



CHILD PROTECTION POLICY

I. INTRODUCTION

1303 Sofia, Bulgaria
54 Balgarska Morava Str., fl. 7
Phone: +359 2 44 606 44
Fax: +359 2 44 606 46
E-mail: [info\(at\)netlaw.bg](mailto:info(at)netlaw.bg)
www.netlaw.bg

This document is the Child Protection Policy (“CPP”) that applies to the Law and Internet Foundation’s (“LIF’s”) activities. It is to be followed by all team members (employees, consultants and interns) and promoted by LIF’s Chairperson – Prof. Dr. George Dimitrov, by LIF’s Management Board and by LIF’s Executive Director – Assoc. Prof. Dr. Daniela Ilieva. This CPP applies to all staff members in relation to their involvement in all activities entailing child participation.

LIF Chairperson, Management Board, Executive Director, and team acknowledge that children and young adults are more vulnerable to abuse by adults or by peers, thus special measures must be adopted to ensure they are protected and supported.

The purpose of this CPP is to make sure that the actions of any adult in the context of LIF’s activities are transparent and promote the wellbeing of children. LIF’s Executive Director is charged with the responsibility to monitor LIF’s activities in accordance with the best interests of the child and to supervise that all team members comply the Policy outlined herewith.

II. DEFINITIONS

This document is written in accordance with the United Nations Convention on the Rights of the Child¹ and the Charter of Fundamental Rights of the European Union².

For the purposes of this document, each person under the age of 18 is considered a child and, thus the behaviour of LIF team in relation to them needs to conform with the policy outlined below.

Other relevant definitions include:

- The best interest will be as understood as “[a] threefold concept which includes a substantive right, a fundamental and interpretative legal principle and a rule of procedure that is aimed at ensuring the full and effective enjoyment of all the rights recognised in the United Nations Convention of the Rights of the Child and of which the primary consideration is to ensure the holistic development of the child.”³. Furthermore, as defined under Bulgarian law, the protection of the best interest of a child includes a holistic assessment of that child’s: wants and feelings, physical, psychological and emotional needs, age, gender, past and other relevant characteristics, the danger or harms it has faced or could face, the ability of its parents to take care of it, any other relevant circumstances in relation to the child and it’s wellbeing.⁴
- Child protection – preventing any harm and other infringements to the right of a child by a peer/adult.
- Child participation – children have the right – individually or as a group, to share their experience, express their views and be consulted on all questions concerning their well-being, interests or otherwise in some way connected to them. This participation must be genuine, this means that they are provided sufficient information during the decision-making process, their age and maturity is adequately considered and accommodated, and their opinions are truly assessed during decision deliberation.

¹ UN General Assembly, Convention on the Rights of the Child, 20 November 1989, United Nations, Treaty Series, vol. 1577, p. 3

² EU, Charter of Fundamental Rights of the European Union, OJ C 326, 26.10.2012, p. 391–407

³ EC, Migration and Home Affairs, Glossary, available at: https://ec.europa.eu/home-affairs/pages/glossary/best-interests-child-bic_fr, last accessed 08.12.2021.

⁴ Bulgarian Child Protection Act, Additional provisions, paragraph 1, point 5, letters “a” to “ж”.

- LIF members – employees, volunteers, interns, consultants, and other individuals professionally affiliated with the organisation.
- Physical child abuse – any instances where actions are inflicted on a child and have or may have resulted in physical harm for a child, this could include scratches, broken bones, bruises, as well as actions that have not resulted in lasting damages, but inflicted pain and could have further harmed the physical wellbeing of the child.
- Emotional child abuse – any instance where a child is made to feel worthless, alone, unloved, scared or otherwise insecure through verbal and other actions, this can include insults, ignoring the child and other similar emotional abuse
- Child sexual abuse - any instances where children are forced to engage in sexual activities against their consent, it is important to note that any children under 14 are not able to give consent to any sexual activities, while those over 14 while able to give consent, this consent cannot be accepted as freely given when in relations with a person in a position of power or otherwise where there is a power imbalance between parties.
- Child pornography – any photos, video, audio or other audio-visual means that depict a child engaging in sexual activities.
- Bullying – any behaviour involving emotional or physical abuse against children, usually between peers in a school environment.
- Neglect – failure to provide adequately for all the reasonable emotional and physical needs of the child.
- Child exploitation – any use of children for outside gain, this includes child labour, using children as soldiers, child sexual abuse, etc.

III. PRINCIPLES AND VALUES

Principles upon which the LIF Child Protection Policy is based:

- Providing equal opportunities for all without prejudice to their gender, age, sexuality, ethnicity, religion, language and other minority-based identity characteristic.
- Recognising the particular needs of every individual and accommodating them as much as possible.
- The best interest of the child always comes first no matter other considerations that may arise.
- LIF supports child participation in all appropriate instances.
- LIF will strictly follow everything outlined in its CPP, any risks of non-compliance will be delt with swiftly and efficiently.
- All LIF members will be thoroughly informed and guided trough the relevant processes in order to ensure they are able to abide by the CPP.

IV. CODE OF CONDUCT FOR ACTIVITIES INVOLVING CHILDREN

1. Hiring practices

- All potential LIF members will have to go through a screening that considers all their past professional or volunteering experiences and whether they have committed any forms of misconduct.
- All potential LIF members will be screened for any past criminal conduct, especially any misconduct involving children. They will have to provide a criminal record in accordance with the applicable national law.
- The organisation is free to carry out any reference checks if needed and other measures of verification.
- During the interview process they will be asked value-based questions as well about their potential conduct during hypothetical scenarios in order to test their approaches and values.
- All potential LIF members will go through thorough trainings on the organisation's practices and codes of conduct.
- All potential LIF members will be regularly checked for any biases or questionable conduct during their test period at the organisation.

2. LIF members must never:

- Hit or injure children or commit any form of physical violence.
- Develop a relationship that in any way exploits or abuses children.
- Use language in front of children that is inappropriate or offensive.
- Behave in a manner that is inappropriate or sexually provocative.
- Invite a child with whom they are working to stay overnight at their home.
- Arrange personal contact, including online contact, with children for a purpose unrelated to LIF activities.
- Perform natural actions for the child that the child can complete on their own.
- Participate in or encourage illegal or unsafe activities in which the child takes part.

- Behave in a demeaning, belittling, or insulting manner to a child.
- Show discrimination of any kind in their behaviour towards a child.
- Behave in any inconsistent with the child's rights manner.

3. Appropriate conduct during project activities

- Before any activities involving children commence, LIF members that have been appointed to work on the particular project will have a foundational meeting to coordinate their approach and conduct with the CPP.
- All LIF members will be able to receive guidance by their supervisors when they are unsure how to proceed with any activities concerning children.
- The managerial bodies of LIF will supervise their activities at unspecified time to ensure the LIF members are acting in accordance with this CPP.
- LIF members will be able to file anonymous complaints if they have witnessed or believe that any misconduct is taking place. This complaint system will further be elaborated later on.
- One adult cannot be left alone with one or multiple children at once, LIF members must always be in the presence of one or more colleagues.
- LIF members cannot directly contact either through phone, email, online messaging systems, online video calls, etc. children under 14 directly. They must always contact the child through or in the presence of the child's parent/guardian. If the child is over 14, the LIF member can contact it, but should always do this together with one or more colleagues.
- LIF members cannot contact children for any reasons outside those strictly related to the project they are working on.
- LIF members must strive to keep their communication official, while still taking into consideration the age and maturity of the child in question.
- The child must always be well-informed what the activities it is participating in entail and what their goals are.
- LIF members must be aware of possible biases they may have and avoid them. They must be respectful towards the religious, cultural, gender, etc particularities children

may have – for example how they should address them, what topics to discuss with them, whether there are any holiday periods they must respect and avoid engaging them during these.

- LIF members must consult children during the decision-making process. This may include consulting them for dates of events, consulting them when organising activities, events, topics to be discussed, etc. if they concern the child in question.
- The atmosphere in the office must be supportive and open for children – LIF members must put in effort to engage the children, give them information in an understandable way, accommodate any needs they may have.
- If children do not wish to engage in a particular activity or contribute to a particular topic, this must be respected, no efforts to influence or coerce them are allowed.
- If a LIF member believes a child is in danger, they will notify the relevant national authorities without undue delay and will do all in their capacity to remove the child from any dangerous situation.
- All digital records including personal data of children must be securely kept and encrypted.
- All paper records including personal data of children must be kept securely through the implementation of access control.

4. Social media use and publications

- When LIF members post on their work or personal social media accounts they must do this with consideration on the impact this would have on the organisation and on children, when these posts relate to them.
- No personal or otherwise sensitive information of children can be shared freely in social media posts or other publications from the organisation or from personal accounts of LIF members.
- Relevant disclaimers must be indicated in the post/publication.
- Any posts/publications aimed at children must be tailored to their understanding with considerations of their age and level of maturity.
- All posts/publications must observe data protection and copyright laws.

- Children, their parents/guardians must always be consulted when drafting and publishing posts/publications. Their free and informed consent is expressly needed.

5. Training practices

- All LIF members must have access to the Child Protection Policy and must sign and adhere to it.
- Every year the Human Rights Department, along with the managerial bodies and the office manager must organise one training session where an expert introduces all LIF members to developments in the field of child protection and child participation, all relevant changes to national/European union/international legislature. Furthermore, LIF members may be put in hypothetical situations and other situational games and exercises in order to guide them how to best react in a real-life situation.
- If a LIF member misses this yearly training session, they must have access to all relevant materials used during it and should have access to the trainer to ask any questions they may have.
- The outside expert will be able to give an overview of the level of knowledge the LIF members and give relevant materials if there are any issues with their understanding, furthermore, they can advise the managerial bodies in case there is need for more training sessions for the team.
- LIF members should be encouraged and supported when there are outside opportunities for trainings on topics, such as child protection and child participation.

6. Reporting

- All LIF members that have become witness to a breach of these provisions or that suspect a breach of these provisions are obliged to file an internal report.
- The reporting system will allow for anonymous complaints towards the managerial board and Executive Director via the project website through the “Send message” function.
- After the report has been received, the sender will be notified of the receipt and of the steps that are to be taken.

- The Executive Director will designate the report to the applicable internal investigative team who will begin a thorough and objective assessment of the accusations.
- The individual who is accused will be taken off the respective project/ activity and will be blocked from further contact with any children. While they will not be penalised until proven guilty, this is to ensure children are not exposed to any risk.
- The investigative process will use all relevant measures to ensure a thorough examination of the accusations, these include consulting witnesses, consulting any material evidence, and where applicable - interviewing potential child victims.
- When interviewing child victims this should be done in a child-friendly manner and with consideration of potential trauma the victim may have faced. Furthermore, where needed an outside child expert might be consulted.
- If the breach of this Policy is severe and the potential harms to the child are substantial, the investigative team at LIF may decide it would be best to pause internal investigations and leave only relevant authorities to carry out further assessments. In such a case, the accused should be excluded from all future activities until further notice.
- During the investigative process, parents/guardians should be duly informed of all findings and developments.
- The person who made the report should also receive updates and should be able to ask for further information where it would not harm the investigation itself.
- All internal investigations must be resolved up to 3 months after their start.
- All reports must be made up to 1 year since the perceived violation.
- The potential penalties for any breaches, in level of severity, are as follows:
 - Warning
 - Financial sanction
 - Temporary suspension
 - Termination of employment

- Where applicable authorities should also be duly informed of any misconduct that is of a potentially illegal character.



REPORTING TEMPLATE

**Name
and
surname**

Position	
Details of the report	
Type of suspected crime/violence/abuse	
Date	
Place	
Description and suspects	

In emergency situations, relevant authorities to contact as well are as follows:

- The universal European emergency number - 112.
- Emergency telephone for issues relating to the rights of the child - 116 111.
- For situations including abuse of children on the internet - 124 123.
- For reporting a missing child - 116.
- State Agency for Child Protection (Sofia) - 02/933 90 35, 02/933 90 39, 02/9339053.
- You can also contact your local District Police Departments and/or local Department for Child protection.