

## Policy Summary

PATH prohibits any behavior or conduct that falls under the definition of trafficking in persons as defined below.

## Definitions

**Trafficking in persons:** the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force. This includes coercion, abduction, fraud, deception, the abuse of power or of a position, and the giving or receiving of payments or benefits to achieve the consent of a person, or having control over another person for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation or 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.<sup>1</sup>

**Commercial sex act:** any sex act on account of which anything of value is given to or received by any person.

**Forced labor:** knowingly providing or obtaining the labor or services of a person:

1. By threats of serious harm to, or physical restraint against, that person or another person;
2. By means of any scheme, plan, or pattern intended to cause the person to believe that if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or
3. By means of the abuse or threatened abuse of law or the legal process.

**Sex trafficking:** the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.

## Policy Statement

PATH is opposed to all forms of trafficking in persons and it is committed to mitigating the risk of trafficking in persons in connection with its operations, personnel, and programs.

PATH is committed to lawful, responsible, and ethical behavior in all of our activities. The well-being, dignity, and safety of our beneficiaries, personnel, and partners is critical to PATH, particularly the most vulnerable populations. While such behaviors are broadly covered in PATH's Code of Ethics, Governance, and Responsibility, this policy provides specific guidance on preventing and responding to trafficking in persons by PATH personnel.

## Prohibited activity

Trafficking in persons constitutes an act of gross misconduct and any PATH personnel found doing so is subject to disciplinary action, up to and including immediate termination of employment or contract.

In accordance with U.S. government policy, all PATH personnel, PATH sub recipients, and their employees and agents, including labor recruiters and brokers, are strictly prohibited from engaging in the following:

- Trafficking in persons (as defined above);
- Procurement of commercial sex acts (as defined above);
- Using forced labor (as defined above); or
- Acts that directly support or advance trafficking in person, including, but not limited to, the following acts:
  - Destroying, concealing, confiscating, or otherwise denying access to the employee's identity or immigration documents;
  - Failing to provide or pay for return transportation upon end of employment for an employee who is not a national of the country where the work took place and who was brought into that country for the purpose of working on a U.S. Government contract or award;
  - Using misleading or fraudulent practices to recruit employees;
  - Charging recruiting fees to employees; or
  - 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 in writing.

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<sup>1</sup> <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>. UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime

## Duty to report

PATH personnel are obliged to create and maintain an environment that protects human dignity and prevents human trafficking.

PATH personnel who observe, suspect, or receive allegations of trafficking in persons must immediately report it to PATH following PATH's Trafficking in Persons Procedures.

## Consequences of Violations

PATH personnel who commit trafficking in persons activities as described in this policy; fail to report or forward reports of trafficking in persons; or otherwise violate this policy or related procedures, will be subject to disciplinary action, up to and including termination of employment or contract.