

National Contact Point, The Netherlands Report 2006 (June 2005- June 2006)

A. Institutional Arrangements

The Ministry of Economic Affairs chairs the National Contact Point (NCP).

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The NCP is an interdepartmental committee. All ministries are invited to attend the meetings of the NCP. The NCP holds regular consultations with social partners (i.e. business community and employee organisations) and NGOs. These meetings provide input for the position of the Netherlands in the IC and WP. During these meetings implementation and promotion of the OECD Guidelines for Multinational Enterprises (the guidelines) are discussed.

B. Information and Promotion

The Ministry of Economic Affairs hosts a website (www.oesorichtlijnen.nl) to promote the guidelines. A translation of the guidelines is available on the site. Statements on specific instances are published on this site as well.

Promotion of the guidelines has the constant attention of the Dutch NCP. NCP members will use any occasion to inform colleagues, stakeholders and others about the existence of the guidelines. A more structured promotion plan for the guidelines will be part of the agenda for the new NCP, which is expected to be installed in the fall of 2006.

The following activities in 2005-2006 are highlighted:

As a result of a project for collecting and distributing CSR information by the Agency for International Business and Cooperation (the EVD/ www.evd.nl) of the Ministry of Economic Affairs the EVD now provides (potential) entrepreneurs with information on the government endorsed Guidelines (and why it is rewarding to use them) and guidance on challenges that may occur when trying to implement the Guidelines in several emerging markets. The country-specific information is available on websites and was brought to the attention of entrepreneurs in the form of country brochures during trade missions to India, Brazil and China.

The feedback received from companies made clear that this was a good way to promote the Guidelines among SMEs in a user-friendly way. Therefore, the Dutch NCP commissioned 'MVO Nederland', a CSR knowledge and information centre, to deepen the information gathered on CSR issues (along the lines of the Guidelines) in emerging markets and make this available in web-based toolkits. Toolkits are prepared on Brazil, China, India, Indonesia, Russia and South Africa.

C. Implementation in specific instances

Since the revision of the guidelines in May 2000, the NCP has discussed 15 specific instances, of which 14 were raised before this reporting period. Of these 14 instances 2 have been concluded in this reporting period (1 with and 1 without a statement), 4 have been concluded earlier with a statement and 9 without. During this reporting period 1 specific instance was raised and concluded¹.

Concluded

1. In August 2002 the Dutch labour union FNV raised the issue with the Dutch NCP on whether the (process leading up to) petition for bankruptcy by Plaid Nederland was in conformity with the OECD-guidelines. As the company no longer existed, it has been difficult to obtain all the necessary information. Since the management of Plaid went elsewhere, neither a tripartite meeting nor a joint statement could be realised. The NCP decided to draw a conclusion, based on the information gathered from the bilateral consultations and Courts' rulings. Part of this conclusion is that the company's efforts of sharing information with its employees about the financial situation of the company apparently were not effective.
2. The NCP decided that the specific instance raised by a Dutch trade union about social rights within a multinational company from another OECD country did not merit further examination because it showed that no subsidiary existed in the Netherlands. Parallel legal proceedings concerning the same instance are still taking place in another OECD country.
3. A Dutch Labour Union requested the Dutch NCP to inquire after the follow up on a Interim Report by the ILO Committee on Freedom of Association on the complaint against the Government of Chile. This request was prompted by the treatment of employees and trade unions in a subsidiary of a Dutch company in Chile. In response to this request the Dutch NCP contacted the Dutch company and the NCP of Chile but concluded that the request itself was not stated in the form of a specific instance.

¹ Two new instances with regard to the activities of a Dutch company in the Philippines and Brazil were raised at the time this report was finalized. They will be included in the next reporting period.

An overview of the Dutch NCP statements can be found on www.oesorichtlijnen.nl, under *nationaal contactpunt – verklaringen*.

D. Other/ CSR in the Netherlands

Review of the National Contact Point

During the reporting period the Ministry of Economic Affairs reviewed the role and functioning of the National Contact Point. A combination of a desk study, a benchmark in six capitals, interviews and round table sessions with various stakeholders in the Netherlands resulted in various recommendations. Information on future developments concerning the NCP will be available shortly, after the Minister for Foreign Economic Relations has informed the Dutch Parliament.

CSR and Trade

The OECD guidelines for multinational enterprises and the related procedures for the handling of specific instances by NCPs only apply to investment-related issues. In March 2005, during a meeting of the OECD Trade Committee with BIAC, the Netherlands presented a discussion paper on the question whether the OECD could start with work in order to stimulate trade-related CSR initiatives. A revised discussion paper was presented at the 2005 July meeting of the Working Party of the Trade Committee. After discussion in the Trade Committee and its Working Party it was decided to undertake a study with a focus on obtaining an objective overview on how companies are informing consumers on the environmental and social aspects of their production. The results of this study are foreseen for September 2006.

Transparency

In the Transparency Benchmark 2005, the consultancy firm PricewaterhouseCoopers was commissioned by the Ministry of Economic Affairs to examine the annual reports of 100 listed and 75 non-listed companies for transparency as regards CSR. The same was done for 25 not-for-profit organisations.

This second Transparency Benchmark deepened the insight into the extent to which Dutch companies render account of their CSR policy and helped to identify best practices.

A comparison of the scores on the benchmark 2004 with those from 2005 shows that the increasing demand for transparency is acknowledged by a growing number of companies.