UN SUPPLIER CODE OF CONDUCT

A. United Nations Charter: The values enshrined in the United Nations (UN) Charter, *respect for fundamental human rights, social justice and human dignity, and respect for the equal rights of men and women,* serve as overarching values to which suppliers of goods and services to the UN[1] are expected to adhere.

B. Global Compact: The Global Compact is a voluntary international corporate citizenship network initiated to support the participation of both the private sector and other social actors to advance responsible corporate citizenship and universal social and environmental principles to meet the challenges of globalization. The UN strongly encourages all suppliers to actively participate in the Global Compact. And to that end, this Code of Conduct has been developed with recognition of the importance of the ten principles of the UN Global Compact, and is viewed as an important means of integrating the Compact's principles into the operations of the UN. The Code of Conduct addresses the issues included in the Compact in the areas of human rights, labour, environment and anti-corruption and interpretation of the Code should be undertaken in a manner consistent with the Global Compact. Suppliers interested in supporting the Global Compact and obtaining more information on the ten principles, can visit the Global Compact website at www.unglobalcompact.org.

C. The United Nations Guiding Principles on Business and Human Rights (UNGPs): In order to respect human rights, all businesses should exercise human rights due diligence to identify, prevent, mitigate, remediate, and account for how they address actual and potential adverse human rights impacts in their own operations, in their supply chain and in their other business relationships. The UNGPs provides guidance on the duties and responsibilities of businesses in respecting human rights and to ensure access to an effective remedy for individuals and groups affected by such activities. The UN strongly encourages all suppliers to meet their responsibility to respect and embed the UNGPs in their corporate policies and practices. Interpretation of this Code of Conduct should be undertaken in a manner consistent with the UNGPs.[2]

D. International Labour Conventions and Recommendations: The International Labour Standards (i.e., Conventions, Protocols and Recommendations) are legal instruments established by the tripartite constituents (governments, employers and workers) of the UN specialized agency, the International Labour Organization (ILO), which set out basic principles and rights at work. These standards have served as the foundation on which much of this Code of Conduct is based. It is the UN's expectation that any supplier providing products or services to the UN will, in addition to the values of the UN Charter, adhere to the principles concerning International Labour Standards (ILS). The ILO has developed and adopted guidance on specific topics, including fair recruitment, which provide a comprehensive approach to realizing the ILS. Further information on the ILS and the ILO guidance is summarized below in paragraphs 6-13.[3]

1. Scope of Application:

The provisions of this Code of Conduct set forth the UN's expectations for all suppliers that are registered with the UN or with whom it does business. The UN expects that these principles apply to suppliers and their employees, parent, subsidiary or affiliate entities, and subcontractors. The UN expects suppliers to ensure that this Code of Conduct is communicated to their employees, parent, subsidiary and affiliated entities as well as any subcontractors, and that it is done in the local language and in a manner that is understood by all.

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[1] In this Code of Conduct, "UN" shall refer to the UN Secretariat, Programmes and Funds of the UN, Specialised Agencies of the UN and all other entities belonging to the UN system, that have adopted this Code of Conduct through the High Level Committee on Management - Procurement Network.

[2] The UN Guiding Principles on Business and Human Rights (2011) can be accessed at: https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf

[3] The full texts of the ILO Conventions and Recommendations can be accessed at: http://www.ilo.org/global/standards/lang--en/index.htm

In order for a supplier to be registered as a UN supplier or to do business with the UN, the supplier is required to read and acknowledge that this Code of Conduct provides the minimum standards expected of UN Suppliers. In addition, suppliers should note that certain provisions of this Code of Conduct will be binding on the supplier in the event the supplier is awarded a contract by the UN pursuant to the terms and conditions of any such contract. Failure to comply with certain provisions may also preclude suppliers from being eligible for a contract award, as reflected in the solicitation documents of one or more organizations in the UN. Prospective suppliers are invited to review the specific terms and conditions of contract and procurement policies of the organization(s) within the UN with which they would like to do business in order to ascertain their current and future eligibility.

2. Human Rights Due Diligence

The UN expects its suppliers to support and respect the protection of internationally proclaimed human rights, and to ensure that they are not complicit in human rights abuses.

This includes the expectation for suppliers to implement the process of human rights due diligence as set out in the UNGPs in order to identify, address, monitor and communicate on the impacts they have on the enjoyment of human rights in their operations and throughout their supply chain.

3. Leverage

Consistent with the UNGPs, suppliers are expected to exercise any leverage they have over the conduct of other entities in their supply chain for the improvement of human rights standards. Leverage is considered to exist where the supplier has the ability to effect change, individually or in collaboration with others, in the practice of an entity.

4. Continuous Improvement:

The provisions as set forth in this Code of Conduct provide the minimum standards expected of suppliers to the UN. The UN expects suppliers to strive to exceed both international and industry best practices. The UN also expects suppliers to exercise their leverage over their supply chain, encouraging and working with their own suppliers and subcontractors to ensure that they also strive to meet the principles of this Code of Conduct. The UN recognizes that reaching some of the standards established in this Code of Conduct is a dynamic rather than static process and encourages suppliers to continually improve their workplace conditions, their environmental policies and practices and exercise leverage over their supply chain to do the same accordingly.

5. Management, Monitoring and Evaluation:

It is the expectation of the UN that its suppliers, at a minimum, have established clear goals toward meeting the standards set forth in this Code of Conduct. The UN expects that its suppliers will establish and maintain appropriate management systems related to the content of this Code of Conduct, and that they actively review, monitor and modify their management processes and business operations to ensure they align with the principles set forth in this Code of Conduct. Supplier participants in the Global Compact are strongly encouraged to operationalize its principles and to communicate their progress annually to stakeholders.

Labour:

6. Freedom of Association and Collective Bargaining: The UN expects its suppliers to recognize the freely-exercised right of workers, without distinction, to organize, further and defend their interests and to bargain collectively, as well as to protect those workers from any action or other form of discrimination related to the exercise of their right to organize, to carry out trade union activities and to bargain collectively.[4]

7. Forced or Compulsory Labour: The UN expects its suppliers to prohibit forced or compulsory labour in all its forms[5] and not engage in activities which increase the vulnerability of workers to forced labour. In particular, it expects its suppliers to engage in fair labour recruitment and promote fair labour recruitment practices in their supply chain.

[4]These principles are set out in the ILO fundamental Conventions, *No. 87, Freedom of Association and Protection of the Right to Organise, 1948* and *No. 98, Right to Organise and Collective Bargaining, 1949.*

[5]This principle is set out in the ILO fundamental conventions, *No. 29, Forced Labour, 1930, its Protocol of 2014* and *No. 105, Abolition of Forced Labour, 1957.*

8. **Human Trafficking:** The UN expects its suppliers to not engage in any activity related to human trafficking or which increases vulnerability to human trafficking.[6]

9. **Fair Labour Recruitment:**
The UN expects all suppliers to engage in fair labour recruitment. The UN strongly encourages all suppliers to incorporate and reflect the ILO General Principles and Operational Guidelines for Fair Recruitment in their corporate policies and practices. The ILO General Principles and Operational Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs form a comprehensive approach to realizing fair recruitment and are intended to cover the recruitment of all workers, including migrant workers, whether directly by employers or through intermediaries.[7]

10. **Child Labour:** The UN expects its suppliers not to employ: (a) children below 14 years of age or, if higher than that age, the minimum age of employment permitted by the law of the country or countries where the performance, in whole or in part, of a contract takes place, or the age of the end of compulsory schooling in that country or countries, whichever is higher; and (b) persons under the age of 18 for work that, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of such persons.[8]

11. **Discrimination:** The UN expects its suppliers to ensure equality of opportunity and treatment in respect of employment and occupation without discrimination on grounds of race, colour, sex, religion, political opinion, national extraction or social origin and such other ground as may be recognized under the national law of the country or countries where the performance, in whole or in part, of a contract takes place.[9] The UN expects its suppliers to take all appropriate measures to ensure that neither themselves nor their parent, subsidiary, affiliate entities or their subcontractors are engaged in any gender-based or other discriminatory employment practices, including those relating to recruitment, promotion, training, remuneration and benefits.

12. **Wages, Working Hours and Other Conditions of Work**: The UN expects its suppliers to ensure the payment of wages in legal tender, at regular intervals no longer than one month, in full and directly to the workers concerned. Suppliers should keep an appropriate record of such payments. Deductions from wages are permitted only under conditions and to the extent prescribed by the applicable law, regulations or collective agreement, and suppliers should inform the workers concerned of such deductions at the time of each payment. The wages, hours of work and other conditions of work provided by suppliers should be not less favourable than the best conditions prevailing locally (i.e., as contained in: (i) collective agreements covering a substantial proportion of employers and workers; (ii) arbitration awards; or (iii) applicable laws or regulations), for work of the same character performed in the trade or industry concerned in the area where work is carried out.[10].

13. **Health and Safety:** The UN expects its suppliers to ensure, so far as is reasonably practicable, that: (a) the workplaces, machinery, equipment and processes under their control are safe and without risk to health; (b) the chemical, physical and biological substances and agents under their control are without risk to health when the appropriate measures of protection are taken; and (c) where necessary, adequate protective clothing and protective equipment are provided to prevent, so far as is reasonably practicable, risk of accidents or of adverse effects to health.[11]

[6] The definition of human trafficking is set out in the United Nations (UN) protocol to prevent, suppress and punish trafficking in human beings , especially women and children, supplementing the UN Convention against Transnational Organized Crime and its Protocols (2000).

[7] ILO General Principles and Operational Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs (2019) can be accessed at: https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_536755.pdf

[8] These principles are set out in the ILO fundamental Conventions, No. 138, Minimum Age, 1973 and No. 182, Worst Forms of Child Labour, 1999 and in the UN Convention on the Rights of the Child

[9] These principles are set out in the ILO fundamental Conventions, *No. 100, Equal Remuneration, 1951* and No. *111, Discrimination (Employment and Occupation), 1958*.

[10] These principles are set out in ILO Conventions No. 95, Protection of Wages, 1949 and No. 94, Labour Clauses (Public Contracts), 1949 and in a number of Conventions addressing working time (see: http://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/workingtime/lang--en/index.htm).

[11] These principles are set out in the ILO Conventions, Recommendations and Codes of Practice (see: http://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/occupational-safety-and- health/lang--en/index.htm)

14. **Human Rights:** The UN expects its suppliers to support and respect the protection of internationally proclaimed human rights and to ensure that they are not complicit in human rights abuses.[12]

15. **Harassment, Harsh or Inhumane Treatment:** The UN expects its suppliers to create and maintain an environment that treats all employees with dignity and respect. The UN further expects that its suppliers, their parent, subsidiary and affiliated entities as well as any subcontractors, will neither use or engage in, nor allow their employees or other persons engaged by them to use or engage in, any: threats of violence, verbal or psychological harassment or abuse, and/or sexual exploitation and abuse.

16. **Prevention of Sexual Exploitation and Abuse**

Sexual exploitation and abuse violate universally recognized international legal norms and standards and have always been unacceptable behaviour and prohibited conduct for the UN. Prior to entering into agreements with the UN, suppliers are informed of the standards of conduct with respect to the prohibition of sexual exploitation and abuse, expected by the UN. Such standards include, but are not limited to, the prohibition of:
(1) engaging in any sexual activity with any person under the age of 18, regardless of any laws of majority or consent, (2) exchanging any money, employment, goods, services, or other things of value, for sex, and/or (3) engaging in any sexual activity that is exploitive or degrading to any person. The UN expects its suppliers to take all appropriate measures to prohibit their employees or other persons engaged by the suppliers, from engaging in sexual exploitation and abuse. The UN also expects its suppliers to create and maintain an environment that prevents sexual exploitation and abuse. United Nations contracts will contain provisions concerning a supplier's obligation to take appropriate measures to prevent sexual exploitation and abuse. The failure by a supplier to take preventive measures against sexual exploitation or abuse, to investigate allegations thereof, or to take corrective action when sexual exploitation or abuse has occurred, constitute grounds for termination of any agreement with the United Nations. Moreover, no harsh or inhumane treatment coercion or corporal punishment of any kind is tolerated, nor is there to be the threat of any such treatment.

17. **Mines:** The UN expects its suppliers not to engage in the sale or manufacture of anti-personnel mines or components utilized in the manufacture of anti-personnel mines.

Environment:

18. **Environmental:** The UN expects its suppliers to have an effective environmental policy and to comply with existing legislation and regulations regarding the protection of the environment. Suppliers should wherever possible support a precautionary approach to environmental matters, undertake initiatives to promote greater environmental responsibility and encourage the diffusion of environmentally friendly technologies implementing sound life-cycle practices.

19. **Chemical and Hazardous Materials**: Chemical and other materials posing a hazard if released to the environment are to be identified and managed to ensure their safe handling, movement, storage, recycling or reuse and disposal.

20. **Wastewater and Solid Waste:** Wastewater and solid waste generated from operations, industrial processes and sanitation facilities are to be monitored, controlled and treated as required prior to discharge or disposal**.**

21. **Air Emissions:** Air emissions of volatile organic chemicals, aerosols, corrosives, particulates, ozone depleting chemicals and combustion by-products generated from operations are to be characterized, monitored, controlled and treated as required prior to discharge or disposal.

22. **Minimize Waste, Maximize Recycling:** Waste of all types, including water and energy, are to be reduced or eliminated at the source or by practices such as modifying production, maintenance and facility processes, materials substitution, conservation, recycling and re-using materials.

[12]These principles are derived from Universal Declaration of Human Rights (UDHR) and are set out in the United Nations Global Compact (see http://www.unglobalcompact.org/Issues/human_rights/index.html)

Ethical conduct:

23. Corruption: The UN expects its suppliers to adhere to the highest standards of moral and ethical conduct, to respect local laws and not engage in any form of corrupt practices, including but not limited to extortion, fraud, collusion, obstruction or bribery.

24. Disclosure:

UN suppliers are expected to disclose to the UN any investigation, inquiry, administrative or judicial procedure initiated against them by a governmental, administrative or regulatory body regarding any offence or alleged offence of or in connection with the standards included in this Code.

25. Conflict of Interest: UN suppliers are expected to disclose to the UN any situation that may appear as a conflict of interest, and disclose to the UN if any UN official or professional under contract with the UN may have an interest of any kind in the supplier's business or any kind of economic ties with the supplier.

26. Gifts and Hospitality: The UN has a "zero tolerance" policy and does not accept any type of gift or any offer of hospitality. The UN will not accept any invitations to sporting or cultural events, offers of holidays or other recreational trips, transportation, or invitations to lunches or dinners. The UN expects its suppliers not to offer any benefit such as free goods or services, employment or sales opportunity to a UN staff member in order to facilitate the suppliers' business with the UN.

27. Post employment restrictions: Post-employment restrictions may apply to UN staff in service and former UN staff members who participated in the procurement process, if such persons had prior professional dealings with suppliers. UN suppliers are expected to refrain from offering employment to any such person for a period of one year following separation from service.

Contacts:

Any questions related to this Code of Conduct can be addressed to the High Level Committee on Management - Procurement Network (HLCM-PN) at email: hlcmpn.secretariat@one.un.org.