



OECD GUIDELINES
FOR MULTINATIONAL
ENTERPRISES

NATIONAL CONTACT POINT
FOR RESPONSIBLE BUSINESS
CONDUCT THE NETHERLANDS

NCP procedure for engaging an external mediator

In principle, every specific instance notified to the NCP is dealt with by two of the independent NCP members, supported by the NCP secretariat.

These two members act as mediators if the NCP's offer of its good services leads to a dialogue between the parties concerned.

To appoint an external mediator, in consultation with the parties concerned, is also an option.

A party can request the NCP to engage an external mediator.

In such an event, every party can then nominate an external mediator, as can the NCP itself.

An external mediator must meet the following minimum criteria:

- neutrality: no ties with the parties or their constituency
- proven mediation experience
- preferably knowledge of the OECD Guidelines and NCP procedures
- if desired, expertise regarding the relevant chapters of the OECD Guidelines.

The NCP will contact the mediator(s) proposed.

It will assess the requests/persons and then propose a mediator to the parties.

Every party will have the opportunity to make the acquaintance of the proposed mediator (by telephone or via an online meeting) and give their opinion.

The NCP will engage the mediator if all the parties agree to this.

The NCP will involve the external mediator in drawing up the Terms of Reference for the dialogue phase.

The external mediator supervises the dialogue and the talks with one or more parties in the dialogue phase.

One or both of the NCP members dealing with the specific instance, together with the NCP secretariat, will attend these talks and the dialogue as observers.

One or both of these two members and the NCP secretariat will give the external mediator whatever support they need, e.g. by explaining and overseeing the NCP procedure.

The activities of the external mediator end with the preparation of a report on the dialogue phase for the NCP. In consultation with the parties, the report indicates which passages are confidential and which can be included in the final statement. The report contains at least the information the NCP requires to draw up a final statement in accordance with the OECD Guidelines.



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The NCP coordinates the entire procedure and draws up the final statement under its own responsibility.

The NCP pays the costs for the external mediator from the NCP budget.

The external mediator is hired through the standard Ministry of Foreign Affairs procedure (activity appraisal document (BEMO) procedure).

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