electronics watch Responsible public procurement. Rights of electronics workers.

The Electronics Watch model:

Unlocking public procurement leverage

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Modern slavery and other labour rights violations are rife in several global supply chains. International normative frameworks, like the UNGPs[1] and OECD Guidelines[2], set out a pathway for human rights and environmental due diligence that could play a key role in addressing these issues.

In some jurisdictions, like the EU and Germany, emerging regulations codify aspects of these frameworks but at a global level, the regulatory regime is still a patchwork. At an institutional level, the policies and practices of individual public buyers vary considerably.



Every year, the EU spends around EUR 2.5 trillion on public procurement, the purchase of goods by and for public bodies. In fiscal year 2024/25, the UK spent GBP 395 billion and Australia AUSD 105 billion.

This level of spend gives public buyers considerable leverage to address modern slavery and other labour rights abuses. When enforced, the inclusion of sound Human Rights Due Diligence (HRDD) requirements in government tenders and contracts provides a commercial incentive for companies to be more accountable.

The harmonization of such requirements across the public sector would multiplies the leverage of individual public buyers. The Electronics Watch model builds on this collective leverage. In addition to promoting harmonisation of requirements, Electronics Watch supports public buyers to coordinate their enforcement and to collaborate with and learn from one another. This increases their power to influence the market. Suppliers may choose to ignore demands from smaller clients, but collaboration within and across national markets creates pressure at scale.

1 United Nations (2011), *The United Nations Guiding Principles on Business and Human Rights,* https://www.ohchr.org/sites/default/files/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

2 OECD (2023), *OECD Guidelines for Multinational Enterprises on Responsible Business Conduct,* https://doi.org/10.1787/81f92357-en

Case study: Public buyer pressure against debt bondage and deportation

A Nepali migrant worker borrowed the equivalent of EUR 2000 from local money lenders to pay recruitment agents for a job in an electronics factory in Malaysia. When he got to Malaysia, the wages in the contract he and other workers were asked to sign were only one-third of what they had been promised by the recruitment agents. This deception made it very difficult for workers to repay their loans and, therefore, to leave. They were left trapped in debt bondage, a form of modern slavery.

Acting as spokesperson for the workers, he complained about the issue. Shortly afterwards, company representatives forced him into the back of a car and abducted him. They locked him in a room overnight and took his phone away. He was not told what was happening or why, and was deported the next day. His visa and contract were terminated without due process, and the airfare was deducted from his wages.

This incident was identified through a network of civil society organisations trusted by workers. The abducted worker reported his experience to an Electronics Watch monitoring partner, who then reported it to Electronics Watch. It prompted a worker-driven investigation into the exploitation of migrant workers and the subsequent retaliation against those who spoke out against it.

Several public buyers purchase printers and photocopiers assembled at this site in Malaysia. Electronics Watch informed them about the situation and how to intervene on behalf of the affected workers. Through coordinated engagement of their joint supplier, these public buyers pressured the factory to take action. Eventually, all 391 of the migrant workers who paid recruitment fees to get jobs at this factory were reimbursed and the abducted worker was compensated for the unfair wage deductions. The monitoring partner who collected evidence from the workers and verified that they received the desired reparations.

The Electronics Watch shared services model allows public buyers to pool resources and to jointly invest in monitoring that focuses on workers. This generates cost efficiencies for public buyers, allowing them to collect more and better information than they would be able to afford as individual institutions.

Worker-led evidence to fight abuse and exploitation

Workers, trade unions and local communities have first-hand knowledge of the impacts of businesses on human rights. However, these stakeholders are seldom meaningfully including in the process of identifying and assessing risks or addressing adverse impacts. Standard compliance regimes rely on social audits and supplier self-reporting. They do not meaningfully engage workers in identifying modern slavery risks, much less in developing solutions. The consistent, good faith inclusion of workers in this process would help to address root causes, rather than the symptoms of modern slavery. It would also help to align with international human rights laws and standards.

The Electronics Watch model works in partnership with local civil society organisations – monitoring partners – whom workers know and trust. Using a transparent methodology,[3] monitoring partners gather evidence that emphasises worker testimonies. This industry-independent information from individuals with lived experience is corroborated with documentary sources to provide credible evidence of human rights violations.

[3] Electronics Watch (2020), *Monitoring Methodology Guidance 1.0,* https://electronicswatch.org/electronics-watch-monitoring-methodology-guidance-1-0_2577562.pdf

Case study: Worker-led monitoring uncovers issues missed by social audits

At a component supplier factory Malaysia, workers reported chemical spills that had left several of their colleagues hospitalised. Migrant workers, whose passports had been confiscated, were living in overcrowded, unhygienic dormitories in a converted warehouse. If they wanted to visit their home countries, the factory charged them fees equivalent to as much as EUR 425 to access their passports. They also reported having paid high recruitment fees for their jobs. Like the migrant workers in the first case study, they were trapped in debt bondage.

Previous social audits conducted at this site failed to detect many of these issues. However, workers did report their concerns to the local trade union, as well as to Electronics Watch and its monitoring partner.

The union notified the factory management that workers' grievances would be reported to Electronics Watch. Almost immediately upon receiving this news, the factory returned workers' passports to them. Brands responded promptly, shared information, and were open to dialogue with workers and their representatives. 250 migrant workers were later reimbursed for a total value of close to USD 1 million in recruitment fees.

The factory also agreed to collective bargaining as part of a structural solution. Although issues remain, this commitment to ongoing negotiations with the union establishes a route to resolve them that centres workers.



Electronics Watch focuses on workers' needs, perspectives, and safety. To mitigate the risk of coercion and retaliation, its monitoring partners conduct interviews and focus groups off-site and do not announce the investigations in advance. Workers are free to raise whichever issues are most important to them, to reflect on root causes and to propose solutions. Because workers trust the process, it generates detailed and credible results.

Armed with this site-specific evidence affiliated public buyers can follow with their suppliers in concrete terms and to verify reported improvements.

Image: A worker injured by a chemical spill

Case study: The far-reaching impact of public procurement

Public buyer leverage has a long reach up the supply chain, going beyond manufacturing and into the mines where raw materials are extracted.

At an industrial cobalt and copper mine in the Democratic Republic of Congo, subcontracted workers had not been paid for several months. When the mine terminated its contract with the subcontracted firms, those workers lost their jobs without notice and did not receive severance pay. They were also denied wages for hours already worked.

As well as the wage arrears, workers reported other labour rights abuses to an Electronics Watch monitoring partner. They explained that the subcontracting companies had no trade union representation, a violation of national law, and that subcontracted workers receive lower wages than those employed directly by the mine for similar work. The discussions also revealed that most subcontracted workers were not provided with payslips and that many had not been registered under the national social security scheme.

Although the mining company was legally responsible for paying the wage arrears under Congolese law, its actions evaded this obligation. The company offered the workers alternative employment instead of the money they were owed, but they rejected this offer

CAJJ's persistence, combined with the mine's awareness that public buyers would get involved if the case were not resolved, finally persuaded the mine to change its stance. After repeated requests, more than two years after their contracts were terminated, the mine did repay all the subcontracted workers who could be located. These kinds of outcomes are not unusual in the manufacturing sector, but this case demonstrates that the model also works in the extractives sector.



Image: An artisanal cobalt miner in Kolwezi, DRC

Supporting public buyers to implement best practice

Meaningfully addressing labour rights issues in public sector supply chains requires time and consistency. This is especially true during contract performance, which is often allocated fewer resources. When the responsible parties are not given a mandate to do this work or clear guidance on effective practice, it's easy for them to resort to box ticking.

So, what are the keys to unlocking public procurement leverage?

Legislators and government departments have an important role to play. Where national due diligence or similar legislation is being developed, it's important that public buyers are included in its scope. Doing so recognises their leverage, catalyses their investment in capacity, and codifies the principle of shared responsibility.

Issuing guidance on the minimum social requirements to include in high-risk procurements provides further clarity to public buyers. It also sends the market a signal about the priority of human rights due diligence.

Independent of laws and directive, there is a lot that individual contracting authorities can do to create an enabling environment for their employees. Establishing a responsible procurement policy and making sure that it is operationalised is a good start. Assigning responsibility for policy implementation and oversight creates a framework for accountability. Finally, providing the responsible employees with access to relevant training and support, whether in-house or through external networks, ensures that they have the requisite skills and expertise.