



**Safeguarding in
South Asian Contexts:**
A Resource Guide



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This Resource Guide has been developed by a Community of Practice (CoP) of safeguarding professionals from Bangladesh, India and Pakistan facilitated by the Funder Safeguarding Collaborative (FSC). FSC is a global network of philanthropic organisations committed to ensuring safety and wellbeing are at the heart of every organisation.

The CoP members collectively conceptualised this as a resource to inform and enhance how safeguarding is practiced in the South Asian context.

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About this Guide

The Resource Guide on Safeguarding in South Asian Contexts reflects the critical importance of rooting safeguarding measures in the dynamic socio-cultural and legal realities that organisations operating in the region must contend with.

Underlying values, norms and socio-cultural beliefs influence behaviours, determining how individuals are treated, whether harm is recognised and what kinds of support are provided. Also, while international standards offer useful guidance, safeguarding practice is shaped by domestic laws and regulations, which provide critical pathways for recourse when violations occur. Lack of knowledge of legal provisions, as well as limited understanding and sensitivity to socio-cultural factors, can undermine safeguarding efforts and exacerbate risks of harm.

This Resource Guide focuses on distinctive factors that influence the risk of harm and shape safeguarding practice in Bangladesh, India and Pakistan. It was created by safeguarding professionals based in these countries who came together as a Community of Practice supported by the Funder Safeguarding Collaborative.

The guide reflects the diverse challenges and learning related to implementing effective safeguarding measures taking local sensitivities, other contextual aspects and resources into account.

The Guide has two sections:



- **Section 1** provides an overview of the complex socio-cultural and legal realities prevalent in south Asia with a focus on Bangladesh, India and Pakistan.
- **Section 2** includes 14 case studies drawn from the diverse experience of safeguarding specialists working in South Asia. The case studies cover a broad range of organisational contexts, vulnerable populations and different forms of harm. Each case study includes questions that can be used to generate reflective discussion on potential risks and ways for strengthening safeguards in these specific contexts.

Three appendices provide further information and resources on safeguarding.

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01

Understanding the context

Fairy Meadows, Nanga Parbat, Pakistan

1.1 Journey from child protection to safeguarding

‘Child protection’ remains a more familiar term than ‘safeguarding’ in Bangladesh, India and Pakistan. Child protection has legal validity with compliance and regulatory frameworks, particularly in India.¹ Comparatively, safeguarding is a new term that is less well understood.

Although the two terms are often used interchangeably, there are important distinctions. Child protection often has a predominantly reactive meaning, focusing on reporting and responding to harm once it has occurred. Safeguarding places a greater emphasis on ensuring steps are taken to prevent harm before it occurs. In addition to robust, survivor-centred and trauma-informed systems for reporting and responding to concerns, safeguarding prioritises preventive actions including risk management and safe recruitment.

There is an emphasis on enhancing accountability for safeguarding across all levels in an organisation, and ensuring the organisation actively encourages reflection on evolving safeguarding experiences and improving its systems accordingly.

Another important distinction is that safeguarding recognises that vulnerability to harm is not restricted to children. Adults and specific populations or subgroups may be vulnerable to harm due to a range of circumstances including socio-cultural norms and power imbalances within communities and within organisations. This is often linked to historical inequalities around gender, caste, class, tribe, religion and other identity characteristics. Safeguarding adopts a broader understanding of vulnerabilities and risks.

Safeguarding, then, is a broad umbrella term signifying an organisational commitment to creating a safe environment for children and adults as well as internal teams and others working with the organisation.

1 In India, The *Juvenile Justice (Care and Protection of Children) Act 2015*, amended in 2021, and the *Protection of Children from Sexual Offences Act 2012*, amended in 2019, require organisations (government and non-government) in contact with children to have a Child Protection Policy. Bangladesh and Pakistan do not have such a distinct legal requirement for organisations. However, protection of children is covered under multiple laws.

1.2 Defining safeguarding

This expansive understanding is aligned with FSC’s definition of safeguarding, which refers to the actions taken to prevent harm, abuse or exploitation and promote the welfare and wellbeing of anyone who comes in contact with the organisation.

This includes:

- **Promotion:** adopting policies and practices which promote a culture of dignity, respect and safety.
- **Prevention:** taking proactive steps to prevent all forms of harm, abuse or exploitation connected to the organisation and its operations.
- **Protection:** taking timely action to address any actual or suspected harm, abuse or exploitation.

However, currently, safeguarding practice in most organisations in Bangladesh, India and Pakistan lean more towards prevention and protection. Promoting the wellbeing of anyone in contact with an organisation and moving towards embedding this in the organisational safeguarding culture remain an aspirational position at present.

However, moving towards these goals is essential for ensuring vibrant and self-sustaining safeguarding practice in the region.

Related concepts like **Protection from Sexual Exploitation, Abuse and Harassment (PSEAH)** are embedded within the definition of safeguarding. PSEAH reiterates organisational commitment to keeping individuals safe from harm but focuses especially on sexual misconduct. This is particularly important as protection from sexual misconduct is also a legal requirement for organisations in Bangladesh, India and Pakistan, particularly for women.²

Meanwhile, definitions of safeguarding provided by Keeping Children Safe, CHS Alliance and the Safeguarding Resource and Support Hub (South Asia) have also proved relevant and helpful in the South Asian contexts. The international standards on safeguarding, as well as related instruments and commitments (international and regional), also offer key points for reference (please see Appendices A and B).

2 Bangladesh: High Court directives for the Protection of Abuse of Sexual Harassment in Workplace, 2009 (issued as Guidelines);
India: The *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013*;
Pakistan: The *Protection Against Harassment of Women and Workplace Act, 2010*



Leading international agencies define safeguarding as ...



the responsibility that organisations have to make sure their staff, operations, and programmes do no harm to children and vulnerable adults, and that they do not expose them to the risk of harm or abuse. PSEA [protection from sexual exploitation and abuse] and child protection come under this umbrella term.”

— **CHS Alliance**



- Ethical approaches and measures organisations adopt to ensure the safety and well-being of everyone involved in the delivery and receipt of humanitarian support
- The responsibility an organisation has to prevent all forms of harm and abuse caused by and due to contact with the organisation and to respond when harm occurs
- Refuges people we work with (staff, partners, and volunteers) and people we serve (refugees, vulnerable groups).”

— **Safeguarding Resource and Support Hub, South Asia (Pakistan and Bangladesh)**



the responsibility that organisations have to make sure their staff, operations, and programmes do no harm to children ... and that any concerns about children’s safety within the communities in which they work, are reported to the appropriate authorities.”

— **Keeping Children Safe**

1.3 Explaining safeguarding in a contextually accessible manner

While members of the safeguarding Community of Practice have drawn from international definitions in their practice, they also focus on explaining safeguarding in a contextually accessible manner. This is a vital imperative considering the multiplicity of languages in the region, where precise equivalent terms for safeguarding often do not exist.

How we introduce safeguarding: Some thoughts from the Safeguarding Professionals Community of Practice



Many people may understand protection more easily, thinking it only applies when harm has already happened, such as intervening after an incident of abuse. The broader idea of safeguarding, which includes prevention and creating safe spaces, can be difficult to convey. It is useful to frame it as ‘keeping people safe even before anything bad happens’.

For example, ‘it’s like being equipped and knowing what to do beforehand and also locking your door to prevent theft, and not just react when someone is already inside your house’.



I typically start with establishing the possibilities of harm. When there is acceptance and clarity on that, then I go to definitions. I usually prefer using simple points:

- 1 Systems, procedures and actions in an organisation that ensure wellbeing of children and adults in their operations
- 2 All staff and associates are trained and risk aware and consistently mitigating the risk of harm
- 3 There are robust reporting options and a redressal process so that in case of harm or likelihood of harm, the organisation takes action, and
- 4 Children/adults who face harm/abuse are supported by the organisation.”



“

Some communities may have deeply rooted cultural norms that prevent open conversations about abuse or neglect. It helps to begin with ‘respect for rights’ and ‘well-being’ instead of directly using potentially sensitive terms.

For example, instead of beginning a discussion on ‘child abuse’ directly, frame it as ‘ensuring children grow up in loving, respectful homes where they are not harmed’. Also, using simpler, culturally relevant phrases like ‘bachon ki hifazat’ (protecting children) or ‘auraton ke liye aman ka mahaul’ (a safe environment for women) help initiate deeper discussions, even when they may not immediately capture the full range of meanings of safeguarding.”

“

I give the example of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013, commonly known as POSH Act in India. I explain how this law was enacted to keep women safe from sexual harassment in the workplace. Then, I talk about how organisations have an obligation not only to keep women safe but to keep everyone in the organisation as well as those who are associated with it safe from all forms of harm.”

“

I find it restrictive when organisations engage with safeguarding only focusing on safety. This can result in protectionist behaviours that have the potential to cause further harm and even foster institutional abuse through rigid routines, and inadequate responses to complex needs. I find it empowering and motivating to speak about safeguarding from a more positive lens of promoting both wellbeing and safety.”

1.4 Country snapshots

A deep understanding of the rich and varied socio-cultural and legal contexts in Bangladesh, India and Pakistan is essential for operationalising safeguarding. Brief country snapshots are provided here. Key legal instruments that are relevant for safeguarding are provided in Appendix C.

Bangladesh

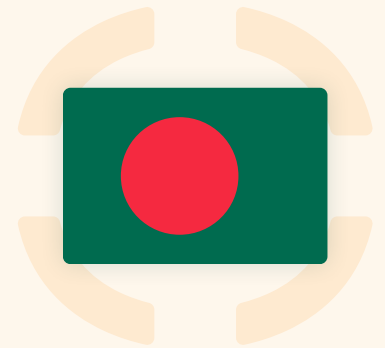
Bangladesh is the eighth most populous country in the world, with a population of 173 million. Muslims constitute the largest population group (91%) with Hindus forming the key minority (8%).³ Agriculture is a significant source of employment, followed by the ready-made garment industry.

Despite GDP growth, increasing literacy rates and reduced infant mortality, deep inequalities and harms persist due to a complex matrix of poverty, deprivation and certain adverse social norms.

Some of the most vulnerable groups include:

Children living on the streets

An estimated 3.4 million children live in street situations across Bangladesh.⁴ Moreover, 71.8% of the children can neither read nor write and 82.9% face abuse or harassment by pedestrians.⁵ Many of these children are engaged in hazardous work, such as waste collection, street vending, and as labourers in factories.



.....

3 National Census 2022

4 Over 3.4m street children without parental care, The Daily Star, <https://www.thedailystar.net/news/bangladesh/news/over-34m-street-children-without-parental-care-3569821>

5 UNICEF Bangladesh, 'Data on the situation of children in Bangladesh', <https://www.unicef.org/bangladesh/en/data-situation-children-bangladesh>

Girls and women

Approximately 43% of rural adolescent girls have been subjected to sexual harassment in public spaces.⁶ Around 54% of married women in Bangladesh reported experiencing physical or sexual violence from their spouse at least once during their lifetime.⁷ Further, a study of female garment workers found that 74% had experienced or witnessed physical or emotional violence in the workplace.⁸ Girls and women continue to experience high levels of gender-based violence due to socio-cultural notions of patriarchy and gendered stereotypes.

Refugees

Since 2017, Bangladesh has been providing refuge to close to a million people from the Rohingya community who fled Myanmar.⁹ Ensuring their access to essential services, responding to trauma and providing for the specific needs of children, women, elderly people and persons with disabilities continues to be challenging.

People with disabilities

Approximately 9.4 million people live with disabilities, many of whom experience neglect and physical, verbal, and sexual abuse.¹⁰ Despite the *Rights and Protection of Persons with Disabilities Act 2013*, they face considerable barriers in accessing services and opportunities.

Legal protections have existed since the Bangladesh Penal Code was introduced in 1860. This contains protections from various forms of violence including harassment, exploitation, rape, and attempt to cause death or grievous injury because of dowry. The national constitution also provides protection for children, women and other individuals.

Laws have been introduced to address specific crimes, including The Prevention of Repression against Women and Children Act (2000) which has proved a vital instrument in dealing with various sexual offences against women and girls. Moreover, the Bangladesh government has issued instructions enforcing the High Court guidelines on preventing sexual harassment at educational institutions and workplaces. This has led to an increasing focus on anti-harassment policies, with committees and complaints boxes in the workplace, as well as on child protection policies (see Appendix C for more on legal instruments in Bangladesh). A national helpline for women and children (109 operates 24 hours a day, seven days a week for reporting abuse and receiving immediate support.

Despite the progress, there are gaps in implementation. Deficits in understanding, funding and coordinated service delivery often make it difficult for survivors to secure justice in a timely manner. Moreover, stereotypes and prejudices prevalent in the wider population exist within the agencies as well, which adversely affect survivor-centred and trauma-informed services.

6 UN Women (2019) *Baseline Study Report: Combating Gender-Based Violence (CGBV) Project in Bangladesh*

7 UNFPA Bangladesh, 'Violence against women survey 2024', <https://bangladesh.unfpa.org/en/2024-violence-against-women-survey>

8 Nusrat Sohani et al. (2011) Pattern of workplace violence against female garment workers in selected areas of Dhaka City, *SUB Journal of Public Health*, https://www.researchgate.net/publication/233883183_PATTERN_OF_WORKPLACE_VIOLENCE_AGAINST_FEMALE_GARMENT_WORKERS_IN_SELECTED_AREAS_OF_DHAKA_CITY

9 Bangladesh | UNHCR

10 Bangladesh Bureau of Statistics, 2022

India



With 1.45 billion people, India has the highest population in the world. Hindus are the biggest population group (79.8%), followed by Muslims (14.2%), Christians (2.3%) and Sikhs (1.7%).¹¹ About 65% of the population resides in rural areas with 47% dependent on agriculture.¹² India is the world's fastest growing major economy, growing 8.2% in 2023/24.

Despite economic growth and progress in vital areas (such as reducing maternal and infant mortality), poverty, discrimination, deeply rooted patriarchal cultures and persistent gender inequalities mean that harm and abuse continue. Some of the most vulnerable groups include:

Children

Violence is known to happen at home, in school, in childcare institutions and in the community. Child marriage continues to be an area of concern, with at least 1.5 million girls under the age of 18 getting married each year.¹³

Women and girls

A study revealed that 26% of women had experienced physical violence from spouses.¹⁴ Patriarchal attitudes and gendered stereotypes continue to exacerbate gender-based violence. Moreover, women from minority groups and Dalits (considered to be on the lowest rung of caste-based hierarchies) are more likely to face multiple and intersecting forms of violence.¹⁵ Fear of social stigma and victim blaming often prevent women from reporting incidents, especially of sexual violence. Nonetheless, sexual harassment complaints in some of India's largest companies increased by 40.4% between 2023 and 2024. Some of this has been attributed to higher awareness and improved reporting systems in companies.¹⁶

Caste

Despite legal protections and affirmative actions, people associated with lower castes remain more likely to face barriers in higher education and employment. Social perceptions related to abilities and aspirations of those considered to be on the lower rungs of the caste system exert a restrictive influence.

11 Census 2011

12 Government of India, Economic Survey 2022-23

13 UNFPA-UNICEF Global Programme to End Child Marriage (2021) *India Country Profile*, <https://www.unicef.org/media/111381/file/Child-marriage-country-profile-India-2021.pdf>

14 Violence against women in India: Comprehensive care for survivors — PMC, <https://pmc.ncbi.nlm.nih.gov/articles/PMC4216486/#:~:text=In%20a%20study%20done%20in,data%20from%20Uttar%20Pradesh3>.

15 Country policy and information note: India — Women fearing gender-based violence, https://assets.publishing.service.gov.uk/media/63872908d3bf7f7ebd14c157/IND_CPIN_Women_fearing_gender-based_violence.pdf

16 Rica Bhattacharyya, 'Sexual harassment complaints at companies see sharp rise', *Economic Times*, 21 Aug. 2024; <https://economictimes.indiatimes.com/jobs/hr-policies-trends/sexual-harassment-complaints-at-companies-see-sharp-rise/articleshow/112663032.cms?from=mdr>

They can increase risks of violence, more so where existing hierarchies and social customs are threatened.¹⁷

Persons with disabilities

India has about 26.8 million people living with disabilities.¹⁸ The Rights of Persons with Disabilities Act 2016 has helped highlight a range of disabilities and sought to ensure access to rights and opportunities. Nonetheless, socio-cultural taboos and myths (e.g. disability being a result of past sins; people with disabilities cannot be productive citizens) continue to create risks for them. There is still a lot to be done in terms of realising inclusive educational, work and public spaces.

India's Constitution, supported by an array of laws, guarantees fundamental rights to all citizens. There are specific provisions for the protection of children, women, persons with disabilities, people from scheduled castes, scheduled tribes, other backward classes as well as other individual/groups in vulnerable situations. National and State Commissions have been established to monitor the safety and wellbeing of specific communities, including Commissions for the Protection of Child Rights, Women, Scheduled Castes, Scheduled Tribes and Minorities.

There are mandated response mechanisms for concerns involving children and a national helpline for children in distress (1098). The Protection of Children from Sexual Offences Rules (2020) includes a specific obligation on the State Government to formulate a child protection policy for adoption by all organisations working with, or coming in contact with children. The Juvenile Justice Act (2015) also requires childcare institutions to institute a Child Protection Policy. Meanwhile, The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 applies across all sectors (see Appendix C). In addition, the Government of India has set up the Nirbhaya Fund Framework for enhancing safety measures for women. This includes One Stop Centres for women affected by violence and a Women Helpline (109).

There has been substantial progress. However, the need to cover significant populations and locations makes consistent and quality service delivery challenging. Inadequate resourcing also affects performance. Also, increasingly, organisations are struggling with multiple reporting mechanisms and platforms/committees (for child protection, workplace sexual harassment, etc.). Separate requirements for specific programmes and partners/funders complicate matters. Ensuring coherent and coordinated safeguarding measures remains challenging.

17 Shunsuke Sato, (2024) 'The Current State of the Caste System in Contemporary India: Persistence, Challenges, and Legal Responses', <https://www.authorea.com/users/846220/articles/1234613-the-current-state-of-the-caste-system-in-contemporary-india-persistence-challenges-and-legal-responses>

18 Prevalence, pattern and determinants of disabilities in India: Insights from NFHS-5 (2019-21) – PMC, <https://pmc.ncbi.nlm.nih.gov/articles/PMC10009251/>

Pakistan



Pakistan is the fifth most populous country in the world with a population of around 248 million. Muslims constitute the largest group (96.3%). Hindus, Christians, Sikh, Buddhists and Zoroastrians form the key minority groups. About 64% of the population resides in rural areas, although the country is witnessing rapid urbanisation. Agriculture employs 38% of the workforce, predominantly in informal and seasonal labour.¹⁹ Over 21% of the population are living below the poverty line.²⁰

Although Pakistan has made significant progress, the country's socio-economic challenges continue to be compounded by poverty, which heighten risks of abuse and exploitation. Some of the most vulnerable groups include:

Children

An alarming 22.8 million children are reported to be out of school.²¹ Further, over 12.5 million are engaged in hazardous labour.²² Child marriage continues, with 21% of girls married before the age of 18 years.²³

Women and girls

They are particularly affected by patriarchal structures, limited mobility, and restricted opportunities. 34% of ever-married women have reported experiencing violence.²⁴ Women's low literacy rates and labour force participation further increase the risk of gender-based violence. Socio-cultural norms contribute to the continuation of forced marriage and 'honour'-based violence.

Persons with disabilities

They account for 10–12% of the population,²⁵ and continue to face barriers to education, employment, and healthcare. There is still limited acknowledgement of their capacities and potential to contribute to society and the risk of neglect and abuse remains high.

19 Tayyaba Yasmeen & Malik Zamad Ahmad, 'Pakistan's Rural Labor Market Dynamics', *The Agricultural Economist*, 3 May 2005, <https://agrieconomist.com/pakistans-rural-labor-market-dynamics>

20 Poverty Projections for Pakistan

21 Education, UNICEF Pakistan, <https://www.unicef.org/pakistan/education#:~:text=An%20estimated%2022.8%20million%20children,population%20in%20this%20age%20group>

22 Zubia Shoukat, 'From Fields to Factories: Child Labour in Pakistan's Modern Workforce', World Anti Extremism Network, 2 Nov. 2024, <https://worldantiextremism.org/article/child-labour-in-pakistans-modern-workforce/>

23 APP, '21% girls in Pakistan get married before age 18: WHO', Geo News, 12 Jan. 2019, <https://www.geo.tv/latest/224865-21-girls-in-pakistan-get-married-before-age-18-who>

24 PDHS 2017-18

25 Mati, '10-14% of Pakistan's population suffering from disability: President', DND, 16 Mar. 2023, <https://dnd.com.pk/10-14-of-pakistans-population-suffering-from-disability-president/286163/>

Religious and ethnic minorities

They comprise 3–4% of the population²⁶ and often experience discrimination, exclusion, and limited access to services.

Displaced populations

These include over 1.4 million Afghan refugees.²⁷ Displaced populations often face precarious living conditions and increased risks of exploitation. Further, disasters perpetuate vulnerabilities and risks and add to the numbers of internally displaced people.

Pakistan's legal framework is anchored in its Constitution, which ensures the fundamental rights to equality and protection from harm. Provincial child protection laws provide mechanisms for reporting and addressing abuse. However, their effectiveness varies. There are multiple laws covering gender-based violence, including honour-based offences, domestic violence and harassment of women at the workplace. The *Prevention of Electronic Crimes Act 2016* criminalises online harassment, cyberbullying, and child pornography (See Appendix C).

Public helplines play a crucial role. The National Child Helpline (1098) allows anonymous reporting of child abuse and provides guidance on referral for services. Provincial helplines, such as the Punjab Women Helpline (1043) and the Sindh Women Development Department's helpline, respond to survivors of violence and abuse. The Cybercrime Helpline (9911) specifically addresses online harassment and digital exploitation. Pakistan has also established Women Protection Centres and Crisis Centres to provide integrated services such as legal aid, medical assistance, and psychosocial counselling. Child Protection Units rescue children from exploitative situations and provide them with temporary shelter and rehabilitation services. However, these are more active in urban locations.

There are other challenges as well. Patriarchal norms, fear of reprisals and shame create barriers to reporting. Traditional dispute resolution mechanisms like jirgas continue to be influential in rural areas and tend to uphold existing hierarchies, which can add to the culture of silence. Weak enforcement of laws, procedural delays and social stigma often prevent survivors from receiving timely justice. There are also regional disparities in accessing existing services. Collaborations between government, NGOs, and community groups is another vital area where improvement is badly needed.

²⁶ Pakistan Bureau of Statistics, 'Census of Pakistan', 2017, <https://www.pbs.gov.pk/content/final-results-census-2017-0>

²⁷ UNHCR, 'Afghan refugees in Pakistan by province', 31 Mar. 2025, <https://data.unhcr.org/en/country/pak>

1.5 Common root causes and other key issues shaping safeguarding risks in Bangladesh, India and Pakistan

As the country snapshots show, the three countries offer a tapestry of resources and progress as well as complex hierarchies, deprivations and challenges.

It is particularly important to recognise the key socio-cultural factors that create and perpetuate harms since staff at the organisations are rooted in the same contexts and may mirror similar norms and behaviours.

The intricate implications of patriarchy and gendered stereotypes and norms

In south Asian contexts, girls and women often bear a disproportionate burden of upholding social norms and the ‘honour’ of their families and communities. Boys and men are expected to be aggressive and not display feminine traits of being passive, weak or vulnerable. This is restrictive and unhealthy for them as well. Such societal expectations easily fuel and sanction violent behaviours. For instance, domestic violence is normalised.

Further, a person who deviates or transgresses is subjected to intense scrutiny and censure. For girls and women, this takes the form of harrowing stigma and victim blaming. A complex web of stated and unstated norms promotes a culture of silence, where abuse – particularly sexual abuse – is less likely to be reported to formal institutions of justice.

People with non-binary and fluid gender and sexual identities remain at risk, particularly from those who staunchly favour normative, heterosexual identities and relationships.

Regional biases

There can be biases and prejudices about communities from particular regions linked to differences in physical appearance, languages spoken, historical relations or other distinctive associations (e.g. perceptions of being untrustworthy or likely to engage in crimes for certain nomadic tribes.) These also influence behaviours and increase risks of harm.



Staff may feel torn when reporting certain abusive behaviours that still enjoy traditional sanction e.g. corporal punishment of children or domestic violence. Staff may also act, consciously or unconsciously, from their own biases and stereotypes. They may also not feel sure about reporting a concern that involves a senior. It is important to acknowledge these realities and highlight the importance of prompt reporting of risks and concerns. The organisation also needs to reiterate that concerns reported in good faith would not draw adverse response, even if they cannot be substantiated later.

Power imbalances

In many ways, abuse of power is at the core of safeguarding risks and incidents. Power imbalances in South Asian contexts can be linked to historical and traditional inequalities in terms of gender, caste, class, tribe, religion etc. Powerful perpetrators who are better resourced remain more likely to act with impunity and to threaten victims into silence.

Further, hierarchies exist within organisations (e.g. between senior and junior staff, or head office and field staff) as well as between organisations (e.g. donor and implementing organisations, international and national NGOs, state and local organisations). Heads of organisations and senior management typically have considerable power and this can create risks, especially where systems of checks and balances are not in place.

Finding the right words

It is important to recognise that in some languages, words for sensitive issues might not exist or, if they do, they might carry stigma. For instance, people may refrain from using words such as 'violence' and 'abuse'. Sometimes, specific terms may not be commonly known by community members. Communities can use indirect language or euphemisms to talk about sensitive topics as well. This has pros and cons. It can create misunderstanding or lead to misreporting. However, at an initial stage, it may be important to be able to converse in such terms, especially where there are privacy concerns in the initial conversations (e.g. in a refugee camp).²⁸

While drawing from international standards, organisations need to value and build on their deep understanding of the context and lived experience of safeguarding. Localised risks and concerns require measures rooted in and reflecting the context.

28 This challenge is also discussed in Translators without Borders and Oxfam's *Six Tips for Humanitarians Working with Interpreters on Sensitive Topics*, <https://clearglobal.org/wp-content/uploads/2022/03/TIP-SHEET-Interpretation-and-Sensitive-Topics-EN.pdf>



Munnar, Kerala, India

02

Case studies

2.1 Adopting policies and practices which promote a culture of dignity, respect and safety

CASE STUDY 1

Creating a safe school environment free from bullying and discrimination

An 11-year-old boy migrates with his family to another region where his father has found employment. He is admitted to a school run by a non-government organisation (NGO). He stands out because of his ethnic identity, including physical characteristics and his inability to speak the local language fluently. His classmates make fun of him using racial slurs and are unduly aggressive with him in group games like football.

The male sports teacher observes these behaviours but does not find anything wrong. He does not intervene. He tells the boy to 'man up'. Gradually, the boy stops participating in group activities. In the half-yearly evaluation, the sports teacher fails the boy.

The boy becomes increasingly reluctant to go to school. His attendance becomes irregular. The other teachers begin to consider him lazy and uninterested in studies. The boy tells his parents that he is afraid to go to school.

The father talks to the School Principal and shares that his son is afraid to attend school, especially after failing physical education. However, the Principal and the teachers reiterate their perception that the boy is lazy and lacks initiative.

The school has a Child Safeguarding Policy focusing on developing an enabling and safe learning environment. The Policy was drafted five years ago and has not been updated or discussed since then.

Points for discussion

- 1 What are the underlying issues and risks of harm in this case?
- 2 What steps can be taken to create a safe environment in the school?

Underlying issues and risks of harm

- **Discrimination:** The case highlights prejudices that exist about communities from particular regions, which stem from differences in physical appearance, language, historical relations, etc. This can manifest itself in behaviours from children and adults alike.
- **Gender Norms:** The sports teacher's attitude and failure to intervene are possibly linked to gender stereotypes which perpetuate aggressive masculinity and cause the male teacher to dismiss the pain and discomfort the boy experiences.
- **Awareness of signs of harm:** There appears to be a lack of awareness of the signs of potential harm. There is a distinct lack of attention or concern about the boy's irregular attendance and failure to explore the reasons for this.
- **Emotional harm:** The adverse attitude of teachers and students result in the boy feeling excluded and isolated. This is likely to affect the boy's sense of self, with significant implications for his mental health. The teacher's insensitivity to potential harm further increases risks as it allows the abuse to continue.
- **Relational harm:** The negative experiences in school may affect the boy's ability to trust and make friends with children his own age. The failure of staff to respond to the harm, may also damage his ability to trust adults to keep him safe.
- **Educational harm:** The boy's education is beginning to be affected. If this continues without any intervention, he may drop out, which could have long-term implications for his future.

Steps for creating a safe environment in the school

1 Immediate steps

- **Address the cause of harm:** The Principal should talk to the boy's classmates and the teachers and set clear expectations about acceptable conduct in the school, and actions that will be taken if these are not adhered to. He may also need to speak with the parents of the classmates who had led the bullying.
- **Ensure the welfare of the child:** The Principal should remain vigilant about the possibility of backlash for the boy (stemming from the incidents being reported) and put measures in place to mitigate this risk. The Principal should aim to make the boy feel comfortable in sharing what has happened and assure him that the school will take action.
- **Strengthen systems of safety:** The Principal could involve supportive classmates in helping the boy feel safe and reducing his feelings of isolation. He should also work with the boy's parents to ensure that any further signs of harm or anxiety about attending school are reported promptly and addressed collectively.
- **Identify other potential risks:** The school needs to be aware that other children and adults (teachers, support staff, etc.) may also have suffered discrimination and abuse. The Principal should communicate to everyone that they have a right to be safe. He should provide reassurance that concerns can be reported safely and will be acted on.

2 Building a safe environment in the school

- **Acknowledge gaps and learn from experience:** Safeguarding issues can occur in any organisation but preventing future harm requires an exploration of why harm occurred and how this can be prevented in the future.
- **Engage others in building a safe culture:** The school's Child Safeguarding Policy clearly needs to be updated and given more prominence. Initiating a multi-stakeholder review with students and teachers as well as school management and board will provide a better understanding what is working and what needs attention. It will also help generate a shared sense of ownership for implementing the Policy. The school can, in an incremental manner, expand the scope of the Policy to include safeguarding adults as well.
- **Identify and document safeguards:** The Policy needs to clearly define discrimination, bullying and abuse. Clear and accessible systems for reporting incidents must be developed or strengthened. Nodal/specific personnel or committees should be instituted to ensure concerns are responded to effectively. These systems and structures should align with the existing regulatory and legal frameworks.
- **Raise awareness:** All school personnel should be aware of the updated Policy and trained to identify signs of harm and how to report. The school also needs to hold regular interactions to make students aware of the Policy, including reporting and response protocols. Channels for providing feedback should also be highlighted. Further, parents should be briefed on the Policy.
- **Address underlying attitudes and beliefs:** For effective implementation of safeguards, underlying gender norms and prejudices need to be acknowledged and addressed. Changing beliefs and attitudes will take time, but remains essential. The school should encourage exploration and reflection on understanding and attitudes (e.g. about children from other communities or regions, gendered stereotypes, etc.) in an age appropriate and accessible manner through ongoing discussions with students and school personnel.





Promoting safe and accessible services for communities in crisis

An NGO provides relief measures in a flood-prone, rural region. Heavy rains and a recent flood have caused massive destruction, with roads being badly damaged and waterlogged for a long time. Many families have lost their homes and livestock.

The NGO undertakes an emergency cash distribution initiative to support the affected villagers. Villagers must travel significant distances to reach the cash distribution sites and then stand in queues awaiting their turn. This is particularly difficult for elderly villagers as the centres do not have toilets or resting areas.

The number of women coming to the centres remains erratic and then starts to dip. On enquiring, a male villager tells a staff member that this is due to several reasons. All the staff at the distribution centres are men. Also, there is no secluded space for breastfeeding infants and the women cannot leave their children behind for a long time. The villager also points out that many women feel uncomfortable when asked to do the biometric fingerprint scan before receiving the fund.

The male staff member shares they need to assist women if they are unable to place their finger correctly on the device. However, the male villager remains unconvinced and doesn't feel that the concerns are being taken seriously. The lack of trust between the villagers and the staff has other consequences as well. Rumours of malpractices and corruption in beneficiary registration by the NGO begin to circulate.



Points for discussion

- 1 What are the underlying issues and risks of harm in this case?
- 2 What steps can be taken to ensure safe and accessible support to such communities in crisis?

Underlying issues and risks of harm

- **Gender Norms:** Women find it difficult to share any discomfort or concern with the male staff members. They also feel uncomfortable with the male staff holding their hand/fingers during the fingerprint scanning process. This could be linked to apprehensions regarding physical contact with men.
- **Impact on health:** For elderly people, their health conditions may worsen while travelling significant distances to reach the sites and then being forced to stand in long queues without any resting area. Lack of toilets results in discomfort and inconvenience.
- **Accessibility:** Elderly people with limited mobility may not be able to access the service provided by the NGO. Fewer women may use the service because of the time needed and the lack of space for resting and breastfeeding infants, as well as the other gendered concerns mentioned above.

Steps to ensure safe and accessible support

- **Assess potential risks:** This is important even in emergency response initiatives. Operating without understanding risks could result in harm. The assessment should identify potential socio-cultural, logistical and other risks. Risks for population subgroups such as women, children, elderly people and people with disabilities should be included.
- **Gender sensitivity:** Women may not be able to access supports or services provided unless their specific needs are considered. Measures that could have been considered in this case include: ensuring local staff include women to engage with female beneficiaries/participants; ensuring a closed space is available as a breastfeeding and resting location; providing a supply of sanitary napkins at the sites.
- **Consider the most vulnerable:** The risk assessment exercise should aid planning of measures for those who may be most vulnerable. In this case, simple changes like ensuring seating space for those who feel unwell or weak, elderly people, people with disabilities and women with children and checking availability of water and toilet facilities at potential sites would be helpful. The NGO could also explore bringing in community members in a phased manner to reduce waiting times.
- **Collaboration:** Existing resources in the area including possible locations and buildings that could be used for relief efforts should be identified collectively with community representatives. Details of the distribution plan, including criteria for selection and specific services being provided, should be shared with local self-government bodies, community leaders, and women's Self Help Groups to build trust and avoid the spreading of rumours or misinformation.
- **Feedback mechanisms:** It is important that there are ways for the communities to safely provide feedback and highlight concerns for redressal. Names and contact numbers of designated staff should be shared with local communities and displayed in the centres. There should be a clear pathway for escalating concerns and senior, experienced staff monitoring the ongoing work at the sites who can provide supportive inputs as needed.
- **Be prepared:** NGOs engaged in such work should have the procedures for establishing and managing safe, inclusive services documented in their Safeguarding Policy and any other related policies and manuals. Staff and volunteers engaged for specific services should undergo safeguarding training so that they are aware of the essential do's and don'ts in ensuring the safety and wellbeing of the beneficiaries/participants.

Promoting safe and inclusive workplaces

A young trans man starts working as a project officer in an NGO focusing on emergency response initiatives. While the context is challenging, he finds the work rewarding. The office environment is also supportive. He does not highlight his trans identity since he is unsure how people will respond.

A middle-aged male co-worker is promoted and becomes his line manager. He begins to ask him increasingly personal questions. Although he doesn't ask the young man directly about his identity, his comments are often sexual and deeply offensive. When the young man doesn't react, he starts criticising his work and making derogatory and humiliating remarks.

The young man is unsure about how to react since the manager is seen as a friendly, jovial person and he may not be believed. He is worried about making a complaint as he thinks that this could lead to more discrimination, both within the organisation and with the communities they work with.

Points for discussion



- 1 What are the underlying issues and risks of harm in this case?
- 2 What steps can the organisation take to ensure a safe workplace environment for all including the LGBTQIA+²⁹ community?

Underlying issues and risks of harm

- **Discrimination:** Staff who are trans are at high risk of experiencing various forms of discrimination, exploitation and harassment. They may be forced to work in unfair conditions under the threat of personal information about their identity being shared. In this case, the male line manager is abusing his position of power to discriminate and harass the trans man.
- **Harassment and humiliation:** Misconceptions around LGBTQIA+ identities, such as individuals being 'open' to all forms of sexual contact, are unfortunately still common. People are also curious about trans bodies. The identity of a trans man can appear to challenge the construct of masculinity and some men may find it difficult to accept them. Insensitive people act on these notions to harass and humiliate trans people.
- **Emotional harm:** The constant need to hide or disguise one's identity and being exposed to a transphobic environment can have a deep impact on a person's mental health and wellbeing. These forms of abuse can be direct (such as being called derogatory names and asked intrusive questions) or indirect (through other gestures and behaviours that are transphobic).
- **Blackmail:** Perpetrators may threaten to 'out' the individual to colleagues, communities, or their families. Fear of attracting attention or being 'outed' can stop LGBTQIA+ individuals from reporting concerns.

²⁹ Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual and + refers to those who identify as part of the community but not with the identities mentioned above.

Steps to ensure a safe workplace environment for all

- **Inclusive Safeguarding Policy:** The right to safety and wellbeing applies to all staff regardless of sexual orientation, gender identity or expression. The organisation should review its safeguarding policy with an emphasis on valuing diversity and inclusion and ensuring the safety of all its staff.
- **Code of Conduct:** The list of do's and don'ts for staff should be reviewed and strengthened to incorporate behaviours among staff, not just conduct towards beneficiaries and community members. The Code of Conduct should explicitly mention that harassment, abuse and discrimination of anyone on the basis of their identity is unacceptable.
- **Raise awareness:** Discussions and orientations on respecting diversity, inclusion and addressing myths and misconceptions related to the LGBTQIA+ community should be undertaken. The prohibition of discrimination and harassment based on identity should be included in induction.
- **Safe people:** To create a safe and inclusive environment, it is important that people's values and attitudes align with those of the organisation. Recruitment interviews should include questions to help gauge candidates' perceptions and attitudes towards people across the gender and sexuality spectrum and other key markers of identity. General conduct towards others should form part of performance reviews and supervision. Undesirable behaviours should be addressed early.
- **Safe reporting:** A variety of reporting options should be offered to ensure staff with varying identities feel comfortable accessing support. A survivor-centred approach should be adopted which respects victims/survivors' wishes and involves them in decisions. Support should be provided to a trans person or any other individual with a LGBTQIA+ identity who wishes to report a concern to the authorities. The organisation should provide information on the possible next steps as well as any challenges and risks that they might entail so that the survivor can take an informed decision.
- **Confidentiality:** Organisations may want to apply enhanced confidentiality measures to ensure that no one is 'outed' or exposed during the response measures. For instance, the number of staff members involved in processing the complaint should be restricted. The locations of related meetings should be carefully considered. The related documents should be stored securely with access given only to a specified, select few.



CASE STUDY 4

Promoting safe and inclusive education

An NGO works on promoting access to education for children with disabilities from rural communities. It has a Child Safeguarding Policy that was developed to meet a specific donor requirement. The NGO recently supported a 14-year-old girl with a hearing impairment to enrol in a well-respected local school. This was part of a pilot initiative by the NGO on mainstreaming children with disabilities in a 'regular' school. Initially, the girl's parents opposed the idea since they were not sure if she would manage in a mainstream school setting. However, the NGO field workers persuaded them to take part in the pilot.

The NGO field workers provide support to the girl. The teachers in the school have not been trained to teach children with disabilities. They seek repeated guidance from the NGO. Despite acting on the suggestions provided, they continue to struggle with involving the girl in the classroom. As a result, the girl starts losing interest in studies. One day, a teacher hits her for sleeping in class. She does so possibly because she wasn't sure whether a verbal scolding would work.

During a routine home visit, the field worker notices that the girl is becoming increasingly withdrawn. She avoids eye contact and seems fearful. The field worker interacts with the girl using sign language and learns that she has not made friends in school and feels lonely. Moreover, she is bullied by some of her classmates and is constantly referred to as dumb and useless. The field worker, aware of the parents' earlier misgivings about the school, is scared to highlight the girl's concerns with them. She is afraid of being blamed. She also feels that filing a complaint will adversely affect the relationship between the school and her organisation.



Points for discussion

- 1 What are the underlying issues and risks of harm in this case?
- 2 What steps can the organisation take to prevent further harm and promote inclusive education that safeguards children with disabilities?

Underlying issues and risks of harm

- **Poor understanding of inclusion:** Inclusion requires more than simply offering a child with disabilities a place at a mainstream school. There appears to have been a lack of foresight and planning before placing the child. For instance, teachers have not been trained on engaging with her. Moreover, negative stereotypes about children with disabilities held by teachers have not been identified and addressed.
- **Lack of awareness of signs of harm:** It is not clear if the school attempted to understand the reasons behind the girl's changed behaviours. Failure to explore this vital aspect is likely to be compounded by their limited ability to communicate with the child.
- **Lack of confidence in reporting concern:** The fieldworker is hesitant about raising a concern. This may be due to multiple reasons including lack of awareness of the requirement to report under the Child Safeguarding Policy and/or a lack of confidence in how the matter will be handled. It may also reflect the privileged position of the school wherein it holds more power within the collaboration than the NGO.
- **Emotional harm:** The lack of meaningful inclusion means the girl faces verbal abuse by peers. She feels isolated and is becoming withdrawn. This is likely to have a negative impact on her self-esteem and mental health.

- **Physical harm:** The lack of understanding among teachers means she experiences physical abuse (corporal punishment) by a teacher. This may also occur due to socio-cultural norms which mean corporal punishment of children may still receive traditional sanction.
- **Educational harm:** Her educational progress may be hampered. She may even drop out since she is unable to cope with the conditions in the school.

Steps for promoting safe, inclusive education

1 Immediate steps

- **Speaking up:** The fieldworker should report to her line manager immediately. The organisation should then consider the most appropriate way to respond. This must include addressing the verbal and physical abuse faced by the child and preventing further incidents. This will require engaging with the school. The NGO should stress that corporal punishment of children in schools is illegal and can be subject to legal action.
- **Listening to the child:** It is important that the child's views are taken into account when deciding the actions to be taken. This dialogue should help ascertain whether she wants to continue in the school and what measures might make her feel safe and included. She should not be forced to remain in the school if she is unwilling to do so.

- **Strengthening systems of safety:** The field worker must undertake follow up visits to the school and to the girl's home to ensure she is provided with support as needed. She should encourage the parents to engage with the school and explore barriers experienced by the child. The child should be able to share her concerns at home and in school.
- **Immediate orientation of teachers:** The School Principal and teachers should be trained in engaging with children with disabilities. Essential do's and don'ts from a safeguarding perspective should be integrated in such training.

2 Promoting inclusive education that safeguards children with disabilities

- **Ensure a holistic understanding of 'inclusion':** There needs to be a much deeper understanding of the needs of children with disabilities. The NGO should reflect on its approach and take corrective measures. It should then directly, or in collaboration with other subject experts, build capacities of schools before children with disabilities are admitted.
- **Addressing attitudinal barriers:** Meaningful inclusion requires negative stereotypes or perceptions to be addressed, including through training and other sensitisation efforts for teachers and peers. It is important to encourage discussions on inclusion and expected behaviours with teachers and students.
- **Addressing communication barriers:** This can range from simple steps in classrooms like seating children with deafness in the front rows to facilitate comprehension and lip reading as well as using visual teaching materials. Existing mechanisms also need to be adapted. For instance, creating space for more direct and consistent contact to help children with disabilities share concerns may be needed.
- **Updating the Safeguarding Policy:** The case highlights gaps in the NGO's and school's ability to create a safe and inclusive environment for the students. Learning from this case should be used to update the NGO's policy including incorporating codes of conduct and developing accessible reporting mechanisms. It should also include measures for protection of staff who report safeguarding violations. Where possible, staff and students from varied backgrounds should be involved in the review and update process. Follow-up activities with children with disabilities and their families and in schools is essential for building awareness and confidence in the safeguarding measures.
- **Strengthen collaboration for safeguarding:** The NGO can check if the school has a Safeguarding Policy and work with them on developing or improving it as needed. When organisations work together, it is important that they discuss and clarify their respective roles in safeguarding children. The organisation can explore a written agreement or Memorandum of Understanding with the school which outlines their respective roles as well as a list of do's and don'ts for supporting children, including children with disabilities.

2.2 Taking proactive steps to prevent harm, abuse or exploitation connected to the organisation and its operations

CASE STUDY 5

Preventing harms in external communications

An NGO working in a conservative rural community facilitates adolescent girls' groups to enhance awareness and practice of menstrual hygiene, health and nutritious diet, and contribute to their empowerment. The organisation decides to prepare case studies that highlight positive changes. They hire a reputed male photographer to take pictures of the girls to feature alongside the case studies.

The organisation obtains consent from the girls' parents/guardians for interviews and photographs in keeping with its Safeguarding Policy. The parents/guardians are informed that the photographs will be taken within the homes or inside the room where the club meets. However, the photographer suddenly decides to include outdoor scenes to capture the surroundings. He asks a 14-year-old girl to stand next to the family's field on the road leading to her house. The female staff member who is present does not stop the photographer even though this is not what was agreed with the parents.

Some young men who are passing by notice this and tell the girl's older brother. They ridicule the girl saying that she is interacting with male strangers, wants to become a model, and is no longer happy staying in the village. This angers the brother and he rushes home and scolds his sister. He becomes increasingly enraged and hits his sister repeatedly.

Points for discussion

- 1 What are the underlying issues and risks of harm in this case?
- 2 What steps can be taken to reduce the risk of harm when obtaining and sharing images?

Underlying issues and risks of harm

- **Gender norms and power dynamics:** The girl's conduct is questioned by young men who feel that she has transgressed accepted norms of behaviour for girls by talking with male strangers and getting photographed. Her brother also believes in such norms. His anger is fuelled by the perception of the other young men that he has not been able to 'control' his sister. The gendered power differential also surfaces in the dynamic between the female staff member and the male photographer. Even though she is aware that the evolving situation is problematic in the local context, she does not speak up or stop the man photographing the girl.
- **Verbal abuse:** The young men from the village ridicule the girl before her brother. They may share what has happened with more people and this may lead to further verbal abuse for the girl and the family. This may be magnified further if the images are shared by the organisation within the community.
- **Physical abuse:** The girl is hit by her brother. If the family is subjected to further stigma and shame, such incidents may reoccur.
- **Social isolation:** The girl may be forbidden from continuing with the adolescent girls' club. She may face further restrictions on her mobility. Worried by this incident, parents of other girls could also restrict their children's mobility and stop them attending the centre.

Steps to reduce risk of harm when obtaining and sharing images

- **Understanding the context:** It is important that organisations understand the specific beliefs and traditional norms of local communities and the potential risks these might create. The organisation needs to consider these vital aspects when planning for activities, and ensure they are included in risk assessments as well as covered in the Safeguarding Policy.
- **Guidance on safe communications:** The organisation should review its existing policy and ensure that consent, dignity and privacy – linked to the socio-cultural contexts – receive due attention within documentation, photography and other communication-related initiatives.
- **Risk assessment:** Before obtaining images or case studies, the organisation should consider potential risks and have measures for mitigating them. For instance, there are potential risks when contracting a male photographer given the nature of the work being done and the community profile.
- **Informed consent:** It can be difficult for children to say 'no' when asked to do something by adults in a position of power or trust. Consent from parents or guardians is an important safeguard. For consent to be meaningful, the organisation must explain what information and images are going to be obtained and how these will be used. Although consent was obtained in this case, the agreements were not adhered to, which undermines consent as a safeguard.

- **Briefing visitors and photographers:** It is essential that external visitors are briefed on the Safeguarding Policy including the Code of Conduct and, ideally, asked to sign a related declaration. This will help them become more aware of socio-cultural considerations and act accordingly.
- **Empowering staff:** The woman staff member should have expressed her concern when the photographer suggested shooting outdoors. However, she may not have felt able and empowered to do so. Staff need training and supportive supervision to ensure safeguarding measures are implemented in practice. They should know that they have the support of the organisation to intervene if someone is not adhering to safeguarding commitments.
- **Withdrawal of consent:** Sometimes, the use of images and case studies can have unintended consequences. It is important that children and their parents or guardians know who to contact if something happens and that they can ask for the image or case study to be removed.

It is also important to remember that if something is shared online, it is difficult to then remove it completely. If images or case studies are to be shared online, this should be explained as part of the consent process.

- **Learning from incidents:** All safeguarding incidents contain learning. The organisation should review what has happened and how they can prevent such incidents in the future. This can also serve as a critical input for future work with the communities. For instance, this case highlights that the organisation must remain vigilant and plan for possible consequences for the girls who participate in its activities. Tracking girls' participation and following up with those who are irregular or drop out may also be needed. Engagement with parents and key community leaders to ensure that they understand the purpose of the organisation's work and the benefits for the girls is essential. Engagement with young men in the community should be planned and undertaken as well.





CASE STUDY 6

Preventing harm online

A local NGO runs a centre promoting digital learning among young adults. It provides training on basic digital literacy, teaching students how to use email, browse the internet and navigate social media platforms. Staff encourage the young people to join social media platforms as an important tool for learning and connecting with others to build professional networks.

The organisation has a very brief Child Safeguarding Policy as this was required by a donor. It spells out the basic principles and priorities. The organisation hasn't developed a Digital Safeguarding Policy yet.

A male staff member finds out that some of the young women have opened Facebook accounts and starts interacting with them online. He sends them encouraging messages highlighting their strengths and potential. He begins to communicate with some of the young women privately on Facebook messenger. Gradually, the messages incorporate inappropriate comments that are seemingly ambiguous but have sexual connotations.

Although uncomfortable with these exchanges, the girls are unsure if they should report the staff member's actions to the organisation. Finally, one of the young women mentions this to a female member of staff. She stresses that she doesn't want to make a fuss but just wants him to stop.

The matter is reported to a senior staff member designated as the organisation's child safeguarding officer. The organisation wants to suspend the staff member but he argues that he has done nothing wrong as communicating with participants – who are adults – is not prohibited in the organisation's code of conduct. The organisation is unsure what to do as he has not breached any written procedure.



Points for discussion

- 1 What are the underlying issues and risks of harm in this case?
- 2 What steps can the organisation take to ensure a safe online environment for young people and minimise risks of online abuse?

Underlying issues and risks of harm

- **Sexual harassment, abuse and exploitation:** The young women experience unwanted contact online. The male staff member is in a position of authority and trust and using these to connect with the young women. The conversations can be a possible conduit for sexual grooming. It could lead to online and offline sexual abuse and exploitation.
- **Emotional harm:** The young women face emotional distress and are also confused about how to respond and stop the inappropriate online contact.
- **Gender norms:** Apprehensions about reporting may be linked to predominant socio-cultural norms where girls must guard their chastity and honour. They are easily blamed for any perceived transgressions, even when it is forced and abusive. The comparatively privileged position of the male staff member adds to the underlying power imbalance.
- **Reputational risk:** If this continues, the community may lose confidence in the organisation and this could lead to participants withdrawing from the programme. If inappropriate communications or relationships are not addressed, donors may also review their funding support for the organisation.

Steps for ensuring a safe online environment

- **Safeguarding Policy and Procedures:** The organisation's Child Safeguarding Policy is clearly inadequate as it does not reflect the organisation's work with the young adult population. The organisation should develop specific guidelines around the use of digital platforms by staff, volunteers and others. These policies should define acceptable use, prohibited behaviours, possible risks, preventive measures and clear consequences for breaches. The policy development process should include a risk assessment with inputs from staff and participants. Experts in this domain can also be consulted. The related legal protections should be explored and added.
- **Establish clear boundaries:** The ease of online contact can lead to blurring of professional boundaries, and it is important that personnel and young people are clear on what is acceptable and what is not. The Code of Conduct needs to explicitly set out the boundaries for communicating with programme participants, including not contacting them on social media, and not sending private messages. Disciplinary actions for non-compliance should be spelt out clearly.

- **Online supervision:** There should be clear processes for monitoring interactions online with participants. Where this is not appropriate (e.g. an online counselling session), additional vetting checks and controls should be in place to ensure appropriate conduct. While organisations may have to interact on social media as part of their work, this should be done by specified personnel who are trained.
- **Protect privacy:** Access to children's and young adults' data, including contact information, should be restricted. Data protection should be prioritised. This should cover collation, storage and use/dissemination.
- **Raise awareness:** Participants often lack awareness about how to protect themselves online, forms of abuse, and systems for reporting concerns. The organisation should undertake trainings on responsible and safe use of digital platforms and communication with participants. This should include understanding the risks associated with online interactions and recognising boundaries. Participants and staff should also be trained on do's and don'ts of online behaviours, recognising any content or engagement that is uncomfortable and unsafe, and reporting the same.
- **Reporting concerns:** The organisation should create confidential and easily accessible reporting channels to share concerns related to online interactions. This could include a phone number or digital reporting tool directly linked to the safeguarding officer. The organisation should ensure that any inappropriate content is removed. It can report such content and request for it to be taken down from other social media sites where it may have been shared or posted by others.
- **Regular review:** Online platforms and the associated risks are constantly evolving. The organisation should conduct regular safeguarding audits, including digital safeguarding evaluations, to identify and mitigate evolving risks. Experiences from implementing the policies as well as the evolving contexts should be reviewed annually.



CASE STUDY 7

Preventing harm from staff and volunteers

A humanitarian organisation works in multiple countries. It supports refugee camps for people affected by natural disasters and humanitarian crises. The organisation has regional coordinators stationed in the headquarters. It has 200 staff across headquarters and sites. It also works with volunteers who take on specific responsibilities to support the staff. Recruitment sometimes happens quickly when a crisis occurs, and additional human resource is required.

The organisation has a Safeguarding Policy. It was developed at headquarters level and then shared with the different teams. Staff have participated in an online training where the policy was introduced.

A 17-year-old boy is touched inappropriately by a male volunteer in a refugee camp. Initially, the boy thinks that the man is being kind and supportive as he had been trying to comfort the boy when he was upset. However, the touching continues and becomes increasingly sexual, particularly when the boy is alone. The boy is reluctant to report it. There are suggestion and complaint boxes installed within the camp, but the boy does not know who reads the notes and worries that others will find out what happened to him.

Eventually, the boy discloses about the incidents to a woman staff member who regularly provides support in the camp. The staff member, though trained in general safeguarding principles, feels unsure about how to deal with the report as same sex relations (even when forced) are illegal in the country and she is wary of how the report will be perceived by the boy's family and legal authorities.

The volunteer had been recruited quickly. Although he took part in a telephone conversation with the Project Coordinator, no other checks were completed. It was later found that he had been investigated for misconduct in a previous role but had left the organisation before the investigation was completed.



Points for discussion

- 1 What are the underlying issues and risks of harm in this case?
- 2 What steps can the organisation undertake to address the harm in this case and prevent further harm from staff and volunteers in the future?

Underlying issues and risks of harm

- **Gender norms:** Typically, in south Asian contexts, boys are reluctant to disclose instances of abuse since it reveals vulnerability and lack of agency that contradicts the traditional stereotype of men being powerful. There is an associated implication of being less manly or feminine, even when the sexual contact is nonconsensual and abusive. Prevailing norms and attitudes and the risk of stigma, coupled with family pressure, can lead to suppressing the incident rather than holding perpetrators accountable.
- **Sexual abuse:** The boy experiences sexual abuse. However, stereotypes of masculinity and the secrecy around sex in some communities can lead to limited sex education and a lack of awareness about consent, boundaries and healthy relationships. This can lead to confusion in deciding whether sexual contact is appropriate or not.
- **Fear of further harm:** The boy is likely to face additional scrutiny and lack of appropriate legal support since same sex relations are illegal in the country. He may undergo further victimisation since existing systems and services are unlikely to be sensitive to his needs. Boys who are perceived as gay or feminine are often vulnerable to bullying and other abusive behaviours from peers and older men. This can include verbal and sexual abuse.

Steps to prevent harm from staff and volunteers

1 Immediate steps

- **Speaking up:** The female staff member needs to report this incident immediately. The Safeguarding Policy should be clear that all concerns must be reported and that these will be taken seriously.
- **Survivor-centred approach:** The female staff member should speak with the boy and understand his immediate needs. This could include speaking to his family as required, though this must be done only after careful considering the pros and cons, seeking input from the boy about who he would like to be notified, and must be undertaken in a sensitive manner. Identifying support is particularly important where there is risk of further harm due to possible adverse or difficult responses from the community. The boy's safety and wellbeing should be the prime concern when deciding the next steps, including whether to inform relevant statutory authorities.
- **Provide support:** The organisation should help the boy access counselling and other services as needed. Given the gender norms in this context, it is important to ensure the services are of good quality, sensitive to his needs and maintain strict confidentiality.

- **Address the risk:** The volunteer should be removed from any role involving direct contact with children and the wider community until an investigation is completed. The boy and his parents/guardians should be informed of the actions being taken to investigate the concern and kept updated on progress. Those conducting the investigation should follow a child-friendly, trauma-informed approach in their interactions with the boy. Key guidelines such as United Nations High Commission for Refugees' Best Interest Determination for Refugee Children should be referred to.

2 Strengthening prevention of harm from staff and volunteers

- **Safe recruitment:** Safe recruitment is essential, even in humanitarian settings. Personal declarations as well as reference checks should be required for all staff and volunteers. The interview should also include questions to gauge candidates' perceptions and attitudes, not just past experience. Safe recruitment procedures should be considered non-negotiable.
- **Reference checks:** References should always check the suitability of individuals to work with children and other vulnerable groups. The organisation can also consider signing up to the **Misconduct Disclosure Scheme** facilitated by the Steering Committee for Humanitarian Response and hosted by the CHS Alliance, which allows organisations to share information on past misconduct.³⁰
- **Supervision of staff:** Ensuring staff and volunteers don't represent a risk to others does not stop at recruitment. It is not possible to know how someone will behave until they are working. It is therefore important that there is a clear system of supervision and oversight to ensure appropriate conduct.
- **Concluding investigations:** This individual had left before the investigation was completed in his last role. Organisations should always aim to conclude investigations into misconduct even where an individual leaves as this will help them defend any later claims by demonstrating that they followed a fair procedure
- **Planning for safety:** Humanitarian organisations often have to respond quickly. The organisation could consider having a pool of volunteers across locations who have been screened and can be engaged at short notice when needed.
- **Practical training:** All staff members and volunteers should be trained on safeguarding, ideally with scenarios and case studies to explore practical realities and discussions on gender stereotypes, power and different forms of abuse. Disclosures could be made to any staff member or volunteer so everyone needs training in how to manage disclosures.
- **Access to advice:** Responding to varied socio-cultural contexts can be challenging. The organisation needs to understand the legal frameworks and provide guidance for reporting and response but also have access to advice for cases that are particularly complex.

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30 Misconduct Disclosure Scheme, <https://misconduct-disclosure-scheme.org/>



CASE STUDY 8

Preventing harm that can exacerbate existing vulnerabilities

A couple work as daily wage labourers to support their family, which includes their fourteen-year-old daughter. The husband falls sick and is hospitalised. The wife is forced to take a loan to cover the escalating expenses. Unfortunately, her husband passes away.

The money lender begins to exert pressure for recovering the loan. He tells the woman that he is willing to forego payment if she agrees to marry her daughter to him. Her husband's male relatives also support this arrangement. Child marriage remains a socially sanctioned custom in the area. Fearing for her daughter's future, the woman relocates to a town in a different part of the country.

She admits her daughter in a school in the town. The school, run by an NGO, adds a new library on its premises. This is launched with a public ceremony that is widely covered in the local media. Several students, including the girl, are interviewed by reporters and their pictures are published in newspapers. This news is picked up by the national television channels.

Two weeks after the event, a group of men led by the money lender arrive at the school and push their way into the Principal's office. They demand information about the girl and her mother including their address. The Principal panics and does not know how to handle the situation.



Points for discussion

- 1 What are the underlying issues and risks of harm in this case?
- 2 What steps can the organisation take to ensure the safety of the girl and her mother?

Issues and risks of harm

- **Lack of adequate planning by the school:** The school did not consider the risks involved in organising the event. It did not consider aspects such as privacy and informed consent when asking reporters to interact with the girls. Parents/guardians were not consulted. This represents significant gaps in terms of safeguarding practice as well as safe communication initiatives.
- **Child marriage and sexual abuse:** The girl may be forced to return to her village with the money lender. He may compel her to marry him. It is extremely likely that she will have no say in the marriage and will be sexually abused.
- **Possibility of abuse for the mother:** The mother, who is widowed, may also face significant harassment and abuse, more so if she is also forced to return to their village. Her husband's male family members may take revenge since she disobeyed them and chose to run away with her daughter.

- **Harm to Principal, teachers and other students:** The group of men may threaten to harm others on the school premises if their demands are not met. This creates risks for the school staff and students.

Steps for immediate protection of the girl and her mother

- **Ensuring safety:** The girl's mother should be contacted quietly without drawing attention. The NGO should, in consultation with the mother, help the two of them move to a safe space. This could be a local women's shelter or any other space with adequate security.
- **Support access to other services:** The school can help the girl and her mother connect with legal and counselling services directly or refer them to other individuals who can help.

Steps to strengthen the safety of students

- **Develop Safeguarding Policy:** The NGO should develop a Safeguarding Policy for the school. This should involve discussions with students, parents/guardians and local community representatives to understand the context, possible risks and mitigation measures. The policy should acknowledge existing socio-cultural concerns that can affect girls' education and how schools can provide a safe and supportive environment for them. Related legal provisions should be included.

- **Prioritise risk assessment:** The organisation should prioritise conducting risk assessments, particularly before key events, through a consultative process. At the same time, it must be mindful of students and parents who may have specific concerns that they may not want to share openly or before others. Accordingly, multiple mechanisms should be developed for drawing inputs.
- **Ensure clear guidelines on communication and data management:** The Policy should include clear do's and don'ts in terms of collating, storing and sharing information about students, including images. Capacity building of the school management and staff must be undertaken on vital aspects like privacy, confidentiality and consent.
- **Build relationships with supportive law enforcement authorities:** The NGO and school administration should identify and build relations with law enforcement authorities. This can be particularly crucial if the school faces a sudden crisis.
- **Learning from experiences:** Specific incidents as well as evolving experiences in implementing the Policy should be reviewed annually, and the Policy updated in response.



Preventing harm in work on critical and controversial topics

A local NGO decides to host a seminar on the issue of honour killings which have occurred in their area of operations. The seminar will bring together speakers from other NGOs and like-minded community leaders. It is expected to provide a platform for sharing of experiences and consolidating approaches that can be followed to combat the practice. A young woman programme officer who is passionate about working for women's rights is assigned responsibility for managing the programme.

The senior management of the organisation is aware that honour killings remain a controversial issue. The seminar could invite unfavourable attention and trigger risks including backlash from local community members supportive of the practice. They also want to ensure the young woman managing the seminar does not face any harm. The organisation undertakes a risk assessment exercise with its staff. Political and socio-cultural dynamics in the region and the history of hostility towards individuals (including social workers) who challenged traditional, gendered norms or spoke against honour killing, as well as reputational risks for the organisation, are considered.

A safety protocol is developed for the seminar. It includes security measures at the venue, advance notice to the local police station, identification of staff members with clear responsibilities to handle various aspects, and evacuation procedures. The seminar is not publicised on social media. Invitations are given only to select, known participants. Participants were invited to join online instead of travelling to the seminar. It is a closed event where media are not invited. The programme officer is briefed about these arrangements. She is informed that she can avail counselling support before and after the seminar if needed.

The seminar is a success. There are no untoward incidents.



Points for discussion

- 1 What are the underlying issues and risks of harm in this case?
- 2 What worked well to prevent harm during the seminar and were there any gaps in the risk management of the event?

Underlying issues and risks of harm

- **Safety concerns for the manager and participants:** Considering the controversial nature of the seminar and continued social sanction for the practice, the organisational staff associated with it face substantial risk of being harmed by those who staunchly support honour killings. The participants at the seminar also face similar safety concerns.
- **Gender norms:** These risks are multiplied for the young woman manager because of her gender. Her involvement, especially in leading the seminar, may be seen as a major transgression of gendered norms where women are expected to be submissive and follow social norms, rather than confront them. The female participants at the seminar may also face similar safety concerns due to their gender.
- **Reputational risk:** The organisation could face backlash from those who support the practice. The opposing community leaders and other such actors may force local communities to stop cooperating with the organisation. The NGO could face a range of hurdles including lack of cooperation from local vendors, risks while travelling, etc.

Steps to prevent harm when engaging on controversial topic

What worked well

- **Risk awareness:** The senior management of the organisation understood the implications of holding the seminar and undertook a risk assessment exercise. It covered possible physical and online risks. Taking time to consider the risk in advance helped reduce any potential harm during the event.
- **Documented safeguards:** The safety protocol was developed based on the risk assessment. This was important to ensure clarity and made it easier to communicate expectations to everyone involved in the event. This can also be adapted for similar events in the future.
- **Safety of staff:** Safeguarding should include risks to staff and volunteers, not just community members and participants. There was a conscious attempt to ensure the safety of the woman programme officer.

Steps to strengthen risk management

- **Holistic understanding of risk:** Work on sensitive topics can create a range of risks. Involving others in the risk assessment process can be helpful. Like-minded community leaders were invited as participants and could have been involved in the risk assessment exercise as well. They could also support plans to mitigate risk such as providing visible support to the organisation's staff members as needed.
- **Safety for all:** It is not clear if the risk assessment exercise placed equal emphasis on the safety of the participants beyond the seminar. For instance, risks could emerge later due to their association with the seminar. It is not clear whether participants were briefed on such implications and the boundaries of support that the organisation could provide if anything were to occur.
- **Confidentiality:** The participants were not briefed on the importance of maintaining confidentiality (and the limits of confidentiality as well). There was no discussion on which aspects they could share and what they could not. This creates risks as people may have varying perceptions of what is permissible. For instance, a participant may post information about the seminar on social media after the event, including photographs which could be used to identify other participants.
- **Longer term harm:** The risk assessment possibly did not include the long-term implications for the safety of the woman programme officer. For instance, she may undertake community visits as part of her work. Her safety may be compromised if news about the seminar reaches those who see honour killings as a socially sanctioned practice.
- **Gender sensitivity:** The programme officer's gender may invite greater scrutiny and judgment from certain sections of local communities. It also makes her more vulnerable. It is important that risk assessments adopt a gender lens and consider the specific risks associated with the gender of staff and participants.
- **Building networks:** The organisation should strategise how it wants to address the issue of honour killing on a long-term basis while also keeping in mind its current and future work with local communities. Dialogue could be continued with community members and other stakeholders who attended the event. A gradual, cautious and incremental approach that involves widening circles of local allies may be helpful.



CASE STUDY 10

Preventing harm to staff and volunteers in programme delivery

A large NGO works with underprivileged tea garden workers and their families. It supports women in forming groups, learning about their rights and increasing access to other livelihood opportunities. The field team includes several staff members from the local communities. As part of their work, the team travels between different tea gardens with significant distances between them.

A female field worker, in her mid-20s, regularly goes on visits to different tea gardens. This is her first job and she is pleased to be able to contribute financially to support her family. Due to the distances involved in visits, she sometimes travels early in the morning or late in the evening, often on her own.

She notices that a man who works in a tea garden is watching her. He is often hanging around when she begins to travel home. He is in his 40s. Over time, he starts making inappropriate comments to her which make her feel extremely uncomfortable. She is unsure about how to respond. She does not want to report the incidents to her supervisor fearing that she would be seen as incapable of doing the work. It might jeopardise her job as well.

Eventually, she tells her supervisor. He is sympathetic but says he has no additional staff to accompany her on visits or provide support. He advises her to handle the situation carefully fearing that confronting the man could disrupt the organisation's work in the tea garden. Shortly after this, the man begins to follow her to her house. Alarmed, she writes a formal complaint to the organisation's Human Resources department and requests that the organisation take immediate steps to protect her during fieldwork.

The organisation has a Safeguarding Policy. It offers broad guidelines on working with the community but does not include any issues related to the safety of staff.



Points for discussion

- 1 What are the underlying issues and risk of harm in this case?
- 2 What steps can the organisation take to ensure staff are safe when working on their programmes?

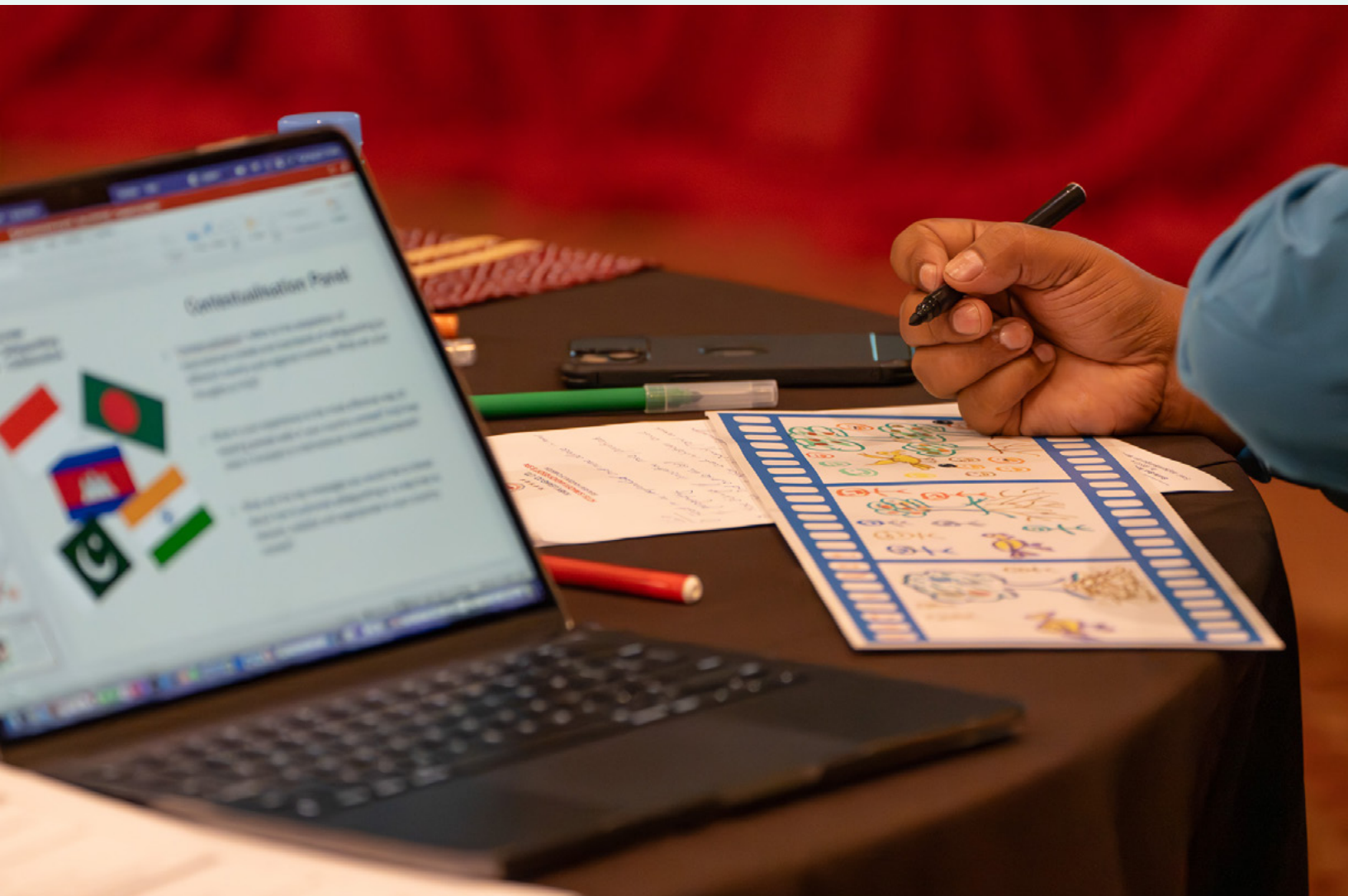
Underling issues and risks of harm

- **Harassment:** The young woman is facing harassment from the man that appears to be escalating. If nothing is done, it could put her at risk of sexual abuse or assault.
- **Gender norms:** Her gendered position make her vulnerable since it allows the man to act inappropriately with her, in keeping with prevailing stereotypes wherein women are subservient and expected to comply with men. Also, he is older than her and it may be difficult for him to accept a young woman in a higher, work-related position.
- **Social inequities:** The young woman is unsure about how to react since the man hails from an underprivileged community. Historically, tribal communities migrated or were bought from other locations to work in the tea gardens. They occupied a lower position in social hierarchies. Setbacks and uneven growth in the tea industry have meant that their financial conditions have not improved substantially. Any steps taken by the organisation may appear to reinforce practices of disrespecting or exploiting people from these communities.
- **Financial insecurity:** The woman fears losing her job. The risk of this happening may be greater due to her age and gender which increase her vulnerabilities. The loss of her earning will affect her family.

Steps to safeguard staff when working on programmes

- **Risk assessments:** These should be a key part of planning and implementing programmes safely and should consider the broad range of risks, including the safety and wellbeing of staff during travel as well as programme activities. It must consider the vulnerabilities of specific groups, such as women, and acknowledge the range of risks that can arise, including from programme participants.
- **Resources for safety:** Resource constraints are a reality in many NGOs. But this should not compromise the safety of those who work. Conducting a risk assessment at the planning and design phase will help identify the resources needed to deliver the work safely so this can be included in project budgets and funding proposals.
- **Policies to fulfil duty of care to staff:** It is common for Safeguarding Policies to focus on preventing harm to beneficiaries/ programme participants due to their specific vulnerabilities and the position of power held by NGO staff. However, organisations have a duty of care to their staff as well. Procedures for undertaking safe programming need to be developed that consider all stakeholders. This can be included in the Safeguarding Policy or in separate procedures/policies. Such policies and procedures should be aligned with legal and regulatory requirements regarding safe workplaces, prevention of harassment of women and other such aspects.

- **Safety when working alone:** If staff are travelling or working alone, steps need to be in place to ensure they can do so safely. They should know who to contact if they feel unsafe or uncomfortable. There should be a process for staff to check in if they are travelling long distances and a process to respond if the staff member doesn't check in at the agreed time.
- **Access to support:** The lack of immediate and supportive response from the supervisor signified deficits and left the woman staff member at risk. The roles and responsibilities of line managers should include providing support to field staff including taking prompt actions for their safety. Staff should be aware of how to escalate concerns if they have raised safety issues and these have not been addressed.
- **Power and vulnerability:** The organisation should undertake internal discussions on gender, patriarchy and other social hierarchies. The importance of respecting women in all spheres of life and appropriate behaviour with them should be reiterated. Related legal provisions and penalties should be highlighted. Key community leaders should be involved in these activities too.
- **Speak up culture:** The organisation should develop a capacity building plan that ensures training and meetings for enhancing understanding and practice of safeguarding. It needs to encourage a culture where staff can share their concerns without feeling judged or fear losing their job.



2.3 Taking timely actions to address actual or suspected harm, abuse or exploitation

CASE STUDY 11

Reporting on sexual abuse and exploitation

An NGO works with historically disadvantaged rural communities, where many adult wage-earners work on lands owned by upper caste families. The NGO helps young people from these communities connect with livelihood opportunities such as agriculture and animal husbandry. Many of the staff are from the same communities as well. The organisation has a brief Safeguarding Policy but it has never been discussed with the young people or other community members.

The organisation arranges a job fair in the village, engaging local volunteers to help with the event. During the job fair, a male volunteer from an upper caste family strikes up a conversation with a 20-year-old woman from the village. He tells the young woman that he likes her and asks for her phone number. She refuses. But he gets her number from his friend who is employed at the NGO by claiming that he will help her find a job. He starts messaging her. When she fails to respond, he takes her WhatsApp profile photograph, morphs it and sends her lewd images. He threatens to share the photographs on Facebook if she does not meet him.

The young woman complains to a female staff member. The female staff member knows that the employee who shared the number is related to the director of the NGO and the volunteer is also seen as part of the director's family. She is worried that a complaint about them would not be received well internally. Moreover, the director heads the safeguarding committee and is therefore unlikely to respond to the complaint. She is also worried that if this incident is revealed, it will affect the organisation's credibility and future work in the area.

The female staff member advises the young woman not to make a complaint to the NGO or the police. She says that if the young woman doesn't respond or encourage him, the man will eventually lose interest and stop harassing her. She says that it is better if she keeps quiet otherwise people will only blame her for encouraging the man's attention.

Points for discussion



- 1 What are the underlying issues and risks of harm in this case?
- 2 What steps can the organisation take to encourage proactive reporting of safeguarding concerns within the community and within their own organisation?

Underlying issues and risks of harm

- **Societal power imbalances:** This case highlights the risks that can occur due to unequal power based on gender, caste and wealth. They are often magnified in impoverished and disadvantaged communities, where raising complaints against those in positions of power can have a significant impact on the affected individuals and their families.
- **Organisational power imbalances:** Hierarchies and imbalances of power also exist within organisations and mirror those prevalent in wider society. Without appropriate checks and balances, this can undermine efforts to build a safe organisation as individuals fear speaking out against those in positions of power.
- **Gender norms:** The young woman risks shame and stigma if the incident is revealed. Girls and women are often blamed for transgressing family honour when engaging in romantic interactions. They attract considerable censure even if the attention is forced. The female staff member upholds such norms and perpetuates a culture of silence by discouraging the young woman from reporting. She is also influenced by the caste and power hierarchies within the community and the organisation.
- **Sexual abuse:** The male volunteer is attempting to force the girl into a non-consensual relationship. The initial online abuse creates the risk of offline harm as well especially since they live in the same area. If the abuse is not reported, it may lead to a greater sense of impunity (for the male volunteer) and increase potential risks for the young woman.
- **Sexual exploitation:** This case represents 'sexual exploitation' since the volunteer is coercing or threatening the woman using sexually explicit images to blackmail her.
- **Emotional harm:** The woman feels alone and powerless to stop the escalating abuse online and offline. This could have a significant impact on the young woman. If the abuse persists, the risk of young woman being forced to take her own life (fearing the shame and stigma associated with the sharing of sexualised images) cannot be ruled out.

Steps to encourage proactive reporting of safeguarding concerns

1 Encouraging reporting in the community

- **Raise awareness:** The Safeguarding Policy, including the reporting channels, should be discussed in age-appropriate ways with children, young people, parents and other key local stakeholders (e.g. women's groups, community leaders, government representatives). Their views should be obtained and used to ensure that reporting mechanisms are safe and accessible.
- **Increase visibility:** Information about how to raise concerns should be reiterated prior to events, meetings and workshops. This can be done verbally. The information can also be displayed at venues and/or suggestion boxes placed at accessible locations.
- **Ensure accessibility:** Details of who to contact with concerns (e.g. designated safeguarding contacts or committee members) should be included in the information shared. However, it is important to recognise that people talk to individuals they know and trust, particularly on sensitive issues. This means that any staff member could receive concerns. Therefore, all staff members should be trained in what to do if this happens.

2 Ensuring reporting within the organisation

- **Clear and safe procedures:** The Safeguarding Policy should provide staff with clear information on how to report a concern. It should stress that discrimination or mistreatment of individuals who report will not be tolerated. Channels for recourse should be outlined.
- **Recognising power dynamics:** For reporting procedures to be effective, factors such as gender, patriarchy and power need to be considered since these may inhibit reporting. Having multiple reporting channels is essential, including scope for informing a trusted person internally. There should be options in terms of engaging the governing body or trustees or an external member in a safeguarding committee. Information can also be provided about possible external agencies that can be contacted where those in power are implicated (e.g. any district level body or functionary, State commissions for women, etc.).
- **Clear responsibilities:** People are more likely to report if they feel that the concern will be treated fairly and in confidence. The roles and responsibilities of the Safeguarding Committee, including an external member, should be clearly set out. The external member can provide an independent perspective. Ideally, this person would have expertise in the domain of safeguarding, law or related domains.
- **Raise awareness:** All staff and volunteers should receive training which includes how to report concerns. This should cover how to identify potential abuse, how to report, and the consequences for not reporting. Periodic refresher trainings should also be organised including for personnel in safeguarding roles and/or safeguarding committees.



CASE STUDY 12

Responding to abuse of religious power

An 11-year-old girl is studying in a private school run by a faith-based organisation. She has become increasingly irritable and, at times, aggressive with peers. Her academic performance has also slipped significantly. Her class teacher is a religious leader who is very strict and places a premium on academic success and adherence to conservative religious norms. He is worried that the child's behaviour will adversely affect the reputation of the class and the school.

One day, the teacher sees the child being disruptive and reprimands her. The child ignores the teacher and slams her desk. The teacher makes the child stand on top of the desk. He tells her that she is bringing down standards and should be ashamed of herself. He scolds her for disrespecting him, reminding her that as a religious leader he is a representative of God on earth. He states that God will punish her for her behaviour. He instructs the other students not to speak to her till she learns how to behave herself, since they may get corrupted in her company.

The child is extremely angry and feels humiliated. Her parents speak to her about what has happened. Initially, they are not sure about what to do. Their daughter's mental health deteriorates, and she starts ideating about self-harm. This convinces the parents to file a complaint with the school.

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31 InTouch, 2020



Points for discussion

- 1 What are the underlying issues and risks of harm in this case?
- 2 What steps could the organisation take to respond to the concern and strengthen safeguarding within a faith-based context?

Underlying issues and risks of harm

- **Spiritual abuse:** Spiritual abuse can be defined as 'when a person uses spiritual or religious beliefs to hurt, scare or control someone'³¹. It is linked to misuse of authority and power derived from a spiritual institution or teaching and condoned due to the prevailing perception that faith leaders are infallible. Religious leaders, in south Asian contexts, are seen as important spiritual guides and mentors. They hold considerable power. The parents are wary of reporting about their daughter's mistreatment and abuse since they are influenced by the common sentiment of devotion and regard for religious leaders.

- **Emotional harm:** The treatment by the teacher constitutes verbal and emotional harm. Although the teacher may value strict discipline in their classroom, subjecting the child to humiliating treatment in front of her peers is a form of abuse that has a serious impact.
- **Self-harm:** This is a grave fall out of the emotional harm experienced by the child. It may be her way of finding release from a difficult situation where the perpetrator enjoys religious and social sanction. In some cases, individuals may turn to self-harm as a form of self-punishment or way of feeling in control. The girl requires urgent attention for her safety and wellbeing.
- **Investigate the concern thoroughly:** It is important that the complaint is investigated by individuals with expertise and authority, who understand the religious context but also hold sufficient autonomy to ensure due process. Ideally, there should be a committee with diverse expertise to consider all aspects of the complaint and recommend suitable actions. There must be adequate buy-in from the management and from local leadership of the religious group to increase the likelihood of successful outcomes in the safeguarding inquiry.
- **Mitigate risk of harm:** The school will need to determine whether it is appropriate for the teacher to be suspended while the concerns are investigated. They should consider the risk to the girl and to other children who may have experienced similar treatment. Where suspension is not immediately possible (e.g. due to legal or policy restrictions), the school should explore assigning a different member of staff to the class and placing restrictions around the teacher's interactions with children, particularly the girl who has suffered harm, while the investigation is conducted. He should be warned not to reach out or try to influence the girl and her family.
- **Assess wider risks:** The school should also conduct a risk assessment exercise on how to handle the case without causing secondary victimisation or triggering a backlash from conservative or fundamental forces within and outside the school.

Steps for responding to the concern and strengthening safeguarding in faith-based organisations

1 Immediate steps

- **Acknowledge and be accountable:** The process of acknowledging, responding to and standing up to spiritual abuse within a faith-based organisation can be challenging. The school must be made aware of its duty of care towards students as well as legal obligations to ensure their safety. The school should assure the parents that the complaint will be dealt with fairly without reprisal. The parents should be provided with clear information about how their concern will be managed and the steps taken to ensure the girl's welfare.

2 Steps to build a safeguarding culture in faith-based organisations

- **Acknowledgement of spiritual abuse:** It is essential that policies and practices include an acknowledgment and definition of spiritual abuse.
- **Develop or review and enhance the organisation's Safeguarding Policy:** A commitment to keeping children safe forms the foundation of building a safe environment for secular and faith-based organisations. Principles of equality, non-discrimination, and freedom of conscience should be considered. The policy development/review process should include sessions with children, parents, religious members and other key community members to strengthen awareness and build a stronger sense of community grounded in universally recognised human rights values. Safeguarding aspects should be included in capacity building, ensuing messages that uphold progressive religious values are reiterated.
- **Contextualise policy and practice:** Commonalities between human rights and key spiritual values should be emphasised. Directives from supportive religious authorities can be used to drive discussions on policy development and practice. Key legal and regulatory obligations for schools and workplaces should be stressed.

Internal monitoring mechanisms should involve religious leaders at appropriate higher levels as well as external experts to deepen safeguarding practice. Providing progressive spiritual guidance for religious functionaries who may be subjects of enquiries should be considered.

- **Safer recruitment guidelines:** There should be clear guidelines for appointment of personnel. While religious understanding may be important, this should be balanced with ensuring positive attitudes towards keeping children safe. This can be supported by performance appraisals for staff (religious and lay) to monitor adherence with the Safeguarding Policy. The religious functionaries may need additional engagement and follow up.
- **Effective complaints mechanisms:** Robust and accessible complaints mechanisms are essential. These should include independent, inquiry committees, focal points and advisors. Support services for the affected persons should be prioritised. Whistleblowing policies and alternate reporting pathways should receive attention as well. There must be support services for the affected persons and the subjects of complaints.



CASE STUDY 13

Responding to online harm

A large, urban NGO focuses on supporting young people dealing with mental health challenges through various online platforms and programmes. Typically, young people are encouraged to become join online groups where they can discuss various issues related to their daily lives. Members can also access trained counsellors as needed.

The organisation has a Digital Safeguarding Policy that outlines guidelines for membership, the nature of online content and discussions, and roles and responsibilities, as well as reporting and response mechanisms for any safeguarding violation linked to the platforms. The organisation provides periodic staff training and refreshers on mental health and wellbeing as well as digital safeguarding.

The organisation has moderators who monitor content on digital platforms. However, the senior management is aware that real-time response to sensitive situations can be challenging. Also, they do not have sufficient resources to provide moderators beyond working hours.

At night, a 16-year-old girl posts distressing content about feeling depressed and considering self-harm in an online group. Most of the comments are supportive but some members tell her she shouldn't be talking about self-harm and that it's "just in her head".

The moderator returns to work the next day and can see a long trail of messages. He then sees a post from the girl saying she feels betrayed since her comments have been shared multiple times on social media platforms beyond the closed groups run by the NGO. She mentions that she feels even more hopeless about continuing with her life. The moderator feels ill equipped to handle this escalating situation.

Points for discussion



- 1 What are the underlying issues and risks of harm in this case?
- 2 What steps could have been taken immediately and also for strengthening management of safeguarding concerns online?

Underlying issues and risks of harm

- **Attitudes to mental health:** While there is a growing awareness about mental health and wellbeing, myths and misconceptions exist in south Asian contexts. Certain traditional cultural values and norms view admissions of vulnerability and impaired mental health as signs of weakness and personal failing. The associations of mental health with being insane persist. The young woman may face further adverse reactions at college and beyond her immediate circle since the messages have been posted on multiple platforms by others.
- **Self-harm, including suicide:** It appears that the trolling and sharing of personal information is causing the young woman's mental health to deteriorate. The possibility of her harming herself is likely to escalate unless prompt support is provided.
- **Social contagion:** There is some evidence that young people may be more susceptible to trying self-harm or suicidal behaviours they see online because they over-identify with the people posting this content. This is known as social contagion. This represents a significant risk to the wellbeing of other group members.

Steps to manage safeguarding concerns online

1 Immediate steps

- **Escalate the safeguarding issue:** This issue requires multiple actions to reduce the risk of harm. Senior staff, line managers and designated safeguarding personnel should immediately step in. A clear safeguarding escalation procedure is needed so that designated safeguarding staff can provide support and guidance, especially to the moderator.
- **Immediate support for the young woman:** She should be provided with support as soon as possible. The moderator should involve others who are better equipped to intervene. The designated safeguarding staff should ask a trained counsellor to contact the woman and provide support. Her family members may also need to be contacted and engaged with.
- **Remove harmful content:** The organisation should initiate a process for removing harmful posts on its own platforms. A reminder should be placed on the site about respectful treatment of others and key do's and don'ts when responding to sensitive messages.

- **Report harmful content on external sites:** The moderator should immediately ask for harmful posts to be removed from other social media sites following the processes outlined for this. This may include providing screenshots or links to the content. It is important to note that it may not always be possible to get content removed immediately or completely.
- **Support to others affected:** Mechanisms for checking in with other group members is essential and should be prioritised as well. Also, reading and responding to harmful content can be distressing for moderators, particularly if they are doing this on a regular basis. It is important that moderators have access to support to process their experiences.

2 Strengthening the management of online safeguarding concerns

- **Safety by design:** When developing online interventions, it is important to build safety elements into the design from the outset. This includes conducting a thorough risk assessment and ensuring there are enough resources in the budget to put appropriate safeguards in place. This might include technological solutions as well as trained staff. The organisation should be aware of and adhere to any legal obligations in the country where they operate.
- **Establish expectations:** There should be community guidelines for online groups that set out expectations regarding conduct and what will happen if these are breached. Forms of online misconduct may also differ or evolve. The organisation should remain updated about this. The community guidelines should be developed in collaboration with young people and be reviewed periodically with them. Key messages, drawn from the community guidelines, should be reiterated regularly to promote a safe and inclusive online environment.
- **Set moderation times:** It may not be possible to constantly moderate online communities. It's important to be clear about the times when moderators are not available and visibly signpost to alternative sources of help at those times. Some platforms allow controls on when content is published so that members can't publish or access unmoderated content.
- **Escalation protocols:** Procedures should be in place to handle situations where distressing or harmful content is posted and which require escalation. This should include considerations of privacy, consent, confidentiality (and grounds where such confidentiality can be breached). Moderators need specific training using real-life scenarios to promote learning.
- **Encouraging feedback:** Secure and confidential feedback mechanisms should be in place. This can also help identify lower-level concerns before they become more serious.

CASE STUDY 14

Reporting and responding to harm wherein significant power imbalances exist

An NGO runs a school and health clinics in an area with a rural, migrant population. This includes communities that have moved here from other districts in the country, and a small population who are refugees from a neighbouring country. Some of the refugees do not have legal documents. The founder of the organisation is also the Executive Director and most of the Governing Body and staff members in the organisation are related to the founder or are otherwise close to him.

A 20-year-old woman discloses to a frontline female staff member that she has been sexually harassed by the founder. The woman is an undocumented refugee. The organisation has a Safeguarding Policy and the founder heads the safeguarding committee. The Policy has a provision for reporting to a Governing Body member, in case of suspected abuse by the founder. However, all staff members are aware of the close ties between the Governing Body members and the founder. Reporting to the police is risky because of the woman's undocumented status. The staff member does not know what to do. She starts avoiding the young woman, who is left feeling helpless and alone.

Points for discussion

- 1 What are the underlying issues and risks of harm in this case?
- 2 What steps can be taken to facilitate reporting and response of concerns, particularly where people who are extremely vulnerable are affected?

Issues and risks of harm

- **Gender and power imbalances:** The woman's gender and social and legal status make her extremely vulnerable while the male perpetrator holds considerable power as the head of the organisation. He also heads the safeguarding committee. The whistleblowing provision may not work since the Governing Body members may be unlikely to act against him. Thus, the young woman is left with no recourse in terms of organisational safeguarding processes. It is possible that the director is fully aware of these factors and consciously chose to target her.
- **Sexual abuse:** The young woman experiences sexual abuse. Since the perpetrator appears to enjoy considerable impunity, he may subject her to further abuse as well.
- **Limited/no access to key support services:** Since she does not have valid legal documents, it is challenging for the woman to access health services beyond what is offered by the NGO. Reporting to the police could lead to detention and deportation. She may get separated from her family. It may also draw greater attention to others in a similar position in the area. This could lead to retaliation and further risks of harm for her.
- **Emotional harm:** The young woman is experiencing mental distress. The lack of a proactive supportive response from the woman staff member adds to her worries. Her mental and physical health is likely to deteriorate further if she does not receive support.

Steps to be taken for facilitating reporting and response

1 Immediate steps

- **Ensuring safety:** The first responsibility of the woman staff member is to consider ways of ensuring the safety of the young woman. This should be done in consultation with the young woman as she will have the best understanding of her personal circumstances, can inform discussions on potential risks, and may be able to identify individuals from her network who can provide support.
- **Accessing support:** Accessing support is crucial. The woman staff member or another designated staff member should talk to the young woman about engaging with her family or others close to her. They could support conversations with them as well. Potential risks associated with informing the family should be considered.
- **Selecting appropriate reporting channel:** The staff member should explain the steps in the reporting protocol and related consequences. Considering the existing power dynamics, the staff member can suggest alternate options for reporting. The United Nations High Commission for Refugees (UNHCR) can be contacted for support. Other actors who could be involved include national human rights institutions and women's rights groups or organisations. The young woman should be encouraged to share what she wants.
- **Reporting to funders:** In organisations where power is concentrated in the hands of the senior leadership, funders can play an important role in ensuring the organisation (particularly the governing bodies) makes the safety of programme participants a priority. In cases where internal reporting or reporting to other agencies is not possible, reporting to a donor/funder is also an option. However, it is important to recognise that the funder may not have specialist staff trained to deal with these matters and so expectations about the funder response need to be managed carefully.
- **Reducing contact between the perpetrator and the young woman:** This is normally a key step in ensuring safety while investigations are undertaken but may be more difficult in this case due to the position of the Executive Director. It may be easier to enforce if a reputed external agency or donor is involved and can apply pressure for the governing body to take appropriate action.
- **Providing support during enquiry:** The woman staff member or other staff should periodically check in with the young woman and explore ways to link her to trusted and confidential counselling services. The woman's wishes on accessing services must always be taken into account and referrals made with her knowledge and consent.
- **Follow up with external agencies:** Although cases may be referred to other agencies, there can be delays in action being taken. It is important that organisations consider what follow up is required to ensure the matter is being investigated and the young woman is kept updated so that she does not lose faith that action is being taken.

2 Steps for ensuring reporting and addressing of cases involving extremely vulnerable people

- **Review Safeguarding Policy and incorporate additional checks and balances:** The Safeguarding Policy should acknowledge that substantial power differentials between the victim/survivor and perpetrators can significantly affect reporting and response processes. The policy should build on the principles of Do no harm, confidentiality and empowerment, where people are encouraged to take decisions with informed consent.
- **Consider power imbalances in the design of safeguards:** Specific checks and balances should be incorporated into the Safeguarding Policy that take into account power imbalances. For instance, the Safeguarding Committee should not be headed by the Director. A staff may not feel comfortable sharing a concern directly with the Director. Moreover, a concern can be about the Director himself. An experienced and trusted external member should be included in the committee. Alternate options for reporting and whistleblowing should be integrated in the Policy.
- **Where victims/affected persons do not want to make a formal complaint:** In such situations, the organisation should still consider the matter with utmost seriousness. It can choose to undertake an internal investigation without involving the victim (or, at the least, a reflective discussion) to generate recommendations for actions to prevent such incidents in the future. The specific process decided upon should not jeopardise the safety and wellbeing of the victim.
- **Strengthening Governing Bodies:** Governing bodies play a critical role in promoting safeguarding – this includes holding senior leadership accountable and providing an alternative avenue for reporting. To be effective, close personal ties should be considered when selecting members of governing bodies to avoid conflicts of interest. Members of the governing body should also receive training on safeguarding and their role as they may not be familiar with expectations.
- **Emphasise Governing Body’s role in safeguarding:** The Governing Body, especially the President, must be clear that they are responsible and can be held accountable for lapses in safeguarding. There should be periodic review and discussions at the Governing Body level on the implementation of the Safeguarding Policy. These discussions should be linked with the organisation’s responsibility for ensuring compliance with legal and regulatory frameworks for safe workplace and actions against sexual harassment.
- **Identify possible service providers and other allies:** The organisation and the safeguarding committee should identify agencies that can provide inputs and services as needed. These could be related to psychosocial and legal support, medical needs, safe emergency housing, etc. Contact information for like-minded organisations and networks should be maintained and available for quick reference.



Sajek Valley, Bangladesh

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Appendices

Appendix A: International Safeguarding Standards

Agency	Standards	Overview
United Nations Inter-Agency Standing Committee (IASC)	Six Core Principles for Protection from Sexual Exploitation and Abuse (PSEA)	These core principles outline prohibited behaviours for anyone working within UN agencies and their partners. These form part of wider UN expectations on the prevention of sexual abuse and exploitation.
United Nations	Minimum Operating Standards for Protection from Sexual Exploitation and Abuse (PSEA)	These standards cover eight core areas that all UN agencies and their partners must adhere to. These form the basis of the UN PSEA capacity assessment that partners must undergo to obtain funding from the UN.
CHS Alliance	Core Humanitarian Standard on Quality and Accountability (CHS)	The CHS sets out nine commitments for humanitarian and development actors to ensure organisations are accountable to communities affected by crises. Although not specific to safeguarding, they do contain commitments on reporting concerns, ensuring communities are aware of their rights, and employing competent staff. CHS has been endorsed by government funders as a key standard for safeguarding.
Development Assistance Committee (DAC)	Recommendation on Ending Sexual Exploitation, Abuse, and Harassment in Development Co-operation and Humanitarian Assistance	This is the first international standard for governments that applies to aid agencies working on development programmes or delivering humanitarian aid. It covers policies and professional conduct standards, reporting, response and support mechanisms, training and awareness raising, coordination, monitoring and evaluation.
Keeping Children Safe	Child Safeguarding Standards	The Keeping Children Safe standards focus exclusively on safeguarding children. They cover four key areas: policy, people, procedures and accountability, and are accompanied by facilitation guides to support implementation.

Appendix B: Key International and Regional Commitments Relevant for Safeguarding

International commitments

Convention/Declaration	Status (Bangladesh, India and Pakistan)	Focus Areas
Universal Declaration of Human Rights (UDHR), 1948	The three countries have signed the UDHR	The UDHR serves as the foundational document for global human rights standards. The UDHR emphasises the right to life, liberty, and security of persons, as well as the right to protection from torture, inhuman or degrading treatment, and arbitrary detention.
United Nations Convention on the Rights of the Child (UNCRC), 1989	The three countries have ratified the CRC	The CRC outlines the rights of children to survival, development, participation and protection. It calls for the establishment of appropriate national laws and mechanisms to safeguard all children from harm and holds state parties i.e. countries, responsible for the same.
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979	The three countries have signed the CEDAW	The CEDAW provides a comprehensive framework for achieving gender equality and ensuring that women's rights are upheld. It mandates state parties to take measures to eliminate gender-based violence; discrimination in education, employment and family life; enhance women's access to justice; and promote equal participation in decision-making processes

Convention/Declaration	Status (Bangladesh, India and Pakistan)	Focus Areas
<p>ILO Convention No. 138 on the minimum age for employment, 1973, and ILO Convention No. 182 on the worst forms of child labour, 1999</p>	<p>The three countries have signed the two Conventions</p>	<p>These conventions obligate states to establish legal frameworks to prevent child labour and enforce age-related restrictions, particularly in hazardous sectors; provide education and support to children at risk; and undertake rehabilitation measures for child workers.</p>
<p>United Nations Convention on the Rights of Persons with Disabilities (CRPD), 2006</p>	<p>The three countries have ratified the CRPD</p>	<p>The CRPD affirms the rights of persons with disabilities to equality, dignity, decision making and protection from exploitation. The CRPD calls for the removal of barriers – both physical and societal – that hinder the full participation of persons with disabilities in social, economic, and cultural life and ensure legal provisions for the same.</p>
<p>International Covenant on Civil and Political Rights, 1966, and International Covenant on Economic, Social and Cultural Rights, 1966</p>	<p>The three countries are parties to the covenants</p>	<p>These covenants outline civil, political, economic, social, and cultural rights and emphasise the protection of individuals from violence, arbitrary arrest, and discrimination. Both require state parties to take measures to safeguard the rights of all individuals, especially vulnerable groups, and to address systemic inequalities that perpetuate harm.</p>
<p>Optional Protocol to the United Nations Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography, 2000</p>	<p>The three countries have ratified the Optional Protocol</p>	<p>The Optional Protocol seeks to protect children from these severe forms of exploitation. The countries have committed to taking legislative and operational measures to prevent and address the sale of children and the exploitation of children through prostitution and pornography.</p>

Regional commitments

Convention/Declaration	Status (Bangladesh, India and Pakistan)	Focus Areas
<p>South Asian Association for Regional Cooperation (SAARC)³²</p>	<p>The three countries are members</p>	<p>SAARC offers a platform for collaboration, sharing good practices, and ensuring that regional priorities are addressed within national policies and actions. Its conventions include the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution and the SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia.</p>
<p>South Asia Initiative for Ending Violence against Children (SAIEVAC)</p>	<p>The three countries are members</p>	<p>In 2010, SAIEVAC emerged as SAARC's apex body for promotion and protection of children's rights. National Action and Coordination Groups were also instituted. Child protection systems and child participation are crosscutting themes for SAIEVAC. Key issues covered include child labour, sexual abuse and exploitation, trafficking, corporal punishment, and child marriage.</p>

32 SAARC covers Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka.

Appendix C: Key Legal Instruments in Bangladesh, India and Pakistan³³

Bangladesh

Legal Instrument	Overview
The Constitution of the People's Republic of Bangladesh	The Constitution of Bangladesh provides several safeguards and policy directives to protect the rights and interests of women, children, and vulnerable persons and communities.
Penal Code, 1860	The Penal Code contains provisions that recognise the limited criminal responsibility of children, based on their age and level of maturity. It also addresses crimes such as abuse and exploitation, with the objective of protecting children from harm and ensuring that their rights are upheld. It provides legal safeguards primarily for women, children, and other vulnerable individuals against acts of violence, harassment, and exploitation. It includes a legal definition of rape.
Dhaka Metropolitan Police Ordinance, 1976	Section 76 of the Dhaka Metropolitan Police Ordinance ensures safeguarding of women by criminalising harassment in public spaces. It serves as a legal measure to deter indecent behaviour and protect women's dignity.
The Prevention of Oppression Against Women and Children Act, 2000	The Act aims to prevent and punish violence and abuse against women and children and covers crimes like rape, dowry-related violence, and trafficking with strict penalties.

³³ The information on legal instruments does not purport to be exhaustive or conclusive, instead it is meant to be indicative. Law and rules are subject to change or modification by subsequent legislative or judicial action or decisions.

Legal Instrument	Overview
The Legal Aid Services Act, 2000	The Act contributes to safeguarding by providing free legal support to vulnerable individuals, especially those facing abuse, exploitation, or injustice. It ensures their rights are protected and upheld through access to fair legal processes.
The Acid Crime Control Act, 2002	The Act specifically addresses acid attacks, a serious form of violence in Bangladesh. It ensures speedy trials and severe punishment for perpetrators.
The Bangladesh Labour Act, 2006	The Act prohibits child labour and ensures workplace safety and workers' rights. It includes provisions for maternity benefits and protection against workplace harassment. It also outlines responsibilities for employers and punishments for violations.
High Court Directives for the Protection from Sexual Harassment at Workplaces, 2009	These directives establish guidelines to prevent and address sexual harassment in professional settings. They aim to create a safe, respectful work environment, especially for women, by holding institutions accountable for protection and redressal.
The Right to Information Act, 2009	The Act serves as a powerful tool to ensure protection for women, children, and vulnerable groups by promoting transparency and accountability in public services. It allows individuals to access information about their legal rights and government services, helping them challenge denial, negligence, or discrimination. By enabling citizens to demand explanations from authorities such as police, schools, and social welfare departments the Act helps prevent exploitation and ensures justice. It also empowers victims and their families to track case progress and demand proper support, while allowing civil society to monitor service delivery and advocate for reforms.
The Domestic Violence (Prevention and Protection) Act, 2010	The Act protects victims of domestic violence including physical, emotional, and economic abuse. It ensures legal protection and shelter for victims through court-issued protection orders.
Ministry of Education Order to end corporal punishment in educational institutions, 9 August 2010, and Guideline circulated 21 April 2011	This Order protects children and students from physical punishment and prohibits corporal and mental punishment of students in educational institutions. These steps were taken to ensure a safe, supportive, and respectful learning environment for all students

Legal Instrument	Overview
The Human Trafficking Deterrence and Suppression Act, 2012	The Act targets human trafficking for labour, sexual exploitation, or other forms of abuse. It also provides strict punishment for traffickers and outlines rehabilitation for victims.
The Pornography Control Act, 2012	The Act outlines offences related to pornography (including production, sale, distribution and display) as well as related penalties. Child pornography and producing pornographic content through coercion are included.
The Children's Act, 2013	The Act provides a legal framework for child protection and welfare with the aim of bringing the country in line with provisions of international standards such as the United Nations Convention on Rights of the Child. It mandates child-friendly procedures in legal settings and outlines responsibilities for child welfare officers.
The Rights and Protection of Persons with Disabilities Act, 2013	The Act ensures equal rights, safety, and dignity for people with disabilities. It mandates accessibility and protection against discrimination and abuse.
The Child Marriage Restraint Act, 2017	The Act prohibits marriage under the age of 18 years for girls and 21 years for boys and imposes penalties on guardians and officials involved in underage marriages.
The Dowry Prohibition Act, 2018	The Act prohibits the giving or receiving of dowry in marriages. The violators face imprisonment and fines.
Ministry of Education, Anti-bullying and ragging policy for educational institutions, 2023	Though not a legal instrument, the policy is significant as it mandates strict measures to combat bullying and ragging (verbal or physical abuse of new students) in educational institutions throughout the country.

India

Legal Instrument	Overview
The Constitution of India (Fundamental Rights: Article 12–35)	All laws to protect and uphold the rights of individuals in India emanate from the overarching fundamental rights enshrined in the Indian Constitution. Although the fundamental rights are not generally directly enforceable where non state entities are involved, The Supreme Court of India has in some instances extended this requirement to private entities (which may also include NGOs).
The Immoral Traffic Prevention Act, 1956	The Act prohibits human trafficking for sexual exploitation of women and children for commercial purposes. It criminalises the running and managing of a brothel and soliciting in public places.
The Bonded Labour (Abolition) Act, 1976	This law abolishes ‘bonded labour’ which is a system of forced labour where a debtor enters into an agreement with a creditor to render services, either himself or by a dependent family member, with nominal or no wages in consideration of a loan or economic consideration obtained by himself or one of his ascendants.
The Indecent Representation of Women (Prohibition) Act, 1986	The Act prohibits indecent representation of women in advertisements, publications, writings, paintings, figures or in any other manner.
The Child Labour (Prohibition and Regulation) Act 1986, amended in 2016	This law (after the amendment) prohibits all employment for children under the age of 14 years. Children aged 14–18 years are not allowed to work in hazardous jobs. Children who are allowed to work must do so only outside school hours and during vacations.
The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989	The Act prevents the commission of atrocities against members of the Scheduled Castes and the Scheduled Tribes, provides for Special Courts for the trial of such offences, and for the relief and rehabilitation of the victims of such offences.
The National Commission for Backward Classes Act, 1993	The Act established the National Commission for Backward Classes (NCBC). This body has the power to examine complaints regarding inclusion or exclusion of groups in the list of backward classes, and to advise the central government in this regard.
The Information Technology Act, 2000	The Act defines cybercrimes and lays out the relevant penalties.

Legal Instrument	Overview
<p>The Protection of Women from Domestic Violence Act, 2005</p>	<p>The Act protects married women, and women in relationships in the nature of marriage, from violence in domestic relationships. It provides rights and protections for women in such situations such as the establishment of protection officers and the right to reside in a shared household regardless of ownership, preventing women from being forcefully evicted by their husband and his family.</p>
<p>The Prohibition of Child Marriage Act, 2006</p>	<p>The Act prohibits marriage of girls under 18 years and men under 21 years of age. It has enabling provisions to prohibit child marriages, protect and provide relief to victims, and enhance punishment for those who abet, promote or solemnise such marriages. Child marriage is voidable at the choice of a contracting party who was a child at the time of solemnisation.</p>
<p>The Protection of Children from Sexual Offences (POCSO) Act 2012, amended in 2019</p>	<p>The Act deals with sexual offences against children. It also outlines child-friendly processes to make legal cases less taxing on children. It lays down the obligation for mandatory reporting for any individual who becomes aware that a child has or is likely to experience sexual offence.</p>
<p>The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013</p>	<p>The Act aims to ensure that no female employee experiences sexual harassment at the workplace and has provisions to ensure the creation of a culture which makes employees aware of this right. It includes a requirement for a redressal mechanism body within an organisation specifically for looking into cases of sexual harassment experienced by women at the workplace.</p>
<p>The Transgender Persons (Protection of Rights) Act, 2013</p>	<p>The Act protects the rights and welfare of trans people. It prohibits discrimination and ensures they get equal opportunity in education, employment and healthcare facilities. There is a legal obligation for companies and institutions (which would include NGOs) not to discriminate against trans people in hiring, promotion and other related issues and to have a designated complaint officer to look into complaints of violations of this Act. However, a person must obtain a certificate of identity from the government to be recognised as a transgender person for the purposes of this law.</p>

Legal Instrument	Overview
<p>The Juvenile Justice (Care and Protection of Children) Act, 2015, amended in 2021</p>	<p>This law covers children who are (a) in conflict with law, and (b) in need for care and protection. It sets out relevant structures for dealing with matters related to these children. It also covers adoption. Punishment for offences against children are outlined. It provides procedural safeguarding for children involved in legal court cases.</p>
<p>The Rights of Persons with Disabilities Act, 2016</p>	<p>The Act aims to empower persons with disabilities in line with the United Nations Convention on the Rights of Persons with Disabilities, 2006. It places an obligation on all establishments with more than 20 employees to publish an equal opportunity policy which details how many posts are available for persons with disabilities, the facilities and amenities provided to them, and the manner in which recruitment and post recruitment support and training are provided. It requires employers to nominate a liaison officer for persons with disabilities.</p>
<p>The Mental Healthcare Act, 2017</p>	<p>The Act provides a rights-based approach to mental health care and treatment and places an obligation on the government and mental health professionals to protect the rights of persons with mental illness.</p>
<p>Labour Codes 2020:</p> <ul style="list-style-type: none"> • Code on Social Security • Occupational Safety, Health and Working Conditions • Industrial Relations • Code on Wages, 2019 	<ul style="list-style-type: none"> • The Code on Social Security includes the laws related to women taking maternity leave. • The Code on Occupational Safety, Health and Working Conditions ensures a safe and healthy work environment for employees. It introduces the provision of risk assessments, preventive measures and reporting workplace accidents. It also establishes obligations on employers to ensure the workplace is free from hazards which are likely to cause injuries or occupational diseases to employees. It provides for free annual health examinations to employees meeting certain criteria. • The Code on Wages requires employers to provide equal remuneration for individuals performing similar work regardless of their gender. It empowers the government to set minimum wages. It too provisions for annual health checkup. • The Code on Industrial Relations covers conditions of employment in industrial establishments and undertakings as well as investigation and settlement of industrial disputes.

Legal Instrument	Overview
Indian Penal Code 1860, repealed & replaced by Bharatiya Nyaya Sanhita 2023	This law is the codification of criminal offences in India and the corresponding punishments.
The Digital Personal Data Protection Act 2023	The Act governs how personal digital data is sought, stored and processed by organisations. It imposes legal obligations on NGOs to seek consent for storing and taking personal data of beneficiaries, volunteers, donors, etc.
UGC Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009	The University Grant Commission, which regulates higher education institutions in India, has issued a regulation aimed at prohibiting 'ragging' (teasing, handling with rudeness or any act which has the potential to cause psychological trauma towards a student). This regulation prohibits peer-on-peer abuse in universities.
National Commission for the Protection of Child Rights guidelines on Prevention of Bullying and Cyberbullying	The Guidelines advise on how to prevent bullying and cyberbullying in schools.



Pakistan

Legal Instrument	Overview
The Constitution of the Islamic Republic of Pakistan	The Constitution guarantees fundamental rights, parliamentary democracy with provincial autonomy and equality for all the federating units. It provides the foundation for the country's legal system.
The Child Marriage Restraint Act, 1929	One of the earliest laws addressing child marriage in the subcontinent, this sets minimum age for marriage (16 years for girls, 18 years for boys) and penalises those who perform, conduct, or facilitate underage marriages.
The Employment of Children Act, 1991	The Act prohibits the employment of children under 14 years in certain hazardous occupations and processes, and outlines working conditions for adolescents.
The Prevention and Control of Human Trafficking Ordinance, 2002	This ordinance criminalises all forms of human trafficking, including labour and sex trafficking, and sets out punishments for perpetrators while also providing for victim protection.
The Punjab Destitute and Neglected Children Act, 2004	The Act contains provisions for the welfare and protection of vulnerable children in terms of care, custody, education, and rehabilitation through designated child protection institutions.
The Protection Against Harassment of Women at the Workplace Act, 2010	The Act mandates a safe working environment for women by prohibiting harassment and requiring organisations to set up inquiry committees and display codes of conduct.
Sindh Child Protection Authority Act, 2011	The Act establishes the Sindh Child Protection Authority to coordinate efforts for the protection and welfare of children at risk, including those who are abused, exploited, or neglected.
The Punjab Bonded Labour System (Abolition) Amendment Act, 2012	An update to the original 1992 law, this amendment strengthens the prohibition of bonded labour and ensures more effective rehabilitation of affected persons.

Legal Instrument	Overview
<p>The Criminal Law (Amendment) Acts, 2014, 2016 and 2017</p>	<p>These amendments introduced significant changes to Pakistan's Penal Code and Code of Criminal Procedure to enhance protections against child abuse, sexual violence, honour crimes, and gender-based violence.</p>
<p>The Khyber-Pakhtunkhwa Bonded Labour System (Abolition) Act 2015</p>	<p>This law abolishes all forms of bonded labour in the province and mandates action against those who coerce or exploit workers through debt bondage.</p>
<p>The Khyber-Pakhtunkhwa Child Protection and Welfare Rules, 2016</p>	<p>Formulated under The Khyber-Pakhtunkhwa Child Protection and Welfare Act 2010, these rules provide detailed procedures for child rescue, registration, protection measures, and rehabilitation.</p>
<p>The Prevention of Electronic Crimes Act, 2016</p>	<p>The Act criminalises various forms of cybercrime including cyberbullying, online harassment, child pornography, and electronic fraud, offering legal recourse and investigation mechanisms.</p>
<p>Legislation related to employment of children:</p> <ul style="list-style-type: none"> • The Punjab Prohibition of Employment of Children Act, 2016 • The Punjab Prohibition of Child Labour at Brick Kilns Act, 2016 • The Sindh Prohibition of Employment of Children Act, 2017 	<ul style="list-style-type: none"> • The Punjab Prohibition of Employment of Children Act bans the employment of children under 15 in any establishment and restricts adolescents (15–18) from working in hazardous occupations in Punjab. • The Punjab Prohibition of Child Labour at Brick Kilns Act specifically prohibits the employment of children under 15 at brick kilns and provides for inspections, penalties, and support for affected families. • The Sindh Prohibition of Employment of Children Act bans child labour under 14 and regulates adolescent work (14–18), listing hazardous occupations where employment of minors is strictly forbidden.

Legal Instrument	Overview
<p>Legislation related to occupational safety and health:</p> <ul style="list-style-type: none"> • Punjab Occupational Safety and Health Act, 2019 • Khyber Pakhtunkhwa Occupational Safety and Health Act, 2022 	<ul style="list-style-type: none"> • The Punjab Occupational Safety and Health Act mandates employers to ensure a safe and healthy working environment. It requires hazard identification, employee training, provision of protective equipment, and regular health check-ups. The Act also establishes an Occupational Safety and Health Council to oversee compliance. • Similar to Punjab’s legislation, the Khyber Pakhtunkhwa Act focuses on safeguarding workers in the province. It outlines employer responsibilities for workplace safety, including risk assessments, safety training, and health monitoring. The Act also provides for the establishment of safety councils and inspection mechanisms. <p>Both Acts address infrastructural safety as well.</p>

