



**OUR COMMITMENT
TO PREVENT ABUSE
OF MINORS AND
ADULTS ENTRUSTED
TO OUR CARE**

Safeguarding policy of missio Munich to prevent abuse

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1) INTRODUCTION

missio, the International Catholic Mission Society (*missio Internationales Katholisches Missionswerk Ludwig Missionsverein KdöR*) works in Germany and abroad with a commitment to strengthening the rights of persons of all ages entrusted to our care, particularly children, and protecting them from any form of abuse, mistreatment and exploitation.

Every human being is a creature of God, unique and precious. This applies to all human beings without exception, and to children in particular, whom Jesus especially commends as examples of the Kingdom of God (Mark 10:13-16). We do not allow children, juveniles and adults entrusted to our care to be subjected to any form of abuse or humiliation and to bear grave pain and suffering as a consequence. We shall stand side by side with these people, and engage in information work in order to prevent any form of abuse, particularly in our project work but also here in our own country. We see our work as rooted in discipleship of Jesus, who handed on the mandate to heal, reconcile, and play our part so that life can thrive and develop in dignity.

It is our duty to create an environment that is safe, both for those entrusted to our care and for the people with whom we meet and work. We wish to fulfil this duty by resolutely upholding child rights and human rights. This shall apply both to those entrusted to our care in the programmes and projects we support abroad, and to all missio activities in Germany and abroad. It is of great concern to us to create an awareness of these issues among all project partners, to sensitise them on the topic and to establish contractual commitments in order to guarantee that child rights and human rights are upheld. For in the context of project financing, relationships of dependency can quickly arise which heighten the risk of assaults. Such power imbalances occur between staff members in projects carried out and those entrusted to our care or become apparent in the context of trips or stays abroad undertaken by missio staff.

In our work in education, press and public relations and in our cooperation with external service providers, we shall make sure that the dignity of persons entrusted to our care is always preserved as intended by this policy and the people with whom we cooperate. This shall apply particularly to children and juveniles.

missio is committed to developing and implementing appropriate measures, including clearly defined responsibilities and procedures in the areas of prevention, case management and monitoring, and to pursuing their implementation rigorously.¹ Only clear rules of conduct accompanied by functioning and transparent control and complaints mechanisms

¹ We are also guided by the superordinate term “safeguarding”, which covers both protection from sexual assault and exploitation as well as child protection. These principles are increasingly also being extended to our internal organisation, i.e. our staff. On the issue as a whole, see the guidance notes in “*Schutz vor sexualisierter Gewalt und Ausbeutung in der Entwicklungszusammenarbeit und Humanitären Hilfe*” [Protection from sexual assault and exploitation in development cooperation and humanitarian assistance], 2019, by VENRO, pp. 5 ff. with additional references.

guarantee a high degree of protection for those entrusted to our care. Every staff member² at missio shall be obliged to speak up about potential dangers and, in cases of abuse and mistreatment, to act *appropriately* by following the stipulations of this Safeguarding Policy directly. Cover-ups of cases of abuse and their circumstances cannot be tolerated.³

As guidelines for practice, we make use of the guidelines of the German Bishops' Conference⁴ and of the Congregation for the Doctrine of the Faith. The latter has passed on the mandate from Pope Francis⁵ to the Episcopal Conferences to continue on the course set⁶ by Pope Benedict XVI and to take resolute action in response to all the cases of sexual and other abuse, thereby strengthening the witness and credibility of the Catholic Church in this important area. Furthermore, the Motu Proprio "Vos estis lux mundi" of 7 May 2019 issued by Pope Francis guides us.⁷

² In the following text, no distinction is made between masculine and feminine designations for groups of persons. If the masculine form is chosen, it is solely for the sake of easier readability.

³ "Covering up" is understood to mean actions that ensure that something a person does not wish to become known is disguised, kept secret or deliberately concealed. Source of definition: Duden dictionary (in German).

⁴ *Leitlinien für den Umgang mit sexuellem Missbrauch Minderjähriger und erwachsener Schutzbefohlener durch Kleriker, Ordensangehörige und andere Mitarbeiterinnen und Mitarbeiter* [Guidelines for dealing with the sexual abuse of minors and of vulnerable adults by clergy, religious, and other staff] within the domain of the German Bishops' Conference, passed on 16.09.2013. On 22.01.2018, the Permanent Council of the German Bishops' Conference extended the validity of the above Guidelines and of the "*Rahmenordnung Prävention gegen sexualisierte Gewalt an Minderjährigen und erwachsenen Schutzbefohlenen*" [Framework Regulation on prevention of sexualised violence against minors and adults entrusted to our care] within the domain of the German Bishops' Conference by one year until 31.08.2019.

⁵ The Congregation for the Doctrine of the Faith announced on 05.04.2013 that Pope Francis had instructed the Congregation to continue on the course set by Pope Benedict XVI, and to take resolute steps with regard to the cases of sexual abuse; that is to say, particularly advancing the measures for the safeguarding of minors, helping those who have been victims of such assaults in the past, taking appropriate action against the offenders, and for the Episcopal Conferences to contribute to formulating and implementing the necessary directives in this area of such importance for the witness and credibility of the Church.

⁶ Congregation for the Doctrine of the Faith, Circular Letter to assist Episcopal Conferences in developing procedures for dealing with cases of sexual abuse of minors perpetrated by clerics, 03.05.2011. The Motu proprio *Vos estis lux mundi*, signed on 07.05.2019, continues the series of documents (1) with which Pope Francis, as the legislator of the Universal Church, is intent on prosecuting the battle against sexual abuse by church officials more consistently and definitely than hitherto.

⁷ The law has concrete implications for canon law: "The Motu proprio *Vos estis lux mundi*, signed on 07.05.2019, continues the series of documents (1) with which Pope Francis, as the legislator of the Universal Church, is intent on prosecuting the battle against sexual abuse by church officials more consistently and definitely than hitherto" (translation from German); cf. Deutsche Bischofskonferenz, Pressemeldung Nr. 075 [German Bishops' Conference, Press Release No. 075] of 9 May 2019, with additional details.

2) THE CONCEPT OF THE PERSON ENTRUSTED TO OUR CARE

“Persons entrusted to our care” within the meaning of this policy refers to all persons who, in the course of missio Munich's performance of the mandate set out in its statutes, are guided, supervised or supported by our project partners or are taking part in courses, seminars or other missio events. Persons entrusted to our care within the meaning of this policy include, religious, novices, priests and candidates for the priesthood in particular who are being supported and guided by missio’s project partners. However, the term also covers colleagues with whom we work on a daily basis.

Thus, the concept of the person entrusted to our care within the meaning of this policy goes far beyond the concept of the “ward⁸” pursuant to Section 225 of the German Criminal Code (StGB), where only persons under the age of 18 and those who are vulnerable due to infirmity or illness can be made wards.

3) DEFINITION AND TYPES OF ABUSE

Abuse or mistreatment of persons entrusted to our care encompasses all forms of physical and/or emotional abuse, sexual abuse, abandonment, neglect, or commercial or other exploitation which result in an actual or potential threat to the health, survival, development or dignity of the minor or adult, and which take place within a relationship characterised by responsibility, trust or power.⁹

From that definition, the following **six main categories** of mistreatment are derived.

- a. **Physical abuse** –the actual or potential physical injury of the person entrusted to our care, or failure to protect them from physical injury.
- b. **Sexual abuse** –any actual or threatened, sexually motivated, active or passive touching of or by persons entrusted to our care. This includes sexually motivated activities in all forms, such as indecent touching, sexual intercourse, etc., but also activities involving no physical contact, such as exhibiting pornographic material, performing sexual acts in front of persons entrusted to our care, or using sexualised language.¹⁰

⁸ Person under special/legal protection

⁹ In line with the World Health Organization, “Report of the Consultation on Child Abuse Prevention”, Geneva 1999.

¹⁰ Cf. German Criminal Code (StGB) Section 174 para. 3 no. 1; see also “polizei für dich” [Police for you], Police crime prevention units of the German Länder and the Federal Government Polizeiliche Kriminalprävention der Länder und des Bundes, <https://www.polizeifürdich.de>. In canon law, on 30 April 2010 for the first time, Pope John Paul II included sexual abuse of a minor committed by clerics in the list of “delicta graviora” (especially serious criminal offences), the handling of which is the preserve of the Congregation for the Doctrine of the

Sexual violence or abusive acts within the meaning of this safeguarding policy encompass not only sexual acts that are criminal offences, but also boundary infringements and other sexual assaults, and refer to:

- Acts under Section 13 of the German Criminal Code (StGB) – Offences against sexual self-determination.
 - Acts against sexual self-determination according to canon law, which are committed upon minors or persons whose intellect is habitually limited and which are regulated, inter alia, in the “Codex Iuris Canonici” and the “Sacramentorum Sanctitatis Tutela”.
 - Additionally, while having due regard for the particularities of the individual case, it encompasses acts below the threshold of criminal liability which are committed in the course of pastoral, educational and caring contact with persons entrusted to our care and which constitute an infringement of boundaries or other form of sexual assault.
 - All forms of representation with a sexual reference, in words, images, writing, conduct towards and treatment of persons entrusted to our care, which are made with alleged consent, without consent, or against the express will of the persons concerned. Furthermore, this Safeguarding Policy shall cover all actions for the preparation, perpetration and concealment of sexual violence.
- c. Spiritual abuse** –the generic term for various forms of emotional abuse and abuse of power in the context of spiritual, religious life, both in settings of individual spiritual guidance and of communities. Christian faith and community belong inseparably together. Nevertheless, community can also become malign; for instance, when relationships of spiritual trust are violated and healthy emotional boundaries are abusively infringed. It can also constitute abuse if a community monitors every area of a person's life in such a way as to deprive them of the freedom to shape their life with (some) self-determination.¹¹
- d. Emotional abuse** – encompasses depriving the person entrusted to our care, especially a child, of an environment appropriate to their age and psychosocial development and persistent or severe verbal abuse, humiliation, degradation or rejection of the person entrusted to our care, which causes negative impacts on their emotional development and behaviour.¹²

Faith. Summary in the Congregation's Circular Letter of 03.05.2011, “to assist Episcopal Conferences in developing procedures for dealing with cases of sexual abuse of minors perpetrated by clerics”, *ibid.* II.

¹¹ Cf. Diocese of Münster, Pressestelle [Press Office] of 22.03.2017, *Geistlicher Missbrauch und wie man sich schützt* [Spiritual abuse and how to protect oneself].

¹² For further information on this, see *David D. Vachon et al.: Assessment of the Harmful Psychiatric and Behavioral Effects of Different Forms of Child Maltreatment, JAMA Psychiatry; October 2015.*

- e. **Exploitation** – encompasses the commercial or other exploitation of a person entrusted to our care through activities carried out by such a person for the benefit of a third party. Such activities encompass exploitative work and child labour as well as (child) prostitution and any other activity, which leads to the economic exploitation of the child or the person, entrusted to our care. In the case of children in particular, it impairs their physical and mental health, holds back their education and disturbs their moral and psychosocial development.¹³
- f. **Neglect** – begins as soon as a person entrusted to our care is deprived of the basic provision to ensure their psychosocial development – in such areas as health, food, clothing, housing, education, human attention, etc.¹⁴

4) ORGANS CHARGED WITH IMPLEMENTING THE SAFEGUARDING POLICY AT MISSIO MUNICH

a. **The Working Group against abuse**

Within missio Munich, a **Working Group against Abuse** (*Arbeitskreis gegen Missbrauch*, AGM) shall be established. The working group will be provided with the necessary resources and competences for its work. The members shall receive ongoing training to equip them with the appropriate expertise.

The head of this working group shall be appointed by the President's office of missio Munich. Its other members, consisting of staff members from all departments, shall be appointed by the President's office as well, one member shall be appointed by the Staff Council (*Mitarbeitervertretung*, MAV). The Safeguarding and Prevention Officer (*Schutz- und Präventionsbeauftragte/r*, SPB) shall be a further member.

The tasks of the working group shall consist of:

- Preparing recommendations for the Presidium on necessary steps and measures for implementation
- Dealing with and follow up of suspected cases of violence and abuse of persons entrusted to our care
- Advising missio's staff, volunteers and external service providers

¹³ On the concept of exploitation, cf. also www.fight-human-trafficking.org/ausbeutung [exploitation].

¹⁴ Cf. German Civil Code (BGB) Section 1666 (1); for more details see kinderschutz-netz.de/fachkraefte/misshandlung/vernachlaessigung [neglect].

- Initiating internal training within missio, monitoring, review and ongoing development of the Safeguarding Policy
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b. Safeguarding and Prevention Officers

The Central Board of missio Munich shall appoint **Safeguarding and Prevention Officers** (*Schutz- und Präventionsbeauftragte*, SPB) put forward by the Presidium. With regard to dealing with cases of suspected abuse, these shall be free to carry out their work and not bound by instructions. Their role is to ensure that cases of abuse and mistreatment can be reported outside of missio's structures. Officers should ideally have a background in legal studies and criminal law as well as specialist knowledge in the field of clinical-psychological support for victims. This is to ensure that the investigation of suspected cases is not obstructed or prevented by existing hierarchies and dependencies. The tasks of the Safeguarding and Prevention Officer can also be performed by two persons, ideally of different genders.

The term in office is three years and a reappointment is possible. Safeguarding and Prevention Officers are members of the working group against abuse. Safeguarding and Prevention Officers are not permitted to have any kind of working relationship or other relationship of dependency with missio. They deliver a report to the Central Board at the end of each year.

c. Project owners and project partners

Irrespective of the respective country's legal regulations, missio's project owners and project partners must keep in mind that comprehensive safeguarding of the welfare of those in their care in projects is a fundamental precondition for cooperation. In its project assessment, in the project agreement, and based on a self-commitment, missio places project owners and project partners under the obligation to show evidence of or to institute appropriate safeguarding structures, and demands that these stipulations are adhered to.

5) PREVENTIVE MEASURES

a. Code of conduct for missio Munich staff

Out of Christian responsibility and concern for the physical and mental well-being of persons entrusted to our care, our selection process ensures that, from the start, we only select staff who are professionally and personally suitable. (See subsection b, below)

missio staff, including volunteers and interns, must sign and comply with a corresponding Code of Conduct (see Annex 1). By signing it, the signatory undertakes an active part in

creating and maintaining an environment that is safe for persons in our care, but also for colleagues. Every missio staff member shall be responsible for heeding, making known, complying with and disseminating the rules of conduct.

b. Personnel selection and personnel development standards

In order to be able to implement the Safeguarding Policy fully and to maintain credibility in everyday working life, basic preventive measures shall be taken in personnel management. In this regard, missio is aware that there can be no 100-percent protection from potential perpetrators. Nevertheless, everything must be done that serves to protect and safeguard persons entrusted to our care, to sensitise staff and raise their awareness, and to deter potential perpetrators.

- **Recruitment advertisements**

From the start, all recruitment advertisements published by missio Munich contain clear wording about the self-commitment to comply with the Safeguarding Policy.

- **Application procedure**

All applications are reviewed with reference to a checklist of clearly defined criteria. At interview, a standardised interview outline shall be followed when questioning applicants about their qualifications. It shall include questions about frequent changes of job as well as the applicant's attitude to missio's Safeguarding Policy.

- **Extended certificate of good conduct**

All newly and currently employed persons shall be obliged to submit an extended certificate of good conduct (*erweitertes Führungszeugnis*). A new certificate must be submitted every five years.

The personnel department makes sure that data protection requirements for dealing with certificates of good conduct are met in accordance with the statutory provisions. Only the President or his Permanent Deputy may be informed of relevant entries in certificates of good conduct.

- **Hiring**

All newly hired staff shall be familiarized with the Safeguarding Policy. They shall be informed about it at length by their supervisor and undertake to adhere to the Safeguarding Policy by signing the Code of Conduct.

- **Selection and hiring of trainees and temporary staff**

The process of selection and hiring shall be the same as for the employment of permanent staff if the tasks performed necessitate any contact with persons entrusted to our care..

- **Personnel development**

All staff members shall be sensitised to abuse as a topic and the abuse of persons entrusted to our care, and receive ongoing training consistent with their tasks and

functions. The topic shall also play a central role for new members of staff, especially those based in the international department and involved in the partner dialogue.

c. Code of Conduct for Project Visits

On the subject of appropriate contact with persons entrusted to our care, missio shall take active steps to sensitise all those who visit projects abroad or collaborate in activities in Germany. These include (institutional) donors, benefactors, committee members, diocesan representatives, volunteers, interns, consultants, journalists and other interested persons who, facilitated by missio, travel to projects and come into contact with persons entrusted to our care.

These persons are provided with full information about the Safeguarding Policy of missio Munich in advance and, before travelling, must sign a Code of Conduct covering their contact with persons entrusted to our care (see Annex 2). In our cooperation with travel organisers, we must insist on signed Codes of Conduct as a mandatory requirement. If travellers do not provide a signature, they will be excluded from participating.

d. Communication standards

In all missio Munich publications, preserving the dignity and integrity of persons entrusted to our care shall be the mandatory guideline for practice for all written and pictorial documents. This communication standard shall also apply to publications on social media (such as posts, likes or tweets). Heeding this guideline for practice, fundraising and public relations work shall reflect the organisation's activities and its points of emphasis decently and truthfully.

General communication standards of missio Munich:

- No portrayals in words or pictures which are disparaging or humiliating for the persons concerned or which otherwise impair their dignity
- No discriminatory content or wording¹⁵
- No degrading, disingenuous or sensational portrayal of distress and hardship
- No reducing of people to victims or other stereotypical roles
- Persons entrusted to our care must be appropriately dressed (at least by the customs of their country of origin). Special care is required when taking and selecting photographs in countries where persons entrusted to our care wear few items of clothing.

¹⁵ Discrimination is defined as the disadvantaging of people or groups (usually minorities) on the basis of characteristics such as their place of origin, social background, ethnicity, political or religious beliefs, social customs, sexual orientation, languages, gender, disability, age or external characteristics such as skin colour or eye colour. It contravenes the principle that all people have equal rights. Source of definition (in German): www.fremdwort.de/suchen/bedeutung/diskriminierung.

- The ethical principles of the *Deutscher Fundraisingverband*,¹⁶ the DZI and VENRO guidelines on ethics in fundraising mailings¹⁷ and the principles for journalism according to the recommendations of the German Press Board (Press Code)¹⁸ serve as the guideline for communication.
- For the creation of media content, it is mandatory to obtain the consent of the portrayed persons entrusted to our care, or if they are minors, that of their parents or authorised representatives.
- Instead: pseudonyms shall be used for minors when this is a sensible requirement for their protection.

When reporting on persons entrusted to our care who are especially at risk, deliberate steps must be taken for their protection. The aim is that persons entrusted to our care should not be exposed to any additional violence or to public exposure if, for example, they have been victims of sexual or other violence, if they are affected by HIV/AIDS or if they are accused of crimes. Child soldiers, asylum seekers and refugees also come into this category.

Therefore, missio Munich places every external reporter under the obligation to comply with this communication standard. Journalists and photographers, among others, belong to the category of external reporters. This is ensured by having reporters sign the “Declaration of Commitment for External Reporters” (see Annex 3) before covering project visits or activities in Germany. Complaints or concerns about inappropriate or intrusive media content should be reported to missio.

e. IT measures

missio’s IT network has a firewall equipped with appropriate filters to prevent the downloading of illegal data and programs. Under our current IT service agreement, the firewall settings are reviewed by IT at six-monthly intervals at least. Data storage and processing are carried out in accordance with current data protection regulations.

¹⁶ Deutscher Fundraisingverband, *Grundregeln für eine gute ethische Fundraising – Praxis, Regeln für Organisationen* [Basic rules for good ethical fundraising – practice, rules for organisations], adopted at the General Assembly on 26.04. 2013 in Berlin, www.dfrv.de.

¹⁷ Handreichung zur Ethik in Spendenmailings [Guidance paper on ethics in fundraising mailings], published by the Development Policy Association of German NGOs (VENRO) and the German Central Institute for Social Issues (DZI), April 2013, www.dzi.de.

¹⁸ Journalistic principles (German Press Code) drawn up by the Deutscher Presserat (German Press Council) in collaboration with the Press Associations, in the version of 22.03.2017, www.presserat.de.

6) CASE MANAGEMENT SYSTEM

missio Munich is setting up an institutional system for handling and following up cases of abuse and mistreatment of persons entrusted to our care. The aim of this “case management system” is to make it possible to investigate the given situation quickly and appropriately.

As soon as an initial suspicion of a case of abuse and mistreatment arises, the relevant organs shall act without delay and decide what further steps are necessary to investigate it. They shall take immediate steps to protect those entrusted to our care and enable them to access offers of special assistance with the aim of averting any further harm.

This system shall be made known to all missio Munich staff members. All project owners and project partners, including on the individual projects supported by missio Munich, shall be informed about the existence, organs and procedures of this system and shall undertake to comply with their own prevention measures as well as the stipulations of the Safeguarding Policy.

1. The case management system within the domain of missio Munich

(a) Suspected case

A suspected case of abuse within the meaning of this policy exists when there is a serious suspicion that a person has committed abusive acts and there is evidence to indicate this. The same applies if either persons entrusted to our care, or colleagues, show signs of having become victims of abusive acts.¹⁹

(b) Reporting of a suspected case

Suspected cases can be reported to missio in different ways. They can be brought to the attention of

- the Working Group against Abuse directly
- the Safeguarding and Prevention Officer, or
- the Presidium.

Different types of suspected cases shall be differentiated:

Case 1: Suspected cases in the direct sphere of influence of missio Munich, e.g. by staff within our own organisation or our own projects

¹⁹ There are no standard indications of abuse in those affected. People deal with it in very different ways. However, every single case of a serious suspicion must be investigated, in the interests of all parties involved.

Case 2: Suspected cases involving other persons who gain access to persons entrusted to our care, such as journalists, donors, volunteers, committee members and advisors in Germany and abroad, and

Case 3: Suspected cases within missio-supported projects abroad, involving staff of project partners.

A form (see Annex 4) is available for the reporting of a suspected case. As a minimum, this shall include:

- particulars of the abused person and the perpetrator of the act
- the nature of the allegations
- the circumstances/background conditions

Furthermore, statements, concrete incidents, witness statements (if relevant) and medical and/or psychological diagnoses (if available) can be documented. The form can either be requested and completed by the person making the report, or can be completed internally, based on the information provided by the person making the report, by the unit within missio to which the case was reported.

The reported data shall be treated in strict confidence, having due regard for the applicable data protection regulations. In particular, the idea of victim protection shall be accorded the highest priority. Equally, the principle of confidentiality and the presumption of innocence shall apply in respect of the person under suspicion.

Care shall be taken to ensure that whistleblowing in the context of abuse cases has no consequences for the whistleblower.²⁰ Whistleblowers must nearly always contend with reprisals from the organisation they betray, be they disciplinary measures or the loss of their good name or even their job.²¹ In this regard, missio engages actively and steadfastly, including on the level of the project owner or project partner, to ensure that such persons are not threatened with negative consequences and to assure them of anonymity if need be.²² However, it is necessary for informants to disclose their identity to missio. Anonymous reports shall also be investigated if the existence of a case of abuse can be inferred with adequate certainty from the information received.

²⁰ A “whistleblower” is a person who passes information to intermediaries and the media about grievances in companies, organisations etc. As a rule, he or she comes from some part of the staff, and is therefore an insider. It is important to note that whistleblowers are only interested in exposing grievances and not in enhancing their profile personally; they must act altruistically. The grievances raised usually constitute sensitive information, the publication of which damages the reputation of institutions, organisations or individuals.

²¹ On this, cf.: <https://www.juraforum.de/lexikon/whistleblowing> (in German).

²² On this, cf. also Art. 5 of the *Motu Proprio vos estis lux mundi*.

2. Case management organs in the domain of missio Munich – Procedure

a. The Working Group against Abuse

(See subsection 4 a, above)

Within the scope of its tasks as described in section 4, the Working Group against Abuse makes sure that

- reported cases of suspected abuse and mistreatment are comprehensively investigated, followed up and documented.
- the necessary actions are taken for the protection of persons affected.
- The partners' Safeguarding Officers or contact persons report regularly to the Working Group so that it can verify the functioning of the safeguarding system right through to the project level, and can continue to develop the cooperation.
- within the church context in Germany and abroad, the involvement of the relevant bodies is sought.²³

b. Report to the Working Group against Abuse – Case group to be formed

If a suspected case is reported directly to the Working Group against Abuse, it shall urgently form an internal case group to deal with the specific suspected case.

- In the event of a suspicion within missio, this shall consist of the head of the Working Group against Abuse, the head of the department in which the suspicion has arisen, the member of the Staff Representation Body (*Mitarbeitervertretung*, MAV), and the Safeguarding and Protection Officer.
- In the event of a suspected case at the level of a project owner or project partner in Germany or abroad, this shall consist of the head of the Working Group against Abuse, the head of the department responsible for the project owner/partner in Germany or abroad, and the Safeguarding and Protection Officer.
- In the event of a suspicion against external persons, this shall consist of the head of the Working Group against Abuse, the head of the

²³ Within the domain of the German Bishops' Conference, the complaints procedure and the contact persons are derived, inter alia, from the "*Leitlinien für den Umgang mit sexuellem Missbrauch Minderjähriger und erwachsener Schutzbefohlener durch Kleriker, Ordensangehörige und andere Mitarbeiterinnen und Mitarbeiter im Bereich der Deutschen Bischofskonferenz* [Guidelines for dealing with sexual abuse of minors and vulnerable adult warders by clerics, religious, and other staff within the domain of the German Bishops' Conference], *Ziffer B Zuständigkeiten* [point B, Responsibilities] of 26.08.2013, published on 16.09.2013.

For the domain of the Universal Church, which is of particular relevance in connection with projects abroad, the *Motu Proprio "Vos estis lux mundi"* regulates the entire procedure from reporting to victim protection, the course of proceedings and the conduct of the investigation. Art. 19 of that document also stipulates obligatory reporting to state authorities.

department in whose domain of responsibility the suspected case has occurred, and the Safeguarding and Protection Officer.

The case group shall investigate the facts and swiftly make a preliminary assessment of the case. The involvement of the Presidium shall be sought in order to determine how to proceed.

If members of the Working Group against Abuse and/or the case group have a personal relationship with the persons under suspicion, persons affected or informants, they must be replaced with alternates to ensure impartiality.

c. The Safeguarding and Prevention Officers

The function and tasks of the Safeguarding and Prevention Officers are described in subsection 4, above.

3. Procedure in suspected cases

The procedure varies depending on what information has come to the attention of missio, as well as whether the suspected case occurred in missio's direct sphere of influence or outside it.

The first step shall always be to examine whether, following judicious appraisal of the initial findings, a case of suspected abuse exists (see subsection 1a).²⁴

The procedure in the event of a suspicion shall be carried out swiftly and be completed as soon as possible after the incident has been reported. Cases that are especially complex can be more time-consuming.

a. Report to the Working Group against Abuse

Case 1: Suspected cases in the **direct sphere of influence of missio Munich**, e.g. by staff within our own organisation or our own projects

- A **case group** is formed (see subsection 2 a)
- Notification of the **Presidium and the Human Resources Committee**
- Notification of the **Central Board**
- Notification of **state criminal prosecution authorities**
- Notification of the **Personnel Department**, agreement on steps that need to be taken immediately for the protection of the persons concerned, such as leave of absence

²⁴ For example, an examination of the seriousness of the allegation is required. It is also necessary to examine whether there is any possibility that the complaint has no real basis and was made for personal motives, for example to discredit a person.

- If staff within the organisation are affected, the **Staff Representation Body** shall be involved through its appointed member of the **Working Group against Abuse**
- **Investigation of the facts** making use of or, as a minimum, following the points specified on the relevant form, see subsection 6, 1.b.

Within this framework, there follows:

- a **hearing of the affected person**. In the case of minor children, in the presence of the person(s) with custody of the child; if necessary and desired, all persons may be accompanied by a trusted person or a psychological or pastoral supporter
 - a **hearing of the accused person**, having due regard for the presumption of innocence. The accused person may also be accompanied by a supporter
 - a **hearing of the person making the report** and, if applicable, other **witnesses**
 - **inspection of relevant documents**, where available and accessible (e.g. medical/psychological certificates)
- Having investigated the facts, the case group shall prepare a **report** containing the main findings and a recommendation for action
 - The report shall be submitted to the **Working Group against Abuse**, where a final assessment shall be made. Any further actions necessary to protect those entrusted to our care shall be agreed and initiated. In addition, any consequences under labour law that are necessary with regard to staff shall be instigated.
 - The result shall be submitted to the Presidium. The Presidium, in turn, shall decide whether it wishes to inform other bodies.
 - The affected persons shall be provided with information, if needed, about the psychological and medical assistance available to them, and supported in taking this up.

Case 2: Suspected cases involving **other persons** who gain access to persons entrusted to our care, such as journalists, donors, volunteers, committee members and advisors in Germany and abroad

- Procedure as under 3 a. Notification of the Personnel Department and involvement of the Staff Representation Body in the case group shall not apply.
- Instead, when the case group makes recommendations for action and when the Working Group against Abuse takes its decision – depending on the function and task of the person affected – extra emphasis shall be placed on the fact that, according to this policy, missio shall not tolerate any

collaboration with persons who behave inappropriately towards persons entrusted to our care.

- Notification of state prosecution authorities abroad or in Germany, as the case may be²⁵

Case 3: Suspected cases within supported projects abroad, involving staff of project partners.

- Procedure essentially as in 3 a. Notification of the Personnel Department and involvement of the Staff Representation Body in the case group shall not apply. Instead, the project owner and/or project partner shall be notified, and shall take care of informing the responsible church and secular authorities in its local context.
- Equally, the owner/partner shall take care of informing the local criminal prosecution authorities, if applicable.
- The owner/partner shall be required to furnish proof of these matters.

The procedure that is to be followed in prior to any cooperation with project owners/project partners is explained in more detail in subsection 7.

Special case: suspicion about external persons

By the nature of this situation, the options for taking action are limited, as there are hardly any possibilities for taking action against external persons. The procedure is as described above for Cases 1 to 3, but without involving the Human Resources Department and the Staff Representation Body. One possibility is the filing of a criminal complaint.

b. Report to the Safeguarding and Protection Officer

Reporting suspected cases to a person from outside missio Munich creates an additional option for affected persons to confide in a neutral body. If a person entrusted to our care chooses this route and explicitly does not wish any of the organs within missio Munich to know about it, this shall be respected.

However, this renders missio Munich unable to investigate the facts of the case, to question those responsible, hold them accountable and take preventive follow-up actions. This shall remain the preserve of the Staff Representation Body, if need be, while maintaining anonymity. If the Staff Representation Body concludes that a person entrusted to our care has been harmed while in missio's sphere of influence,

²⁵ According to the German Criminal Code (StGB) Section 7 para. 2 number 1, German criminal law also applies to offences committed abroad if the offence is punishable in the location where it was committed, or if the location of the crime is subject to no criminal jurisdiction and if the offender was a German at the time of the offence or became one after the offence.

offers of assistance can also be made anonymously. This shall be considered on a case-by-case basis.

The Staff Representation Body also draws the attention of abused persons in our care to the possibilities of prosecuting perpetrators and obtaining compensation from them.

Provided that affected persons do not insist on anonymity and wish missio Munich to take action, the procedure shall be as described below. In this connection, the Staff Representation Body shall always report a suspected case to the Working Group against Abuse, of which he or she is a member.

Case 1: Suspected cases in the **direct sphere of influence of missio Munich**, e.g. by staff within our own organisation or our own projects

Following a notification by the Staff Representation Body, the procedure shall correspond to subsection 3 a, case 1.

Case 2: Suspected cases involving **other persons** who gain access to persons entrusted to our care, such as journalists, donors, volunteers, committee members and advisors in Germany and abroad

Following a notification by the Staff Representation Body, the procedure shall correspond to subsection 3 a, case 2.

Case 3: Suspected cases within supported projects abroad, involving staff of project partners.

Following a notification by the Staff Representation Body, the procedure shall correspond to subsection 3 a, case 3.

Special case: Suspected cases involving external persons

Following a notification by the Staff Representation Body, the procedure shall correspond to subsection 3 a, Special case.

c. Report to the Presidium

A report made to the Presidium is effectively a report to missio, within which the Working Group against Abuse is responsible for dealing with suspected cases of abuse. For that reason, respecting the allocation of responsibilities, it is passed to the Working Group against Abuse to be dealt with. The procedure corresponds to that of a report to the Working Group against Abuse, subsection 3a.

d. Communication

The receipt of a report shall promptly be confirmed to the person making the report.

The Working Group against Abuse shall communicate the subsequent procedure and the findings directly and transparently to the parties involved, both to affected persons and to the other parties involved; but only insofar as it is compatible with protection of the victims and the – as yet only suspected – perpetrator.

Internally within missio, the Presidium shall be informed. The Communications Department shall be informed about the incident in order to be able to react appropriately, if need be. Where other aid organisations (particularly the MARMICK group of organisations) are also involved, e.g. in a project abroad, they shall be informed about the suspected case.

e. Subsequent procedure

The subsequent procedure depends on whether the suspicion of an abusive act has been substantiated. If a suspicion is not confirmed, the essential facts shall be documented and the parties involved informed. Where it is desired and needed, the person who has come under suspicion shall be rehabilitated.²⁶ If a suspicion is substantiated, further actions shall be taken in accordance with this policy.²⁷

7) IMPLEMENTATION WITH THE PROJECT OWNERS AND PROJECT PARTNERS

missio supports the work of the local churches in Africa, Asia and Oceania, both morally and financially. Efforts to establish and expand local church structures, promote interfaith dialogue and foster justice and peace are initiatives supported by missio.

Within this framework, missio Munich is not itself the legal owner of the projects it supports and, therefore, has no personnel responsibility for the project owners and their employees. Legally they are under the ownership of dioceses, religious orders, congregations or church institutes and associations. These in turn are subject to their own respective hierarchical contexts and are, for their part, obliged to implement the papal letter (Motu Proprio) *Vos Estis Lux Mundi* of 07.05.2019. This regulates the handling of cases of abuse in the church context and the corresponding systems. Each diocese and all Institutes of Consecrated Life and Societies of Apostolic Life are obliged to establish a point of contact for complaints “within a year from the entry into force of these norms”. Accordingly, by June 2020 all ecclesial authorities throughout the world are obliged to have public, stable and easily

²⁶ On this, see also point 9, sub-point 3.

²⁷ See point 9.

accessible systems to enable the reporting of (sexual) abuse by clerics and religious, as well as other offences such as child pornography. The detailed design of the systems is a responsibility of the local churches.

Furthermore, a duty to report is established: all clerics and religious are obliged to “report promptly to the competent church authority all reports of abuse” of which they have been informed, as well as any attempt to cover up the act and to shield the perpetrator. The obligation as such is fundamentally imposed on clerics and religious only, but all lay people are expressly encouraged to conform to it as well.²⁸

The legal text proceeds to address not only sexual violence against minors and vulnerable people, but also sexual violence and harassment through abuse of authority in general. It thus covers all cases of violence against religious by clerics and harassment of adult seminarians or novices.

Cover-up is expressly mentioned as a specific category of “acts or omissions”. Investigations in civil or canon law, whether administrative or penal, against clerics or religious are not to be avoided or interfered with.

The Motu Proprio contains clear definitions of this in Art. 1, and comprehensible stipulations for a reporting procedure in Art. 2 to 5. It also specifies in a clear and comprehensible way the complaints and procedural channels for cases of abuse and suspicion of such acts.

This sets out the framework within which the project owners and partners must adopt their norms locally by 2020. This shall also specify the reporting and procedural channels and designated points of contact in the church context for reporting cases of abuse by non-clerics.

Despite not having direct personnel responsibility, missio Munich shall also take steps in the appraisal of projects and the drafting of contracts to ensure that any abuse of persons entrusted to the projects we support can be prevented from the start. This is consistent with the legal stipulations of the papal Motu Proprio (see above) and with Christian and moral responsibility for the welfare of those entrusted to our care in the projects we support.

This responsibility is an integral component of our overall cooperation with the project partners, from project proposal to project completion. The present Safeguarding Policy shall be a continuous part of the dialogue and integrated into all phases of the cooperation.

missio shall require the project owners and partners in situ to establish effective mechanisms for the prevention of abuse of persons entrusted to our care. This should contribute to generating awareness among the institutions and partner organisations in the project countries.

²⁸ See Art. 3 Reporting, § 2: “**Any person** can submit a report concerning the conduct referred to in article 1, using the methods referred to in the preceding article, or by any other appropriate means.”

In the event of a suspicion or even the fact of one of the forms of abuse defined above in a project abroad, by the nature of the situation, the options for taking any action from Germany are limited.

It is thus all the more important to set high standards in contractual agreements with regard to the prevention of abuse and compliance with the standards, and to make these one of the central prerequisites for supporting a project.²⁹

a. Project support – Appraisal

In accordance with the guidelines on the financial support of projects, missio Munich shall undertake a partner and project assessment. In the course of this, missio shall expressly ask the project owners and partners about their existing safeguarding and prevention systems for persons entrusted to their care, especially children. The decision to cooperate with partners depends on whether such measures are established within the partner organisation and how and whether the protection of persons entrusted to their care is put into practice. Accordingly, an appraisal of the type of project and the associated risks provides the framework for that decision.

aa. Projects with their own prevention measures

Where a project partner already has his own measures for the prevention of abuse, an assessment shall be made of whether the measures at least meet the requirements of this policy. In cases of doubt, a declaration of self-commitment must be furnished by the project owner and, if necessary, by the local partner.

bb. Projects without their own prevention measures

If a project has no prevention measures or they are inadequate,³⁰ missio Munich can support its project partners in the development and implementation of effective safeguarding mechanisms. The present policy can serve as guidance and the concrete measures in situ can be adapted to local circumstances. They must at least meet the requirements of clear definitions, a systematic procedure and the establishment of a point of contact. As a matter of principle, no support can be provided until such preventive measures have been established.

Exceptionally, it shall be possible for project owners and partners to undertake to develop their own prevention measures within a reasonable period of time not exceeding two years. In the meantime, they shall undertake to comply with the standards of the present policy, as a minimum, by signing the declaration of self-commitment.

cc. Promotion of prevention

missio Munich supports measures that serve to improve the existing prevention measures or to establish the prevention of abuse. These include, for example,

²⁹ See Annex 4 - Declaration of Self-commitment.

³⁰ This may also be the case when examining existing prevention measures, see aa.

awareness-raising, further training and continuing education of staff in pastoral projects, training volunteers, and local courses on child protection and prevention, etc.

missio Munich shall, if desired, support the project partners in developing their own prevention guidelines.³¹

b. Project agreement

In the contracts (“project agreements”) concluded with partners, mandatory requirements shall be defined pertaining to prevention of and safeguarding from abuse. These shall be set down in detail in a “Declaration of Self-commitment”, which shall be signed and become part of the contract.

In this declaration, the project owner or partner gives an undertaking

- to comply with all applicable national and international laws, ordinances and other regulations of secular and church legislation in relation to prevention and obligatory reporting of any abuse, including the provisions of this policy
- to take all suitable steps including appropriate guidelines for the prevention of violence of any kind towards minors and adults entrusted to their care
- to inform missio Munich – additionally to the obligations mentioned above – if there is any suspicion of abuse of minors or adults entrusted to their care, or of crimes against sexual self-determination during the term of the project
- within the scope of this duty to inform missio, to make all relevant information available in order to enable an assessment of the case. The information shall go to the Working Group against Abuse.³² In addition, to communicate which legal actions and measures have been instigated to clarify the incident, internally and under criminal law, and to guarantee the protection of the potential victim.

The agreement shall contain a provision for the eventuality of inadequate handling of suspected cases in accordance with the applicable prevention regulations, or in the alternative, in accordance with the present policy. This provision shall include the possibility of extraordinary and/or early termination of the cooperation and/or cessation of current or future payments.

Cases shall always be subject to individual assessment. This shall consider to what extent the misconduct of individual project participants precludes future cooperation with this partner altogether. In this respect, a transparent and consistent approach by the partner as well as comprehensive information about

³¹ See also bb above.

³² The procedure is governed by Section 6, point 3 a.

the handling and consequences of the suspected case shall be of decisive importance.

c. Compliance with prevention measures by project owners and partners

The project agreement shall provide for the project owner or project partner to keep missio informed on a regular basis³³ and to report on compliance with and continuing development of the prevention measures, on the procedure in the event of suspected cases and on potential consequences and repercussions of such cases. The cases shall be documented and the documentation submitted, if need be. For questions arising in connection with this, missio shall be available to advise and support its partners.

³³ The remaining details are regulated in the contract or agreement.

8) CONTINUING DEVELOPMENT OF THE SAFEGUARDING POLICY AND DOCUMENTATION

The drafting of a Safeguarding Policy for the first time is only the beginning of serious, sustained and consistent prevention work. The aim is to ensure an ongoing learning process within the missio organisation for the continuous improvement of the Safeguarding Policy.

One of the repercussions of a suspected case – regardless of whether it has been substantiated – is that it often enormously irritates the social system (e.g. work team, committee, project) in which the case occurred. So far, little attention has been paid to this aspect. Another major repercussion and impact of abuse is always the destruction of trust.³⁴ To those in the areas affected, missio shall offer support and advice, if necessary.

Continuing development shall essentially be the task of the Working Group against Abuse. This shall meet at least once every six months for the purpose of

- a. discussing cases that have arisen and current developments affecting the Safeguarding Policy. Every case shall undergo a concluding assessment based on the reporting form (see subsection 6, above; Annex 4), and shall be documented and filed centrally under data protection by the head of the Working Group. Again, this shall be undertaken with the aid of a purpose-designed form. The Safeguarding and Prevention Officer shall oversee the documentation and submit an annual status report to the Central Board.
- b. exchanging information and consulting with one another on possible improvements to procedures and practices
- c. planning and organising further training events for employees
- d. developing a concept for the crisis management of irritated systems.

Minutes shall be recorded of these meetings and submitted to the Presidium, together with recommendations for action.

The Safeguarding Policy of missio Munich shall be reviewed and, if necessary, amended on a regular cycle of no longer than five years and at any other time as needed. The approval of the amended policy shall be the prerogative of the Central Board.

³⁴ On this phenomenon and possible processes for dealing with it, see *Schritte zur Beratung und Begleitung irritierter und traumatisierter Systeme nach Fällen sexualisierter Gewalt* [Steps for counselling and supporting upset and traumatised systems after cases of sexual assault], developed in collaboration with the Konferenzen der Verantwortlichen für Supervision und für Gemeindeberatung in den deutschsprachigen Bistümern [Conferences of officers for supervision and community counselling in the German-speaking dioceses]: <https://kirchliche-organisationsberatung.bistumlimburg.de>.

9) MEASURES IN THE EVENT OF VIOLATIONS OF THE SAFEGUARDING POLICY

1. Procedure in the event of acts by staff of missio Munich

Based on the case management system described above (see Section 6, subsection 1), missio shall investigate all suspected cases. Throughout this process, attention shall be paid especially to the rights of the persons affected and the obligation of confidentiality that applies to all parties involved. At the request of the persons affected, the Staff Representation Body may be consulted at any stage of the proceedings.

missio has a duty of care towards its staff. Accordingly, careful checks shall be made as to whether deliberate or grossly negligent false allegations are being made about someone's conduct towards persons entrusted to our care.³⁵

Actions that meet the criteria of the various forms of abusive conduct defined in this policy shall fundamentally result in sanctions of a disciplinary or contractual nature (warning, termination of contract). The facts of the case shall be clarified beforehand in accordance with the stipulations on case management listed above. This shall always be done with due regard for the particular circumstances of the individual case and the severity of the violation. Action in labour law shall be initiated in consultation with the Staff Representation Body.

Where there are indications of a criminal offence, the Presidium shall immediately initiate the appropriate legal steps.³⁶

If the submission of a certificate of good conduct brings relevant facts to light which make it impossible to continue to employ the person concerned, the Presidium shall

³⁵ Cf. corresponding norms of the German Criminal Code: "Anyone who contrary to better knowledge claims or spreads an untrue fact in relation to another person that is likely to disparage that person or belittle them in public opinion or jeopardise their creditworthiness" risks possible criminal liability under Section 187 StGB (Defamation). If "contrary to better knowledge, a false report is made to a body responsible for receiving reports", then the feigning of a criminal offence under Section 145d StGB or a false accusation under Section 164 StGB may conceivably be relevant. The definition of the criminal offence of slander, Section 186 StGB, may be satisfied if someone "asserts or spreads a fact in relation to another person which is likely to disparage the latter or belittle them in public opinion, unless this fact is demonstrably true".

³⁶ The relevant step is the filing of a criminal complaint. This is a free-form, non-binding factual notification to the prosecuting authorities, which can be filed by anyone; cf. German Code of Criminal Procedure (StPO), Section 158.

take appropriate steps, up to and including termination of the employment relationship.³⁷

2. Incidents in the work environment – Obligatory reporting

If staff members become aware of facts in their work environment that give rise to a well-founded suspicion of abusive conduct towards persons entrusted to our care, they have a duty to report this suspicion. Contact persons for suspected cases are the Working Group against Abuse and the Safeguarding and Prevention Officer of mission. Staff who report a suspicion must not suffer any personal disadvantages as a result of doing so. Disadvantages may arise, on the other hand, if they omit to make a report despite knowing better.

3. Suspected case without findings

If a suspicion turns out to be unfounded, all documents and records produced in this context shall be retained. A statement shall accompany the documents that the investigation has not confirmed the suspicion and that the allegation has thus been cleared up. If necessary and desired, the accused person concerned shall be rehabilitated.³⁸

4. Suspected cases not within the work environment

In the event of suspected cases that come to the attention of staff outside the work environment, the Personnel Department shall help the staff member to find a suitable institution as a contact partner and support them in making contact. Possible contacts include, inter alia, the Abuse Officers of the Archdiocese of Munich-Freising or institutions with special experience in the prevention of sexual violence (e.g. *Wildwasser, Amyna, Bund katholischer Frauen*, etc.).

The Central Board at its meeting of 05.12.2019 approved this Safeguarding Policy.

³⁷ Cf. German Social Code, Book VIII (SGB VIII) Section 72a, Exclusion of persons with a criminal record from work in public child and youth welfare.

³⁸ See also point 3. e.

Safeguarding Policy of missio Munich to Prevent Abuse

ANNEX 1: CODE OF CONDUCT FOR MISSIO STAFF

Code of Conduct for missio Staff

Missio Munich, the International Catholic Mission Society (*missio Internationales Katholisches Missionswerk Ludwig Missionsverein KdöR*) has committed itself to ensuring that persons entrusted to our care are protected from abuse and mistreatment within our own organisation, at events and in the context of our work abroad. For this reason, preventative measures are established both within our organisation and within the projects we support, which minimise the risk of violence and abuse.

The aim of the Code of Conduct on contact with persons entrusted to our care is that missio's full-time, part-time and voluntary employees effectively and responsibly exercise their common responsibility for the safety of those entrusted to our care.

Persons entrusted to our care shall be supported in their nature as autonomous personalities with the capacity for faith and community life. They are to be encouraged to speak up effectively for their right to mental and physical integrity and their right to assistance. Part of this is to listen to people affected by abuse, to give credence to their accounts, and to encourage them to take advantage of the relevant procedures and assistance provided for affected persons entrusted to our care. Those affected shall be given support to do so, if necessary.

I,

| | |
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| Family name | |
| First name | |
| Date of birth | |
| working as | |

recognise the following obligations as binding in this context.

I will guarantee:

- to approach all persons entrusted to our care with respect and esteem and to respect their dignity.
- to implement and comply with the missio Munich Code of Conduct in full.
- as a member of missio Munich staff, to take care of heeding, making known and disseminating the rules of conduct in the given work environment.

- to be consciously aware of infringements of personal boundaries in any form and to instigate the necessary safeguarding measures as set out in the policy.
- to react immediately to all concerns, accusations and incidents, and to bring them directly to the attention of the missio Munich Working Group against Abuse (*“Arbeitskreis gegen Missbrauch”*, AGM). alternatively, it is also possible to call in one of the Safeguarding and Prevention Officers.
- to take care that, when meeting with minors, as far as possible there is always another adult present or within eyeshot and earshot.
- when taking photographs, filming or reporting as part of public relations work, to respect the dignity, personal rights and the need for protection of the persons entrusted to our care, and particularly to make careful use of their personal data to require the same of third parties who receive information from missio Munich or our partners about persons entrusted to our care.
- also to intervene when the persons entrusted to my care attack others in this way.
- to listen when they are trying to let me know that they are being subjected to mental, physical or sexual violence by other people.
- to take an active stand against discriminatory, violent and sexist conduct, whether in word or deed. If persons behave in a sexually abusive, physically or mentally violent way, I shall stand up for the persons entrusted to me.

I give will guarantee, never

- to threaten, discriminate against or sexually, physically or emotionally mistreat or exploit persons entrusted to our care
- to abuse the power conferred by position or office over the life and well-being of a person in our care
- to hold, stroke, kiss or touch persons entrusted to our care inappropriately or in a culturally insensitive way
- to use sexual innuendo or suggestive actions
- to tolerate or cover up exploitation or abuse of persons entrusted to our care
- To exchange money, goods, services or favours for sexual services.

I shall:

- inform myself about the procedural channels and the relevant contact persons at missio Munich
- inform myself about where I can turn for guidance or, if needed, obtain help for the purpose of clarification and support, and shall make use of it.
- be aware at all times that in the event of any sexualised or otherwise abusive act with or towards persons entrusted to our care, this shall have disciplinary and/or criminal consequences
- take part in regular training and continuing education on issues concerning the prevention of abuse within the meaning of this policy.

I certify that I have not been convicted of any crime in connection with abuse within the meaning of this policy (in particular: Sections 171, 174 to 174c, 176 to 180a, 181a, 182 to 184f, 225, 232 to 233a, 234, 235 or 236 of the German Criminal Code (StGB)) and also that to my knowledge no preliminary proceedings in this regard have ever been initiated against me. In the event that preliminary proceedings in this regard have been or will be initiated against me, I give my undertaking to inform the Presidium immediately and to explain the circumstances. My statement will be treated in strict confidence.

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| Place, date | |
| Signature | |

Safeguarding Policy of missio Munich to Prevent Abuse

ANNEX 2: CODE OF CONDUCT FOR PROJECT VISITS

Code of Conduct for Project Visits

You wish to form your own impression of the work being done and the impact being made by missio project partners in situ. Such a visit is always an enriching experience. It is a powerful experience that offers new perceptions of the church and its worldwide network.

During the project visits, you will encounter many persons entrusted to the care of missio project partners within the scope of the missio projects. In this context, missio Munich has a special responsibility towards these persons entrusted to our care. Our highest priority is thus to ensure the welfare, protection and safety of persons entrusted to our care in all our projects and at all times.

I,

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| Family name | |
| First name | |
| Date of birth | |
| Travel duration from/to | |
| Destination country | |

support the active commitment to prevent abuse and exploitation of persons entrusted to the care of missio, and give my undertaking to comply with necessary rules.

Those entrusted to missio's care must be protected from any form of mistreatment, abuse, exploitation and violence. The living situations in the project regions differ greatly from those in Germany. It is very important to keep this in mind whenever encountering people in the destination country. Moreover, the persons entrusted to our care whom you will meet on your journey have often experienced situations of violence, abuse, exploitation and neglect. This makes it all the more important to provide these persons entrusted to our partners' care with a situation that safeguards and protects their dignity and rights. You and your behaviour can contribute to this. Furthermore, the following rules of conduct also serve to protect you from false accusations. We ask you to provide your signature to confirm that you will comply with them unconditionally.

The fundamental principle is that:

- The dignity and the rights of persons entrusted to our care must always be respected. They must be protected from violence, exploitation and any kind of abuse.
- The welfare of the person entrusted to our care has absolute priority over all other interests and intentions.

Please note:

- During your visits, remember to protect the privacy of the persons in our care. Especially between children and adults, an imbalance in authority exists and/or a relationship of trust develops, which must never be exploited.
- Indoor premises, particularly bedrooms and sanitary facilities, should only be entered if accompanied by project partners so that ambiguous situations are avoided.
- For all contacts with minors, a member of staff from the project must be present at all times. This is dictated by the duty of care that must be borne by the project owners for legal reasons. Take care not to spend any time alone with individual children (away from the group).
- If you wish to photograph people, and particularly children, during your visit to the project, we ask you to do so only after prior consultation with the head of the project and with the consent of the persons entrusted to our care or, in the case of minors, with the consent of their parents or legal guardians. Firstly, this requirement is consistent with the local, sometimes stricter, legal regulations, and secondly, it serves to protect the persons entrusted to our care. Photographs must never be taken nor films recorded against the will of a person in our care. Furthermore, it is incompatible with the dignity of the person in our care to take photographs or record film of them naked or in a degrading situation. Please respect the personal rights of the persons entrusted to our care and do not post travel photographs on the Internet (Facebook etc.) in which people are shown.
- Respect the religious confession of the person entrusted to our care and refrain from exerting influence in any way.
- Avoid giving gifts to individual children. This would lead to individual favouritism and could be perceived as unfairness within the group.
- If you become a witness to any use of violence, assaults or the like, or if you perceive any threat to the welfare of persons entrusted to our care within the projects, persons responsible for the project locally as well as those responsible at missio Munich must be informed immediately.
- It is forbidden to exchange money, goods, services or favours for sexual services. In addition, persons entrusted to our care must never be held, stroked, kissed or touched inappropriately or in a culturally insensitive way.

With your visit, you can help to build bridges of understanding and to support the work done by missio together with its worldwide network. For this, we thank you. Equally, we thank you for having the willingness and sympathy to support us in achieving our prevention aims for the benefit of persons entrusted to our care in the projects by heeding the principles for contact in situ. In this way, together you and we can engage in successful, sustained and effective cooperation with our project partners in situ.

Should you decline to provide your signature to confirm your compliance with these principles of conduct, regrettably we will have to exclude you from taking part in the trip in the interests of the persons entrusted to our care.

By providing my signature, I confirm that I have taken note of the information and conditions specified by missio for project visits, and give my undertaking to comply with the Code of Conduct.

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| Place, date | |
| Signature | |

Safeguarding Policy of missio Munich to Prevent Abuse

**ANNEX 3: DECLARATION OF COMMITMENT FOR
EXTERNAL REPORTERS**

Declaration of Commitment by External Reporters

missio Munich welcomes and supports journalistic reporting on the realisation of the mandate set out in its statutes and the impact made thereby. Reporting by journalists in words, pictures and graphics as well as through other services (e.g. translations) is an important contribution to supporting our worldwide endeavour to prevent abuse and exploitation of any kind. Because the protection and security of persons entrusted to our care, and the care of our project partners, is accorded the highest priority in all projects supported by missio Munich. Those entrusted to our care must be protected from any form of mistreatment, abuse, exploitation and violence.

I,

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| Family name | |
| First name | |
| Date of birth | |
| Travel duration from/to | |
| Destination country | |

by means of my reporting therefore support missio's active commitment to prevent abuse and exploitation of persons entrusted to its care, in keeping with the missio Safeguarding Policy.

In order to guarantee this in the context of reporting as well, we ask you to sign this declaration of commitment. We assume that you carry out your work in accordance with the German Press Code. Our communication standards (see below) serve as an ethical guideline for the special challenges that arise in the course of reporting about persons entrusted to our care in sometimes precarious living circumstances.

General communication standards of missio Munich:

- Portrayals in words or pictures which are disparaging or humiliating for the persons concerned, or which otherwise impair their dignity, shall not be used.
- Content or wording that is discriminatory or could be understood as discriminatory shall be avoided.
- Any degrading, disingenuous or sensational portrayal of distress and hardship shall be avoided; nor shall people be reduced to victims or other stereotypical roles.

- Persons in our care must be appropriately dressed (by the customs of their country of origin). Special care is required when taking and selecting photographs in countries where persons entrusted to our care wear just a few items of clothing.
- The journalistic principles (German Press Code) according to the recommendations of the German Press Council serve as the guideline for communication.
- For the creation of media content, consent shall be obtained from the portrayed persons entrusted to our care, or if they are minors, from their parents or authorised representatives.
- Pseudonyms shall be used for minors when this is a sensible requirement for their protection.
- Visit the project with small-scale equipment as far as possible, heed the respective cultural conventions and treat all persons involved with respect.
- Avoid direct questions that bring up psychological pain or a traumatic experience.

When **reporting about persons entrusted to our care who are especially at risk**, deliberate steps shall be taken for their protection. The aim must be that persons entrusted to our care should not be exposed to any additional violence or to public exposure if, for example, they have been victims of sexual or other violence, if they are affected by HIV/AIDS or if they are accused of crimes. Child soldiers, asylum seekers and refugees also come into this category.

I have taken note of the content of the declaration and give my Consent to comply with it.

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|-------------|--|
| Place, date | |
| Signature | |

Safeguarding Policy of missio Munich to Prevent Abuse

**ANNEX 4: FORM FOR REPORTING
A CASE OF SUSPECTED ABUSE**

Form for Reporting Cases of Suspected Abuse of Persons Entrusted to our Care

Please send to the chairperson of the Working Group against Abuse (AGM) at missio Munich, International Catholic Mission Society (*Internationales Katholisches Missionswerk Ludwigs Missionsverein KdöR*) by email: firstname.lastname@missio.com

Or by postal mail to:

missio Internationales katholisches Missionswerk
Ludwig Missionsverein KdöR
z. H. Vorsitz des Arbeitskreises gegen Missbrauch
Pettenkofer Straße 26–28
80336 München
Germany

Thank you on behalf of missio for playing your part by reporting possible cases of abuse to the detriment of persons entrusted to our care. By doing so, you are contributing to the prevention of further cases of abuse and helping us to investigate suspected cases and to provide the victims with quick and effective support. You are also helping us to actively oppose a culture of looking away, remaining silent, and covering up.

Only complete the boxes that are relevant to your observations. If you cannot answer some of the questions, simply leave the boxes blank.

1. Information about yourself:

(You also have the option to submit a report anonymously. However, this makes it much more difficult to investigate the facts and may even prevent a successful conclusion to the procedure. Based on our Safeguarding Policy we take active steps to ensure that nobody suffers personal disadvantages because of reporting a concrete suspicion.)

Name:

Position within missio or within a project supported by missio Munich:

Address:

Phone/mobile/fax

Email:

Cases of abuse can be very varied, as can the circumstances in which they come to be noticed. If one of the cases listed below applies to you, it is your duty to take action in order to protect the person(s) entrusted to our care, so that we can swiftly and thoroughly resolve the existing suspicion, avert a danger and put a stop to possible abuse.

So do not hesitate to report your suspicion, using this form, if

1. you have directly witnessed abuse of persons entrusted to our care, or
2. you suspect someone of abuse, or
3. someone in your work environment is being accused of abusing persons entrusted to our care.

Moreover, should you have the concrete impression that

4. a person entrusted to our care is being neglected,
5. a person entrusted to our care is being psychologically abused,
6. a person entrusted to our care is being emotionally abused,
7. a person entrusted to our care is being sexually abused,

contact us using this form so that we can look into the matter and potentially prevent any (additional) harm.

I have the following suspicion or impression (Please make use of the numbers 1. to 7. from the list above).

My connection with the person entrusted to our care:

2. Information about the person entrusted to our care:

Name:

Gender:

M

F

D

Address:

Nationality:

Date of birth/age:

Is there any disability and/or cognitive impairment?

Is there repeated abuse? Is the person entrusted to our care traumatised?

3. Information about the environment

Project/owner of the project:

Status of the person entrusted to our care in relation to the project:

Current whereabouts of the person of the person entrusted to our care:

Relationship of the person entrusted to our care to the accused:

4. Information on measures

Measures for the present and ongoing safety of the person entrusted to our care:

Measures to end the abuse:

Which responsible church and/or state bodies were called in?

Other:

5. Information about the accused

Name:

Gender:

M F D

Address:

Date of birth/age:

Nationality:

Description (if the above information is not known, or in addition to it):

Connection of the accused with missio or with the project supported by missio:

Relationship to the person entrusted to our care:

6. Information on the case of suspicion

If it was a concrete incident:

| | |
|-------|------|
| Place | Time |
| Date | |

Witness(es):

Nature of the alleged act (please describe as precisely as possible):

Circumstances and chain of events (What happened?):

Use an additional page if necessary.

7. Information if you have had contact with the person entrusted to our care

It is possible that you have already spoken to the person entrusted to our care and heard their account of the incident(s). You can also provide information about this.

Reaction/information disclosed by the person entrusted to our care (please listen carefully and ask questions sensitively):

Use an additional page if necessary.

Own observations (e.g. visible injuries, emotional state, etc.):

Use an additional page if necessary.

8. Information if you have had contact with the accused

Should you have confronted the accused with the allegations, how did he or she react to your contentions/questions?

Use an additional page if necessary.

Place:

Date:

Signature:

Safeguarding policy of missio Munich to Prevent Abuse

**ANNEX 5: DECLARATION OF SELF-COMMITMENT FOR
PROJECT PARTNERS**

Declaration of Self-commitment for Project Partners

| | |
|----------------------|------------------------------|
| Project number | Country / Diocese / Location |
| | |
| Project title | Grant amount |
| | |
| Owner of the project | Person responsible |
| | |

missio, the International Catholic Mission Society – missio Internationales Katholisches Missionswerk Ludwig Missionsverein KdöR is committed in its work in Germany and abroad to strengthening the rights of persons in our care of all ages, especially children, and protecting them from any form of abuse, mistreatment and exploitation.

missio sees it as its duty to create an environment that is safe for all those entrusted to its care. This shall be guaranteed by resolutely upholding child rights and human rights. The same shall apply both to those entrusted to our care in the programmes and projects supported by missio abroad and to all other missio activities in Germany and abroad. It is of great concern to missio to create an awareness of these issues among all project partners, to sensitise them to the topic and to establish contractual commitments in order to guarantee that child rights and human rights are upheld.

To this end, appropriate instruments shall be developed, including clearly defined responsibilities and procedures in the areas of prevention, case management and monitoring. It must be ensured that these are put into practice. In doing so, clear rules of conduct accompanied by functioning and transparent control and complaints mechanisms shall guarantee a high degree of protection for the people entrusted to our care.

Every staff member within the projects supported by missio shall be obliged to speak up about potential dangers and, in cases of abuse and mistreatment, to react appropriately, by following either the stipulations of the missio Safeguarding Policy or the local provisions on prevention. Cover-ups of cases of abuse and their circumstances shall not be tolerated.

The concept of the person entrusted to our care

The concept of the person entrusted to our care is framed broadly. “Persons entrusted to our care” within the meaning of the missio Safeguarding Policy refers to all persons who are being guided, supervised or supported by our project partners or are taking part in courses, seminars or other events organised by project partners.

Persons entrusted to our care in this sense also include priests, candidates for priesthood as well as religious and novices who are being supported and guided by missio’s project partners.

The concept of abuse

Abuse or mistreatment of persons entrusted to our care encompasses all forms of physical and/or emotional abuse, sexual abuse, abandonment, neglect, or commercial or other exploitation which result in an actual or potential threat to the health, survival, development or dignity of the minor or adult, and which take place within a relationship characterised by responsibility, trust or power.

From that definition, the following six main categories of mistreatment are derived.

1. **Physical abuse** – is the actual or potential physical injury of the person entrusted to our care, or failure to protect them from physical injury.
2. **Sexual abuse** – is any actual or threatened, sexually motivated, active or passive touching of or by persons entrusted to our care. This includes sexually motivated activities in all forms, such as indecent touching, sexual intercourse, etc., but also activities involving no physical contact, such as exhibiting pornographic material, performing sexual acts in front of persons entrusted to our care, or using sexualised language.

Sexual violence or abusive acts within the meaning of this Safeguarding Policy encompass not only sexual acts that are criminal offences, but also boundary infringements, as well as

- Criminal offences against sexual self-determination.
- Acts against sexual self-determination according to canon law, which are committed upon minors or persons whose intellect is habitually limited and which are regulated, inter alia, in the “Codex Iuris Canonici” and the “Sacramentorum Sanctitatis Tutela”.
- while giving due regard to the particularities of the individual case, acts below the threshold of criminal liability which are committed in the course of pastoral, educational and caring contact with persons entrusted to our care and which constitute an infringement of boundaries or other form of sexual assault
- All forms of representation with a sexual reference, in words, images, writing, conduct towards and treatment of persons entrusted to our care, which are made with alleged consent, without consent, or against the express will of the persons concerned. Furthermore, this Safeguarding Policy encompasses all actions for the preparation, perpetration and concealment of sexual violence.

3. **Spiritual abuse** – is a generic term for various forms of emotional abuse and abuse of power in the context of spiritual, religious life, both in settings of individual spiritual guidance and of communities. It can also constitute abuse if a community monitors every area of a person's life in such a way as to deprive them of the freedom to shape their life with (some) self-determination.
4. **Emotional abuse** – encompasses depriving a person entrusted to our care – especially a child – of an environment appropriate to their age and psychosocial development, as well as persistent or severe verbal abuse, humiliation, degradation or rejection of a person entrusted to our care, which causes negative impacts on their emotional development and behaviour.
5. **Exploitation** – encompasses the commercial or other exploitation of the person entrusted to our care through activities that such a person carries out for the benefit of a third party, such as exploitative work and child labour, (child) prostitution or any other activity which leads to the economic exploitation of the person entrusted to our care. In the case of children in particular, impairs their physical and mental health, holds back their education and disturbs their moral and psychosocial development.
6. **Neglect** – begins as soon as a person entrusted to our care is deprived of the basic provision to ensure their psychosocial development – in such areas as health, food, clothing, housing, education, human attention, etc.

The project owner **therefore gives a binding self-commitment:**

- to comply with all applicable national and international laws, ordinances and other regulations of secular and church legislation,³⁹ including occupational safety and social standards (e.g. minimum wage, working time), above all in relation to prevention and obligatory reporting of any abuse, in keeping with the policy of missio Munich,
- to inform the person responsible for implementing the specific project comprehensively about these obligations and to take responsible care that they are complied with.
- to take all suitable steps including appropriate guidelines for the prevention of violence of any kind towards minors and adults entrusted to their care. If such guidelines do not exist or existing guidelines are inadequate, these are to be developed and submitted within a period not exceeding two years.
- to inform missio Munich about any suspicion of abuse of minors or adults entrusted to their care, or of crimes against sexual self-determination during the term of the project, and to make all relevant information available to enable an assessment of the case,
- to communicate which legal steps and internal measures have been instigated to clarify the incident, internally and under criminal law, and above all to guarantee the protection of the potential victim.

Contribution of missio Munich

If a project has no prevention measures or they are inadequate, within the scope of its resources, missio Munich can support its project partners in the development and implementation of effective safeguarding mechanisms.

In this process, the Safeguarding Policy of missio Munich shall serve as guidance. The concrete measures in situ shall be adapted to local circumstances, but in all cases must meet the requirements of clear definitions, a systematic procedure and the establishment of internal and external points of contact.

Where needed, missio Munich also supports measures that serve to improve or establish a system for the prevention of abuse. These include, for example, awareness raising, further training and continuing education of staff in pastoral projects, the training of volunteers, courses on child protection and prevention, etc.

³⁹ Cf. Vos estis lux mundi.

Compliance with prevention measures by project owners

The project owner undertakes to keep missio informed on a regular basis, as part of the project report, about compliance with and continuing development of the prevention measures, the procedure in the event of suspected cases and, if applicable, consequences and repercussions of such cases.

Consequences in the event of violations of this agreement

If the project owner or person responsible for the project locally breaches any provisions of this agreement, extraordinary and/or early termination of the cooperation and/or cessation of current or future payments shall be possible. A thorough review shall be made of any future cooperation with this project owner.

Cases shall always be subject to individual assessment. This shall consider to what extent the misconduct of individual project participants precludes future cooperation with this partner altogether. In this respect, a transparent and consistent approach by the partner as well as comprehensive information about the handling and consequences of the suspected case shall be of decisive importance.

Where other aid organisations or co-funding organisations are also involved, e.g. in a project abroad, the project owner consents to letting them be informed about the suspected case.

missio reserves the right, if necessary, to initiate criminal proceedings and to make reports to other authorities and to church bodies.

As the legally authorised representative of this project owner, I give my undertaking that all requirements in this declaration shall be complied with during the project:

.....

.....

Place, date

Function

.....

Forename, family name