



Prevention of Sexual Exploitation and Abuse (PSEA) clauses for partnership contracts for any service providers and suppliers working for ASIO.

“The Contractor shall take all appropriate measures to prevent sexual exploitation or abuse of anyone by its employees or any other persons engaged and controlled by the Contractor to perform any services under the Contract. Any breach of the provision by the Contractor shall entitle ASIO to terminate the contract with immediate effect.”

The contractor acknowledges and agrees that ASIO has a policy of "zero tolerance" for sexual exploitation and abuse. The contractor and its employees, staff and/or subcontractors shall not be involved in any sexual exploitation or abuse. For the purposes hereof, the following definitions shall be used¹:

Sexual exploitation means 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.

Sexual abuse means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

The contractor shall take all necessary action to prevent sexual exploitation or abuse of any of its employees or any other person engaged and under its control, as well as any corrective action in the event that a situation of sexual exploitation or abuse occurs².

Contract has to take the following measures to prevent and respond to sexual exploitation and abuse may include, but are not limited to:

- (1) A clear prohibition against any involvement in a situation of sexual exploitation or abuse;
- (2) Mandatory background checks for all personnel prior to recruitment;
- (3) PSEA training for all personnel;
- (4) Mandatory reporting of all allegations of SEA;
- (5) Referral of all survivors of SEA to immediate and professional assistance; and
- (6) Investigation of all reported allegations of SEA and implementation of corrective action.

The above code of conducts are applicable on duty and off duty from the time of signing.

Any breach of the provision by the Contractor shall entitle ASIO to terminate the contract with immediate effect.”

¹ UN Secretary-General's Bulletin ST/SGB/2003/13, 2003. <https://undocs.org/en/ST/SGB/2003/13>

² Corrective action is defined as actions taken to correct or rectify the situation following a SEA incident.



ESS Commitments

All ASIO staff, associates, and partners are expected to conduct themselves by the ESS policy. The following are the core commitments relating to ESS that all staff, associates, and partners are expected to follow. The following behaviors are prohibited:

Sexual Activity with Children and Vulnerable Adults

Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of the child is not a defense. Sexual activity with vulnerable adults, as outlined in the definitions, is also prohibited.

Sexual Activity with ASIO Beneficiaries

Sexual activity with any beneficiary is prohibited due to inherently unequal power imbalances. An ASIO beneficiary is defined as anyone who receives services or support from ASIO or an ASIO partner.

Grooming and/or Coercion

Any grooming and/or coercion of a child or vulnerable adult to obtain sex is prohibited.

Sexual Exploitation

Any form of sexual exploitation is prohibited including:

Buying Sex

Exchange of money, material assistance, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading, or exploitative behavior is prohibited.

Profiting from Sexual Exploitation

Any monetary, social, or political gain from sexual exploitation is prohibited.

Sexual Harassment

Any act of sexual harassment including unwelcome sexual advances or requests for sexual favors is prohibited under the PSEA policy.

Sexual Violence

Any acts of sexual violence as outlined in the definitions are prohibited. This includes but is not limited to, sexual violence including intercourse, sexual touching, and threats of sexual violence.

Physical/Emotional Abuse

As outlined in both the Child Safeguarding and the Adult Safeguarding policies, any physical or emotional abuse is prohibited.

Human Rights

The Contract Party represents and warrants that neither it nor any of its subcontractors violates fundamental human rights and respects the dignity and worth of all persons including respect for the equal rights of men and women.



Law binding

The Contract Party represents and warrants that neither it nor any of its subcontractors are engaged in any sort of illegal activities.

Anti-corruption

The Contract Party represents and warrants that neither it nor any of its subcontractors are engaged in any sort of corruption, as the misuse of entrusted power for private gain, including but not limited to money laundering, bribery, facilitation payments, embezzlement, extortion, favoritism, fraud, and obstruction of justice.

Anti- Terrorism

ASIO has a full-fledged anti-terrorism policy and wants its contract parties to make themselves aware of the terms and conditions.

The Contract Party represents and warrants that neither it nor any of its subcontractors are engaged in any transactions with, and/or the provisions of resources and support to individuals and organizations associated with terrorism. The Contract Party represents and warrants that neither it nor any of its subcontractors are engaged in any transactions with, and/or the provision of resources and support to individuals and organizations associated with, receiving any type of training for, or engaged in, any act or offense described in antiterrorism policy.

Environment Safety

The Contract Party represents and warrants that neither it nor any of its subcontractors are violating any international environmental agreements.

The Contract Party undertakes to support a precautionary approach to environmental challenges and not in any way damaging, destroying, or causing any harm to the environment. Further, the Contract Party undertakes to encourage the development and diffusion of environmentally friendly technologies and undertake initiatives to promote environmental responsibility and sustainability.

Child Laboring

The Contract Party represents and warrants that neither it, nor any of its subcontractors are engaged in any practice inconsistent with the rights outlined in Rights of the Child, including that a child shall be protected from performing any work that is likely to be hazardous or interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

Forced Laboring

The Contract Party represents and warrants that neither it nor any of its subcontractors are using any form of forced and compulsory labor.

Working Conditions

The Contract Party represents and warrants that it and all of its subcontractors are protecting workers from any acts of physical, verbal, sexual, or psychological harassment abuse, or threats in the workplace by either their fellow workers or their managers.



Discrimination in Working Conditions

The Contract Party represents and warrants that neither it nor any of its subcontractors are discriminating against any of its workers about race, color, gender, language, political or other opinion, caste, national or social origin, property, birth, union affiliation, sexual orientation, health status, age, disability, or other distinguishing characteristics.

The Contract Party represents and warrants that neither it nor any of its subcontractors are making employment-related decisions, from hiring to termination and retirement which are not based only on relevant and objective criteria.

Accountability

The Contract Party undertakes a duty of full disclosure of any relevant material at any time and at the sole discretion of ASIO for ASIO to examine any alleged breach of this Code of Ethics.

This list may be expanded at any time and details will be communicated with staff, associates, and partners through the Safeguarding Committee.

Consequences

Any staff, associate, or partner who violates the ESS policy may face disciplinary action, termination of employment or contract, and/or referral to the appropriate law enforcement agency or legal authority.

Whistle-Blowing

As referred to in ASIO's whistle-blowing policy, all disclosures will be treated in confidence. Reports may be submitted anonymously for investigation via **hotline@asio.org.af** or by calling the ASIO hotline at + (93) 785-286-413. Or by personally visiting one of the safeguarding committee members.