



Summary of the 2019 Work Plan

Core task: specific instances in 2019:

- Handling current and newly submitted specific instances
- Evaluating implementation of concluded specific instances
- Advising other NCPs on specific instances relating to the Netherlands

In 2019 the Dutch NCP will again give priority to its primary core task: dealing with specific instances of alleged non-observance of the OECD Guidelines.

There was a substantial rise in the [specific instances](#) submitted to the NCP in 2018. At year-end 2018 the NCP was dealing with a total of eight specific instances. Three of these were submitted in May, July and December 2017, involving ING, VEON and Nuon Energy N.V. respectively. The other five were submitted during 2018: one in January, one in April, one in September and two in October. In its final statement the NCP always provides for an evaluation with both parties at a later date to discuss whether and how the agreements and/or recommendations set out in that statement have been acted upon. In 2019 three concluded specific instances (involving Heineken/Bralima, Bresser and Nuon) will be evaluated.

There has also been a rise in the number of instances being handled by other NCPs which require advice or support from the Dutch NCP. For example, a specific instance may relate to a company with ties to the Netherlands, or an instance that is being dealt with primarily by another NCP may also have been submitted to the Dutch NCP.

Given the sharp rise in the number of specific instances, the NCP will need to step up its efforts in order to deal with all the current instances. In the interests of transparency, the NCP informed all stakeholders in autumn 2018 that indicative timeframes might not be met, given the number of instances submitted.

Core task 'Promoting awareness of the OECD Guidelines' in 2019:

- If capacity permits: themed meeting for stakeholders and other NCPs
- Possible participation in cross-sectoral meetings organised by the Social and Economic Council (SER)
- Strengthening government policy on international Responsible Business Conduct (RBC) and giving advice on sector-specific RBC agreements
- Publishing and promoting the Dutch translation of the OECD's cross-sectoral Due Diligence Guidance
- Updating and improving websites and social media channels.

The NCP's second core task is to promote awareness of the OECD Guidelines and encourage their application by the business community. What distinguishes the Guidelines is that they cover almost every RBC theme and place strong emphasis on due diligence (i.e. RBC risk management). Activities to promote the Guidelines and explain the need to endorse them will remain of undiminished importance. These activities include giving presentations about the Guidelines, holding or providing input for training sessions, and bringing the Guidelines to the attention of other organisations that regularly interact with the business community. The NCP+, whose stakeholders include the advisory members from the relevant ministries, also provides a platform for the NCP to highlight the OECD Guidelines and the importance of the NCP's grievance mechanism at regular intervals. In recent years the NCP has held a themed meeting/conference

for stakeholders. In mid-2019 the NCP will decide whether to hold an NCP themed meeting this year, depending on the workload arising from the number of instances.

The SER is planning a number of cross-sectoral meetings in 2019 to promote voluntary agreements. One of the themes under consideration is 'access to redress'. In due course the SER and NCP will consider what role the NCP might play in these events. The NCP will once again organise the annual one-day training session on RBC and due diligence for members of the works councils of multinational enterprises.

In 2018 the OECD published its [Due Diligence Guidance for Responsible Business Conduct](#). This important document gives practical support to businesses in all economic sectors on implementing the Guidelines. Several sector-specific guidance documents have already been drawn up by the OECD. In 2019 the NCP will continue with the project to translate the general Guidance into Dutch, in consultation with stakeholders – the Dutch Trade Union Confederation FNV, OECD Watch and Business at OECD (BIAC). The aim is to make the text more accessible to businesses and stakeholders in the Netherlands. The NCP will also play a key role in working with the Ministry of Foreign Affairs to draw up a plan for activities to bring the Guidance to the business community's attention in 2019.

The question of how to involve small and medium-sized enterprises (SMEs) more closely with the OECD Guidelines was raised at the parliamentary committee meeting with members of government on 14 November 2018. Voluntary RBC agreements are one way to achieve this. While the NCP accepts that it has a responsibility to provide smaller companies too with information on the OECD Guidelines, capacity constraints in 2019 mean that it cannot take the lead itself. The Confederation of Netherlands Industry and Employers (VNO-NCW) and the Royal Association MKB-Nederland will therefore take the initiative and liaise with the NCP as necessary.

Looking ahead, the NCP is mindful of the Ministry of Foreign Affairs policy objective (set in 2013) that *90% of the biggest companies in the Netherlands must explicitly endorse the OECD Guidelines* by 2023. To measure progress, a baseline survey is being conducted by the Ministry of Foreign Affairs, and the findings will be reported to the House of Representatives in spring 2019. Interim progress will be measured through two surveys among 700 companies.¹ The Dutch NCP will follow these developments with interest, as will NCPs from other countries, other governments and the OECD. After all, activities undertaken by the NCP can help to achieve this policy goal.

The NCP's information activities support the objectives of the broad policy on RBC pursued by the Ministry of Foreign Affairs, the Ministry of Social Affairs and Employment, the Ministry of Infrastructure and Water Management and the Ministry of Economic Affairs and Climate Policy. Wherever possible, the NCP reinforces this policy by drawing the business community's attention to the OECD Guidelines as a framework for corporate social responsibility, by explaining the relationship between the OECD Guidelines and the SDGs, and by pointing out the connections to the [RBC agreements](#).

In the year ahead, the NCP will again advise on the draft texts of new agreements when requested to do so. New RBC agreements are expected to be signed in the following sectors: natural stone, ornamental plants and flowers, metals, agriculture and horticulture, and wind energy. The SER sometimes consults the NCP if questions arise during implementation of the agreements, for instance with regard to the grievance mechanism.

The use of online information to reach NCP target groups continues to grow. The NCP uses online channels to deal with enquiries and to publish initial assessments and final statements relating to specific instances. This helps to raise awareness of the OECD Guidelines and of the work done by the NCP. In 2019 the NCP will therefore take active steps to upgrade its [English](#) and Dutch websites and publish content on social media.

In 2018 the NCP completed a study *into compliance with the OECD Guidelines by the oil and gas sector*. In early 2019 the NCP will send its [report](#), containing its conclusions and recommendations, to the Minister for Foreign Trade and Development Cooperation, who commissioned the study on the government's behalf. The Minister will send the NCP's report and the government's response to the House of Representatives. The NCP will meet with the Minister to explain the report and recommendations.

¹ The 2019 survey will measure progress in 2018, and the 2021 survey will measure progress in 2020.

International activities in 2019

Within the OECD the NCP has actively contributed to the implementation of the Action Plan to Strengthen National Contact Points (2016-2018), as part of the proactive agenda of the OECD Working Party on Responsible Business Conduct. The OECD is busy drawing up a new [Action Plan for 2019-2021](#). The previous Action Plan had three tracks of activity: peer reviews and capacity building, building coherence and building, and improving tools. The NCP will provide feedback and input on policy documents relating to NCPs and IRBC as part of the Netherlands' contribution to the OECD Working Party on Responsible Business Conduct. It will also actively participate in NCP network meetings at the OECD headquarters in Paris. Finally, the NCP will work with the RBC Group to improve the provision of information on the OECD Guidelines and international RBC to Dutch missions.

Organisation

To successfully implement this Work Plan and its statutory tasks, the NCP and its secretariat must be adequately staffed and its staff must have the right level of skills and commitment. A strong, proactive secretariat with adequate long-term capacity is essential to ensure effective implementation of this Work Plan. In 2018 the NCP secretariat simultaneously faced staff shortages and a sharp rise in the number of specific instances received. To ensure effective and timely implementation of all NCP tasks, the number of secretariat staff and independent members will need to be increased in 2019.

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