

POLICY AND GUIDANCE ON THE IMPLEMENTATION OF
FOREST TRENDS' SAFEGUARDING STANDARDS
2020



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ANTI-TRAFFICKING IN PERSONS

Purpose

To describe Forest Trends' ("FT") guiding principles with respect to combatting human trafficking.

To comply with applicable donor and other applicable laws, regulations, and policies prohibiting trafficking in persons.

Definitions

1. Agent Any individual, including a director, an officer, an employee, authorized to act on behalf of FT Staff or FT Suppliers
2. Commercial Sex Act Any sex act on account of which anything of value is given to or received by any person
3. Employee Any individual directly engaged in the performance of work under a Government Contract and who has other than a minimal impact or involvement in performance of the work
4. Forced Labor Knowingly providing or obtaining the labor or services of a person by express or implied threats of serious harm to, or physical restraint against, that person, their family member, or another person
5. Trafficking in Persons 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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, or practices similar to slavery, servitude or the removal of organs.

Policy Statement and Scope

FT supports the zero-tolerance policy to combat human trafficking and forced labor. We are committed to high standards of ethics and integrity and compliance with all applicable local laws across our global operations, including prohibition of actions that facilitate trafficking in persons. FT's work with vulnerable populations potentially exposes FT staff and partners to issues of human trafficking and forced labor. FT staff and FT suppliers should be particularly vigilant when contracting with local businesses who may use forced labor tactics to grow their work force.

This policy applies to all FT employees, volunteers, and agents (jointly "FT Staff") as well as FT awardees, contractors, suppliers, consultants, at any tier, as well as their employees, labor recruiters, brokers, and agents (jointly "FT Suppliers") engaged by FT for the performance of donor contracts, awards or cooperative agreements and other applicable agreements ("Donor Contract(s)").

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In addition, this policy establishes a program compliant with U.S. Federal Government regulations and USAID standard provision M20, which prohibits FT, its subawardees, contractors, at any tier, or their employees, labor recruiters, brokers or other agents from the following prohibited activities:

- Trafficking in Persons during the period of a Government Contract.
- Procuring Commercial Sex Acts during the period of a Government Contract.
- Using Forced Labor in the performance of a Government Contract.
- Destroying, concealing, confiscating, or otherwise denying any employee access to his or her identity or immigration documents, such as a passport or driver's license.
- Using misleading or fraudulent recruiting practices during the recruitment of employees or offering of employment to employees, such as failing to disclose (in a format and language accessible to the employee) or making material misrepresentations about the key terms and conditions of employment, including wage and benefits, work location, living conditions, housing and associated costs (if provided for by Forest Trends), significant costs to be charged to the employee and hazardous nature of the work (if applicable).
- Using recruiters that do not comply with the labor laws of the country where recruiting and the work takes place.
- Charging recruitment fees to individual employees.
- Failing to provide or pay the cost of return transportation at the end of employment for an employee who is not a national of the country where the work took place and who was sent to that country for purposes of working on a Donor Contract.
- Providing or arranging housing that fails to meet the host country housing and safety standards.
- If required by law or contract, failing to provide an employment contract, recruitment agreement or other required work document, written in a language the employee understands, that includes details of work description, wages, work location, living accommodations (where applicable) and the content of applicable laws and regulations that prohibit trafficking in person.

All agreements with FT Suppliers under Donor Contracts will include a provision proscribing the above prohibited activities.

Reporting Requirements and Procedures

All FT Staff and FT Suppliers are required to report any trafficking-in-persons related activities or violations of this Policy to FT. Reports may be made on a confidential basis via FT's Ethics Hotline at foresttrends.ethicspoint.com or by calling +1-844-837-2247. Any FT Staff who receive such a report must immediately share all pertinent information with their supervisor or FT's Director of Operations. In addition, any FT Staff or FT Suppliers staff who believe that they or others have been subjected to Prohibited Activities may submit a report as outlined above. FT will investigate all reports of Prohibited Activities and other violations of this Policy and take appropriate action. In addition, FT's HQ Director of Operations (in coordination with Director-level staff as appropriate) will make all required disclosures as set forth in its Compliance Plan. FT strictly prohibits retaliation against any FT Staff who report Prohibited Activities or other violations of this Policy.

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Compliance Plan

Forest Trends maintains a written anti-trafficking Compliance Plan for (sub-) contracts and (sub-) awards are for supplies to be acquired or services to be performed outside of the United States (jointly "Covered Agreements"). Sub-contractors and sub-awardees of Covered Agreements will be required to implement and submit a copy of their Compliance Plan to prevent the Prohibited Activities.

Consequences of Policy Violations

Violation of this Policy or failure to comply with the Compliance Plan *by FT Staff* will result in disciplinary or other action, including termination, reduction in benefits or removal from subaward, contract, sub-contract, or cooperative agreement.

Violation of this Policy, failure to comply with the applicable contractual language in the FT sub-contract or FT sub-award, or applicable compliance required by a FT Supplier will result in remedial action, including termination of the sub-contract or sub-award for cause with immediate effect.

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CHILD SAFEGUARDING

Child Safeguarding refers to all activities intended to prevent and respond to abuse, exploitation, or neglect of children by Forest Trends' (FT) personnel, contractors, and subawardees or as a result of FT-supported programs. FT commits to deterring all activities that would facilitate or condone child abuse, exploitation, or neglect by its personnel, contractors, sub-contractors, awardees, and subawardees as a result of FT-supported programming. Through the adoption of these Child Safeguarding Standards, FT pledges to adhere to the standards stated throughout this policy.

Definitions

1. Child: A child or children are defined as persons who have not attained 18 years of age.
2. Child abuse, exploitation, or neglect: Constitutes any form of physical abuse; emotional ill-treatment; sexual abuse; neglect or insufficient supervision; trafficking; or commercial, transactional, labor, or other exploitation resulting in actual or potential harm to the child's health, well-being, survival, development, or dignity. It includes but is not limited to: any act or failure to act which results in death, serious physical or emotional harm to a child, or an act or failure to act which presents an imminent risk of serious harm to a child.
3. Physical abuse: Constitutes acts or failures to act resulting in injury (not necessarily visible), unnecessary or unjustified pain or suffering without causing injury, harm or risk of harm to a child's health or welfare, or death. Such acts may include, but are not limited to: punching, beating, kicking, biting, shaking, throwing, stabbing, choking, or hitting (regardless of object used), or burning. These acts are considered abuse regardless of whether they were intended to hurt the child.
4. Sexual Abuse: Constitutes fondling a child's genitals, penetration, incest, rape, sodomy, indecent exposure, and exploitation through prostitution or the production of pornographic materials.
5. Emotional abuse or ill treatment: Constitutes injury to the psychological capacity or emotional stability of the child caused by acts, threats of acts, or coercive tactics. Emotional abuse may include, but is not limited to: humiliation, control, isolation, withholding of information, or any other deliberate activity that makes the child feel diminished or embarrassed.
6. Exploitation: Constitutes the abuse of a child where some form of remuneration is involved or whereby the perpetrators benefit in some manner. Exploitation represents a form of coercion and violence that is detrimental to the child's physical or mental health, development, education, or well-being.
7. Neglect: Constitutes failure to provide for a child's basic needs within FT-funded activities that are responsible for the care of a child in the absence of the child's parent or guardian.

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FT Child Safeguarding Standards

Children living in countries in which FT works face a range of challenges, including extreme poverty, conflict, natural disasters, and disease. These challenges can increase the risk of child abuse, exploitation, or neglect. In addition, contractors or subawardees that design and/or implement FT projects or programs without considering conditions that might contribute to child abuse, exploitation, or neglect, may place vulnerable children at further risk.

FT's Child Safeguarding Standards are designed to complement the FT Counter Trafficking in Persons Code of Conduct by expanding the range of actions prohibited by FT under the Code of Conduct, to include abuse, exploitation, or neglect of children. Even though, trafficking is considered an egregious form of child abuse and exploitation which can also involve neglect. The Trafficking in Persons policy provisions which prohibit the acquisition of a child through the use of force, fraud, or coercion or otherwise for the purpose of exploiting a child for profit through forced labor or prostitution are complementary safeguarding measures.

Forest Trends therefore:

1. Maintains a zero-tolerance policy on child abuse, prohibits all FT personnel from engaging in child abuse, exploitation, or neglect and requires FT personnel to:
 - Comply with host country and local child welfare and protection legislation and international standards, whichever gives greater protection, and with U.S. law as applicable.
 - Maintain an environment that prevents child abuse, exploitation, or neglect, including, but not limited to, limiting unsupervised interactions with children; prohibiting exposure to pornography; and complying with applicable laws, regulations, or customs regarding the photographing, filming, or other image-generating activities of children.
2. Promotes child-safe screening procedures when hiring FT personnel, particularly personnel whose work brings them into direct contact with children.
3. Requires that all FT contractors, sub-contractors, awardees, and sub-awardees abide by the child safeguarding principles in the terms of their award to prevent and respond to child abuse, exploitation, or neglect.
4. Requires FT personnel to report allegations of child abuse, exploitation, or neglect perpetrated by FT personnel and/or its consultants, contractors, and subawardees, and ensure that FT investigates and responds to allegations of child abuse, or exploitation, or neglect within its programs or activities.
 - FT treats allegations of FT personnel engaging in child abuse, exploitation, or neglect as suspected cases of employee misconduct or fraud, and abuse in FT programs. Allegations of child abuse, exploitation, or neglect must be reported to the Lead Safeguarding Officer at FT. FT policy includes protections of persons making hotline complaints. FT personnel have the option of submitting complaints via Ethics Hotline at www.foresttrends.ethicspoint.com or at 1-844-837-2247, U.S. mail, or electronic mail.

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- FT takes steps to protect the investigative information it receives but cannot guarantee the confidentiality or security of information while it is transmitted over external telecommunications or information technology networks outside of the ethicspoint portal.
- FT personnel who suspect violations of the child safeguarding principles by FTawardees should follow the reporting procedures.

- For telephone reporting, call 1-844-837-2247.



- Report may be made by mobile phone by accessing QR Code
- Report may be completed online at www.foresttrends.ethicspoint.com
- Report may be mailed to:

Forest Trends
1203 19th Street NW, Suite 4,
Washington, DC 20036
USA

RESPONSIBILITIES

FT is responsible for incorporating provisions related to child safeguarding principles in its grants and subaward agreements, and contracts.

The Lead Safeguarding Officer investigates allegations of FT employee misconduct, mismanagement or violations of law, rules, or regulations by employees or program participants, as well as fraud and abuse in FT programs, including child abuse, exploitation, or neglect. The Audit Committee of the Board conducts investigations into allegations of criminal, civil, and administrative violations related to FT with the aim to foster and encourage the integrity of FT employees, as well that of its contractors, subawardees, and host country counterparts.

FT employees, as well that of its contractors, subawardees, and host country counterparts are strongly encouraged to identify opportunities to integrate or deepen child safeguarding concerns into ongoing activities primarily to provide technical staff with the programmatic skills to design programming in a way that reduces risks of child abuse, exploitation, or neglect including, for example, if working with youth volunteers in specific local community-based activities and trainings.

FT will ensure that new employees are trained on this policy upon onboarding and will provide training annually to FT personnel and partners to support the development of child safeguarding policies within existing projects. Effective efforts to combat child abuse, exploitation, or neglect require sustained attention and demonstrated attention from the Executive Management Team and the Board of Directors.

REFERENCES

1. Public Law 109-95—The Assistance for Orphans and other Vulnerable Children Act of 2005 (PL 109-95).
2. U.S. Government Action Plan on Children in Adversity—A Framework for International Assistance: 2012-2017, December 2012.
3. FT Counter Trafficking in Persons Policy