



OECD GUIDELINES
FOR MULTINATIONAL
ENTERPRISES

NATIONAL CONTACT POINT
FOR RESPONSIBLE BUSINESS
CONDUCT THE NETHERLANDS

Final Statement

Italian associations and NGOs vs Stellantis N.V. and FCA Italy S.p.A.

Date: 22 April 2026

Notification to the Netherlands National Contact Point for the OECD Guidelines for Multinational Enterprises from Veronica Dini and Luca Saltalamacchia of Studio Legale Dini-Saltalamacchia, on behalf of twenty-two Italian associations and NGOs concerning an alleged violation of the OECD Guidelines for Multinational Enterprises by Stellantis N.V. and FCA Italy S.p.A.

As noted in the Procedural Guidance to the Guidelines, following conclusion of a specific instance and after consultation with the parties involved, the NCP will make the results of the procedures publicly available. This statement describes the issues raised, the reasons why the NCP decided that the issues raised merited further examination, and the procedures initiated by the NCP to assist the parties. This statement also includes recommendations to the enterprise and conclusions based on the further examination made by the NCP on the implementation of the Guidelines.

As specific instances are not judicial proceedings and NCPs are not judicial bodies, NCPs cannot directly order compensation nor compel parties to participate in a conciliation or mediation process.

Note: During the procedure of this notification the Guidelines have been updated in June 2023. The NCP applied the updated Guidelines in its forward-looking recommendations.

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1. Executive Summary

On 21 July 2022 the Dutch National Contact Point for the OECD Guidelines for Multinational Enterprises (NCP) received a notification of a specific instance from Veronica Dini and Luca Saltalamacchia of Studio Legale Dini-Saltalamacchia, on behalf of 22 Italian associations and NGOs with regard to an alleged violation of the OECD Guidelines for Multinational Enterprises (hereinafter the Guidelines) by Stellantis N.V. (hereinafter Stellantis) and Fiat Chrysler Automobiles Italy S.p.A. (hereinafter FCA Italy).

The issues raised in the submission are: an alleged violation of the OECD Guidelines by Stellantis, and its fully controlled subsidiary FCA Italy, with specific regard to disclosure of transparent and detailed information on their suppliers' operations in the cobalt and other minerals mining sites in the Democratic Republic of Congo (DRC).

The notifying party raises the issue of uncertainty and lack of transparency around the companies' implementation of an effective risk assessment in relation to their supply chain and to the traceability of critical materials. The background of the issues raised is the notifying party's concern that human rights violations in this context have been widely documented by governmental and non-governmental organizations and that it is widely known that these constitute one of the main risk factors associated with the automotive sector's supply chain for cobalt and other minerals.

The issues raised in this submission relate to the OECD Guidelines' 2011 chapter on Disclosure (Chapter III), the OECD Due Diligence Guidance for Responsible Business Conduct (2018) and the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas (2016).

Stellantis' initial response of October 2022 acknowledged the opportunity to engage with the specific instance but raised concerns about the notifying party and the substance of the allegations. Stellantis questioned the identity and objectives of the actors behind the submission. It also argued that the allegations were based on an incorrect and overly expansive interpretation of the OECD Guidelines, an incomplete reading of its disclosures, and a mischaracterization of its activities and due diligence practices.

Stellantis emphasized that it had no direct operations in the DRC and that any connection arose only through indirect suppliers at several tier levels below, limiting its leverage over their behavior. It also stated that the submission omitted key disclosures from its 2021 Corporate Social Responsibility (CSR) Report, resulting in an incomplete picture.

The company outlined its extensive due diligence efforts to comply with U.S. and EU conflict minerals regulations, including supply chain mapping, third-party audits, and partnerships with initiatives such as the Responsible Minerals Initiative. Stellantis described a three-pillar approach to supplier responsibility—guidelines and commitments, third-party screening and audits, and a risk matrix for raw materials. For cobalt, it highlighted its partnership with RCS Global to map the battery value chain to the mine level and conduct OECD-aligned audits, with results publicly disclosed.

Coordination with other NCPs

The specific instance has previously been filed with the NCP of Italy, on 1 April 2022. The NCP of Italy, on 11 April 2022, responded to the notifying party stating that "dealing with the management strategies and commercial activities of a company registered in the Netherlands, the application should be instead submitted to the National Contact Point of the Netherlands, as it follows from the OECD Declaration on International Investment and Multinational Enterprises art. I, as well as points 23 and 24 of Part II of the Procedures for the Implementation of the OECD Guidelines for Multinational Enterprises". The parties subsequently submitted the case to the Dutch NCP.

The NCPs of the Netherlands and Italy had a coordination call on 5 December 2022 and agreed that the Dutch NCP should take the lead in handling this specific instance, and that there will be a supporting role for the Italian NCP.

Initial Assessment

In its Initial Assessment, the Dutch NCP concluded that:

“[...]the notification concerning Stellantis **merits further consideration** based on the following assessment:

- The Dutch NCP is the right entity to assess the alleged violation against Stellantis and FCA Italy; there will be an advisory role of the Italian NCP;
- The notifying party is a concerned party with a legitimate interest in the issues raised in the notification;
- The alleged issues are material and prima facie substantiated, meaning that they are plausible and related to the application of the OECD Guidelines;
- There is a link between the activities of the enterprises and the issues raised in the specific instance;
- The consideration of this specific instance may contribute to the Guidelines’ objectives and enhance their effectiveness.”

The decision was based on an initial assessment of the information submitted and did not represent a conclusion as to whether the enterprise observed the Guidelines, nor as to whether the statements made by the parties were accurate. The NCP published the Initial Assessment on 13 February 2023.

Following the conclusion that this notification merited further consideration, the NCP offered its good offices to the parties to address the concerns raised by the notifying party and seek a solution through dialogue, in accordance with the Dutch NCP Specific Instance Procedure for handling notifications. Both parties accepted the NCP’s good offices.

Good offices

The parties had exchanges with good intentions during several mediation sessions in 2023 and 2024. There was also an expert session on Disclosure in the OECD Guidelines with a representative of the OECD RBC Center in 2023. Following these sessions the NCP made several proposals to the parties on possible ways forward. In the end the parties couldn’t reach an agreement and therefore the NCP decided to end its good offices in May 2025. Subsequently, the NCP conducted a further examination, to assess whether the enterprise concerned observed the OECD Guidelines 2011 on the grounds put forward in the notification. For the purpose of the examination, the NCP has carefully studied all the information provided by the parties during the procedure. The further examination resulted in this final statement with conclusions and recommendations.

Summary of conclusions and recommendations

The NCP concludes that, based on shared and available information, Stellantis has acted in line with the OECD Guidelines 2011, Chapter III on Disclosure paragraph 1 and 2, that describe what information companies *should* disclose and has acted in line with paragraph 3, describing the additional information companies are *encouraged* to communicate about externally.

The NCP finds that the additional requirements on disclosure in the Diligence Guidance and the Due Diligence Guidance for Minerals from Conflict-affected and High-Risk Areas are covered by the disclosures of Stellantis. Therefore, this does not change the NCP's overall conclusion.

The NCP concludes, on the basis of the information provided by both parties, that there is a systemic issue in the cobalt mines in the DRC. The OECD Due diligence Guidance explains that a systemic issue stems from root causes outside an enterprise's control, such as governance failures, poverty, discrimination, or corruption. It increases the risk of human rights abuses such as child labour in the context of mining in the DRC. Whenever there is a systemic issue in a company's supply chain, it will increase the nature and extent of the due diligence that is expected.

The NCP notes that, although the submission formally concerned Disclosure under Chapter III, the parties also discussed stakeholder engagement, making parts of the 2023 Guidelines and the Guidance on due diligence relevant. The NCP distinguishes between Chapter III on Disclosure, which concerns periodic public reporting, and step 5 of due diligence, which requires continuous external communication with (impacted) stakeholders and rightsholders about the due diligence process and its impacts. The NCP notes that throughout the procedure there was a gap in how the parties perceived the case. The company focused on its policies and their disclosure, while the submitting party focused on conditions in DRC mines and on Stellantis' actions and outcomes. The difference between disclosure and step 5 of due diligence may partly explain this gap. Over the several years of the procedure, the company adapted its policies and public information. The NCP notes that stakeholder the input of the submitting party may also have influenced what Stellantis disclosed.

In the light of the above the NCP decided to make the following recommendations:

- Continuous improvement is a key component of due diligence. The NCP recommends that Stellantis continues to improve their policies and practices and yearly updates their HR policy and pays special attention to step 4 of the due diligence process: tracking the implementation and effectiveness of its due diligence activities. The NCP recommends that Stellantis discloses this policy in accordance with the recommendations on disclosure in the updated OECD Guidelines.
- The NCP recommends that Stellantis carries out extended due diligence, especially by collaborating across sectors, where possible, and by joining relevant initiatives as there is a systemic risk in the cobalt mines in DRC, leading to an increased risk of adverse impacts.
- Strengthened stakeholder engagement is expected of companies under the Guidelines 2023. Stakeholder engagement should be meaningful. This requires that the company provides substantive responses to stakeholders' questions and concerns. This calls for a certain level of transparency. The NCP recommends that Stellantis reviews its stakeholder engagement policy in this respect where necessary.
- The NCP recommends that Stellantis, in consultation with the notifier, adds one or more relevant stakeholders working on the ground in DRC to their stakeholder list in order to further complement their information on the situation on the ground in the mines in DRC. The NCP recommends these NGO's and Stellantis to exchange on the criteria for engagement and the specific form that this engagement could take.
- The NCP recommends that Stellantis, on the basis of all the information it received on the situation on the ground, carries out an investigation to find out whether specific mines in DRC where human rights violations seem to have occurred are present in their supply chain.

2. Substance of the submission, relevant provisions and the enterprise's response

The parties

The notifying party is a coalition of twenty-two Italian associations and NGOs, represented by two lawyers from the law firm Studio Legale Dini-Saltalamacchia.

The submitting associations and NGOs are defending various causes, among others solidarity, equality, social justice, sustainability, climate change, human rights and children's rights, integration of immigrants and the fight against poverty.

Some of the organisations are only active at the national level (Italy), some are active at the global level and some defend causes in Africa or in the southern parts of the world. They state to be part of an informal coalition that already existed prior to the notification. They are represented by two lawyers of the law firm Studio Legale Dini-Saltalamacchia.

The associations and NGOs are:

1. Solidarietà e Cooperazione - CIPSI - Coordinamento di Iniziative Popolari di Solidarietà Internazionale, <https://www.cipsi.it/>;
2. Voglio Vivere Onlus, voglio-vivere.it/;
3. Chiama l'Africa, <https://chiamafrica.it/>;
4. FORUMSAD, <https://forumsad.org/>;
5. Cilap Eapn Italia - CILAP - <https://www.cilap.eu/>;
6. Associazione Sulla Strada OdV, <https://sullastrada.org/>;
7. Associazione LA ROSA ROJA, <https://larosarojainternational.org/>;
8. Centro di Volontariato Internazionale ODV-CEVI-<https://www.cevi.ngo/>;
9. Associazione Arcobaleno ODV, <https://www.arcobalenoweb.org/>;
10. Movimento per la Lotta contro la Fame nel Mondo Odv - MLFM - <https://www.mlfm.it/>;
11. Progetto Continenti Onlus, <https://progettocontinenti.org/>;
12. V.I.M. Volontari Italiani per il Madagascar - VIM - <https://www.vimadagascar.org/>;
13. Federazione Organismi Cristiani Servizio Internazionale Volontario-FOCSIV-
<https://www.focsiv.it/>;
14. Human Rights International Corner - HIRC - <https://it.humanrightsic.com/>;
15. Associazione-Fairwatch-Cooperazione-e-Mondialità,
<https://www.facebook.com/AssociazioneFairwatch/>;
16. MEDITERRANEO SIAMO NOI, <https://www.facebook.com/profile.php?id=100067855081100>
17. Federazione per l'Economia del Bene Comune in Italia - FEBC - <https://www.economia-del-bene-comune.it/>;
18. Time For Africa, <https://timeforafrica.it/>;
19. Nigrizia, <https://www.nigrizia.it/>;
20. Diritto Diretto, <https://dirittodiretto.webnode.it/>;
21. COORDINAMENTO-DIASPORE-IN-SARDEGNA-Co.D.I.Sard-
<http://coordinamentodiasporeinsardegna.org/>;
22. AOI Cooperazione e Solidarietà Internazionale, <https://www.ong.it/>.

The submission concerns Stellantis N.V. (the holding company) and its 100% owned subsidiary FCA Italy. Stellantis is headquartered in the Netherlands and therefore the Dutch NCP can act as the lead NCP in assessing the alleged violations against Stellantis and its subsidiary FCA Italy. Stellantis is a constellation of 14 automotive brands and two mobility arms that are about moving people and making connections. Brands are among others: Alfa Romeo, Chrysler, Citroën, Fiat, Opel and Peugeot.

In March 2022, Stellantis presented Dare Forward 2030, “a plan that paves the way for Stellantis to transition to a sustainable mobility tech company that delivers value for all stakeholders”. Stellantis indicates it wants to achieve long-term success by linking economic growth with respect, financial performance with social responsibility, and industrial development with environmental stewardship.

The submission

The submission, which was submitted to the NCP in July 2022, detailed an alleged violation of the OECD Guidelines’ Chapter III (Disclosure) regarding the behaviour of Stellantis, and its fully controlled subsidiary FCA Italy, with specific regard to their alleged failure to disclose transparent and detailed information on their suppliers’ operations in the cobalt and other minerals mining sites in the DRC.

The notifying party also stated that FCA Italy’s and Stellantis’ disclosure practices do not comply with the OECD Due Diligence Guidance for Responsible Business Conduct (2018) and the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas (2016), and its Five-Step Framework for Risk-Based Due Diligence in the Mineral Supply Chain.

The notifying party raised the issue of uncertainty and lack of transparency around the companies’ implementation of an effective risk assessment in relation to their supply chain and to the traceability of critical materials. They asserted that human rights violations in this context have been widely documented by governmental and non-governmental organizations and that it is widely known that these constitute one of the main risk factors associated with the automotive sector’s supply chain for cobalt and other minerals.

Furthermore, they asserted that despite the initiatives it claims to have undertaken, Stellantis hasn’t satisfactorily fulfilled its international duties, as required by the OECD Guidelines, failing to provide relevant information to verify the fairness and correctness of their business model. According to the notifying party, Stellantis/FCA Italy in its reports has forgotten to identify its suppliers, their location and contact information. The notifying party also assessed that there has been no indication of the results following risk assessment nor any data regarding the traceability of its supply chain and the mineral sourcing.

The notifying party indicated that the duty to conduct due diligence is a duty of a progressive nature, to be fulfilled through a gradual process, and that it entails obligations to adequately document every initiative undertaken and any concrete progress in such a way as to guarantee access to information on the results obtained for all interested stakeholders.

The notifying party requested that Stellantis and its fully controlled subsidiary FCA Italy agree to disclose material in order to be able to verify:

- a) The effective system, if any, that is in place in order to identify and correct potential human rights violations within its supply chain for cobalt or other minerals originally sourced from the DRC;
- b) The specific risk assessment measures, if any, taken by FCA Italy/Stellantis to reduce and prevent potential human rights violations within its supply chain in the DRC;
- c) The appropriate action, if any, taken by FCA Italy/Stellantis against those suppliers who were unable to categorically rule out fundamental human rights violations in the process of extracting and processing the minerals;
- d) The necessary steps taken, if any, to compensate local communities and eventual victims in the occasion of damages caused;

- e) The information, if any, on the potential risks of human rights violations within its supply chain for cobalt or other minerals originated from the DRC, in a transparent and detailed manner (as required by Article 3 letter c of Legislative Decree 254/2016). Please note, this request for disclosure pertains to information that is supposed to be publicly shared;
- f) The thorough investigations, if any, made by FCA Italy/Stellantis into its cobalt suppliers, and/or suppliers of other minerals sourced from the DRC - with specific reference to Huayou Cobalt;
- g) The correspondence, if any, exchanged between FCA Italy/Stellantis and its suppliers registering its commitment to stop trading untraced cobalt and other minerals originated from the DRC.

The notifying party argued that although Stellantis and FCA Italy claim to have complied with their duties of diligence by establishing a mechanism to identify, prevent and mitigate their negative externalities, they have failed to provide sufficiently detailed information about the functioning and outcomes of this mechanism. They stated that Stellantis and FCA Italy have not complied with due diligence standards because the transparency of information has not been guaranteed, nor had it been possible to ascertain and assess any negative impacts that occur along the company's supply chain.

According to the Specific instance, the notifying party requested that the Netherlands' NCP:

- plays an effective role in the definition of the issues raised;
- actively follows and assists the parties in resolving the issues through a mediation process.

Provisions of the Guidelines 2011 referred to in the specific instance are Chapter III of the Guidelines 2011 on Disclosure, §1, 2 and 3 as well as the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas (2016) and the OECD Due Diligence Guidance for Responsible Business Conduct (2018). The notification also referred to other OECD and international reports and ILO standards regarding mining (in DRC) and regarding risks to health, risks associated with working conditions and child labour.

The enterprise's initial response

In its initial response of October 2022, Stellantis stated that it appreciated the opportunity to engage on the specific instance's subject matter. However, they had questions regarding the identity and objectives of the main actors on the side of the notifying party. They noted that the author of the submission was a law firm, acting for several separate entities with potentially different goals, and expressed a concern that the specific instance proceedings may result, contrary to its purpose, in a sort of pre-litigation exercise. In addition, they believed that the allegations raised in the submission were based on an incorrect interpretation of the OECD Guidelines, on an omissive reading of their disclosures, and on a mischaracterization of their activities and their purchasing and due diligence practices.

Stellantis believed that the notifying party's interpretation of the OECD Guidelines was overly expansive. They indicated that they had not been able to identify recommendations in the OECD Guidelines with respect to disclosures that were as broad and definitive as what the notifying party described. They also stated that it was incorrect that the notifying party considered the activities of their indirect suppliers as evidence that they were "operating in" the DRC, as they had no direct operations in the DRC. Stellantis stated in its initial response that they had identified businesses in the DRC in its supply chain starting on several tier levels below. They also stated, however, that the nature of their relationship with these battery suppliers who may indirectly source cobalt from the DRC provided them very little leverage to influence the behaviour of those suppliers.

Stellantis also indicated that the notifying party's summary of their disclosures was incomplete. They felt that the disclosures in their 2021 Corporate Social Responsibility Report (CSR) Report were not fully described in the submission, and that a number of additional disclosures (equivalent to those of several competitors) had been omitted.

Finally, Stellantis felt that the notifying party had provided an incomplete picture of their purchasing and due diligence practices and relevant disclosures. Stellantis indicated that, in order to comply with U.S. and EU law, including the Dodd-Frank Act and EU Regulation 2017/821, it conducted extensive supply chain mapping of conflict minerals including tin, tungsten, tantalum, and gold. The company has also partnered with additional third-party audit providers as well as the Responsible Minerals Initiative to further ensure compliance with all conflict mineral laws.

In particular, concerning its practices, Stellantis stated in its initial response of October 2022: *“Stellantis purchasing department is relying on three successive pillars regarding corporate social responsibility (“CSR”) in the relationship with our supply chain. The first pillar focuses on our purchasing guidelines and related public communication, mostly based on the CSR report and a dedicated webpage. First tier suppliers (the only suppliers with which we have a direct relationship) are required to specifically acknowledge and commit to observe the guidelines. These guidelines entitle Stellantis to act in case of any breach (p. 1 of the purchasing guidelines). The second pillar is a large screening of our direct supply base, based on a long-term partnership with two recognized third-parties EcoVadis (EcoVadis) and Drive sustainability (SUPPLIERASSURANCE). The results of this activity are largely detailed in the CSR report (p. 18, 19, 82, 273 to 277) and in the Vigilance plan (p. 3 to 9). In particular, the CSR performance of our suppliers is systematically taken into account in awarding business to suppliers and we strive to select only suppliers that share our values and can maintain the required compliance and performance (p. 275 of the CSR report). This screening is complemented by an onsite audit program conducted with another well-recognized third-party (SGS), also detailed in our CSR report and Vigilance plan (p. 3 to 9).”*

In addition to these two pillars, the enterprise stated that it had developed a risk matrix on the value chain of the thirty raw materials found in a vehicle and the relevant country of origin. For Cobalt, the enterprise stated that it has engaged with RCS Global since 2020: *“This partnership includes a mapping of our value chain for high voltage batteries from Stellantis plant down to the mine level. It also includes several audits realized according to the OECD Guidelines. The results are published in our CSR report. This mapping also allows us to publish the full list of refiners on our website.”* (*note by Stellantis: actually the list of refiners is no longer posted on the website due to accuracy concerns and it now only works with EcoVadis).

3. Initial assessment by the NCP

The NCP concluded that the notification merited further consideration. The full text of the initial assessment including the reasons why the NCP decided it merited further consideration can be found [here](#) on the NCP's website.

Subsequently, the NCP has offered its good offices to the parties. The NCP has asked both parties whether they are willing to engage in a mediation process, with the aim of agreeing to resolve the issues in a mutually satisfactory manner. Both parties agreed.

4. The proceedings of the NCP

The purpose of this section is to provide a concise overview of what the NCP has done since receiving the submission.

Date	Action
21 July 2022	Receipt of SI
9 August	confirmation of receipt to the notifying party and information to the enterprise of the notification
14 September	The notification was sent for information to the NCP of Italy
14 & 19 September	Introductory calls on the NCP procedure between the NCP secretariat and representatives of the notifying party as well as representatives of Stellantis
26 September	First online meeting of the notifying party and the NCP
13 October	First online meeting with representatives of the enterprise and the NCP
21 October	Upon the request of the NCP, the notifying party clarified that the allegations in the submission concern disclosure.
5 December	Coordination call between the NCPs of Italy and the Netherlands.
23 December	Draft initial assessment sent to both parties for comments within 14 days.
13 February 2023	Publication of IA
19 April	Pre-mediation meeting with both parties and the NCP
28 June	ToR is signed by both parties and the NCP
28 June	First online mediation session
29 September	Second online mediation session
27 October	Individual meeting NCP and Stellantis, preparation of next meeting
7 November	Individual meeting NCP and submitters, idem
27 November	Online expert session on Disclosure organized by the NCP
End of November 2023 until May 2024	Exchanges between the NCP and the parties individually needed to prepare for the next mediation session. Difficulties in planning the session lead to delays
23 May 2024	Third mediation session
Between June 2024 and the end of 2024	The NCP proposes possible ways forward to come to an agreement in two rounds and consults with the parties individually in writing and in calls.
29 January 2025	Final proposal of the NCP to the parties
Beginning of May 2025	End of good offices phase
13 May 2025	Call Stellantis explaining next steps
24 December 2025	Draft of the final statement is shared with the NCP of Italy for comments
24 December 2025	Draft of the final statement is shared with the parties for their comments
22 April 2026	Publication of the final statement

In addition to the account given above, the NCP has also corresponded with both parties regularly throughout the procedure in order to give updates on the procedure and explanations. The NCP regrets that it has not been able to meet the indicative timelines for a number of reasons.

5. The NCP's good offices

Following the conclusion that the notification merited further consideration, the NCP offered its good offices to the parties. The NCP asked both parties whether they would be willing to engage in a mediation process, facilitated by the NCP, with the aim of agreeing how the issues raised could be successfully addressed. In response to the NCP's offer of good offices, both parties accepted the offer.

The parties had exchanges with good intentions during several mediation sessions. Two mediation sessions have taken place in 2023, as well as an expert session on Disclosure in the OECD Guidelines with a representative of the OECD RBC Center.

There was a third mediation session in May 2024, but it remained difficult to make progress towards an agreement. The NCP then made several proposals to the parties on possible ways forward. In the end the parties couldn't agree on how to move forward, and therefore no agreement on the issues raised in the submission was reached. The NCP ended the good offices beginning of May 2025.

Although the subject of the exchanges was disclosure of information, the parties also had exchanges on stakeholder engagement as part of the due diligence process.

For the purpose of the further examination, the NCP has studied carefully all the information provided by the parties during the procedure.

6. The timeline and the applicable version of the Guidelines

The NCP notes that when the submission was filed in 2022, the Guidelines 2011 applied. Since June 2023, the updated Guidelines 2023 apply. The NCP also notes that there are updated provisions in the 2023 Guidelines on disclosure and stakeholder engagement that are relevant to this specific instance.

The OECD has given guidance to NCPs on how to work with these different versions of the Guidelines when drafting a Final Statement. When the NCP draws conclusions or makes a determination on whether the company complied with the Guidelines, the rule for NCPs is that companies' observance can only be assessed against the version of the Guidelines that was in force at the time when the conduct of the company that is at issue in the notification took place. The company must have had the possibility to know these guidelines at the time. For this specific instance these are the Guidelines 2011.

Recommendations of the NCP in a Final Statement have a forward-looking character, they recommend the company to improve or change their policies or practices in relation to Responsible Business Conduct (RBC) in their international business activities. Accordingly, NCPs are expected to apply the latest edition of the Guidelines when making recommendations.

The following chapters should be read as follows:

- Chapter 7 describes all relevant provisions on disclosure and findings on disclosures of Stellantis's policies and practices.
- In 7.1 the NCP describes the relevant provisions on disclosure in the Guidelines 2011.

- In 7.2 the relevant provisions on disclosure in the OECD Due Diligence Guidance for Responsible Business Conduct of 2018 and the Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-affected and High-Risk Areas of 2016 are summarized. These guidances were also applicable at the time of the notification in 2022.
- In 7.3 the NCP describes relevant changes in the Guidelines 2023 on disclosure.
- In 7.4 are the findings on the disclosure practices of Stellantis at the time of the notification.
- 7.5 describes the updated practices and policies of Stellantis on disclosure since 2022.
- Chapter 8 describes some additional provisions on due diligence and stakeholder engagement that seem relevant to this specific instance, as well as Stellantis' practices and policies on due diligence and stakeholder engagement.
- In Chapter 9 are the NCP's conclusions on disclosure on the basis of the Guidelines 2011 and the two Guidances of 2016 and 2018.
- Finally in Chapter 10, the NCP makes some additional recommendations that seem relevant to this specific instance on the basis of the Guidelines 2023 as well as the Guidances.

7. Relevant provisions and findings on disclosure

7.1. Relevant provisions in the Guidelines 2011, Chapter III on Disclosure

The OECD Guidelines 2011, Chapter III mainly concentrates on what enterprises should disclose on their financial performance and related issues, as well as on governance.

Material information is limited to information whose omission or misstatement could influence the economic decisions taken by for example shareholders, investors or other business partners (paragraph 1 and 2). Regarding RBC issues like social, environmental or risk reporting the Guidelines only encourage companies to disclose or communicate information and the text is not specific on how and what information could be disclosed (paragraph 3). The expectations on disclosure in Chapter III are not yet linked to the enterprise's responsibility to carry out due diligence, as laid down in Chapter II, General Policies. The NCP therefore remarks that the scope of Chapter III is rather limited under the 2011 Guidelines.

Guidelines 2011, Chapter III, Disclosure, paragraph 1-4

Paragraph 1 is the general rule and sets out the expectation that enterprises should disclose information on all material matters regarding their activities, structure, financial situation, performance, ownership and governance. It is important to note that according to commentary 30, under the 2011 Guidelines *material information is limited to information whose omission or misstatement could influence the economic decisions taken by users of that information.*

Paragraph 2 contains a non-exhaustive list of matters regarding the corporation that enterprises should provide material information about. This includes foreseeable risk factors (art 2, sub f) and issues regarding workers and other stakeholders (art 2, sub g).

Paragraph 3 contains a non-exhaustive list of topics that enterprises *are encouraged* to provide additional information about. This includes information on the enterprises' policies relating to matters covered by the Guidelines, like a Human Rights policy, codes of conduct and its performance in relation to these statements, policies and codes (sub a, b, c). Companies are also encouraged to communicate information on internal auditing, risk management and compliance systems (sub d) and information on relationships with stakeholder (sub e).

Commentary 33 explains that under paragraph 3 companies are encouraged to disclose information in areas where reporting standards are still evolving such as social, environmental and risk

reporting. Disclosure of such information can be used as a method to demonstrate their commitment to socially accepted practices. These disclosures may also cover information on the activities of subcontractors and suppliers. Commentary 33 says that this type of ‘disclosure’ (‘communication with the public and with other parties directly affected by the enterprise’s activities’) *may include information pertaining to entities beyond those covered in the enterprise’s financial accounts, for instance on the activities of subcontractors and suppliers or of joint venture partners.*

Paragraph 4 includes, among others, the expectation that the enterprise’s financial statements are audited annually by an independent auditor, to assure that they ‘fairly represent the financial position and performance of the enterprise in all material respects’. This sees at financial auditing.

7.2. Disclosure in relevant OECD Guidances

Two OECD Guidances are relevant for the assessment of this submission: the 2018 OECD Due Diligence Guidance for Responsible Business Conduct and the 2016 Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-affected and High-Risk Areas. Relevant parts of the Guidance are summarized below.

The Due Diligence Guidance for Responsible Business Conduct (2018)

In 2018, the OECD Due Diligence Guidance for Responsible Business Conduct provided extensive guidance on due diligence.

The six-step framework on due diligence was clarified and more specific information was provided on, among other things, what companies should publicly disclose as part of step 5 (communication) of that framework.

Due diligence guidance, step 5 Communicate

As part of their due diligence, enterprises should *communicate externally relevant information on due diligence policies, processes and activities conducted to identify and address actual or potential adverse impacts, including the findings and outcomes of those activities (see par. 33).* The Guidance also indicates that enterprises should *engage with relevant stakeholders in every step of exercising their due diligence.*

When operating in contexts with *systemic* issues driving adverse impacts in their own operations and supply chain enterprises should be prepared to *be transparent in their decision and rationale for remaining* and consider whether they are able to responsibly continue to operate in or source from such contexts during the course of any of the above efforts. Systemic issues (p.75) are issues that stem from root causes outside an enterprise’s control, such as governance failures, poverty, discrimination, or corruption, which increase risks like child labour or abuse.

The Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-affected and High-Risk Areas (2016)

The 2016 OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas focuses specifically on risks related to minerals sourcing. In 2016 it already included a five-step framework for carrying out due diligence. Relevant parts of the Guidance are summarized below.

Guidance for responsible mineral supply chains on communication

According to the Guidance, companies are expected as part of step 5 on communication to *publicly report on supply chain due diligence policies and practices, including by publishing the supply chain risk assessment and management plan*, with due regard to business confidentiality and other competitive concerns. In addition, companies are *expected to respond to stakeholder questions, concerns, and suggestions*.

The Minerals Guidance also gives extensive information on the role of external independent audits. It recommends, among others, independent third-party audits primarily for smelters and refiners, who are identified as the "control points" for 3TG minerals (tin, tantalum, tungsten), gold and cobalt in the supply chain, as part of its five-step due diligence framework. It also stresses the need for on-the-ground assessments to be undertaken, should the risk assessment identify red flags in the supply chain. The Guidance indicates that *smelter audits should include information on smelter/refiner controls over the mineral supply chain*. The NCP notes that there is no obligation to disclose the results of the audits of smelters to the public.

7.3 Relevant provisions in the OECD Guidelines 2023 on disclosure

Chapter III of the Guidelines 2023 is more specific and detailed on what is expected of companies with respect to disclosure of information, than the Guidelines 2011. The main changes include:

- alignment with the newest version of the G20/OECD Principles of Corporate Governance;
- alignment with the due diligence expectations of the OECD Due Diligence Guidance of 2018;
- the definition of materiality is broader than in the 2011 version of the Guidelines.

Relevant parts of the Guidelines 2023 are summarized below.

Guidelines 2023, Chapter III, Disclosure, paragraph 2-4

In Chapter III, paragraph 2, the non-exhaustive list of matters regarding the corporation that enterprises should provide material information about now also includes sustainability-related information (art 2, sub b). Information is considered material under Paragraph 2 if its 'omission or misstatement can reasonably be expected to influence an investor's assessment of an enterprise's value' or if 'a reasonable investor would consider [it] important in making an investment or voting decision' (Commentary 31).

Paragraph 3 says that 'it is important that enterprises communicate responsible business conduct information as part of their responsibility to carry out due diligence'. The non-exhaustive list of topics this may include has been aligned with the due diligence-related reporting expectations in the 2018 OECD Due Diligence Guidance. Relevant elements of responsible business conduct information in paragraph 3 are:

- value statements or statements of business conduct intended for public disclosure including policies on responsible business conduct issues that articulate the enterprise's commitments to the principles and standards contained in the Guidelines, and its plans for implementing due diligence;
- the enterprise's identified areas of significant impacts or risks; the adverse impacts or risks identified, prioritised and assessed; as well as the prioritisation criteria;
- its performance in relation to the statements in paragraph 3(a) [...] including the actions taken to prevent or mitigate risks or impacts identified in paragraph 3[...] (d), including

- where possible estimated timelines and benchmarks for improvement and their outcomes, including the enterprise's provision of or co-operation in any remediation;
- additional information in line with disclosure recommendations on responsible business conduct information provided in Chapters IV and VI. Chapter IV para 4 recommends that enterprises express their commitment to respect human rights through a publicly available statement of policy.

The information to be provided under paragraph 3 is not necessarily 'material information like the information under paragraph 2. However, paragraph 3 says that some of the information covered by paragraph 3 'may also be material under paragraph 2'.

According to Commentary 33, information related to responsible business conduct issues and due diligence could also be considered material under paragraph 2 if its 'omission or misstatement can reasonably be expected to influence an investor's assessment of an enterprise's value, timing and certainty of an enterprise's future cash flows or an investor's investment or voting decisions'.

Commentary 34 clarifies that in relation to information disclosed under paragraph 3 'risks and impacts that may not seem to be financially material but that are relevant to people and the planet may be financially material to an enterprise at some point'.

Paragraph 4 now provides that companies should 'disclose information in accordance with internationally recognized accounting and disclosure standards, and refrain from publication of insufficient or unclear information'. With respect to responsible business conduct information, it provides that companies may seek external assurance attestation in order to enhance the credibility of this type of information.

Commentary 40 underlines the relevance in this respect of review of such information 'by an independent, competent and qualified entity in accordance with internationally recognized assurance standards'.

7.4 Disclosure practices of Stellantis in 2022

The NCP finds that Stellantis disclosed the following information:

The Vigilance plan 2021, which describes that 6 macro-risks have been identified while building the materiality matrix, divided into 22 Corporate Social Responsibility (CSR) issues. 12 issues were selected to be part of the Vigilance plan. Relevant issues included are "human rights in the supply chain" and "responsible purchasing practices to support company's development in host countries". The risks are not specified in the plan. The plan follows the steps of the due diligence process as described in the OECD General Guidance on Due Diligence. It contains a list of measures taken as well as main actions and results. The steps are: Risk mapping designed to identify, analyze and classify risks, procedures for regular assessment of the situation in connection with risk mapping, appropriate actions to mitigate the risk of or to prevent serious breaches (and remediation plan when relevant), a mechanism for alerting and for gathering reports on the existence or materialization of risks, a system for monitoring measures implemented and for assessing their effectiveness.

In the CSR report 2021 information in relation to social, environmental and risk reporting is included. Information on a risk matrix on the value chain of the thirty raw materials found in a vehicle and the relevant country of origin is disclosed (p. 284-286).

The two major risks Stellantis identified related to conflict minerals (Tin, Tantalum, Tungsten, Gold coming from DRC and surrounding countries) and Cobalt (from DRC mostly). Cobalt is mostly related to high-voltage batteries for plug-in hybrid and electric vehicles, and to a limited number of Stellantis direct suppliers (less than 5, as of 2021). The risk of and the ongoing concerns around the use of child labor in the mining of cobalt are explicitly identified (p.292 CSR report).

The CSR report 2021 gave information on the screening of its direct supply chain with two third-parties, EcoVadis and Drive sustainability. EcoVadis assesses the sustainability of tier 1 - suppliers based on surveys and evidence provided by the concerned suppliers. The results of this activity were detailed in the CSR report (p. 18, 19, 82, 273 to 277) and in the Vigilance plan (p. 3 to 9).

Stellantis also published its [purchasing guidelines](#). First tier suppliers are required to specifically acknowledge and commit to observing the purchasing guidelines.

A [Human Rights policy](#) was adopted in November 2022.

A [Code of Conduct](#) of March 2021, according to which Stellantis expects other stakeholders, including suppliers, dealers, distributors, and joint venture partners, to always act with integrity and in accordance with the Stellantis Code of Conduct.

The Vigilance plan gives information on Stellantis' performance in relation to the Code of Conduct, the CSR report and the Human Rights policy.

Stellantis discloses information on the carrying out of external audits and follow up activities on social and environmental for tier 1 suppliers, as well as on audits of companies down the Stellantis' value chain, conducted by third-parties. On-site audits for direct suppliers are conducted by [SGS](#) <https://www.sgs.com/en> and information on these audits is shared in the CSR report 2021 and the Vigilance plan (p. 3 to 9).

For the battery value chain, i.e. for cobalt, Stellantis indicates to work with [RCS Global](#) <https://www.rcsglobal.com/> since 2020, a company specializing in responsible sourcing and responsible mining activities (see CSR report p. 279 and 289). This partnership includes a mapping of the value chain for high voltage batteries from Stellantis plants down to the mine level.

On the basis of this mapping Stellantis published a [list of refiners](#) on its website in 2022. The program included several audits based on the OECD Due Diligence Guidance. RCS Global completed 40 on-site audits of companies at different tiers of Stellantis' in 2021 in cobalt and lithium supply chains (battery manufacturer, cathode manufacturer, refiner, treatment unit, and mine site). The results were published on an aggregated level (40 accepted corrective action plans) in the CSR report (p. 290 to 294). The number of identified suppliers was more than 550. The number of countries of origin for mine sites was 14, among others the DRC.

7.5 Disclosures of Stellantis in 2025

Stellantis has updated its policies and practices regarding responsible business conduct since July 2022 and disclosed more detailed information. The NCP finds that since the specific instance has been filed Stellantis has disclosed the following:

- Updated CSR Plans 2022 and 2023. The [2024 Stellantis Expanded Sustainability Statement](#)
- An updated [Human Rights policy](#) of July 2024
- An updated [2024 Stellantis Vigilance Plan](#)
- Updated [Global Responsible Purchasing Guidelines 2022](#) of July 2025.

- The [Stellantis-Stakeholder-Engagement-Policy.pdf](#), including categories of stakeholders it works with, among others associations and NGO's.

The Stellantis' Expanded Sustainability Statement 2024 provides more detailed information on external audits and the subsequent action plans compared to its CSR Report 2021, for example on audit coverings and findings, on post-audit action plans, on supplier assessments, human rights due diligence and stakeholder engagement (p.89). The report 2021 focused more on sustainability goals and achievements without detailed description of audit processes or follow-up actions.

The Sustainability Statement 2024 also provides more detailed information on cobalt sourcing and the risk of child labor compared to its CSR Report 2021. However it does not provide specific information on the companies or mines where audits were conducted, regarding cobalt sourcing and the risk of child labor. The statement doesn't include detailed disclosures about individual suppliers or mining operations subject to audits.

Stellantis' Human Rights Policy 2024 offers more detailed information compared to the 2021 version. For example:

- all employees undergo mandatory training covering topics such as workers' rights, anti-corruption, data privacy, and opposition to forced or child labor;
- salient risk identification: it has identified key human rights risks, including forced labor, child labor, and discrimination, within its operations and value chain;
- cross-functional taskforce on forced labor actively runs risk-based due diligence to identify and address forced labor within the supply chain; integration of human rights into global operations to drive measurable outcomes for all stakeholders;
- it emphasizes transparency in its human rights approach, grounded in a strong understanding of the issues and reinforced by company-wide initiatives extending to partners across the value chain.

The updated Global Responsible Purchasing Guidelines of Stellantis of July 2025 say that supplier's policies and practices will not tolerate labor practices involving forced-, compulsory-, or child labor, or human trafficking. Suppliers have to require their supplier to adopt similar policies and practices. Suppliers have to acknowledge that compliance with anti-forced labor regulation requires them to develop knowledge of the supply chain and to have appropriate documentation to comply with enforcement actions.

Stellantis expects of its suppliers that they adhere to their due diligence obligations as outlined in the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas. This includes requesting transparency on smelters and refineries involved in the processing of tin, tungsten, tantalum, gold and also other critical materials for batteries like cobalt.

8. Additional provisions and findings on due diligence and stakeholder engagement

This chapter describes some provisions in the Guidelines 2023 and the Guidances on due diligence and stakeholder engagement. The NCP finds that these provisions are relevant to this specific instance. The chapter also describes practices and policies on due diligence and stakeholder engagement of Stellantis.

Relevant provisions in the OECD Guidelines 2023 on stakeholder engagement

The Guidelines 2023 expect enterprises to engage meaningfully with relevant stakeholders or their legitimate representatives as part of carrying out due diligence and should provide opportunities for their views to be taken into account with respect to activities that may significantly impact them. Enterprises can prioritise the most severely impacted or potentially impacted stakeholders for engagement.

Compared to the 2011 version of the Guidelines, Chapter II of the Guidelines 2023 is more detailed on what is expected of companies with respect to stakeholder engagement.

Paragraph 15 provides that 'enterprises are encouraged to engage meaningfully with relevant stakeholders or their legitimate representatives as part of carrying out due diligence and in order to provide opportunities for their views to be taken into account with respect to activities that may significantly impact them related to matters covered by the Guidelines'.

According to Commentary 28, Enterprises can prioritise the most severely impacted or potentially impacted stakeholders for engagement. The degree of impact on stakeholders may inform the degree of engagement. There is no obligation to disclose specific information or names of the different stakeholders a company engages with. The Due Diligence guidance explains that relevant stakeholders may include local civil society organisations and local human rights defenders.

Relevant provisions in the Guidances on stakeholder engagement and due diligence

The Due Diligence Guidance (p.75) tells that operating in contexts where systemic issues arise demands more extensive due diligence from enterprises.

Though enterprises are not responsible for solving systemic societal issues, addressing them can help prevent or reduce negative impacts on their operations and supply chains. Enterprises can address these risks by collaborating across sectors to avoid shifting problems, engaging governments to encourage law enforcement and responsible business conduct, and leveraging existing initiatives. Cross-sectoral approaches are encouraged because for example, in contexts in which child labour is a systemic risk, eliminating child labour from one sector may simply push children into employment in another.

The Guidance on mineral supply chains is clear about the limitations of audits. Audits provide a snapshot of a company's compliance at a specific time, according to the Guidance. The Guidance recognizes that *continuous monitoring of supply chain risks and due diligence activities is necessary to complement the information provided by audits*. Accordingly, companies are encouraged to perform regular, ongoing risk-based due diligence in mineral supply chains, which includes monitoring activities beyond just "point-in-time" audits. Audits can be a component of this process, *but they should be supported by continuous monitoring, comprehensive reporting, and other tools to ensure effective risk management and responsible supply chain practices*. (See also: <https://www.oecd.org/content/dam/oecd/en/topics/policy-sub-issues/due-diligence-guidance-for-responsible-business-conduct/Highlights-Alignment-Assessment-of-industry-programmes-with-the-OECD-minerals-guidance.pdf>, page 5).

Stellantis' practices and policies on due diligence

The Vigilance plan 2021 follows the steps of the due diligence process as described in the OECD General Guidance on Due Diligence.

It contains a list of measures taken as well as main actions and results. The steps are:

- Risk mapping designed to identify, analyze and classify risks,
- procedures for regular assessment of the situation in connection with risk mapping,
- appropriate actions to mitigate the risk of or to prevent serious breaches (and remediation plan when relevant),
- a mechanism for alerting and for gathering reports on the existence or materialization of risks,
- a system for monitoring measures implemented and for assessing their effectiveness.

Stellantis identified 6 macro-risks while building the materiality matrix, divided into 22 RBC risks. Audits have been carried out by external parties of Stellantis direct supply chain as well on-site audits of companies at different tiers of Stellantis' cobalt and lithium supply chains (battery manufacturer, cathode manufacturer, refiner, treatment unit, and mine site). The results were published on an aggregated level (40 accepted corrective action plans) in the CSR report 2021. Audits are based, at least in part, on the OECD Due Diligence Guidance.

Since 2022, Stellantis' 2024 Sustainability Statement offers greater transparency on external audits, findings, and post-audit action plans, as well as supplier assessments, human rights due diligence, and stakeholder engagement.

The 2025 Global Responsible Purchasing Guidelines further require suppliers to prevent forced and child labor, ensure supply chain transparency, and align with OECD mineral due diligence standards.

Stellantis' practices and policies on stakeholder engagement

In the Corporate Social Responsibility Report 2021 is information on **stakeholder engagement**. It gives information on workers and on the relationships with different stakeholder groups. (1.1.3). The stakeholder groups are listed by category, means of dialogue and main topics.

Within the stakeholder group "civil society", "associations and NGOs" are a stakeholder category, with which Stellantis has a dialogue by: the CSR Report and Annual Report, the company's social media, meetings, responses to ad hoc requests and charitable giving. Topics discussed are: road safety, human rights in the supply chain, environmental impact of activities across value chain, education and inclusion.

Since 2022, the Stellantis' Expanded Sustainability Statement 2024 provides more detailed information on external audits and the subsequent action plans compared to its CSR Report 2021, for example on audit coverings and findings, on post-audit action plans, on supplier assessments, human rights due diligence and stakeholder engagement (p.89).

Stellantis' Human Rights Policy 2024 offers more detailed information compared to the 2022 version. It prioritizes working with external stakeholders to better understand the needs of vulnerable communities and indigenous peoples' rights.

The [Stellantis-Stakeholder-Engagement-Policy.pdf](#), includes categories of stakeholders it works with, among others associations and NGO's.

Stellantis published CSR reports until CSR report 2023. In 2025 Stellantis followed European Regulation and published a Sustainability Statement in the Annual Report 2024. Additionally an Expanded Sustainability Statement was published.

9. Conclusions

The NCP concludes, on the basis of the disclosures by Stellantis as described in 7.3 and based on the information shared and available, that Stellantis has acted in line with the OECD Guidelines 2011 Chapter III on Disclosure, paragraph 1 and 2, that describe what information companies should disclose and has acted in line with paragraph 3, describing the additional information companies are encouraged to communicate about. The 'materiality' referred to in paragraphs 1 and 2 relates to what is material from the perspective of the interests of economic stakeholders, such as investors. And not from the perspective of third-party stakeholders, such as those involved in this specific instance. This means that if the information is not 'material' to the parties for whom this form of transparency is intended (economic stakeholders), the company is not required to disclose this information.

The NCP, in its conclusions, also takes into account relevant provisions on disclosure in the Due Diligence Guidance and the Due Diligence Guidance for Minerals from Conflict-affected and High-Risk Areas, as described in 7.2. These Guidances ask for more disclosures of companies than the Guidelines 2011, like disclosure of due diligence policies, activities and findings and outcomes of those activities, supply chain risk assessment and management plan. While the Minerals Guidance also gives extensive information on the role of external independent audits for smelters, the NCP notes that there is no obligation to disclose the results of the audits of smelters or the content of actions plans to the public.

The NCP finds that the additional requirements on disclosure in the Guidances are covered by the disclosures of Stellantis as described in 7.4 and 7.5. Therefore, this does not change the NCP's overall conclusion.

The NCP also concludes on the basis of the information provided by both parties, that there is a systemic issue in Stellantis' supply chain in the cobalt mines in the DRC. The OECD Due diligence Guidance explains (p. 75-76) that systemic issues are issues that stem from root causes outside an enterprise's control, such as governance failures, poverty, discrimination, or corruption. These systemic issues increase the risk of human rights abuses such as child labour. The notification gives information and sources on human rights violations and child labour in this context. Whenever there is a systemic issue in a company's supply chain this will increase the nature and extend of the due diligence expected, according to the Guidance.

The notifying party indicates that human rights violations and especially child labour have been widely documented by governmental and non-governmental organizations. According to the notifying party it is widely known that these constitute one of the main risk factors associated with the automotive sector's supply chain for cobalt and other minerals. The NCP signals that Stellantis explicitly identified the risk of and the ongoing concerns around the use of child labour in the mining of cobalt (p.292 CSR report 2021). In the light of this systemic issue, the NCP decided to make an additional recommendation to the company.

The NCP noted earlier that while the submission formally concerned Disclosure under Chapter III, the parties also discussed stakeholder engagement as part of the due diligence process, making certain provisions of the 2023 Guidelines and the guidance on due diligence and stakeholder engagement relevant.

The NCP distinguishes between Disclosure in Chapter III, which concerns periodic public reporting in annual reports and other corporate reporting in a business (law) context, and step 5 of due diligence, which requires continuous external communication with (impacted) stakeholders and rightsholders about the due diligence process and potential and actual impacts.

Throughout the procedure there was a gap in how the parties perceived the case: the company focused on its policies and their disclosure in line with the OECD Guidelines, while the submitting party focused on the situation on the ground in the DRC mines and on understanding Stellantis' actions and their outcomes. The NCP concludes that this distinction between Disclosure under Chapter III and step 5 "communication" and stakeholder engagement may partly explain this gap.

Finally, the handling of this specific instance has taken several years. This has given the company the opportunity to adapt its policies and the information it provides publicly during the procedure, which it has done. The NCP notes that stakeholders raising questions, expressing concerns and making suggestions to the company, as the complainants did during the procedure, plays a key role in enabling companies to identify possible negative impacts and that this may also have had an impact on the information Stellantis published.

10. Recommendations

In this paragraph the NCP makes recommendations on the basis of the Guidelines 2023, as well as some additional recommendations that seem relevant to this specific instance. These are based on the Due Diligence Guidance and the Minerals Guidance.

Continuous improvement is a key component of due diligence (Due Diligence guidance, 2018). The NCP recommends that Stellantis continues to yearly update its HR policy as required for carrying out due diligence and pays special attention to step 4 of the due diligence process: tracking the implementation and effectiveness of its due diligence activities. The NCP recommends that Stellantis discloses this policy in accordance with the recommendations on disclosure in the updated OECD Guidelines.

When there are systemic issues in a company's supply chain, leading to an increased risk of adverse impacts this will increase the nature and extend of the due diligence. According to the Due diligence Guidance **extended due diligence** can be carried out by collaborating across sectors where possible, engagement with governments, acknowledging that there are legal and practical limits, identifying effective existing initiatives in order to be able to draw on recommended prevention and mitigation approaches developed by governments, industry associations, multi-stakeholder initiatives, or peers in the sector. The NCP concluded that there is a systemic issue in the cobalt mines in DRC. The NCP therefore recommends that Stellantis carries out extended due diligence, especially by collaborating across sectors, where possible, and by joining relevant initiatives.

Strengthened stakeholder engagement is expected of companies under the Guidelines 2023. They are encouraged to engage meaningfully with relevant stakeholders or their representatives and provide opportunities for their views to be taken into account with respect to activities that may significantly impact them. In addition, the Guidance on minerals says the company is expected to respond to stakeholder questions, concerns and comments. This means that meaningful stakeholder engagement requires the company to provide substantive responses to stakeholders' questions and concerns. This calls for a certain level of transparency.

The NCP recommends that Stellantis reviews its stakeholder engagement policy in this respect where necessary.

The NCP emphasises that questions, concerns and comments from stakeholders are essential for the company to be able to identify potential negative impacts on the ground. In this context, active cooperation with stakeholders should be sought, particularly in cases where the company itself does not have ‘eyes on the ground’ but is aware that risks exist.

In the NCP’s view, strengthened stakeholder involvement as recommended, could help bridge the aforementioned gap between the parties, which is that the company focused on its policies and their disclosure in line with the OECD Guidelines, while the submitting party focused on the situation on the ground in the DRC mines and on understanding Stellantis’ actions and their outcomes. It may also provide additional external validation for the company of the information used in its due diligence systems.

Multiple sources of information are needed for a company in order to get a complete picture of the situation on the ground in the mines. The NCP underlines that it is important that Stellantis receives multiple signals of possible negative impacts on the ground in their supply chain, especially in high-risk contexts. The OECD Minerals Guidance of 2016 asks of companies to complement the information received by audits of smelters on the situation in the mines with information from other sources like the media and stakeholder information. The NCP recommends that Stellantis, in consultation with the notifier, adds one or more relevant stakeholders working on the ground in DRC to their stakeholder list in order to further complement the information on the situation on the ground. The NCP recommends these NGO’s and Stellantis to exchange on the criteria for engagement and the specific form that this engagement could take.

The NCP recommends that Stellantis, on the basis of all the information it received on the situation on the ground, carries out an investigation to find out whether specific mines in DRC where human rights violations seem to have occurred are present in their supply chain.

11. Follow Up

As an important part of the NCP’s non-judicial role, follow up on agreements and recommendations supports the effectiveness of the specific instance process. In particular, follow up can further the Guidelines’ effectiveness by encouraging parties to remain engaged with the issues and companies to implement the recommendations and agreements adopted in accordance with the Guidelines.

The NCP will follow up the specific instance one year after the date of publication of the underlying final statement. The NCP will follow up with the parties in writing in order to evaluate the implementation of the recommendations made. The outcomes of the follow-up proceedings will be shared via a publication on the NCP’s website.

With this final statement, the NCP closes the Specific Instance Procedure.

The role of National Contact Points (NCPs) is to further the effectiveness of the OECD Guidelines. The Dutch government has chosen to establish an independent NCP, which is responsible for its own procedures and decisions, in accordance with the Procedural Guidance section of the Guidelines. In line with this, the Dutch NCP consists of four independent members, supported by four advisory government officials from the most relevant ministries. The NCP Secretariat is hosted by the Ministry of Foreign Affairs. The Minister for Foreign Trade and Development Cooperation is politically responsible for the functioning of the Dutch NCP. More information on the OECD Guidelines and the NCP can be found on the [NCP Website](#)

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