

# National Contact Point for the OECD Guidelines 2019 Activity Report



1. Dissemination of the OECD Guidelines - Tools
  - 1.A New OECD Guide - Tools on the NCP website
  - 1.B Sustainable value chain in the garment and footwear sector
  - 1.C Update of Codes of Conduct
  - 1.D Participation / organization of events and training
  - 1.E Feasibility studies of cooperative enterprises for the implementation of the SDGs
2. Management of the specific instances
  - 2.A Data
  - 2.B Management of the specific instances
  - 2.C Specific instances - Tools on the NCP website
3. Cooperation with the members of the NCP Committee
4. 4. Institutional and regulatory development activities
  - 4.A NCP contribution to the implementation of the BHR NAP
  - 4.B Implementation of Regulation 2017/821
5. 5. OECD activities

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## **Dissemination of the OECD Guidelines - Tools**

### OECD Due Diligence Guidance for Responsible Business Conduct [general guidance]

- “ Translation of the Guide in Italian COMPLETED
- “ Dissemination of the due diligence in public events
- “ Answers to questions from companies on how to implement the due diligence

#### On the NCP website

The Guide is now also available in ITALIAN on the OECD website and on the Italian NCP website

<https://pcnitalia.mise.gov.it/index.php/it/due-diligence>

**YOU ARE INVITED TO THE WIDEST DISSEMINATION THROUGH YOUR INSTITUTIONAL SITES AND NETWORKS**

### Participation in the UNECE project:

#### *Transparency and traceability of sustainable value chain in the garment and footwear sector*

Working group

<https://www.unece.org/tradewelcome/outreach-and-support-for-trade-facilitation/traceability-for-sustainable-value-chains-textile-and-leather-sector.html>



Traceability of Sustainable Value Chains



UNECE Study on Transparency and Traceability in Textile Value Chains



UNECE Traceability for Sustainable Trade



Implementing UN/CEFACT e-business standards in Agricultural Trade



Briefing note on sustainable textile value chains in the garment and footwear domain for SDG12

### Italian pilot project MED - IBM:

*Use of the Blockchain for the Traceability, sustainability and transparency of the garment and footwear sector*

#### Taken steps:

- " Kick off Rome - 13/03/2019
- " Report Design Thinking - 21/03/ 2019
- " Scope definition of the PoC (Proof of Concept) - 28/05/2019
- " system testing phase- 21/6/2019 – 03/07/2019
- " **Presentation of the results of the pilot project– Rome – MED 14/11/2019**

LA **BLOCKCHAIN**  
PER LA TRACCIABILITÀ  
DEL **MADE IN ITALY**:  
*Origine, Qualità, Sostenibilità*



**14 NOVEMBRE, ORE 11:00**  
**SALA DEGLI ARAZZI**  
**VIA VENETO 33**  
Ministero dello Sviluppo Economico

**PROGRAMMA**

**11.00 – 11.15** PROIEZIONE VIDEO  
**11.15 – 11.30** APERTURA LAVORI  
**Mario Fiorentino** Direttore Generale per la politica industriale, l'innovazione e le piccole e medie imprese.  
Proiezione video introduttivo alla tecnologia blockchain e alle sue applicazioni.

**PRIMA SESSIONE – IL PROGETTO**

**11.30 – 11.40** PERCORSO PROGETTUALE IBM, **Loredana Chianelli** Associate Partner IBM  
**11.40 – 11.45** PROIEZIONE VIDEO RELATIVO AL PERCORSO PROGETTUALE

**SECONDA SESSIONE – LE TESTIMONIANZE**  
**modera David Casalini**

**11.45 – 12.30** Tavola rotonda. Imprese e associazioni raccontano il progetto e le sue potenzialità per la filiera tessile e la moda

**12.30 – 13.00** Talk finale fra il Ministro dello Sviluppo Economico **Stefano Patuanelli** e il Presidente e Amministratore Delegato di IBM Italia **Enrico Cereda**.

REGISTRAZIONI E CONTATTI  
pminnovative@mise.gov.it



In collaborazione con





## 1.C Update of Codes of Conduct

### Updating of codes of conduct of trade associations according to the Organization and Management Models pursuant to d. Legislative Decree 231/2001

Assessment of references to OECD Guidelines for Multinational Enterprises, due diligence and non-financial disclosure



- Update of Codes of Conduct



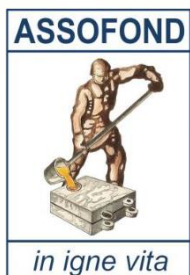
- Update of the 2019 Ethical Code



- Update of the new version of the Code of Conduct



- Update of the new version of the Code of Conduct



- Update of the 2<sup>nd</sup> edition of the Code of Conduct of Assofond . Federazione Nazionale Fonderie . with references to the supply of minerals and metals from conflict and high-risk areas (Regulation EU) 2017/821)

## 1.D Participation / organization of events and training 1/4

**Pitti Uomo 2019 - Florence, 09/01/2019 - “UK Italy: Lessons in Sustainable Fashion” organized by the British Consulate in Milan in collaboration with the Department of Foreign Trade (DIT) - sustainable supply**



**CNEL, Rome, 03/05/2019, International Study Seminar - "Criminal Compliance Itineraries" Cycle - Human Rights Violations in the Multinational Supply Chain - National and International Experiences**

<https://www.unitelmasapienza.it/it/contenuti/novita/resoconto-seminario-del-3-maggio>

**Centro studi CISL 2019 - Florence, 25/03/2019 - 2nd joint Ebli - Tarantelli Foundation training module on Corporate Social Responsibility**



**Scuola di Politica Internazionale Cooperazione e Sviluppo / FOCSIV Rome, 16/05/2019 - Lecture the Master: «New Horizons of Cooperation and International Law» - The Guidelines and the mechanism of specific instances**



**Associazione Italiana Commercio Estero . Milan . 05/07/2019 . «Sustainability and social responsibility: new Italian companies in international trade: traceability and sustainability of the supply chain+»**



**Scuola Superiore della Magistratura - Villa di Castelpulci, Scandicci,**  
16-18/09/2019 Training of magistrates on the mechanism of specific  
instances in the course "Business and environment, labour and health  
fundamental rights"



**Cassa Depositi e Prestiti . Rome . 28/11/2019**  
First Multistakeholder Forum of CDP . Contribution to the  
definition of the CDP sustainability strategy



**We Gil . Rome . 17/10/2019 . Human rights in public  
procurement: how to include social criteria in procurement**

**Università degli Studi Milano Bicocca . 13/12/2019 - - Lecture in the  
Master: «SiLFiM - Sustainability in law, finance and management» - The  
Guidelines and the mechanism of specific instances**



## 1.D Participation / organization of events and training 4/4



**29/10/2019 – Rome MED – ISGI – NCP:**  
*Reflection on the opportunities of the **specific instances mechanisms**, within the framework of the **Sustainable Development Goals**.*

*Organized by ISGI and the NCP*

**About 80 participants, in addition to the speakers**

- ✓ Legal environment
- ✓ Academic world
- ✓ Institutions
- ✓ Companies
- ✓ Labor unions
- ✓ NGO

**Attentive and prepared public, despite the technical setting of the event**

**Growing demand for information on sustainability issues among operators (thanks SDGs!)**



SAVING THE FUTURE

### LABOUR ISSUES IN RESPONSIBLE BUSINESS CONDUCT

23 - 27 SEPTEMBER, 2019  
TORINO, ITALY



**Partecipazione to the training course:  
«Labour Issues in Responsible Business  
Conduct»**

**ILO International Training Center  
Torino 23-27/09/2019**

**funded by the Trade for Decent Work ILO-  
EU partnership**

**Video testimonial**

**[https://www.youtube.com/watch?v=aTCnP-  
eMN7c&feature=emb\\_title](https://www.youtube.com/watch?v=aTCnP-eMN7c&feature=emb_title)**

**Pages of the NCP website dedicated to the  
ILO:**

**[https://pcnitalia.mise.gov.it/index.php/it/2-non-  
categorizzato/2035999-l-organizzazione-  
internazionale-del-lavoro-ilo-o-oil](https://pcnitalia.mise.gov.it/index.php/it/2-non-categorizzato/2035999-l-organizzazione-internazionale-del-lavoro-ilo-o-oil)**

### The 3 feasibility studies have been assigned by public tender



#### **1) identification and use of active citizenship involvement methodologies for inclusive and sustainable urbanization**

(Leader: LAMA cooperative, consulting firm)



#### **2) Identification of new organizational and cooperative governance models**

(Leader: CAUTO, type B social cooperative)



#### **3) Traceability, transparency and distribution of value within a cooperative supply chain**

(Leader: Programma Integra, integrated social cooperative)

- **Kick-off Meeting: 14° June 2019**

- enhancement of the mutualistic and reciprocal nature of the proposed collaborative model

- involvement of partners and stakeholders in the cooperative governance

- type of expected impact and measurement methodology

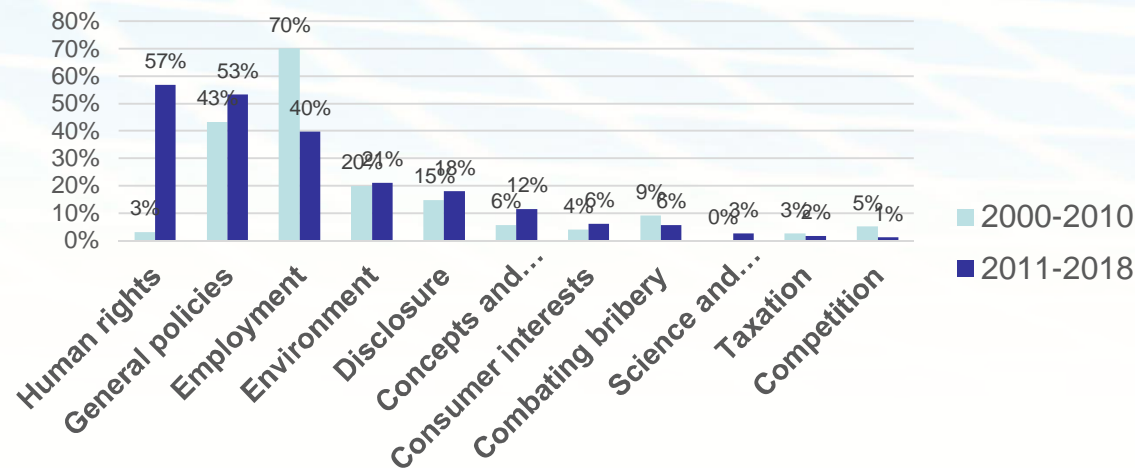
- Presentation and discussion of the projects: 24<sup>th</sup> September 2019
- Delivery of feasibility studies: late 2019 - early 2020

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## **Management of the specific instances**

## 2.A Data the mechanism of the specific instances 1/3

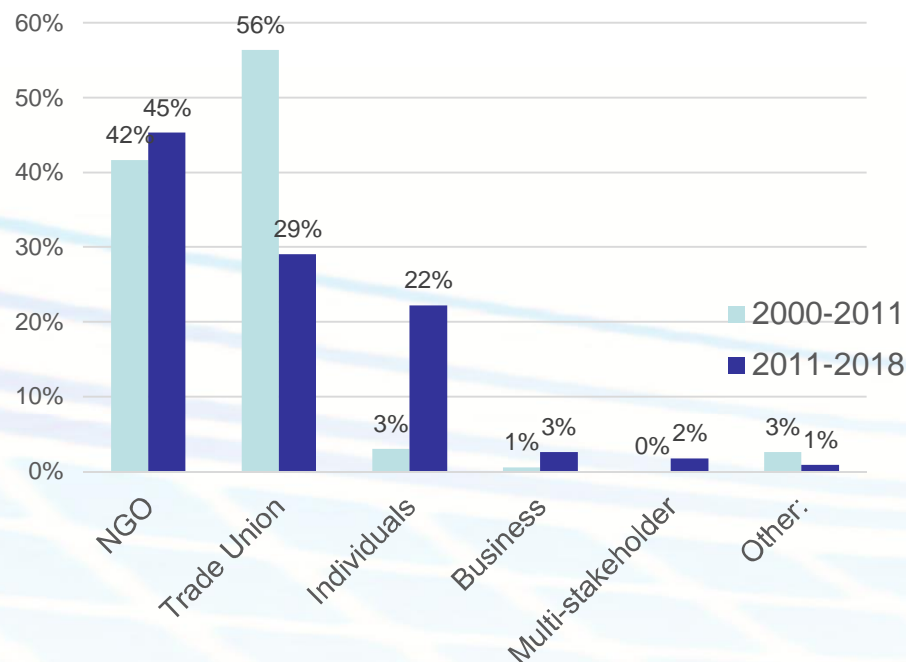
- 55% of the approx. 48 governments signed the GLs in 2014-18 representing 71% of outward IDE flows and 63% of inward IDE flows
- 482 complaints submitted to NCPs from 2000 to 2018 - 60% of which accepted
- The most affected sector is manufacturing (32%) followed by mining and quarrying (including energy sources)
- In the period 2011-2017 about half of all cases accepted by NCPs ended in some form of agreement between the parties and in about 37% of cases there were changes in RBC policies in the companies concerned



55% of cases concern workers' rights and industrial relations, followed by human rights (30%) and the environment (20%)



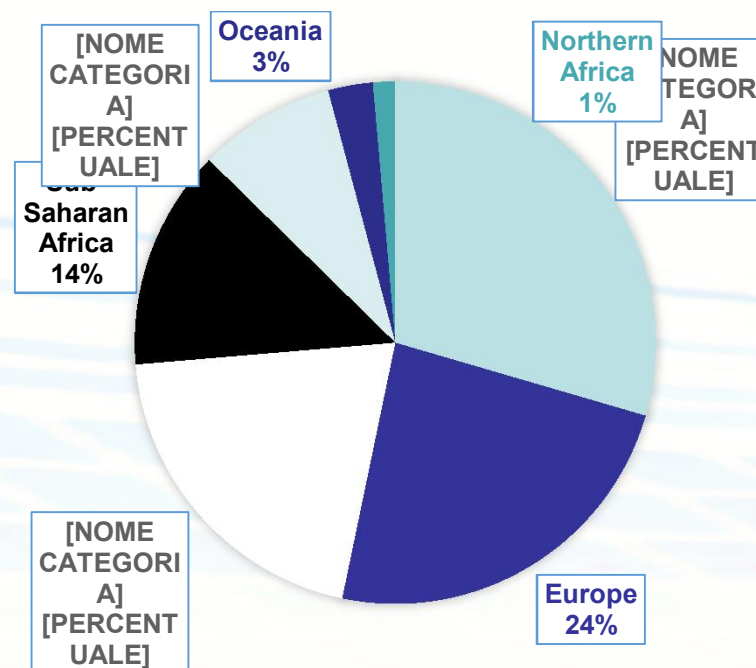
### Submitters



In 2018 the companies involved are:

- " 35% private
- " 32% public
- " 6% state owned (SOE)
- " (For the remaining unknown data)

### Host Countries



## 2A. Data: specific instances before the Italian NCP 3/3

- “ Total complaints received 2000-2019: 21  
(of which total complaints received in the period 2016-2019: 12)
- “ Complaints accepted: 9
- “ Complaints rejected: 12
- “ Of which cases for which an agreement was found elsewhere (e.g. crisis table): 5
- “ Of which presented by individuals: 6

### Submitters (by category in number)

- “ Trade unions: 7
- “ NGOs: 7
- “ Individuals: 6
- “ Companies: 1

### Geographical areas (Host Countries)

- “ Italy: 11
- “ India: 3
- “ China, Brazil, Ethiopia, Iran, Nigeria, Azerbaijan, Georgia, Turkey, Kazakhstan: (1 x Country)

### OUTCOMES

- “ Complaints concluded with final declaration: 2
- “ Complaints concluded with agreement between the parties before the NCP: 1
- “ Complaints concluded by agreement between the parties at another leader NCP: 2
- “ Complaints for which an agreement was found elsewhere: 5

### Open cases



**Ali Enterprises Factory Fire Affectees Association (AEFFAA) et al. / RINA Services S.p.A.** - 11/9/2018 . Assistance to parties (conciliation) ongoing . first meeting 25/6/2019

### Closed cases



**Fiom CGIL Nazionale / Ball Beverage Packaging Italia srl** . negative initial assessment 21/2/2019



**Lady Lawyer Foundation (LLF) / Intesa Sanpaolo S.p.A.** - 18/7/ 2019 . negative initial assessment 13/11/2019



**Chima Williams & Associates (CWA) et al. / ENI S.p.A.** . 15/12/2017 . Agreement signed 8/7/2019

### Cooperation with other NCPs



Brasilian leader NCP. **ADERE-MG / al. et Illy Caffè** - Initial assessment ongoing - 21/8/2018 => Richiesta di replica ad Illy



Chilean leader NCP . Parties . Notification to the Italian company involved



### Chima Williams & Associates (CWA) et al. / ENI S.p.A. – 15/12/2017 – Agreement signed 8/7/2019

#### Summary of the agreement

- " ENI builds the culverts/drainages necessary to limit flooding in the area, according to the study carried out by the Technical Expert and approved by the Parties.*
- " Where ENI or the Complainants, by September 15, 2019, consider that the measures adopted have not reached their objective, the Parties meet and, with the help of the Technical Expert, decide the measures to be taken to remedy.*
- " ENI will do everything possible to remove any legal obstacles to the implementation of the measures, regularly check the functionality of the culverts/drainages, eliminating obstacles and doing maintenance activities.*
- " The Complainants will promptly report any malfunction to ENI*
- " After the conclusion of the Conciliation, the Parties will keep the NCP informed of the implementation of the Agreement, will pay the utmost attention to the safety of all the people involved and will cooperate to deal with the personal and socio-economic consequences of the floods.*

During the **Global Forum on BHR 2019**, in the workshop dedicated to: "Mediation as Viable Access to Remedy?", **the case was mentioned as a good practice** and an example of effectiveness, for the choice of an expert mediator

### On the NCP website



**Preparation of a flowchart of the process of managing specific instances to the Italian NCP**



**Preparation of a webpage dedicated to requesting information from the NCP on the specific instances and on the issues of the OECD Guidelines**

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## **Cooperation with the members of the NCP Committee. Communication activity**



### 3. Initiatives of the members of the NCP Committee

#### Communication Plan: promotion of the OECD Guidelines and of the specific instances

<https://pcnitalia.mise.gov.it/index.php/en/ncp-burger/about-us1/the-committee-of-the-ncp>



Publishing information on institutional sites:

- " CISL: <https://www.cisl.it/grandi-temi/partecipazione-e-democrazia-economica.html>
- " UIL: <http://www.uil.it/contrattazioneindustria/default.asp>
- " MAECI: [https://www.esteri.it/mae/it/politica\\_estera/temi\\_globali/la-sostenibilita.html](https://www.esteri.it/mae/it/politica_estera/temi_globali/la-sostenibilita.html)
- " Ministero dell'Ambiente: <https://www.minambiente.it/pagina/il-punto-di-contatto-nazionale>
- " Min. Lavoro: <https://www.lavoro.gov.it/temi-e-priorita/Terzo-settore-e-responsabilita-sociale-impres/focus-on/Responsabilita-sociale-impres-e-organizzazioni/Pagine/default.aspx>
- " Confindustria: <https://www.confindustria.it/home/appuntamenti/iniziative-progetti/dettaglio-evento/NCP>
- " Unioncamere: <http://www.unioncamere.gov.it/csr/P42A0C377S370/NCP-Linee-guida-OCSE.htm>

Thank you!

Request by the NCP to the Ministry of Foreign Affairs to publish on the websites of Embassies and Consulates abroad information related to: Due Diligence, OECD Guidelines, mechanism of specific instances - under evaluation

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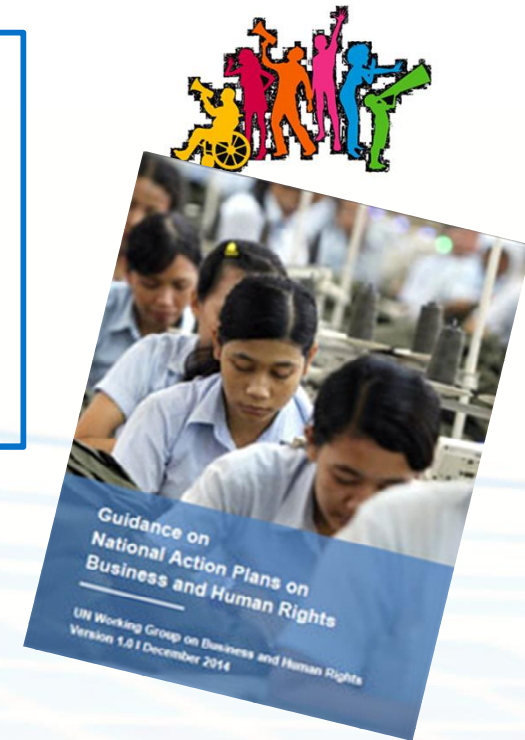
**Institutional and regulatory  
development activities  
4.A 4.B Implementation of  
Regulation 2017/821**

### Implementation of the BHR NAP

Participation in the Plenary meeting of the **Interministerial Committee for Human Rights** (CIDU) and in the work of the **Business and Human Rights Working Group** (GLIDU) - meeting with stakeholders at the MAECI

- ✓ 06/13/2019 - GLIDU
- ✓ 12/11/2019 - CIDU
- ✓ 03/12/2019 - GLIDU- consultation with stakeholders

June 2019: MED-NCP contribution to the input by the Working Group on Business and Human Rights on the role of national human rights institutions in facilitating access to effective remedy for business-related human rights abuses



### Participation:

UNITED NATIONS FORUM  
ON BUSINESS AND HUMAN RIGHTS  
GENEVA, 25 – 27 NOVEMBER 2019

**Establishment of the Competent Authority at the MED (DG - PIIPMI - Div- VI)  
(IT LAW 4 October 2019, n.117)  
autoritacompetente.3TG@mise.gov.it**



### **Technical coordination at the Commission:**

- “ Meetings of the Member State Expert Group (3TG)

### **Coordination with national institutions for the implementation of the Regulation:**

- “ Drafting of the European delegation law;
- “ Exchange of data between the Customs and Monopolies Agency, the MED and the EC
- “ Start of activities for the drafting of the implementation law/s

### **Information process of trade associations, public and private stakeholders on the evolution of the implementation process**

### **Collaboration with the EC for the development of support and information tools for SMEs:**

- “ **Responsible Minerals Information System (ReMIS) platform** - Work in progress on data protection
- “ **Launch of the DueDiligenceReady website! (DDR!)** - on the occasion of the Raw Material Week (Brussels, 11/2019)

<https://ec.europa.eu/growth/sectors/raw-materials/due-diligence-ready>

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## **OECD Activities**

### **Institutional activities:**

- “ Working Party on Responsible Business Conduct (WPRBC)
- “ NCP Network



### **Participation in OECD work on the due diligence development processes:**

- “ General: Participation in the work of the Advisory Groups: (Finance, Textiles)
- “ Sectoral: Thematic Forums (Textiles, Minerals)
- “ Participation in pilot projects (Textile)

### **Work aimed at improving the operating systems of the NCPs:**

- “ Peer Learning
- “ Contributions to the process of improving the management of the specific instance phases



# **National Contact Point for the OECD Guidelines**

**Directorate General for Industrial Policy, Innovation  
and SMEs  
Division VI**

**Ministry of Economic Development**

**Via Molise, 2 00187 Rome**

**Tel + 39 06 47052366**

**Fax + 39 06 47052109**

**Email [pcn1@mise.gov.it](mailto:pcn1@mise.gov.it)  
<http://pcnitalia.mise.gov.it>**