



### PROTECTIONS AGAINST TRAFFICKING IN PERSONS Introduction and Framing

The U.S. Federal Acquisition Regulation (FAR): Combating Trafficking in Persons, requires contractors to the federal government of the United States to take concrete steps to address and prevent human trafficking in their supply chains.

Contractors, subcontractors, and their agents are prohibited from engaging in or supporting trafficking in persons or trafficking-related activities, such as charging workers recruitment fees, destroying, concealing, confiscating, or otherwise denying access by an employee to their identity documents, using misleading or fraudulent recruitment practices, and procuring commercial sex, among other things. Companies with contracts performed outside of the United States and for amounts over USD 500,000 are required to submit compliance plans and to certify — prior to contract award and annually thereafter during the contract performance period — that they have implemented the specified compliance plan.

With support from the U.S. Department of State Office to Monitor and Combat Trafficking in Persons, Verité has

developed the following suite of tools that provide guidance and assistance on combatting human trafficking in supply chains to actors in the private security sector, particularly private security companies (PSCs). These tools are aligned with a set of general tools appropriate for any sector (available at: [responsiblesourcingtool.org/workerprotection](https://responsiblesourcingtool.org/workerprotection)). The Private Security-focused tools provided here incorporate tailored guidance in light of dynamics such as how security personnel are recruited and hired, the types of work personnel perform, and the conditions and varied circumstances under which they perform that work. The tools also take into consideration the diversity of the private security sector; from large private security companies operating in multiple locations and conducting personal recruitment via recruiters — a practice that can in some cases contribute to human trafficking risk — to smaller firms that may only conduct direct local recruitment, to firms that operate in contexts with unique risks, such as conflict zones. Finally, these tools can also be used by companies in any sector that contract private security

service providers at any point in their operations.

The private security sector presents a diverse set of challenges when addressing and tackling the risk of human trafficking. The sector is one of the fastest growing global sectors, and security personnel are often called upon to work in complex environments. The work presents inherent hazards and risks for workers, leading to a relatively high rate of occupational health and safety incidents. In addition to these structural risks, there is evidence that indicators of human trafficking and other abuses occur during the recruitment, hiring, and employment cycles of these workers.

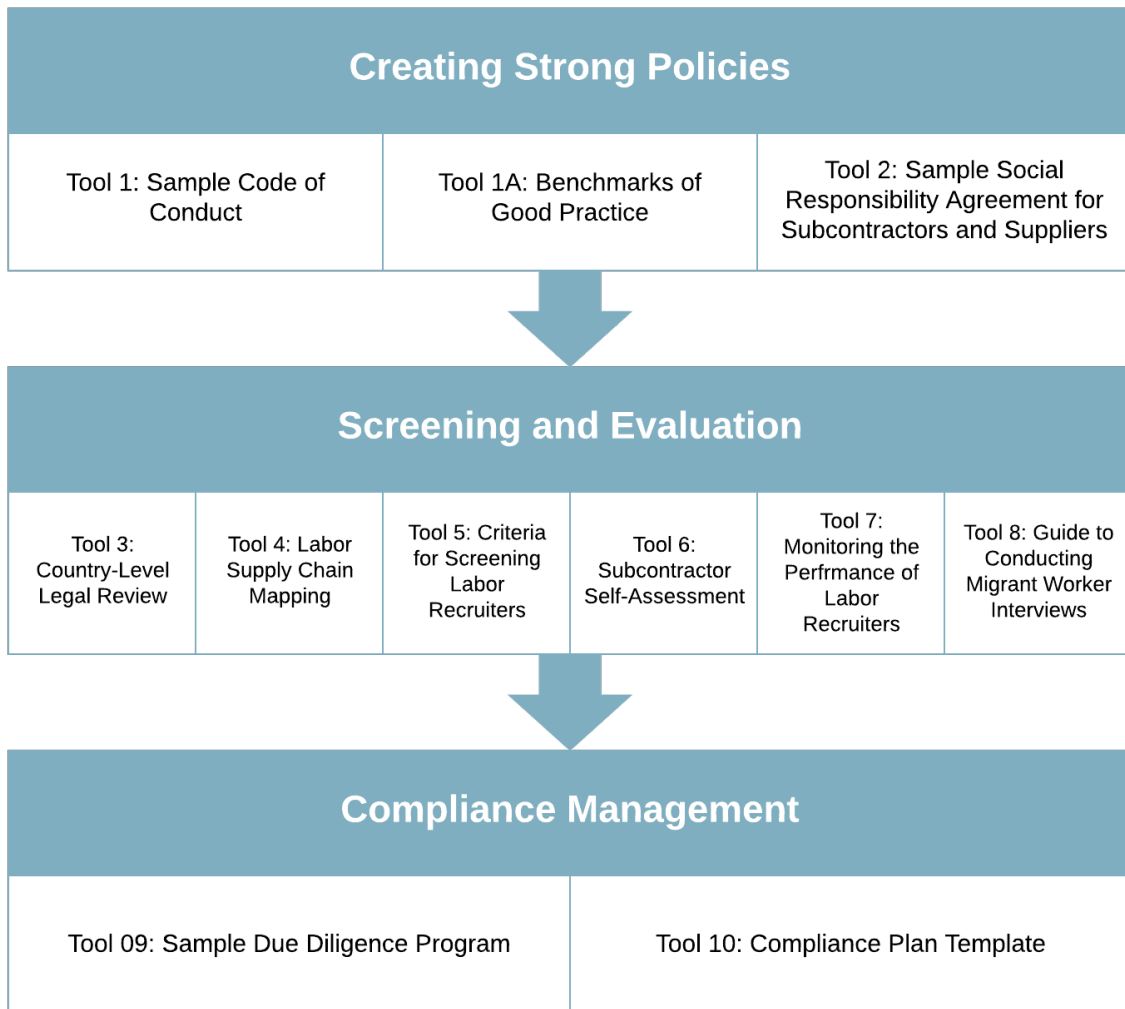
Security personnel are often recruited from post-conflict countries with high poverty rates where workers have limited employment options, leaving them vulnerable to exploitation. In addition, security personnel worldwide are often recruited via third-party labor agents/brokers who are often found to impose burdensome fees on the workers, potentially leaving them indebted before they start their job. Private security personnel can experience exploitation after recruitment as well, including underpayment of wages and debt bondage, often in isolated venues where they are foreigners with visas that only allow them to work for one company. If a

worker is isolated and does not speak the local language or the language of their employer, without carefully considered safeguards, they are unlikely to have meaningful recourse if exploited or abused.

The private security sector-specific tools on [responsiblesourcingtool.com](https://responsiblesourcingtool.com) have been designed to help address these challenges and provide resources for a range of industry actors. The tools are primarily directed at PSCs, to help them address human trafficking risk among the personnel they employ (and the personnel employed by their subcontractors). However, they can also be used in tandem with the general tools on the website by companies from a wide range of sectors who want to ensure that their due diligence systems take into consideration security personnel operating at any type of establishment within their supply chain. Finally, contractors can use these tools alongside and in the context of other relevant resources such as the [International Code of Conduct for Private Security Service Providers](#) and the Office of Management and Budget's October 2019 [Anti-Trafficking Risk Management Best Practices & Mitigation Considerations](#).

The private security sector tools presented on [responsiblesourcingtool.org](https://responsiblesourcingtool.org) are organized into three primary categories:

Creating Strong Policies, Screening and Evaluation, and Compliance Management. The following table shows how this set of tools is organized.



This document describes the purpose of each tool and how it can be used with the suite of tools for company efforts to combat human trafficking.

## CREATING STRONG POLICIES

These tools are intended to help companies clearly communicate expectations in all contracts and vendor agreements. Setting clear expectations in contracts and other agreements is an essential first step in changing behavior throughout supply chains. It also models expectations for how suppliers should interact with their own suppliers and labor recruiters.

**Tool 01** is a sample Code of Conduct. Codes of Conduct establish basic performance expectations for subcontractors, suppliers, and agents. For compliance with the U.S. Federal Acquisition Regulation (FAR): Combating Trafficking in Persons, it is critical that policies and Codes of Conduct explicitly prohibit human trafficking and set out protections for workers. Companies should work to cascade and enforce their Code of Conduct throughout each relevant tier of their supply chain, including any instances of contracted service personnel providers — such as security firms — in the supply chain.

**Tool 1A** provides benchmarks of good practice for the implementation of anti-trafficking policies laid out in Tool 01. Benchmarks can be used to evaluate the labor and human rights performance of subcontractors, suppliers, and labor agents. This tool pays special attention to the structural risks for trafficking in the private security sector, such as transnational recruitment, potentially deceptive recruitment, recruitment fees, hazardous work, and work in isolated or challenging environments.

**Tool 02** is a Sample Social Responsibility Agreement. The purpose of a Social Responsibility Agreement is to formally record the commitment of a subcontractor, supplier, or agent to conform to a customer's code of conduct and applicable legal requirements. It can be a standalone document or included as an appendix to a contract.

## SCREENING AND EVALUATION

Once strong policies are in place, companies need to regularly assess the level of risk in their supply chains, both at the country of production level and at the individual supplier or labor provider level. This risk assessment can be performed by mapping and understanding a company's supply chains, which is particularly crucial where supply chains are long, complex, and opaque, and where multiple personnel service providers are present.

Companies should screen and monitor individual subcontractors, suppliers, and labor brokers for compliance on a regular basis. Companies typically use social audits to assess suppliers, but many auditors and company sourcing officers do not have the expertise to detect complex and hidden issues like human trafficking. The tools presented here lay out a concrete framework for conducting monitoring with suppliers, labor recruiters, and workers themselves.

**Tool 03** offers guiding questions for conducting a country-level legal review of factors relevant to the prevention of human trafficking, with special consideration paid to international standards and frameworks specific to the private security sector.

**Tool 04** provides guidance for mapping labor supply chains in the private security sector as well as guidance on associated risk assessment.

**Tool 05** lays out criteria for evaluating and screening individual labor recruiters to ensure that companies have enough information to have reasonable confidence that their labor recruiter will comply with all applicable legal requirements and their standards for ethical recruitment.

**Tool 06** is a sample subcontractor/supplier self-assessment questionnaire (SAQ) that will allow companies to gain preliminary insight into potential human trafficking risks in how a subcontractor (or supplier) recruits, selects, and hires workers, how it works with labor brokers, and how migrant workers are managed. An appendix with interpretive guidance for company use is provided.

**Tool 07** provides a set of criteria for monitoring labor recruiters in supply chains. Once a company has engaged a labor recruiter, regular monitoring of the recruiter's performance against the company Code of Conduct and legal requirements is essential to help ensure ongoing compliance.

**Tool 08** presents a guide to interviewing migrant workers (including migrant security personnel), including a list of questions and potential red flags. Companies can use this tool to help shape their own worker interview questionnaires, thus improving their auditors' ability to identify possible cases of abuse or recruiter-induced human trafficking at company, supplier, and subcontractor worksites. The tool also includes guidance on ethically interviewing vulnerable worker populations.

## COMPLIANCE MANAGEMENT

The tools in this section can help ensure compliance with the policies and management systems outlined above.

**Tool 09** offers a sample supply chain due diligence program. An overview is provided of the processes that a company could implement to identify where there are risks of human trafficking in its supply chains; to address identified issues; to implement enduring solutions; and to monitor supplier performance over time. The tool describes the fundamental systems approach to risk management, known as “Identify, Evaluate, Control, and Monitor,” providing the underlying principles to follow.

**Tool 10** presents a compliance plan template. This tool is intended for use specifically for companies that need to demonstrate compliance with the Combating Trafficking in Persons requirements of the Federal Acquisition Regulation (FAR).