

INTRODUCTION

Action Against Hunger tackles the causes and effects of hunger and diseases that threaten the lives of vulnerable children, women and men. Established in France in 1979, Action Against Hunger is a nongovernmental, non-political, non-religious, non-profit organization. This Supplier Code of Conduct constitutes a basis for any working relationship between Action Against Hunger and its suppliers.

The principles of this Supplier Code of Conduct lay the ground for a professional working and contractual relationship between Action Against Hunger and its suppliers.

They are general regulations valid unless other specific conditions are mentioned in the contract between an Action Against Hunger entity and a supplier. In case of conflicting terms between documents,, the conditions of the contract or tender dossier will prevail over this Supplier Code of Conduct.

REFERENCE: *International Standards, Conventions and Principles such as the 'UN Declaration on Human Rights' and other core Human Rights Treaties, including the 'UN Convention on the Rights of the Child, the 'International Labour Standards on Child Labour & Forced Labour' (namely 138 and 182), 'UN special measures for protection from sexual exploitation and sexual abuse' are the foundations on which this document is based. Therefore, it is Action Against Hunger's expectation that any supplier shall adhere to these principles.*

SCOPE OF APPLICATION

- The provisions of this Supplier Code of Conduct set forth the expectations for suppliers that apply to Action Against Hunger's tenders, or with whom Action Against Hunger does business.
- Action Against Hunger expects that these standards apply to – and will be communicated to – suppliers' employees, parent, subsidiary and / or affiliate entities, subcontractors, and their own suppliers.
- Suppliers may be required to sign a declaration of compliance as part of bid submissions and supply contracts.
- Action Against Hunger's aim is to guide suppliers over the long term to meet these standards. Those who are not able to demonstrate their goodwill to meeting these standards may see Action Against Hunger use other sources of supply.

CONTINUOUS IMPROVEMENT

- The provisions set forth in this Supplier Code of Conduct provide the minimum expected standards from suppliers and their employees.
- In addition, Action Against Hunger expects suppliers to strive to exceed international and industry best practices (and standards) and to ensure that their own suppliers, their employees and subcontractors aim to do the same.
- Action Against Hunger recognizes that reaching some of the standards established in this Code of Conduct is a dynamic, rather than a static, process and encourages suppliers to continually improve their operations accordingly.

MANAGEMENT, MONITORING AND EVALUATION

- Suppliers are required, as a minimum, to comply with compulsory standards in this Supplier Code of Conduct ("**Must**" provisions), and to set clear goals and work-plans to achieve the other standards ("**Should**" provisions).
- This may require active monitoring of its own operations and employees through establishing appropriate management systems to track progress and compliance.

KEY PRINCIPLES AND SUPPLIER STANDARDS

- Suppliers must follow all national and international laws at all times, and any applicable Action Against Hunger's specific standards towards its suppliers.
- Where the standards of this Supplier Code of Conduct exceed any laws or regulations, the supplier should strive to adhere to these higher standards in addition to the relevant laws.
- If a supplier becomes aware of any instances where the requirements of this Supplier Code of Conduct are not being met (e.g. *safeguarding breach, fraudulent behavior...*) by one of its employees or by Action Against Hunger's employees, associated personnel or partner, please notify the designated point of contact immediately – see contacts at the end of the document.

1. GENERAL REQUIREMENTS

KEY PRINCIPLES

- Comply with all applicable International Labour Organization Conventions and local laws, legislation, and regulations.
- Elevate Social, Economic and Environmental Sustainability to the core of your decision making and ways of working.

1.1. SUPPLIER'S SITUATION

- 1.1.1. **Must** not be in the following cases: bankruptcy, insolvency, liquidation, judicial guardianship, or similar situation resulting from a procedure foreseen by national regulation or legislation.
- 1.1.2. **Must** not – as an entity or any of the company representatives as persons – have been subject to a final conviction for a felony or misdemeanor under French law, particularly for offenses such as corruption, money laundering, fraud, environmental violations, or any other offense related to the exercise of their professional activity.
- 1.1.3. **Must** have fulfilled the obligations relating to the payment of employee social security contributions and taxes in accordance with the legal provisions, either of the country in which the company is established, or of the country of intervention of Action Against Hunger, or of the country in which the contract will be carried out.
- 1.1.4. **Must** not have been found in serious breach of contract for failure to comply with contractual obligations in a previous procurement process.
- 1.1.5. **Must** provide Action Against Hunger with the following documents:
- Personal national ID of the supplier / company representative;
 - Company status and registration;
 - Task order or power of attorney authorizing the representative to sign the contract if it's not signed by the legal owner themselves;
 - Copy of tax registration.
- 1.1.6. **Must** guarantee a right of access to their financial and accounting documents to the representatives of Action Against Hunger's institutional donors for the purposes of checks and audits if asked.
- 1.1.7. **Should**, in addition, have minimum administrative capability such as the ability to issue an Invoice, a Delivery Note and possess an official stamp.

2. LABOR

KEY PRINCIPLES

- Promote diversity, inclusion, and equality in ways of working, decision-making and treatment of employees.
- Employ individuals of an appropriate age.
- Pay all employees fairly and reasonably.
- Employ people on a voluntary basis, with freely agreed documented terms of employment.
- Be a responsible employer, treat employees fairly and protect their health and safety.
- Ensure that workers and employees have a voice and are given the freedom of association.

2.1. MINIMUM WORKING AGE

2.1.1. **Must** adopt the highest applicable standard for working age based on the International Labour Organization Conventions and the laws of the country(s) where the contract is implemented (*i.e. whichever age is the highest*).

2.2. FORCED / COMPULSORY LABOR

2.2.1. **Must** prohibit forced or compulsory labor / modern slavery¹ in all forms.

2.3. MODERN SLAVERY AND HUMAN TRAFFICKING

2.3.1. **Must** not participate in, or support, Human Trafficking or Modern Slavery.

2.3.2. **Must** not subject any people to exploitative or harmful labor.

2.4. CHILD LABOR

2.4.1. **Must** not employ people under the age of 16.

2.4.2. **Must** ensure that work opportunities provided to persons between 16 and 18 years old are decent, have learning purposes, and are within the framework of the country's labor law.

2.4.3. **Must** not employ persons under the age of 18 for work that is likely to harm their health, safety, or morals.

2.5. DISCRIMINATION

2.5.1. **Must** not discriminate (in employment, pay, recruitment or any other processes) based on characteristics such as race, age, gender, religion, sexuality, sexual orientation, disability, civil partnership or marriage, pregnancy, maternity, paternity, etc.

2.5.2. *Should* promote the integration of gender equality at workplace and in their policies.

2.6. HARASSMENT, INTIMIDATION AND BULLYING

2.6.1. **Must** ensure no employees are subject to harassment (sexual, verbal, physical, mental or visual), coercive behavior, intimidation or bullying. This also includes behavior directed towards Action Against Hunger employees.

2.6.2. **Must** ensure zero-tolerance towards any action that violates a person's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment.

2.7. WAGES AND WORKING HOURS

2.7.1. **Must** ensure employees are provided with a fair living wage.

2.7.2. **Must** not make deductions from wages other than those permitted under conditions prescribed by the applicable law, regulations, or collective agreement. The supplier should inform concerned employees of such deductions.

2.7.3. *Should* ensure employees are not required to work more than the regular and overtime hours allowed by the laws of the country where the employees are employed.

2.7.4. *Should* use employment contracts for all employees.

2.7.5. *Should* ensure your suppliers and subcontractors are paid fairly and on time as committed.

2.8. HEALTH AND SAFETY

2.8.1. **Must** ensure all applicable Occupational Health and Safety laws are adhered to.

2.8.2. **Must** ensure all workplaces, machinery, equipment, and processes are safe and without risk to health.

2.8.3. **Must** ensure adequate hygiene, health and safety measures are in place, necessary and adequate protective clothing and equipment are provided to prevent the risk of accidents or of adverse effects on health.

3. HUMAN RIGHTS

KEY PRINCIPLES

- Grant employees the rights afforded under national and international Human Rights acts.
- Ensure all employees are treated with dignity and respect.

¹ Forced labor can be understood as work that is performed involuntarily and under the menace of any penalty. It refers to situations in which persons are coerced to work through the use of violence or intimidation, or by more subtle means such as manipulated debt, retention of identity papers or threats of denunciation to immigration authorities. "Traditional practices of forced labour, such as vestiges of slavery or slave-like practices, and various forms of debt bondage, as well as new forms of forced labour that have emerged in recent decades, such as human trafficking." Also called "modern-slavery" to shed light on working and living conditions contrary to human dignity. <https://www.ilo.org/global/topics/forced-labour/definition/lang-en/index.htm>.

3.1. HUMAN RIGHTS

3.1.1. **Must** not be complicit in any Human Rights abuses or violations.

3.1.2. **Must** ensure all employees are treated with dignity and respect, irrespective of their socio-economic status, gender, age, disability, ethnic and tribal identity, faith, or religious affiliation, and/or sexual orientation, and demonstrate the same values to the people they meet in relation to their employment.

4. ENVIRONMENT

KEY PRINCIPLES

- Ensure broader environmental responsibility by complying with existing environmental legislation and regulations.
- Be proactive in sustainable product production and / or sustainable sourcing (*replaceable and/or durable materials, locally recyclable*) integrating a circular economy approach and anticipating the end of life management.
- Ensure minimizing environmental impact (*including waste, emissions, energy and water*) of their activities and products. Supplier must have the ability to evaluate, monitor and communicate the impact of its activities on the environment, and having the willingness to improve and enforce systems and practices in place to mitigate.

4.1. ENVIRONMENTAL LAWS

4.1.1. **Must**, at all times, comply with existing environmental legislation.

4.2. SUSTAINABLE SERVICE/PRODUCT'S DESIGN OR SOURCING AND SUPPLY

4.2.1. *Should* – if manufacturer – source raw materials in an environmentally responsible way and use materials of sustainable origin.

4.2.2. *Should* – if manufacturer – integrate eco-design, take into consideration the end-of-life of products and use responsible product formulation (*e.g. biodegradable, non-toxic, non-plastic, non-carcinogenic, recycled material and content*).

4.2.3. *Should* – if retailer – source products respecting the environment.

4.2.4. *Should* – if service provider – design services respecting the environment, considering resources saving waste management.

4.2.5. *Should* avoid using materials that are dependent on finite resources, and instead use materials of sustainable origin.

4.2.6. *Should* consider the products' end of life to get valorization solutions.

4.2.7. *Should* avoid unnecessary packaging, reduce undue packaging and promote sustainable packaging options.

4.2.8. *Should* look for efficiency to optimize service delivery travel and optimize fleet management (*right sizing and right profiling*).

4.3. IMPACT MITIGATION (SUPPLIER INTERNAL PROCESS)

4.3.1. **Must** be transparent about the environmental conditions under which products are manufactured and services provided and cooperate, if needed, with Action Against Hunger and / or its auditors in this respect.

4.3.2. *Should* measure and reduce, where possible, the negative environmental impact of your organization and operations (*e.g. biodiversity conservation², waste production, emissions, water usage, pollution, etc.*).

4.3.3. *Should* develop environmental and climate impact goals and, where possible, include your own suppliers and partners in these goals.

4.3.4. *Should* – if relevant in the sector of intervention – implement an environmental management system (*e.g. ISO 14001 standards*) and implement an environmental policy.

4.4. RECYCLING AND WASTE TREATMENT

4.4.1. **Must**, at all times, manage hazardous waste with environmentally sound management (ESM)³

² Seek to minimize the impact of operations on fauna, flora and soils to ensure the conservation of biodiversity and habitats.

³ **Environmentally Sound Management (ESM)** is an approach to ensure that hazardous waste and hazardous recyclable materials, including those crossing international borders, are managed in a manner that protects human health and the environment.

4.4.2. **Must** ensure that prevention principles (*act at source to avoid and limit pollution*) and precaution (*take preventive measures to prevent serious and irreversible damage, even in the absence of certainty*) are respected.

4.4.3. *Should* adopt a business culture and practices that aim to reduce waste and re-use materials, recycling of waste, and disposal practices.

4.4.4. *Should* propose when its own possible waste valorization solutions (*in-house or with partner*) for product waste management (*reverse logistics*⁴).

4.5. EMISSIONS

4.5.1. *Should* adopt a business culture and practices that reduce greenhouse emissions (*e.g. CO₂, N₂O, Freon gas, Hydrocarbons etc.*) in the lifecycle of its products and operations.

4.5.2. *Should* have a clear understanding of its carbon footprint and a plan to reduce it.

4.5.3. *Should* minimize staff travel as much as possible, monitor and reduce transportation logistics to ensure efficient distribution and delivery of products and services.

4.6. RESSOURCES

4.6.1. *Should* review processes, operations and supply chains to maximize efficiency in resources use.

4.6.2. *Should* minimize energy consumption and use renewable energy sources (*e.g. solar power*).

4.6.3. *Should* minimize water usage / wastage, adopt water-saving technologies where possible and develop an understanding of its impact on water.

5. ETHICAL CONDUCT & LEGAL STANDARDS

KEY PRINCIPLES

- Adhere to the highest standards of ethical conduct.
- Adopt a zero-tolerance approach towards fraud, bribery and corruption.

5.1. CORRUPTION

5.1.1. **Must** not act in a dishonest manner or engage in any form of corrupt practices, including but not limited to extortion⁵, fraud⁶, tax evasion, money laundering and bribery⁷.

5.1.2. **Must** not attempt to improperly influence any procurement process through any type of corrupt, bribery, coercive⁸, collusive⁹ or other practices.

5.2. CONFLICT OF INTERESTS

5.2.1. **Must** disclose any actual, perceived, or potential conflict of interests. This may but not limited to include an employee, agent or member of the immediate family (or an organization that employs any of the family member), having any kind of interest or economic ties with Action Against Hunger.

5.2.2. **Must** notify Action Against Hunger if employment is given to any ex-Action Against Hunger employees within a reasonable period of their end of employment with Action Against Hunger.

5.3. GIFTS AND HOSPITALITY

5.3.1. **Must** not provide, or attempt to provide, any type of gift, hospitality, holidays, goods, services, or other items of value to any Action Against Hunger employee.

5.4. SANCTIONS, EMBEZZLEMENT AND EXPORT CONTROLS

5.4.1. **Must** follow applicable export control and sanctions rules. This includes not providing funds or resources to restricted individuals or entities and ensuring all necessary approvals.

⁴ **Reverse logistics:** logistic management system of products that are recovered by the company, whether recycling, recovery and other forms of returns of products from the customer to the producer.

⁵ **Extortion:** the practice of obtaining something, especially money, through force or threats.

⁶ **Fraud** defined as an *act or omission, involving either false representation, failing to disclose information, or abuse of position with the intention of deceiving or cheating someone, in order to make a gain or cause a loss to another. Fraud circumvents legal obligations or Action Against Hunger internal rules or regulations*

⁷ **Bribery:** to offer Action Against Hunger employees monetary or in-kind gifts to gain additional markets or to continue a contract.

⁸ **Coercive practice:** harming or threatening to harm, directly or indirectly, persons, or their property to influence their participation in a procurement process, or affect the execution of a contract.

⁹ **Collusion:** the co-ordination of firms competitive behavior, with the likely result that prices rise, output is restricted, and the profits of the colluding companies are higher than they would otherwise be. Collusive behavior does not always rely on the existence of explicit agreements between firms but can also be tacit.

5.5. ILLEGAL ACTIVITY & TERRORISM

5.5.1. **Must** not be involved in any criminal organization or other illegal activity.

6. SAFEGUARDING

Suppliers are required to read, adhere and comply to the Action Against Hunger Safeguarding Policy. Suppliers must contact Action Against Hunger to obtain the policy if it has not been shared with them before signing this Code of Conduct.

KEY PRINCIPLES FOR THE SUPPLIERS AS AN ORGANIZATION

- Safeguarding means protecting the health, welfare and rights of children, vulnerable and at-risk adults and enabling them to live free from harm, abuse, exploitation, nuisance and neglect that may result from contact with Action Against Hunger's employees, associated personnel, partners and suppliers.
- At least, one time per year, organize a staff awareness session. If the supplier does not have the capacity to do so, they should ask for Action Against Hunger's support.
- Strengthen its internal procedures to prevent harm or abuse. Action Against Hunger can support the supplier to assess your procedures and make recommendations.
- Provide clear steps to address concerns of breaches of this Code of Conduct and the Action Against Hunger Safeguarding Policy. The reporting mechanisms should be well defined, safe and confidential.
- Adopt a zero-tolerance policy towards any form of abuse, harmful practices and behavior being committed against children, vulnerable and at-risk adults, and all Action Against Hunger program participants by analyzing allegations, investigating them and taking appropriate administrative measures against those involved if the allegations are proven.
- Report exploitation, abuse, harassment, and any other form of misconduct committed by one of its employees or by an Action Against Hunger's employee towards children, vulnerable and at-risk adults to Action Against Hunger as soon as an allegation is made (see email contact at the end of this document).
- Adopt a survivor centered approach for ensuring the safety, security, respect, dignity and rights of people who have been sexually abused or exploited.

INDIVIDUAL BEHAVIORS EXPECTED FROM THE SUPPLIERS' STAFF MEMBERS:

6.1. OVERALL PROTECTION FROM EXPLOITATION, HARM AND ABUSE

- 6.1.1. **Must** not engage in any form of discrimination, exploitation, maltreatment, abuse, or poor safeguarding practices (applies during and out of working hours).
- 6.1.2. **Must** ensure that no one shall be subjected to behavior that has the purpose or effect of violating the dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment of children, vulnerable and at-risk adults.
- 6.1.3. **Must** comply with all relevant laws and regulations including the 'United Nations Convention on the Rights of the Child¹⁰' and '*UN special measures for protection from sexual exploitation and sexual abuse*¹¹'.
- 6.1.4. **Must** create and maintain a safe and inclusive environment, free from any form of discrimination, exploitation, abuse, harassment, intimidation, and bullying.
- 6.1.5. **Must** respect and promote the highest ethical and professional standards.
- 6.1.6. **Must** attend safeguarding trainings, meetings, discussions when proposed by the supplier or Action Against Hunger.

6.2. PROTECTION FROM SEXUAL EXPLOITATION¹² AND SEXUAL ABUSE¹³ (PSEA)

- 6.2.1. **Must** not engage in sexual activity with persons under the age of 18, regardless of the local age of minority / consent. Mistaken belief in the age of a person is not considered a defense.
- 6.2.2. **Must** not attempt or sexually abuse or exploit anyone.

¹⁰ <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

¹¹ <https://www.un.org/preventing-sexual-exploitation-and-abuse/content/documents>

¹² **Sexual exploitation:** any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

¹³ **Sexual abuse:** The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

6.2.3. **Must** not attempt or exchange money, employment or other items or promises of value for any sexual activity.

6.2.4. **Must** not attempt or abuse a position of vulnerability for having sexual activity.

6.3. CHILD SAFEGUARDING

6.3.1. **Must** ensure to not stay alone with a child in the course of goods / services delivery.

6.3.2. **Must** be vigilant and attentive to their own behavior to avoid situations where they could be accused of inappropriate behavior.

6.3.3. **Must** not take pictures of children involved in Action Against Hunger activities or any degrading pictures of children in communities where Action Against Hunger has activities.

7. COMMUNITY IMPACT

KEY PRINCIPLE

- Protect and promote the land rights of communities, including native people.

7.1. COMMUNITY STRENGTHENING AND LIVELIHOODS

7.1.1. *Should* act in a way that positively impacts local communities, improves livelihoods and uplifts the local economy.

7.1.2. *Should*, where possible, proactively engage and employ locally based suppliers.

7.1.3. *Should*, where possible, procure goods that are sourced and manufactured locally.

7.1.4. *Should*, where possible, employ members of the local communities.

7.1.5. *Should* proactively strengthen local suppliers through technical / operational / management training or support.

7.1.6. *Should* respect the rights and title to property / land of the individual, indigenous people and local communities. All negotiations regarding their property or land must adhere to the principles of free, prior and informed consent, contract transparency and disclosure.

7.2. INDIGENOUS PEOPLE

7.2.1. *Should* respect the rights, cultures, and beliefs of indigenous people, and treat them in a culturally appropriate manner.

7.2.2. *Should* avoid activity that may have an adverse impact on the indigenous population.

7.3. CULTURAL HERITAGE

7.3.1. *Should* recognize and respect the importance of physical and non-physical cultural heritage in the community.

SANCTIONS

If a supplier, applicant or bidder is involved in corrupt, fraudulent, collusive, coercive practices, or in case of proven failure to implement preventives measures, Action Against Hunger will impose:

- **Administrative sanctions:** The supplier's misconduct may be reported to the appropriate civil, commercial authorities or to Action Against Hunger's institutional donor. Any professional relationship with the supplier will be terminated with immediate effect.
- **Financial penalties:** Action Against Hunger will seek reimbursement of costs directly and indirectly related to the misconduct of a new bidding or contract award process. Where applicable, the bid security or performance bond will be retained by Action Against Hunger.

Any breach of Action Against Hunger's Safeguarding standard (*see standard 6*), whether within or outside the context of our work, in ways that contravene the principles and standards contained in this document, will result in immediate contract suspension or termination.

WHISTLEBLOWING / CONTACT US

Action Against Hunger is committed to fair and transparent processes, and the above rules also apply to Action Against Hunger employees.

If a supplier or any of their employees believe that the action of anyone (or a group of people) working or volunteering for Action Against Hunger is responsible for violating the above rules, they should file a report through the whistle-blower email hotline, to be reviewed and investigated discretely and appropriately.

To enable their investigation, reports should give as precise information as possible. Providing a name and contact is optional but encouraged. All reports are treated confidentially to the extent permissible by law. Action Against Hunger will use all reasonable efforts to preserve the confidentiality of the whistle-blower and to protect whistle-blowers against any possible retaliation.

Reports are to be sent by email to alertehq@actioncontrelafaim.org (email must be written in French or in English).

TO BE FILLED OUT BY THE SUPPLIER :

I, undersigned:

(name of representative) _____,

(position) _____,

at (company name) _____,

certify that I have read and understood these regulations.

On behalf of the company I act for, I accept the terms of Action Against Hunger's Supplier Code of Conduct. I commit to achieve the best performances in the event *the company I represent* is awarded a contract.

By signing, I certify that *the company I represent* has not provided, and will take all reasonable steps to ensure that it does not and will not knowingly provide material support or resources to any individual or entity that commits, attempts to commit, advocates, facilitates, or participates in fraud, active corruption, collusion, coercive practice, bribery, involvement in a criminal organization or illegal activity, or unethical labor practices, such as the use of child labor or overriding basic social rights and work conditions or the standards defined by the *International Labour Organisation (ILO)*, particularly in terms of non-discrimination, freedom of association, payment of the legal national minimum wage, no forced labor, and the respect of working and hygiene conditions; or sexual exploitation or abuse : such as any form of sexual, psychological or verbal abuse, or physical harassment including the following practices: sexual harassment, sexual abuse, sexual relations with children, sexual assault, sexual exploitation or any other contributions to the "sex market".

Last, I hereby certify that *the company I represent* is not involved in any pending lawsuit, claim or action in the Company's name, or on behalf of any other person or entity, against the Company, regarding fraud, corruption, bribery or any illegal activity, and has not been convicted guilty of such practices at any time.

☐ I have read and adhere to the Action Against Hunger Safeguarding Policy.

All supplier responsibilities mentioned in this document extend to any of their suppliers and subsidiaries.

Date and signature :