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**Pediatricians for
Children, CSO**

Bakošova 3
841 03 Bratislava
IČO: 53 772 032
DIČ: 2121545525

CODE OF CONDUCT ON PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE

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1

Approved by:


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MUDr. Beata Kartousová
Prokopová

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MUDr. Zuzana Nagyová MPH

.....
MUDr. Elena

Prepared by:

Sarah Kartousová

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1.0 Purpose:


Our code of conduct reflects our commitment to adhere to the highest ethical standards.

2.0 Scope:

This code applies to anyone working with or on behalf of Pediatricians for Children, including members, volunteers, contract employees, as well as stakeholders involved in the implementation of the Organization's programs. **It furthermore extends to situations which occur at or away from the workplace, during or outside working hours.** It is understood that allegations of prohibited behavior can be made by any person, regardless of their relationship with the Organization of Pediatricians for Children.

3.0 Definitions:

- **Organization** refers to Pediatricians for Children, civic Organization.
- **Worker** refers to any member, employee, or partner acting as on behalf of the Organization.
- **Criminal law** refers to Act No. 300/2005 Coll., the Criminal Code.
- **Protection against Sexual Exploitation and Abuse (PSEA):** A term used by the United Nations and the non-governmental community to denote interventions aimed at protecting and responding to sexual exploitation and abuse experienced by vulnerable individuals, as well as staff and associated personnel. In this document, PSEA will also address sexual harassment and gender-based discrimination.
- **Discrimination** refers to conduct that treats a person, directly or indirectly, differently on the basis of gender, religion or belief, race, nationality or ethnic group, disability, age, sexual orientation, marital and family status, skin color, language, political or other opinion, national or social origin, property, gender identity or other status, or due to reporting of criminality or other antisocial behavior.
- **Sexual harassment** is also a form of discrimination and involves verbal, non-verbal, or physical behavior of a sexual nature that is intended or can result in the violation of a person's dignity and creates an intimidating, humiliating, or offensive environment.
- **Sexual exploitation** is any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes, including, but not limited to profiting monetarily, socially or politically from the sexual exploitation of another.

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Any exchange of development assistance, money, employment, goods, or services for sexual purposes, including sexual favors or other forms of degrading, humiliating, or exploitative behavior, constitutes sexual exploitation. Therefore, the United Nations includes transactional sex in its definition of sexual exploitation.


- **Sexually motivated criminal offenses** include any act that fulfills the elements of a criminal offense (committed by a person over 14 years old, or in the case of sexual abuse, 15 years old, and fulfills the elements of one of the criminal offenses listed in Act No. 300/2005 Coll., the Criminal Code (hereinafter referred to as the "Criminal Code")), and this act has a sexual character.

In the Slovak Republic, we distinguish between the criminal offense of rape, the criminal offense of sexual violence, and the criminal offense of sexual abuse.

Rape involves forced sexual intercourse using violence or the threat of violence, which can only be committed by a man against a woman. Another form of sexually motivated criminal offenses includes different types of victims and perpetrators and extends the conduct to sexual violence, which is stated in Section 200 of the Criminal Code as forced oral or anal intercourse or other sexual practices. The Criminal Code assumes the presence of violence or immediate threat of violence or abuse of helplessness (unconsciousness, intoxication...) to commit these two criminal offenses. However, a different conclusion arises from the case law of the European Court of Human Rights, which stated that the punishment of non-consensual sexual intercourse, '[including] cases where the victim does not show signs of resistance', is necessary for the effective protection of women against violence. This decision implies that **the fundamental determinant of rape should not be violence, but the lack of consent**. Pediatricians for Children reserves a right against any type of forced sexual activity for which one of the persons has not expressed consent.

- **Sexual abuse** means the actual or threatened physical intrusion of a sexual nature, whether by force of under unequal or coercive conditions.

Sexual abuse also includes proposing a meeting with a child through an electronic communication service with the intention of committing the criminal offense of sexual abuse or the criminal offense of producing child pornography by an adult; abusing a child under the age of 15 to induce sexual satisfaction by participating in sexual activities or sexual abuse, or enabling such abuse, even without the direct participation of the child; encouraging a child to have extramarital sexual intercourse or other sexual abuse of the child, either from a position of care, supervision, or dependence, or in the case of child prostitution or abuse of recognized status arising from trust, authority, or influence over the child.

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As part of Pediatricians for Children's policy, any sexual activity with a person under 18 is considered prohibited.

Conduct fulfilling the elements of a criminal offense under the conditions of the Slovak Criminal Code will be reported to the relevant authorities by the Organization. Other actions not regulated by the legal order of the Slovak Republic will be addressed within Pediatricians for Children in accordance with internal regulations to which employees have agreed.

4.0 Principles:


The Code focuses on the following principles:

Six main principles:

1. Sexual exploitation and abuse by staff represent a serious breach and therefore are grounds for termination of employment.
2. Sexual activity with individuals under the age of 18 is prohibited for employees. A mistaken belief about the age of a child is not a defense.
3. The exchange of money, employment, goods, or services for sex (including sexual benefits, other forms of degrading, humiliating, or exploitative behavior, or hiring sex workers) or other exploitative demands is strictly prohibited. This includes assistance to which recipients are entitled.
4. Any sexual relationship between employees and an individual who seeks their assistance and protection, which involves the improper use of their rank or position, is prohibited. Such relationships undermine the credibility and integrity of the Organization.
5. If an employee acquires concerns or suspicions regarding sexual abuse or exploitation by colleagues, whether within the same Organization or not, they must report these concerns through established reporting mechanisms.
6. Employees are obligated to establish and maintain an environment that prevents sexual exploitation and abuse and supports the implementation of the Organization's code of conduct. Managers at all levels bear specific responsibility for fostering and developing systems that maintain such an environment.

All employees of the Organization are required to uphold the highest standards of professional and personal behavior. All personnel must consistently treat clients with respect

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| Page 4 | Code of Conduct PSEA | |
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|  | <p>Date:</p> <p>Revision:</p> | <p>Pediatricians for Children, CSO Bakošova 3 841 03 Bratislava IČO: 53 772 032 DIČ: 2121545525</p> |
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and dignity. Sexual exploitation and abuse (SEA) are acts of unacceptable and prohibited behavior for all workers, extending beyond official working hours and irrespective of their physical location. SEA damages the integrity and image of the Organization and undermines trust in the Organization.