultants or affiliates that may work with such contractors or subcontractors, as applicable.

Organizational Personnel: Includes directors, officers, employees, volunteers, contractors, sub-contractors, consultants, and any other person who performs duties involving Youth either on a volunteer or on a paid basis, whether on a full-time, part-time or temporary basis, for the Organization.

Other Person means any person, of either sex, who is older than Youth as defined herein, i.e. "Other Person" means a person who is aged 25 years of age or older.

Protection of Youth: The responsibility, actions and measures taken to prevent and respond to Abuse, Exploitation and violence against Youth.

Youth is defined as any person, of either sex, who is above the age of 18 years and under the age of 25 years. .

MINIMUM GUIDELINES FOR YOUTH PROTECTION (to be reflected in a policy on Protection of Youth for each Organization)

All Organizations are required to adopt their own policies regarding the Protection of Youth which reflect the following guidelines as minimum requirements (“Guidelines”):

1. Prevention

Each Organization must take appropriate measures to address risk factors and prevent Abuse and Exploitation before it occurs. Prevention measures should include organizational policies, procedures and codes of conduct for protecting Youth; capacity building for all those who work with Youth; awareness raising and good practice for minimizing the risks to Youth.

2. Screening Procedures

Prevention measures should include detailed screening procedures for all Organization Personnel who will come into contact with Youth, including the following, as may be applicable in each country: certificate of good conduct, police reference checks or equivalent, verification that applicants are not listed in national registries of Child offenders; a detailed application and interview process; references who support the applicant’s suitability to work with Youth. Any certificate of good conduct, police reference check or equivalent that is obtained should be updated by the Organization on a regular basis, where possible.

3. Acknowledgement

Each applicant who wishes to work with Youth should be required to sign an acknowledgment form confirming that he/she agrees to comply with the policy on the Protection of Youth for the Organization and that he/she understands that disciplinary action will be taken against anyone found guilty of Abuse of Youth.

4. Awareness

The Organization should ensure that all Organizational Personnel involved with Youth programs are aware of Youth protection risks, policies and procedures; including national laws and international instruments, as applicable.

5. Gender Equality and Non Discrimination

The Organization should ensure that all policies and procedures to protect Youth take into account gender equality and non-discrimination requirements. Recognizing that women and men may face different risks relating to their safety and protection and that all Youth have the equal right to protection, irrespective of: race; colour; sex; language; sexuality; disability; religion; political or other opinions; national, social or indigenous origin; property; birth or other status.

6. Capacity Building

The Organization should develop the capacity of all Organizational Personnel who work with and for Youth to appropriately prevent, detect and respond to Abuse and Exploitation of Youth as reflected in these Guidelines. Efforts should be made to ensure organizational policies and practices are understood and can be effectively implemented through on-going training courses for all such Organizational Personnel. The suite of policies should include (1) a policy on appropriate cyber-conduct which outlines rules for behaving properly online and (2) a policy on cyber-bullying which outlines rules on conduct that is derogatory, illegal and/or Abusive towards Youth.

7. Participation of Youth

Whenever taking steps to prevent, respond to or monitor incidents of Abuse or Exploitation, Organizational Personnel must consult with the Youth on the matters under review. Youth must not be treated as simply objects of concern but rather listened to and taken seriously and treated as individual people with their own views.

8. Reporting Mechanisms for Youth

Mechanisms should be established that enable Youth to safely report any concerns relating to their well-being, safety and protection to the Organization. Youth should be aware of the mechanisms available to them and services should be confidential, Youth-friendly and accessible to Youth. Organizational Personnel should be able to identify and address concerns involving Protection of Youth, taking into account the Best Interests of Youth.

9. Response and Follow Up

Organizational policies and procedures should include appropriate measures to support and protect Youth when concerns arise. All measures taken to respond to Abuse or Exploitation shall respect the rights of Youth, local laws and take into account the best interests of the Youth, as applicable, and endeavour to ensure no further harm comes to the Youth, as applicable, as a result of any actions taken by the Organization. Efforts to work in conjunction with other service providers, specialists, parents, legal guardians, caregivers and others should be explored when appropriate upon the consent of the Youth in question. After any incident or report of Abuse and Exploitation, proper measures should be taken to ensure organizational learning, evaluation and follow up takes place.

The Organization should retain written records of all reports of Abuse of Youth, including, but not limited to the date of the report and the date of the alleged Abuse, the name and address of the Youth, the name of the Organizational Personnel who made the report, the name of the governmental contact to whom the report was made and a clear description of the facts that led to the report, as well as any other available information. The Organization should advise its insurance provider of the complaint of Abuse of Youth, as applicable, and retain records of any such reports. The Organization should also advise the Foundation of any complaints of Abuse of Youth either in writing or by email.

All such records should be kept within the files of the Organization in accordance with the privacy and confidentiality policies of the Organization.

10. Implementation, Monitoring and Review

The implementation and monitoring of the policy to protect Youth for each Organization should be designated to a specific employee within the Organization. The designated employee should have the duty to review the policy at regular intervals as determined necessary by the Organization, preferably at least every three (3) years, where possible.

11. Sanction and Discipline of Organizational Personnel

The Organization should include within their policies to protect Youth a statement indicating that where an allegation is made that Organizational Personnel has committed Abuse of Youth, the accused personnel should be immediately suspended from all duties with the Organization (with pay, if applicable) to protect Youth from further potential harm. Where Organizational personnel is convicted of Abuse of Youth, the said personnel should be immediately terminated with cause from his or her position. Where Organizational Personnel is terminated as an employee or volunteer, such personnel should not be permitted to enter onto the Organization's premises or participate in activities of the Organization following termination.

12. Informed Consent

The Organization should provide Youth with all necessary details to make an informed decision regarding their participation in programs and activities, including any voice recordings, video or photographs of Youth. Youth should understand how their images may be used and be supported to identify and evaluate any associated risks. Personal information and/or images of Youth should only be used after informed consent has been obtained in writing from the Youth.

13. Protection of Personal Information.

Personal information regarding any Youth, whether or not such information is obtained as part of the programs involving Youth, should not be disclosed to any third party, except in accordance with the policies of the Organization or as required by applicable local laws. Personal information includes, but is not limited to, any information that can be linked to Youth or used to identify Youth.

14. Medication:

Organizational Personnel should not give or apply any medication to Youth, unless the Organizational Personnel in question is a doctor, nurse or other professional medical personnel. Organizations should also comply with all applicable laws of the jurisdiction with respect to access by Youth to prescribed medications (such as asthma inhalers).

15. Conduct of Organizational Personnel

Each Organization is required to ensure that their personnel avoid any behaviour or conduct that compromises the safety and Protection of Youth within its activities, operations and programs.

Organizational Personnel MUST:

Prevent

- Be aware of potential risks and take appropriate action so as to minimize risks.
- Create an environment where concerns can easily and safely be raised and discussed.
- Recognize and remedy potential situations which may lead to violent acts against Youth.
- Ensure that ALL one-on-one interaction with Youth be done in plain view of other people, i.e. in an open public space, in the same room as another person or in a room with large windows which permits others to clearly see into the room.

Create a Friendly Environment

- Contribute to an environment where Youth are respected and encouraged to discuss their concerns and rights.
- Ensure that Youth are aware of their rights, policies and resources which are available to them if there is a problem.
- Work with Youth to define what is acceptable or unacceptable behaviour with Organizational Personnel.

Report and Respond

- Report to the Foundation any concerns involving protection against Abuse of Youth (whether by Organizational Personnel or by Children and/or Youth) and take appropriate actions.
- Ensure the Youth are well-informed and participate in the decision-making and the types of intervention agreed upon.

Organizational Personnel MUST NEVER:

- Abuse or exploit Youth or behave in any way that places Youth at risk of harm.
- Exchange money, gifts, employment, goods or services for sex with Youth, including sexual favours or other forms of humiliating, degrading or exploitative behaviour or any other behaviour that could be deemed exploitative of Youth.
- Have Youth they are working with stay overnight at their home unsupervised or sleep in the same room or bed with Youth.
- Do things for Youth of a personal nature that they can do for themselves.
- Offend, insult, humiliate or degrade Youth or perpetrate any form of Emotional Abuse.
- Discriminate or provide favourable treatment to one Youth.
- Restrain Youth.
- Discipline Youth using any form of physical contact, or emotional or psychological pressure, Abuse or intimidation.

The above is neither an exhaustive nor exclusive list and the Organization should consider all related actions and behaviour which may compromise the rights and Protection of Youth.