

Anti-Trafficking in Persons Policy
and
Compliance Plan for Combating Trafficking in Persons
CEU OFFICIAL DOCUMENT
P-2110-1

1. POLICY STATEMENT

Central European University (“CEU”) recognizes that trafficking in persons is inherently harmful, dehumanizing, and contrary to CEU’s mission and values. CEU has a zero-tolerance policy for trafficking in persons and is committed to high standards of ethics and integrity and compliance with all laws applicable to CEU and CEU Affiliates (as defined in 3.1).

2. BACKGROUND

CEU has developed this Anti-Trafficking in Persons Policy (“Policy”) and Compliance Plan for Combating Trafficking in Persons (“Plan”) in accordance with the “Trafficking in Persons (April 2016)” clause of the US Agency for International Development (“USAID”) Standard Provisions for US Nongovernmental Recipients. The Plan is an inseparable Annex to the Policy.

3. DEFINITIONS

3.1 **“CEU Affiliates”** means any person or entity which controls, is controlled by, or is under common control with CEU, where "control" means the possession, directly or indirectly, of the power to direct or cause the direction of management policies of a person or entity, whether through ownership, by contract or otherwise. CEU Affiliates include the following entities:

- Central European University, New York [United States]
- CEU GmbH – CEU Central European University Private University [Austria]
- Central European Academic gemeinnützige Privatstiftung [Austria]
- CEU Service GmbH [Austria]
- Közép-európai Egyetem [Hungary]
 - **English:** Central European University
- Budapesti Közép-európai Egyetem Alapítvány [Hungary]
 - **English:** Central European University Foundation of Budapest
- CEU Oktatási-Szolgáltató Nonprofit Korlátolt Felelősségű Társaság [Hungary]
 - **English:** CEU Educational-Service Non-profit Limited Liability Company
- CEU GmbH Magyarországi Fióktelepe [Hungary]
 - **English:** CEU GmbH Hungarian Branch Office
- Nyílt Oktatás Oktatási-Szolgáltató Nonprofit Korlátolt Felelősségű Társaság [Hungary]
 - **English:** Open Education Educational-Service Non-profit Limited Liability Company

3.2 **“CEU Supplier”** means contractors, consultants, vendors, suppliers, subcontractors, and subrecipients, at any tier, and their employees, labor recruiters, brokers, or other agents, engaged in performance of the USAID Award.

- 3.3 **“Employee”** means an individual engaged in the performance of a USAID Award as a direct employee, consultant, or volunteer of CEU or any subrecipient.
- 3.4 **“USAID Award”** means a USAID grant or cooperative agreement.
- 3.5 **“Trafficking in persons”** is defined under the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, as the recruitment, transportation, transfer, harboring or receipt of any child under eighteen years of age, as well as the recruitment, transportation, transfer, harboring, or receipt of any 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 includes the exploitation of 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.
- 3.6 **Principal Investigator (“PI”) or Project Manager (“PM”)** is the individual designated by CEU to have the appropriate level of authority and responsibility to prepare, conduct, and administer a project or program, such as a USAID Award. CEU may designate multiple people as PI or PM.

4. PURPOSE

The purpose of this Policy is as follows:

- 4.1 To describe CEU’s guiding principles for preventing and combating trafficking in persons; and
- 4.2 To ensure Employees and CEU Suppliers engaged by CEU for the performance of USAID Awards are aware of the conduct prohibited under the “Trafficking in Persons (April 2016)” clause of the USAID Standard Provisions for US Nongovernmental Recipients as well as any actions that may result from violations thereof.

5. SCOPE

- 5.1 This Policy applies to CEU and may be extended, where needed, to CEU Affiliates.
- 5.2 “Prohibited Activities” under this Policy include:
 - 5.2.1 Trafficking in persons during the period of a USAID award;
 - 5.2.2 Procurement of commercial sex acts during the period of a USAID Award;
 - 5.2.3 Use of forced labor in the performance of a USAID Award;
 - 5.2.4 Acts that directly support or advance trafficking in persons, including the following:
 - 5.2.4.1 Destroying, concealing, confiscating, or otherwise denying an Employee access to that Employee’s identity or immigration documents;
 - 5.2.4.2 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: (a) exempted from the requirement to provide or pay for such return transportation by USAID under the USAID 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. Such failure shall not constitute a “Prohibited Activity” where: (a) the Employee’s return transportation costs will be paid by his/her new employer; (b) the Employee leaves

employment with CEU within [21 days] after the commencement of employment; or
(c) the Employee is terminated by CEU for cause within [21 days] after the commencement of employment];

5.2.4.3 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;

5.2.4.4 Charging Employees recruitment fees; or

5.2.4.5 Providing or arranging housing that fails to meet the host country housing and safety standards.

6 PI/PM ROLES AND RESPONSIBILITIES

6.1 If there is more than one PI/PM on a project or program, each would share the authority and responsibility for leading and directing the efforts outlined in the project or program. The presence of more than one PI/PM diminishes neither the responsibilities nor the accountability of any individual PI/PM.

6.2 It is the responsibility of the PI/PM who receives a USAID Award to ensure compliance with this Policy and Plan.

7 PROCEDURE: ENFORCEMENT AND VIOLATIONS

7.1 ENFORCEMENT

7.1.1 The PI/PM is responsible for ensuring compliance with this Policy and Plan for the project program they oversee in accordance with CEU's Code of Ethics and applicable labor laws. The PI/PM is also charged with surveillance and detection of non-compliance with the Policy and Plan, the identification and execution of corrective actions, and, where appropriate and after consultation with CEU Legal Counsel, the imposition of sanctions.

7.1.2 Sanctions may include, but are not limited to, one or more of the following:

7.1.2.1 Removal from the contract or grant, or initiating a disciplinary procedure based on the relevant CEU policy;

7.1.2.2 Suspension or termination;

7.1.2.3 Student disciplinary action per the applicable CEU policy.

7.2 VIOLATIONS

7.2.1 The following are explicit violations of this Policy:

7.2.1.1 Failure of any CEU Suppliers or Employees to report Prohibited Activities or other violations of this Policy and Plan; and

7.2.1.2 Retaliation against individuals who make good faith reports of suspected wrongful conduct under this Policy and Plan.

7.2.2 Violations of this Policy or failure to comply with the Plan by CEU Suppliers or Employees will result in sanctions outlined in section 7.1.

Compliance Plan for Combating Trafficking in Persons

1. PURPOSE

The purpose of this Plan is to outline CEU program requirements and describe procedures for the following:

- 1.1 Making Employees and CEU Suppliers aware of the conduct prohibited under CEU's Anti-Trafficking in Persons Policy ("Policy") and the actions that may be taken against them for violations;
- 1.2 Reporting activity inconsistent with the Policy and this Plan;
- 1.3 Employing fair recruitment, wage, and housing practices; and
- 1.4 Preventing trafficking in persons activity by CEU, Employees, and CEU Suppliers, and monitoring, detecting, and terminating those who engage in such activities.

2 SCOPE

- 2.1 This Plan applies to CEU and may be extended, where needed, to CEU Affiliates.
- 2.2 This Plan applies when the estimated value of services required to be performed under a USAID Award outside the United States exceeds USD \$500,000.
- 2.3 This Plan may need to be adapted or modified for projects or programs that are larger, more complex, or involve a greater risk of trafficking activity. CEU project/program staff are responsible for adapting or modifying this Plan as necessary to ensure that it is appropriate to the size and complexity of the USAID Award.

3 COMMUNICATION

- 3.1 CEU's Policy prohibits trafficking in persons and related activities, describes the actions CEU may take against Employees and CEU Suppliers who violate the Policy, and sets out the procedure for reporting and investigating Policy violations (Section 7.1).
- 3.2 All Employees and CEU Suppliers will be made aware of the Policy and relevant contents of the Plan. CEU will post the Policy and the Plan on an intranet site where it can be accessed by direct CEU Employees at any time. CEU will also make the Policy and relevant contents of the Plan available at applicable workplaces.
- 3.3 CEU will post relevant contents of this Plan on CEU's website.
- 3.4 CEU's agreements with third parties operating under the USAID Award, including CEU Suppliers, will include provisions to prohibit trafficking in persons.
- 3.5 Any Employee or CEU Supplier may contact CEU Legal Counsel at any time with questions or for further discussion.
- 3.6 As needed, CEU may also conduct periodic training on the Policy and the Plan.

4 PROHIBITED ACTIVITY

- 4.1 CEU, CEU Suppliers, and Employees must not engage in the Prohibited Activities outlined in section 5.2 of the Policy.

5 RECRUITMENT, WAGE, AND HOUSING PLAN

5.1 RECRUITMENT AND WAGE

- 5.1.1 CEU prohibits the use of recruiters who do not have trained employees or who do not comply with all labor laws of the country, or countries, where recruiting takes place for the USAID Award.
- 5.1.2 CEU prohibits charging recruitment fees to any Employee.
- 5.1.3 CEU will pay Employees in accordance with host-country legal requirements or explain any variance.

5.2 HOUSING

- 5.2.1 If/When CEU or a subrecipient under the USAID Award provides housing or makes other arrangements for it, the housing will meet host country housing and safety standards.

6 CEU SUPPLIER COMPLIANCE

- 6.1 All agreements with CEU Suppliers will include a provision proscribing the Prohibited Activities. CEU will reflect this positioning via specific terms in its agreements with CEU Suppliers, by reference to the Policy, or by other effective means.
- 6.2 All agreements with CEU Suppliers will include a provision allowing CEU to terminate the agreement based on violation of CEU's Policy or this Plan.
- 6.3 CEU's ongoing monitoring of CEU Suppliers and Employees will include the right to review compliance with the Policy and prevention of Prohibited Activities outlined in section 5.2 of the Policy.
- 6.4 To address sections 6.1-6.3 of this Plan, agreements with CEU Suppliers may include the following language:
 - 6.4.1 "Subcontractor/Subrecipient shall review and hereby agrees to comply with CEU's Anti-Trafficking Policy and Anti-Trafficking Compliance Plan, available [on CEU's website], as well as all other applicable laws related to anti-trafficking. Subcontractor/Subrecipient will not engage in, support, or use funds received from any source to engage in Prohibited Activities, defined as follows:
 - a. Trafficking in persons during the period of a USAID Award;
 - b. Procuring commercial sex acts during the period of a USAID Award;
 - c. Using forced labor in the performance of a USAID Award;
 - d. Acts that directly support or advance trafficking in persons, including the following acts:
 - 1.d.1 Destroying, concealing, confiscating, or otherwise denying an employee access to that employee's identity or immigration documents;
 - 1.d.2 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: (a) 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;
 - 1.d.3 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;

- 1.d.4 Charging employees recruitment fees; or
- 1.d.5 Providing or arranging housing that fails to meet the host country housing and safety standards.

Subcontractor/Subrecipient certifies to the best of its knowledge and belief that neither it nor any of its consultants, employees, subcontractors, subrecipients, or suppliers have engaged in Prohibited Activities. CEU may terminate this agreement without penalty and pursue other remedies in the event of violation of this provision.”

7 REPORTING AND INVESTIGATIONS

7.1 REPORTING

7.1.1 All CEU Suppliers and Employees must immediately report any Prohibited Activities or violations of the Policy to CEU and in accordance with applicable law. The CEU person who receives such a report must immediately share all pertinent information with CEU’s Legal Counsel.

7.1.2 Any CEU Supplier or Employee who believes that they or others have been subjected to Prohibited Activities may contact the Global Human Trafficking Hotline by either calling +1-844-888-Free or emailing help@befree.org.

In Austria: Ministry of Interior's Federal Crime Office
 24/7 Hotline: +43-677-61343434
 E-Mail: menschenhandel@bmi.gv.at
 E-Mail: humantrafficking@bmi.gv.at

In Hungary: Anti-Trafficking Coordinator, Ministry of Interior, Deputy State Secretary for EU & International Relations
 Telephone: +36 (1) 441-1959
 E-Mail: euhat@bm.gov.hu
 24/7 Hotline: +36-80/20-55-20

7.1.3 CEU strictly prohibits retaliation against any CEU Suppliers or Employees who in good faith report Prohibited Activities or violations of the Policy.

7.2 INVESTIGATIONS

7.2.1 If CEU receives credible information regarding a violation involving Prohibited Activities, CEU will review the matter and determine appropriate steps under the Policy and this Plan.

7.2.2 CEU will immediately notify the USAID Award officer and the USAID Office of the Inspector General about credible information regarding a violation involving Prohibited Activities.

7.2.3 CEU will cooperate with US Government agencies responsible for carrying out investigations, audits, or corrective actions relating to trafficking in persons.