

CODE OF CONDUCT FOR SUPPLIERS OF GOODS AND SERVICES

Appendix to the Framework Agreement

This version is valid from 8. October 2020

Purpose

BAMA strives towards responsible business conduct that respects people, society and the environment. We conduct our business in a responsible and transparent way, in dialogue with our partners, with honesty and mutual respect in all relationships. BAMA considers collaboration to be a prerequisite for responsible business conduct, and the key to the achievement of the UN Sustainable Development Goals.

Principles

This Code of Conduct for Suppliers of goods and services lays out the minimum standard and shall be signed and adhered to by all suppliers to BAMA. Suppliers shall follow all national and international laws as applicable, as well as internationally recognized standards such as OECD, UN and ILO conventions on human rights, health and safety, labour rights, the environment, fair competition, anti-corruption and fair business practices.

In the case national laws and the standards of this Code differs or are in conflict, the supplier shall follow the more stringent standard which is consistent with applicable law.

Suppliers must ensure that their own subcontractors also comply with these standards, including all subcontractors backwards in the contractual chain. This also applies to any contract workers, day workers and casual workers of the suppliers and subcontractors.

In some cases, political or cultural circumstances may make it difficult to comply with certain standards or to obtain the identities of, or contact with, all subcontractors. In such cases, suppliers must find an alternative approach to meet the goals, in agreement with BAMA.

Unacceptable business practice

BAMA has zero tolerance for corruption. All transactions with BAMA shall be regulated by contract, lawful and of normal business nature. Suppliers and partners may be subject to background checks.

The supplier shall not offer, give, ask for, accept or receive any form of bribe, facilitation payment or undue or improper advantage, favour or incentive to/from any public official, international organization or any other third party in private or public sector. This regulation shall not be circumvented by using an intermediary.

Courtesy gifts of modest value may be accepted on special occasions. Product samples may only be offered with the intention for BAMA to investigate and build knowledge about the product. The supplier is responsible for ensuring that the number of units and recipients are relevant and necessary for the purpose. Samples beyond this are considered gifts and are not accepted.

Hospitality such as meals, social events and entertainment shall only be offered in connection with legitimate business activities, and they shall be kept at a modest level. Travel and accommodation expenses for BAMA or BAMA's representatives shall be covered by BAMA.

Minimum standards

Employment is freely chosen (ILO Conventions Nos. 29, 105 and 131)

There shall be no forced, bonded or involuntary prison labour. Workers shall not be required to lodge deposits or their identity papers with their employer and are free to leave their employer after reasonable notice. All workers shall be provided with a written and comprehensible contract outlining their wage conditions and method of payment in a language they understand, before entering employment.

The right to organise and to bargain collectively (ILO Conventions Nos. 87,98,135 and 154)

Workers, without distinction, shall have the right to join or form trade unions of their own choosing and to bargain collectively. If these rights are limited by law, the employer shall facilitate and under no circumstances hinder parallel means for independent and free association and bargaining. Workers representatives shall not be discriminated against and shall have access to carry out their representative functions.

Child labour (UN Convention on the Rights of the Child, ILO Conventions Nos. 138, 182 and 79, and ILO Recommendation No.146)

No person under the age of 18 shall be engaged in labour that is hazardous to their health or safety, including night work. Children under 15 years (14 or 16 in some countries) shall not be employed in work that may harm their health and/or education.

New recruitment of child labour that does not conform to the above conventions will not be accepted. If such child labour is already taking place, work for immediate phasing-out shall be initiated. Work will also be put down in order to ensure arrangements for providing subsistence and education for children until no longer of compulsory school age.

No discrimination (ILO Conventions Nos. 100 and 111, UN Convention on Discrimination Against Women)

There shall be no discrimination based on ethnic background, caste, national origin, religion, age, disability, gender, marital status, sexual orientation, union membership or political affiliation.

Systems for protection against sexually intrusive, threatening, insulting or exploitive behaviour and against discrimination or unjust dismissal, e.g. marriage, pregnancy, parenthood, HIV-positive status shall be established.

No harsh or inhumane treatment (UN Covenant on Civil and Political Rights, Art. 7)

Physical abuse or punishment, or threats of physical abuse shall be prohibited. The same applies to sexual or other harassment as well as other forms of intimidations.

Safe and hygienic working conditions (ILO Convention No.155 and ILO Recommendation No. 164)

The working environment shall be safe and hygienic. Hazardous chemicals and other substances shall be carefully managed. Adequate steps shall be taken to prevent accidents and injury to health. Workers shall receive regular health and safety training and have access to clean toilet facilities and to potable water.

Accommodation, where provided, shall be clean, safe and adequately ventilated, and shall have access to clean toilet facilities and potable water.

Wages (ILO Convention No.131)

Wages and benefits paid for a standard working week shall as a minimum, meet national legal standards or collective agreements, whichever is higher, and always be enough to meet basic needs. Deductions from wages as a disciplinary measure shall not be permitted.

Working hours (ILO Conventions Nos. 1 and 14)

Working hours shall comply with national laws or collective agreements, and not exceed working hours and spare time in accordance with current international conventions. Imposed overtime shall be limited.

Regular employment (ILO Conventions Nos. 95, 158, 175, 177 and 181)

To every extent possible, work performed shall be on the basis of recognised employment relationships that protect the employees' rights and social security as established through national law and practice. Obligations to employees shall not be avoided through the use of labour-only contracting, sub-contracting, or other labour relations. If these types of contracting or labour relations are to be used, they are entitled the same rights' as ordinary workers.

Marginalized Populations (UN Covenant on Civil and Political Rights, art. 1 and 2, ILO Convention No. 169)

Production and the use of natural resources shall not contribute to the destruction and/or degradation of the resources and income base for marginalized populations, such as claiming large land areas, use of water or other natural resources on which these populations are dependent.

In cases of conflicts with local societies about the use of land or other natural resources, the parties, must through negotiations secure respect for individual and collective rights to areas and resources based on custom/practice. This also applies to cases where the rights are not formalised.

Environment and climate change (UN Convention on Climate Change with protocols, UN Convention on Biological Diversity and UN Convention to Combat Desertification)

National or international environmental legislation and regulations shall be respected, and relevant discharge permits obtained. In line with the precautionary principle, negative impact on the environment shall be reduced throughout the value chain.

Measures shall be taken to reduce the amount of food losses from the post-harvested amount of the yield and throughout the value chain.

Measures shall be taken to reduce the use of resources such as fertiliser, pesticides, water and packaging materials.

Measures shall be taken to reduce the amount of waste, to eliminate uncontrolled dispersal of waste and to sort and handle waste properly.

Measures shall be taken to maintain landscape, species and genetic diversity in the surrounding area. Natural forest and wetlands shall not have been converted to farmland for the last five years. Existing natural forests and wetland shall also not be converted to farmland in the future.

Measures shall be taken to continuously minimize greenhouse gas emissions from farmland, storage, cooling, packaging and transportation of products.

Additional requirements for carriers

Cabotage in Europe

Cabotage shall be restricted, and the driver shall not under any circumstances be ordered to drive where this is contrary to international cabotage regulations – Regulation (EC) 1072/2009 of 14 May 2010.

Road safety

Drivers shall not be ordered to drive with equipment and materials that endanger the life of the driver or other road users. National requirements must be met.

Implementation

Suppliers shall focus on continuous improvement and undertake to meet the minimum standards within a reasonable agreed deadline. Commitment and efforts to this achievement will be a prerequisite for further business with BAMA. Failure to make improvements identified and follow up actions as agreed, as well as failure to implement statutory requirements, may lead to BAMA deciding to discontinue the business relationship. BAMA will on the other hand make efforts to support suppliers to meet the standards.

Suppliers shall have an adequate management system to document and monitor the product quality as well as other business processes. OECDs Due Diligence Guidance for Responsible Business Conduct provides a recommended framework. This involves risk assessments to identify potential negative impact, to stop and prevent such impact and to monitor and evaluate the effect of the measures put in place.

BAMA must be notified of significant deviations and breaches of this Code of Conduct.

Suppliers must allow BAMA, or an independent third-party auditor authorized by BAMA, unrestricted access to its facilities and to all relevant records at all times, regardless of whether notice is provided in advance or not.

Supplier (print letters): _____

Place and date: _____

Signature supplier: _____