



# Counter Trafficking in Persons (C-TIP) Code of Conduct Guidance

A Mandatory Reference for ADS Chapters **109, 201,**  
**485, and 487**

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## **Policy**

USAID commits to playing a vital role in the international effort to counter all forms of trafficking in persons. Per the 2000 UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children and the 2000 U.S. Trafficking Victims Protection Act, trafficking in persons (TIP) is the recruitment, transportation, transfer, harboring, or receipt of persons by means of force, fraud, threats, or coercion for the purposes of sexual exploitation or forced labor. Minors, defined by international law as individuals below the age of 18, who are exploited in commercial sex are de facto trafficking victims, even in the absence of force, fraud, threats, or coercion. Children below the age of 15 recruited into an armed group and children below the age of 18 in active combat as part of an armed group are also defined as trafficking victims, even in the absence of force, fraud, threats, or coercion. The annual U.S. Trafficking in Persons Report defines all major forms of human trafficking, including forced labor, sex trafficking, bonded labor, debt bondage among migrant labor, involuntary domestic servitude, forced child labor, child soldiers, and child sex trafficking (see <http://www.state.gov/g/tip/>).

Combating trafficking in persons is an integral part of USAID's mission. Through its Counter-Trafficking in Persons (C-TIP) Code of Conduct, USAID pledges to do the following:

1. Explicitly prohibit USAID personnel, including all direct-hire Foreign Service and Civil Service employees and personal services contractors (PSCs) (including U.S. PSCs, Third Country Nationals, Foreign Service National PSCs, and FSN direct-hires), from engaging in trafficking in persons, procuring commercial sex acts, or using forced labor during duty or non-duty hours. USAID contractors and grantees are also subject to similar restrictions related to counter trafficking in persons, which are contained in the terms and conditions of their awards.
2. Sensitize USAID personnel to the fact that, pursuant to ethical conduct requirements, they are prohibited from engaging in trafficking in persons, procuring commercial sex acts, or using forced labor. USAID regards the phenomenon of trafficking in persons as inimical to the Agency's core values and inherently harmful and dehumanizing.

USAID seeks to deter activities that would facilitate or support TIP. The procurement of commercial sex violates the Code, even within host countries in which prostitution is legal. Women, children, and men are trafficked into the commercial sex trade regardless of whether prostitution is legal or criminalized in a country. The procurement of commercial sex runs the risk of facilitating or supporting trafficking in persons. Conduct that would lead a reasonable person to believe that the USAID employee is engaging in commercial sex is likewise prohibited under this policy. Additionally, conduct that appears to constitute the solicitation of commercial sex and gives the appearance of impropriety violates the C-TIP policy because of its effect on the Agency's mission.

USAID personnel should be cognizant of the risk of trafficked labor being used in projects supported by USAID contracts, subcontracts, grants, and subgrants in sectors such as construction, catering, or other areas that produce goods and services.

3. Equip USAID personnel with the knowledge and tools necessary to recognize, report, and address trafficking in persons offenses.

**Trafficking in persons training:** Training about the code is required for all USAID personnel. General training will be provided to USAID personnel to raise overall awareness of human trafficking and its many manifestations and to inform employees of their obligations under the Code. Basic training will cover both labor and sex trafficking. In addition, training will be provided to USAID personnel to increase the Agency's capacity to design, implement, monitor, and evaluate effective C-TIP program activities. For specific information about these trainings, please visit: [www.usaid.gov/trafficking](http://www.usaid.gov/trafficking).

**Reporting of trafficking in persons:** USAID employees must report any suspected cases of trafficking in persons or procurement of commercial sex that involve USAID personnel to the Office of the Inspector General. USAID employees must report any suspected cases of trafficking in persons or procurement of commercial sex that involve implementing partners to the Office of the Inspector General and the relevant Contract or Agreement Officer. As noted earlier, the C-TIP requirements for USAID contractors and grantees are contained in the terms and conditions of their awards. All USAID contract and grant agreements include a clause prohibiting implementing partners from engaging in or facilitating trafficking in persons or commercial sex.

Trafficking in persons is not limited to the sex industry but also includes forced labor and involves significant violations of labor, public health, and human rights standards worldwide.

Some illustrative examples of TIP violations include:

- Beating, threatening, and restraining workers to force them to work as agricultural laborers.
- Recruiting construction workers through fraudulent offers of jobs in Dubai, but then transporting them for construction jobs in Iraq and confiscating their travel documents so they cannot leave.
- Enticing victims into signing fraudulent modeling contracts, and then using physical and sexual abuse, threats of force, and extortion to compel the persons into prostitution.
- Employing a minor in prostitution or other commercial sex activities.

- Forcing women into prostitution by various means, including beating them, threatening to hurt their families, and isolating them.
- Forcing an underage girl to work as a domestic servant without pay.
- Forcing children to beg for money or food in the street.

The above list is not all inclusive; therefore, violations are not limited to those items listed.

4. Require USAID personnel to report suspected cases of USAID personnel, contractor, or grantee TIP-related misconduct as a form of waste, fraud, and abuse in USAID programs.

Suspected cases of USAID personnel misconduct related to trafficking in persons must be reported to the OIG's Office of Investigations (OIG/I). Suspected cases of contractor, subcontractor, grantee, or subgrantee misconduct related to trafficking in persons or commercial sex or waste, fraud, and abuse in USAID programs related to trafficking in persons must be reported to OIG/I and the relevant Contracting or Agreement Officer.

Suspected cases of USAID personnel misconduct, mismanagement, or violations of law, rules, or regulations by employees or program participants, or waste, fraud, and abuse related to trafficking in persons may be reported through the OIG hotline. The Inspector General Act and other pertinent laws provide for the protection of persons making hotline complaints. USAID personnel have the option of submitting complaints via telephone, U.S. mail, Internet, or electronic mail. The OIG takes steps to protect the investigative information it receives but cannot guarantee the confidentiality or security of information while it is transmitted over external telecommunications, or information technology networks, or through outside mail systems. USAID personnel must not attempt to investigate suspected violations of the C-TIP Code themselves, because doing so could compromise the OIG's official investigation, place the suspected TIP victim(s) in greater harm, or jeopardize the safety of personnel.

For telephone reporting, call 1-800-230-6539 or (202) 712-1023. Complaints may be sent to [ig.hotline@usaid.gov](mailto:ig.hotline@usaid.gov). Alternatively, reports may be:

- Completed online at:  
[http://www.usaid.gov/oig/hotline/hotline\\_complaint\\_frm.html](http://www.usaid.gov/oig/hotline/hotline_complaint_frm.html),
- Submitted in PDF format at:  
<http://www.usaid.gov/oig/hotline/elecocomplaintform.pdf>,
- Sent by fax to (202) 216-3801, or

- Sent by mail to the following address:

U.S. Agency for International Development  
Office of Inspector General  
P.O. Box 657  
Washington, DC 20044-0657

5. Designate a Counter Trafficking in Persons (C-TIP) Coordinator at all Missions to serve as the primary point of contact for this issue. The C-TIP Coordinator will disseminate information, respond to inquiries, and liaise with appropriate staff in developing C-TIP strategies.

USAID has established a C-TIP Coordinator directory. The directory is posted on the DCHA/DRG Human Rights intranet site at: <https://sites.google.com/a/usaid.gov/drg/home/about-1/drg-center-teams/human-rights>. The directory facilitates communication between the field and headquarters and across field Missions. New C-TIP Coordinators must update the directory with their name when they are designated.

USAID opposes any activities that may contribute to the phenomenon of trafficking in persons, including the procurement of commercial sex acts and use of forced labor. When in host countries, USAID personnel must abide by the code of conduct as well as recognize the diplomatic consequences of any conduct unbecoming of an agent of the United States of America. USAID seeks to deter activities of all USAID personnel that would facilitate or support TIP, including pandering and patronizing of commercial sex workers, even in host countries where prostitution is legal.

## **Responsibilities**

**Office of Acquisition and Assistance (M/OAA):** Holds responsibility to ensure the requisite C-TIP clauses are incorporated into all USAID grants, cooperative agreements, and contracts as well as to respond to suspected violations of this clause.

**Office of the Inspector General (OIG):** Investigates allegations of USAID personnel misconduct, mismanagement, or violations of law, rules, or regulations by employees or program participants, as well as waste, fraud, and abuse in USAID programs related to trafficking in persons. The OIG conducts investigations into allegations of criminal, civil, and administrative violations related to the Agency. The OIG's investigative priority is to prevent fraud, waste, and abuse within USAID programs and operations and to foster and encourage the integrity of USAID personnel, as well that of USAID's contractors, grantees, and host country counterparts.

**Office of the General Counsel (GC) and Resident Legal Officers (RLOs):** Will incorporate a module on trafficking in persons into its menu of possible topics to be covered in its annual ethics training. GC and RLOs will provide advice and assistance to

USAID personnel on all TIP legal matters, including reviewing and coordinating on all proposed TIP policies, regulations, directives, and instructions.

**Human Capital Talent Management (HCTM):** Is responsible for informing all candidates for USAID employment of the USAID C-TIP Code of Conduct prior to being hired. Vacancy announcements will also mention USAID's C-TIP Code of Conduct to inform potential applicants of the code. HCTM is working with DCHA's Center of Excellence for Democracy, Human Rights, and Governance to develop an agency-wide plan to provide counter-trafficking training to USAID personnel. HCTM may conduct periodic evaluations of C-TIP awareness among USAID personnel.

**Regional and Pillar Bureaus:** Are strongly encouraged to identify opportunities to integrate or deepen C-TIP training into ongoing training primarily to provide technical officers with the programmatic skills to support C-TIP initiatives. For instance, E3 integrated a C-TIP module into its existing gender training provided to Missions and supported several C-TIP trainings in Washington, D.C. and the field. Effective efforts to combat TIP require sustained attention and demonstrated political will of Bureau leadership. Regional and Pillar Bureaus are highly encouraged to integrate C-TIP into ongoing planning and programming processes.

**USAID Mission Directors:** Combating trafficking in persons is an important USAID priority. Missions are expected to support the implementation of the C-TIP Code of Conduct to the greatest extent practicable and to identify opportunities to strengthen C-TIP efforts in their respective Missions. Especially in countries designated as Tier 2 Watch List and Tier 3 in the Department of State's annual Trafficking in Persons Report, Missions and Regional Bureaus are encouraged to develop C-TIP strategies across all technical areas and integrate C-TIP components into ongoing programming.

**Counter Trafficking in Persons (C-TIP) Coordinator:** Serves as the primary point of contact in the Mission on TIP and the implementation of the Agency's Counter Trafficking in Persons Code and Policy. The C-TIP Coordinator should have (or be given the opportunity to develop) the technical skills and competencies necessary to provide appropriate guidance to technical and program staff to ensure the C-TIP policy is successfully implemented at the Mission. Missions should determine the appropriate personnel for the C-TIP Coordinator role and include this role in their delegation/designation Mission Orders. C-TIP Coordinators in regional Missions should provide support as necessary to non-presence countries and may be a point of contact for delivering trainings to implement the Code. Ideally, C-TIP Coordinators should have their responsibilities explicitly included in their position description and annual work objectives.

The roles and responsibilities of the C-TIP Coordinators can be negotiated as part of the regular process of establishing work objectives and annual performance plans. Missions may wish to broaden the role and responsibilities of the C-TIP Coordinator, as appropriate. Additional responsibilities may include training of Mission personnel, contributing to and/or leading in development of a Mission-wide C-TIP strategy, and

assisting technical offices with the integration of C-TIP components into existing programs.

C-TIP Coordinators serve as the primary point of contact for TIP issues. At a minimum, the C-TIP Coordinator is responsible for disseminating TIP-related information and responding to TIP-related inquiries.

**DCHA/DRG:** DCHA's Center of Excellence for Democracy, Human Rights, and Governance, in collaboration with Regional and Pillar Bureaus and field Missions, is developing and conducting Agency-wide C-TIP training in Washington and the field and working with HCTM to develop a C-TIP training plan. The Center also provides Missions and Washington Operating Units with other means of technical assistance, as required, to help implement the Code.

**Definitions:**

The United Nations' Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children (known as the Palermo Protocol) defines human trafficking as "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 or 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 purposes of exploitation. Exploitation includes, 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." According to the Palermo Protocol, individuals under the age of 18 in prostitution or other commercial sex acts are considered trafficking victims even if they consented to these acts. The United States has ratified the Palermo Protocol. The U.S. Trafficking Victims Protection Act of 2000, (TVPA) as amended, defines severe forms of human trafficking and aligns closely with the Palermo Protocol definition of trafficking. Under the 2008 Reauthorization of the TVPA, however, children abducted by armed groups are also defined as trafficking victims. Also, the TVPA definition does not recognize organ removal as a form of exploitation.

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