

December 13, 2021

**Working Group on the Issue of Human Rights and Transnational Corporations and other Business Enterprises**

Palais des Nations  
CH-1211 Geneva 10  
Switzerland

Re: Response to the Matters Raised in the Letter as of 12 March 2021

Dear Officers,

We have received your communication dated as of 12 March 2021. We appreciated your mission and hard work to protect human rights. As a leading technology company, Goertek offers working opportunities to thousands of employees around the world. Goertek is also committed to promote human rights and enhance the welfare of our employees and their families. We conduct our business in a manner that respects the rights and dignity of all people, complies with legal requirements and internationally recognized human rights standards, and implements such standards into our internal policies. We also seek to contractually regulate our suppliers and require them to respect internationally recognized human rights in their business work for us.

Please find our responses to your queries in the enclosed.

Sincerely yours,

[Bin Jiang]

Goertek Inc.

**OHCHR REGISTRY**

**20 DEC. 2022**

Recipients :.....*SPB*.....

Enclosure .....

Annex:

**Question 1:**

We have known the above so-called reports about forcing Uyghur workers to work through the media. We have investigated our suppliers and have not discovered any phenomenon of forcing any Uyghur worker to work and violating the human rights of the Uyghur workers.

**Question 2:**

1. The company has specified and implemented the following internal rules and regulations:

(1) Our company developed the Handbook of Labor Ethics Management on March 7<sup>th</sup>, 2020 according to the provisions in the Guiding Principles on Business Enterprises and Issue of Human Rights of the United Nations, which specifies the requirements for protection of the human rights such as respect to employees and anti-discrimination, and so on.

(2) Our company developed the Management Regulations on Prohibition of Forced Labor in May 17<sup>th</sup>, 2019, which specifies the requirements for prohibition of forced labor from the aspects such as ID document, recruitment fee, deposit, loan, free action and forced labor, etc., so as to ensure the employees' freedom;

(3) Our company developed the Management Regulations on Anti-discrimination, Anti-harassment and Anti-abuse on April 30<sup>th</sup>, 2019, which specifies no employee shall be discriminated because of his / her race, gender, ethnic group, territory, disability, religion, politics status, nationality or any other factor.

2. When selecting a supplier, our company may require the supplier to sign the following letter of commitment:

(1) The Supplier Social Responsibility Commitment, covering the requirements including free careers, humane treatment and safeguarding the human rights of the employees from ethnic minorities.

(2) In terms of Declaration of Metal Conflict-Free, supplier shall take due diligence on its entire supply chain with respect to the sourcing of all tin, tantalum, tungsten and gold (hereafter referred as "3TG") contained in its products, to determine whether those metals are from the Democratic Republic of the Congo (DRC) or any adjoining country and, if so, to determine whether those metals directly or indirectly financed or benefited armed groups, that are perpetrators of serious human rights abuses in the DRC or an adjoining country. Countries that adjoin the DRC are Angola, Burundi, Central African Republic, and the Republic of the Congo, Rwanda, South Sudan, Tanzania, Uganda and Zambia.

Should our company have discovered the supplier's any behavior in violation of the above letter of commitment, our company is entitled to punish the supplier or even terminate the cooperation relationship depending on the severity of the case.

See the following five appendixes for the above regulations and letter of commitment:

**劳工道德管理手册**

(1)

批准/日期	魏程/2020-03-07	分发号	
审核/日期	曹惠芳/2020-03-07	状态标识	
拟制/日期	蔡朝霞/2020-03-06	编制部门	人力资源部

### 禁止强迫劳动管理规定

批准/日期	2019/05/17	分发号	
复审/日期	2019/05/15	状态标识	
审核/日期	2019/05/14	实施日期	2019/05/20
拟制/日期	2019/05/14	编制部门	人力资源部

(2)

#### 供应商社会责任承诺书

(3)

#### Supplier Social Responsibility Commitment

4. 供应商绝不因年龄、残疾、民族、性别、婚姻状况、国籍、政治面貌、种族、宗教、性取向、性别认同、工会成员身份或其他任何受国家法律保护的身份在招聘、雇用及在实际工作（如晋升、奖励和受培训教育等）中歧视员工、给予员工不同的待遇。  
The supplier shall not engage in discrimination based on age, disability, ethnicity, gender, marital status, national origin, political affiliation, race, religion, sexual orientation, gender identity, union membership, or any other status protected by country law, in hiring and employment practices such as promotions, rewards, and access to training.
5. 供应商不得威胁工人或使其受到严酷或不人道的待遇，包括但不限于口头骚扰和虐待、心理骚扰、精神和身体压迫以及性骚扰。  
Supplier shall not threaten workers with, or subject them to, harsh or inhuman treatment, including but not limited to verbal abuse and harassment, psychological harassment, mental and physical coercion, and sexual harassment.
6. 供应商必须确保所有工作纯属自愿，不得贩卖人口或雇佣任何形式的奴隶、受强迫、抵债、契约或监狱劳工，不得扣押政府颁发给工人的身份证件。  
Supplier shall ensure that all work is voluntary. Supplier shall not traffic persons or use any form of slave, forced, bonded, indentured, or prison labor. Supplier shall not withhold workers' original government-issued identification.

### 反歧视、反骚扰、反虐待管理规定

批准/日期	2019/04/30	分发号	
复审/日期	2019/04/29	状态标识	受控
审核/日期	2019/04/27	实施日期	2019/05/01
拟制/日期	2019/04/26	编制部门	人力资源部

(4)

#### 无冲突矿产承诺书

#### Declaration of Metal Conflict-Free

\_\_\_\_\_作为歌尔股份有限公司及/或其关联公司（以下统称“歌尔”）的供应商（以下简称“供应商”），承诺按以下要求展开冲突矿产的尽职管理工作。

As a supplier (hereafter referred as "supplier") of Goertek Inc. and/or its affiliate(s) (hereafter referred as "Goertek"), \_\_\_\_\_ shall take due diligence on Conflict Minerals management as below requirements.

供应商应就其产品中含有的所有锡、钽、钨和金（以下简称“3TG”）对整个供应链展开尽职调查，确定这些矿物质是否来自刚果民主共和国（DRC）或任何毗邻国家。若来自这些国家，应确定这些矿物质是否直接或间接为 DRC 或毗邻国家中严重侵犯人权的武装团体提供资金或使其受益。DRC 毗邻国家包括安哥拉、布隆迪、中非共和国、刚果共和国、卢旺达、南苏丹、坦桑尼亚、乌干达和赞比亚。

(5)

### Question 3:

(1) Our company has established the annual CSR internal audit system, and provides annual regular training and specialized training so as to prevent from any infringement to the human rights.

(2) The company conducts annual as well as special audit on the suppliers, of which, audit of the social responsibility includes the item for human right risk assessment. The following figure gives the scoring form for supplier audit and checklist for supplier's social responsibility in 2021.

2021 年度及专项供应商审核计划表

地区	序号	供方代码	供应品类	物料等级	供应商等级	审核方式	责任SQR	CSA审核得分	QPA审核得分	社会责任审核得分	环境健康安全审核得分	审核结论(分数)	审核问题点(分数)	未关闭问题点(分数)	最终得分
	1	10013	锡切类	II类物料	II类供应商	现场/视频		97.67				通过			
	2	10997	锡切类	II类物料	II类供应商	现场/视频		95.43				通过			
	3	10996	锡切类	II类物料	II类供应商	现场/视频		98.03				通过			
	4	10081	锡切类	II类物料	II类供应商	现场/视频		90.87				通过			
	5	10815	锡切类	II类物料	II类供应商	现场/视频		89.00				通过			
	6	10677	五金类	II类物料	II类供应商	现场/视频		88.99				通过			
	7	13194	五金类	II类物料	II类供应商	现场/视频		90.90				通过			
	8	14094	锡切类	II类物料	II类供应商	现场/视频		98.00				通过			
	9	18216	锡切类	II类物料	II类供应商	现场/视频		96.00				通过			
	10	14515	锡切类	II类物料	II类供应商	现场/视频		96.10				通过			
	11	15869	锡切类	II类物料	II类供应商	现场/视频		98.05				通过			
	12	15842	五金类	II类物料	II类供应商	现场/视频		99.00				通过			
	13	16880	PCB类	II类物料	II类供应商	现场		97.73				通过			
	14	18215	锡切类	II类物料	II类供应商	现场/视频		91.00				通过			
	15	10001	包装类	II类物料	II类供应商	现场/视频		99.35				通过			
	16	18987	锡切类	II类物料	II类供应商	现场/视频		98.05				通过			
	17	18493	五金类	II类物料	II类供应商	现场/视频		98.38				通过			
	18	19240	锡切类	II类物料	II类供应商	现场/视频		96.64				通过			

项目	评价项目	配分	供方自评	歌尔评分
劳工	<b>1-1 自由选择职业</b>			
	1) 是否有直接或间接使用或支持使用强迫劳工的证据?	2		
	2) 是否所有工人都自愿雇用工作?	2		
	3) 是否要求交纳押金或扣押工人身份文件?	2		
	4) 员工是否有权在完成标准的工作时间后离开工作场所?	2		
	5) 工人是否可以依法规定自由薪工?	2		
	<b>1-5 人道待遇</b>			
	1) 公司是否残暴和/或不人道地对待工人, 包括任何形式的性骚扰、性虐待、体罚、精神或身体压迫或口头辱骂?	3		
	2) 有没有清晰定义支持人道待遇的纪律政策和办事流程?	2		
	3) 人道待遇的纪律政策和办事流程有没有给全体员工培训?	2		
4) 有没有可以供员工秘密报告/匿名报告骚扰、胁迫、威胁行为、体罚或虐待以及性骚扰、性虐待案件的通道和对案件进行记录调查的相关程序。	2			
<b>1-6 不歧视</b>				
1) 有没有强迫工人或让工人接受带有歧视性的医学检查。	2			
2) 是否在招工、工资/福利、培训机会、升职等方面因人种、肤色、年龄、性别、性取向、种族、残疾、怀孕、信仰、政治派别、社团成员或婚姻状况等直接或间接存在歧视行为?	2			
3) 有没有可以供员工秘密报告/匿名报告因人种、肤色、年龄、性别、性取向、种族、残疾、怀孕、信仰、政治派别、社团成员或婚姻状况等直接或间接存在歧视案件的	2			

Question 4:

(1) The company's employees: the company hand over the Handbook of Labor Ethics Management and provides training to its employees, and inform the employees of their rights and the channels for complaints and reliefs. The Labor Union and company have provided the complaint mailboxes and hotline for the employees. According to the complaint handling process, after receipt of a complaint, both the Labor Union and management will take measures actively.

(2) The company's business partners: the requirements for the supplier to safeguard the human rights have been specified clearly in the Supplier Social Responsibility Commitment.

Question 5:

Currently, our company has not employed any Uyghur worker based on the investigation findings. According to the Guiding Principles on Business Enterprises and Issue of Human Rights of the United Nations, our company has developed our internal Handbook of Labor Ethics Management, which has specified the determination criteria for prevention of infringement to the rights and interests of the employees from ethnic minorities, besides, the company has established its CSR internal audit system, and provided annual regular training and specialized training, so as to prevent the enterprise from any behavior infringing the human rights of the workers from ethnic minorities.

Question 6:

Currently, our company has not discovered any behavior of human right infringement, therefore,

has not reported the issue of human rights to any relevant authority.

(1) The overseas customers of our company may request our company to sign the letter of commitment on protection of human rights. Besides, our overseas customers may perform several CSR audits on our company.

(2) Our company performs annual internal audit to identify any behavior infringing the human rights in time.

(3) Our company has provided the complaint channels, such as complaint mailboxes and complaint hotline to all the employees.

(4) The Labor Union of the company may supervise the company's business activities for infringement of the human rights by standing at the employees' side.

**Question 7:**

Currently, our company has not employed any Uyghur worker based on the investigation findings, and has not discovered any case infringing the human rights of the employees from other ethnic minorities. Our company has paid high attention to the human rights of the employees from ethnic minorities. The company has provided the complaint mailboxes or complaint hotline to the employees, up to now, the company has not received any complaint from any ethnic employee regarding infringement of the human rights.

**Question 8:**

Currently, our company has not established cooperation with the local nongovernmental social actor and / or relevant national organization.