

# **The Adveniat Programme for the protection of children, youth and vulnerable adults**

*(partially abridged, leaving out some details of internal procedures)*

## **1. Introduction**

Adveniat is an institution of the German Bishops' Conference borne by the Catholics in Germany. Adveniat supports the pastoral work of the Catholic Church in Latin America and the Caribbean. In Germany, it keeps the faithful and the public informed about life in Latin America and the Caribbean and draws attention to the needs of the people living there. Adveniat is guided by the pastoral options of the Church in Latin America and the Caribbean, especially the preferential option for the poor and for the young.

Protecting children and young people, as well as safeguarding adults in need of protection (called "vulnerable persons" further on) is an Adveniat priority. They must be protected from all forms of exploitation, violence and abuse as much as possible. Adveniat adopts a policy of "zero tolerance" regarding these forms of abuse. Adveniat is committed, both as an employer and as a national and international partner, to comply with this policy.

## **2. Objectives and Target Groups**

The aim of this programme is to prevent all forms of sexual violence within the scope of Adveniat's action, as defined by the regulatory framework of the German Bishops' Conference, and to establish, through prevention, a common ground for living together, respectfully and caring for others. The programme describes measures to prevent sexual violence. It defines standards and thus provides employees with guidance and security in dealing with vulnerable persons.

## **3. Regulations for the fields of action**

### **3.1. Employees, interns, freelancers, volunteers and ad honorem collaborators**

- All employees have to sign the declaration of commitment to protect vulnerable persons. This declaration forms part of the employment contract.
- In addition, those employees, who – due to their tasks – are in closer contact with children and youngsters, have to submit a certificate of good conduct issued by the local authorities of the place where they live. This certificate has to be renewed every five years.
- All employees will be continuously trained and informed about the protection of vulnerable persons, in cooperation with the diocese of Essen.
- Participation in basic training is mandatory for all employees. Employees, who – due to their tasks – are in close contact with children and youngsters, will receive a more intensive training. Generally, the training will be conducted by personnel of the diocese of Essen.
- Employment advertisement and new employment contracts will include references to this protection programme.
- Interns, freelancers, volunteers and ad honorem collaborators commit themselves to protect vulnerable persons by signing their contracts or by means of a cooperation agreement. If their tasks involve closer contact with children and youngsters, a certificate of good conduct is required.
- In the event of a suspicion that a member of staff violates the above-mentioned obligations, the board of directors and the person dealing with cases of sexual violence in the diocese of Essen shall be informed immediately and take the necessary measures.
- In the case of a legally proven offence concerning the endangerment, mistreatment or sexual abuse of vulnerable persons, Adveniat will not hire or continue to employ the perpetrator.

### **3.2. The project partners**

Adveniat is not generally legally responsible for projects it finances, and therefore does not have an immediate responsibility for personnel. However, Adveniat's contractual relationship with partners and the moral responsibility for the well-being of vulnerable people in the projects obliges Adveniat to pay special attention and sensitivity regarding this issue.

In the event of abuse or other forms of endangering the integrity of vulnerable persons in a project carried out abroad, the possibilities for action from Germany are – generally speaking – limited. If an Adveniat employee learns of a possible case related to a project, the rules outlined in Chapter 4 apply.

In addition, the following principles apply:

- Employees will be asked to discuss the issue of protecting vulnerable persons with project partners.
- Project partners will be asked about their standards for the protection of vulnerable persons both when Adveniat replies to incoming requests as well as when it comes to evaluate the projects.
- The protection of vulnerable persons is part of the project selection criteria, and has an explicit and fundamental role in the assessment of projects to be funded by Adveniat.
- Cooperation contracts with project partners will include a paragraph referring to the obligation to protect vulnerable persons.

### 3.3. Visiting project partners in Latin America and the Caribbean

- People who, on behalf of Adveniat, visit partners abroad will receive a document with guidelines to protect vulnerable people, specifically on visits to foreign countries. The document includes indications regarding the appropriate treatment of vulnerable persons in Adveniat-funded projects.

## 4. Rules of procedure in the event of a suspected threat to vulnerable persons

### 4.1. General considerations

- The protection of vulnerable persons takes precedence over the steps to clarify a suspicion.
- Every suspicion of abuse of vulnerable persons will be taken seriously, monitored and documented.
- A careful distinction has to be observed between a proven case and a suspicion, so that no prejudging of the accused may occur.
- Similarly, the protection of informants must be guaranteed by all available means.
- In the case of a well-founded suspicion of a perpetration, whether by employees, project partners or others, all employees are obliged to communicate this immediately to the persons mentioned below. To this end, all employees are released from their professional obligation of confidentiality.
- Employees who were in direct contact with the perpetrators or victims, as well as employees who had to deal intensively with the issue of sexual abuse or violence within the framework of official proceedings, are entitled to professional support.

### 4.2. Cases of suspicion at the Adveniat office

Employees will inform the contact person dealing with cases of sexual violence of the diocese of Essen and the Adveniat board of directors. This also includes cases involving former Adveniat employees, interns, freelancers, volunteers and ad honorem collaborators, provided the case occurred while they worked for Adveniat. If the suspicion refers to a member of the board of directors, the chairman of the supervisory board should be informed instead.

The following procedure shall apply:

- Regardless of the further course of the proceedings to be initiated, employees charged with an offence under section 13 of the German Penal Code shall be immediately dismissed from their duties until there is a conclusive assessment of the case. The defendant will have no access to the Adveniat premises until there is a conclusive assessment. Business computers, cell phones etc. will be turned over to Adveniat.
- The person dealing with cases of sexual violence in the diocese of Essen will, if possible, interview the person affected by sexual violence. The guardian or legal representatives should be included in the dialogue. Depending on the situation and need, specialists (doctors, psychologists, lawyers) should be involved. A record of the interview will be written, signed by those who are ready to do so, and given to all participants.
- As a rule, the person dealing with cases of sexual violence will conduct an interview with the accused, who may call for a lawyer. A record of the interview will be written, signed by those who are ready to do so, and given to all participants.

- If in one or both of the dialogues no agreement can be reached between the participants on the representation of what happened, all participants shall have the right to a disclaimer, which shall be recorded in the minutes.
- If the dialogue has not led to a clarification of the accusations against the accused, the person dealing with cases of sexual violence in the diocese of Essen together with the board of directors or, if necessary, with the chairman of the supervisory board, shall discuss other forms of procedure.
- If the suspicions are confirmed, the board of directors or, as the case may be, the chairman of the supervisory board, shall ensure that legal proceedings are initiated, unless the persons affected expressly state in writing that they do not wish such proceedings to take place.
- If the employee does not prove a relevant offence, the suspension of employment will be lifted. However, if an offence is established, the employment will be terminated immediately.

#### 4.3. Cases of suspicion regarding a project partner in Latin America and the Caribbean

Employees, interns, freelancers, volunteers and ad honorem collaborators will have recourse to the board of directors. The following procedures shall apply:

- The case will be documented and presented to the Adveniat working group for the protection of minors.
- The person in charge of the projects in the respective country shall immediately inform the institution legally responsible for the project(s) related to a suspicion and request information on the case and any measures already taken.
- If a serious threat to vulnerable persons seems likely, the person responsible shall be required to relieve the person concerned of his or her tasks and responsibilities in the project until the accusation is clarified and to prevent him or her to contact the person probably affected.
- If it is urgent and necessary, Adveniat will call for a local investigation or initiate an external investigation.
- The protection of the accused is just as important as the compliance with canon law and the observance of the legal principle of the presumption of innocence until a court has ruled. It is essential to comply with the legal provisions of the respective state regarding the duty to report to the competent criminal authority.
- It is necessary that the person legally responsible, being Adveniat's contractual partner of the project, will actively provide Adveniat with a follow-up, i.e. inform about the measures taken.
- In the event of insufficient handling of the case by the person legally responsible, Adveniat reserves the right to take further steps. Depending on the actions and omissions, the following measures, among others, apply:
  - Stopping payment of donations already approved.
  - Cancelling the contract re the execution of the project.
  - Refraining from future cooperation.
  - Caring for of the persons affected.
  - Measures to forestall similar situations in the future.

This programme was approved by the assembly of members of the Adveniat board on July 8<sup>th</sup>, 2019. After three years, the programme will be reviewed by the assembly. The expertise of the Adveniat working group for the protection of minors, specialist contributions work and the relevant norms of the Code of Canon Law were taken into account.

September 20<sup>th</sup>, 2019

Bishop Dr. Franz Overbeck  
Chairman of the Episcopal Board of Adveniat

Fr. Michael Heinz SVD  
Director General of Adveniat