

International Commission of Jurists Child Protection Policy

Last modification	Authorized by	Scheduled for review
April 2025 (v.2) December 2017 (v.1)	ICJ Executive Committee	April 2027

1. Introduction

The International Commission of Jurists (ICJ) is dedicated to protecting the rights and well-being of children, ensuring that all interactions with them are conducted in a way that prioritizes their safety and dignity, and aligns with the principles outlined in the UN Convention on the Rights of the Child (CRC) and the International Child Safeguarding Standards.¹

The purpose of this policy is to establish clear guidelines for protecting children from harm and ensuring that anyone who is subject to this policy is aware of their responsibilities in safeguarding the rights of children.

2. Scope

This policy applies to the ICJ Secretary General and all other staff, consultants, representatives, partners and ICJ Commissioners.

3. Definitions

3.1 *Child* is defined as any person under the age of 18 years.

3.2 *Child abuse* is defined as any form of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial or other exploitation of a child and includes any actions that result in actual or potential harm to a child. Child abuse may be a deliberate act or it may be failing to act to prevent harm. Child abuse consists of anything that individuals, institutions or processes do or fail to do, intentionally or

¹International Child Safeguarding Standards are accessible here:
https://commission.europa.eu/document/download/f53f19ef-c655-4d63-91e5-db4fee59ca3e_en?filename=KCS-CS-Standards-ENG-200218.pdf

unintentionally, which harms any children or damages their well-being, dignity and prospect of safe and healthy development into adulthood.²

3.3 *Child protection* is defined in this policy as the responsibilities, preventative and responsive measures and activities that the ICJ undertakes to protect children ensuring that no child is subject to child abuse as a result of their association with the ICJ, their contact with the ICJ staff, consultants, representatives and contracting partners, ICJ Commissioners, and/or their participation in any ICJ activity, including ICJ projects and programmes.

4. Principles

This policy is informed by a set of principles that are derived from the CRC and the International Child Safeguarding Standards³, particularly the following:

- i. The best interests of the child shall be the primary consideration in all actions concerning children.
- ii. ICJ has zero-tolerance for any form of child abuse or exploitation. All allegations will be taken seriously and investigated promptly.
- iii. All children have equal rights to protection from harm, regardless of their background or circumstances.
- iv. The ICJ has particular responsibilities to children who come into contact with anyone subject to this policy. No child shall be harmed as a result of their engagement with the ICJ as a participant in a programme or as part of any fundraising or advocacy campaign.
- v. Each child has a fundamental right to life, survival and development.
- vi. ICJ is committed to safeguarding all children, irrespective of ability, ethnicity, faith, gender and culture.

5. Roles and Responsibilities

5.1 The ICJ Secretary-General is responsible for the effective implementation of this policy and for identifying measures necessary to prevent and overcome violations, with the input of Directors and regional teams.

5.2 ICJ programmes that include direct involvement of children in activities must conduct a risk analysis prior to the activity. The analysis must identify risks and mitigation measures. The Director overseeing the activity is responsible for ensuring that the activity is carried out in line with this policy and that any risks identified are appropriately mitigated and addressed.

5.3 Everyone who works with or engages with children in the course of their work with the ICJ has a responsibility to ensure that the rights of the children concerned are protected and promoted. The responsibilities detailed below are mandatory for those who fall within the scope of the policy:

² Based in part on the International Child Safeguarding Principles.

- i. Never abuse and/or exploit a child or act/behave in any way that places a child at risk of harm.
- ii. Report any child abuse and child protection concerns they have in accordance with this Policy and applicable laws.
- iii. Respond to a child who may have been abused or exploited in accordance with applicable internal procedures and this policy.
- iv. Cooperate fully and confidentially in any investigation of concerns or allegations of child abuse.
- v. Contribute to building an environment where children are respected and encouraged to discuss their concerns and rights.
- vi. Always treat children in a manner that is respectful of their rights, integrity and dignity, consider their best interests and do not expose them to, or place them at risk of harm.

6. Guidelines for ICJ Activities Involving Children

- 6.1 All staff, consultants, Commissioners, other representatives and those assisting the ICJ in its work must be made aware of these guidelines.
- 6.2 For activities involving the direct participation or attendance of children, the following information and documentation must be obtained prior to the activity:
 - i. Written and explicit consent from the child, their parent or guardian, as applicable, that clearly explains the scope of the child's involvement and informs them of any risks associated with their participation;
 - ii. Contact details of the family/guardians, including an emergency contact number;
 - iii. Information relating to any medical or special needs which the child may have in terms of access, diet and language assistance;
- 6.3 Pictures, images, or other likenesses of children and/or information related to children that could compromise their care and protection will not be made available through any form of communication media, metadata, or text descriptions. Explicit written consent must be obtained by parents/guardians prior to collecting and utilizing any images, stories, or any personal identifiable information of a child. The purpose, scope of use and known risks must be explicitly outlined to the child, parents or guardians as applicable, at the time of obtaining consent.
- 6.4 Regardless of parental consent, ICJ will limit the use of images of children in all programme related or fundraising materials.
- 6.5 All participating adults shall show respect and understanding for the rights, safety and welfare of the children;
- 6.6 A Child Safeguarding Focal Point must be appointed for projects and activities involving the direct participation of children. Children, parents and guardians must be clearly informed about the Child Safeguarding Focal point and how communicate and get in touch with the person in the course of the activity and afterwards if needed.

6.7 There should be no unnecessary physical contact between an adult and a child. Physical contact should only be in response to the needs of the child and should be appropriate to the age and the level of development of the child;

7. Implementation

In order to implement this policy, the ICJ shall:

- i. Communicate this policy to everyone it applies to;
- ii. Ensure that adequate resources are made available to fulfil the objectives of the policy.

8. Monitoring and Complaints

8.1 Anyone who believes they have witnessed violations of this policy should immediately notify a supervisor, the ICJ Human Resources Manager, or submit a complaint through ICJ's Whistleblowing mechanism. The individual who is notified shall act promptly to ensure adequate investigation.

8.2 When abusive behavior is established, the Secretary-General is responsible for taking action suitable to the circumstances. The Secretary-General will monitor complaints that have been addressed, and follow-up if necessary.

8.3 All new ICJ staff, consultants and representatives will be subject background checks before being engaged by ICJ and will be required to review and acknowledge the binding nature of this and other ICJ policies.

8.4 Breaches of this policy and failure to comply with these responsibilities may result in the following:

- i. For ICJ staff, disciplinary action, including dismissal in accordance with the ICJ Discipline Policy.
- ii. For ICJ Commissioners, contractors, and volunteers in the scope of their work with the ICJ, disciplinary action, up to and including termination of all responsibilities, relationships with the ICJ.
- iii. For the ICJ consultants, up to and including termination of all relations including contractual and partnership agreements with the ICJ.
- iv. For all those subject to this policy, other appropriate legal action.

8.5 Where concerns exist about the conduct of ICJ staff and consultants in relation to child protection and/or where there has been a breach of the Child Protection Policy, these concerns will be investigated in accordance with disciplinary procedures and will be referred to statutory authorities for criminal investigation under the law of the country in which they work..

8.6 If a legitimate concern about suspected child abuse is raised, which proves to be unfounded on investigation, no action will be taken against the person reporting the matter. However, appropriate sanctions will be applied in cases of false and malicious accusations of child abuse.

9. Review

The effectiveness of this policy will be reviewed every two years and action will be taken as necessary to ensure its operationalization.

10. Related Policies

ICJ Code of Ethics

ICJ Discipline Policy

ICJ Anti-Corruption and Anti-Fraud Policy - Whistleblowing Procedure