

Safeguarding in Asia

How can philanthropy contribute to
keeping people and communities safe?



What is Funder Safeguarding Collaborative?

FSC was created to strengthen the ability of grant-making organisations to prevent abuse and exploitation across their grant-making and operations.

FSC was founded in 2021 by Comic Relief, Global Fund for Children, The National Lottery Community Fund, Oak Foundation, and Porticus, which came together with a shared commitment to creating a safer world. FSC believes that all funders can make a valuable contribution to keeping people safe and to preventing harm to the communities they serve.

From its origins as a small group of aligned funders, FSC has grown rapidly in its four years of existence and is now a diverse global network of foundations that share an ambition to transform the role of funders in safeguarding by driving action that creates safer organisational cultures and practices to keep people safe from harm.

At the core of the collaborative is a firm belief that everyone has the right to be safe and a duty to take action to prevent harm and promote the wellbeing of others. Integral to FSC's approach is the belief that safeguarding measures must consider the social, economic, cultural, and legal context in which organisations are operating. FSC actively identifies and challenges the power imbalances and structural inequalities that too often get in the way of building safer organisations.

FSC aims to build a world where safety and wellbeing are at the heart of every organisation. Our work focuses on grant-making organisations, as we recognise the unique opportunity philanthropy has to promote and support safer practice.

Introduction

Each year, philanthropists invest billions towards effecting positive change, but this work can be undermined when organisations they fund cause harm, either through action or inaction. Philanthropy’s ability to realise positive results will be limited unless it can proactively ensure safety.

Recent years have seen increasing attention on the power that funders hold, and on how that power can be shifted to grantees. Even as they work to address this power imbalance, funders can take simple steps to make the world safer. When they emphasise safety and protection, grantee organisations listen. When they make resources available to improve practices, they make safety possible. The traditional models of giving are shifting thanks to debates on power, equity, and participation. As funders explore new ways to engage with the communities they support, safeguarding is more important than ever.

In April 2024, FSC launched its Strategic Plan 2024–2027, with goals around knowledge generation, influence and implementation. In line with its belief that safeguarding measures must consider the social, economic, cultural, and legal context in which organisations operate, FSC has undertaken a landscape study to understand how safeguarding is understood and practiced in Asia. This study will inform its plans to influence and support funder practice in the region.



A note on scope

Given the geographical area of the region and its social, cultural and legal diversity, this analysis focuses on Bangladesh, India, Pakistan, Cambodia and Indonesia, where FSC already has a presence through its regional Communities of Practice (CoPs). The analysis also touches upon regional networks and countries where FSC members have offices, including Nepal, Thailand, Vietnam, Singapore and Hong Kong. Findings are based on desk research and interviews with around 20 organisations, including FSC members, to ensure the insights reflect the situation on the ground. FSC would like to thank the individuals and organisations who shared their knowledge and experience as part of this landscape analysis.

A full list of acknowledgements can be found in Appendix 1.

This report gives a broad overview of emerging trends in philanthropy within Asia, the current status of safeguarding in the region, and the needs and opportunities to influence funder safeguarding practice. It includes recommendation on the role FSC could have in influencing and strengthening safeguarding practices and growing its network.



Emerging trends in Asian philanthropy

Growth in Asian philanthropy

Twenty years ago, Asia was typically seen as a continent which looked to the West for 'charity'. Today, with burgeoning wealth in the region, an increasing number of individuals are becoming involved in philanthropy and investing in their home countries. Indonesia has held the top spot in the Charities Aid Foundation's World Giving Index for six consecutive years and is a country where FSC already has links and initiatives.¹

While Asian philanthropy is growing, the scarcity of data means it is difficult to estimate the total volume of giving. 'Formal giving' is captured through taxation figures, while informal giving relies on survey estimates. This leads to wide margins of error, particularly in countries like Singapore and Malaysia, where informal contributions are significant. However, the overall trend towards growth in philanthropy is clear.²

More strategic focus on development

Philanthropists in Asia are increasingly adopting a strategic approach to giving. In doing so, they recognise that they can play a part in their country's development. While education, women's advancement, nutrition and poverty

alleviation remain prominent, individual donors and family foundations are increasingly interested in health and the environment. Governments in countries such as India have also begun laying emphasis on carbon credits, and corporate houses are investing significant funds to work in this sphere.

The shift from more traditional forms of philanthropy towards 'strategic giving' requires funders and philanthropists to be more engaged and invested in the entire process. Increasingly, they want to gain a better understanding of the issues and are collaborating with peers and embracing community-driven approaches to create long-term, systemic solutions. There is also a greater recognition of the importance of collaboration between philanthropists and local communities to tackle immense social problems.

Collaborative philanthropy for impactful investing

Within Asia, high-impact philanthropies recognise that many of the problems they wish to address are too big and complex for one organisation to solve. Consequently, 'collaboration is a growing trend across Asia'³ and with a growing philanthropic sector, multi-stakeholder collaborations are becoming more viable.

¹ **World Giving Index** However, this ranking is not solely based on financial donations but also includes actions like helping strangers, highlighting broader measures of generosity

² <https://www.economist.com/special-report/2024/01/10/philanthropy-in-asia-is-becoming-more-professional>

³ 2020 report by the Singapore based Asia Venture Philanthropy Network (AVPN).

This shift was emphasised at the Philanthropy Asia Alliance (PAA) 2024 summit in Singapore, which showcased how new funding strategies and collaborative efforts are reshaping the philanthropic landscape. Seok Hui Lim, CEO of PAA, summed up the trend, saying that Next Gen funders in Asia “are keen to embrace more collaborative, impact-driven approaches to philanthropy.”⁴

Government incentivisation

Some governments in Asia will allow and even encourage increased activity from philanthropic and social delivery organisations, as long as it aligns with the government’s agenda. For example, the government in China has embraced philanthropy through social delivery organisations to address societal challenges. This may be due to recognition of their benefits or because the state realises it cannot address the needs of an aging and more demanding populace alone. Singapore’s favourable tax landscape has encouraged private giving, incentivising higher contributions per donor through attractive tax deductions and fostering philanthropic activities domestically and internationally. Singapore is consistently in the top five countries in the World Giving Index and positions itself as a philanthropy hub for Asia, meaning that funders and philanthropy support organisations are likely to expand there.

India is the first country in the world to require the top companies by market share to provide 2% of their after-tax profits to corporate social responsibility activities. The funds go to accredited organisations or government projects. Companies can implement these activities themselves, through their own nonprofit foundations, or through independently registered nonprofit organisations. Unsurprisingly, the law has spurred a boom in the establishment of NGOs in India, and in the number of consultants who advise companies on how to spend the funds.

Intermediaries, re-granters and donor advisories

The importance of intermediaries, re-granters and donor advisory agencies is growing across Asia. These organisations are not just fiscal sponsors or grant administrators, but provide critical support services and decision-making advice to funders. They provide a range of services, including research around the problem and its context, design of appropriate intervention strategies, capacity building to ensure small and mid-sized community organisations can implement programmes effectively, linking stakeholders to foster collaboration across the ecosystem, resource mobilisation, and learning.

Further information on key regional forums is provided in Appendix 2.



Opportunities for FSC

The consistent growth of philanthropy in Asia, alongside the drive towards more impactful giving, provides **an opportunity for FSC to advocate for integrating safeguarding as a critical component of grant-making**. The drive towards collaborative philanthropy means that leveraging the power of networks is likely to be effective in driving awareness and increasing engagement with the topic across the region.

At this stage, it would be pragmatic to **focus on private philanthropies** over efforts to influence government policy. However, in the long term and as FSC grows, there may be scope for FSC and its members to advocate for necessary policy change and the establishment of the principles of safeguarding as a legal or regulatory mandate in respective countries.

⁴ Source: <https://news.mongabay.com/2024/07/how-philanthropy-in-asia-is-evolving/>

The current picture



National legal frameworks

Fragmented safeguards

In general, countries in Asia do not have specific legislation or regulations on safeguarding. Instead, elements of safeguarding are covered by legislation aimed at protecting specific groups such as children, people with disabilities, women, and people affected by abuse. This fragmentation of national legal frameworks represents a challenge for funders who want grantee partners to meet international safeguarding standards, as these are not backed by legislation. In rare situations, country laws may conflict with international standards, for example over the reporting of incidents, or the age of consent.

In addition, across all countries, legislation focuses on redress rather than prevention. Fundamental safeguarding principles such as 'duty of care,' confidentiality, and consent are primarily viewed from the perspective of ensuring access to redress when there has been a violation, rather than taking proactive measures to reduce or prevent risk of harm and abuse. While laws exist to protect children, women and other marginalised communities, there is a lack of implementation, and judicial systems are largely inaccessible to the most vulnerable.

Protecting children

Most countries covered by the study have laws to protect children. For example, in Bangladesh, the Children Act 2013 governs the care and protection of children. In India, the Juvenile Justice (care and protection of children) Act 2000 is the umbrella child protection law, and the Protection of Children from Sexual Offences Act 2012 (POCSO) is key legislation against child sexual abuse and requires the mandatory reporting of offences. Other countries such as Pakistan have several different laws for the protection of children, some of which are specific to certain provinces.

Cambodia is a notable exception, with the absence of specific child protection legislation making it difficult to develop a coordinated and effective child protection response. However, the Cambodian government is being supported by UNICEF to develop such a law and related policies.

Sexual harassment

Alongside child protection laws, legislation against sexual harassment is prominent. India's landmark Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (POSH) 2013 applies not only to government, private sector and NGO offices, but also to those working in the informal sector. Although implementation is fragmented, POSH legislation has led to greater awareness and recognition of the nature and degree of harassment faced by women in their workplaces.

Legislation against sexual harassment in the workplace also exists in Cambodia and Thailand, although the law in Cambodia lacks a formal definition of sexual harassment and outlines no set penalties for offenders.

Bangladesh has no law against sexual harassment, but its Supreme Court guidelines on sexual harassment, bullying, and other forms of violence against women, girls, and children is considered law until formal legislation is enacted. Similarly in Indonesia, there are guidelines from the Ministry of Manpower on preventing and handling sexual harassment in the workplace.

Further information on specific legislation in key countries is provided in Appendix 3.

Understanding safeguarding

Nascent understanding

The understanding of safeguarding as a concept remains nascent in Asia. For example, a number of universities across Asia offer courses in social work and philanthropy, but safeguarding is not included in the curriculum⁵.

Where there is awareness, it often comes through international agencies working in the region. NGOs receiving grants from the UK, Europe, US and Australia must comply with the safeguarding requirements of their donors, leading to growing awareness.

Indeed, many funders learn about safeguarding from their grantees who, in turn, were introduced to it by their foreign funders. This means that discussions on safeguarding are primarily among organisations and individuals who work with international organisations and their partners.

⁵ Examples of Universities offering courses in social work and philanthropy include Azim Premji University in India, the National University of Singapore, Hong Kong University and Tsinghua University.

Confusion over language

Although there are pockets of knowledge and good practice, there is confusion around the term safeguarding, its definition and its applicability. Where it is known, organisations, funders, grantees, and others may not fully understand the scope (or sometimes importance) of safeguarding efforts beyond child abuse or neglect.

Safeguarding has mostly been associated with organisations that work with children, which has narrowed its focus and confined it within a few organisations.

While organisations are familiar with issues such as gender-based violence, discrimination, workplace safety and sexual harassment, they are typically viewed as internal matters and are rarely considered in relation to the communities they serve. In India, for example, the legal requirement to have policies and systems to prevent sexual harassment means that most funders check for this policy as part of their due diligence, but any request for wider safeguarding measures is rarely included.

In some cases, this lack of common terminology and understanding can become a barrier to grantee organisations, who may be deterred by unfamiliar language as part of a funding application process. This leads to misconceptions and gaps in safeguarding practices, creating further challenges to implementing a cohesive and streamlined safeguarding strategy.

Increased focus on PSEA

Since 2017, organisations working in humanitarian settings have had to adopt the PSEA (Prevention of Sexual Exploitation and Abuse) Framework required by UN agencies and multilateral organisations. This has led to interagency reporting systems being set up for sexual exploitation and abuse, such as those set up in Rohingya refugee camps in Cox Bazaar, Bangladesh.

It has also led some organisations to take up safeguarding as an organisational priority and embed safeguarding systems across the organisation and its programmes.

Although PSEA requirements have prompted some positive changes, there is still confusion about the relationship between safeguarding and PSEA. Smaller organisations, in particular, often struggle to reconcile the varied requirements of donors on PSEA, safeguarding, harassment and other related topics.

Wellbeing as an emerging interest

There has been a growing recognition of the importance of workers' mental health and wellbeing since the Covid pandemic, when physical and mental exhaustion, trauma and emotional breakdown were widespread. Initiatives like The Wellbeing Project⁶ aim to build a culture where changemakers are supported to take care of themselves, recognising that wellbeing profoundly impacts individuals and their work. Through their research, resource development, networking and capacity-building events, they have been working to put the issue on the agenda of funders and other stakeholders. Asian philanthropies including Rohini Nilekani Philanthropies and Porticus Asia are also beginning to look at this issue. However conversations on how safeguarding connects with wellbeing are not yet common.

6 <https://wellbeing-project.org>

Regulations and industry standards

Accreditation agencies

There are national accreditation agencies covering a number of different countries in Asia⁷. Private sector investing agencies and organisations such as Guidestar India and Credibility Alliance in India conduct due diligence of organisations applying for grants. A quick review of their due diligence requirements shows a focus on financial and human resource systems, gender representation, pay parity, and codes of conduct pertaining to sexual harassment and workplace behaviour.

Informal conversations on risk assessment may take place regarding programme design, but it does not feature in the formal processes⁸, and at present, safeguarding does not feature in the due diligence process of these agencies.

Industry standards

A focus on responsible business practices and sustainable investment commitments has led to industry standards becoming more prominent. For example, sectors that receive foreign investment, such as the garment and footwear industries in Bangladesh, Cambodia, Sri Lanka and Vietnam, are preparing to meet International Labour Standards on working conditions that are free from violence and harassment⁹. Environmental, social and governance frameworks serve as guidelines, standards, and principles for responsible business practices and apply to various organisations including companies, investors, governments, and other stakeholders. While these do not explicitly mention safeguarding, many cover related issues such as requirements to reduce and manage gender-based violence and harassment, and to promote safe and healthy working conditions.

⁷ <https://parola.co.uk/AccreditationBodiesAsia.htm>

⁸ <https://ngosindia.com/credibility-parameters-of-ngo-recognition-and-accreditation>

⁹ ILO Convention C190





Opportunities for FSC

In a context where laws exist but are reactive and inaccessible, robust organisational safeguarding can go a long way towards making the existing legislations work on the ground, by increasing awareness of abuse and of legislative protections, and by providing accessible reporting mechanisms.

FSC can play a key role in **finding a consistent way of speaking about safeguarding** that speaks to an Asian audience, improves understanding and resolves current confusion. To communicate safeguarding's value and critical role in effective organisations and impactful programmes, FSC could focus on the message that 'safer grant-making means greater impact' and demonstrate that it makes good business sense. This is especially important for the region's high proportion of corporate foundations. Introducing the perspective of risk (to the programme, community, and reputations of the foundation and parent companies) could also help.

Networks are critical to shaping the philanthropic agenda in Asia, and FSC could play a pioneering role in **putting safeguarding on their agenda**. FSC's presence at network forums would help it to understand the perspectives of Asian funders and open opportunities for collaboration and dialogue, as well as providing an opportunity to introduce safeguarding to a larger number of stakeholders in the region.

FSC could play an important role in **shaping the narrative and developing context-specific guidance** to support awareness raising and implementation. In doing so, it could leverage the expertise of the safeguarding specialists who participated in the CoPs as champions for safeguarding who already have established networks and a nuanced understanding of the topic in their own countries.



How funders approach safeguarding

In funder organisations

Including safeguarding in grant-making practices

While concepts such as anti-terrorism policies, fraud prevention, and anti-money laundering have become standard donor requirements across many Asian countries, safeguarding is yet to become a priority for funders. Proactively preventing harm, abuse, and exploitation linked to an organisation's operations is rarely considered, and even where gender-based violence and sexual harassment are considered, they are typically viewed as internal workplace matters rather than in the context of communities.

The Centre for Asian Philanthropy and Society (CAPS) is an independent research and advisory organisation that considers the unique context of Asian countries to advise philanthropists and governments. Its flagship biennial research, the Doing Good Index¹⁰, identifies the factors that drive or hinder the giving and receiving of private social investment. Safeguarding and related concepts have not come up in their research or convenings with philanthropic organisations from the 18 Asian countries in their network.

According to their research, private investors are concerned about impact and are driven by environmental, social and governance requirements that speak to their bottom line.

To shift funder mindsets, the critical role of safeguarding in ensuring programmes have a positive impact needs to be more overt. Adopting a broader view of safeguarding that considers multiple angles and links it to economic security and wellbeing may also help.

The fine line between compliance and culture

Some funders we spoke to felt that compliance is a good place to start the conversation and to push grantees to act. However, the power imbalance between funder and grantee means this can be negatively perceived by grantees. In some cases, grantees felt that funders see them (the grantees) as the problem, when they in fact are driven by their mission to change lives for the better. This highlights the need to consider the way funders engage with grantees around safeguarding, and how a shared commitment to keeping people safe can build a productive basis for discussions.

¹⁰ <https://caps.org/work/our-research-doing-good-index-2024-examining-the-readiness-of-asias-social-sectors-to-thrive>

Many funders who have previously required grantees to have safeguarding policies are now trying to move away from this due to a number of inherent challenges. Timelines for grant approval can leave little time to check if the policies being submitted are appropriate to the specific organisation. Indeed, one grant manager noted that grant approval procedures and timelines can make it feel like a mere check box exercise. However, changing this approach can be challenging as Funders operating from countries with strong legislation or regulations on safeguarding, such as the UK, may be required to conduct due diligence on safeguarding and consider the policies that are in place.

Walking the talk

Another challenge to how safeguarding is perceived by grantees is the extent to which funders address safeguarding in their own organisations. Within funding organisations, there is still a tendency not to prioritise safeguarding, resource it adequately or support it within organisational hierarchies.

In addition, instances where funders behave inappropriately, for example by freely taking photographs during field visits, can add to the perception that funders only take safeguarding seriously when it applies to others. As one funder stated, “funders need to reflect on their own organisational systems and processes first and how they are addressing safeguarding internally.”

An important observation from discussions with funders was that funders should also embody the principles of inclusion, diversity, and include representation from the communities and different identities they wish to work with. This is important for safeguarding, as community representation directly increases accountability and can lead to policies and practices that change the organisational culture towards grantees.

Support to embed safeguarding

Some FSC members who have grant portfolios in Asia spoke positively about the support they receive from their organisational safeguarding leads. Some FSC members had staff with designated safeguarding responsibilities based in Asia who work with global safeguarding leads to integrate safeguarding across different organisational functions. Within these organisations, programme managers appear to have a good understanding of safeguarding and are comfortable undertaking safeguarding due diligence.

However, gaps still exist. Although programme managers are relatively comfortable with safeguarding due diligence, they were less confident monitoring safeguarding. It is also important to note that funders with global leads for safeguarding were often those with their head office based in the UK or Europe.



With grantee partners

Limits on grantee capacity

Grant managers explained that local organisations, especially small ones or those led by people with lived experience, often lack the capacity to meet funder requirements. Grant managers felt that the introduction of safeguarding requirements must be accompanied by support to put systems in place. One grant manager said that grantees ask, “When will we work if we have to comply with so many requirements?” Indeed, one grant manager reflected that safeguarding almost seems like a luxury for organisations working with extremely marginalised communities in ultra resource poor settings.

The importance of context

The context in which grantees work is critical in determining how to implement safeguarding without inadvertently increasing risk of harm. In certain situations, such as working with undocumented communities, reporting a safeguarding incident may put the individual or community in a more vulnerable situation. Risk mitigation strategies must be rooted in the reality of the community and not designed by following ‘standards’ that are impossible to execute. In this context, providing support to grantees can be complex and a ‘one size fits all’ approach is unlikely to be successful. For technical support to be fruitful, consultants must have appropriate language, understand local systems and be able to assess organisational capacity so that proportional and appropriate safeguarding systems are developed.

The challenge of finding the right support

While many funders recognise the need to provide support to their grantees, they often struggle to find consultants who can provide high quality support which is contextual and proportionate. In Asia, safeguarding support is often provided by individual consultants, INGOs, national consultancy and law firms or consultancy firms based out of the UK, Europe and Australia. Faith based agencies are gradually becoming a major force and are developing internal trainers and resource persons to train their constituencies across the world, including Asia¹¹. However, the quality of support varies greatly among providers, especially in their understanding of the context, social norms and legislation and how this impacts the risk of harm.

While there are specialists with expertise in child protection and/or gender-based violence, they often lack a wider understanding of safeguarding. Similarly, in India, there is a proliferation of agencies providing training support and resources on the POSH Act, but they do not cover the full scope of safeguarding. The acute need for good investigators was echoed across all countries.

Funders can use platforms such as Non-Profit Builder¹² and the RSH Consultant Directory to find safeguarding consultants. Though these are helpful, there is often a gap between the profile of the consultant and their practical skills in working with grantees, making it difficult to select the right person as. A general observation was that it is easier to find consultants to write good policy documents, but more difficult to find support to build internal capacity and procedures for implementing safeguarding policies.

¹¹ <https://www.sjesjesuits.global/safeguarding/resources/>

¹² <https://nonprofitbuilder.org/>

Improving access to local safeguarding expertise

FSC's Communities of Practice in South and South-East Asia are a unique initiative that bring together individual experts from the region in a common learning platform. The CoPs in both the regions were designed to share knowledge on the core components of safeguarding and how to apply this within the country context of their members. The CoPs have nurtured a group of safeguarding specialists from Bangladesh, India, Pakistan, Cambodia and Indonesia who can provide contextual safeguarding support to local organisations.

In addition to the work by FSC, the Resource and Support Hub (RSH) regional hubs in Bangladesh¹³ and Pakistan¹⁴ have collaborated with their countries' PSEA Networks to increase the technical capacity of local organisations and support them to implement safeguarding beyond policy development and annual training. The regional hubs have also developed country specific resources and added nationals from these two countries to their consultant directory.

13 <https://safeguardingsupporthub.org/taxonomy/term/192>

14 <https://safeguardingsupporthub.org/taxonomy/term/2099>



Opportunities for FSC

FSC is in a unique position to collaborate with others to address many of the issues identified.

It has already created resources and learning spaces for funders, and there is merit in exploring how it can adapt these and **develop knowledge products** that specifically address the capacity needs of members with regional and national offices in Asia. FSC could work with local practitioners and safeguarding specialists, for example those within its existing CoPs, to develop localised knowledge products. These would both increase its own repository of context-specific resources and boost its value to grant-making staff in Asia.

There could be value in **creating space for peer learning between funders in the region**, where they can share experiences and support, and work together on themes such as aligning due diligence requirements and peer referral systems. There may also be opportunities to produce funder-written learning briefs, moderated by FSC, to share good practice.

Working with funders also creates **the opportunity to cascade support to grantee partners**. This has, in part, already been started through the work of the CoPs, but it could be extended through collaboration with other agencies and networks, and by leveraging the contextual expertise and knowledge of CoP members.

Conclusion

While Asian philanthropy already has key elements of a legal and regulatory framework for safeguarding, funders and grantees in the region face gaps and challenges in understanding the scope of the topic, and in implementing robust practices.

The thriving philanthropic ecosystem and new philanthropists' interest in making investments more impactful provide good opportunities for FSC to expand its work here.

Nonprofit organisations in Asia are primarily incentivised to develop and implement safeguarding by the grant requirements of funders, rather than by legal or industry standards. There is real potential for funders to put safeguarding on the agenda by including it in grant requirements and by providing practical resources that realistically support grantees to comply.

This study has identified priority areas, aligned with FSC's strategic priorities of knowledge generation, influence and implementation, to help it promote and embed safeguarding within grant-making in Asia. FSC will continue to bring together funders in the region to explore these issues, and we hope you will join us on this journey.



Appendices

1 Acknowledgements

FSC would like to thank the individuals and organisations who shared their knowledge and experience as part of this landscape analysis, including:

FSC members

- CIFF
- EMPOWER
- Freedom Fund
- GFC
- Laudes Foundation
- Malala Fund
- Porticus Foundation
- Oak Foundation

Other key stakeholders

- Asia Venture Philanthropy Network Singapore (AVPN)
- WINGS
- Centre for Asian Philanthropy and Society (CAPS)
- Filantropi Indonesia
- GCPS Consulting
- Rohini Nilekani Philanthropies
- World Vision
- Common Purpose (Singapore)
- Sattva Consulting India
- Resource and Support Hub
- Dalyan Foundation
- Mariwala Health Initiative
- Breakthrough Trust
- British Asian Trust

Members of the FSC Communities of Practice

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- Arlene Manoharan

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- Aftab Ahmed
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2 Regional platforms

South Asia Initiative to End Violence against Children (SAIEVAC)¹⁵ is driven by the commitment of the governments of Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. It engages a wide range of stakeholders including governments, children, INGOs, UN Agencies and civil society organisations under the guidance of the South Asian Association for Regional Cooperation (SAARC). SAIEVAC has strengthened its institutional linkages becoming a SAARC apex body, a connection that further reinforces the regional cooperation necessary for raising awareness, building capacities and sharing good practices in preventing and responding to violence against children.

Association of South-East Asian Nations (ASEAN) is an intergovernmental organisation that promotes political and economic cooperation, social progress, and cultural development, and promote regional peace and stability across the ten ASEAN countries¹⁶. The ASEAN Intergovernmental Commission on Human Rights works specifically to promote human rights while the Commission on the Protection and Promotion of the Rights of Women and Children provides an opportunity for policy advocacy across the region.

Asia Venture Philanthropy Network (AVPN)¹⁷ based out of Singapore is a leading ecosystem builder that is increasing the flow of financial, human, and intellectual capital from Asia and around the world into the social sector in Asia. AVPN provides a network of peers, rigorous learning programmes, and innovative capital mobilisation opportunities that make sure resources are more effectively deployed.

WINGS¹⁸ is a global network of philanthropy support and development organisations. It is a community of more than 200 thought leaders and changemakers across 58 countries who are committed to growing and strengthening philanthropy to ensure that it reaches its fullest potential as a catalyst for social progress.

Dasra¹⁹ began in India and is now spreading its network to other geographies works with stakeholders across the social impact ecosystem. Dasra promotes social change by acknowledging diverse challenges, instead of a one-size-fits-all approach.

Filantropi Indonesia is a non-profit and independent organisation established to advance Indonesia's philanthropic sector to contribute to achieving social justice and sustainable development. It has over 200 members comprising grant-makers, intermediaries, family foundations, religious organisations, research agencies.

¹⁵ <https://saievac.org/>

¹⁶ ASEAN Countries: Indonesia, Vietnam, Laos, Brunei, Thailand, Myanmar, the Philippines, Cambodia, Singapore, and Malaysia

¹⁷ <https://avpn.asia/>

¹⁸ <https://wingsweb.org/en/about>

¹⁹ <https://www.dasra.org/>

3 Key legal frameworks and standards

The information aims to highlight key pieces of legislation only. Each country will have additional laws and policies which may be relevant to safeguarding.

Child protection

Bangladesh

The Children Act 2013 is the overarching legislation for protection of children. In addition, there are other laws such as Child Marriage Restraint Act 2017 and others.

India

The Juvenile Justice (care and protection) Act is the overarching legislation for children along with the Protection of Children from Sexual Offences Act 2012 which is intended to provide swift justice to child victims of sexual abuse. It also requires mandatory reporting.

Pakistan

Juvenile Justice System Bill 2017 and National Commission on Child Rights Bill 2015 are the two key national legislations and there are other child protection laws in the different provinces such as Punjab Destitute and Neglected Children's Act 2004, Sindh Child Protection Authority Act 2011 etc.

Indonesia

Child Protection Act 2002 focusing on strengthening protections and criminal sanctions for child sexual abuse.

Sexual harassment

Bangladesh

The High Court Division of the Supreme Court of Bangladesh issued guidelines in 2009 to prevent sexual harassment, bullying, and other forms of violence against women, girls, and children in public places, educational institutions, and workplaces. These guidelines are considered law until formal legislation is enacted. Again, the implementation is inadequate, and the emphasis remains on response rather than the preventative aspect.

Cambodia

Labour laws strictly forbid all forms of sexual harassment at the workplace. However, there is no formal definition of what constitutes sexual harassment nor is there any set penalty for offenders.

India

India's landmark Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (POSH) 2013 is not only applicable to government, private and NGO offices but also to those working in the informal sector.

Indonesia

Indonesia's Ministry of Manpower issued Decree No. 88 provides updated guidelines for preventing and handling sexual harassment in the workplace.

Thailand

The current laws governing behaviour related to sexual harassment are found in the Labour Protection Act B.E. 2541 ("LPA"), the Criminal Code, Notification of the State Enterprise Labor Relations Committee, and Supreme Court Judgment No. 1372/2545.

Industry standards

- Environmental, Social and Governance (ESG) standards: Across Asian countries, the private sector as well as the government are having to meet to ESG standards receive investments from Development Finance Institutions (DFIs) as well as large multinational investment companies.
- ILO Convention C190 recognises the right to decent work conditions, free from violence and harassment. Sectors receiving foreign investment, such as the garment and footwear sectors in Bangladesh, Cambodia, Sri Lanka and Vietnam, are preparing to meet these standards.
- For financial institutions and companies certain Performance Standards are mandatory including requirements to reduce and manage Gender Based Violence and Harassment (GBVH) risks, and promote safe and healthy working conditions.
- Asian Development Bank (ADB)'s Country Safeguard Systems (CSS) are made up of legal frameworks, policies, institutions, and practices aimed at reducing the negative environmental and social effects of development projects. The ADB's Safeguard Policy Statement (SPS) covers three areas of safeguard provisions: environment, involuntary resettlement, and indigenous peoples.



Funder Safeguarding Collaborative (FSC) supports grant-making organisations across the globe that want to ensure that their work and the work they fund keep people safe.

FSC provides funders with a unique community to learn and share about safeguarding practice and policy with their peers, along with practical and tailored assistance for funders to help them find the right solutions for their specific context. The collaborative also invests in member-led initiatives to help keep people safe and strengthen safeguarding globally.



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