



Mobile connections

Supply Chain Responsibility of 5 Mobile Phone Companies

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In 2007, more than 1.1 billion mobile phones were manufactured worldwide.¹ That same year, the total number of mobile telephone subscriptions reached 3.3 billion, equivalent to half the global population.² In recent years, mobile phone companies are increasingly targeted by NGOs and consumer campaigns aimed at improving social and environmental conditions in supply chains of mobile phones.³ The 2006 SOMO report on the mobile phone industry showed that there is a stark contrast between the image of the flashy high-tech world of mobile phones and the working conditions of the people behind the production of wireless handsets in low-wage countries. How has corporate social responsibility developed in the mobile phone industry in recent years and are social and environmental standards improving as fast as the product applications? This briefing will include a follow up on the 'High Cost of Calling: Critical Issues in the Mobile Phone Industry' report⁴, with the focus mainly on sourcing policies and practices and supply chain responsibility of the major brand companies. In the last two years, SOMO has continued research into the supply chains of mobile phone companies. SOMO stayed in contact with major mobile phone brands and asked them about changes in their CSR policies and supply chain responsibility. In January 2007 and April 2008, a follow-up questionnaire was sent to the brand companies to provide additional information on

developments in specific cases and general policies. Information from these questionnaires, together with desk research, form the basis of this briefing paper.

The mobile phone industry

From its inception in the early 1980s, the mobile phone industry has been dominated by a small number of large multinationals. Currently, the main mobile phone manufacturers are Nokia, Motorola, Samsung, LG and Sony Ericsson. Of these five, only Motorola did not increase its market share in 2007. Together they control almost 85% of the mobile phone consumer market (see table 1). Sales are increasingly driven by waves of new subscribers in the developing world, especially in India and China. Asia and the Pacific are responsible for over 30% of the mobile phone market. The industry is highly competitive and cost reduction strategies have, in the last decade, been responsible for the continuing movement of manufacturing to low-wage counties. Currently, most mobile phones are manufactured in China, which was responsible for half of global production in 2007.⁵ However, partly due to rising labour costs and shortages on the Chinese labour market, competition from neighbouring countries such as Thailand, India and the Philippines is on the rise.

Table 1: Global Sales and Market Share for Top Handset Producers, 2006-2007⁶

Company	Sales (million units)		Market Share (%)	
	2006	2007	2006	2007
Nokia	347.5	437.1	34.7	38.8
Motorola	217.4	159.0	21.7	14.1
Samsung	113.7	161.2	11.3	14.3
Sony Ericsson	74.8	103.4	7.5	9.2
LG Electronics	64.4	80.5	6.4	7.2
Others	184.1	184.3	18.4	16.4
Total	1001.9	1125.5	100	100

Supply chains in the mobile phone industry

In recent years, various studies have shown that major problems exist in the production of mobile phones from the bottom of the supply chain in the mines in Congo, Zambia and Indonesia where metals are mined, often passing through many links, to the production facilities of the major brand companies.⁷ At the end of the life cycle, these products can end up back in the developing world as e-waste. It is important to realize that this supply chain is in fact a pyramid, with companies having many suppliers which in turn have multiple suppliers themselves. While the amount of suppliers increases with every next tier, the level of consolidation decreases.

The uneven distribution of market power, skewed towards the big brand companies, has led to abuses, with risks and costs being passed down the supply chain to those most vulnerable. Further down the supply chain, the business gets scappier and relationships between companies loosen, with many companies that fabricate components sold directly to the brand companies or via contract manufacturers and electronic manufacturing services companies. Often the end product is assembled from components bought directly or indirectly from hundreds or even thousands of suppliers. The extent to which the brand companies outsource final products varies between more than 60 percent (Sony Ericsson) and less than 35 percent (Nokia).⁸

CSR issues in the supply chain

Rapid advances in technology mean that consumers want new phones even faster, the lifecycle of handsets is short. Their production involves extensive use of toxic chemicals for the use of which many countries have inadequate legislation. In addition, labour and social standards are often low in manufacturing countries and regarded as a production cost, which companies aim to cut as much as possible.

The following two paragraphs offer a glance into the many critical issues detected in the mobile handset industry.⁹

With regard to health and safety, workers are often exposed to a toxic cocktail of hazardous chemicals, while absence of protective gear is not uncommon. In an aggressive order market, demand can change on a daily basis. As a result, workers are expected to be highly flexible with regard to working hours and overtime. In general, low and below living standard wages are a characteristic of many manufacturing industries in the South, and the mobile phone industry is no exception. With living costs continually on the rise due to high inflation, many workers have witnessed a reduction of living standards. Companies in search of the lowest production cost and maximum flexibility are attracted by Export Processing Zones or Special Economic Zones developed by governments to expand their comparative advantage. Within these zones, labour standards are often overruled by the wish to produce as fast and cheap as possible. In general, unionization in the electronic sector is low, union activities are discouraged and workers who try to organize are often faced with oppression by the management or even by the authorities. Job security is low, due to high numbers of workers who are employed under temporary contracts, either directly by a company or through temporary work agencies. In some cases, companies do not provide lawful contracts.

Lower down the supply chain, mobile phone companies are increasingly being held accountable for the impact of metal extraction, which is associated with destruction of the environment, destabilizing local communities and labour and human rights abuses. Workers in mines are often employed in very dangerous conditions with severe health hazards. Safety instructions and standards are virtually absent, wages are low, contract labour is on the rise, and unionization is obstructed. In addition, the hazardous materials used in the production of mobile phones require strict environmental regulation, but the metal suppliers are often located in countries where environmental regulations

are blatantly weak. Discharges are sometimes directly channelled into the environment and air pollution causes health problems.¹⁰

Supply chain policies of the major brand companies

Recently, companies in many sectors – including the mobile phone industry – have begun to realize that their responsibility extends beyond their own company and production facilities to social and environmental practices and performances of the companies with which they do business. The following paragraphs provide an overview of the corporate social responsibility efforts of the main mobile phone companies.

Industry Initiatives

- GeSI, the Global e-Sustainability Initiative,¹¹ was established in 2001 to further sustainable development in the ICT sector. GeSI has established a number of working groups including a Supply Chain Working Group. The objective of this group is the development and deployment of a consistent set of tools and processes to measure, monitor and improve labour, environment, and health and safety in the supply chain as well as ethical performance across the ICT sector. Of the companies mentioned above, Motorola and Nokia are members of GeSI, and both are members of the supply chain working group.
- The Electronics Industry Citizen Coalition is a coalition of 39 companies (in September 2008) in the electronics

sector.¹² These companies have come together to voluntarily improve working conditions and environmental stewardship throughout the electronics supply chain. This group is aligned around a common “code of conduct” for electronics companies – the Electronics Industry Code of Conduct (EICC). The code covers expectations for performance across a range of issues including labour, health & safety, environmental practices, ethics and management systems. Samsung is a member of the EICC.

Suppliers’ Codes¹³

Codes of conduct or suppliers’ codes are often a basis for companies to harness their commitment to responsible purchasing practices. The codes provide insight into what the companies expect from their suppliers. Typically, the codes include requirements on corruption and general business practices, health and safety, human rights, labour standards, social rights and environmental standards. In some cases the codes refer in general to international norms and standards, such as the UN Declaration of Human Rights or the ILO conventions, or business initiatives such as Global Compact principles or ISO standards or – specifically for the electronics industry – GESI and EICC codes. All companies have environmental policies with regard to E-waste and greenhouse gas reduction in place. The focus of this briefing is more slanted towards social and labour policies.

The five leading mobile phone companies have social requirements in place for suppliers, some of which are more explicit than others. The EICC code as well as the mobile phone companies’ codes are missing internationally accepted standards, such as a cap on working hours and

makeITfair is a European campaign focusing on the electronics industry, especially on consumer electronics such as mobile phones, laptops and MP3 players. The campaign is drawing attention to labour and environmental problems throughout the chain of production. From mining of the minerals in Africa to production of the gadgets in Asia, and finally the dumping of toxic e-waste. The campaign uses consumer leaflets, a website, teaching materials and activities to inform young people and stimulate them to get active. It also uses research reports and the organisation of international round tables to approach the electronics industry and ask it to take responsibility.

makeITfair developed a List of Principles, in coordination with a number of NGOs and initiatives that deal specifically with mining issues. The List of Principles¹⁴ was sent to all major electronics brand companies, with the request to issue a public response on how they would incorporate these recommendations into their CSR and business approach.¹⁵ The industry’s response to the makeITfair studies and questionnaire included commissioning a study on the raw materials. The study looked into the use of several metals by the electronics industry, the supply chain and the conditions under which the metals are mined. The study concluded that there are opportunities for companies to influence social and mining performance in mining and metals production.¹⁶

overtime hours, living wages and freedom of association and collective bargaining. Individually there are also quite substantial differences between the codes of conduct, and following on from this also in what these companies expect from their suppliers.

The approach of LG is the most minimal, in that it only refers to health and safety, apart from its environmental standards. Samsung adopted the EICC code as its Code of Conduct for suppliers and states that the code will be actively applied to its first-tier suppliers in the first half of 2008. The other three codes make reference to local environmental and social legislation and contain provisions on health and safety standards, discrimination, forced labour, child labour and environmental requirements. All of the companies – except LG – mention ILO standards in general terms, i.e. not specifically in the labour standards, and Nokia and Sony Ericsson explicitly include reference to UN conventions. Sony Ericsson, Motorola and Nokia also refer to fair wages but refer to the minimum wage although research in India, Philippines, China and Thailand shows that the minimum wage is not enough to live on.¹⁷ Motorola, Nokia and Samsung also refer to working hours, although no maximum is stated. Samsung, Nokia and Motorola refer to freedom of association, but none of the companies explicitly included the right to collective bargaining in its requirements.

Enforcement and implementation

Nokia explicitly states that it does not demand suppliers to adopt their code but instead to develop their own codes which should be commensurable with Nokia's supplier requirements. The other companies, except LG (no information could be found), state that suppliers have to comply with the requirements in the codes. Samsung started to audit its suppliers on environmental performance in 2004; social audits are planned in late 2008. The other three companies are implementing their codes of conduct through a system which involves self-assessment questionnaires by the suppliers, which check compliance with the codes of conduct. In some cases this is supplemented by social audits of the suppliers, either by the brands themselves or by a private audit firm, and by the requirement of corrective action in areas where performance is not consistent. For example, Motorola states that "in 2007, Motorola identified an average of 25 findings per audit during supplier corporate responsibility audits. When we identify issues during an on-site audit, we require the supplier to develop a corrective action plan. We ask the supplier to provide a date for completion and work with the supplier until all issues are resolved".¹⁸

In late 2007, Motorola adopted the GeSI and EICC industry tool E-TASC, an industry-wide tool for managing CSR in

the supply chain. The tool depends to a large extent on self-assessment questionnaires. Nokia might adopt E-TASC in the near future. Both companies comment that they are interested in sharing independent supplier assessments with other companies.

Sony Ericsson comments that audits contain a fundamental error, as "the auditor is looking for problems and faults and the audited party naturally tries to hide eventual issues and problems."¹⁹ As such the company is in the process of implementing a more cooperative approach based on 'understanding, development and trust.' Unfortunately, it does not become clear what this encompasses in practice. In its 2007 CSR report, Motorola states that it will counter the risk of unreliable auditing by putting more effort into training and guidance. Nokia has also announced training courses for its suppliers, starting at the end of 2008.²⁰

None of the companies report that a complaints system forms part of the monitoring system. Nokia mentions in its supplier requirements that suppliers need to have a complaints system for workers towards management, but there is no complaints system to give workers the option of reporting about labour issues to the mobile phone companies.

Scope

The suppliers' requirements are generally only implemented by the mobile phone companies for their first tier suppliers, even though it is commonly accepted that labour conditions deteriorate in following tiers. As can be read on the Sony Ericsson website: "Sony Ericsson inspects all first level suppliers to ensure the requirements are realized on a practical level". However, some of the companies, including Sony Ericsson, Motorola and Nokia, refer to the responsibility of their suppliers for ensuring compliance with the code in their chain. It appears that second or beyond tier suppliers are not included in any verification or other assessment programs of the companies, only when abuses are reported. A statement on the website of Nokia exemplifies this approach: "We believe each tier of the supply chain must take responsibility for managing its own suppliers to achieve positive, sustainable improvements throughout the entire supply chain. We require our Tier One suppliers to take a stringent approach in managing ethical and environmental issues in their own supply chains, and our assessments include an evaluation of this." Motorola adds that they require their suppliers to give them the names of their suppliers, upon request.²¹ The EICC code of conduct states however: "For the Code to be successful, it is acknowledged that Participants should regard the code as a total supply chain initiative". A clear statement, although its effect is immediately minimized by the following sentence: "At a minimum, participants shall require their next tier suppliers to acknowledge and implement the Code".

Developments on previously described issues

In 2006, SOMO reported serious social and labour issues at facilities or (sub tier) suppliers of the big mobile phone companies. After the publication, a follow-up questionnaire was sent to the companies as well as one year later to check on the progress regarding these issues. In 2007, follow up information was gathered at some of the factories. Find below several of the factories and the follow up procedures for the different companies, except Sony-Ericsson (of which no manufacturing sites were found in the 2006 research).²²

Motorola: Giant Wireless, China

Giant Wireless is a Hong Kong invested enterprise, a direct supplier of mobile phones to Motorola with 3 manufacturing facilities located in Shenzhen and Dongguan. During research at Giant Wireless in 2006, a whole range of critical issues were identified, including dangerous health and safety conditions with women workers suffering menstrual disorder, anaemia, headache, deterioration of eyesight, and bodily fatigue as a result of absent protective equipment; excessive working hours and forced overtime; illegal low wages and unpaid overtime; degrading and abusive working conditions; and poor living conditions in workers' dormitories.

After the publication of the report, Motorola claimed to have conducted an audit at Giant Wireless. According to Motorola, the audit confirmed that many of the issues identified were consistent with those highlighted in SOMO and SACOM's reports.²³ However, Motorola refused to provide specific details on precisely which issues had been identified, the corrective action plan developed with Giant Wireless, and the progress of improvement in the field. The company did a follow-up audit in early 2007. Motorola commented to SOMO that Giant Wireless was found to be making progress in completing its corrective actions. Another follow-up audit is planned in the second quarter of 2008 to validate corrective actions and review continuous improvement efforts.²⁴

Unfortunately, Motorola refuses to allow the involvement of local stakeholders to conduct independent verification and monitoring of the situation and any improvements being made. SACOM, the local research organization involved, reported in March 2008 that at the time of the audit of Motorola in 2007 the situation at the factory had not yet improved and that it seemed that orders had drastically decreased, resulting in the layoff of many workers.²⁵ Currently, Motorola has stated that it still sources mobile phones or other electronic equipment from Giant Wireless.

Namiki, Thailand

At the Namiki unit supplying handset motors for Nokia, most of the female workers are on the production line carrying out tasks, such as welding and soldering, that involve the use of many hazardous chemicals. This job requires nose-masks, but workers report that the company does not provide them. In addition to a lack of compliance with health and safety standards, issues were found with regard to discrimination against pregnant workers, forced overtime, limited freedom of association and worker representation, and no workers were aware of a company code of conduct or requirements on suppliers.

Earlier research had already indicated that Nokia has started reducing its orders from the Namiki plant. Whether this is in any way related to the earlier findings or the publicity of this case remained unclear as Nokia refused to comment in any way to issues related to suppliers' orders.²⁶ In June 2008, Nokia states that it is still ordering from Namiki and that changes made in the orders were not connected in any way to the allegations made.²⁷

In response to SOMO's report, Nokia claims that it visited the factory and conducted site inspections, documentation reviews and a series of one to one interviews with employees, managers and the owner of the factory. It is important to note that Nokia did not interview workers one by one, but in small groups. The researchers from Thailand mentioned that there were supervisors present in the groups, so it is unlikely the audit would have produced any credible results.²⁸ Although it would not provide a report on these inspections, Nokia maintains that it found no evidence of lead soldering in any part of the production process for Nokia goods at Namiki. Nokia did note that it found that there is one product for another company produced at Namiki that does contain lead soldering.²⁹

Nokia also claims that masks, gloves, finger cots, and working clothes are provided by Namiki, and staff are not required to pay for these. Nokia's audit however was done without the participation of any independent organization and was not public, it is therefore impossible to verify Nokia's claims.

In a second follow up response, Nokia states that it requires suppliers to have a company level code of conduct and inform workers about the content of this document instead of workers being informed about Nokia's code of conduct.³⁰ This has been verified and confirmed by research conducted in the summer of 2008. Workers signed a code of conduct in January 2008 and the document has been placed on the announcement board.³¹

Regarding forced overtime, Nokia commented that after a corrective action, Namiki amended its policy, so that

overtime is voluntary. Reports from workers seem to indicate that this is only the case in theory. "While the rules have improved, the practice is the same as before. The workers are asked to "cooperate". The management does not use corrective actions directly, however, but refusals will affect the annual wage increases as they are determined on how "cooperative" the worker is reports the research organisation in Thailand in July 2008.

LG factory, India

At LG's manufacturing facility in India it was found that workers employed at LG in Indiathrough an external contractor reported problems such as improper payment by contractors, excessive working hours and a lack of proper overtime payment. In addition, management at LG admitted that a union would not be welcomed at their units and that they would refuse to enter into negotiations with a union. Regarding these issues, LG simply responded that: "Based on our regular and latest audit results, it has been reported that there exist no such labour conditions and problems as claimed in the questionnaire about LG Electronics, India", that the India facility has no trade union in the company and does not refuse any potential negotiation, which is legally allowed by Indian Government and as such the question of entering into any negotiation does not arise.³²

Samsung facility, India

Research at a manufacturing unit of Samsung in India revealed that workers were not allowed to engage in any union activity. If workers are inclined to join a union, the extent to which unions can access workers at mobile phone facilities in India is likely to be highly limited as only authorised persons are able to enter the factory grounds and workers are dropped off by the transport close to or within these grounds. In addition, workers were not comfortable expressing grievances at the Employee Committee set up by the management or via other alternative complaint forums such as drop boxes. This was also caused by the fact that these mechanisms lack independence, as the first contact point for any issue was often the direct supervisor, which is inappropriate and ineffective because the supervisor is often the source of workers' grievances.

Since this policy clearly violates the right to freedom of association, SOMO asked Samsung which measurements it had taken to ensure that workers feel free to join or engage in union activities. In its answer, Samsung confirmed that the lack of confidence of workers in the Employee Committee is an issue. However, instead of acting to allow workers to freely associate in a union of their choosing, Samsung proposes to simply improve workers' understanding of the role and function of the Employee Committee.

Conclusion

The five big mobile phone companies all have some requirements for suppliers in place, supplemented in several cases by an implementation and enforcement mechanism. But, as can be concluded from the above, when taking a closer look at the reality behind the promising phrases in the CSR reports, the picture becomes increasingly gloomy.

All the companies responded to the initial company profiles and four of the mobile phone companies responded to follow-up questions. LG did not respond to the follow-up questionnaire, although they have been contacted repeatedly. It is unclear how LG could have improved labour conditions, especially seeing that LG has a very minimal code without any implementation mechanism. Motorola and Nokia, in particular, have responded quite thoroughly to the report and the follow-up process, but it is still questionable whether the workplace circumstances of the workers of the companies involved actually improved in respect of most labour issues. The mobile phone companies do not report transparently about their suppliers, labour issues and corrective action plans. It is unclear in most cases how much follow up is given after the report and subsequent audits. The reports that came in from organizations on the supplier factories only report improvements in some areas.

The situation becomes worrying when contemplating the fact that companies work with thousands of suppliers and that companies further down the supply chain are often totally hidden from any attention of civil society groups or labour support groups. Labour violations can easily happen out of sight, especially as these factories are also out of the loop of the mobile phone companies at the top of the supply chain. Companies are at best willing to improve conditions at first tier suppliers and respond ad hoc to critical research rather than putting effort into really improving their total supply chain. In response to questions, most mobile phone companies are referring to their contracts with suppliers – which does not allow them to give information on orders – or are simply refusing to give any information on audits and corrective action plans. It is disturbing that after organisations report labour rights abuses, some mobile phone companies cut down their orders. Cut and run is unacceptable, as workers fear losing their jobs after reporting their problems. A reduction in orders or moving orders elsewhere could give workers the impression that it is better to stay silent.

The system of audits that almost exclusively focuses on first-tier suppliers is still the most common method of examining compliance with suppliers' codes. Companies still rely heavily on self assessment by suppliers to monitor

compliance with legal and sustainability requirements. Concerning other tiers in the chain, the companies rely heavily on their suppliers passing their codes on.

As can be read above, supplier engagement is on the rise, replacing of supplier policing, but which form this will take is unclear. Until now there have been no signals that companies are working with trade unions and labour rights organizations in the countries concerned. Involving local organizations in both the enforcement of codes and monitoring could improve their methods, as well as involving workers directly. Workers are still not aware of codes of conduct and there are no complaints systems in place, nor are they informed about audits or involved in

corrective actions plans. It is no surprise that freedom of association can only be found in some of the codes, and that the right to collective bargaining is missing in all of them. It will be important for companies to pay more than lip service to the right of workers to organise and make sure that all their suppliers are implementing this right fully.

Additionally, CSR policies should cover issues that move beyond applying social and environmental issues, which are directly related to disreputable customs as a result of power imbalances in the supply chain. Suppliers and their suppliers are only able to truly improve social and environmental if they are given the space (economically and in time) to do so.

Endnotes

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Colophon

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