



National Contact Point

for the OECD Guidelines for Multinational Enterprises

Summary of the 2020 Work Plan

Abu Dhabi Colombo Copenhagen London Luanda San José Sana'a Zagreb Abuja Chongqing Cotonou Ljubljana Luxembourg San Francisco Santiago De Chile Y

Core task: specific instances in 2020

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

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

The number of specific instances submitted to the NCP is rising. At the end of 2016 and 2017 the NCP was dealing with three specific instances. At the end of 2018 it was dealing with eight specific instances. At the start of 2020 it was dealing with a total of 10.

Of these, one was submitted in 2017, four were submitted in 2018 and five were submitted in 2019. At the end of 2019 a dialogue was ongoing relating to one specific instance. In 2019 two specific instances were concluded: the specific instance involving Oxfam, Friends of the Earth Netherlands, Milieudefensie et al. relating to the climate impact of indirect investments by ING was concluded with a partial agreement. The

NCP concluded that the specific instance involving Kajangu/Heineken-Bralima did not merit further examination.

Throughput times in the reporting year were longer than normal but the NCP expects these can be shortened in 2020. In the interests of transparency, the NCP always informs stakeholders of the expected throughput time if indicative timeframes cannot be met.

There are also a large number of specific instances being handled by other NCPs which require advice or support from the Dutch NCP. These are specific instances that relate to a company with ties to the Netherlands, or instances that are being dealt with primarily by another NCP but which have also been submitted to the Dutch NCP.

In 2020 the NCP will evaluate final statements relating to Heineken I, Bresser, HFM/Nuon, and Oxfam/ING. These evaluations have also been subject to some delays.

Core task: promoting awareness of the OECD Guidelines in 2020

- Arranging a themed meeting for stakeholders

- Taking part in conferences and events organised by stakeholders
- Strengthening government policy on international corporate social responsibility (ICSR) and giving advice on sector-specific ICSR agreements
- Updating and improving websites and social media channels

The NCP is tasked with **promoting awareness of the OECD Guidelines** and with encouraging the business community to foster and apply them. The Dutch government regards the OECD Guidelines as the primary RBC framework for businesses, both now and in the future. Activities to promote the Guidelines and explain the need to endorse them will remain of undiminished importance.

The NCP's efforts to promote the Guidelines 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+ stakeholders and the advisory members from the four relevant ministries¹ also provide a platform for the NCP to highlight the OECD Guidelines and the importance of the NCP's grievance mechanism at regular intervals. Stakeholders in the NCP+ include 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.

The NCP holds an annual themed meeting/conference for stakeholders. In 2020 this will be on a relatively new RBC theme, namely digitalisation and RBC and will involve exploratory work and knowledge sharing.

The NCP will once again organise an annual one-day training session on ICSR for members of the works councils of multinational enterprises. In addition to examining in-house ICSR issues, the session will provide tools and techniques that will enable works council members to address ICSR more assertively in consultations with management.

In 2020 the NCP will also arrange a knowledge-sharing session on 'access to remedy' and the role of non-judicial grievance mechanisms and dispute resolution (such as voluntary

agreements and the NCP). This will be a joint initiative with the SER.

Looking ahead, the NCP is mindful of the Ministry of Foreign Affairs policy objective (set in 2013) that 90% of the (approx. 700) biggest companies in the Netherlands must explicitly endorse the OECD Guidelines by 2023. To achieve this objective the ministry is rolling out a comprehensive communications strategy designed to encourage endorsement of the Guidelines. The NCP will be closely involved with this initiative and, where appropriate, will carry out its task to promote compliance with the Guidelines as a means to reach this policy objective.

The NCP's information activities support the objectives of the broad policy on ICSR 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. By drawing attention to the OECD Guidelines as a framework for corporate social responsibility, the NCP strengthens this policy wherever possible. In turn, the advisory members promote the NCP's work during policy contacts and in presentations where appropriate. In 2020 the NCP will intensify its contacts with the most relevant ministries for the purposes of policy coherence and optimal deployment of NCP resources in pursuit of the government's ICSR objectives.

Sector-specific agreements are an important element of ICSR policy for the Ministry of Foreign Affairs and a key multi-stakeholder tool to promote ICSR. The commitments made in the voluntary agreements are based on the OECD Guidelines. In the year ahead, the NCP will again advise on the draft texts of new agreements when requested to do so, for instance on the new agreement for the wind energy sector which is scheduled for 2020.

A proposal for the main elements of the new ICSR policy is expected in the summer of 2020. One of the main issues is whether it could include binding measures and, if so, which ones. The agreements will also be evaluated. This proposal will be submitted to the SER committee on ICSR. As a member of this committee, the NCP will be kept fully informed of this project's progress. The NCP is also represented in the project's due diligence working group.

The use of online information to reach NCP target groups continues to grow. The NCP uses online channels to deal with

¹ Ministry of Social Affairs & Employment, Ministry of Economic Affairs and Climate Policy, Ministry of Infrastructure & Water Management and Ministry of Foreign Affairs

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 2020 the NCP will therefore take active steps to upgrade its [Dutch](#) and [English](#) websites and publish content on social media.

International activities in 2020: Within the OECD the NCP has actively contributed to the implementation of the Action Plan to Strengthen National Contact Points (2019-2021), 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. The NCP will provide feedback and input on policy documents relating to NCPs and ICSR 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.

This year marks the 20th anniversary since the NCP was established as a grievance mechanism. The OECD Global Forum on RBC 2020 will take place in the week of 15 June. One theme will be 'NCPs as a non-judicial grievance mechanism', with attention to other grievance mechanisms as well. This anniversary is also a good time 'to reflect on achievements and discuss challenges for the future'. The Dutch NCP is willing to make a substantive contribution to the Global Forum.

The NCP supports Dutch missions around the world by providing information on relevant specific instances or issues, with due respect for the principle of confidentiality. For instance, in preparation for meetings between the mission and NCPs, NGOs or businesses. The NCP also provides information on the OECD Guidelines to staff at Dutch missions and explains how this impacts their work.

Organisation and resources: To successfully implement this Work Plan in accordance with 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.

To this end, a senior policy officer was appointed in December 2019 and contracts for external support were extended. In 2020 NCP members will be allocated more hours. The NCP will monitor whether these measures are sufficient to strengthen its capacity in 2020.

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