

# ANTI-HUMAN TRAFFICKING AND EXPLOITATION POLICY

**Effective Date:** March 7, 2018    **Version:** 2    **Version Date:** March 7, 2023  
**Responsible Team:** Ethics and Compliance Department  
**Supersedes:** Version 1  
**Policy Type:** Tier 1 Policy    **Policy Number:** POL-1023

**POLICY**

## 1. Purpose

Consistent with its mission to alleviate poverty, suffering and oppression, Mercy Corps is committed to a work environment and operations that are free from exploitation, human trafficking, and modern slavery.<sup>1</sup> This includes involuntary servitude, debt bondage, child labor, and unlawful recruitment. Mercy Corps has zero tolerance for human trafficking or exploitation in any part of our global organization or with any of our partners and is committed to addressing human trafficking and modern slavery in our operations and supply chains. This policy sets forth the expectations we have of our team members to avoid engagement of, complicity in, or benefiting from human trafficking or exploitation.

## 2. Scope and Application

- 2.1. This policy applies to Mercy Corps Global, Mercy Corps Europe, Mercy Corps Netherlands, and their subsidiaries and affiliate organizations (collectively, “Mercy Corps”); Members of Mercy Corps’ Boards of Directors, officers, management, team members, seconded employees, interns, and volunteers (collectively, “Team Members”).
- 2.2. This policy applies to Mercy Corps partner organizations (including subgrantees), contractors, outside experts, consultants, agents, representatives, vendors, and any other organization or individual that acts on Mercy Corps’ behalf or at Mercy Corps’ direction (collectively, “Partners”).

---

<sup>1</sup> Note that ‘modern slavery’ is the term used in the United Kingdom Modern Slavery Act 2015. Mercy Corps prefers not to use the term ‘modern slavery’ and therefore uses the terms ‘human trafficking’ and ‘exploitation’ in this Policy.

- 2.3. This Policy applies to Team Members and Partners in all locations, at all times, both during and outside of working hours.

### 3. Policy Statements

- 3.1. Mercy Corps expects all of its Team Members, Partners, and Visitors to demonstrate integrity, behave ethically at all times, and adhere to the highest standards of accountability and professionalism. Mercy Corps has zero tolerance for any conduct which is abusive or exploitative. Mercy Corps expects management to fully enforce adherence to these standards.
- 3.2. Mercy Corps will comply with all laws and regulations prohibiting exploitation and trafficking in persons. Mercy Corps is committed to the core principles of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and International Labor Organization (ILO) standards, including those on forced labor and child labor.
- 3.3. Consistent with this policy, Mercy Corps prohibits any Team Member or Partner from engagement, complicity in, or benefiting from any practice that constitutes human trafficking or exploitation. The consent of a person trafficked is irrelevant.
- 3.4. **“Human trafficking”** is an umbrella term referring to both sex trafficking and forced labor. “Trafficking in persons” includes the recruitment, transportation (including failure to provide return 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. The recruitment, transportation, transfer, harboring or receipt of someone under the age of 18 for the purpose of exploitation is also considered "trafficking in persons".<sup>2</sup>
- 3.5. **"Exploitation"** includes, at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation; forced labor or services, including child labor, slavery or practices similar to slavery, involuntary servitude, debt bondage or the removal of organs.
- 3.6. Following the ILO definition, Mercy Corps defines **“child labor”** as work that deprives children (anyone under the age of 18) of their childhood, their potential and their dignity and that is harmful to their physical and mental development. Child labor includes work that:
- 3.6.1. is mentally, physically, socially or morally dangerous or harmful to children; and/or

---

<sup>2</sup> Mercy Corps uses the definition of Trafficking in Persons from the [UN Protocol to Prevent, Suppress and Punish Trafficking in Persons](#) ('Palermo Protocol') (Article 3)

- 3.6.2.** interferes with their schooling by: depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.

For more detail on child labor and child safeguarding, see [Mercy Corps' Child Safeguarding Policy](#).

- 3.7.** Examples of Team Member or Partner conduct that would violate this policy because it contributes to trafficking in persons and/or exploitation, include (but are not limited to):
  - 3.7.1.** Procuring commercial sex acts;
  - 3.7.2.** Employing or engaging domestic help exploitatively, including using child labor domestically. (For an analysis of factors that make domestic help non-exploitative, Mercy Corps references ILO Convention 189 concerning decent work for domestic workers (2013));
  - 3.7.3.** Using forced or exploitative labor in the performance of any contract, cooperative agreement or award;
  - 3.7.4.** Using child labor in any way or engaging with partners or vendors who use child labor;
  - 3.7.5.** Destroying, concealing, confiscating, or otherwise denying any employee access to his or her identity or immigration documents, such as passports or drivers' licenses;
  - 3.7.6.** Using misleading or fraudulent recruiting practices during the recruitment of employees or offering of employment/contract positions; such as failing to disclose, in a format and language accessible to the potential candidate, basic information or making material misrepresentations during the recruitment of candidates regarding the key terms and conditions, including wages and fringe benefits, the location of work, the living conditions, housing and associated costs (if provided by Mercy Corps), any significant cost to be charged to the candidate, and, if applicable, the hazardous nature of the work;
- 3.8.** Using recruiters who do not comply with local labor laws of the country in which the recruiting takes place, withhold identity and/or travel documents or do not take steps to verify the age of applicants;
  - 3.8.1.** Charging applicants/candidates/employees recruitment fees;
  - 3.8.2.** If required by law or contract, failing to provide return transportation or failing to pay for the cost of return transportation upon the end of employment;
  - 3.8.3.** If required by law or contract, failing to provide or arrange housing that meets the host country housing and safety standards; or

- 3.8.4.** If required by law or contract, failing to provide an employment contract, recruitment agreement, or other required work document in writing.
- 3.9.** Team Members who violate this policy will be subject to discipline, up to and including termination, and may be subject to criminal prosecution. Partners may have their agreements terminated, be prohibited from working with Mercy Corps in the future and/or be subject to criminal prosecution.
- 3.10.** Team Members and Partners must immediately report violations or suspected violations to Mercy Corps' Integrity Hotline in accordance with Mercy Corps' Ethics Complaint and Whistleblower Policy. Mercy Corps will not tolerate any form of retaliation against Team Members and Partners who report suspected violations of this policy in good faith.
- 3.11.** Mercy Corps will report trafficking in persons and/or exploitation to the appropriate authorities and to donors as required, or if not required, as Mercy Corps determines appropriate. Mercy Corps will cooperate with all investigators and law enforcement in ensuring those responsible are held accountable.

## **4. Processes and Procedures Required to Ensure Compliance**

Mercy Corps ensures compliance with this policy through appropriate processes and procedures, including:

- 4.1.** Communicating this policy to Team Members and making this policy part of the Code of Conduct;
- 4.2.** Maintaining a reporting hotline (<https://mercycorps.org/integrityhotline>), which allows Team Members and Partners to report allegations of trafficking or exploitation, including anonymously, and ensuring Team Members and Partners are aware of the hotline and how to use it, which is the responsibility of the Ethics and Compliance Department;
- 4.3.** Maintaining a process detailing how allegations of trafficking and exploitation are to be reported, reviewed, investigated, and resolved in a systematic manner, which is the responsibility of the Ethics and Compliance Department;
- 4.4.** Mercy Corps will require its Partners to commit in writing to act in accordance with the policy statements in this Policy and to report to Mercy Corps any allegations of trafficking or exploitation that (1) involve or are related to resources provided to the Partner by Mercy Corps, or (2) involve any Mercy Corps Team Member, which is the joint responsibility of Country and Grant Compliance teams;
- 4.5.** Mercy Corps will work with Partners to support training and/or capacity strengthening efforts in relation to compliance with this Policy and will conduct appropriate due diligence and monitoring of Partners to ensure they are not violating their commitments under this Policy, which is the responsibility of Country teams with the support of the Grant Compliance team;

- 4.6. Under Mercy Corps Headquarters and Field Procurement policies and procedures, Mercy Corps will set out appropriate due diligence requirements and risk mitigation measures to ensure and monitor compliance with this Policy.
- 4.7. Mercy Corps will develop methods to monitor compliance with and demonstrate meaningful progress on the Policy, building on the key performance indicators identified in the Mercy Corps Europe Modern Slavery Statement.

## **Related Policies, Procedures and Guidance**

- [Child Safeguarding Policy](#)
- [Prevention of Sexual Exploitation and Abuse of Program Participants and Community Members Policy](#)
- [Ethics Complaint and Whistleblower Policy](#)
- [Field Procurement Policies and Procedures \(FP3\)](#)
- [Headquarters Procurement Policies and Procedures \(HP3\)](#)
- [Mercy Corps Europe Modern Slavery Statement](#)

## **5. Roles and Responsibilities**

- 5.1. All Team Members are responsible for complying with this Policy and completing the mandatory training. All Team Members are responsible for reporting any suspected violations of this Policy in accordance with Mercy Corps' Ethics Complaint and Whistleblower Policy. Anyone at any time can report suspected violations of this policy directly to the Ethics Team and Compliance Department via <https://mercycorps.org/integrityhotline>.
- 5.2. The Ethics and Compliance Department is responsible for:
  - 5.2.1. Maintaining this policy;
  - 5.2.2. Communicating this policy to Team Members;
  - 5.2.3. Maintaining a reporting hotline (<https://mercycorps.org/integrityhotline>), which allows Team Members and Partners to report allegations of trafficking and exploitation anonymously, and ensuring Team Members and Partners are aware of the hotline and how to use it;
  - 5.2.4. Conducting training on this policy for all Team Members;
  - 5.2.5. Supporting senior management in all countries and areas where Mercy Corps operates on the implementation and compliance with this Policy;
  - 5.2.6. Jointly with the People Team, requiring all Team Members to certify that they understand this policy and are compliant with it.

- 5.3.** Senior management in all countries and areas where Mercy Corps operates are responsible for:
- 5.3.1.** Overseeing the full implementation of this Policy in their area of operations, with the support of the Ethics and Compliance Department, which includes ensuring Team Members are trained on this Policy, and ensuring that safe and lawful, non-exploitative recruitment measures are in place;
  - 5.3.2.** Ensuring that all allegations of human trafficking, exploitation, or other violations of this Policy are immediately reported to the Ethics and Compliance Department;
  - 5.3.3.** Creating and maintaining an environment and culture that promotes dignity and respect and prevents any form of exploitation and abuse;
  - 5.3.4.** Ensuring that all Team Members undergo the Code of Conduct training and sign the Code of Ethics certification.
- 5.4.** The People Team is responsible for ensuring that appropriate recruiting processes are in place, including background and Misconduct Disclosure Scheme checks as applicable.
- 5.5.** Global Procurement is responsible for ensuring that procurement processes are in place and followed, in particular ensuring that there are appropriate due diligence requirements and risk mitigation measures in relation to our supply chain (including the identification of 'high risk' suppliers).

## 6. Policy Governance

<b>Responsible Team</b>	Ethics and Compliance Department		
<b>Policy Owner</b>	Senior Director of Safeguarding; Director of Compliance, Governance and Risk		
<b>Executive Sponsor</b>	Chief Ethics and Compliance Officer		
<b>Policy Approver</b>	Mercy Corps Board	<b>Date Approved</b>	March 7, 2023
<b>Original Policy</b>	Original Policy approved March 2018		
<b>Last Reviewed</b>	March 7, 2023		
<b>Next Formal Review Date</b>	March 7, 2025		