

Annex to the tender specifications: Proof of ILO compliance

- please tick as appropriate -

1. Information on product origin

Please note: In order to demonstrate ILO compliance, it is important to establish whether the **final assembly** for the product(s) in the tender specifications was/is carried out in a country or region on the [DAC List of Developing Countries and Regions](#) (German only).

Final assembly means the assembly of an IT end product by soldering, screwing, or gluing individual hardware components in a product completion center. It does not cover product refinement, which includes the attaching of signs/stickers/logos and performing other final identity-building activities and uploading software (e.g. operating systems).

☐ The **final assembly** for the product(s) specified in the tender specifications was/is carried out in a country or region on the **DAC List of Developing Countries and Regions**¹ (continue to 2. or 3.).

☐ The **final assembly** for the for the product(s) specified in the tender specifications is/was **not** carried out in a country or region on the **DAC List of Developing Countries and Regions** (continue to 2., 3., or 4.).

2. Provision of proof: Quality seals

Proof of compliance with the ILO core labor standards at the final assembly production stage is demonstrated with a quality seal from the list below (please tick as appropriate and enter the products for which that quality seal can be provided):

To be ticked by tenderer	Name of quality seal:	Awarded for following product(s):
<input type="checkbox"/>	TCO Certified Criteria for TCO Certified	

¹ <https://www.bmz.de/resource/blob/146702/dac-laenderliste-berichtsjahr-2022-2023.pdf> or [BMZ overview of countries and regions currently on the DAC list](#) (both in German).

3. Provision of proof: Equivalent proof

☐ Proof of compliance with the ILO core labor standards at the final assembly production stage is demonstrated by other, equivalent proof (please enter the name of the equivalent proof here):

Proof is deemed equivalent if it demonstrates compliance with the ILO core labor standards at the production stage indicated in the tender specifications and this has been verified by an independent inspection authority that has demonstrably carried out on-site inspections at the respective production facility. The inspection reports must not be any older than two years at the time the tender is submitted.

Self-declarations are not deemed equivalent.

The burden of proof for the equivalency lies with the tenderer; the tenderer must prove the equivalency if requested to do so.

The following are deemed equivalent proof to the quality seals listed above:

- **EPEAT Gold** in combination with an audit report which clearly demonstrates that the ILO core labor standards have been complied with (<https://epeat.net/about-epeat/>);
- **Audit in accordance with the VAP Recognition Program of the Responsible Business Alliance (RBA) Version 7.0. Gold or Platinum;**
- **SA 8000 certification;**
- **Amfori (BSCI) audit reports** which clearly demonstrate that the ILO core labor standards have been complied with in the final assembly.

4. Submission of a qualified declaration of origin

Proof of compliance with the ILO core labor standards is provided by a qualified declaration of origin that clearly states that the **final assembly** of the products specified in the tender specifications is/was **not** carried out in a country or region on the DAC List of Developing Countries and Regions. The declaration of origin must include verifiable information on the production location and the production facility.

The **final assembly** of the product(s) indicated in the tender specifications is/was carried out in:

Ideally, the qualified declaration of origin is to be submitted by means of a GS certificate from the manufacturer and a CE marking. Other options include the submission of a certificate of the place of production, a customs certificate, a production order certificate, or an equivalent certificate containing both the name and address of the production completion center where the final assembly was/is carried out.

5. Time at which proof is to be provided

The tenderer indicates how it will prove compliance with the ILO core labor standards if the contract is awarded in this annex submitted with the tender.

The proof must be provided with delivery of the goods at the very latest. The public contracting authority is entitled to request that the contractor provide proof at a specified time prior to delivery.

This clause is primarily invoked when proof is not provided by a seal found on the product itself, but rather by documentation.

6. Changes to the provision of proof following contract award

If, after the contract has been awarded, circumstances arise which make it impossible to provide the proof specified in this annex, proof of compliance with the ILO core labor standards may be provided by means of another quality seal specified in this document (No. 2) or – if the final assembly is/was not carried out in a DAC country/region – by means of a qualified declaration of origin (No. 4).

If "other, equivalent proof" (No. 3) is to be submitted instead of the proof specified in this document, the contractor must inform the public contracting authority of this fact in good time before the service is provided, unless the proof is deemed equivalent in accordance with No. 3. The public contracting authority agrees to the provision of proof insofar as the proof can be assessed as equivalent.