



Children First Association

Policy Document on Prevention of Sexual Abuse

DIYARBAKIR – 2024

1. Objective

This document has been created by an independent team with the decision and signature of the board of directors in order to prevent all kinds of gender-based abuse and inequality that may occur within the organisation. Members, employees, board of directors, supervisory board, consultants, volunteers, interns, collaborating organisations, service/product recipients and institutions are responsible for this policy document.

2. Context

The scope of this policy includes defining the framework that will show which actions/behaviours fall within the scope of gender-based violence, determining responsibilities and decision-making processes, and determining the principles of the organisation on this issue.

The Policy Document on the Prevention of Sexual Abuse is a living document. In case of need, it will be updated with the approval of the board of directors.

3. Concepts

3.1. Age of Consent in Sexuality: It is the age at which a person is legally considered an adult, enjoying all the rights and assuming the responsibilities of adulthood. In other words, a person of legal age may participate in any legal and/or commercial transaction, and may be held responsible for obligations arising from contractual obligations or situations arising as a result of negligence. (Legal Definitions and Legal Terms Defined)

3.2. Gender Inequality: It is the imposition of roles and duties on individuals based on their gender assigned by society. Gender inequality refers to the social, political, economic and cultural differences and discrimination experienced by individuals because of their gender identity. This inequality is based on gender-based social norms, expectations and roles. It often works to the disadvantage of women and girls. Binary gender is deepened by myths such as the assignment of colours from infancy, the purchase of gender-specific toys, and the

giving of militaristic names to boys and delicate names to girls. The sharp separation of the sexes fuels the roles assigned to boys and girls.

3.3.Rights Violation: Violation of the legal or human rights of an individual or group of people by others, whether intentionally or negligently. These violations usually involve fundamental rights such as the right to life, liberty, equality and access to justice. Rights violations may be in violation of national laws as well as international legal norms. Fundamental rights are protected by many international treaties and conventions, which include the obligation of individuals or communities to respect human rights.

3.4.Sexism: It involves the compression of gender roles and gender identities by certain norms and expectations. This leads to the creation of male-centred gender stereotypes.

3.5.Consent and Consent Building/Construction: It is a clear and unambiguous expression of one's free will, either verbally or through physical expression, that one wishes to engage in a certain sexual behaviour. Consent is a one-time thing. Consenting to a sexual behaviour does not mean that the behaviour will always be accepted. Consent can be withdrawn. Giving consent to start a sexual behaviour does not mean that consent is also given to continue it.

The construction of consent includes methods that do not involve physical coercion, such as insistence, lies, emotional threats, persuasion processes (gifts, financial support, hospitality), emotional pressure (making the person feel guilty), anxiety reduction (assurances given on the union). Desire and consent should not be confused. Desiring a person or sexual behaviour does not mean that you approve of that behaviour.

3.6. Persistent Stalking: Stalking is when a person constantly follows, watches, and spies on another person in a disturbing manner. Persistent stalking can be carried out physically or through digital platforms or media communication tools. This situation frightens the subject and damages the sense of security.

3.7. Sexual Violence: When an individual engages in sexually disturbing or aggressive behaviour towards another individual. Such behaviour includes sexual acts committed without or without the consent of the person. Sexual assault, harassment and rape are examples of sexual violence. Sexual violence seriously affects the mental and physical health of the victim.

Gender equality; sex education and awareness is recognised as an important strategy to prevent sexual violence and provide support to victims. The inviolability of the body is protected by law. Legal regulations and policies are also critical to preventing sexual violence and holding perpetrators accountable to justice.

3.8. Gender-based Discrimination: Discrimination is when a person does not treat another person and/or group equally and discriminates against them by targeting other persons and groups that are similar to them because of their gender identity or sexual orientation. The basic elements of discrimination are inequality, injustice, exclusion, marginalisation and unfair treatment.

4. Behaviours Considered as Sexual Harassment

4.1. Verbal Harassment: Using sexually explicit words, making jokes with sexual meaning or making sexually explicit comments.

4.2. Physical Harassment: Touching, hugging, kissing or making sexually inappropriate gestures to a person's sexual areas.

4.3. Emotional Harassment: Overstepping one's emotional boundaries or engaging in manipulative behaviour.

4.4. Sexual Assault: Forcing sexual intercourse or sexual touching without the person's consent.

4.5. Digital Harassment: Sending/requesting sexually explicit messages, sharing/requesting sexually explicit images or videos, forcing video communication, persistent calling or sexual harassment through cyberbullying.

4.6. Stalking and Surveillance/Covert: Continuously following, spying or monitoring a person in physical and/or digital environment for sexual purposes.

4.7. Sexual Abuse: Sexual activity that is actually performed or threatened to be performed by using force or under unequal or coercive conditions.

5. Types of abuse

5.1. Types of sexual abuse involving contact:

- Touching any part of the body and/or genitals without the person's consent/consent
- Forcing a person to touch his/her body and/or genitals without the consent of the person
- Hugging, kissing, caressing, rubbing without the person's consent
- Rape

5.2. Non-contact types of sexual abuse:

- Unintentionally trying to establish an emotional relationship with the person, flirting
- Unapproved sexually explicit conversation, joking (face-to-face or via phone, text, internet)
- Persistently looking at the person's body in a disturbing way and/or looking at the genitals
- Watching, surveillance (directly or with a camera in a virtual environment) without the consent/notification of the person

- Taking photographs or recording images without the person's consent/notification; storing them and/or sharing them in various media
- Requesting the person to touch his/her body and/or sexual organs without his/her consent and watching him/her do so
- Showing one's own body and/or sexual organs without the consent/consent of the person
- Touching oneself without the person's consent and making the person watch it
- Showing sexually explicit images or videos to the person without the person's consent/notification
- Making a person watch pornographic materials, storing and/or disseminating them in a recorded form without the consent/notification of the person
- Using the person in the production of pornographic material without the person's consent/notification
- Witnessing or forcing a person to witness sexual intercourse without their consent
- Employing a person as a sex worker without the consent of the person (directly or virtually)
- Exerting pressure, discrimination and violence against a person because of his/her sexual orientation, gender identity, body expression

6. Principles / Policies

Children First Association adopts a rights-based approach while developing a policy document on the prevention of sexual abuse. In case of abuse, it takes responsibility based on international human rights standards and creates a theoretical framework to support and protect human rights in practice. These principles will help the association to build a solid foundation for the prevention of sexual abuse. Children First Association;

- It recognises that every individual has equal rights and is committed to protecting human rights against sexual abuse.

- It encourages openness and transparency, sharing information and taking responsibility for issues related to sexual abuse within the organisation at all times.
- - It adopts preventive approaches and aims to minimise risks. In this context, it organises trainings, develops policies and procedures.
- Commit to support the exposed person and provide the necessary resources to support the recovery process of the exposed person.
- In case of any sexual abuse, it rapidly intervenes, investigates and takes necessary steps. Be transparent and accountable in these processes.
- It aims to raise awareness of its employees, volunteers, members and board of directors on sexual abuse issues and to raise awareness on these issues.
- Continuously reviews, improves and evaluates the effectiveness of its policies and procedures.
- Promotes social, institutional and legal changes to prevent sexual abuse. It raises public awareness on this issue and co-operates with policy makers.
- It is based on the declaration of the victim and an investigation is carried out based on this declaration..
- The concept of early and forced marriage is used instead of child bride.

7. Procedures

- Children First Association expresses the concept of sexual abuse in a clear and understandable way. It ensures that it is understandable by everyone in the organisation.

- It creates an effective and safe mechanism for reporting abuse or suspicious situations in a reliable manner. This mechanism is created and reported by an independent team that is not involved in the work of the association.

- Establish fair, objective and confidentiality-protecting principles for the investigation of violations. The protection of the victim and the provision of necessary support is an important part of these processes.

- A disciplinary mechanism is in place for violations related to sexual abuse. This mechanism includes appropriate and comprehensive sanctions depending on the seriousness of the violation.

- As part of the organisational culture, employees, members and volunteers receive training on child protection, child safety and gender equality. These trainings focus on recognition, reporting and prevention strategies.

- The victim is referred for support and recovery services. These services include psychological support, medical assistance, legal assistance and access to other necessary resources.

- It tries to raise awareness within the organisation and the public in order to reduce the stigma related to sexual abuse in society.

- The effectiveness of the policies is evaluated through feedbacks and reports and the policy text is revised.

- Mainstreaming policy documents on gender equality and prevention of sexual abuse by collaborating with other institutions, non-governmental organisations and local governments in the fight against sexual abuse.

- Ensure that the policy document on the prevention of sexual abuse is read by all employees, members and volunteers. New recruits, new volunteers and new members also receive the document and make sure that they read it.

8. Notification Centre

Considering the best interests of the person, preventing all forms of violence, neglect and abuse against the person can be ensured by raising awareness and making visible fundamental rights in society. Here, it is necessary to mobilise the reporting mechanism in order to keep the person away from violence and to ensure that he/she knows and uses his/her rights. Employees, volunteers, members and board members of Children First Association have a rights-based perspective. However, in case of behaviour against the rights of the person, a written or verbal notification can be made to the disciplinary board of the Children First Association. In the event of any injustice, negligence or discrimination suffered during the activity, persons shall notify the association management. If they do not feel safe in this regard, they can use the e-mail address info@oncecocuklar.org.tr as a channel.

9. Legal Processes

The Istanbul Convention clearly defines harassment in Articles 36 and 40 and states that States Parties must take legal measures against all forms of harassment that cause individuals to feel insecure. States parties are obliged to take effective legal measures to ensure that perpetrators are punished for all forms of sexual violence, including rape. Children First Association takes national and international legal regulations (Convention on the Elimination of All Forms of Discrimination Against Women CEDAW, Istanbul Convention, International Labour Organization ILO 190, Turkish Penal Code Law No. 6284) as basis.

Article 36: Acts of sexual violence, including rape 1 Parties shall take the necessary legislative or other measures to ensure that the following intentional acts are punishable: **(a)** to perform, without consent, vaginal, anal or oral penetration of a sexual nature with another person, using any body part or object. **(b)** engaging in other acts of a sexual nature with a person without his or her consent. **(c)** Causing another person to engage in acts of a sexual nature with a third person without his or her consent. Consent must be given voluntarily as a result of the free will of the person concerned, to be assessed in the context of the circumstances.

Article 40: Parties shall take the necessary legislative or other measures to ensure that any unwelcome verbal or non-verbal or physical conduct of a sexual nature,

whether verbal or non-verbal, or of a physical nature, which has the effect of violating the dignity of a person, or which is carried out for that purpose, and in particular when creating a degrading, hostile, insulting, humiliating or offensive environment, shall be subject to criminal or other legal sanction. (Istanbul Convention, 2011)

Law No. 6284: It regulates the procedures and principles regarding the measures to be taken for the protection of women, children, family members and victims of unilateral stalking who have been subjected to violence or are at risk of being subjected to violence and for the prevention of violence against these persons.

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Website: <https://www.uscourts.gov/glossary>