



ACDI/VOCA & AFFILIATES ANTI-EXPLOITATION POLICY

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POLICY 103



CONTENTS

1. Purpose	2
2. Policy Statement	2
3. Scope of Policy	2
4. Roles and Responsibilities	2
5. Definitions	3
6. Policy Procedures	3
6.1 Policy Implementation	4
7. Exceptions	4
8. References.....	4

1. PURPOSE

This ACDI/VOCA Anti-Exploitation Policy describes ACDI/VOCA's commitment to identifying, preventing, and alleviating human exploitation and combating trafficking in persons.

2. POLICY STATEMENT

ACDI/VOCA opposes all forms of human exploitation and is committed to a policy of preventing or mitigating all forms of exploitation, including, but not limited to Trafficking in Persons, Sexually Exploitative Activity, Gender-based Violence, and other forms of abuse and exploitative practices. This document sets forth the ACDI/VOCA policy regarding preventing various forms of exploitative behaviors that may be encountered through our work. ACDI/VOCA is also fully committed to full compliance with all of the laws and regulations that govern our international workforce. These laws include the U.S. Government's laws, regulations, and rules that prohibit trafficking in persons.

3. SCOPE OF POLICY

This policy directly applies to all:

- ACDI/VOCA employees, volunteers, including the Board of Directors
- All ACDI/VOCA subsidiaries and their employees
- All Subrecipients, suppliers, independent contractors, and their personnel

Complaints regarding any prohibited conduct may be made by any staff member, consultant, contractor, implementing partner, donor personnel, and any other person who may have been subject to prohibited conduct on the part of a covered person in a work-related situation.

4. ROLES AND RESPONSIBILITIES

The Chief Legal Officer (CLO) has the primary responsibility for maintaining this policy and ensuring procedures are developed to ensure that the policy is followed. ACDI/VOCA reserves the right to change or revise this policy, as appropriate. Material changes to this policy are reviewed and approved by the president after review by the Executive Management Team/Ethics Committee.

Chiefs of Party and Division heads are responsible for implementing and enforcing this policy in the projects they operate. (conform/refer to EPM)

Supervisors should take all the necessary steps to ensure employees reporting to them know and follow this policy.

All individuals covered by this Policy are required to cooperate with investigations and to report or seek advice about reporting how to appropriately handle potential violations of the Policy.

5. DEFINITIONS

“**Trafficking in Persons**” or “**TIP**” - means the recruitment, transportation, transfer, harboring or receipt of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

“**Sexually Exploitative Activity**” - means recruiting, transporting, providing, or obtaining a person for a commercial sex acts through the use of force, fraud or coercion.

“**Gender-Based Violence**” - means violence directed at an individual based on his or her sex, gender identity, or expression of socially defined norms of masculinity and femininity. The term “violence” is not limited to physical violence but is an umbrella term that encompasses any harmful behavior that is perpetrated against that person’s will.

“**Commercial Sex Act**” - means any sexual activity performed for or by an individual that involves an exchange of value given or received by any person.

6. POLICY PROCEDURES

In order to carry out this policy effectively, ACDI/VOCA employees, implementing partners, vendors, and their employees and consultants are prohibited from engaging in or failing to take affirmative steps to prevent the following kinds of exploitative behaviors:

- Any form of Trafficking in Persons
- Any form of Sexually Exploitative Activity
- Any form of Gender-Based Violence
- Procuring a Commercial Sex Act arising out of and in the course of employment
- Withholding access to identification documents
- Charging employees or prospective employees recruiting fees in order to obtain or apply for a job
- Improperly withholding program benefits to obtain an advantage
- Use of deceptive or coercive recruiting practices
- Use of debt to force an individual to continue working
- Failing to reimburse for return travel to any individual at the end of employment
- Provision of substandard housing
- Failing to provide legally required employment documentation or doing so in a language that the employee cannot understand
- Failing to adhere to all relevant local and international employment-related laws and regulations

IMPORTANT Engaging in any commercial sex act with a person under the age of 18 under ANY circumstances is STRICTLY PROHIBITED by ACDI/VOCA. **There are no exceptions to this rule: no cultural or socioeconomic rationalizations alter the fact that children who are prostituted are trafficking victims.**

6.1 POLICY IMPLEMENTATION

ACDI/VOCA will implement this policy through:

1. Inclusion of this policy in the Human Resources Manual
2. Incorporation of the policy in on-boarding training for every Board Member, employee, and volunteer
3. Annual training for all employees and volunteers
4. Subaward clauses requiring all subrecipients to implement compliant plans
5. Annual Compliance monitoring
6. Incident Reporting and investigation through the Ethics System of Record
7. Mandatory Disclosures

7. EXCEPTIONS

As may be required by an individual funder/donor or in accordance with local laws, customs, and concerns for the safety of employees, beneficiaries, and related parties, local country offices may seek guidance from the Chief Legal Officer and Ethics Committee to develop variations of this policy that are sensitive to local concerns.

8. REFERENCES

United Nations, Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children Supplementing the United Nations Convention Against Transnational Organized Crime:

<https://www.ohchr.org/EN/ProfessionalInterest/Pages/ProtocolTraffickingInPersons.aspx>

U.S. Presidential Executive Order 13627: <https://www.gpo.gov/fdsys/pkg/DCPD-201200750/pdf/DCPD-201200750.pdf>

USAID ADS 303: <https://www.usaid.gov/sites/default/files/documents/1868/303maa.pdf>

FEDERAL ACQUISITION REGULATIONS (“FAR”):

- FAR 52.222-50: <https://www.govinfo.gov/content/pkg/CFR-2009-title48-vol2/pdf/CFR-2009-title48-vol2-sec52-222-50.pdf>
- FAR 52.222-56: <https://www.govinfo.gov/content/pkg/CFR-2015-title48-vol2/pdf/CFR-2015-title48-vol2-sec52-222-56.pdf>

USAID Counter Trafficking in Persons Field Guide:

https://www.usaid.gov/sites/default/files/documents/2496/C-TIP_Field_Guide_Final_April%2013.pdf

U.K. Modern Slavery Act 2015: <http://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>

MANDATORY DISCLOSURE: FAR 52.201-13 <https://www.acquisition.gov/content/52203-13-contractor-code-business-ethics-and-conduct>