



# Promoting Due Diligence through ICT Procurement

A manual for public buyers

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**Circular & Fair  
ICT Pact**

# Foreword

This manual was developed by Boris Verbrugge of KU Leuven / HIVA Institute as part of a Community of Practice on transparency and due diligence (2023 – 2024) that was facilitated for the Circular and Fair ICT Pact. This project was co-funded by the Belgium Federal Institute for Sustainable Development (FISD), the Dutch Ministry of Infrastructure and Water Management and the Circular and Fair ICT Pact.

In the report you will find practical suggestions for public organizations at different maturity levels to get started or strengthen their human rights due diligence processes in relation to procurement of ICT hardware. It was developed on the basis of expert knowledge of Boris Verbrugge and his team, with inputs from the members of the Community of Practice.

The Circular and Fair ICT Pact invites all interested parties to make use of the resources in this manual!

Do you have feedback on the content of the content of the manual? Do not hesitate to contact the CFIT Secretariat through [CFIT@rws.nl](mailto:CFIT@rws.nl). We will consider your suggestions for future revisions. If you would like to know more about the Circular and Fair ICT Pact or find our other resources, please visit the programme's website at <https://circularandfairictpact.com/>.

*This report was developed in 2024 with some updates on new developments in 2025.*

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# 1. Introduction

ICT supply chains involve hundreds of companies from dozens of countries. Across these supply chains, we find a wide range of risks for human rights and labour rights violations, such as exposure to hazardous chemicals, forced labour, union-busting, contamination of the living environment. ICT companies are coming under growing pressure from legislators, investors, and clients to identify, prevent and mitigate human rights risks. Yet as numerous benchmarks clearly show, regularly companies continue to fall below the mark.

Public buyers can play an important role in pushing the market towards greater respect for human rights. However, they are unsure about how they can play this role. Where human rights are integrated into public procurement, gaps remain in ensuring effective follow-up. This is why the Circular and Fair ICT Pact (CFIT) decided to develop a guide. Building on existing guidance, this guide explicitly seeks to cater to public buyers who have less experience and capacity on this topic.

The guide contains three sections:

1. “Understanding the market” offers insights into key human rights risks and evolving responses;
2. “Integrating human rights” provides practical steps for embedding human rights into tenders and contracts; and
3. Contract management zooms in on the post-procurement stage.

## 2. Understanding the market

### 2.1. The ICT supply chain

ICT supply chains represent a complex web of interactions among a wide array of actors, that each play distinct roles in the journey from raw materials to end-users (see figure 1 below). The process begins with mining companies that extract essential raw materials. Once raw materials have been transformed into usable forms, manufacturing entities in countries like Malaysia or China convert them into specific components, which form the building blocks of ICT products. These products are assembled in factories that may be owned directly by the ICT brands, or operate under contract manufacturing arrangements. This partnership allows for specialization where the brands focus on design and innovation, while manufacturing partners concentrate on production efficiency and scale.

Resellers and brands act as a bridge between manufacturing and end-users. Brands are typically the entities under which products are marketed and sold. They add value through reputation, design, and customer service. Resellers purchase products from brands, or in some cases directly from manufacturers, to sell them to public and private buyers. Often, resellers also provide services such as stock keeping, installation, customization, or post-sale support.



## 2.2. Human rights risks

The ICT supply chain encompasses a range of risks for human and labour rights violations, which enshrined in international treaties and conventions like the Universal Declaration on Human Rights, and the Core Conventions of the International Labour Organization. While specific ICT-products are coupled with a unique set of risks (due to specific raw materials, components, and production processes), a number of common challenges could be identified.

- 1) **Child labour:** Risks for child labor exist across ICT supply chains. Examples include child labour in artisanal cobalt mining in the Democratic Republic of Congo and artisanal tin mining in Indonesia<sup>i</sup>, the employment of underage students in assembly factories in China, or the involvement of children in informal e-waste recycling in countries such as Ghana or Pakistan.. Young workers are frequently involved in exploitative arrangements that infringe upon their rights and well-being<sup>ii</sup>.
- 2) **Forced labour:** Forced labour includes situations in which people experience coercion to work. Examples include the retention of wages or identity documents, or (threats of) physical or sexual violence. Migrant workers are vulnerable to end up in forced labour, particularly when they lack legal protection<sup>iii</sup>. For instance, in factories in Malaysia and Taiwan, employers and recruiters are known to withhold identity documents or wages of migrant workers, or to impose excessive recruitment fees. Moreover, workers often live and sleep in appalling conditions<sup>iv</sup>.
- 3) **Discrimination:** Discrimination can occur on the basis of gender, race, ethnicity, religion, age, sexual orientation, disability, etc. It can manifest itself in unfair hiring practices, unequal pay, limited advancement opportunities, and a hostile work environment. Vulnerable groups like low-skilled workers, migrants, minors, and women, are more often employed in hazardous and underpaid jobs. For instance, women's roles in artisanal mining are often confined to poorly paid tasks like crushing rocks, or to ancillary services like catering or prostitution<sup>v</sup>. Gender-based job segregation also occurs in ICT factories, where women often have lower-paid jobs than men<sup>vi</sup>.
- 4) **Freedom of association:** The ICT sector has historically shown a lackluster commitment to freedom of association<sup>vii</sup>. Worker organization is undermined by outsourcing and subcontracting. In China, the main producer of a wide range of components and raw materials, there are important regulatory constraints on unionization<sup>viii</sup>. Across Asia, many assembly factories operate in Export Processing Zones that are exempted from stringent labour laws including those on freedom of association and collective bargaining<sup>ix</sup>.
- 5) **Inadequate wages:** Earnings in the ICT-sector often fall short of a living wage: the income required to provide a decent standard of living for workers and their families. Contract workers frequently earn less than their counterparts with regular contracts<sup>x</sup>. Wage deductions, wage retention, and late payments, are frequent, and may be used as punitive measures<sup>xi</sup>. The impact of unfair wages extends beyond immediate financial strain: it is a root cause of other problems like overtime, child labour, and health and safety compromises.
- 6) **Occupational health and safety:** Mining is one of the most dangerous professions worldwide<sup>xii</sup>. In addition to immediate health risks caused by inadequate infrastructure and equipment, there are risks for occupational diseases like pulmonary and musculoskeletal disorders. In manufacturing and assembly factories, workers often have no choice (due to economic need) but to work long hours. Moreover, they are routinely exposed to various toxic chemicals, and often lack adequate safety equipment<sup>xiii</sup>. Occupational health and safety is also

a critical risk in informal e-waste recycling, where ICT equipment is often burned indiscriminately in an attempt to recover precious metals<sup>xiv</sup>.

- 7) **Community rights and 'living environment'**: Mining creates opportunities for communities, but also poses threats. Mining projects often lead to community displacement. It can cause an influx of migrant workers, who may create pressure on local infrastructure and create tensions. Mining and factories can have far-reaching impacts on the living environment, contaminating soil, water, and air, and having detrimental impacts on biodiversity.

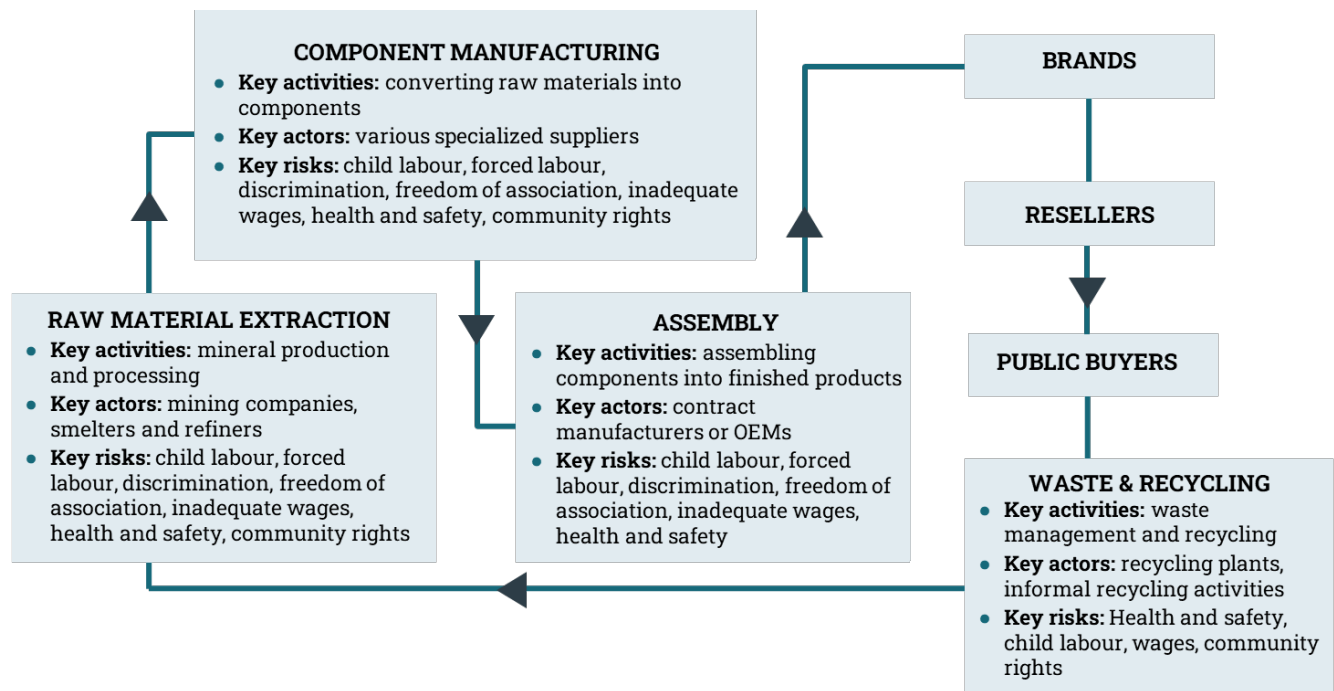


Figure 1: Overview of human rights risks across different stages of the ICT supply chain (own elaboration)

## 2.3. Due diligence

The concept of due diligence is rooted in international soft law: voluntary but influential international principles and guidelines. In 2011, the United Nations endorsed the UN Guiding Principles on Business and Human Rights, which expect companies to identify and address human rights risks by implementing human rights due diligence. The OECD has translated this rather abstract expectation into a series of concrete processes (figure 2).

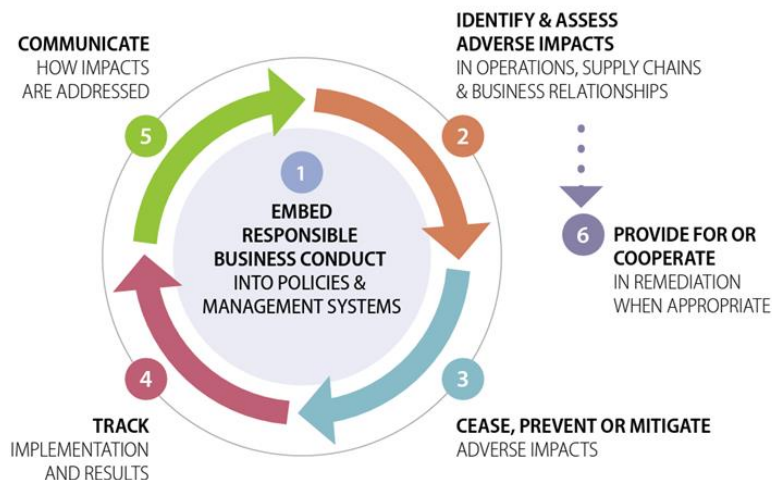


Figure 2: Due diligence according to the OECD<sup>1</sup>

Due diligence requirements are increasingly codified into binding laws (figure 3). Building on national legislation in France and Germany, and on sector-specific EU regulation like that for conflict minerals and batteries, in 2024 the EU approved the Corporate Sustainability Due Diligence Directive (CSDDD), which mandates due diligence for large corporations active on the EU market (so including large American and Asian ICT-brands). In February 2025, the European Commission launched a series of proposals to simplify sustainability legislation as part of its so-called “Omnibus simplification package”. While the final contours of this simplification process were still unclear by early June 2025, it is highly unlikely that due diligence expectations will disappear completely – not in the least because a lot of large companies and industry bodies like the Responsible Business Alliance (RBA) are in favour of legislation. In addition to, and partly as a consequence of, legislative pressures, companies are also facing growing scrutiny from clients, investors, and lenders, e.g. in the form of supplier codes of conduct, and certification requirements.

Figure 3: Towards binding diligence legislation (Verbrugge & Huyse, forthcoming<sup>xv</sup>)





## 2.4. Market responses

In recent years, we have seen a widening range of initiatives and tools in the domain of sustainable supply chains. However, not all initiatives are equally aligned with due diligence standards; nor are they equally effective at addressing complex human rights risks. In this section, we assess the merits and drawbacks of these initiatives.

- (1) **Reach:** Is the initiative capable of reaching relevant actors across ICT supply chains?
- (2) **Standards:** Are human rights integrated into criteria and standards?
- (3) **Governance:** Are (potentially) affected stakeholders like workers and communities directly or indirectly (through legitimate representatives) involved?
- (4) **Monitoring:** Are mechanisms in place to monitor compliance with criteria and standards?
- (5) **Support:** Do companies and other stakeholders receive support to work on improvements?
- (6) **Transparency:** Is information about (non-)compliance publicly disclosed?

### 2.4.1. Supplier codes of conduct and audits

Many companies adopt a code of conduct (CoC) to extend sustainability requirements to suppliers and sub-suppliers. Typically, a CoC contains compliance criteria, assessment processes, and instructions on how to address violations. Often, it contains references to key human rights texts, like the ILO core conventions. Where compliance is verified, companies typically rely on audits. When violations are detected, suppliers are often expected to implement corrective actions.

The effectiveness of audits is contested<sup>xvi</sup>. Criticisms include their top-down approach, a lack of stakeholder involvement, and a failure to address systemic issues like unfair trading practices and an excessive reliance on contract labour. While not designed for uncovering, let alone addressing, such systemic issues, audits can help identify more tangible issues like excessive overtime or unsafe working conditions, if and only if auditors are independent and well-trained.

Supplier Code of Conduct (CoC) + audits	
<b>What?</b>	Private “standard” through which a company imposes social, environmental, and ethical requirements on suppliers.
<b>Reach</b>	Limited to individual companies and their suppliers. A CoC may or may not contain a requirement for suppliers to cascade the CoC to their suppliers.
<b>Standards</b>	Level of detail varies. CoCs may be more or less aligned with human rights standards. Ideally, a CoC contains (1) references to key international conventions like the Universal Declaration on Human Rights and the OECD Guidelines for Multinational Enterprises; (2) references to the ILO core labour conventions; and (3) due diligence requirements.
<b>Governance</b>	Contents decided by the company, and typically communicated in a top-down manner.
<b>Monitoring</b>	Ideally, a CoC describes processes for monitoring compliance, and for ensuring that companies take steps to address issues of non-compliance. Where efforts are made to monitor compliance, companies typically rely on audits or self-assessments.
<b>Support</b>	Ideally, a CoC contains an engagement on the part of the buyer to support suppliers, and to prioritize mutual engagement over disengagement.
<b>Transparency</b>	CoCs are often published on company websites. While audit results and violations may be reported at an aggregated level, audit results of specific suppliers are rarely disclosed.

## 2.4.2. Industry and multi-stakeholder initiatives (MSIs)

Companies increasingly engage in collaborative efforts to address supply chain risks. Many of these initiatives revolve around a joint standard that is enforced through audits. An important distinction can be made between industry initiatives and MSIs, with the latter exhibiting a higher degree of involvement on the part of non-business stakeholders, like trade unions and NGO's.

Collaboration can reduce the individual workload for companies. MSIs in particular also provide opportunities for experimenting with stakeholder engagement, influencing policy, and promoting the dissemination of standards. However, the effectiveness of industry initiatives and MSIs has been drawn into question. They are mainly reliant on auditing, and can entrench power imbalances. Moreover, evidence on their impacts is limited and inconclusive, at best<sup>xvii</sup>. While MSIs in the true sense of the word do not exist in the ICT sector, two relevant industry initiatives can be identified: the Responsible Business Alliance, and the Joint Alliance for CSR.

	Responsible Business Alliance (RBA)	Joint Alliance for CSR (JAC)
<b>What?</b>	World's largest industry initiative dedicated to responsible business conduct.	Industry initiative based on shared supply chain sustainability guidelines.
<b>Reach</b>	>500 mostly large companies and their suppliers, mainly active in electronics.	27 large telecom companies and their suppliers.
<b>Standards</b>	<u>RBA Code of Conduct</u> is a rather comprehensive set of social, environmental, and ethical standards. Members are expected to cascade standards throughout their supply chains, making the RBA CoC a "total supply chain initiative".	JAC has published a series of <u>Supply Chain Sustainability Guidelines</u> , which serve as a minimum standard to harmonize supplier codes among members. These guidelines encompass social, environmental, and ethical requirements, and draw upon international standards such as SA8000 and ISO 14001.
<b>Governance</b>	Industry-driven, but engages in active dialogue and partnerships with other stakeholders.	Industry-driven, with telecom operators collaborating to define audit processes and tools.
<b>Monitoring</b>	Reliant on accredited third-party auditors to assess compliance of facilities against the RBA Code of Conduct.	Reliant on third-party audits to assess supplier compliance with guidelines. Members lead the audit process for several suppliers, and share results with other members.
<b>Support</b>	RBA provides tools and training resources to assist members and their suppliers in implementing the RBA CoC. Includes self-assessment questionnaires, risk assessment platforms, and guidance documents to support continuous improvement. <sup>xviii</sup>	No evidence
<b>Transparency</b>	RBA provides aggregated overview of audit results (e.g. location, types of violations, etc.) in <u>annual reports</u> . Results are not disclosed publicly.	JAC provides aggregated overviews of audit results, such as the number of audits conducted and types of violations found, in its annual reports. However, specific audit results for individual companies or facilities are not publicly disclosed.

### 2.4.3. Product certification and labels

Certification serves as formal recognition that a company, process, or product adheres to a standard. Previously, sustainability certificates in the ICT sector focused primarily or even solely on environmental topics. Now, they are gradually integrating social considerations. It is important to be aware that most certification schemes depend on audits to verify compliance with standards, exposing them to the same weaknesses identified above. In the table below, we assess TCO Certified and EPEAT, as the two main certification schemes in the ICT-sector. Particularly with its latest generation of criteria (Generation 9), TCO Certified has made important strides towards integrating human rights. In 2024-2025, EPEAT has undertaken a similar process.

	TCO Certified	EPEAT
<b>What?</b>	Product standard. Brands can have products verified and certified according to criteria per product category. No optional or tiered levels: products must meet all applicable criteria.	Ecolabel for electronics with environmental and, in the latest version, significantly strengthened social criteria. Includes a tiered rating system (bronze, silver, gold).
<b>Reach</b>	>3,500 products in 11 categories. Coverage highest for displays, notebooks, and desktops.	Thousands of products across different categories.
<b>Standards</b>	Long focused on environment, TCO has gradually integrated social requirements. These criteria mimic the logic of RBA, emphasizing the importance of a Code of Conduct, audits, and corrective actions.	EPEAT has recently adopted more comprehensive "Responsible Supply Chains Criteria" <sup>xix</sup> . The applicability of these criteria is not uniform across all rating levels. Key mandatory criteria relate to supplier codes, audits of high-risk suppliers, and responsible minerals sourcing. Examples of optional criteria include living wage assessments and worker engagement.
<b>Governance</b>	Managed by TCO Development, a non-profit organization owned by the Swedish Confederation of Professional Employees. Criteria are developed through an ongoing consultation with users, buyers, brands, manufacturers, NGOs, and researchers.	Managed by Global Electronics Council, a multi-stakeholder body involving companies, NGOs, scholars, and public agencies. Criteria developed through voluntary consensus process.
<b>Monitoring</b>	Companies required to provide evidence including policies, self-assessment questionnaires, audit reports, corrective action plans, etc. Compliance verified by third parties who may carry out on-site factory audits. Third-party verifiers are subject to external verification.	Requires audits for prioritized supplier and manufacturing facilities. Accepts SA8000, ISO 45001, and RBA-VAP. Requires annual public disclosure of audit summary data and corrective actions.
<b>Support</b>	TCO Certified supports companies seeking certification, and buyers wishing to integrate TCO Certified into tenders.	EPEAT supports manufacturers on implementing labour and OHS standards, and supports buyers through guidance and tools (e.g. living wage assessment, worker engagement mechanisms).
<b>Transparency</b>	Criteria are publicly available. Public list of certified products. No details provided on instances of non-compliance.	Criteria are publicly available. Public list of certified products and annual reporting on audits and corrective actions.

#### 2.4.4. Market solutions

There's a surge in digital solutions to assess the sustainability performance of suppliers. Examples include IntegrityNext, Prewave, and Achille. However, Ecovadis has long been, and remains, the dominant player.

Ecovadis sustainability assessments	
<b>What?</b>	Digital platform for assessing corporate sustainability performance. Can be used for self-assessment or to monitor sustainability performance of suppliers.
<b>Reach</b>	Ecovadis has screened >1,5 million companies and has rated >100,000 companies. While it does not provide data on coverage in specific sectors, acceptance in the ICT industry seems to be high.
<b>Standards</b>	Assessment based on 21 indicators across 4 themes: environment, labour & human rights, ethics, and sustainable procurement. Strong focus on formal policies and management systems. Detailed content of sustainability criteria is not provided. Weighting of different criteria partly based on company size and operating context (including sector), but it is not specified how this is put into practice.
<b>Governance</b>	Ecovadis is a private, for-profit company. It has appointed a scientific committee that plays a role in criteria development, but no details are provided on its functioning.
<b>Monitoring</b>	Sustainability assessment based on self-assessment questionnaires. Responses should be backed up with "formal, recent, and credible documentation" (e.g. CSR reports, supplier codes, certificates). Responses and supporting evidence are checked by Ecovadis analysts, who award scores and medals. Ecovadis is increasingly using data from external sources, e.g. reports from NGOs and international organizations, and (adverse) media reporting.
<b>Support</b>	In addition to sustainability assessments, Ecovadis offers various other (paid) support services that can help companies to improve their score, and to "comply with confidence" with emerging due diligence rules.
<b>Transparency</b>	No full transparency on criteria, assessment processes and outcomes.

#### 2.4.5. Comparative assessment

In table 1, we have tried to summarize the key findings of our assessment of ICT supply chain initiatives. Overall, while all initiatives have strengths and shortcomings, TCO Certified and (to a lesser extent) RBA emerge as more robust across different dimensions of due diligence. Once the EPEAT criteria enter into force, it is expected that their rating comes closer to these as well. Key challenges for all initiatives include their reliance on inadequate auditing practices, a lack of transparency about (non-)compliance, and a failure to meaningfully involve (potentially) affected stakeholders such as workers.

For public buyers, the key is to promote initiatives with robust due diligence fitness. For instance, when (prospective) suppliers provide a supplier CoC as proof of compliance with due diligence requirements, it is important to assess if this CoC is comprehensive and if it is coupled with credible processes to identify and mitigate instances of non-compliance.

That said, for public buyers who are less mature on these topics, asking for products that are TCO certified, and after the new criteria enter into force in November 2025, EPEAT certified, can offer

a first start to incorporate supply chain due diligence in their procurement practices (refer to chapter 3 for more information).

*Table 1: Comparative assessment of supply chain initiatives (maximum score is 4 stars). Note that EPEAT score for standards should improve following the adoption of new criteria sets (November 2025).*

	Supplier CoC	Responsible Business Alliance	TCO Certified	EPEAT	Ecovadis
<b>Reach</b>	★	★★★	★★★	★★★	★★★
<b>Standards</b>	★(★)	★★(★)	★★★	★★★	★
<b>Governance</b>	★	★★	★★★	★★	★
<b>Monitoring</b>	★	★★(★)	★★(★)	★★	★(★)
<b>Support</b>	★	★★★	★★★	★★	★★
<b>Transparency</b>	★	★★	★★(★)	★★	★

## 2.5. Human rights in public procurement

Most analysts agree that procurement rules, while leaving some room for integrating human rights, also impose clear constraints on public buyers (for an analysis of EU procurement rules, see annex 1). However, we are witnessing initial signs of a shift towards a more mandatory approach<sup>xx</sup>. In some countries, public buyers are already required to integrate due diligence clauses into “high-risk” procurements. Referred to as “International Social Conditions” in the Netherlands, and “appropriate routines” in Norway, these clauses expect suppliers to implement due diligence processes during contract execution.

Beyond procurement rules, new European rules on deforestation, batteries, and sustainability due diligence, raise new questions regarding the responsibility of public buyers<sup>xxi</sup>. For instance, the EU Regulation on Deforestation-free products and the the Corporate Sustainability Due Diligence Directive suggest that non-compliance may lead to (temporary) exclusion from public markets<sup>xxii</sup>.



### **Integrating human rights in public procurement: emerging guidance**

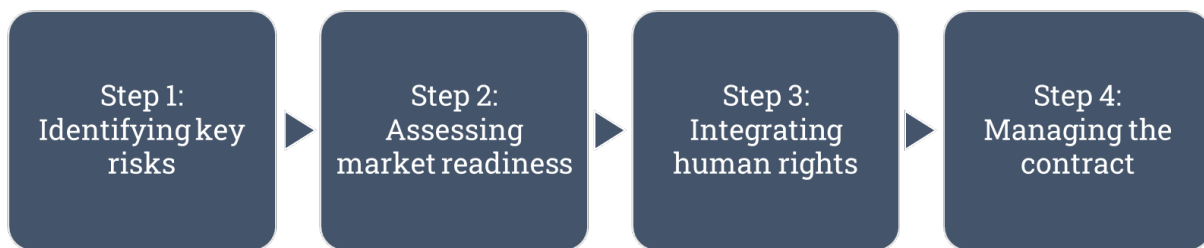
- The Dutch Public Procurement Expertise Centre Pianoo maintains a website with guidelines and best practices for integrating International Social Conditions into government procurement: <https://www.pianoo.nl/en/sustainable-public-procurement/spp-themes/social-conditions-global-supply-chains>.
- The Norwegian Agency for Public and Financial Management maintains a “high-risk list” with risk analyses of key products and services. It has also developed a series of model clauses that public buyers are recommended to use to comply with the mandatory requirement to integrate due diligence into <https://anskaffelser.no/en/english/public-procurement-and-human-rights>.
- The Swedish Regions and Adda Central Purchasing Body have published a new guidance for public buyers on how to integrate and implement due diligence clauses: <https://www.xn--hllbarupphandling-8qb.se/en/services-4>
- The Danish Institute for Human Rights has developed an elaborate toolkit for public buyers: <https://www.humanrights.dk/publications/driving-change-through-public-procurement>
- NGO Electronics Watch has organized a series of webinars on “Delivering human rights and environmental due diligence in public procurement”: [https://electronicswatch.org/en/delivering-due-diligence\\_2595038](https://electronicswatch.org/en/delivering-due-diligence_2595038)

Despite a growing body of rules and guidance, uptake by public buyers remains minimal. Where efforts are made, adherence to requirements on the part of suppliers is rarely monitored in practice<sup>xxiii</sup>. Limited uptake can be explained by three main reasons. One is the sheer complexity of ICT supply chains. A second reason is the lack of capacity (time!) and expertise on the part of public buyers. A third reason relates to the fact that available guidance tends to set overly ambitious targets, expecting full compliance with due diligence standards even in cases where public buyers nor the market have even basic policy commitments. In the remainder of this report, we will develop a framework for action that could serve as a basis for action even for less experienced and less capacitated public buyers. c

### 3. A framework for action

The integration of human rights into public procurement entails four key steps. First, public buyers should obtain a basic understanding of human rights risks associated with the product they wish to procure. Secondly, they should try to assess the extent to which (potential) suppliers are ready to address human rights risks. The third step involves integrating criteria and clauses into tenders and contracts. The fourth and final step entails the actual contract management.

Figure 4: Framework for action - 4 steps



#### 3.1. Identifying risks

Ideally, public buyers have a basic understanding of supply chain risks before launching a call for tenders. The idea is not that public buyers should do the work of companies. Rather, a baseline understanding of human rights is a prerequisite for an informed dialogue with the market. Different resources can help public buyers develop such an understanding.

##### Sources for product risk assessments

- The CSR Risk Check funded by the Dutch Ministry of Foreign Affairs can provide insights into product and country risks: <https://www.mvorisicochecker.nl/en/>.
- Observatory of Economic Complexity's product explorer can help you identify (likely) sourcing destinations of ICT products and key components: <https://oec.world/en/product-landing/hs>
- As part of the Dutch agreement for International Responsible Business Conduct in the Renewable Energy Sector, trade union CNV International has developed a due diligence risk matrix that contains information on sourcing destinations and geographical risks associated with different types of minerals: <https://www.imvoconvenanten.nl/-/media/imvo/files/metaal/due-diligence-risk-matrix.pdf?la=nl&hash=8776616C499BC736E8AAF8D63B03FC6D>
- The Business Social Compliance Initiative (BSCI) maintains a country risk classification, which is often used as a proxy for determining governance risks: [https://assets.ctfassets.net/8122zj5k3sy9/2anHMH1iOatLl5zopoqWZs/1d587a03e0d70238ee280cf6327e45ec/amfori-2020-11-12-Country-Risk-Classification-2021\\_0.pdf](https://assets.ctfassets.net/8122zj5k3sy9/2anHMH1iOatLl5zopoqWZs/1d587a03e0d70238ee280cf6327e45ec/amfori-2020-11-12-Country-Risk-Classification-2021_0.pdf)
- The "High-Risk List" of the Norwegian Agency for Public and Financial Management provides fairly detailed insights into product risks <https://anskaffelser.no/en/english/public-procurement-and-human-rights>.
- The business and human rights resource centre maintains a database with thousands of articles about business and human rights related topics: <https://www.business-humanrights.org/en/>
- This report by Drive Sustainability (a coalition of car manufacturers) provides an excellent resource for assessing risks tied to raw materials: [https://www.drivesustainability.org/wp-content/uploads/2018/07/Material-Change\\_VF.pdf](https://www.drivesustainability.org/wp-content/uploads/2018/07/Material-Change_VF.pdf)

However, many of these resources remain rather generic, providing very limited detail on specific products and components. Moreover, risk assessments are time-consuming, and require extensive expertise. The rise of generic AI (e.g. ChatGPT, perplexity.ai) could prove to be a game-changer. While AI tools should be treated with caution, their robustness is improving, and they can be a critical shortcut towards developing a baseline understanding of human rights risks.

### Deep dive: product risks

As part of a CFIT working group on human rights in public procurement, a group of four public buyers has attempted to develop a more in-depth understanding of human rights risks in the supply chain of lithium-ion batteries and of random access memory (RAM). This deep dive involved a number of steps:

- **Step 1: Material scoping:** we shortlisted at least three components and/or raw materials relying on a google search combined with generative AI (prompts: “List key components in RAM / lithium-ion batteries”; “list key raw materials used in [component X]”
- **Step 2: Geographical scoping:** For each of the components and raw materials, we identified at least three key sourcing destinations based on sources 2-4 in the list above.
- **Step 3: Risk scoping:** Finally, country and product risks were identified based on sources 1, 4, and 7, combined with generative AI (ChatGPT).
- **Step 4: Reporting:** Risks were reported in an excel sheet, which is available upon request.

The primary objective of this deep dive was not necessarily to improve our understanding of risks in specific supply chains, but rather to explore if it is a realistic expectation that public buyers carry out a risk assessment for a specific product. **Two important lessons** emerged from this exercise.

- 1) While growing amounts of information are available, a lot of this information remains rather generic, and applies only to broader product categories. Moreover, for inexperienced public buyers, it is not always easy to find relevant information. Generic AI can significantly smoothen this quest for information, but should always be treated with caution.
- 2) All four buyers involved in this exercised face important time and capacity constraints, leading to significant delays. It is not realistic to expect that individual public buyers undertake risk assessments for all of the products they are buying.

## 3.2. Assess market readiness

Instead of simply imposing requirements on the market, buyers could try to assess the extent to which the market is already capable of meeting human rights requirements. To support this process, we have developed an easy-to-use questionnaire (and an accompanying scoring sheet) that probes into supplier maturity across three dimensions: human rights awareness, policy commitments, and actions. While the questionnaire is ideally sent out as part of a market consultation in the pre-procurement phase, it can also serve as a source of inspiration during contract management, as a basis for a supplier dialogue.

## 3.3. Integrate human rights

### 3.3.1. Baseline: aim for certified products

Regardless of market maturity, buying TCO Certified products is a good starting point. In recent years (notably in its Generation 9 criteria) TCO has gradually integrated social requirements. TCO provides useful guidance on how it can be integrated into procurement language<sup>xxiv</sup>. EPEAT, the other major ICT certification scheme, has updated its criteria sets to include criteria for human

rights due diligence. These new criteria enter into force in November 2025. Products certified according to these new criteria, will also offer a good starting point.

In the remainder of this section, we develop three scenarios that apply to different levels of market maturity. Each of these scenarios is coupled with specific criteria and clauses, that can be integrated into tenders and contracts.

### 3.3.2. Scenario 1: Low market maturity

In this first scenario, criteria and clauses should be aimed at ensuring that procuring authorities and the market develop a basic understanding of human rights risks, and commitments to respecting human rights.

Award criteria	
<b>1 Human rights risk assessment</b>	Tenderer provides an assessment of human rights risks in the supply chain of the products to be supplied (100% of points). This assessment should take the form of a short (max 2p) report containing (1) An overview of at least one key component and two raw materials used in the product; (2) An overview of (likely) sourcing destinations for these components/raw materials; (3) A short discussion of at least three human rights risks related to these components/raw materials and/or its (likely) sourcing destinations. The contracting authority reserves the right to request an oral explanation.
<b>2 Policy commitment</b>	<p>Tenderer has a written policy commitment to human rights (50% of points). Additional points are awarded if the commitment is communicated to suppliers (50% of points).</p> <p><b>Verification:</b></p> <ul style="list-style-type: none"> <li>▪ Reference to where policy commitment can be found. This commitment can be stand-alone (e.g. on company website) or integrated into a company policy (e.g. supplier code of conduct, human rights policy) or report;</li> <li>▪ Evidence that commitment has been communicated to suppliers;</li> </ul> <p>For guidance on what constitutes a good policy commitment see <a href="https://www.ohchr.org/sites/default/files/Documents/Issues/Business/guide-business-hr-policy.pdf">https://www.ohchr.org/sites/default/files/Documents/Issues/Business/guide-business-hr-policy.pdf</a> (p 18-20)</p>
Contract clauses	
<b>1 Human rights risk assessment</b>	If contractor has not supplied a risk assessment during the tendering phase, this assessment shall be provided, at the latest, X months after the award of the contract, and in any case prior to the delivery of the goods. For requirements of assessment, see award criterion (1).

### 3.3.3. Scenario 2: Medium maturity

In this scenario, criteria and clauses should be aimed at ensuring that procuring authorities and the market move from risk assessments and commitments, towards concrete actions.

Selection criteria		
1	<b>Human Rights Risk Assessment</b>	Tenderer provides an assessment of human rights risks in the supply chain of the products to be supplied. This assessment should take the form of a short (max 2p) report containing (1) An overview of at least one key component and two raw materials used in the product; (2) An overview of (likely) sourcing destinations for these components/raw materials; (3) A short discussion of at least three human rights risks related to these components/raw materials and/or its (likely) sourcing destinations. The contracting authority reserves the right to request an oral explanation.
Award criteria		
3	<b>Supply chain transparency: products</b>	The tenderer provides a list of names and addresses of important (in terms of production volumes) production sites of the products to be supplied (100% of points). Alternatively, the tenderer outlines a plan describing how this list of names and addresses will be compiled during the execution of the contract (70% of points). This plan should include clear timelines and deliverables, key challenges, and steps that will be taken to engage with suppliers.
4	<b>Action plan</b>	The tenderer provides an action plan that contains at least three actions to mitigate human rights risks in the supply chain of the goods to be supplied. Examples may include human rights training for employees or suppliers, evidence of collaboration with suppliers in concrete mitigative actions, or evidence of constructive engagements with third-party auditors or other stakeholders (e.g. NGOs, trade unions). Each action should be accompanied with a brief justification (100% of points for three actions; 50% of points for two actions; 30% of points for one action).
Contract clauses		
2	<b>Reporting on supply chain transparency</b>	Supplier shall provide contracting authority with an updated list of names and addresses of key production sites for the products supplied under this Contract on an annual basis. A first list shall be provided not later than 1 year after the Contract start date. If this list is incomplete, the supplier shall explain the efforts taken to engage with suppliers, and will explain future steps towards ensuring transparency. The contracting authority reserves the right to request for additional information.
3	<b>Reporting mitigative actions</b>	Supplier shall report annually on efforts taken to mitigate human rights risks in the supply chain of the products to be supplied. Contracting authority reserves the right to request for additional information.



### 3.3.4. Scenario 3: High maturity

In situations where the market and the procuring authority are more mature, criteria and clauses should be aimed at ensuring that the market moves from commitments and actions towards systematic due diligence processes.

Selection criteria		
1	<b>Human Rights Risk Assessment</b>	See above
2	<b>Supply chain transparency: products</b>	Tenderer provides a list of names and addresses of production sites of the products to be supplied. Alternatively, the tenderer outlines a plan describing how this list of names and addresses will be compiled during the first year of contract execution. This plan should include clear timelines and deliverables, key challenges, and steps that will be taken to engage with suppliers.
Award criteria		
6	<b>Supply chain transparency: components</b>	The tenderer provides a list of names and addresses of important (in terms of production volumes) production sites of strategic components used in the products to be supplied (100% of points). Alternatively, the tenderer outlines a plan describing how this list of names and addresses will be compiled during the first year of contract execution (70%). This plan should include clear timelines and deliverables, key challenges, and steps that will be taken to engage with suppliers.
7	<b>Due diligence processes</b>	The tenderer provides a description of its due diligence policy, which should include (1) references to key policies in relation to human rights; (2) a description of systems to identify and prioritize human rights risks; (3) a description of systems to monitor prioritized risks at high-risk suppliers; (4) a description of actions taken to mitigate risks; and (5) references to reporting on due diligence processes (depending on completeness: 0-100%)
Contract clauses		
2	<b>Reporting on supply chain transparency</b>	Supplier shall provide contracting authority with an updated list of names and addresses of key production sites for the products supplied under this Contract on an annual basis. In addition, supplier will connect these production sites with the risk assessment (selection criteria 1) by outlining key risks that could occur in these production sites.  A first list shall be provided not later than 1 year after the Contract start date. If this list is incomplete, the supplier shall explain the efforts taken to engage with suppliers, and will explain future steps towards ensuring transparency. The contracting authority reserves the right to request additional information.
3	<b>Reporting mitigative actions</b>	Supplier shall report annually on efforts taken to mitigate human rights risks in the supply chain of the products to be supplied. First report shall be provided not later than 1 year after the award start date. Contracting authority reserves the right to request for additional information.
4	<b>Reporting on due diligence</b>	Contractor shall report annually on the due diligence processes that are in place to identify and mitigate human rights risks, and to monitor the outcomes of mitigative actions, in the supply chain of the products to be supplied (see award criterion 5). Evidence shall also be provided of efforts to engage with (potentially) affected stakeholders. First report shall be provided not later than 1 year after the award start date. Contracting authority reserves the right to request additional information.

## 3.4. Contract management

Without robust contract management, contractual requirements are nothing more than paper commitments. At the same time, public buyers unanimously agree that contract management is by far the most challenging aspect of public procurement. Not only does it require expertise, time, and resources; the sheer complexity of ICT supply chains also makes it very difficult to verify if human rights are actually respected on the ground. While there are tools and initiatives that can help suppliers, they are no silver bullet, and these tools and initiatives typically come at a cost (see section 2).

In the first half of 2024, we consulted several public buyers across Europe, in an attempt to identify effective and innovative practices in the field of contract management. Overall, consultations confirmed that contract management remains, for the most part, uncharted territory. Nonetheless, a number of interesting practices could be identified,

### Lesson 1: Define clear Key Performance Indicators (KPIs)

Clear KPIs are essential for monitoring supplier performance. Ideally, KPIs are specific, measurable, achievable, relevant, and time-bound (SMART). Some examples of what KPIs could look like in relation to the specific contract clauses in section 3.3 can be found in the table below.

Contract clauses	KPIs
<b>Contract clause 1: risk assessment</b>	<ul style="list-style-type: none"><li>• <b>Timeliness:</b> risk assessment submitted in time (before XX)</li><li>• <b>Contents:</b> Risk assessment meets specified requirements (overview of components and materials, identification of sourcing destinations, identification of at least three key human rights risks)</li></ul>
<b>Contract clause 2: reporting on supply chain transparency</b>	<ul style="list-style-type: none"><li>• <b>Timeliness:</b> first list submitted in time (before XX), and annual updates submitted in time (before XX)</li><li>• <b>Completeness</b> of production site list with names and addresses, and detailed explanation for incomplete lists</li><li>• <b>Contents:</b> Descriptions of key risks associated with production sites.</li></ul>
<b>Contract clause 3: reporting on mitigative actions</b>	<ul style="list-style-type: none"><li>• <b>Timeliness:</b> Annual reporting submitted in time</li><li>• <b>Contents:</b> Number of mitigative actions reported, evidence provided of stakeholder engagement in mitigative actions</li><li>• <b>Responsiveness</b> to requests for additional information</li></ul>
<b>Contract clause 4: reporting on due diligence</b>	<ul style="list-style-type: none"><li>• <b>Timeliness:</b> Annual reporting submitted in time</li><li>• <b>Contents:</b> Overview of due diligence processes in place to identify and mitigate risks, and to monitor the outcomes of mitigative actions; and evidence of efforts to engage with (potentially) affected stakeholders.</li><li>• <b>Responsiveness</b> to requests for additional information.</li></ul>

### Lesson 2: Engage the market early on

By initiating conversations with potential suppliers prior to launching a tender, public buyers can ensure that requirements and criteria are realistic (see also section 3.2) and well-understood. Potential suppliers (resellers and brands) can then be informed of the procurer's intention to mitigate human and ecological risks in the supply chain through pre-announced tenders or information meetings. Such announcements can be prepared based on stakeholder engagements (see Lesson 6), creating a clearer and more proactive dialogue early in the procurement process.

Once the contract has been awarded, it is important to repeat and clarify contractual requirements and associated reporting obligations, and to lay out the process through which compliance with these requirements will be monitored.

### **The Oslo Model**

The Oslo model for public procurement is a comprehensive regulatory framework that was adopted by the city of Oslo in 2017. It was designed to combat social dumping and work-related crime, and to promote decent working conditions through the strategic use of public procurement. It is being executed across 50 agencies, which receive guidance and support from the Agency for Improvement and Development (AID). Specifically, the Oslo model requires public buyers to follow a number of requirements.

- Identify potential human rights, environmental, and corruption risks associated with the goods or services to be procured.
- Market dialogue to assess maturity of (prospective) suppliers in conducting due diligence. This market dialogue takes the form of written requests for information and live meetings.
- Integration of contract performance clauses into contracts, requiring suppliers to undertake due diligence in accordance with the OECD Due Diligence Guidelines and Norwegian due diligence laws.

In terms of contract management, experiences within the framework of the Oslo Model are still limited. Priority is currently given to high-risk contracts in sectors such as ICT, textiles, food, and medical supplies. For now, the focus still lies on self-reporting, although there is an aspiration to shift towards more proactive audits of company management processes.

### **Lesson 4: Connect procurement to contract management**

All too often, the responsibility for human rights and broader sustainability concerns is perceived as resting solely with procurement teams. However, it is crucial that contract managers are involved from the start, and take part in efforts to build and strengthen organizational capacity (e.g. joint training programs).

### **Lesson 5: Whither the resellers?**

Large ICT brands are the dominant actor in ICT supply chains, and are often the implicit or explicit focus of sustainability actions. In most cases, however, public buyers do not buy products directly from the brands, but from resellers that often have limited capacity and leverage. It's essential to find ways of engaging both resellers and brands, in order to ensure that human rights requirements are effectively communicated and implemented throughout the supply chain.. Direct engagement with brands can be helpful to ensure that they understand and support the requirements. The contractual relationship with resellers can then be used to push for transparency and compliance at brand level.

### **Lesson 6: Collaborate with other public buyers**

Individual public buyers often lack leverage over suppliers. Efforts to share information about joint suppliers (to the extent that this is allowed), or even to initiate joint supplier dialogues, can help expand this leverage. In the case of Oslo, for instance, AID is actively collaborating with several other public buyers, like the Norwegian Hospital trust and the Norwegian Central Purchasing Body, in order to increase its leverage over the market.

### **Joint supplier dialogue (Leuven, November 2023)**

In November 2023, the Dutch procurement category for data centers decided to organize a "buyer-meets-supplier" event. This event involved a collaboration with KU Leuven, which provided expertise and moderated the discussions together with the category. The event was designed to allow an open and honest dialogue about opportunities and challenges for integrating human rights into public procurement. Specific attention was paid to the role of resellers. The event involved several stages:

1. Introduction and context setting to establish a baseline understanding of human rights and due diligence among public buyers and resellers.
2. Brainstorming session in which buyers and resellers developed questions that could be posed to the brands. This session revealed various challenges related to the role of resellers, who often serve as intermediaries between manufacturers and public buyers but face important capacity constraints.
3. After a networking lunch, resellers and public buyers met directly with several manufacturers (Dell, IBM, and NetApp). This was followed by smaller focus groups that dug deeper into specific issues, and potential solutions. Key topics included the importance of supply chain transparency, the feasibility of sharing audit results, and the role of resellers in the due diligence process.
4. The meeting concluded with commitments to continue the dialogue, including plans to reconvene in November 2024. Participants also discussed recording a podcast, and setting up a regular follow-up mechanism. There were also suggestions to explore whether future meetings should be conducted with a broader audience

Overall, this event was successful in improving joint understanding of key difficulties and success factors, and a basis was laid for future dialogue. At the same time, limited follow-up actions were taken after this meeting, primarily due to limited capacity on the part of several of the actors involved

### **Lesson 7: Information is power**

Access to reliable supply chain information is crucial. While there is no shortage of information, brands can decide more or less unilaterally what information they wish to share. Public buyers have taken different initiatives to try and fill this gap. One example is the use of ratings agency Ecovadis. While Ecovadis has strengths, it also poses challenges and limitations.

#### **The Dutch government and Ecovadis**

The "Rijksbrede Inkoopstrategie Inkopen met Impact", launched in October 2019, mandates that all procurement activities by the Dutch central government align with sustainability, social responsibility, and innovation goals. Several large public buyers have incorporated EcoVadis scores into the procurement process. Ecovadis is a sustainability rating platform that evaluates companies across four main themes: Environment, Labor & Human Rights, Ethics, and Sustainable Procurement (see section 2.4.4). Each theme is assessed based on policies, actions, and results, with scores reflecting the supplier's overall CSR performance. Dutch public buyers use these scores to ensure that only suppliers with a demonstrated commitment to sustainability are selected. Ecovadis scores are also used as an award criterion in "mini-competitions" that form part of framework agreements, but also as a tool for supplier engagement. During contract implementation, suppliers are encouraged to obtain higher ratings, which in turn increase their future chances in tenders.

When asked to reflect on the use of EcoVadis, public buyers appreciated its ease of use and broad market acceptance. It was also seen as a valuable "conversation starter" for engaging suppliers on sustainability issues. However, they raised several concerns. Chief among these concerns is the lack of transparency, as EcoVadis does not publicly share its questionnaires. Additionally, there are legal concerns about relying on a single system as a public buyer. In theory, public buyers should accept equivalent ratings from other systems, but determining equivalence is challenging, if not impossible, due to EcoVadis's lack of transparency.

Overall, while EcoVadis can certainly contribute to responsible public procurement, it should be integrated with other strategies and instruments. These may include supplier dialogues, affiliation with initiatives like Electronics Watch, and the use of sustainability certifications, among others.

A second, more promising model for supply chain monitoring is that of Electronics Watch. By relying not on auditors (like RBA does) or analysts (in the case of Ecovadis), but on civil society monitoring partners, Electronics Watch tries to address some of the gaps left behind by traditional data collection methods, and attempts to strengthen the bargaining power of public buyers.

### **Case 3: Electronics Watch**

Electronics Watch (EW) is a not-for-profit registered in the Netherlands that uses public procurement leverage to promote and protect the rights of workers in public sector supply chains of ICT and low-emission vehicles. Together with its affiliated public authorities and civil society partners, it coordinates industry-independent supply chain monitoring and facilitates the remediation of human rights abuses.

EW espouses a worker-driven approach to monitoring and remediation. It trains- and collaborates with workers' rights organizations in 14 countries. These monitoring partners can carry out investigations into human rights risks and violations, with the ultimate aim of ensuring access to remedy. In addition to strengthening local monitoring capacity in manufacturing and mining regions, EW provides a platform for collaboration among its 1,500+ affiliated public buyers.

In exchange for annual membership dues, affiliates have access to a wide range of capacity- and knowledge-building activities, to tailored support (e.g. in terms of policy development, risk assessment, and tender preparation), and to various tools and resources. Key amongst these resources are the EW Code of Labour Standards and Contract Conditions, which affiliates are expected to implement in their procurement process. During the contract performance phase, public buyers can rely on the evidence that is collected through worker-driven monitoring, and that is compiled into EW monitoring reports, to ensure compliance with the EW Code of Labour Standards and its accompanying contract conditions.

## **4. Conclusion**

As we move into what is sometimes described as “a new era of responsible business conduct”, which is characterized by tightening due diligence obligations, public buyers are faced with new opportunities and challenges. While the legislative push is undoubtedly compelling more companies to engage with human rights issues and to enhance transparency in their supply chains, there is also a significant risk of information overload. Instead of grappling with a lack of data, public buyers could soon find themselves inundated with vast quantities of information—much of which remains vague and unhelpful.

The challenge ahead is to ensure that companies do not simply pay lip service to human rights through superficial due diligence processes, but that they engage in genuine and impactful practices. This requires public buyers to take a proactive stance—demanding not just adherence to regulations, but the right kind of adherence that leads to real improvements on the ground. This guide has attempted to provide public buyers with the insights and tools necessary to navigate these complexities. By providing a clear framework for action, it seeks to help procurement professionals move from understanding the changing landscape of due diligence to effectively integrate human rights considerations into procurement processes.



## Annex 1: Opportunities for integrating human rights under EU Directive 2014/24/EU (based on Verbrugge & Gillis, 2023)

Opportunities		Challenges
<b>Article 18(2)</b> Mandatory Social Clause	Member States must ensure compliance with environmental, social, and labor laws during the execution of contracts. This includes adherence to the ILO conventions on child labor, forced labor, freedom of association, and non-discrimination.	Ensuring compliance with standards across complex global supply chains is challenging. Also, debate exists about whether Article 18(2) applies beyond direct contractors/suppliers.
<b>Article 43</b> Labels	Labels can be used as evidence that goods meet environmental, social, or other criteria, provided that they are based on objective and non-discriminatory criteria; and that these criteria are directly related to the subject matter of the contract.	The effectiveness of labels is constrained by their limited availability and reliability. There is significant variation in the rigor and comprehensiveness of standards and verification processes.
<b>Article 40</b> Preliminary market consultations	Contracting authorities can consult the market before launching a tender. This allows them to gather insights in market readiness, and in innovative solutions and challenges.	Public buyers must maintain a balance between gathering insights and maintaining fairness and transparency.
<b>Article 57</b> Grounds for exclusion	Contracting authorities must exclude bidders that have been convicted of crimes such as child labour or human trafficking. Additionally, bidders may be excluded for failing to comply with Article 18(2).	Burden of proof lies falls on public buyers, who do not always have the required investigative capabilities.
<b>Article 69</b> Abnormally low tenders	Contracting authorities must scrutinize abnormally low tenders to ensure that low prices do not result from non-compliance with Article 18(2). If contracting authorities decide that this is the case, they must exclude the tender.	The burden of proof falls on public buyers, who do not always have the required investigative capabilities.
<b>Article 58/Annex XII</b> Selection criteria	Selection criteria can refer to an operator's professional or technical ability to deliver the contract, including requirements related to supply chain management.	Criteria and contract performance conditions need to be directly related to and linked with the subject matter, which poses a challenge for incorporating requirements related to overarching corporate policies e.g. in the domain of human rights. The effective use of contract performance conditions requires capacity on the part of public buyers to verify and monitor compliance.
<b>Article 67</b> Contract award criteria	The concept of the Most Economically Advantageous Tender (MEAT) allows for the inclusion of qualitative criteria related to sustainability considerations and social impact in the award process.	
<b>Article 70</b> Contract clauses	Human rights considerations, like the requirement to comply with ILO conventions, can be included in contracts as performance clauses.	

## Annex 2a: Supplier questionnaire – Human Rights

Please contact the CFIT secretariat at [CFIT@rws.nl](mailto:CFIT@rws.nl) for a Word-version of these questionnaires

**Company name:** Click or tap here to enter text.

**Contact person & contact details:** Click or tap here to enter text.

We are a:

- ☐ Brand / manufacturer
- ☐ Reseller
- ☐ Other: Click or tap here to enter text.

### Awareness (1): supply chain transparency

*One answer is required, multiple answers are allowed*

- ☐ Other than the names and addresses of our direct (tier-1) suppliers, we have no insight in the supply chain of the products that are being requested;
- ☐ We know where our products are assembled;
- ☐ We can produce a list with names and locations of key component producers, and are willing to share this information with public buyers;
- ☐ We know the types of raw materials used in the products;
- ☐ We can identify the suppliers (e.g. refiners, smelters, traders) of key raw materials, and are willing to share this information with public buyers;
- ☐ We make demonstrable efforts to map our supply chains, at least to the suppliers of suppliers;
- ☐ We have a full (end-to-end) understanding of our supply chains, and are willing to share this information with public buyers.

### Awareness (2): supply chain risks

*Only one answer is possible*

- ☐ We are unfamiliar with human rights risks in ICT supply chains;
- ☐ We have a basic understanding of human rights risks in ICT supply chains, based on secondary evidence (e.g. news articles, reports). At this stage, we would have difficulties producing a written supply chain risk assessment for our products.
- ☐ We have a fair understanding human rights risks in our supply chains, and we are undertaking efforts to improve this understanding. We would be able to produce a short written supply chain risk assessment that provides an overview of at least three salient human rights issues.
- ☐ We have a good understanding of human rights risks in our supply chains, based on secondary (e.g. news articles, reports) and primary evidence (e.g. stakeholder consultations, audit reports). We can easily provide a supply chain risk assessment that provides an overview of risks in different stages of our supply chains (mining, component production, transport, assembly).

### Policies

*One answer is required, multiple answers are allowed*

- ☐ We have no written commitment to respecting human rights;
- ☐ We have a written commitment to respecting human rights, e.g. as part of a code of conduct, as a separate statement on our company website, or in our sustainability / integrated report;
- ☐ We have detailed commitments to respecting human and labour rights as outlined in international treaties and in the ILO core labour conventions, e.g. as part of a supplier code of conduct, responsible sourcing policy, or human rights policy;
- ☐ We have a due diligence policy that guides our efforts to identify, mitigate, and report about human rights risks in our own operations and in our supply chains;

### **Actions**

*One answer is required, multiple answers are allowed*

- ☐ At this stage, we do not take meaningful efforts to mitigate human rights risks;
- ☐ We verify compliance with our supplier code of conduct, and require corrective actions for instances of non-compliance;
- ☐ We have a complaints procedure that is open to anyone that is concerned about our actions or those of our business partners;
- ☐ We have dedicated staff that is responsible for responsible sourcing / responsible procurement. Alternatively: we work together with an external consultant.
- ☐ We participate in industry or multi-stakeholder initiatives to strengthen our efforts towards understanding and mitigating risks. If yes, specify which one(s) (e.g. TCO Certified, Responsible Business Alliance, Joint Alliance for CSR): Click or tap here to enter text.
- ☐ We demonstrably consult with relevant stakeholders (e.g. NGOs, trade unions, community organizations) to help us understand and mitigate adverse human rights impacts. If yes, specify which ones: Click or tap here to enter text.

Other relevant actions: Click or tap here to enter text.

## Annex 2b. Supplier questionnaire: Scoring instructions

### Instructions

Scores should be added up per dimension (awareness, policies, actions). the matrix on the next page can be used to determine the maturity of a supplier. This score can then be used to determine the approach towards integrating human rights in procurement processes.

### Awareness (1): supply chain transparency

***One answer is required, multiple answers are allowed. Maximum score is five.***

- ☐ Other than the names and addresses of our direct (tier-1) suppliers, we have no insight in the supply chain of the products that are being requested;  
***0 points***
- ☐ We know where the products are assembled;  
***0 points for manufacturer, 1 point for reseller***
- ☐ We can produce a list with names and locations of key component producers, and are willing to share this information with public buyers;  
***1 point for manufacturer, 2 points for reseller***
- ☐ We know the main raw materials used in the products;  
***1 point for manufacturer, 2 points for reseller***
- ☐ We can identify the suppliers (e.g. refiners, smelters, traders) of key raw materials, and are willing to share this information with public buyers;  
***2 points for manufacturer, 3 points for reseller***
- ☐ We make demonstrable efforts to map our supply chains, at least to the suppliers of suppliers;  
***1 point for manufacturer, 2 points for reseller***
- ☐ We have a full (end-to-end) understanding of our supply chains, and are willing to share this information with public buyers.  
***5 points for manufacturer and reseller***

### Awareness (2): supply chain risks

***Only one answer is possible.***

- ☐ We are not familiar with risks for adverse human rights impacts in ICT supply chains  
***0 points***
- ☐ We have a cursory understanding of human rights risks in ICT supply chains, based on secondary evidence (e.g. news articles, reports). At this stage, we would have difficulties producing a written supply chain risk assessment for our products.  
***1 point***
- ☐ We have a fair understanding human rights risks in our supply chains, and we are undertaking efforts to improve this understanding. We would be able to produce a short written supply chain risk assessment that provides an overview of at least three salient human rights issues.  
***3 points***
- ☐ We have a good understanding of human rights risks in our supply chains, based on secondary (e.g. news articles, reports) and primary evidence (e.g. stakeholder consultations, audit reports). We can

easily provide a supply chain risk assessment that provides an overview of risks in different stages of our supply chains (mining, component production, transport, assembly).

**5 points**

#### **Policies**

***One answer is required, multiple answers are allowed. Maximum score is ten.***

- ☐ We have no written commitment to respect human rights;

**0 points**

- ☐ We have a basic written commitment to respect human rights, e.g. as part of a code of conduct, as a separate statement on our company website, or in our sustainability / integrated report;

**2 points**

- ☐ We have detailed commitments to respect human rights, which includes a reference to key international treaties or conventions (e.g. UN Declaration of Human Rights, ILO labour conventions, OECD Guidelines, UN Guiding Principles on Business and Human Rights). These commitments can be part of a supplier code of conduct, a responsible sourcing policy, or human rights policy;

**4 points**

- ☐ We have a due diligence strategy that guides our efforts to identify, mitigate, and report about human rights risks in our own operations and in our supply chains;

**7 points**

#### **Actions**

***One answer is required, multiple answers are allowed.***

- ☐ At this stage, we do not take meaningful efforts to mitigate human rights risks;

**0 points**

- ☐ We verify compliance with our supplier code of conduct, and require corrective actions for instances of non-compliance;

**3 points**

- ☐ We have a complaints procedure that is open to anyone that is concerned about our actions or those of our business partners;

**2 points**

- ☐ We rely on digital tools for responsible sourcing / procurement. If yes, specify which one(s): Click or tap here to enter text.

**2 points**

- ☐ We have staff that is responsible for responsible sourcing / responsible procurement. Alternatively: we work together with an external consultant.

**1 point for brand/manufacturer, 2 points for reseller**

- ☐ We participate in industry or multi-stakeholder initiatives to strengthen our efforts towards understanding and mitigating risks. If yes, specify which one(s) (e.g. Responsible Business Alliance, Joint Alliance for CSR, Amfori BSCI): Click or tap here to enter text.

**3 points**



- ☐ We demonstrably consult with relevant stakeholders (e.g. NGOs, trade unions, community organizations) to help us understand and mitigate adverse human rights impacts. If yes, specify which ones: [Click or tap here to enter text.](#)

**3 points**

	<b>AWARENESS</b> <b>(combined score answers 1</b>	<b>POLICY COMMITMENTS</b>	<b>ACTIONS</b>
<b>Low</b>	<b>Awareness score &lt;4</b>  The supplier shows a limited understanding of supply chains and associated human rights risks	<b>Policy score &lt;4</b>  Other than (perhaps) a basic commitment to respecting human rights, the supplier does not have meaningful policy commitments to human rights	<b>Action score &lt;3</b>  Other than (perhaps) some basic actions, the supplier does not yet undertake meaningful action to mitigate human rights risks
<b>Medium</b>	<b>Awareness score 4-6</b>  The supplier shows a fair understanding of supply chains and associated human rights risks	<b>Policy score 4-6</b>  The supplier has more elaborate policy commitments to respecting human rights that are aligned with international standards and conventions	<b>Action score 4-6</b>  The supplier is taking steps towards more responsible procurement, through the use of one or several instruments (e.g. supplier codes, audits, participation in multi-stakeholder initiatives).
<b>High</b>	<b>Awareness score &gt;6</b>  The supplier has a mature understanding of supply chains and associated human rights risks, and makes active efforts to further improve this understanding	<b>Policy score &gt;6</b>  The supplier has mature policies that move beyond mere commitments, and are backed up with due diligence processes to systematically engage with human rights risks	<b>Action score &gt;6</b>  The supplier has a mature approach to mitigating human rights risks, which combines the use of different approaches and tools.

# References

- <sup>i</sup> Drive Sustainability. (2018). Material Change. Retrieved from [https://drivesustainability.org/wp-content/uploads/2018/07/Material-Change\\_VF.pdf](https://drivesustainability.org/wp-content/uploads/2018/07/Material-Change_VF.pdf)
- <sup>ii</sup> Apple under fire over reports students worked illegal overtime to build iPhone X. (2017). The Guardian. Retrieved from <https://www.theguardian.com/technology/2017/nov/21/apple-iphone-x-illegal-overtime-students>
- <sup>iii</sup> International Labour Organization. (2022). Ending child labour, forced labour and human trafficking in global supply chains. Retrieved from [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---ipec/documents/publication/wcms\\_854733.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_854733.pdf)
- <sup>iv</sup> Danwatch. (2019). How the global electronics industry came to rely on forced labour and debt bondage. Retrieved from <https://danwatch.dk/en/undersogelse/how-the-global-electronics-industry-came-to-rely-on-forced-labour-and-debt-bondage/>
- <sup>v</sup> International Institute for Sustainable Development. (n.d.). Women and Artisanal and Small-Scale Mining: Challenges and opportunities for greater participation. Retrieved from <https://www.iisd.org/system/files/publications/igf-women-asm-challenges-opportunities-participation.pdf>
- <sup>vi</sup> Equal Times. (2018). The gender gap in the electronics industry. Retrieved from <https://www.equaltimes.org/the-gender-gap-in-the-electronics?lang=en#.Y3IOjXbMI2w>
- <sup>vii</sup> The Washington Post. (2021). Tech unions explainer. Retrieved from <https://www.washingtonpost.com/technology/2021/01/26/tech-unions-explainer/>
- <sup>viii</sup> International Trade Union Confederation. (n.d.). China. Retrieved from <https://survey.ituc-csi.org/China.html?lang=en#tabs-2>
- <sup>ix</sup> International Labour Organization. (2016). Meeting the challenges of the global economy: The role of labour market institutions and social dialogue. Retrieved from [https://www.ilo.org/wcmsp5/groups/public/---ed\\_dialogue/---sector/documents/publication/wcms\\_541524.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/publication/wcms_541524.pdf)
- <sup>x</sup> University of Edinburgh. (2021). Human Rights Risks in the ICT Supply Chain. Retrieved from [https://www.ed.ac.uk/files/atoms/files/human\\_rights\\_risks\\_in\\_the\\_ict\\_supply\\_chain\\_0.pdf](https://www.ed.ac.uk/files/atoms/files/human_rights_risks_in_the_ict_supply_chain_0.pdf)
- <sup>xi</sup> SOMO. (2020). The right to know in the electronics industry. Retrieved from <https://www.somo.nl/the-right-to-know-in-the-electronics-industry/>
- <sup>xii</sup> International Labour Organization. (n.d.). Safe work for youth: A guide for trainers. Retrieved from [https://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---safework/documents/instructionalmaterial/wcms\\_871779.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---safework/documents/instructionalmaterial/wcms_871779.pdf)
- <sup>xiii</sup> Swedwatch. (2021). MICTF Briefing. Retrieved from <https://swedwatch.org/wp-content/uploads/2021/03/mictfbriefing210120-fin.pdf>
- <sup>xiv</sup> World Health Organization. (2023, May 11). Electronic waste (e-waste). [https://www.who.int/news-room/fact-sheets/detail/electronic-waste-\(e-waste\)](https://www.who.int/news-room/fact-sheets/detail/electronic-waste-(e-waste))
- <sup>xv</sup> Elaboration based on Dupont, V., Pietrzak, D., & Verbrugge, B. (2024). A step in the right direction, or more of the same? A systematic review of the impact of human rights due diligence legislation. *Human Rights Review*, 25(2): 131-154.
- <sup>xvi</sup> European Center for Constitutional and Human Rights. (2021). Human Rights Fitness Audits. Retrieved from <https://www.ecchr.eu/en/publication/human-rights-fitness-audits/>
- <sup>xvii</sup> Inspired by MSI Integrity. (2020). Not Fit-for-Purpose: The Grand Experiment of Multi-Stakeholder Initiatives in Corporate Accountability, Human Rights and Global Governance. Retrieved from <https://www.ecchr.eu/en/publication/human-rights-fitness-audits/>
- <sup>xviii</sup> Responsible Business Alliance. (2018). Practical Guide to Implementing Responsible Business Conduct in Supply Chains. Retrieved from <https://www.responsiblebusiness.org/media/docs/RBAPracticalGuide.pdf>
- <sup>xix</sup> Global Electronics Council (2025). Responsible Supply Chains Criteria. [https://globalelectronicscouncil.org/wp-content/uploads/EPEAT\\_RSC\\_2025.pdf](https://globalelectronicscouncil.org/wp-content/uploads/EPEAT_RSC_2025.pdf)
- <sup>xx</sup> Uysal, E., & Janssen, W. A. (2023). The European Green Deal and Public Procurement Law: Its extraterritorial reach beyond the EU's borders. In M. Campins Eritja & X. Fernández-Pons (Eds.), *Deploying the European Green Deal: Protecting the Environment and Promoting Sustainable Development*. Routledge. <https://doi.org/10.4324/9781003390510-10>

- <sup>xxi</sup> European Commission. (2024). Event report - UU meeting The Future of Sustainable Public Procurement - 26 October. Retrieved from <https://public-buyers-community.ec.europa.eu/system/files/2024-02/Event%20report%20-%20UU%20meeting%20The%20Future%20of%20Sustainable%20Public%20Procurement%20-%202026%20October.pdf>
- <sup>xxii</sup> Council of the European Union. (2024). Proposal for a Directive of the European Parliament and of the Council on Corporate Sustainability Due Diligence and amending Directive (EU) 2019/1937 (ST 6145 2024 INIT). Retrieved from <https://data.consilium.europa.eu/doc/document/ST-6145-2024-INIT/en/pdf>
- <sup>xxiii</sup> Dutch Ministry of Foreign Affairs (2022). Uitvoeringsagenda Internationale Sociale Voorwaarden. Retrieved from <https://zoek.officielebekendmakingen.nl/blg-1037027.pdf>
- <sup>xxiv</sup> TCO Certified. (n.d.). Step-by-step guide for purchasers. Retrieved from <https://tcocertified.com/step-by-step-guide-for-purchasers/>