



**DIRECTORATE FOR FINANCIAL, FISCAL AND ENTERPRISE AFFAIRS**

**The OECD Guidelines for Multinational Enterprises:  
First Annual Meeting of the National Contact Points**

**SUMMARY REPORT OF THE CHAIR OF THE MEETING ON THE  
ACTIVITIES OF NATIONAL CONTACT POINTS**

**21 September 2001**

## SUMMARY REPORT OF THE CHAIR OF THE MEETING ON THE ACTIVITIES OF NATIONAL CONTACT POINTS

### Personal message from the Chair

In introducing this report, I should like, on a personal level, to express two overall thoughts prompted by the trends in the Guidelines that I have been observing for more than 25 years.

1. At the meeting of the National Contact Points, I was struck by the number of replies received and by the constructive and co-operative spirit in which it took place. The same applies to the exchange of views held at the meeting.
2. I believe, however, that we cannot stop halfway. My experience in this area entitles me to draw your attention, in particular, to the advantages to be derived from the possibility of constructive relations between National Contact Points. The same applies to reports concerning actual experiences. If this sort of climate is established and maintained within the CIME, we will in future have Guidelines that take account of the problems raised by the globalisation of the economy and that seek to settle them in a balanced manner.

Roland Charlier

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### Background

On 18 June 2001, the National Contact Points (NCPs) of the OECD Guidelines for Multinational Enterprises ("the Guidelines") held their first annual meeting. This meeting was preceded by consultations with Business Industry Advisory Council (BIAC), Trade Union Advisory Council (TUAC) and non-governmental organisations<sup>1</sup> and was followed by a Roundtable on Global Instruments for Corporate Responsibility. Six of the countries that have asked to adhere to the OECD Declaration on International Investment and Multinational Enterprise ("the Declaration") were present at these meetings as observers<sup>2</sup>. The NCP meeting responded to the requirement in the OECD Council Decision of June 2000 stating that: "The National Contact Points shall meet annually to share experiences and report to the Committee on International Investment and Multinational Enterprises (CIME)."

The 2001 meeting of the NCPs provided an opportunity to take stock of the first year of NCP activity since the completion of the review of the Guidelines and to reflect on directions for future activity. The present report reviews NCP activity based on written reports submitted by individual NCPs, consultations with business, trade unions and NGOs and the discussions during the NCP meeting. The report covers only activities actually undertaken (not planned or prospective activities). As of early July 2001, twenty-nine NCPs had sent reports to the Secretariat on their Guidelines-related activities over the past year. In

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1. NGOs were represented by ANPED -- the Northern Alliance for Sustainability -- and by Oxfam.

2. The observers were representatives of Estonia, Israel, Latvia, Singapore, Slovenia and Venezuela.

addition, the European Commission submitted a report on its promotional activities, though it does not have a National Contact Point.

Prior to the NCP meeting, Brazil submitted a report explaining that in “accordance with its constitutional procedures, the Brazilian government is awaiting Congressional approval of the Guidelines before proceeding to the actual establishment of a National Contact Point<sup>3</sup>.” The countries whose NCPs did not send reports and did not attend the meeting are Argentina, Chile and Iceland. In response to enquiries after the meeting, Argentina and Chile stated that they were not in a position to provide the report at this time.

This Report of the Chair of the NCP Meeting is organised under the three following headings: institutional arrangements, information and promotion, implementation in specific instances. The fourth and final section is entitled “Progress to date and considerations for future action”. It provides a general summary of the first year of activity after the revision of the Guidelines and proposes some considerations for the thrust of future work.

## **I. Institutional arrangements**

The NCP reports show that adhering governments have used the flexibility accorded to them under the Guidelines in determining the institutional structure of their NCPs. Reflecting the underlying diversity of adhering countries, a wide range of structures is evident in the NCP reports (see Annex 1). The NCPs reports show 17 “single department” NCPs and 5 “multi-departmental” NCPs (that is, involving several ministries). Five of the NCPs are tripartite, involving business and trade union representatives and several ministries. One NCP (Finland) is “quadripartite,” involving several ministries, the social partners as well as NGO representation.

This typology of the NCP institutional structure -- single department, multi-department, tripartite or quadripartite -- does not provide a full picture of the scope and breadth of consultation. NCPs, regardless of their structure, typically seek to draw on expertise and advice from many government departments and to consult with businesses, labour unions and NGOs. At times these broader consultations are institutionalised in a permanent structure. This is the case, for example, in Austria, Switzerland and the United States, where special Guidelines advisory groups have been created or existing groups used to encourage business, trade union and NGO participation in Guidelines implementation.

Beyond these formal arrangements for involving NGOs, most of the reports mention consultation with NGOs on an informal basis. Even where such permanent institutional structures are absent, such consultations have often been substantive, involving development of promotional materials, the drafting of the NCP report and discussions of specific instances and of the functioning of NCPs. Some NCP reports note that NGOs were not always enthusiastic about participating in Guidelines implementation. The Swedish report states that NGOs’ expressions of interest in the Guidelines were “limited”, while the Canadian report notes that NGOs seemed quite sceptical about the Guidelines’ effectiveness.

The European Commission does not have a national contact point, but has made an official responsible for promoting the Guidelines.

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3. The Brazilian report also states that the Guidelines and other relevant links can be found on the Foreign Ministry website and that “interested parties may contact the Foreign Ministry online in connection with all matters related to the Guidelines.”

## II. Information and promotion

*Translations.* The Guidelines have been translated into nearly all of the languages of the countries that reported on their activities<sup>4</sup>.

*Handbooks, booklets and press releases.* Many NCPs have developed handbooks or booklets on the Guidelines. These range from “user guides” giving substantial background information (e.g. the United Kingdom) to compilations of Guidelines texts and documents. Some NCPs drew on advice from business, labour and civil society when developing this material. A number of NCPs issued press releases in order to highlight Guidelines activities and events (e.g. Hungary).

*Web sites.* Most countries have placed the Guidelines on websites. In some cases, NCPs maintain “dedicated” websites containing extensive background and explanatory material on the Guidelines. In other cases, the Guidelines text and supporting procedural documents are posted on an existing Ministerial website. As a result of this activity and of interest elsewhere the web coverage of the Guidelines is now quite significant<sup>5</sup>. The European Commission’s web-site features links to various Guidelines sites.

*Conferences and seminars.* Many NCPs note that they have sponsored Guidelines conferences, workshops and seminars (e.g. Australia; Denmark; Finland, Greece, Japan, Netherlands, Sweden, Turkey, United Kingdom). Ireland used the preparations and consultations for the WTO Ministerial Meeting as a venue for promoting the Guidelines. Several reports (e.g. Canada, Germany, and Switzerland) mention promotion activities in the context of other meetings on related subjects sponsored by unions, business associations or by governments. In Germany, the OECD Berlin Centre organised, in co-operation with a German NGO, a panel discussion on the topic “Opportunities and Limitations of the OECD Guidelines.” The European Commission sponsored a conference in May, which its report describes as “a significant step in the implementation process of the Guidelines at European level.” The Polish NCP presented the Guidelines at seminars organised for trade unions.

*Promotional activities in the business community.* The Guidelines have continued to benefit from the positive working relationships with the business community that were established during the review. Business associations have also sponsored conferences and seminars. A major French business federation, the MEDEF, is sponsoring a Guidelines conference in conjunction with the NCP meeting and Roundtable. In addition, business associations have invited NCPs to participate in other events for which the Guidelines were relevant (e.g. Germany, Netherlands, UK). The business community has also promoted the Guidelines in its newsletters (e.g. Ireland, Belgium).

*Promotional activities undertaken by trade unions.* During the review period, TUAC set up a project to promote and implement the OECD Guidelines. TCO, the Swedish Confederation of Professional Employees, held a seminar on “workers’ rights in the globalised economy” and the Guidelines were presented there. In Jakarta, the International Federation of Building and Wood Workers, also held a conference on how to promote workers’ rights and, again, the Guidelines were presented by the TUAC Secretariat.

*Promotional activities among NGOs, think tanks and universities.* The Norwegian report notes that a group of 60 NGOs has issued human rights and environmental guidelines asking companies to adhere to the OECD Guidelines. NGOs have also invited NCPs to promote the Guidelines during their meetings and conferences (e.g. Ireland). The National Policy Association, a think tank in the United States,

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4. Czech, Danish, Dutch, Finnish, German, Hungarian, Greek, Norwegian, Japanese, Polish, Portuguese, Slovak, Spanish, Swedish, Turkish, and the official languages of Belgium and Switzerland.

5. A web search of English language sites shows 2666 non-repeating pages dealing with the Guidelines.

has sponsored two conferences on the Guidelines. NCPs in Canada and Belgium have been invited to present the Guidelines at university-sponsored events.

*Promotion within government.* A number of the reports describe efforts to raise the visibility of the Guidelines within adhering governments. The UK NCP has sent a “telegram to all British posts overseas requesting their active participation in promoting the Guidelines”. The Netherlands NCP presented the Guidelines during that country’s annual ambassadors’ conference and keeps Parliament informed of its proposed activities. Sweden has sent copies of the Guidelines to all of its embassies. The Department of Foreign Affairs and International Trade in Canada has taken steps to inform its staff about the Guidelines and provides information sessions on the Guidelines for its overseas trade officials. The Swedish Foreign Minister, in the course of a Parliamentary debate on corporate activity and human rights in Sudan, stated that, rather than developing new behavioural norms, the Swedish government “wants to ensure that existing rules, in particular the OECD Guidelines, are followed.”

*Links with investment promotion and export credit agencies.* Several reports mention various sorts of link with export credit and investment promotion agencies. The European Commission notes that the Guidelines are part of the briefing package of delegations on foreign direct investment. In Germany, the application form for investment guarantees refers to the Guidelines and to their German language Internet address. Investment development groups within Industry Canada provide the Guidelines in response to requests from “client groups”. The Finnish report notes that the Parliament has stated that Finnvera, plc, the national export credit agency, should inform companies about the Guidelines when offering export credit guarantees. Finnvera is currently preparing for the implementation of such a policy. The Netherlands NCP reports that a letter from the Minister of Foreign Trade has been sent to Parliament with proposals for linking the OECD Guidelines to “government investment and export promotion programmes like export credit guarantees.” The Swedish report mentions “information co-operation” from the Export Credit Guarantee Board and the Swedish Trade Council. The US NCP has undertaken discussions with the Export-Import Bank, the Overseas Private Investment Corporation (OPIC) and the Department of Commerce on the provision of information on the Guidelines to applicants for their programmes in support of US business activity abroad. The Polish NCP is located in the national investment promotion agency.

*High level promotion.* Promotion activities by Ministers tend to raise the political profile and weight of the Guidelines. Various activities by Ministers -- speeches, letters and meetings -- are mentioned in the NCP reports [e.g. Denmark, the European Commission, Germany, Ireland, Netherlands, Sweden (at State Secretary level)].

### **III. Implementation in specific instances**

*Specific instances: number and nature.* The procedural guidance asks NCPs to provide a “forum for discussion” so as to “contribute to the resolution of issues that arise relating to implementation of the Guidelines in specific instances”. A number of “specific instances” have been brought to the attention of the NCPs (all but one of them at the end of the period under review). A number are or were the subject of active consideration by the NCP:

Belgium reports that one new specific instance concerning Chapter IV of the Guidelines was recently brought to its attention.

The United Kingdom reports that one instance was called to its attention by another NCP and two others by NGOs. Two of these instances relate to the activities of UK companies in non-adhering countries.

The French NCP now has 3 specific instances. All three “cases” concern issues covered in chapter IV of the Guidelines and one pertains to business behaviour in a non-adhering country.

Trade unions raised a number of issues with the NCP in the United States. In one case, the parties reached an agreement after entering into direct negotiations. Another instance was in the preliminary assessment phase at the time the US NCP submitted its report.

*Procedures for dealing with specific instances.* Some NCPs have developed procedures for dealing with specific instances to enhance all parties’ understanding of what the process consists of and to enhance the fairness of the process. The UK NCP publishes its procedures on its web-site. The French NCP is developing an internal code of conduct for conducting discussions of specific instances. The Korean NCP has defined general procedures for their handling and for acquainting the relevant ministries of the result. Australia is working with business, labour and NGOs to put “appropriate procedures in place for dealing with issues when they arise”. The Hungarian NCP has issued procedural guidelines for dealing with all types of Guidelines-related enquiries. Other NCPs prefer to gather practical experience as a basis for possible development of additional procedures.

#### **IV. Progress to date and considerations for future action**

The past year has seen significant progress in relation to the core criteria of visibility, accessibility, transparency and accountability. The institutions that promote and implement the Guidelines have been developed and reinforced. Some governments that had allowed Guidelines institutions to become dormant prior to the review have since established active NCPs. Nearly all of the individual NCP reports indicate that the Guidelines have been translated into the language of the reporting country. Numerous web-sites have been created and the web coverage of the Guidelines is now quite extensive. Promotional events -- conferences, seminars and workshops -- have been organised. National publications explaining the text and implementation procedures of the Guidelines have been issued. Businesses have also been active in promoting the Guidelines in various ways, as have trade unions and NGOs. Viewed as a whole, the NCPs and their partners have taken important steps in amassing the stock of information and “user recognition” that are necessary to establish the Guidelines as a useful tool for businesses, governments, unions, NGOs and other interested parties.

In addition, a number of specific instances have been brought to the attention of the NCPs. Many of these were brought toward the end of the review period and are still being discussed. Nevertheless, some of these deal with issues outside adhering countries and having high profile in the international debate on corporate conduct (e.g. forced labour).

However, much remains to be done to ensure that the Guidelines are viewed by business and other interested parties as a vital tool. The frank assessment in the Polish NCP report is telling: “Despite many efforts aimed at making the Guidelines better known by the parties concerned, they are still not widely recognised in Poland as an effective instrument for assuring the appropriate standards of business conduct.” The same observation would probably be valid for many other adhering countries as well.

Clearly, enhancing the visibility and effectiveness of the Guidelines will require a sustained effort. The activities of the NCPs and their partners in the business and labour communities, in civil society and in non-member governments will determine the success of this effort. The strategic issues that were discussed in the course of the meetings and consultations include the following<sup>6</sup>:

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6. The set of strategic considerations that were distilled from the individual NCP reports and that were proposed as a basis for discussion during the NCP meetings are presented in Annex 2.

- *Policy coherence.* The Guidelines are expressions of the shared views of adhering countries regarding the conduct of enterprises operating in or from their territory. Many adhering countries have policies that affect the conduct and competitive position of multinational enterprises in various ways. One theme apparent in the NCP discussions and reports relates to how adhering governments can show that they take seriously the recommendations they make in the Guidelines by linking them to other policies affecting their enterprises' international activities. While many NCPs underscored the desirability of coherence between the Guidelines and other policies, some were also concerned that such linkages, if not carefully designed, could undermine the voluntary nature of the Guidelines and break the thread of trust connecting the business community to the Guidelines process.
- *Relation of Guidelines implementation to national procedures.* A number of the specific instances and enquiries mentioned in the NCP reports were considered in parallel with other legal, regulatory and administrative procedures. No major conflicts were reported, but the challenge of enhancing the value added of Guidelines implementation procedures (or of determining whether they have any value added at all) relative to other national procedures did emerge as an issue.
- *Burma and the Guidelines.* The question of human rights violations in Burma was raised during the consultations and the NCP meeting. TUAC tabled a letter noting the June 2000 adoption by the International Labour Conference of a "Resolution on Burma" under article 33 of the ILO Constitution and asking the CIME to discuss how "the Guidelines can be used to contribute to the elimination of forced labour in Burma." A number of specific instances or enquiries have also been raised with NCPs in connection with Burma. BIAC stated that it shared the general concern about human rights violations in Burma, but expressed confidence in the ILO when dealing with the particular issue of forced labour.
- *A "third way" for Guidelines implementation.* The discussion in the NCP meeting tended to stress the significant progress made over the past year in promoting the Guidelines. However, two NCPs (Austria and Sweden) also cited a need for improvements in how the Guidelines are used to influence business conduct. In particular, they stressed the importance of developing a distinctive and balanced approach to Guidelines implementation that reflects the NCPs dependence on the trust and co-operation of the business community in order to promote meaningful change. This approach would highlight and promote the many instances of "best practice" in business conduct that are called to the attention of the NCPs<sup>7</sup>. However, it also involves the search for ways to help correct alleged deficiencies in corporate behaviour,<sup>8</sup> while preserving the trust and co-operation of companies whose activities have been called into question.
- *Balance of promotion -- the Guidelines versus the other instruments in the Declaration.* The business community expressed concern about the balance of CIME's efforts to promote the Guidelines in comparison with its efforts to promote other elements of the OECD Declaration. It feared that these efforts were disproportionate relative to those expended on the other

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7. Several examples of positive efforts by businesses and business associations were discussed during the Roundtable on Global Instruments for Corporate Responsibility. Some companies were shown to be making significant efforts to improve their non-financial reporting and accountability, while also contributing to the accumulation of the reporting and auditing guidelines and standards that will make it easier for other companies to do the same thing at some future date.

8. For example, trade unions and NGOs expressed concerns during the consultations about the conduct of OECD based multi-national enterprises in Burma and Zambia. One of the NCP reports (Sweden) mentions concerns about business activity in Sudan.

instruments in the Declaration. However, on a number of occasions, the presence in the meeting of observers representing of six governments that have asked to adhere to the Declaration was welcomed and the promise that this held for the future promulgation of the Declaration was noted.



**Annex 1**  
**Structure of the National Contact Points\***

	<b>COMPOSITION OF THE NCP</b>	<b>GOVERNMENTAL LOCATION OF THE NCP</b>	<b>OTHER MINISTRIES AND/OR AGENCIES INVOLVED**</b>	<b>COMMENTS AND NOTES</b>
<b>Australia</b>	Single department	Foreign Investment Review Board	- Ministry of Treasury	The Australian NCP is currently considering changes in the structure of its NCP and is consulting on this matter with businesses, trade unions and NGOs.
<b>Austria</b>	Single department	Export and Investment Policy Division, Federal Ministry of Economic Affairs and Labour		An Advisory Committee composed of representatives from other Federal government departments, social partners and interested NGOs supports the NCP. The Committee has its own rules of procedure, met three times over the review period and discussed all Guidelines-related business.
<b>Belgium</b>	Tripartite with regional governments and several ministries as well as business and labour representatives	Ministry of Economic Affairs	- Ministry of Environment - Ministry of Labour - Ministry of Foreign Affairs - Ministry of Finance - Ministry of Justice - Region of Brussels - Flemish Region - Walloon Region	
<b>Canada</b>	Interdepartmental Committee		- Department of Foreign Affairs and International Trade - Industry Canada - Human Resources Development Canada - Environment Canada - Natural Resources Canada - Department of Finance - Canadian International Development Agency	A regular point of contact has not been established with the NGO community, although the Guidelines have been promoted with a number of these organisations.

\* This table is based on information provided by the National Contact Points in their annual report.

\*\* The information provided here is based on the ministries and/or government agencies explicitly mentioned in the NCP reports.

	<b>COMPOSITION OF THE NCP</b>	<b>GOVERNMENTAL LOCATION OF THE NCP</b>	<b>OTHER MINISTRIES AND/OR AGENCIES INVOLVED**</b>	<b>COMMENTS AND NOTES</b>
<b>Czech Republic</b>	Single Department	Ministry of Finance	<ul style="list-style-type: none"> <li>- Ministry of Labour and Social Affairs</li> <li>- Ministry of Industry and Trade</li> <li>- Ministry of Justice</li> <li>- Ministry of Foreign Affairs</li> <li>- Ministry of the Environment</li> <li>- Czech National Bank</li> <li>- Office for the Protection of Economic Competition</li> </ul>	The NCP works in co-operation with the social partners.
<b>Denmark</b>	Tripartite with several ministries	Ministry of Labour	<ul style="list-style-type: none"> <li>- Danish Agency for Trade and Industry</li> <li>- Environmental Protection Agency</li> <li>- Ministry of Economy</li> <li>- Ministry of Foreign Affairs</li> </ul>	
<b>Finland</b>	Quadri-partite with several ministries	Advisory Committee on International Investment and Multinational Enterprises, Ministry of Trade and Industry	<ul style="list-style-type: none"> <li>- Ministry of Foreign Affairs</li> <li>- Ministry of Justice</li> <li>- Ministry of Finance</li> <li>- Ministry of Social Affairs and Health</li> <li>- Ministry of Labour</li> <li>- Ministry of Environment</li> </ul>	
<b>France</b>	Tripartite with several ministries	Treasury Department, Ministry of Economy and Finance	<ul style="list-style-type: none"> <li>- Ministry of Labour</li> <li>- Ministry of Environment</li> <li>- Ministry of Foreign Affairs</li> </ul>	
<b>Germany</b>	Single Department	Federal Ministry of Economics	<ul style="list-style-type: none"> <li>- Ministry of Foreign Affairs</li> <li>- Ministry of Justice</li> <li>- Ministry of Finance</li> <li>- Ministry of Economic Co-operation</li> <li>- Ministry of Labour</li> <li>- Ministry of Environment</li> </ul>	The NCP works in close co-operation with the social partners. The composition of the NCP is under discussion.

\*\* The information provided here is based on the ministries and/or government agencies explicitly mentioned in the NCP reports.

	<b>COMPOSITION OF THE NCP</b>	<b>GOVERNMENTAL LOCATION OF THE NCP</b>	<b>OTHER MINISTRIES AND/OR AGENCIES INVOLVED**</b>	<b>COMMENTS AND NOTES</b>
<b>Greece</b>	Single Department	Directorate for International Organisations and Policies, Ministry of National Economy		
<b>Hungary</b>	Interdepartmental Office	Ministry of Economic Affairs	<ul style="list-style-type: none"> <li>- Ministry of Economic Affairs</li> <li>- Ministry of Finance</li> <li>- Ministry of Foreign Affairs</li> <li>- National Bank of Hungary</li> </ul>	
<b>Ireland</b>	Single Department	Enterprise Policy Unit, Department of Enterprise, Trade and Employment		
<b>Italy</b>	Single Department	Direction Générale, Ministry of Production Activities		
<b>Japan</b>	Single Department	Economic Affairs Bureau, Ministry of Foreign Affairs	<ul style="list-style-type: none"> <li>- Ministry of Health, Labour and Welfare</li> <li>- Ministry of Economy, Trade and Industry</li> </ul>	
<b>Korea</b>	Interdepartmental Office, with regional governments and several ministries	Executive Committee on Foreign Direct Investment	<ul style="list-style-type: none"> <li>- Ministry of Foreign Affairs</li> <li>- Ministry of Finance and Economy</li> <li>- Korean Trade-Investment Promotion Agency</li> </ul>	
<b>Mexico</b>	Single Department	Ministry of Economy		
<b>Netherlands</b>	Interdepartmental Office	Ministry of Economic Affairs	All departments, especially: <ul style="list-style-type: none"> <li>- Ministry of Social Affairs</li> <li>- Ministry of Environment</li> <li>- Ministry of Foreign Affairs</li> </ul>	Regular consultations with all stakeholders.
<b>New Zealand</b>	Single Department	Trade Negotiations Division, Ministry of Foreign Affairs and Trade		Consultations are currently being held within government and with the non-government sector on whether it is appropriate for the location or structure of the NCP to be changed.

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	<b>COMPOSITION OF THE NCP</b>	<b>GOVERNMENTAL LOCATION OF THE NCP</b>	<b>OTHER MINISTRIES AND/OR AGENCIES INVOLVED**</b>	<b>COMMENTS AND NOTES</b>
<b>Norway</b>	Tripartite, with several ministries	Department for Trade Policy, Environment and Resources, Ministry of Foreign Affairs	- Ministry of Foreign Affairs - Ministry of Industry and Trade - Ministry of the Environment	
<b>Poland</b>	Single Department	Polish Agency for Foreign Investment		
<b>Portugal</b>	Single Department	ICEP Portugal (the Portuguese Investment Promotion Agency)		
<b>Slovak Republic</b>	Interdepartmental Office	Slovak Investment and Trade Development Agency	- Ministry of Economy - Ministry of Finance - Ministry of Labour, Social Affairs and Family - Ministry of the Environment - Ministry of Construction and Regional Development - Ministry for Administration and Privatisation of National Property - Office of the Government	
<b>Spain</b>	Single Department	General Secretary for International Trade, Ministry of Economy		
<b>Sweden</b>	Tripartite, with several ministries	Department for International Trade and Policy, Ministry for Foreign Affairs	- Ministry of Industry, Employment and Communications - Ministry of Environment - Ministry of Justice - National Board of Trade	

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	<b>COMPOSITION OF THE NCP</b>	<b>GOVERNMENTAL LOCATION OF THE NCP</b>	<b>OTHER MINISTRIES AND/OR AGENCIES INVOLVED**</b>	<b>COMMENTS AND NOTES</b>
<b>Switzerland</b>	Single Department	International Investment and Multinational Enterprises Sector, Federal Department of Economy		Co-operation with business, trade unions and NGOs is institutionalised through a liaison group that meets regularly.
<b>Turkey</b>	Single Department	General Directorate of Foreign Investment, Undersecretariat of Treasury		
<b>United Kingdom</b>	Single Department	International Investment Policy Unit, Department of Trade and Industry	<ul style="list-style-type: none"> <li>- Foreign and Commonwealth Office</li> <li>- Department for International development</li> </ul>	The NCP liaises with other government departments as necessary and has regular informal contacts with business, trade union and NGO representatives.
<b>United States</b>	Single Department	Office of Investment Affairs of the Department of State		The US NCP queries other agencies as needed and, when necessary, an interagency committee chaired by the Office of Investment Affairs meets to discuss Guidelines issues. Business, labour and civil society organisations are consulted regulatory via the Advisory Council on International Economic Policy or individually on an ad hoc basis.

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## **Annex 2**

### **Strategic issues facing NCPs**

- Are the Guidelines contributing to helping enterprises achieve appropriate norms for business conduct in their day-to-day operations? To what extent are they contributing to the broader goal of strengthening the “basis of mutual confidence between enterprises and the societies in which they operate”<sup>9</sup>? What are the respective roles of promotion and specific instances in contributing to achieving this goal?
- In association with their annual meeting the NCPs are soliciting advice from other actors -- businesses, trade unions, NGOs and other international organisations -- on the similarities and differences among the various other global instruments designed to enhance corporate responsibility, both in terms of content and implementation. How can the contributions and synergies of the Guidelines relative to other global instruments be maximised and overlaps be avoided?
- Several NCP reports describe contacts with other NCPs. These often occurred in connection with enquiries or specific instances. The European Commission organised an informal meeting of European Union NCPs. Is there a need to take further steps to improve co-operation among NCPs?
- Has the “objective of functional equivalence<sup>10</sup>” of the national contact points been achieved? What needs to be done to improve the ability of all NCPs to operate in accordance with the core criteria of visibility, accessibility, transparency and accountability?
- Some of the NCP reports mention various linkages between the Guidelines and investment promotion and export credit agencies. The Chair of BIAC has written a letter objecting to one country’s proposed approach to this linkage. If such linkages are created, how should they be structured so as to enhance the effectiveness of the Guidelines and to avoid undermining the trust and co-operation of the business community?
- The task of making the Guidelines both visible and meaningful with larger companies is already a difficult one. Among smaller companies this problem is compounded by a lack of resources and, at times, a lack of specialised managers (e.g. compliance officers) that would typically work on such matters in large companies. How can the Guidelines be promoted among smaller companies?
- A number of the specific instances and enquiries mentioned in the NCP reports (e.g. Finland, France) were considered in parallel with other legal or administrative processes at the national level. How can the NCPs best ensure that the relationship between Guidelines follow-up procedures and formal judicial enquiries or dispute resolution mechanisms is a complementary and effective one?
- How are the Guidelines to be promoted and made meaningful in non-adhering countries? Can OECD outreach activities be used for this purpose? A few of the NCP reports mention the promotion of the Guidelines in the context of regional economic initiatives. Is there further scope for this kind of activity?

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9. Quote is from the first paragraph of the Preface to the Guidelines.

10. Quote from Procedural Guidance of the Guidelines.