



Summary of the 2021 Work Plan of the National Contact Point for the OECD Guidelines for Multinational Enterprises (NCP)

Core task: specific instances in 2021

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

Handling current and newly submitted specific instances

Dealing with specific instances of alleged non-observance of the OECD Guidelines is the NCP's primary and most significant core task.

In 2017 the NCP was dealing with only three specific instances. At the start of 2021 the NCP was dealing with a total of nine. Of these, three were submitted in 2020, three in 2018 and three in 2019.

In 2020:

- three specific instances were concluded: IUF vs. Perfetti van Melle relating to trade union rights/child labour, UNI Global Union vs. VEON relating to workers' rights abuse in Bangladesh, and Obelle Concern Citizens vs. Shell/SPDC relating to soil pollution and indigenous peoples;
- two specific instances were declared inadmissible: Kajangu et al. vs. Bralima/Heineken III relating to unfair dismissal and corruption, and National Board of (Confederation) Indonesia Prosperity Trade Union vs. CNV relating to a trade union issue;
- two final statements were evaluated, relating to: Hou Friesland Mooi vs. Nuon, and Oxfam Novib, Greenpeace, BankTrack & Friends of the Earth vs. ING.

Evaluations

In 2021 final statements will be evaluated relating to the following specific instances that have already been completed: former Bralima employees vs. Bralima/Heineken, three NGOs vs. Bresser, IUF vs. Perfetti van Melle, UNI Global Union vs. VEON, and Obelle vs. SPDC/Shell.

Advising other NCPs

In addition, the NCP advises and/or supports other NCPs on matters relevant to the Netherlands, or on instances that have been jointly reported to the Netherlands and another NCP and are being dealt with by the other NCP. The NCP also holds exploratory talks with organisations on specific issues related to the application of the OECD Guidelines. Some specific instances take longer to deal with than others, either because of their complexity or the time it takes to win the trust of the parties involved.

Other

In 2021 the procedures for submitting specific instances will be updated and published on the NCP website.

The NCP will also draw up internal guidelines and agreements for working with an external mediator. Although specific instances are generally dealt with by independent NCP members, the

Dutch NCP may engage external mediators at the request of the parties involved and with their agreement.

Core task: promoting awareness of the OECD Guidelines in 2021

- Promotional activities at conferences and other events
- Strengthening government policy on international corporate social responsibility (ICSR) and giving advice on sector-specific ICSR agreements
- Arranging a themed meeting for stakeholders
- Updating and improving the NCP website and social media channels

Conferences and events

The second core task of the NCP is promoting awareness of the OECD Guidelines and encouraging the business community to apply them. The Dutch government regards the OECD Guidelines as the primary international RBC framework for businesses, as evidenced by the policy document entitled 'From giving information to imposing obligations: a new impulse for responsible business conduct', which Minister for Foreign Trade and Development Cooperation Sigrid Kaag sent to the House of Representatives on 26 October 2020. What distinguishes the Guidelines from other international instruments is that they cover almost all RBC themes and strongly emphasise due diligence (also referred to as RBC risk management). Activities to promote the Guidelines and highlight the need for Dutch multinationals to endorse them will remain of undiminished importance.

The NCP's promotional efforts include giving presentations about the Guidelines, holding or providing input for training sessions, and bringing the Guidelines to the attention of other organisations which regularly interact with the business community.

The NCP+ stakeholders (the Confederation of Netherlands Industry and Employers (VNO-NCW), the Royal Association MKB-Nederland, Trade Union Confederation FNV, OECD Watch, and the Social and Economic Council (SER) as an observer) and the advisory members from the four most relevant ministries (the Ministry of Foreign Affairs, the Ministry of Economic Affairs and Climate Policy, the Ministry of Infrastructure and Water Management, and the Ministry of Social Affairs and Employment) also regularly provide a platform for the NCP to highlight the OECD Guidelines and the importance of the NCP's grievance mechanism.

The NCP's work supports the policy objective that 90% of the biggest Dutch companies must endorse the OECD Guidelines by 2023. The NCP has created a special section on its website which aligns with the campaign to achieve the 90% objective.

In this context the NCP is seeking to intensify its contacts with the four most relevant ministries mentioned above and also the Ministry of Finance in order to help enhance the coherence of international RBC policy objectives. In 2021, for instance, the NCP will provide input for the purposes of establishing an RBC support centre to assist businesses in applying due diligence. The NCP will also provide input for the ILO initiative to set up national focal points, whose main purpose is to actively promote the ILO Multinational Enterprises Declaration and its application. As an advisory member of the SER's IRBC Committee, the NCP will continue to stress the importance of effective dialogue between employers and employees on international RBC issues.

In 2021 the NCP will continue to actively seek involvement in events which focus on the OECD Guidelines.

IRBC agreements

In the year ahead the NCP will continue to advise on the draft texts of new IRBC agreements which are in preparation. The NCP has also been asked by stakeholders and the SER to contribute ideas on how access to remedy can be further developed and on the design of remedy mechanisms in IRBC agreements.

Themed meeting and training sessions

The NCP holds an annual themed meeting on RBC for businesses, NGOs and other interested parties. In 2020 the theme was 'Digitalisation and RBC'. The topic for the themed meeting in 2021 has not yet been announced. Further information will be published on the NCP website once it is available.

If the COVID-19 pandemic permits, in autumn 2021 the NCP plans to once again organise a one-day training session for members of the works councils of multinational enterprises to inform them about IRBC issues and strengthen their hand in talks with management.

The NCP online

The NCP has its own website and social media accounts on LinkedIn and Twitter. These channels are used for various purposes including the publication of specific instances, news items, awareness-raising activities and announcements relating to themed meetings and training sessions. Website visitors can also request information on the OECD Guidelines and their application. The NCP strives to answer questions received through the website as quickly and fully as possible.

The COVID-19 pandemic has underlined the importance of the NCP website and social media channels. In 2021 both the English and Dutch versions of the website will be further optimised and updated.

International activities in 2021

In 2021 the Dutch NCP will provide input to help determine the Dutch position in the OECD stocktaking exercise concerning the OECD Guidelines. The purpose of the exercise is to review the current relevance of the Guidelines and the Procedural Guidance for NCP's.

Like last year, the NCP will actively contribute to the implementation of the OECD's Action Plan to Strengthen National Contact Points (2019-2021), which is part of the proactive agenda of the OECD Working Party on Responsible Business Conduct. The action plan has four tracks of activity: peer reviews and capacity building in NCPs; building functional equivalence; building and improving tools; and promoting policy coherence.

As in other years, the Dutch NCP will also actively participate in NCP network meetings and peer learning sessions at the OECD headquarters in Paris.

On request, the NCP supports Dutch missions around the world by providing information on the work of the NCP and the OECD Guidelines. This support is given in close cooperation with the Ministry of Foreign Affairs.

Organisation and resources

For the NCP to operate effectively, the organisation and its secretariat must be adequately staffed. This issue will continue to receive attention in the year ahead. Due to the prolonged absence of one of the members, a fifth (temporary) NCP member was appointed on 1 January 2021. The total number of members will revert to four with effect from 1 May as the second term of the current chairperson ends on 30 April 2021. The NCP receives a budget from the Ministry of Foreign Affairs (Directorate-General for Foreign Economic Relations, DGBEB) and must account to the ministry for how it is spent.

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