

PFSCM's Child Safeguarding Standards and Child Protection Policy

A. Through the adoption of “Child Safeguarding Standards and Child Protection Policy,” the PFSCM has included general guidelines to all activities intended to prevent and respond to abuse, exploitation or neglect of children. The adoption of these standards are designed to complement the PFSCM’s Counter Trafficking in Persons Policy. The organization agrees to abide by the following child safeguarding core principles: **(1)** Ensure compliance with host country and local child welfare and protection legislation or international standards, whichever gives greater protection, and with U.S. law where applicable; **(2)** Prohibit all personnel from engaging in child abuse, exploitation, or neglect; **(3)** Consider child safeguarding in project planning and implementation to determine potential risks to children that are associated with project activities and operations; **(4)** Apply measures to reduce the risk of 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; **(5)** Promote child-safe screening procedures for personnel, particularly personnel whose work brings them in direct contact with children; and **(6)** Have a procedure for ensuring that personnel and others recognize child abuse, exploitation, or neglect; mandating that personnel and others report allegations; investigating and managing allegations; and taking appropriate action in response to such allegations, including, but not limited to, dismissal of personnel.

B. The organization should also include child-safeguarding principles in their code of conduct for all personnel.

C. The following definitions apply for purposes of this provision: **(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.

Combating Trafficking in Persons

(a) The United Nations Convention against Transnational Organized Crime, adopted by General Assembly resolution 55/25 of 15 November 2000, is the main international instrument in the fight against transnational organized crime. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, was adopted by General Assembly resolution 55/25 and entered into force on 25 December 2003. This document is the first global legally binding instrument with an agreed definition on trafficking in persons. This Protocol supplements the UN Convention Against Transnational Organized Crime (hereinafter “Palermo Protocol”) and recognizes the connection between vulnerability and human trafficking. The United Nations Convention on the Rights of the Child sets forth the main framework for the protection and safeguarding of children, in particular, the ‘right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous.... Or to be harmful to the child’s health or physical, mental, spiritual, moral or social development.’ This mandate which applies to all the UN’s Funds, Programs, Specialized Agencies, Other Entities and Bodies , also includes the need to protect the child from ‘all forms of sexual exploitation and sexual abuse.’ This is also incorporated into the United Nations Development Programme (UNDP) /Global Fund and Health Implementation projects.

(b) The PFSCM has incorporated the Ten Principles of the UN Global Compact into its policies and procedures that allows our organization to establish a sound culture of integrity by meting fundamental responsibilities in the areas of human rights, labor, environment, and anti-corruption, as stated in our commitment letter wherein the PFSM reaffirms its commitment “to making the UN Global Compact and its principles part of our strategy, culture, and day-to-day operations by incorporated them throughout the standard operating procedures (SOPs) which guide our supply chain management activities.”

(c) The “Modern Slavery Act of 2015” issued by the UK Parliament seeks to “amalgamate existing criminal offences relating to modern slavery (including slavery, servitude, forced and compulsory labor and human trafficking),” while increasing the protection provided to victims, including a provision of child trafficking advocates. This Act –which comprises business and supply chains- aims at actively promoting the adoption by its suppliers of robust policies for the protection and safeguarding of children and the prevention and prohibition of sexual exploitation and sexual abuse of children. All partners, trustees, consultants, contractors, volunteers, interns, partner agencies, sub-grantees, community workers and visitors to its funded projects are expected to abide by said policy.

(d) The United States Government has adopted a policy prohibiting trafficking in persons including the trafficking-related activities of this clause. The IQC holder, Supplier/Vendor, subcontractor, Subcontractor employees, and their agents shall not—

- ✓ Engage in severe forms of trafficking in persons during the period of performance of this Subcontract;
- ✓ Procure commercial sex acts during the period of performance of this Subcontract;
- ✓ Use forced labor in the performance of this Subcontract;

- ✓ Destroy, conceal, confiscate, or otherwise deny access by an employee to the employee's identity or immigration documents, such as passports or drivers' licenses, regardless of issuing authority.
- ✓ Use misleading or fraudulent practices during the recruitment of employees or offering of employment, such as failing to disclose, in a format and language accessible to the worker, basic information or making material misrepresentations during the recruitment of employees regarding the key terms and conditions of employment, including wages and fringe benefits, the location of work, the living conditions, housing and associated costs (if employer or agent provided or arranged), any significant cost to be charged to the employee, and, if applicable, the hazardous nature of the work;
(ii) Charge employees recruitment fees;
- ✓ The IQC holder, consultant, vendor/supplier, subcontractor shall notify its employees of the supra-national organizations or governments (e.g., UNICEF, UNHCR, The Global Found and United States Government's zero tolerance policy), the actions that will be taken against employees for violations of this policy (including, but not limited to, removal from this Subcontract, reduction in benefits, or termination of employment), and take appropriate action, up to and including termination, against employees or subcontractors that violate this policy.

Any organization, consultant, vendor/supplier that fails to comply with the requirements of this clause may result in termination of this contractual arrangement for default or cause, in accordance with the Termination/Cancellation section of this contractual mechanism.