

EFFECTIVE WAYS TO ENGAGE THE PRIVATE SECTOR

GUIDANCE FOR CIVIL SOCIETY ORGANISATIONS WORKING ON CHILD PROTECTION

terre des hommes
stops child exploitation

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Disclaimer: This document reflects guidelines agreed upon by the Down to Zero Alliance.

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List of Abbreviations

CHS	Capital Humano y Social Alternativo
CSEC	Commercial Sexual Exploitation of Children
CSO	Civil Society Organization
CSR	Corporate Social Responsibility
DtZ	Down to Zero
ECPAT	End Child Prostitution and Trafficking
ICCO	Interkerkelijk Coördinatie Commissie Ontwikkingshulp
NGO	Non-Governmental Organisation
SCCC	Surabaya Children Crisis Centre
SEC	Sexual Exploitation of Children
SECTT	Sexual Exploitation of Children in Travel and Tourism
TIJ	Thailand Institute of Justice
YEP	Yayasan Embun Pelangi

Editorial

This guidance was developed by the Down to Zero Alliance (DtZ) to support Civil Society Organisations (CSOs) in their engagement with the private sector on Child Protection.¹ It is a direct response to questions from partners who wanted to learn more about this. The guidance is mainly based on the practical experiences of Down to Zero partners, cross-referenced with some literature listed at the end.

A first draft was developed by ECPAT International together with the consultant, Catherine Beaulé, based on their experiences. The present version also includes experiences from the other alliance partners, for which Margreet Houdijk carried out additional interviews. Additional information was obtained from dialogues between partners, at regional learning events organised annually by the Alliance. These events are part of the “learning agenda” of the Alliance, a series of events that are meant to further the understanding of all parties on key elements of the programme strategy, and ultimately to increase the collective impact of the programme. This guidance was produced by the members of the Private Sector working group consisting of:

Soledad Ardaya	ICCO-Cooperation
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Judith Flick	Terre des Hommes
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We are grateful for the contributions of all our partners to this guidance.

The guidance describes key elements identified by partners working on Child Protection as essential steps towards fruitful collaboration with the private sector. The steps are clustered into four groups and put in a sequence that follows the engagement process from the selection and initiation of a partnership until the process of sustaining and/or replicating it. Several recommendations are listed for each step, and for some, examples are given to illustrate a recommendation.

The order of the steps is not rigid: Different CSOs might start at different points, the most appropriate order might differ between CSOs, and not all steps might be necessary for each partnership. It should also be noted that there is no “one size fits all” solution when it comes to working with the private sector. Each partnership is different, because the private sector actors and the CSOs differ and they work in different contexts. For some CSOs, work with the private sector is at the heart of their mission, for others it might be a one-off occurrence. Some CSOs might have a lot of resources at their disposal, while others are smaller with limited funds. CSOs are advised to select the elements in this guidance, based on their needs and contexts. The examples should also not be read as the best practice amongst many, but rather as a further explanation of a recommendation.

Finally, given that this area of our work is evolving all the time, the Alliance wishes to underline that this is work in progress and that it intends to update and review the guidance in due course. CSOs that have worked with the guidance are encouraged to provide input and feedback to the Private Sector working group members mentioned above.

¹ Down to Zero project partners are all united in their mission and vision regarding the sexual exploitation of children, and committed to implementing the Convention on the Rights of the Child and the Children’s Rights and Business Principles. When talking about the sexual exploitation of children, they refer to the Luxembourg Terminology Guidelines, an initiative of 18 international partners to harmonise terminology and definitions related to child protection.

Introduction

DOWN TO ZERO

The Down to Zero Alliance is a collaboration between Terre des Hommes Netherlands (lead), Defence for Children-ECPAT, Free a Girl, ICCO- Cooperation, Plan International Netherlands and the Dutch Ministry of Foreign Affairs, with the ambition to end Commercial Sexual Exploitation of Children (CSEC) through more than 20 local partners in Asia (India, Bangladesh, Indonesia, Philippines and Thailand) and Latin America (Brazil, Dominican Republic, Bolivia, Colombia, Nicaragua and Perú).

Down to Zero applies a multi-stakeholders approach with four main actors:

- o Children who have been sexually exploited or are at risk of becoming so
- o Families and communities in the selected geographic areas
- o Governments, police forces and justice departments in the selected countries
- o Businesses active in these countries (travel and tourism, ICT, transport and extractive industries).

OBJECTIVES OF DOWN TO ZERO

- o Children who are vulnerable to sexual exploitation are able to stand up for themselves and their rights. They can protect themselves because they are able to identify and report potentially exploitative situations. They are educated, engaged in campaigns to raise awareness of the issue, and involved in decision-making in their communities.
- o The environments that children grow up in are safer, offering better protection to potential victims and preventing children from being (re)victimised.
- o Governments, judiciary systems and law enforcement organisations have adapted their policies, plans and protocols to better fight the commercial sexual exploitation of children.
- o Both market leaders and smaller companies in business operations such as the tourism, information and communication technologies, transport and extractives industries, are actively involved in the protection of children against commercial sexual exploitation.

To achieve its objectives, Down to Zero implements the following intervention strategies:

- o Enabling children and young people to protect themselves and stand up for their rights; reinforcing local child protection systems or setting up new ones where they don't exist; ensuring that children know that these services exist and are accessible; informing children about their rights, and the risks of commercial sexual exploitation; and empowering children by giving them the tools they need to bring about changes in their environment and for other children.
- o Supporting communities and strengthening them to better protect their children, through educational campaigns, discussions with key figures in the community, and the establishment of local child protection systems; educating the general public on the consequences of commercial sexual exploitation of children; speaking to families about the issue, and challenging the taboos and shame; offering assistance with extricating children from exploitative situations, and arranging appropriate shelter and care for victims.
- o Lobbying local authorities, building capacity and championing the prosecution of perpetrators, so that local governments, police forces and judiciary systems are moved to improve their policies, laws and regulations; supporting Dutch embassies in actively maintaining conversations with these authorities, so that the issue continues to receive the attention it needs; guiding and advising local governments to improve local rules so that new plans can be implemented and, where necessary, assistance with budgeting is being provided.
- o Establishing or strengthening cooperation from the business sector for child protection; lobbying private sector actors to develop codes of conduct in collaboration with relevant organisations; working together with a number of industries, such as the tourism sector, by developing a code of conduct that local and international tourism companies must implement to offer children the protection they are entitled to; assisting companies with providing job opportunities and education for families.

This guidance is mainly in support of the last set of intervention strategies. However, the work with the private sector seldom takes place in isolation. As can be seen in the examples included, many CSOs work with a number of actors on joint responses, and believe that multi-stakeholder collaboration leads to a stronger and more sustainable response.²

THE CODE³

The Code, short for “The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism”, is a good example of a multi-stakeholder initiative, developed and implemented across many countries, and partly supported by the DtZ programme through its partnership with ECPAT.

The Code aims to address SECTT by creating a highly aware and well-trained travel and tourism industry that can recognise and prevent potential abuse and exploitation, and also by building zero tolerance environments where travellers and tourists understand that these crimes are unacceptable and offenders will be prosecuted.

When a travel or tourism company joins The Code, they commit to taking six essential steps to help protect children, which we call the six criteria of The Code. These are:

1. Establish a policy and procedures against SEC.
2. Train employees in children’s rights, the prevention of SEC and how to report suspected cases.
3. Include a clause in contracts throughout the value chain stating a common repudiation and zero tolerance policy of SEC.
4. Provide information to travellers on children’s rights, the prevention of SEC and how to report suspected cases.
5. Support, collaborate and engage stakeholders in the prevention of SEC.
6. Report annually on implementation of The Code.

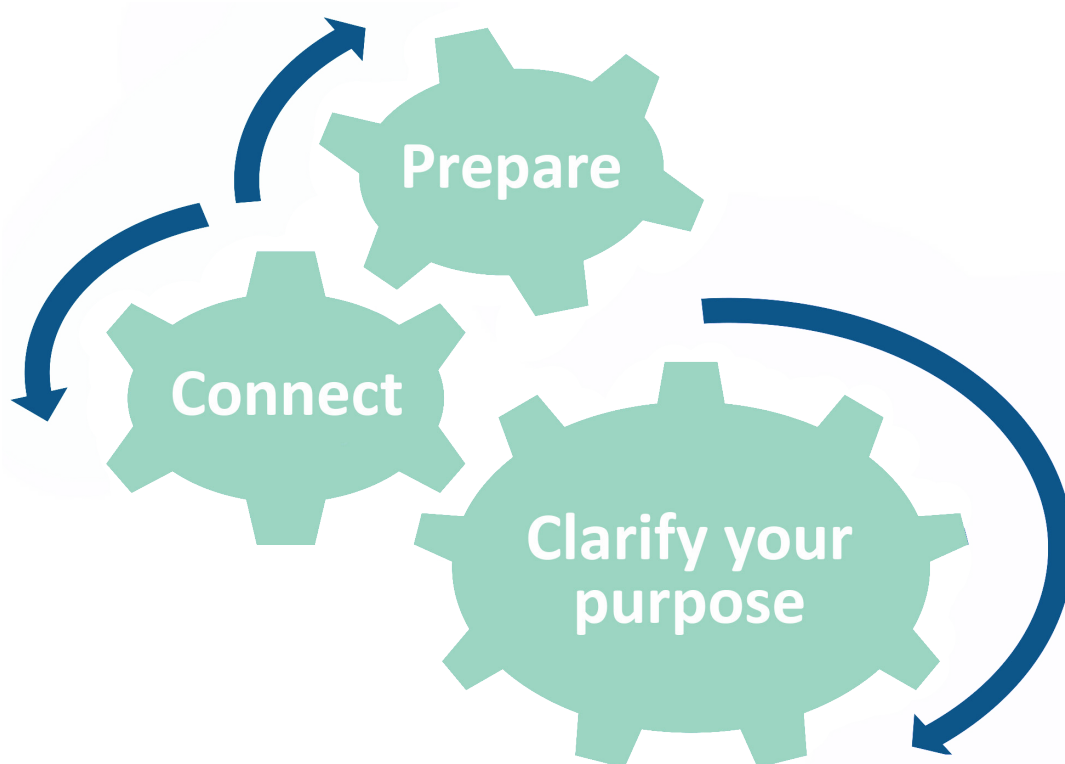
More than 300 tourism companies worldwide have become a member of The Code so far. By becoming a member of the Code, companies gain full access to its suite of corporate social responsibility tools and services that can help them protect communities from sexual exploitation of children. The Code’s local partner network provides support, guidance, best practice examples, and online tools to make the implementation as easy and effective as possible.

² ECPAT INTERNATIONAL BACKGROUND PAPER: WORKING WITH THE PRIVATE SECTOR
<http://www.protectingchildrenintourism.org>

³ The operations of The Code are delivered in cooperation between Code members, the LCRs (Local Code Representatives) and the Secretariat. The LCRs are the in-country focal points for The Code and provide support to members in each country. 90% of members come from countries where there is an LCR, which demonstrates how important their role is for private sector engagement.
<http://www.thecode.org>

1. Initiation of a new partnership

INITIATE



1.1 PREPARE

- o Define your reason for collaborating with the private sector, and how this will help your organisation to achieve its objectives. Identify opportunities. What kind of partnership is appropriate for your particular context?

When Terre des Hommes intensified and diversified its approaches to the private sector in 2016, it realised that an organisation-wide policy was needed that would guide its decisions about private sector engagement. Up to that point, only the Funding Department had contacts with Corporate Foundations, and only for funding purposes. It was when the Lobby and Expertise Unit reached out to companies to discuss the results of its research about Child Labour in mica mining, that the organisation realised that these two approaches might give rise to a (perceived) conflict of interest. They realised that a corporate strategy was required to guide decisions across different departments about appropriate engagement with different private sectors.

After internal and external consultations, Terre des Hommes formulated its “Private Sector Policy”⁴, which provided a general framework for all activities with the private sector, in line with its mission. A key aspect of the policy is an up-front clarification of the purpose of the (potential) partnership and its consequences for other activities of Terre des Hommes. E.g., if the purpose was to convince and support a company in implementing child protection measures across its business chain, it was deemed improper to accept funding from the same company. The policy made it mandatory to check each engagement against specified criteria, and required that all companies would sign a Code of Conduct when entering a collaboration with Terre des Hommes. It also established that Terre des Hommes is open to dialogue with all companies, except for those involved in the production of tobacco, alcohol or weapons.

⁴ Terre des Hommes. Private Sector Position paper (2017)

- o Conduct an assessment of possible private partners to understand who is doing what, and what their interest in child protection might be.

In Perú, the ICCO partner Capital Humano y Social (CHS) Alternativo obtained information by mapping the formal and informal sector actors, which led to the identification of a different strategy for each. They advised the informal sector to develop an ethical framework to prevent SEC, and informed the formal sector about the legal framework and the potential consequences of non-compliance with the law. They took as a reference Law 30802, which establishes conditions for the entry of minors into lodging establishments.

One of the most important success factors for their engagement with the private sector was the involvement of public servants, who were training in the application of the law. Through this multi-stakeholder approach, the private sector was approached by CSOs as well as civil servants. This also created a direct relationship between all three actors, which could be activated immediately when a case of child abuse was detected by one of the parties.

- o Research on the company's background: does the company need to have a full Corporate Social Responsibility (CSR) plan in place? What CSR activities have they conducted so far? Do they respect human rights and do they follow due diligence requirements? How do they implement these in their daily operations? Are other private sector entities working against SEC?
- o Understand who is the right person to talk to in the company. You might have to side track, so talk first to people who appear to be in favour of your case and then to those in decision-making positions.

In Bolivia, the ICCO partner 'Fundación Munasim Kullakita', realised that once they had identified a potential private sector partner, they had to assess the stakeholders within a company, before engaging them. They first identified the main allies for their partnership and subsequently other important characteristics, such as their decision making power, their commitment to child protection and their possible role in the implementation.

- o Identify potential private sector allies and establish contacts with federations and associations that can involve their members.
- o Prepare your discourse and try to use as many facts as possible about SEC: use all available research, statistics, reference to international legal instruments and information. A strong evidence base can help convince private companies to commit themselves to protect children in need of care. Present your discourse in such a way that the interests of the company can be included and linked to the topic of child protection.

The Terre des Hommes partner Surabaya Children Crisis Centre (SCCC) in Surabaya, Indonesia, focuses mainly on case conviction. They apply multiple approaches to SEC reporting and case management, in order to increase their chances of success. For example, they encouraged local community members to report cases of SEC, because in their experience, community reports carry more weight in persuading local authorities to follow through. Involving media to publish news about perpetrators, is another approach that helped to move the process forward. Based on these experiences, another Terre des Hommes partner, Yayasan Embun Pelangi (YEP), has decided to put more effort into the involvement of communities, including children and young people. Apart from training them to prevent CSEC from happening, they will involve them for advocacy towards the local government for policy development on SEC issues.

- o Shape your message according to the local context, especially in countries where talking about sexual exploitation is considered taboo, or where companies have a perception that tackling SEC would lead to negative associations regarding their business and might damage their image. Consider discussing child protection and child friendly tourism, and explain the reference and linkages with sexual exploitation.
- o Think about who else you might bring in. Consider the role of government to ensure a multi-stakeholder approach. Make sure the government acknowledges the problem. Stay connected to the government throughout the process for sustainability.

In Thailand, the Terre des Hommes partner 'ThaiHotline', raised awareness among officials at the Department of Children and Youth, about the negative impact of online child sexual abuse. They subsequently advocated for the necessity of officials under Child Protection Act, especially social workers in shelters, to attend and pass a training course on online child sexual abuse. This online child sexual abuse training is now prerequisite to extending the licences of officials under the Child Protection Act. Eighty officers have been trained since April 2018. In mid-August, the Department of Children and Youth also approved funds for ThaiHotline, to produce guidance on online child sexual abuse for officials who work in the field to enforce the Child Protection Act. The engagement and support from the government strengthened their position towards the private sector.

- o Know your national legal framework inside out: what are your country's laws against exploitation of children? Are they specific on sexual exploitation? Do these laws apply to corporate entities? Are there laws making CSR reporting mandatory? Are country monitoring reports available?, if so, who is responsible for preparing them, and in which framework?

ECPAT Foundation in Thailand worked in collaboration with the Thailand Institute of Justice (TIJ) to conduct a study on the online sexual exploitation of children. A report was released in October 2018, that revealed the prevalence of violence against children in the form of online sexual exploitation throughout Thailand. As they map out the current existing national landscape of laws and policies, they will compare them to the UN Model Strategies on Violence Against Children as well as the WeProtect Model to propose changes that will improve the national child protection infrastructure as well as other child protection mechanisms.

1.2 CONNECT

All parties need to have a sincere commitment towards the protection of children and ending SEC, knowing that it is bad for business if you do not ensure that the children are well protected in the area you operate in. Below are a few steps that can help to build commitment:

- o Get to know your partners, focus on building good interpersonal relations. Bear in mind that SEC is a complex topic and your audience may not understand it, or may feel uncomfortable with it.

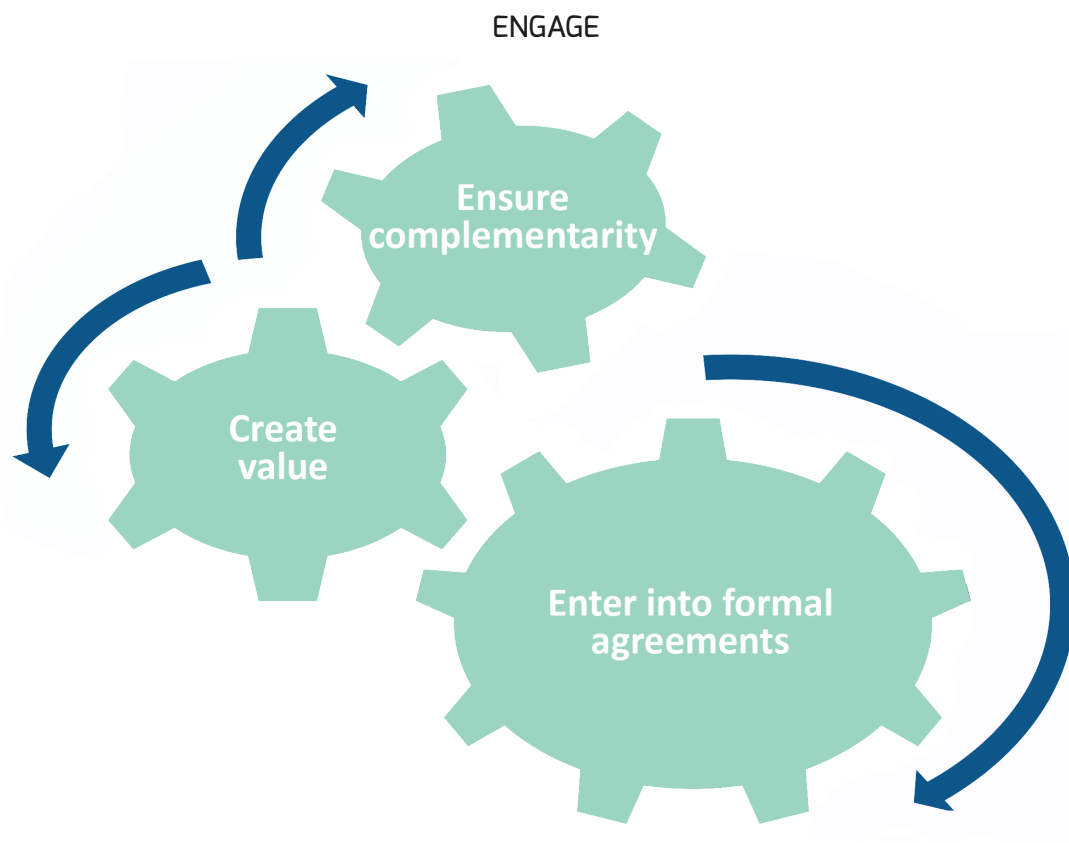
ECPAT Indonesia always starts its advocacy engagement with the private sector by holding meetings with owners, general managers, and key decision makers to establish contact, to build trust and to lay the foundations for a mutual understanding of values and strategies.

- o You will need to convince your potential partners that they have a responsibility to take action, and that doing so will generate tangible benefits for them. Present win-win situations.
- o Demonstrate how SEC in the context of travel and tourism and the extractive industry is presented, and what the consequences are for the industry in terms of reputation, decrease in occupation rate, association with crime, decrease in security and long-term economic losses.
- o Collect practical, inspiring examples from other companies.

1.3 CLARIFY YOUR PURPOSE

- Establish what you are trying to achieve through the potential partnership, including clear objectives and measurable goals.
- Define your role and position in the partnership, in line with the objectives of the partnership.
- Prepare a common purpose statement and discuss the levels of engagement that are necessary. Make sure that needs, resources, and responsibilities are clearly stated and allocated on each side.

2. Engaging the private sector



2.1 ENSURE COMPLEMENTARITY; AVOID CONFLICT WITH THE CORPORATE MISSION, STRATEGY AND VALUES

- Make sure you and your potential partner understand each others' business and activities.
- Learn about the mission, strategies and values of your partner.
- Find areas of alignment: what are the areas of current and potential overlap? What are practical tools to engage in child protection?

Fundación Renacer/ECPAT Colombia developed a protective environment for children in relation to SEC in the context of travel and tourism, through dialogue between different actors, in several steps.

The implementation began by approaching different actors individually to raise awareness: these included public authorities, private companies' associations, hotel association, communities, families and children. A second step was to create awareness by approaching groups of people in schools and parents' associations, and among leaders of the communities where the victims come from.

The third step was to facilitate a dialogue between the different actors, with the purpose of establishing joint measures to protect children. These measures were part of an action plan linked to a social mobilization strategy. The action plan was designed jointly so that the partners felt ownership of the fight against SEC.

2.2 CREATE VALUE

- o Think about and discuss the resources that can be mobilised and combined to generate benefits for each partner. What are the benefits for each, and what is the value for society? Benefits and value, do not have to be financial, for example, having a good feeling about taking action and making a difference.
- o Keep in mind that actions related to child protection and sustainable tourism should be perceived by companies as an investment and not as an expense. Make sure you have concrete answers to the questions: “how much will this cost? How much will this generate?”
- o Be ready to discuss sustainable and responsible tourism, and why this should include child protection and community development. In many countries, social responsibility is perceived as being limited to supporting social causes and a company’s environmental impact, and does not fully address social impact. You will need to advocate for child protection being included in a company’s core activities which in turn generates value for a business.

ECPAT has developed the following business case for children’s rights, demonstrating that sexual exploitation of children poses a risk to business and that adopting a sustainable business model is a strategic investment⁵. ECPAT argues that by implementing CSR approaches focused on children’s rights, companies are in a better position to:

1. Protect their economic interest and reputation, and to show goodwill.

Negative publicity can harm business. The private sector should be encouraged to report suspicion of cases of sexual exploitation of children to law enforcement agencies, and relevant organizations that can provide help and support to children and their families, and to share positive stories with the media, such as when sexual exploitation of a child was prevented thanks to their interventions.

2. Ensure compliance with national and international laws.

Protecting children can help guard a business against potential legal repercussions. Businesses have much to lose from being involved or associated with lawsuits.

3. Broaden their customer base.

There is an increasing demand for sustainable travel and tourism. Research shows that many tourists will choose not to go to a destination that has the reputation of being tainted by SEC. Sustainable tourism can generate substantial profit and improve business relationships with external stakeholders including customers and children.

4. Help attract and retain employees.

Many employees prefer responsible brands, and the feeling of contributing to a valuable cause can generate pride and loyalty towards a company.

Based on this protocol, each organization can adapt these steps to its own context.

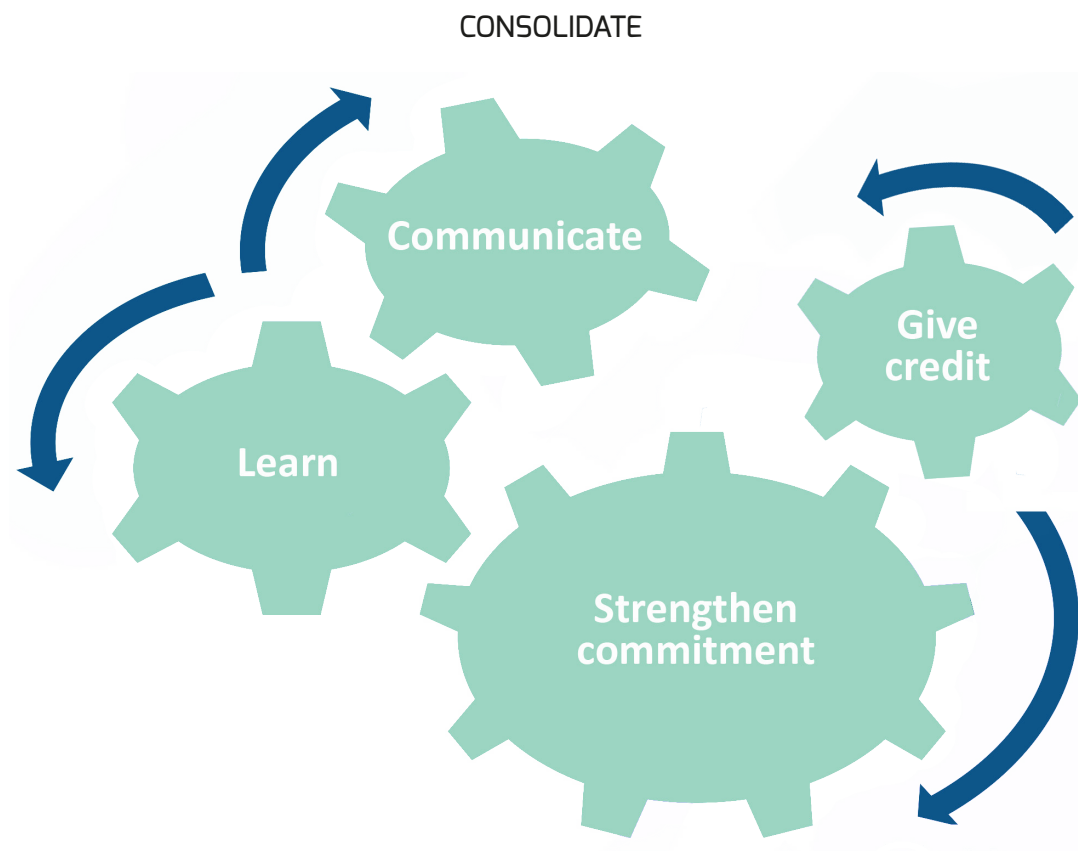
2.3 CONSIDER A FORMAL AGREEMENT

- o There are many ways to formalise an agreement: a Contract signed by all parties, a Memorandum of Understanding, a Letter of Support from the company or statement of joint mission, etc. This can help with communicating about your partnership, and managing goals and expectations.

The Code is one of the mechanisms to formalise agreements with private sector organizations, with the support of Local Code Representatives.

⁵ ECPAT international Background paper: working with the private sector (2018)

3. Consolidation of the partnership



3.1 COMMUNICATE

- o Good communication between partners is a solid foundation for any partnership, and is always based on trust.
- o Keep a record of agreements, progress and learning for the sake of reference, but also for the purpose of learning.

In Peru, ICCO partner Capital Humano Social (CHS), created a guide: “Prevention of SEC in Travel and Tourism”. The guide is distributed amongst tourism operators as well as regional and local governments. They also produced a YouTube video, “Mi amigo Mike”, and disseminated awareness materials and stickers for hotels to show their position on Sexual Exploitation of Children.

- o Communicate to the world about your collaboration and progress.
- o Share positive stories, such as when sexual exploitation of a child was prevented, with the media.

3.2 CONTINUOUS LEARNING

- o Learning enables improvement: make sure to assess learning routinely, and to incorporate learning into all collaborations.
- o Focus on what you can actually do together, do it and refine the actions based upon real experience.

In the Philippines, the Terre des Hommes partner the Bidlisiw Foundation, was looking for ways to engage the private sector to create job opportunities that would be a real alternative to commercial sex. At first they engaged companies directly to provide job opportunities. When they realised that their clients (children and family members) had difficulties sustaining their jobs, they put in place systems and procedures, as well as regular coordination to sustain the initiative. This finally led to the formalization of the engagement. Through consultative dialogues with company owners, Bidlisiw learned more about the aspirations and limitations of their private sector partners. Together, they assessed gaps in procedures and took measures for improvement, such as the appointment of a focal person for economic reintegration. This also strengthened their mutual commitment and led to a division of roles and responsibilities that suited both partners. In future, Bidlisiw will focus on skills acquisition that addresses the need of the company to ensure that referrals will be accepted for employment. Bidlisiw will also institutionalise its system on skills training, on job training, and on job placement.

- o Joint evaluation of your successes and failures will help you progress in your partnership.

3.3 COMMITMENT TO THE PARTNERSHIP

- o The involvement and commitment of owners and management of the company is crucial. Find out what the organisational commitment is to the partnership. Are the decision-makers involved?

ECPAT Indonesia identified a need to create value for the private sector. They discovered that companies did not see how a commitment to child protection could bring benefits to their business. To create value, ECPAT Indonesia conducted brainstorming sessions whereby they drafted protection policies and linked these to performance indicators of the companies.

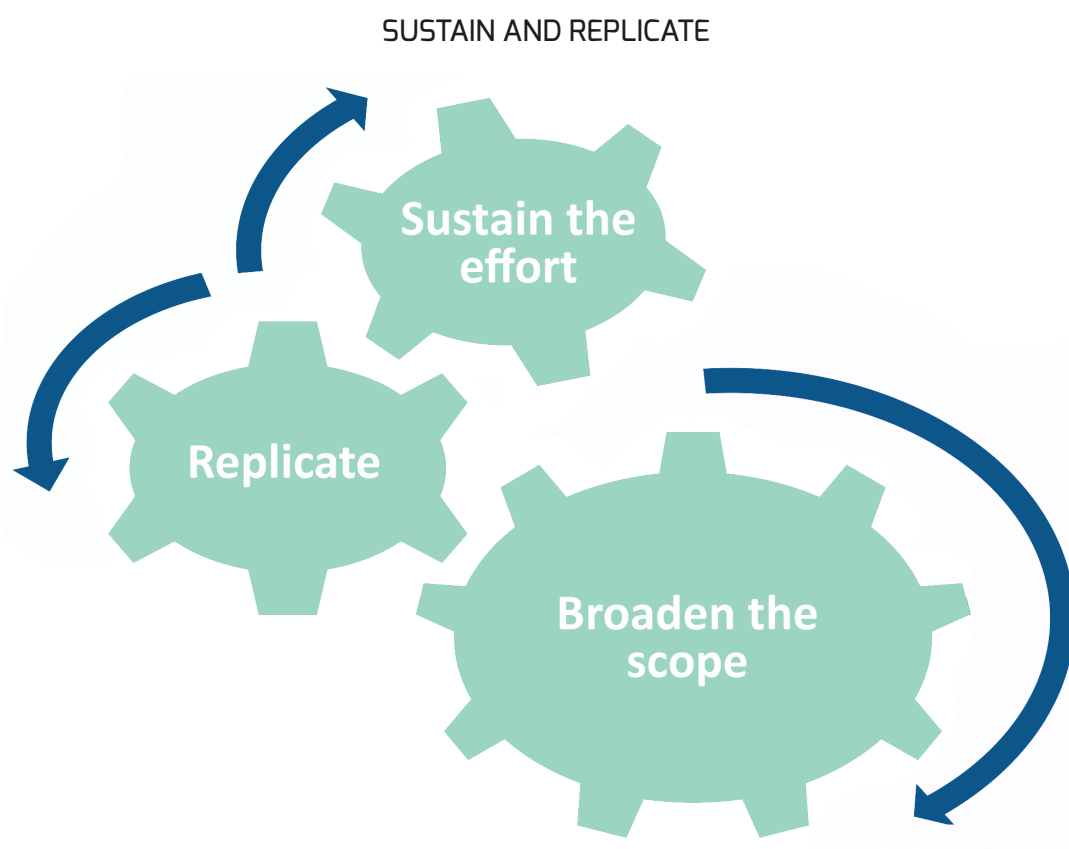
- o If you are working with a division or department in a company, or working on a specific product within a company, find out if the results of the partnership can be replicated, for example to other products or parts of a company.
- o Try to find out if this partnership is a one-off or if there are prospects for long-term engagement. Are there any plans for more investment into the partnership in future?

3.4 GIVE CREDIT WHERE IT IS DUE

- o Make the company realise that they matter, and have a crucial role to play in improving the protection and wellbeing of children.
- o Companies will probably enjoy the public recognition and pride that comes with being associated with a good cause.
- o Communicate Success: communicating the accomplishments created by partnerships, can increase the visibility of projects and partnerships, inspire others to get involved, and help partnerships learn from each other.

Many CSOs are active in promoting their partners and The Code members on social media. This is an easy and free way of bringing attention to SEC, and bringing positive public recognition to companies that will encourage their continued support and engagement. Companies can also share this messaging with their many online followers.

4. Sustain and replicate success and learning



4.1 SUSTAIN THE EFFORT

- Explore possibilities for expanding the impact of and learning from the partnership to the core business of the corporate partner. How could this become part of their standard policies and practices?
- Discuss the possibility of shifting the leadership of the partnership to the business partner or appropriate public institutions, to create ownership and sustain commitment. Consider what this means for your own role in the partnership.

When the ICCO and ECPAT partner, RENACER in Colombia worked on the creation of protective environments, it was crucial to involve the Municipality and the National Tourism Association (COTELCO) in their partnership to broaden the ownership of the strategy. Once these two entities committed to the common cause (protection of children), the implementation of 'The Code' became a joint purpose for everyone involved in the partnership.

RENACER's role then shifted to monitoring progress. They instituted monitoring criteria for the hotels that had acquired "the Code" to hold them accountable to their commitments. This made the processes auditable and generated constant reinforcement and feedback loops. Inspection visits are now carried out at all the private sector actors involved.

- Explore possibilities for financial sustainability of the partnership through funds of the business partner or additional (external) sources.

4.2 REPLICATE

- Explore possibilities for involvement of other branch members, associates or companies in the same sector. These could be members of existing networks, or companies working in the same geographic areas. What would be the advantages and disadvantages of involving them for the business and for Child Protection?
- Discuss roles and responsibilities of partners in replicating or scaling the partnership. Should this be initiated and funded by the CSO or company? What role should the CSO play in informing the new partnership(s)?
- Develop communication tools about the successes and challenges of this partnership. Document learning for new members that can help them replicate the successes.

4.3 BROADEN THE SCOPE

- Some partnerships include other types of stakeholders from the start, such as the local police force, the municipality, schools, etc. If the partnership has so far been limited to your CSO and a business partner, consider involving other stakeholders. A good starting point is a stakeholder analysis.

Fundación Munasim Kullakita, a partner of ICCO in Bolivia, believes that the work that has been carried out with the community has been essential for the prevention of SEC, and the rehabilitation of children and adolescents who are victims of SEC or children who are at risk. "When we speak of community, we refer to a multi-actor/multi-stakeholder partnership in which the municipality, the police, the formal private sector, informal commerce, associations of producers and trade unionists, local councils, small and medium enterprises, religious institutions, educational units, foundations, NGOs, health centres, and markets are involved. You cannot perform in isolation; work in a network is essential since the synergies allow results of greater impact and sustainability to be achieved."

- Agree, which stakeholders should be invited to join the partnership, for what purpose, and how. Agree who is best placed to invite them in.
- Consider formalising the partnership with all stakeholders. Who should be the chair or leader of the consortium?

Resources

ECPAT International background paper: Working with the Private Sector (2018).

<http://www.protectingchildrenintourism.org>

The Code was specifically created to be a child protection tool used by the industry to combat the SECTT. The Code encourages the practice of responsible, sustainable tourism by tourism companies from around the world.

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