



National Contact Point

OECD Guidelines for Multinational Enterprises

Summary NCP workplan 2018

Argentina Australia Austria Belgium Brazil Canada Chile Colombia Czech Republic Denmark Egypt Estonia Finland France Germany Greece Hungary Iceland Ireland Israel Italy Japan

In 2018, the NCP will give priority to its primary core task: *dealing with specific instances of alleged non-observance of the OECD Guidelines in a proper and transparent way. As a result of the growing number of specific instances, the Dutch NCP is increasingly asked to investigate alleged violations and to offer mediation. This is a positive development, but it also means the NCP must be more selective in which activities to start in order to implement its second core task: promoting awareness of the OECD Guidelines.*

In 2017, the handling of four specific instances (relating to VEON, Philips, Bresser and ING) was in progress. In December 2017, two new specific instances were submitted, one of which will be dealt with by the Italian NCP. In its Final Statement the NCP always provides an Evaluation with both parties at a later date to discuss if and how the recommendations made in that statement have been acted upon. In 2018, three concluded specific instances (involving Atradius DSB, Rabobank and Heineken) will be evaluated.

There has been a worldwide increase in the number of specific instances submitted simultaneously to multiple NCP's or in which the involvement of another NCP is requested. This means NCP's must make agreements with one another about the handling of specific instances. They will also need to exchange relevant information and coordinate their work. In three cases, the Dutch NCP is advising another NCP that is handling a specific instance. This may take the shape of a more formal advisory opinion for specific instances that were also submitted in the Netherlands or – if the business to which the specific instance relates – simply has ties with the Netherlands, advice may have an informal character. In 2018, the NCP will update its own procedural rules in light of its experiences over the past few years.

Core task 'First instances' in 2018:

- Handling current and newly submitted first instances
- Evaluating implementation of concluded first instances
- Advising other NCP's on first instances (if requested)
- Updating procedural rules.

The NCP's second core task is to **promote awareness of the OECD Guidelines** and foster their application. This will remain of undiminished importance in 2018. Due diligence (or RBC risk management) in the value chain or supply chain will remain the main theme in the NCP's activities, aimed at raising awareness.

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 key-stakeholders represented in the NCP+ (Unions (FNV), Industry and Employer's Organisation (VNO-NCW) and OECD Watch) and the advisory members from the relevant ministries, also regularly provide a platform for the NCP to highlight the OECD Guidelines and the importance of the NCP's grievance mechanism.

In 2018, the NCP will hold a peer learning event in English for Dutch stakeholders and representatives of NCP's abroad, with a focus on lessons learned from concluded first instances, for example with regard to doing business in conflict areas. This will help to strengthen NCP instruments at an international level.

Wherever possible the NCP's information activities support the objectives of the government-wide policy on international responsible business conduct (IRBC) pursued by the Ministry for Foreign Trade and Development Cooperation, the Ministry of Social Affairs and Employment, the Ministry of Infrastructure and Water Management and the Ministry of Economic Affairs and Climate Policy. The NCP advocates responsible business conduct in accordance with the OECD Guidelines and works to ensure that sector-based RBC agreements are consistent with them. In the year ahead the NCP will again advise – where requested – on the draft texts of new RBC sector agreements. New IRBC sector agreements are expected to be signed in the following sectors: insurance, food and beverage, natural stone, ornamental plants and flowers, and metals. The Social and Economic Council of the Netherlands (SER) sometimes consults the NCP if questions arise during implementation of the agreements, for instance with regard to the grievance mechanism.

This year there will be an extra focus on increasing awareness of the NCP and the OECD Guidelines among small and medium-sized enterprises (SMEs). After all, the OECD Guidelines apply to all companies that do business abroad, not only large ones. The NCP will seek to work with intermediaries and organisations that have a lot of expertise about SMEs and already engage in relevant activities. Reaching SMEs requires an approach that is better geared to their day-to-day work and involves straightforward, practical information and tools. These, as well as links and examples that are relevant to smaller multinational enterprises (mne's), will be made available on the NCP's website.

In 2018, the OECD will publish its **Due Diligence Guidance for Responsible Business Conduct**. This important document will give practical support to mne's in all economic sectors on implementing the Guidelines. The OECD has already drawn up several sector-specific guidance documents. The NCP will publicise the new guidance document among Dutch multinationals and relevant stakeholders in the Netherlands.

In 2018, the NCP will also monitor whether the mne's that have undertaken to endorse the OECD Guidelines and to include this in their annual report, have indeed done so. These mne's gave their undertaking in response to a letter sent to over 40 mne's by the NCP and the Minister for Foreign Trade and Development Cooperation following a study carried out in late 2016 among Dutch stock listed companies by the Dutch Association of Investors for Sustainable Development (VBDO).

It goes without saying that the NCP also has an active **online** presence. The NCP website is available in Dutch and English and

-together with its social media accounts-, is a key communication channel for increasing awareness of the Guidelines and the NCP's work. In 2018, the NCP will continue its ongoing communication and information activities. These include publishing the NCP newsletter, writing, updating and distributing factsheets, brochures and other publications relating to the OECD Guidelines, and managing the website and publishing regular updates (e.g. news items and events).

Core task 'Promoting awareness of the OECD Guidelines' in 2018:

- Themed meeting (in English) for stakeholders and other NCP's
- Strengthening government IRBC policy and giving advice on sector-specific RBC agreements
- Promoting the OECD Guidelines among SMEs
- Promoting implementation of the OECD Due Diligence Guidance for all sectors
- Monitoring whether 2017 annual reports include endorsement of the OECD Guidelines
- Updating and improving information published online.

In 2018, the NCP will complete a **study into compliance with the OECD Guidelines by the oil and gas sector**. The study report containing recommendations will be presented to the government.

International activities in 2018: Within the OECD the NCP will actively contribute 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 Action Plan has three tracks of activities: peer reviews and capacity building, building coherence, and building and improving tools. The NCP will actively participate in NCP network meetings at the OECD headquarters in Paris.

In 2018, the NCP will act as a reviewer in an OECD peer review of another NCP. Peer reviews look at how an NCP functions and give recommendations for further development. As such they provide an opportunity for learning from one another. Every year the NCP takes part in peer learning or capacity building meetings for NCP's. The English-language stakeholder event in 2018 will also be a peer learning event. At the NCP network meeting in December 2017 many NCP's expressed interest in information exchange and mutual learning on matters including coordination among NCP's on first instances, mediation and making recommendations. Finally, the NCP also helps Dutch embassies to answer questions relating to the Guidelines and NCP procedures.

Published by:

National Contact Point OECD Guidelines for Multinational Enterprises

Ministry of Foreign Affairs

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www.oecdguidelines.nl

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