MSF SUPPLIER CODE OF CONDUCT

Médecins Sans Frontières (MSF) is a non-profit, self-governed, member-based international organisation that provides medical assistance to people affected by conflict, epidemics, disasters, or exclusion from healthcare. MSF teams are bound together by the MSF Charter and their actions are guided by medical ethics and the principles of impartiality, independence and neutrality.

MSF considers itself as a responsible association, and this rests, among others, on the responsible behavior of its suppliers. Hereinafter the term "Suppliers" is used to refer to service providers, contractors, manufacturers, vendors and their own employees, agents and sub-contractors to which MSF pays the utmost attention.

Consequently, MSF expects its Suppliers to adhere to the MSF Supplier Code of Conduct, which sets out specific principles and standards, in particular in the areas of labor rights, human rights, anti-corruption, anti-fraud, prohibition of illegal activities and environmental protection. The standards provided for in the Supplier Code of Conduct are considered as a minimum behavioral conduct. Suppliers are expected to incorporate these standards into their conduct, and to abide by them in any circumstances. They are also encouraged to expand and complete them through their own ethics rules.

1. Labor Rights

1.1. ***Prohibition of forced labor, fair payment and no discrimination***: MSF expects that its Suppliers *(i)* do not use any form of slave, forced, indentured or involuntary prison labor, *(ii)* abide by freely chosen labor, with wages fixed and paid in accordance with the rules set forth by the International Labor Organization and *(iii)* treat their employees, and those of their own suppliers and subcontractors, fairly, with respect, dignity and non-discrimination[1].

1.2. ***Prohibition of use of child labor***: Suppliers are expected to ensure that neither they nor any of their affiliates employ children, even with the approval or consent of their parents, or are engaged in any practice inconsistent with the International Labor Organisation (ILO)'s Fundamental Conventions No. 138 and No. 182.

[1] This term being interpreted by MSF as per Article 1 of the C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111) of the International Labor Organization, *i.e.* any distinction, exclusion or preference made on the basis of race, color, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.

1.3. ***A safe and hygienic working environment to their workers***: Suppliers are expected to ensure a safe and hygienic working environment[2]. In particular, adequate steps are expected to be taken to prevent accidents and injury to health arising out of, associated with, or occurring in the course of work, by minimizing, so far as is reasonably practicable, the causes of hazards inherent in the working environment.

1.4. ***Freedom of association and collective bargaining***: Suppliers are expected to ensure that *(i)* workers, without distinction, have the right to join or form trade unions of their own choosing and to bargain collectively, *(ii)* they adopt an open attitude towards the legitimate activities of trade unions, *(iii)* workers representatives are not discriminated against and have access to carry out their representative functions in the workplace.

1.5. ***Transparence and cooperation with MSF***: Suppliers agree to be transparent towards MSF about the labor conditions under which products are made and services provided to MSF and to cooperate with MSF and/or its auditors in this respect if necessary.

2. Human Rights and Behaviors

2.1. ***Protection of internationally proclaimed human rights***: Suppliers are expected to comply with all the international human rights laws. In particular, MSF expects its Suppliers to respect the protection of internationally proclaimed human rights, notably as set forth in the Universal Declaration of Human Rights proclaimed on 10 December 1948, and to ensure that they do not act as accomplices in human rights abuses and violations.

2.2. ***General non-discrimination***: Suppliers are expected to behave respectfully and not discriminate against patients, colleagues or members of the local population on the basis of their race, opinions, lifestyle, gender, sexual orientation, socio-economic background, origin, religion or beliefs and other markers of identity.

2.3. ***Prohibition of abuse***: Suppliers are expected to not abuse anyone physically (*i.e*. physical violence, sexual aggression or other forms of physical abuse) or psychologically (e.g. bullying, abuse of power, harassment, discrimination or favoritism).

2.4. ***Prohibition of exploiting the vulnerability of others***: Suppliers are expected to not accept, under any circumstances, behavior that exploits the vulnerability of others, in the broadest possible sense (sexual, economic, social, etc.). This includes exchange of goods, benefits or services for acts of a sexual nature, including the use of sex workers' services.

[2] This would typically include access to (i) clean toilet facilities, (ii) potable water, (iii) sanitary facilities for food and (iv) clean and safe accommodations meeting the basic needs of workers. See ETI Base Code clause 3 for more details.

2.5. ***Prohibition of child abuse***: Suppliers are expected to not accept child abuse, exploitation and violence and not engage in sexual relations with children[3].

2.6. ***Prohibition of inappropriate conduct***: Suppliers are expected to not take advantage of their position for personal gain, which is defined as soliciting, accepting or otherwise benefiting from any advantage, favor or gift, or promise thereof of material value, in any form, either in person or indirectly through relatives or associates, as an inducement or reward for doing or refraining from doing anything, or showing favor or disfavor to any person or company. Each Supplier is expected to use MSF resources (including premises, goods, money, reputation, image, etc.) with respect and care and in the interests of the organization and the populations it seeks to assist.

3. Prevention and Prohibition of Illegal Activities and Corruption

3.1. ***Prevention of illicit activities***: MSF expects its Suppliers to *(i)* implement the adequate measures in order to prevent fraudulent activities within their organization and to *(ii)* cooperate with MSF and/or its auditors in this respect.

3.2. ***Prohibition of illicit activities and their financing***: MSF expects its Suppliers to *(i)* not engage in illicit activities of any kind, including (but not limited to) crimes against humanity, war crimes, terrorism, trafficking of human beings, trafficking of drugs, trafficking of weapons, material or equipment destined for military use, embargo and sanctions violations, and to *(ii*) not engage in the financing of such activities or the laundering of their proceeds.

3.3. ***Anti-bribery***: MSF expects its Suppliers to prohibit, both within their own organization and towards their own suppliers and subcontractors, the offering, giving, promising or accepting of any incentives of any kind whatsoever from one person to another in order to influence a decision or obtain any kind of undue advantage. Suppliers are expected to refrain from engaging in any form of bribery, both giving or receiving.

3.4. ***Conflicts of interest***[4]: Suppliers are expected to take all reasonable measures to avoid any conflicts of interest in the performance of their obligations. A conflict of interest may notably result from economic or financial interests, political associations or family relationships, or any other relationship of common interests. Suppliers are expected to immediately notify MSF in writing of any conflict of interest arising during the performance of the agreement

[3] Defined as per Article 1 of the United Nations Convention on the Rights of the Child, adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989, entry into force 2 September 1990: "*For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier*".

[4] Any situation where a supplier is confronted with choosing between the duties and demands of its position and its own direct or indirect private interests.

concluded with MSF and to take all actions necessary to end the conflict as soon as reasonably possible.

3.5. ***Economic sanctions***: MSF expects its Suppliers to make sure that they are not subject to any economic and trade sanctions[5] and undertake to apply the highest reasonable standard of due diligence to ensure that none of their representatives, employees, contractors and sub-contractors are subject to any economic and trade sanctions.

4. Environnemental protection

4.1. Suppliers are expected to monitor and seek to reduce the environmental impact of their activities and products, notably their negative impact on flora, fauna and land in order to ensure the conservation of biodiversity and habitats, including but not limited to waste minimization and process optimization.

4.2. For instance, MSF expects its Suppliers to have systems and practices in place to:

- source raw materials in an environmentally responsible way;
- use eco-friendly solutions in service delivery;
- reuse, recycle and substitute materials;
- reduce undue and unnecessary packaging, and use sustainable certified packaging;
- reduce energy consumption and use renewable energy resources;
- minimize the air and water pollution coming from operations (e.g.: destroying pollutants before they enter the atmosphere, more energy-efficient operations, reduction of water use and implementation of water purification technology); and
- use responsible product formulation (e.g. biodegradable, non-toxic, non-plastic, non-carcinogenic, recycled content).

4.3. MSF expects its Suppliers to be transparent about the environmental conditions under which products are manufactured and services provided to MSF and cooperate, as the case may be, with MSF and/or its auditors in this respect.

[5] Economic and trade sanctions are restrictions that governments or international organizations impose on certain types of transactions with targeted countries or persons, as a tool to achieve foreign policy or national security goals. Restricted activities may include, but are not limited to, imports, exports, financial transactions, donations, and technology transfers.

SIGNATURE

We confirm our understanding of the requirements set out in the MSF's Supplier Code of conduct and our acknowledgement of the good ethical practices in respect of all our dealings with MSF.

SUPPLIER AUTHORIZED REPRESENTATIVE

Company Name:

Name: Position:

Date:

Signature & Stamp: