



**Beyond Borders**  
**Au-delà des frontières**

**ECPAT <sup>IN</sup> <sub>AU</sub> CANADA**

**CANADA' S GLOBAL VOICE AGAINST CHILD SEXUAL EXPLOITATION**

# **Beyond Borders**

# **Policy Guidelines**



**End Child Pornography, Child Prostitution, and Trafficking of Children for Sexual Purposes**

**[www.ecpat.net](http://www.ecpat.net)**

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## **POLICY GUIDELINES**

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## **INTRODUCTION**

The policies below have been approved by the Board of Directors of Beyond Borders Inc. (Beyond Borders) and have been modeled on the policies created by ECP A T International (ECP AT). Their goal is to ensure the effective functioning of Beyond Borders as a movement by clearly stating the organization's views and position on different areas relating to child protection. The organizations members and directors are expected to be familiar with the Policies.

Beyond Borders adopts the definition of a child set out in the UN Convention on the Rights of the Child. Consequently, all of the Beyond Borders policies ensure the protection of all children under the age of 18.

### **1. Policy on Child Prostitution**

Child Prostitution occurs when someone benefits from a commercial transaction in which a child is used for sexual purposes. Some of those who may benefit from such transactions include pimps, other intermediaries, parents or certain business sectors, such as hotels. A child is also a victim of prostitution when he/she engages in sex in return for basic needs such as food, shelter or safety, or for favours such as higher grades at school or extra pocket money to purchase consumer goods.

Beyond Borders considers that any child involved in prostitution is a victim of exploitation, and promotes legislative provisions, law enforcement mechanisms and legal procedures to ensure that the child victim of exploitation is treated as such. Beyond Borders believes that there is no such thing as "voluntary" prostitution when a child is being commercially exchanged for sexual purposes.

## **2. Policy on Child Pornography**

Beyond Borders opposes all forms of Child Pornography. Child Pornography means any representation of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts or other parts of the body of a child for primarily sexual purposes.

Beyond Borders believes that the right of children in general and as individuals to be protected against sexual exploitation should override considerations of privacy and free speech for adults. The best interests of children should take precedence.

Beyond Borders is committed to advocacy and awareness-raising to encourage every country legislating to criminalize with severe penalties all forms and every stage in the cycle of Child Pornography, and other forms of child sexual exploitation related to Information Technologies, including 'luring' and 'grooming'. No proof of criminal intent or of a commercial transaction should be required and children should be protected regardless of issues of consent. Beyond Borders also promotes improved national and international cooperation of law enforcement agencies to prosecute sexual crimes against children in relation to Information Technologies, and especially to locate and rescue child victims. Beyond Borders supports more resources and training for law enforcement and child protection agencies to identify child victims and to provide proper care, protection and rehabilitation.

Beyond Borders is committed to lobbying governments to provide appropriate regulatory frameworks to ensure that all sectors of the Information Technology industry act against Child Pornography and protect children from sexual exploitation through their goods and services.

Beyond Borders seeks to develop positive and co-operative relationships with the Information Technology industry to improve child protection technologies, to highlight child protection information on their websites, to develop protocols for monitoring, reporting to the police and removing Child Pornography, and to prevent the criminal use of Information Technologies by child sex offenders.

Beyond Borders supports public education and awareness programs to reduce the risk to children of becoming victims of sexual exploitation through Information Technologies or through exposure to harmful materials.

## **3. Policy on Trafficking in Children for Sexual Purposes**

Trafficking refers to the cross-border or internal recruitment, transportation, transfer, harbouring or receipt of children. Beyond Borders is particularly concerned with the Trafficking of children for sexual purposes, yet children trafficked for any purpose are made highly vulnerable to sexual abuse and exploitation. Such Trafficking in children does not require the use of force, coercion or deception. Actions to combat Trafficking must address the conditions that make children vulnerable to such exploitation and target punitive measures against the traffickers rather than the victims. Actions to rescue victims of commercial sexual exploitation should be undertaken with all possible measures to prevent the revictimization of such children through this process and to ensure the child remains in a safe and secure environment.

#### **4. Policy on Child Sex Tourism**

Child Sex Tourism (CST) is the commercial sexual exploitation of children by men or women who travel to another country and engage in sexual acts with children. Child sex tourists may have a specific preference for children as sexual partners or they may take advantage of a situation in which children are made available to them for sexual exploitation. Many sex tourists travel from developed or richer countries to a place where there are poorer economic conditions, a weaker legal framework and weaker law enforcement against the commercial sexual exploitation of children (CSEC) and relative anonymity for the exploiter. Beyond Borders considers the tourism industry and its multiple actors as key allies in combating CST and seeks to promote and support their active involvement in ending this exploitation. Beyond Borders also promotes improved national and international cooperation of law enforcement agencies to prosecute sexual crimes against children committed by foreigners abroad by implementing extraterritorial legislation.

#### **5. Policy on the Sexual Exploitation of Children in Vulnerable Circumstances**

Beyond Borders recognizes that children living in difficult conditions are more vulnerable to exploitation and abuse. Certain children are disadvantaged due to their socio-economic situation, their access to education, health services, and/or geographic location. Beyond Borders believes that addressing the underlying reasons for this vulnerability is valuable in addressing the larger issue of child exploitation and abuse.

#### **6. Media Policy**

Beyond Borders believes the media has an important role to play in investigating, informing and educating the public about child rights and all forms of sexual exploitation of children. The media can also help to combat the commercial sexual exploitation of children by mobilizing public opinion and pressuring governments and the private sector.

Beyond Borders believes the media can play an important part in promoting children's wellbeing and respect for their rights by portraying children in a positive way, by seeking children's opinions, and by providing children with avenues for exchanging information and opinions.

To this end, Beyond Borders seeks constructive working relationships with media professionals and organisations to promote these issues and Beyond Borders' work towards the public and within the media industry itself.

Beyond Borders expects media personnel to respect the right to privacy and protection of reputation of sexually exploited children and to maintain the highest ethical and professional standards when reporting on issues involving exploited children.

Beyond Borders recommends the International Federation of Journalists' Guidelines and Principles for Reporting on Issues Involving Children, and encourages all media organizations to adopt and implement these guidelines for reporting on sexually exploited children and other issues relating to the exploitation of children.

To ensure that child victims of sexual exploitation are protected from additional exploitation through media exposure, Beyond Borders should not approve for use by the media any images in any format if the identity of a sexually exploited child may be exposed by such use.

### **7. Communications Policy**

Beyond Borders believes that proper and effective communication of its message to the media and to the public is critical to its credibility, success and effectiveness as a non-profit child protection organization. As such, the Board of Beyond Borders shall designate and appoint official spokespersons that it shall select from its membership base. Persons not appointed by the Board of Directors are not authorized to speak on behalf of the organization. Failure to abide by this Communications Policy may, at the sole discretion of the Board of Directors, result in the revocation of membership.

### **8. Policy on Cybertip**

Beyond Borders strongly encourages all persons who come in contact with or are sent any images or other information related to the sexual exploitation of a child (i.e. child pornography sites or images) to forward all such information to Canada's hotline: [www.cybertip.ca](http://www.cybertip.ca). Beyond Borders does not encourage personal citizens or members of its organization to personally investigate any allegations or information relating to the potential sexual exploitation of a child. Rather, such persons are encouraged to contact [Cybertip.ca](http://Cybertip.ca) or their local police authorities.

### **9. Photo Policy**

No photograph or image of an identifiable child may be used in any Beyond Borders publication to illustrate any aspect of the sexual exploitation of children. Nor may an image of an identifiable child be used in any Beyond Borders publication if it might reasonably lead the viewer to believe that the child is a victim of sexual exploitation. This prohibition stands regardless of consent given by either the child, any adult legally responsible for their care, or any agency which may own the photograph.

The only exception is when the child in the image, having reached the age of 18, gives fully informed consent for himself or herself to be identified as a victim of sexual exploitation in a Beyond Borders publication. A mechanism must be in place for that individual to withdraw consent at any time, and for the image to be removed as soon as possible from publication.

The purpose of this policy is to protect the privacy and reputation of child victims of sexual exploitation and to prevent any additional harm to them through the publication of their image. It also seeks to protect other

children from being wrongly perceived as victims of sexual exploitation.

In this context, an identifiable child is a child whose identity is likely to be revealed by showing all or part of their face or their body, or particular surroundings. A publication may include any materials stored or transmitted in hard-copy, film, electronic or digital formats. Informed consent means the individual understands the circumstances in which the image will be used and any possible repercussions from its publication or distribution or circulation.

In Beyond Borders publications where the images are clearly not portraying aspects of commercial sexual exploitation (for example, child and youth participation activities, non-formal education projects), the image of an identifiable child may be used if fully informed consent has been obtained from both the child and their parent or legal guardian. When informed consent of both the child and parent/legal guardian has not been obtained, for whatever reason, the photograph may not be used in any way that identifies the child.

### **Child Sex Abuse Images**

Beyond Borders opposes the use of child pornography for educational purposes and is an unnecessary violation of the child victim's privacy.

On certain occasions, law enforcement agencies may deem it essential to release to the public photographs of child victims of pornography also known as child abuse images to enable the immediate location and rescue of the child. Beyond Borders believes such public release should occur only when the law enforcement agency has good reason to believe the immediate danger to the child is greater than any danger posed by publication. In such cases, the image released should not be a child sex abuse image, the safety of the child should be paramount, and law enforcement agencies should make every effort to consult other professionals on the best interests of the child before releasing any such image.

It is against the policy of Beyond Borders, in all circumstances, for its members to be in possession of child pornography.

### **10. Policy on Youth Participation**

Developing the participation of young people in combating the commercial sexual exploitation of children is an integral part of Beyond Borders' work at national, regional and international levels. It strengthens our programming and advocacy and makes us more accountable to the children whom we serve. The UN Convention on the Rights of the Child values the child as a citizen, entitled to fundamental rights and freedoms, capable of expressing opinions, participating in life and assuming responsibilities in the family and society. The Convention on the Rights of the Child (CRC) shall be the basis of our work while drawing inspiration from and referring to the Yokohama Youth Appeal and the Regional Mid-Term Reviews Youth Declarations at all times of youth participation and Beyond Borders youth work.

Beyond Borders has already made significant progress in creating opportunities for youth participation. However, this policy seeks to extend and institutionalize those processes. As such, Beyond Borders recognizes that this is an evolving process and one that is complex and challenging.

Beyond Borders sees the participation of young people working at a number of different levels in the fight against CSEC:

1. Involving youth as key stakeholders in influencing the development and implementation of research, projects, programmes, advocacy and policy
2. Exploring strategies for giving young people a greater role within the governance of our organizations by enabling young people to take more responsibility for decision making on aspects of our work that directly affect them
3. Creating opportunities for young people to access relevant information, provide meaningful opportunities for reflection and action and enhancing their skills and understanding
4. Assisting young people to develop and implement their own plans to encourage the participation of other young people in developing, implementing and evaluating National Plans of Action

In order to ensure young people's participation remains meaningful and ethical, we will make sure that:

- Children and their views will be taken seriously and treated with respect
- Appropriate policies and guidelines will be introduced to protect children and minimize any risks from their participation in our work
- We encourage the participation of experiential youth while taking into consideration additional protection that may be required to safeguard their participation
- Young people directly involved in our work benefit from the process
- Young people are not over-burdened by the responsibility of their involvement in their work and that it does not create difficulties for them either in the short or long term
- Participation is voluntary
- Identification processes for youth participation are fair and representative of the interests and needs of the young people they are working on behalf of.
- Where possible we will also work with children who are involved in initiatives, activities or child led organizations through which they are, in turn, in touch with other networks of children
- A child and youth friendly environment is fostered to enable young people to understand policies, processes, projects etc. When necessary, training, age-appropriate and accessible information will be provided the better to empower young people to plan an effective role in combating CSEC
- Those involved in the care and protection of children understand the rights of children as social participants. We will also endeavour to influence all agencies (local government, national governments, international institutions, public bodies, voluntary agencies etc.) in ways of listening to, responding to and involving young people
- We report back to young people on what has been achieved and how their views informed our work

## **11. Child Protection Policy**

### **BACKGROUND**

Beyond Borders is a child rights organization committed to combat the commercial sexual exploitation of children. Beyond Borders believes that every child has a right to a happy childhood, which is free from exploitation, abuse, violence and neglect. It also believes that denial of rights of the children can never be acceptable and subject to justification.

Beyond Borders is fully committed to protect children's rights to be protected from all forms of exploitation, violence, abuse and neglect, both physically and emotionally as spelt out in international instruments and standards to protect children.

Beyond Borders provides resources and support to groups working directly with young people, many of whom are from vulnerable or marginalized groups, live or have lived in difficult circumstances, and/or at risk.

Children can be potentially subject to exploitation, abuse, violence and neglect in families, communities, institutions, organizations, private places, public places by various circumstances by variety of people, including people associated with Beyond Borders. In order to address this issue, this Child Protection Policy has been developed.

### **OBJECTIVES**

This Policy has been developed to ensure the highest standards of professional and personal practice to do no harm to the children who come in contact with the people associated with the organization, both inside and outside the work environment.

### **SCOPE**

The Child Protection Policy is prepared to ensure that the members of Beyond Borders - or anyone acting as a representative of Beyond Borders - will do no harm to children who come into contact from within or outside their work.

This Policy reiterates Beyond Borders' commitment to protect children through its intervention programme as well as through its organizational policy to protect children with whom it comes into contact.

This Policy deals with the protection of children as defined by the UN Convention on the Rights of the Children (people under 18 years of age).

The Child Protection Policy aims to protect children from any form of exploitation, abuse, violence and neglect by individuals, institutions or processes which directly or indirectly harms or facilitates to harm children or damages their prospect of a safe and healthy development into adulthood.

This Child Protection Policy protects children by preventing:

- hitting, physically assaulting or physically abusing children
- any relationships with children which are exploitative, abusive or put children at risk of abuse
- developing sexual relationships with children
- employing children in contravention of ILO Convention 138 and 182
- putting children in harmful or potentially harmful situations

Our understanding of child abuse and exploitation includes, but is not limited to:

**Child Pornography:** Child pornography means any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or representation of the sexual parts of a child, the dominant characteristic of which is depiction for a sexual purpose. (Source: Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.)

It can include photographs, negatives, slides, magazines, books, drawings, movies, videotapes and computer disks or files. Generally speaking there are two categories of pornography: soft core which is not sexually explicit but involves naked and seductive images of children and hard core which relates to images of children engaged in sexual activity and use of children in the production of pornography is sexual exploitation. (Source: ECPAT International)

**Child Sexual Abuse:** Sexual abuse of children can be defined as the contact or interaction between a child and an older or more knowledgeable child or adult (a stranger, sibling or person in a position of authority, such as a parent or caretaker) where the child is used as an object of gratification for an older child's or adult's sexual needs. These contacts or interactions are carried out against the will of the child, using force, trickery, bribes, threats or pressure. Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. These activities may include looking at pornographic materials, watching sexual acts, taking part in the production of pornography or being encouraged to behave in sexually inappropriate ways.

**Commercial Sexual Exploitation of Children:** Commercial sexual exploitation of children consists of practices that are demeaning, degrading and often life threatening to children. There are three primary and interrelated forms of commercial sexual exploitation of children: prostitution, pornography, and trafficking for sexual purposes. Other forms of sexual exploitation of children include child sex tourism, child marriages and forced marriages. (Source: Questions and Answers about the Commercial Sexual Exploitation of Children. ECPAT International, Thailand, 2001)

**Discrimination:** Biased or prejudiced in favour of, or against the children.

**Emotional Abuse:** The persistent emotional ill-treatment of a child such as to cause severe and persistent effects on the child's emotional development. It may involve conveying to children that they are worthless and unloved, inadequate, or valued only so far as they meet the needs of another person. It may involve age or developmentally inappropriate expectations being imposed in children. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone. (Source: Lambeth College, September 2004)

**Neglect:** The persistent failure to meet the child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's physical or cognitive development.

**Physical Abuse:** It may involve hitting, shaking, throwing, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child who they are looking after. This is commonly described using terms such as 'fictitious illness by proxy' or 'Munchausen's syndrome by proxy'. (Source: Lambeth College, September 2004)

**Violence:** Physical, psychological (psychosocial), and sexual violence to children through abuse, neglect or exploitation, as acts of commission or omission in direct or indirect forms, that endanger or harm the child's dignity, physical, psychological, or social status, or development. (Source: The UN Secretary General's Study on Violence, 2005)

## 12. Non-Partisan Policy

Beyond Borders is a child rights organization committed to combat the sexual exploitation of children. Its sole guiding principle is the "best interest of the child". Beyond Borders is a nonpolitical, non-religious volunteer organization which advances the rights of children to be free from abuse and exploitation without regard to race, religion, gender or sexual orientation.

## 13. Policy on Private Sector Alliances

Beyond Borders' work necessarily requires engagement with the corporate sector.

Beyond Borders works with the corporate sector in many ways - private companies can be partners in our anti-CSEC projects, they are targets of our advocacy and campaigning programmes and they act as valuable donors through their material support. It is Beyond Borders' policy to engage with private companies in a principled manner that fits in with our programme, advocacy and fundraising goals.

Before engaging with a corporate sector partner, whatever the nature of the relationship, a number of requirements must be met:

1. Beyond Borders will use due diligence in its assessment of potential private sector partners. An analysis of a company's corporate social behaviour will be undertaken in order to determine whether such a company's profile is compatible with Beyond Borders values, Mission Statement and Policy Guidelines.

Beyond Borders will not engage with companies involved in child labour and any other exploitative and/or corrupt practices that impact on children.

2. Work with corporate sector partners must have a reasonable expectation of furthering Beyond Borders' Mission Statement to eliminate CSE.
3. Beyond Borders' reputation is an intrinsically valuable asset, based on our integrity. Beyond Borders' activities with the corporate sector should seek to enhance this reputation.
4. In instances of conflict between the mobilization of resources from companies and Beyond Borders' policy and advocacy agenda, the primary aim of corporate engagement will be to influence the policies and behaviours of companies in order to secure the protection of children.
5. Legal agreements with a private sector partner shall be put in writing and shall include restrictions on the use of the Beyond Borders' name and logo by such a partner as Beyond Borders deems appropriate to protect Beyond Borders' credibility and to ensure Beyond Borders' visibility.

When entering into a legal agreement with a private sector partner, Beyond Borders will reserve the right to criticize that partner should their policies or actions be inconsistent with those of Beyond Borders' mission and to terminate the agreement if necessary.

#### **14. Policy on Working with Police and Government Authorities**

Beyond Borders respects the different roles of NGOs, government and law enforcement agencies.

In all its activities its members seek to protect the best interests of child victims. Beyond Borders does not carry out its own investigations into child abuse, but rather serves as a referral agency to law enforcement and Canada's national tip line, [cybertip.ca](http://cybertip.ca). Beyond Borders encourages and supports law enforcement authorities in their work by providing relevant information and, where appropriate, training. Beyond Borders also networks with international law enforcement agents including Interpol to establish contacts based on mutual trust.

Beyond Borders works to ensure that local law enforcement agents have access to appropriate training opportunities, in particular to national and international programs that incorporate a child rights focus and the knowledge and legal process developed for the full protection of children.

Beyond Borders refers victims to agencies who can support them and their families during the course of an investigation. Beyond Borders acts as a referring agency for recovering victims and their families.

### **15. Policy on Conflict of Interest and Remuneration for Board Members**

Beyond Borders' work necessarily requires that from time to time board members with special expertise be engaged to take on projects. On March 1, 2010 the board created a new policy regarding this issue.

The new policy is: Board members should not vote or participate in discussion regarding expenses that benefits him or herself or any organization in which he/she is a stakeholder.

### **STATEMENT OF ETHICAL CONDUCT FOR MEMBERS**

Beyond Borders recognizes that as a child rights organisation it has a moral and legal responsibility to ensure that children are safe when they are in the organisation's care (either directly or indirectly). Beyond Borders is committed to defining and upholding the highest standards of behaviour at all times.

To this end, the statement below applies to members, directors, consultants and visitors and all others who come into contact with children through Beyond Borders.

**I, the undersigned, hereby agree:**

- To abstain from all forms of illegal conduct, regardless of the jurisdiction of the offence;
- To abstain from purchasing any sexual services, regardless of the age of the secondary individual, and regardless of the legality of the exchange;
- To abstain from any form of activity of a sexual nature with any person below the age of 18 years;
- To abstain from any personal involvement in, *inter alia*, the viewing, possessing, producing or distributing of child pornography, child sex tourism, trafficking of children, and any other form of sexual exploitation;
- To refrain from personally investigating any allegations or information relating to the potential sexual exploitation of a child. If a member comes in contact with or is sent any images or other information related to the sexual exploitation of a child (i.e. child pornography sites or images) all such information must be forwarded immediately to Canada's hotline: [www.cybertip.ca](http://www.cybertip.ca).
- To perform and behave in a professional, courteous and respectful manner vis-a-vis children, other members, and the general public at all times.

Non-compliance with the above shall be taken seriously. This will involve a thorough investigation and referral of cases to the police and/or social services if child rights laws have been violated.

Signed in \_\_\_\_\_, on the \_\_\_\_\_ day of 20\_\_\_\_\_

Signature \_\_\_\_\_

Please print name \_\_\_\_\_

**BEYOND BORDERS INC. / AU-DELÀ DES FRONTIÈRES INC.**  
**MEMBERSHIP APPLICATION FORM**

<b>PERSONAL INFORMATION</b>	
Name:	
Mailing Address:	
Email:	
Telephone Number:	
Birthday (month/day/year):	
Spoken Languages:	
<b>GENERAL INFORMATION</b>	
Please provide us with a complete list of any organization(s) to which you are a member, or volunteer, and briefly describe your position within these organizations:	
Please provide us with a list all professional affiliations:	
Please provide us with any other information relevant to your membership status with Beyond Borders:	
Please indicate the quantity of time on a monthly basis that you would like to volunteer	

**Please initial, where appropriate, the following statements:**

\_\_\_\_\_ I acknowledge that I have carefully read and understood the General Policy Guidelines, the Statement of Ethical Conduct and the Conflicts of Interest Policy, and I hereby agree to abide by the terms of those policies.

\_\_\_\_\_ I understand that the personal information contained in this application shall be stored in a database and shall be used for the purposes of sending out notices and newsletters, and contacting members on issues relating to the mandate of Beyond Borders. Beyond Borders will not use or disclose my personal information for purposes other than those for which it was collected or as required by law. I hereby authorize Beyond Borders to collect my personal information for these stated purposes.

\_\_\_\_\_ I understand that all offences, whether alleged or for which one has been convicted, against children must be disclosed in this application form. Any conviction for an offence against a minor under the *Criminal Code of Canada*, or any comparable legislation in any other jurisdiction will automatically result in the rejection by the Board of this membership application. The failure to disclose such offences at the time of this application will render the membership void *ab initio*. Any such offence committed during the term of this membership will result in an automatic cancellation of membership to Beyond Borders.

\_\_\_\_\_ I undertake not to speak on behalf of Beyond Borders without the required authorization. I understand that membership does not allow a member the right to link Beyond Borders to one's personal opinions or beliefs. The spokespersons appointed by the Board of Directors are the only members permitted to speak on behalf of Beyond Borders.

Signed in \_\_\_\_\_, on the \_\_\_\_\_ day of 20 \_\_\_\_\_

Signature \_\_\_\_\_

Please print name \_\_\_\_\_