

## Trafficking in Persons Compliance Plan

### Background and Purpose

Digital Serbia Initiative, Belgrade (“Recipient”) has developed this Trafficking in Person Compliance Plan (“Plan”) to reaffirm and implement the Recipient’s commitment to reducing trafficking. The plan is intended to be compliant with the U.S. Government’s zero-tolerance policy regarding trafficking in persons by government contractors and award recipients, as set out in FAR Subpart 22.17 and 52.222-50(h), and in section M6 “Trafficking in Persons (April 2016)”, Attachment D - MANDATORY STANDARD PROVISIONS FOR NON-U.S. NONGOVERNMENTAL ORGANIZATIONS to the Fixed Amount Award No. 72016921FA00001 for implementation of the project Building Innovation Funnel (BIF) (“Award”).

This Plan was created to ensure Company’s personnel engaged in the performance of the Award as employees, consultants, volunteers, or subrecipients (the “Employees”), is aware of what kinds of conduct are prohibited under anti-trafficking in persons regulations and laws, as well as the potential consequences of such violation.

### Applicability

This Plan sets out the Recipient’s minimum standards for anti-trafficking in persons compliance and applies to the Award and subawards under the Award. It is in substance also the Recipient’s policy for all Employees engaged in the performance of the Award.

### The Recipient’s Trafficking in Persons Policy

The Employees must not engage in:

- (1) Trafficking in persons (as defined in the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime - 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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs) during the period of the Award;
- (2) Procurement of a commercial sex act during the period of the Award;
- (3) Use of forced labor during the period of the Award;
- (4) Acts that directly support or advance trafficking in persons, including the following acts:
  - i. Destroying, concealing, confiscating, or otherwise denying an employee access to that employee's identity or immigration documents;



- a) Failing to provide return transportation or pay for return transportation costs to an employee from a country outside the United States to the country from which the employee was recruited upon the end of employment if requested by the employee, unless: exempted from the requirement to provide or pay for such return transportation by USAID under the Award; or
- b) the employee is a victim of human trafficking seeking victim services or legal redress in the country of employment or a witness in a human trafficking enforcement action;
- ii. Soliciting a person for the purpose of employment, or offering employment, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment;
- iii. Charging employee's recruitment fees; or
- iv. Providing or arranging housing that fails to meet the housing and safety standards of the Republic of Serbia.

### **Employee Awareness Program**

All Employees are required to read and sign a written acknowledgement of the Notification on Prohibitions related to Trafficking in Person prior to performing work under the Award. Violations of the Notification on Prohibitions Related to Trafficking in Person are subject to disciplinary actions prescribed by the Serbian legislation. In addition, all Employees will be encouraged to visit the Department of State's Office to Monitor and Combat Trafficking of Persons website at <http://www.state.gov/j/tip/> to learn more about anti-trafficking in persons policies.

### **Recruitment and Wage Plan**

The Company prohibits the use of any misleading or fraudulent recruitment practices during the recruitment of Employees or offering of employment to Employees. The Recipient must fully and accurately disclose, in a format and language accessible to the Employee, all key terms and conditions of employment, including wages and benefits, work location, living conditions, housing and associated costs (where provided or arranged by the Recipient), significant costs to be charged to the Employee, and, if applicable, the hazardous nature of the work.

The Recipient prohibits the use of recruiters that do not have trained employees, or that do not comply with all labour laws of the country where the recruitment takes place.

The Recipient prohibits charging recruitment fees to any Employee.

The Recipient will pay to all Employees wages that meet applicable legal requirements in the Republic of Serbia or will explain any variance.

The Recipient will provide to every Employee an employment contract, recruitment agreement or other required work document, written in a language the Employee understands, containing all required information about the terms of conditions of employment, which include the work description, wages, work location, time off, transportation arrangements (if any) and grievance process.

The Recipient will encourage all Employees to get acquainted with the Criminal Law of Republic of Serbia and more specifically Article 388 Human Trafficking, Article 389 Trafficking in Minors for Adoption, Article



350 Illegal Border Crossings and Human Trafficking and Article 390 Holding in Slavery and Transportation of Enslaved Persons.

The Recipient prohibits destroying, concealing, confiscating or otherwise denying any Employee access to his or her identity or immigration documents.

### **Housing Plan**

In situations where the Recipient provides housing to the Employees, the housing will meet housing and safety standards of the Republic of Serbia.

### **Supplier Compliance**

The Recipient's contractors, consultants, vendors, suppliers, subcontractors and subrecipients ("Suppliers") working on the implementation of the Award must agree to comply with all applicable anti-trafficking in persons provisions and provisions stated in the Notification on Prohibitions Related to Trafficking in Person.

The Recipient will insert in all Supplier contracts, subcontracts and sub agreements ("Supplier Contracts"), FAR 52.222-50, FAR 52.222-56 and USAID Standard Provisions where applicable.

The Recipient's Suppliers who provide goods or services in the amount of \$500,000 or over, that are directly charged to the US government must have a compliance plan to prevent prohibited trafficking-related activities and to monitor, detect and terminate any of its contractors, consultants, suppliers, subcontractors or subrecipients engaging in prohibited trafficking-relating activities, and provide a copy of its plan to the Recipient. The Supplier's compliance plan must meet the minimum requirements of the Trafficking in Persons Provisions and be appropriate to the size and complexity of the contract, subcontract or sub agreement with the Recipient and the nature of the activities to be performed under it.

Prior to the award of any Supplier Contract over \$500,000, and on an annual basis thereafter, all the Recipient's Suppliers must submit a certification to the Company:

- That the Supplier has implemented a compliance plan and has complied with such a compliance plan; and
- That after conducting due diligence, to the best of the Supplier's knowledge and belief, neither it, nor any of its employees, or its contractors, consultants, suppliers, subcontractors, subrecipients or their employees, have engaged in any prohibited trafficking-related activities, or if any abuses relating to prohibited trafficking-related activities have been found, Supplier has taken appropriate remedial and referral actions.

For Suppliers and Supplier Contracts that may be more susceptible to trafficking-related activities, the Recipient may, in situations where it has direct access, inspect the Supplier's workplace or any housing provided by the Supplier for signs of trafficking-related activities. In lower-risk situations, and in situations where the Supplier is distant, the Recipient will review the plans and certifications of its Suppliers to ensure they include adequate monitoring procedures and reporting mechanisms.



If any Supplier fails to comply with the provisions of the Notification on Prohibitions Related to the Trafficking in Persons or any other USAID anti-trafficking in persons provisions, the Recipient will take appropriate action to remediate the violation and prevent future violations, including, but not limited to:

- Requiring the Supplier to remove an employee or agent who is in violation from a project;
- Requiring the Supplier to terminate its relationship with any Supplier contractor, consultant, supplier, subcontractor or subrecipient, who is in violation;
- Suspending payments to Supplier until violation is remedied;
- Immediately terminate the Supplier Contract.

### **Reporting Requirements and Procedure**

All the Recipient Employees, Suppliers and Supplier Personnel are required to report any suspected trafficking-related activity or violation of this Plan to the Recipient or Global Human Trafficking Hotline. Reports may be made to:

- 1) Any supervisor or colleague working on the project;
- 2) Recipient's responsible person Nina Tasić, [nina.tasic@dsi.rs](mailto:nina.tasic@dsi.rs);
- 3) The Global Human Traffic Hotline at 1-844-888-FREE or [help@befree.org](mailto:help@befree.org).

The Recipient strictly prohibits retaliation against any Employee, Supplier and Supplier Personnel who reports prohibited trafficking-related activity or other violations of this plan or Notification on Prohibitions Related to Trafficking in Persons, or who cooperates with any internal or government investigations of such reports. Employees may do so without fear of reprisal. The Employee, Supplier or Supplier Personnel who engage in any form of retaliation against those who report prohibited trafficking-related activities or other violations of this policy are subject to disciplinary action, up to and including termination of employment / contract with the Recipient.

### **Investigations**

If the Recipient receives credible information from an Employee report or any other source alleging prohibited trafficking-related activity, Nina Tasić will coordinate an investigation and report its findings and determine what, if any, remedial action is appropriate.

The Recipient will be responsible for immediately notifying the cognizant Agreement Officer and the USAID Office of the Inspector General.

The Recipient will cooperate fully with any US Government agencies responsible for any investigations, audits or corrective actions relating to trafficking in persons, including, but not limited to, providing timely and complete responses to document requests, and providing reasonable access to the Recipient's facilities and staff.

The Recipient will protect all Employees suspected of being victims of or witnesses to prohibited activities, prior to returning to the country from which the Employee was recruited, and will not prevent or hinder these Employees from cooperating fully with US government authorities.

### **Posting**



The Recipient disseminates this Plan to all Employees engaged in performance of the Award.

### **Certification**

Annually, after receiving award, the Recipient will provide the Agreement Officer with certification that:

1. The Recipient has implemented a compliance plan to prevent any prohibited human trafficking activities and to monitor, detect and terminate any agent, contractor, supplier, subcontractor or their employee or agent engaged in any prohibited activities and,
2. After completing the necessary due diligence and to the best of Recipient's knowledge and belief, neither Recipient nor any of its agents, contractors, suppliers, subcontractors or their employees or agents are engaged in prohibited human trafficking activities; or, if abuses related to any of the prohibited trafficking activities were found, the Recipient or its agent, contractor, supplier, or subcontractor has taken the appropriate remedial and referral actions.

