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INVESTMENT COMMITTEE**

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

**OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES:
REPORTS BY THE NATIONAL CONTACT POINTS**

This document is submitted to delegates for reference under item 3 of the agenda at the Annual Meeting of the NCPs on 19-20 June 2007. It is a compilation of the NCP reports submitted by each delegation which have been received to date.

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ARGENTINA / ARGENTINE

A. Institutional Arrangements

The Argentine NCP for the OECD Guidelines is Ambassador Enrique de la Torre, Head of the OECD Coordination Unit, at the Ministry of Foreign Affairs, International Trade and Worship. The contact details are as follows:

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The Argentine NCP is developing a new institutional structure for its NCP. Three functional areas are being developed to support the NCP decision making and promotion authorities: a) Steering Board; 2) Advisory Council and 3) an open ended Multi-stakeholder Assembly.

The Steering Board is planned to enhance the participation of representatives of business, labour and civil society. The Board shall decide on the specific instances brought to the NCP. Also a procedure for the functioning of the NCP is being discussed within the Steering Board.

The Advisory Council comprises other areas of government as well as the Steering Board members. The Advisory Group is a consultative body on issues of the Guidelines application and promotion.

Finally the Multi-Stakeholders Assembly is open-ended with the participation of all interested parties for the promotion of the Guidelines.

B. Information and Promotion

Regarding information and promotion of the guidelines in Argentina during the period, the NCP participated in seminars organized by NGOs in order to raise awareness of the guidelines. He also attended corporate social responsibility conferences hosted by NGOs. In November 2006 the NCP organized a multi-stakeholder assembly meeting for the promotion of the Guidelines for Multinational Enterprises. Representatives from the private and public sector, business representatives, trade unions and civil society gathered together in order to improve the social awareness and implementation of the guidelines, which are being analyzed.

For that meeting a 200 pages publication has been issued by FARN, FUNDESES and OECD Watch with the NCP participation. The publication contains details of the National and International implementation of the guidelines.

The NCP offers full cooperation to trade unions, business community, NGOs and interested public in order to inform about the Guidelines and participates in activities such as seminars,

meetings, and similar promotional activities. The Argentine NCP answers any request from business, trade unions and NGO representatives. The NCP also welcomes the input of civil society.

C. Implementation in Specific Instances

The NCP follows the procedure described in the Guidelines to deal with specific instances. At this moment the NCP along with business, NGOs and trade unions is working to formalize a procedure to apply the guidelines.

Specific instances considered by NCPs to date:

1. In December 2004, the NCP received a request from the Argentine Banking Association (Asociación Bancaria Argentina) a trade union regarding an Argentine subsidiary of the Banca Nazionale del Lavoro (BNL) S.A of the banking sector.

The submission cited the OECD Guidelines Chapter II: General Principles and Chapter IV: Employment and Industrial Relations.

The NCP accepted this request and discussed this issue in some meetings. NCP worked in cooperation with officials from the Ministry of Labour in the case.

The instance after the acquisition of the BNL by another multinational bank (HSBC) of 100% of the stock, has not been followed up. Since last year no new presentations have been made and the NCP has closed its involvement in the case.

2. In November 2006, the NCP received a request from the Argentine Miller's Labour Union (Unión Obrera Molinera Argentina) regarding the breaching of the OECD Guidelines, Guidelines Chapter II: General Principles, Chapter III Disclosure, and Chapter IV: Employment and Industrial Relations, by the multinational CARGILL S.A. from the food sector. Both parties involved agreed to negotiate in good faith in order to achieve a win – win solution.

Negotiations are still underway and its results will be informed to the NCP in order to have the agreement formalized.

D. Other

The core criteria for the operation of the NCPs have been applied in Argentina to further the effectiveness of *guidelines* implementations:

Visibility: the guidelines and the NCP speeches are readily available among other ways through the Ministry website: www.cancilleria.gov.ar

Accessibility: the NCP has responded to all request of information received and participated internationally in the OECD WATCH's Model of European NCP meeting in Madrid and made arrangements for its participation at the OECD Watch meeting in Brussels.

Transparency: Every activity of the NCP has been transparent. The new structure being discussed of the NCP takes transparency as a point of departure.

Accountability: The NCP is accountable to the government through The Ministry of Foreign Affairs, International Trade and Worship.

Other information on the nature and results of NCP activities: there have been two specific instances raised to date. The NCP has promoted the guidelines and distributed information in order to increase the awareness of them in Argentina. Two working breakfasts with representatives of other government departments, the civil society, business and labour sectors took place in 2006. A multi-stakeholders assembly for the promotion of the guidelines, attended by 200 participations was organised. Finally, the NCP participated in a publication for the promotion of the guides made in cooperation with OECD WATCH, and two argentine NGO's (FARN and FUNDESES).

AUSTRALIA / AUSTRALIE

The 2006-2007 Annual Report of the Australian National Contact Point is presented to the OECD Investment Committee in accordance with the Common Framework for Annual Reporting by National Contact Points (NCPs).

The activities of the Australian NCP during the period have been focused on the examination of a specific instance. The Australian NCP is currently considering how to improve the effectiveness of its efforts to promote the Guidelines.

A. Institutional Arrangements

The Australian NCP for the OECD Guidelines is the Executive Member of the Foreign Investment Review Board (FIRB). The Executive Member of the FIRB also represents the Australian Government on the OECD Investment Committee. The contact details are as follows:

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 Foreign Investment Review Board
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 Website: www.ausncp.gov.au

The FIRB is a four member non-statutory body that advises the Australian Government on foreign investment policy and its administration. Executive assistance to the Board and the NCP is provided by the Foreign Investment and Trade Policy Division of the Commonwealth Department of the Treasury. In addition to its function as a secretariat, the Division advises the Government on international investment issues.

The Australian NCP liaises with other government departments as necessary.

The Australian NCP holds community consultations with social partners such as business and trade union representatives, and other members of civil society including representatives from NGOs. The consultations aim to provide a forum for interested parties to raise issues relevant to the Guidelines with the Australian NCP, facilitate discussion on OECD Investment Committee work programmes, and provide ideas and assistance with the promotion of the Guidelines.

B. Information and Promotion

The ANCP's main method of informing the public about the Guidelines and other OECD Investment Committee work is through the ANCP's website at <http://www.ausncp.gov.au>.

- This website provides a range of information including: core documents such as the text of the Guidelines and the Risk Awareness Tool; basic procedural information such as the NCP's service charter, procedures for lodging specific instances and the NCP's procedures for handling them; official OECD Investment Committee and Guidelines related documents (in a secure section for registered social partners). It also hosts other useful documents

including conference papers and submissions by NGOs. An example is the recent submission from NGOs to a parliamentary inquiry on corporate responsibility.

- The ANCP is committed to maintaining this website as an effective and up-to-date source of information on the Guidelines in Australia.

The ANCP did not undertake any formal consultations on the Guidelines in 2006-2007 due to major staff changes within the ANCP and the ANCP's involvement in the ANZ Bank specific instance. However, the ANCP is currently considering how to maximise the impact and effectiveness of its promotional activities going forward. In particular, the Australian NCP is considering:

- The timing and frequency of its formal consultations
- Options for making consultations more targeted, for example linking with the themes for the annual Corporate Responsibility Roundtable.
- Seeking more opportunities to promote the Guidelines in existing business forums.

Other activities by the ANCP in 2006-07 include:

- Provision of information on the Guidelines and the NCP in all foreign investment approvals for business proposals.
- Participation in interdepartmental committee meetings on bribery under the OECD Bribery Convention
- Continuing promotion of the Guidelines through Australian Embassy and consular networks. This includes briefing senior Australian officials prior to their postings.
- Including information on the Guidelines on the website of the Australian Government Export Finance and Insurance Corporation (EFIC)
- Attending corporate social responsibility conferences hosted by other organizations (e.g. the Department of Foreign Affairs and Trade and NGO Human Rights Consultations).

In August 2006 the ASX listed company Anvil Mining Limited released an Audit based on the OECD Guidelines for Multinational Enterprises and OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones.

- The Audit is not in response to the submission of a specific instance, rather an attempt by the company to use OECD tools to conduct a self assessment of its corporate behaviour.
- The Audit is primarily a response to two separate incidents that occurred in 2004 and 2006 and attracted significant media attention.
- Whilst the ANCP is not in any position to deliver comment on the outcome of the Audit, the use of OECD tools for self auditing purposes should be encouraged. We would urge caution in reading any such report, that it not be construed as an OECD or NCP approved document.

The ANCP views the promotion of the Guidelines for self audit purposes as an area for development and promotion over the forthcoming 12 months.

C. Implementation in Specific Instances

Detailed procedures, consistent with the OECD's procedural guidance for dealing with specific instances, were put in place by the Australian NCP in December 2002 after extensive consultation with interested social partners. The procedures are available at <http://www.ausncp.gov.au>.

In August 2006 the ANCP received its second submission of a specific instance since the 2000 Review of the Guidelines.

The submission was lodged by a consortium of five Australian and overseas non-government organisations (NGOs): Australian Conservation Foundation Inc.(ACF); the Centre for Environmental Law and Community Rights (CELCOR); Environmental Law Centre (Papua New Guinea) (ELC); Human Rights Council of Australia (HRCA); and the PNG Eco-Forestry Forum (EEF). This group will be referred to as the 'complainants' in this report.

The specific instance was raised against the Australia and New Zealand Banking Group Limited (ANZ) for alleged activities in Papua New Guinea (PNG).

The complainant's submission alleged that through financing and provision of other financial services, of forestry businesses in Papua New Guinea, ANZ was complicit in environmental and social damage within PNG. The issue of an investment nexus was paramount to this specific instance, relating to ANZ's commercial relationship with Malaysian forestry company Rimbunan Hijau ("RH"). The relationship included foreign exchange dealings and provision of bank guarantees, among other financial services.

The ANCP deliberated on October 13, 2006 that there was no specific instance to answer and an official statement was released shortly after on the ANCP website.

The ANZ has since released a draft Forests Policy to key stakeholders for comment, with a view to public release of its final policy in June 2007.

Specific Instances considered by NCPs to date

The GSL specific instance was the first specific instance to be raised with the ANCP since the 2000 review of the Guidelines. The GSL specific instance raised in June 2005 was successfully concluded in early April 2006.

The ANZ specific instance was raised in August 2006 and concluded in September 2006.

D. Other

The examination of a specific instance during this reporting period has provided the ANCP with a good opportunity to demonstrate the strong commitment to the core criteria of visibility, transparency and accountability in interactions with all stakeholders.

Other activities such as efforts to promote the Guidelines through Australian embassy and consular networks and to foreigners investing in Australia are also good examples of how the ANCP has been operating in accordance with the core criteria for the operation of NCPs.

The ANCP has plans to use the outcomes of, and feedback from the forthcoming Annual Meeting of National Contact Points to design constructive collaborative consultations with interested parties. The ANCP will endeavour to seek greater involvement from the business sector in these consultations as it views this to be an area of potential growth in the promotion and use of the Guidelines.

In particular the ANCP will seek to engage the financial services sector in the proposed consultations flowing from the 2007 Corporate Responsibility Roundtable.

*Australian National Contact Point
16 May 2007*

AUSTRIA / AUTRICHE

1. Institutional Arrangements

The Austrian National Contact Point is located at the Federal Ministry of Economics and Labour, as an integral part of the Export and Investment Policy Division (Head: Manfred Schekulin).

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The Contact Point is supported by an Advisory Committee, chaired by the Head of the Export and Investment Policy Division, and composed of representatives from:

- other divisions of the Federal Ministry of Economics and Labour concerned
- the Federal Chancellery and other Federal Ministries concerned
- the Austrian Economic Chamber, the Austrian Federal Chamber of Labour, the Austrian Federation of Trade Unions, the Federation of Austrian Industry
- some NGOs interested in the OECD Guidelines

The Advisory Committee has its own rules of procedure and in the period under review has held 2 meetings (on 24 October 2006 and 10 May 2007). The Advisory Committee has discussed all relevant business, as presented by the Contact Point or by the members of the Committee, including the present annual report.

2. Information and Promotion

The OECD Guidelines are available on several Austrian websites, e.g. on a special website of the Federal Ministry of Economics and Labour (www.oecd-leitsaetze.at) and on the websites www.wko.at/eu/handel/oecd.htm and www.akwien.at.

Moreover, the Contact Point has edited a publication on the OECD Guidelines in German language in three parts, consisting of:

- a folder
- a brochure with the full text of the OECD Guidelines and the commentary
- a brochure presenting the OECD Guidelines

There have been two enquiries from other NCPs concerning specific instances.

3. Implementation in specific instances

There have been 2 specific instances in the period under review, both cases concerning business activities in non-adhering countries.

The first case has been closed - after an initial assessment - by decision of the Austrian NCP in August 2006. The case had been introduced by an Austrian enterprise, which previously had presented other complaints with regard to the same business activities, involving a variety of chapters of the Guidelines and concerning trading in raw materials extracted in the D.R. Congo. This time, the complaint was not directed against the mining enterprise blamed of the alleged violations of the Guidelines, but against two member country enterprises supposed to be the owners of that mining enterprise. The Austrian NCP however, having collected the necessary information, found that the mining enterprise was not at all a subsidiary of the member country enterprises, and therefore concluded that the issues raised did not merit further examination.

The other case is pending. It was introduced in March 2006 by the trade unions, concerning alleged violations of the Employment and Industrial Relations Chapter of the Guidelines in Sri Lanka by a textile industry subsidiary of an Austrian enterprise. For a while however, the complainant and the enterprise tried to find a solution in bilateral contacts. In November 2006, the complainant informed the Austrian NCP of the fruitlessness of these contacts. That same month, the Austrian NCP made an initial assessment, the result thereof being that the complaint merits further examination. Subsequently, the Austrian NCP collected necessary information, met separately with both parties and carried out mediation efforts. As there is no consensus reached until now, mediations efforts continue.

There is consensus that in specific instances brought before the Contact point the rules of procedure recommended by the OECD will be followed.

BELGIUM / BELGIQUE

A. Modalités institutionnelles

Le Point de Contact National belge est localisé au sein du :

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Direction Générale Potentiel Economique,
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1210 Bruxelles
Belgique
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E-mail : colette.vanstraelen@economie.fgov.be

Le Point de Contact National Belge possède une structure tripartite et est composé comme suit :

Président du Point de Contact National : M. R. Charlier, Directeur général honoraire du SPF Economie, PME, Classes moyennes et Energie.
Secrétariat : Mme C. Vanstraelen du SPF Economie, PME, Classes moyennes et Energie.

Un représentant des services publics fédéraux suivants :

- SPF Economie, PME, Classes moyennes et Energie
- SPF Emploi, Travail et Concertation sociale
- SPF Justice
- SPF Finances
- SPF Santé publique, Sécurité de la Chaîne alimentaire et Environnement
- SPF Affaires étrangères

Un représentant de chaque autorité régionale :

- Région flamande
- Région wallonne
- Région de Bruxelles-Capitale

Un représentant des organisations d'employeurs suivantes :

- FEB (Fédération des Entreprises de Belgique)
- Agoria (Fédération de l'Industrie technologique)
- Fedichem (Fédération de l'Industrie chimique)

Un représentant des organisations de travailleurs suivantes :

- CSC (Centrale des Syndicats Chrétiens)
- FGTB (Fédération Générale du Travail de Belgique)
- CGSLB (Centrale Générale des Syndicats Libéraux de Belgique)

B. Information et promotion

Après le traitement d'un dossier par le PCN, un communiqué de presse est chaque fois rédigé et publié. Cette méthode permet de fournir de façon essentielle des informations sur des dossiers spécifiques mais également implicitement sur l'existence et le fonctionnement du PCN.

Une campagne de promotion est actuellement préparée pour renforcer la communication des Principes directeurs de l'OCDE à l'intention des Entreprises Multinationales. La réalisation concrète en est discutée au sein du PCN.

Le website (www.ocde-principesdirecteurs.fgov.be) sur les Principes directeurs de l'OCDE est une source permanente d'informations, dont la promotion sera également intégrée dans la campagne susmentionnée. Le website, qui est souvent consulté, a été récemment adapté, ce qui en augmentera encore l'attrait.

Il comprend en outre un lien vers l'instrument de l'OCDE "Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones".

La connaissance des Principes directeurs de l'OCDE est également renforcée grâce aux interventions des membres du PCN. Outre les différents services publics, les organisations d'employeurs et de travailleurs contribuent par leurs canaux à la promotion de ces Principes.

L'agence belge pour l'assurance des crédits à l'exportation faisait déjà mention des Principes directeurs de l'OCDE dans ses polices investissements. La décision a été prise d'élargir la mention des Principes directeurs de l'OCDE à toutes les polices exportateurs.

Finalement, un représentant du PCN participe régulièrement à divers séminaires et conférences où la responsabilité des entreprises peut être abordée. Ce sont des occasions propices pour attirer l'attention des divers milieux sur l'existence et l'importance des Principes directeurs de l'OCDE.

C. Mise en œuvre dans des circonstances spécifiques

En 2006, ont été organisées deux réunions plénières du PCN, pour traiter et conclure deux dossiers en cours. Le PCN a explicitement recherché des pistes concrètes sur la base desquelles il pourrait assumer son rôle de médiateur. Tous les membres du PCN partageaient le point de vue que ce rôle ne pouvait être pris en compte par l'ensemble du PCN. Par conséquent, des formules ont été recherchées visant à ce que le rôle de médiateur soit exercé par une personne ou un nombre limité de personnes. En 2006, une tentative de médiation a été entreprise deux fois pour aboutir à une solution. Dans un cas, le PCN est lui-même intervenu entre les deux parties. Grâce à la volonté explicite des parties de résoudre le problème, un accord a été obtenu et le dossier a été clôturé avec succès. Dans l'autre cas, la médiation a été confiée à un médiateur social externe car il s'agissait d'une affaire très difficile; malgré les efforts de cet intermédiaire, les deux parties n'ont pu parvenir à un accord. Ces deux cas sont repris ci-dessous avec plus de détails.

En 2006, un seul nouveau dossier a été introduit et traité. En juillet, un dossier émanant d'un syndicat international a été reçu concernant un conflit social dans une succursale d'une entreprise belge au Montenegro. Le PCN a lui-même traité cette affaire. Les parties ont adopté une attitude constructive et, en avril 2007, elles ont conclu un accord de principe. Ce dossier a donc abouti favorablement et un communiqué de presse sera diffusé.

En juin 2006, une association congolaise a également introduit une demande visant à réexaminer un dossier déjà clos relatif aux activités en RD du Congo. Le PCN n'a pas jugé opportun de rouvrir le dossier faute d'éléments nouveaux et prépondérants.

En 2006, un dossier déjà introduit en juin 2005 par un syndicat international, a été suivi. Il s'agit d'un conflit social à l'étranger (Sri Lanka), déjà actuel avant l'introduction au PCN. Vu la difficulté et le temps pris par ce dossier, le PCN a préféré désigner un médiateur belge rodé à la problématique des conflits sociaux. En confiant la médiation à un spécialiste, le PCN a espéré augmenter ses chances de trouver une solution. Le PCN a toujours été associé au suivi de la médiation. Malgré tous ses efforts, le médiateur n'a pas réussi à atteindre un accord et la tentative de médiation semble donc échoué. Le dossier sera clôturé et un communiqué de presse rédigé.

D. Divers

- Le PCN accorde la plus grande attention aux critères-clés : la visibilité, l'accessibilité, la transparence et la responsabilité. Le nouveau website offre une visibilité et accessibilité accrues des Principes directeurs de l'OCDE. Les communiqués de presse, qui peuvent également être consultés sur le website, satisfont à la demande de transparence et de responsabilité.
- Considération générale : applicabilité internationale des Principes directeurs de l'OCDE
La globalisation croissante de l'économie a des implications pour les Principes directeurs de l'OCDE pour les Entreprises Multinationales et particulièrement en ce qui concerne le contrôle du respect par les gouvernements nationaux. De nombreuses entreprises continuent à développer leurs activités à l'étranger, tandis que le contrôle du respect des Principes directeurs de l'OCDE s'effectue au niveau des points de contact nationaux. Il est donc souhaitable de s'interroger sur les actions à entreprendre dans le cadre de la globalisation afin d'augmenter l'effectivité de cet instrument développé par l'OCDE.

BRAZIL / BRESIL

A. Institutional Arrangements

The OECD Guidelines for Multinational Enterprises were formally implemented in Brazil in May 2003. The Secretariat of Foreign Affairs of the Ministry of Finance is responsible for coordinating the National Contact Point (NCP) in Brazil.

Other ministries are also full members of the NCP: the Ministry of Foreign Affairs, the Ministry of Planning, Budget and Management, the Ministry of Labor and Employment, the Ministry of Justice, the Ministry of Environment, the Ministry of Science and Technology, the Ministry of Development, Industry and Trade and the Brazilian Central Bank.

Since the NCP in Brazil is composed by several ministries it has a widespread representation among government entities, which enables the group to count with specialized feedback in almost all relevant areas covered by the Guidelines. If any specific case demands further representation of any other public institution, the NCP is authorized to invite it to join its meetings. The invitation can even be extended to join the NCP group on a permanent basis, since the Brazilian National Decree which stipulates the composition of the NCP allows other government bodies to join the group.

Despite the pervasive representation within the public sector, the NCP still lacks formal representation channels among civil society entities. This gap is partly offset by the intense activity of some NGO's and labour unions with good communication with the government. Nevertheless, several social segments that are less vocal are rather underrepresented in their claims towards the NCP. To partly remedy this, the Brazilian NCP created a mailing list which is open to membership to all interested parties and allows fast and direct consultation to its registered members. Even though this rather informal channel does not substitute formal ones, it has the advantage of being expeditious, open to immediate membership and immune to bureaucratic impediments.

In this context, one of the NCP's challenges is to establish formal communication channels with all relevant social actors. The NCP constantly invites civil society representatives to join their regular meetings, allowing them to express their concerns, present their criticisms with respect to the functioning of the group and also to orally support their claims in specific instances. In the group's last encounter with the largest Labor Union in Brazil – CUT, a decision was issued to regularly invite them to forthcoming meetings. Initiatives of this sort have the main goal of developing participation links with all interested parties, as a means to confer increased legitimacy to the NCP. The group's future challenge is to formally create an Advisory Committee to cooperate with it in establishing strategies, proposing measures and activities to effectively promote the implementation of the Guidelines in Brazil.

With respect to the functioning of the meetings of the NCP group and its usual activities, an internal resolution (Resolution NCP N° 01/2007) about the regular procedures of the group has been issued. This Resolution was formally approved after a public consultation process which received relevant feedback and suggestions from several entities. The Resolution aims at becoming an essential milestone towards further institutional developments. It essentially seeks to confer transparency, predictability and organization to the routine of the Brazilian NCP. Moreover, it hopes to offer guidance and relevant information to potential users of the Guidelines. Particular attention is driven to actions to be taken while receiving a complaint and to the relevant required information.

In this particular sense, also with the main goal of providing maximum support and guidance to the presentation of specific instances, a "Model for Filing Complaints" was prepared and posted on the

Brazilian NCP's website. This initiative proved to be very helpful since it provided a considerable increase in the quality of the filed cases and helped to partly offset one of the most recurrent problems of the cases presented to the Brazilian NCP: the lack of focus.

Finally, one last improvement implemented by the Brazilian NCP with respect to institutional arrangements was the decision to issue reports in all filed cases. According to Resolution NCP N° 01/2007, the group is required to formally present its position in two occasions. First, when a complaint is filed it is supposed to accept it or not, taking into account a list of objective conditions. Afterwards, the NCP is required to issue a final statement describing the attained results in each case.

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The OECD Liaison Office of the Brazilian Embassy in Paris has a supporting role in relation to the Guidelines and its implementation. The OECD Liaison Office is responsible, within the Brazilian Embassy in France, for the follow-up and coordination of all activities related to the cooperation between the OECD and Brazil.

Name of Responsible Officer: Counsellor João Carlos Parkinson

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B. Information and Promotion

The OECD Guidelines and the Implementation Procedures are available in Brazil and the translations of the text into Portuguese are provided in the website of the Ministry of Finance (www.fazenda.gov.br/multinacionaispcn). The website was completely recreated and updated in order to maximize this tool to promote and divulge the Guidelines. The NCP has been constantly contacted by organizations and individuals which come across the issue of corporate social responsibility through the internet. The website also contains a link to the OECD homepage and to other important multilateral and bilateral agencies, labor union confederations, science and technology institutions, industry and trade confederations, chambers of commerce and industry, consumer protection agencies, etc.

Some other interesting innovations provided in the reformulation of the website include:

- the possibility of directly sending messages to the Brazilian NCP through the website;
- small texts providing upfront answers to simple questions that immediately explain the content and importance of the OECD guidelines, such as: "What are the Guidelines for multinational enterprises?", "What is the NCP?", "How to forward complaints to the NCP?";

- creation of a mailing list open to membership through the website;
- remittance of all relevant information posted in the website to the mailing list members;
- the NCP's webpage used to be a link inserted inside the Ministry of Finance's website. The link was established as "NCP", which is an acronym normally ignored by visitors. The new established link: "Corporate Social Responsibility – OECD Guidelines for Multinational Enterprises", has significantly enhanced communication, and, as a consequence, increased the number of interested visitors;
- inclusion in the website of all relevant NCP documents such as the abovementioned "Model for filing complaints" and the NCP Resolution N° 01/2007;

During the last year, several other actions were undertaken in the area of implementation and promotion, including a widespread number of activities ranging from interviews in specialized magazines to participation in conferences, roundtables and seminars. We provide a list below of the main activities in this field:

- seminar on August 2006 to the main Brazilian labor unions to explain how to understand and effectively use the OECD Guidelines for Multinational Enterprises;
- interview of the NCP coordinator to a specialized Brazilian magazine in corporate social responsibility – Revista Primeiro Plano available at www.fazenda.gov.br/sain/pcnmulti/documentos/outros/entrevista-200307.asp;
- participation in thesis, researches and academic dissertations in the field of corporate social responsibility;
- involvement in the meeting of Latin American NCP's in Santiago, Chile, presentation given to local NGO's and labor unions;
- participation in a dinner offered by the Swedish Embassy to discuss actions in the field of corporate social responsibility in Brazil;
- organization of several meetings with interested parties to discuss NCP Resolution N°01/2007.

Finally, one last important initiative that is sought to the future is to particularly disseminate the OECD guidelines within multinationals to entice them to operate more accordingly with its dispositions. Most multinationals in Brazil ignore the existence of the OECD guidelines. The disclosure of information related to the topic among parties affected by formal offences to the guidelines is much more intense if compared to those potentially responsible for them, i.e., the multinationals. This occurs because NGO's and trade unions help to divulge the topic among the possible complainants while the dissemination work directed towards multinationals rests uniquely dependent upon the NCP. It is therefore important to undertake a dissemination work focused on multinationals to enhance the visibility of the guidelines among the business community, possibly preventing future complaints due to their increased understanding and assimilation of the document.

Once a case is formally filed to the NCP there is also an essential work of conciliation and mediation to be undertaken. NGO's and workers have revealed to the Brazilian NCP that it is crucial to

count on a forum for resolution of conflicts with multinationals, since the mediation channels are reduced in Brazil and the sole existence of an effective NCP increases the chances of encountering a solution.

C. Implementation in specific instances

During the last year several complaints have been filed to the Brazilian NCP, probably as a result of its efforts in activities of promotion. The main cases are summarized below. Since some specific instances have not yet been formally accepted, according to NCP Resolution N° 01/2007, their disclosure remains confidential aiming not to unduly affect the parties' image. When the current coordinator took office last year, a number of cases from previous years were still pending conclusion. Due to the fact that a considerable amount of new complaints were filed and in view of the limited resources available, NCP Brazil decided to focus on the new cases and on institutional activities. The old complaints are expected to be gradually concluded. This decision aimed at privileging a pragmatic approach to the issues before NCP Brazil and represented a need to maximize efforts in an effective way subject to our current working restraints.

Company: Shell Brazil Holding B.V.

Complainant: Coletivo Alternativa Verde – CAVE, a NGO acting on environmental issues, and Labor Union of Petroleum By-Products Workers in the State of São Paulo (SIPETROL).

Complaint: The Company has not taken appropriate safety measures to prevent workers and the surrounding population from incurring in health problems. The company's activities also allegedly harmed the local environment area.

Norm: Chapter V, article 1 – “Enterprises should, within the framework of laws, regulations and administrative practices in the countries in which they operate, and in consideration of relevant international agreements, principles, objectives, and standards, take due account of the need to protect the environment, public health and safety, and generally to conduct their activities in a manner contributing to the wider goal of sustainable development. In particular, enterprises should: 1. Establish and maintain a system of environmental management appropriate to the enterprise, including: a) Collection and evaluation of adequate and timely information regarding the environmental, health, and safety impacts of their activities; b) Establishment of measurable objectives and, where appropriate, targets for improved environmental performance, including periodically reviewing the continuing relevance of these objectives; and c) Regular monitoring and verification of progress toward environmental, health, and safety objectives or targets. **Chapter V, article 3** - Assess, and address in decision-making, the foreseeable environmental, health, and safety related impacts associated with the processes, goods and services of the enterprise over their full life cycle. Where these proposed activities may have significant environmental, health, or safety impacts, and where they are subject to a decision of a competent authority, prepare an appropriate environmental impact assessment.

Date that specific instance was received: May 8th, 2006.

Sector of activity: Distribution of petrol and its derivatives.

Present situation: NCP Brazil accepted the complaint and issued a formal document stating the reasons for so. A mediation process is currently been implemented. Several meetings and contacts have been held with the opposing parties.

Apart from this complaint, one other has been formally rejected because it lacked documents of proof of the alleged violation of the Guidelines. Four other newly presented cases have been filed, all of them related to labor issues. All these cases are under analysis.

D. Other

NCP Brazil recognizes that much more work has to be done to increase the visibility of the Guidelines and the activities of implementation in specific instances.

We also recognize that an important part of the task concerning the promotion of the guidelines in Brazil has been carried on by labor unions, confederations, and NGO's. The Brazilian NCP is fully aware of the importance of the Guidelines and also about the need of establishing a more functional and organizational structure.

However, during the last year, an important evolution has been made, especially in the field of institutional developments and promotion. This progress can be considered more than satisfactory given our working constraints. The current endeavours in the institutional domain are particularly important to assure long-lasting public policies, cooperation structures and channels aimed to continue, independently of cabinet reshuffles and political changes. In this sense, we hope to have positively contributed and expect to inaugurate hereinafter a continuous improvement path.

CANADA

Introduction

The OECD Guidelines for Multinational Enterprises is an instrument of the Organization for Economic Cooperation and Development (OECD). The recommendations set forth in the Guidelines are a voluntary, multilateral framework of standards and principles on responsible business conduct.

As a member of the OECD and signatory to the Guidelines, Canada is obligated to establish a national contact point (NCP). The role of the NCP is to promote awareness of the Guidelines and ensure their effective implementation. This report provides a summary of the activities undertaken by Canada's NCP in the past year (June 2006 - June 2007).

The Canadian Policy Context

The Guidelines continue to be an important element of the government's approach to promoting corporate social responsibility (CSR). A number of federal government departments are active in this area, through activities such as information dissemination, facilitation of dialogue among interested parties, promotion of CSR in international fora (such as the OAS and the G8) and support for the development of international norms. The Guidelines are a central part of these activities, their contribution heightened by the fact that they represent the shared views of thirty-nine national governments on what constitutes appropriate corporate behaviour.

The business community in Canada is promoting CSR as well, with an increasing number of enterprises adopting codes of ethical conduct and related management strategies. The Guidelines offer a frame of reference for private sector initiatives and the NCP serves as a mechanism to facilitate cooperation between the government and the business community in the promotion of CSR. The Guidelines and NCP also provide a forum for engagement with other key stakeholders, such as labour groups and non-governmental organizations (NGOs) on CSR issues.

The Guidelines make an important contribution to the Government's policy on promoting sustainable development. Achieving sustainable development requires the responsible engagement of all sectors of society, including the business community. The Guidelines encourage corporations' contribution to sustainable development and help to strengthen the basis of mutual confidence between enterprises and the societies in which they operate.

Thus, while our NCP has a clear mandate to implement the Guidelines, its activities also support broader policy objectives of the Government.

2006 National Roundtables on Corporate Social Responsibility and the Canadian Extractive Sector in Developing Countries

In June 2005, the Subcommittee on Human Rights and Development of the Standing Committee on Foreign Affairs and International Trade (SCFAIT) submitted a report to Parliament entitled Mining in Developing Countries and Corporate Social Responsibility. The report emphasized that a greater role for government is warranted to ensure that Canadian companies have the necessary knowledge, support and incentives to conduct activities abroad in a socially and environmentally responsible manner. The

Government of Canada tabled its response in October 2005, which included a commitment to organize a series of Roundtables to explore the issues raised in the report in more depth.

Following this response, the Government of Canada, led by the Department of Foreign Affairs and International Trade (DFAIT), hosted four public Roundtables on Corporate Social Responsibility (CSR) and the Canadian Extractive Sector in Developing Countries. These Roundtables were held from June to November 2006 in Vancouver, Toronto, Calgary and Montreal. The Roundtables were a consultation process to engage industry, civil society and the public in a solutions-oriented discussion on how to enable the Canadian global extractive sector to better identify and manage the social and environmental risks of their operations.

To coordinate the National Roundtables process, DFAIT established a Steering Committee composed of nine government departments and agencies (DFAIT, Industry Canada, Natural Resources Canada, Environment Canada, Export Development Canada, Indian and Northern Affairs Canada, Canadian International Development Agency, Justice Canada and the Privy Council Office) as well as an Advisory Group made up of non-government experts drawn from across stakeholder groups (civil society, labour, industry, investment sector and academics) acting in their expert capacity. This multi-stakeholder Advisory Group was established to work with the Government to jointly plan and implement the Roundtable process.

Over the course of the Roundtables, 156 oral presentations were heard and 104 written submissions were received. Almost half of the submissions were from civil society and labour organizations, one quarter from industry, and the remainder from academics, research institutes, and members of the public. The Roundtables also benefited from the participation of a total of 57 prominent Canadian and international experts.

Throughout this process, representatives of Canada's National Contact Point provided input into the development of these Roundtables and participated in the events.

The Advisory Group for the National Roundtables on Corporate Social Responsibility and the Canadian Extractive Sector in Developing Countries released the "Advisory Group Report", which is the final output of this year-long consultation process, on 29 March 2007.

The Advisory Group Report recommends the development of a "Canadian CSR Framework" that knits together a set of standards Canadian extractive sector companies are expected to meet, a reporting scheme to monitor the adherence to those standards, a compliance mechanism that facilitates dispute resolution, and a host of incentives and tools designed to assist companies in meeting the standards. There are also a series of recommendations to assist with the capacity building of host-countries and communities that focus on, inter alia, transparency and corruption.

This report is non-binding for the Government of Canada. However, its recommendations provide valuable input to a government response, which is currently being prepared through an interdepartmental process. More information can be found on the roundtables at the following address: www.CSRExtractiveSectorRoundtables.ca

A. Institutional Arrangements

The key responsibilities of Canada's NCP are to promote the Guidelines, respond to inquiries and contribute to the resolution of specific instances of corporate conduct in relation to the Guidelines. Important guiding principles for the NCP's activities include visibility, accessibility, transparency and accountability.

Canada's NCP is an interdepartmental committee of the federal Government. It comprises representatives from a number of departments, including Department of Foreign Affairs and International Trade, Industry Canada, Human Resources and Social Development Canada, Environment Canada, Natural Resources Canada, the Department of Finance and the Canadian International Development Agency. The diversity of the issues covered by the Guidelines and the broad spectrum of public interest (business, labour, NGOs) in Canada underscores the importance of structuring the NCP in this way. Other departments and agencies participate in NCP activities as well. Export Development Canada is a frequent participant in NCP meetings and communications. NCP representatives exchange communication frequently and meet as required, depending on the issues at hand. The role of NCP Chair rests with the Investment Trade Policy Division of the Department of Foreign Affairs and International Trade.

The Canadian NCP's key business and labour interlocutors on the Guidelines are the Canadian Chamber of Commerce (CCC), the Canadian Labour Congress (CLC) and the Confédération des syndicats nationaux (CSN). The NCP also has frequent contact with domestic and international NGOs.

B. Information and Promotion

a) Information and Promotional Tools

The Canadian NCP web site is a useful tool for promoting the Guidelines. It has also become an efficient way to communicate information on the Guidelines to our overseas missions. All of our embassies and high commissions have been informed of the Guidelines and the importance of this instrument for the promotion of CSR. Overall, the web site offers a convenient point of reference for a growing number of Canadian organizations and businesses that are seeking information on CSR.

An updated version of the Canadian NCP website was recently published in order to increase transparency regarding the submissions received and the implementation of specific instances.

b) Promotion with Social Partners

More focus is being given to the extractive sector (mining, oil and gas). Because Canada is a major player in the global extractive sector, both the Canadian Government and the Canadian industry share an interest in maintaining a positive image of Canada in this sector, and ensuring that Canadian businesses contribute positively to the broader social and environmental objectives of the communities in which they operate. Promoting the Guidelines in this sector is a concrete way for the Government to engage Canadian companies in supporting these objectives

As previously mentioned the Canadian NCP provided input into the development of the "Canadian National Roundtables on CSR and the Canadian Extractive Industry in Developing Countries" which took over the course of 2006. This was an excellent opportunity to make the Guidelines and the Canadian NCP better known to the various stakeholders involved in this process.

The NCP has also been providing support and advice on the OECD Guidelines and to the Canadian Government Working Group on the Democratic Republic of Congo in their development of a strategy on corporate social responsibility (CSR) in the mining sector.

Canadian embassies and high commissions abroad attract many Canadian firms interested in expanding their international business operations. As a result, these overseas posts are an excellent vehicle for the promotion of the Guidelines in cooperation with the business community. As mining is the single largest sector of Canadian direct foreign investment in the Americas, our embassies in this region are particularly focussed on incorporating CSR-relevant information, including references to the Guidelines, in

the briefings they give to their Canadian clients. They also communicate the Government of Canada's commitment to CSR to both Canadian and local business audiences, and ensure that host governments are aware of their CSR initiatives. In March 2007, for instance, the Canadian Embassies in Ecuador, Peru and Guatemala organised CSR seminars attracting among others NGOs, local political authorities and representatives of Canadian companies, especially in the mining sector.

Industry Canada continues to promote the OECD Guidelines as part of its suite of CSR activities to strengthen the capacity of Canadian businesses to develop and use CSR practices, tools, and knowledge to achieve positive social, environmental and economic performance results. For example, in its last Sustainable Development Strategy, the Guidelines were used to help shape departmental commitments for the next three years. Commitments include: broadening and deepening CSR promotion to make the CSR approach more mainstreamed; developing the knowledge base with respect to CSR tools, voluntary standards, best practices, and data bases, and; augmenting CSR reporting by industry. A variety of actions are being pursued to help meet these commitments.

Environment Canada is actively collaborating with the private sector, academics, non-governmental organizations and other government departments to explore CSR principles and policies that encourage and support corporate sustainability leadership and are broadly aligned with the principles of the Guidelines. For example, Environment Canada's Sustainable Development Strategy includes commitments to provide the information, tools, and best practices that will enable market actors to better integrate environmental considerations into their decision-making and thereby to strengthen the business case for sustainability performance. These commitments build on the departments existing work and knowledge base with respect to: ascertaining where the business case for environmental and social performance is strong and seizing opportunities to advance CSR when they arise; encouraging, advancing and recognizing CSR best practices; developing and disseminating CSR tools, reporting approaches and domestic and international voluntary standards; and, supporting the development of human capital and human resource skills to strengthen CSR expertise.

Canadian agencies that work with the private sector internationally continue to promote awareness of the Guidelines among their partners. This is the case, for instance, of the Canadian International Development Agency (CIDA). CIDA raises awareness of the Guidelines among its partners and stakeholders in the private and other sectors through participation in outreach events across Canada, e.g. International Development Days. CIDA has supported initiatives to encourage sustainable business practices among local or foreign enterprises in developing countries with a view to supporting a positive contribution by the private sector to poverty reduction.

Export Development Canada's (EDC) commitment to Corporate Social Responsibility (CSR) principles and standards includes the promotion of the Guidelines. EDC supports the NCP's efforts to promote the recommendations of the Guidelines within the Canadian exporting and investing community. EDC meets with its customers, various business associations, NGOs, and other stakeholders on CSR issues as part of its efforts to promote ethical corporate conduct and continue a dialogue with these groups. Issues relating to the Guidelines, such as the environmental and social impacts of projects, anti-corruption and anti-bribery efforts, and human rights are discussed, when relevant. In addition, EDC also promotes the Guidelines through its website.

c) Promotion within the government

Promoting the Guidelines within the government is an essential aspect of the NCP's responsibility to raise awareness of the instrument. A number of departments and agencies interact directly with the business community, labour groups and NGOs through their programs and consultative activities.

This is an important channel for alerting these groups of Canada's commitment to support the Guidelines. The interdepartmental structure of the NCP greatly facilitates promotion within government.

The Department of Foreign Affairs and International Trade (DFAIT) provides information sessions on the Guidelines for overseas trade officials. The provision of Guidelines information is also a part of human rights training for government officials preparing for overseas postings. In 2006, DFAIT also provided information on the Guidelines on the occasion of a presentation on CSR to the "Industry Sector Young Professionals Network" in Industry Canada.

Canada's Trade Commissioner Service recognizes the importance of including CSR as an aspect of its promotional activities. As part of their regular training, Canada's trade commissioners are encouraged to incorporate the promotion of CSR (including the Guidelines) into the delivery of the core services provided to Canadian companies operating abroad. In early 2007, the Trade Commissioner Service developed a course on CSR, including a session on the OECD Guidelines. The pilot course was held on May 16, 2007.

Industry Canada continues to promote the Guidelines as part of its work activity to improve the coordination and advancement of corporate responsibility and sustainability within federal activities (e.g., federal sustainable development strategies). This also involves working in international fora, such as the OECD, and domestic conferences to improve the Department's knowledge and understanding of CSR and related practices. Industry Canada works closely with a number of other federal departments to build more cooperation and collaboration on the promotion of CSR practices. This interdepartmental group collaborates closely with the NCP.

Environment Canada works closely with other federal departments on the development and implementation of projects to support and advance CSR principles and practices relevant to the Guidelines. This includes the administration of a memorandum of understanding between the departments of Natural Resources, Industry, Foreign Affairs and International Trade and Environment for collaboration on projects that specifically relate to: development and dissemination of information that supports CSR and sustainability decision-making; increasing understanding of the business value of CSR and sustainability; and, development and dissemination of information on the use of CSR and sustainability tools to a broad range of companies.

CIDA is promoting the Guidelines through internal knowledge networks comprised of officials working in private sector development and governance. The Guidelines are also being mainstreamed in work on conflict prevention and on poverty reduction in fragile states.

The Labour Program of Human Resources and Social Development Canada is a member of the Canadian NCP with particular interest and expertise with respect to the labour principles. The Program manages Canada's participation in the International Labour Organisation (ILO) and promotes respect for the ILO Declaration on Fundamental Principles and Rights at Work which embodies the following fundamental principles and rights: freedom of association and effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour and; the elimination of discrimination in respect of employment and occupation. These principles are part of the OECD Guidelines and are also included in the ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy.

Inquiries

A number of inquiries about the Guidelines were received by the NCP in the past year. Inquiries received via e-mail are often from think-tanks and academic institutions looking for information on

Canada's experiences with the Guidelines. Other inquiries come through meetings with businesses or NGOs. Often such inquiries are about the nature of the Guidelines and their possible application in certain situations. The media made a number of inquiries in the past year, as well, mostly related to the Standing Committee on Foreign Affairs and International Trade report on *Mining in Developing Countries and Corporate Social Responsibility* and the Government of Canada response to the report. As well, the Guidelines are occasionally raised in the public's correspondence with Ministers.

C. Implementation in Specific Instances

No submission or specific instance was dealt with by the Canadian NCP during the current reporting year.

Concluding Remarks

The OECD Guidelines for Multinational Enterprises continue to be a central element of the Government's approach to promoting corporate social responsibility, domestically and internationally. The interdepartmental structure of the NCP facilitates the promotion of the Guidelines within the Government and with departmental constituencies, including business, labour and NGOs. The NCP looks forward to new opportunities in the coming year to promote the Guidelines. The NCP will also follow up as required to the Government's response to the Advisory Group's Report on CSR and the Canadian Extractive Industry in Developing Countries.

CHILE / CHILI

A. Organisation institutionnelle

- *Structure et coordonnées des PCN.*

Il n'ya pas des changements à apporter, sur ce sujet, au Rapport 2006 :

Chef du Département OECD/DIRECON	Tel: 56 2 565 93 25
Dirección de Relaciones Económicas Internacionales	Fax: 56 2 696 06 39
Ministerio de Relaciones Exteriores de Chile	Email: clrojas@direcon.cl
Teatinos 180, Piso 11	Web: www.direcon.cl > "acuerdos comerciales" > OECD
Santiago	

- *Information supplémentaire sur l'organisation institutionnelle du PCN.*

Il n'y a pas des changements.

- *Lien avec d'autres agences gouvernementales*

Il y a des relations d'information avec toutes les agences gouvernementales qui sont en relation avec des activités de l'OCDE.

- *Lien avec les partenaires sociaux*

Il est prévu d'entretenir des relations périodiques avec les partenaires sociaux à travers le Comité Consultatif fonctionnant autour de PCN. Cependant la participation des milieux d'affaires a été très sporadique.

- *Lien avec des ONG associées au PCN*

Il y a une relation fluide moyennant leur participation au sein du Comité Consultatif précédemment identifié. En plus, les ONG, en général, sont très actives concernant l'utilisation d'instruments internationaux tels que les Principes directeurs.

B. Information et promotion

- *Comment les Principes directeurs ont été rendus accessibles.*

On a traduit et envoyé par la Poste et par Email le texte , en même temps ils sont inclus en permanence dans la page Web de la DIRECON, www.direcon.cl

- *Coopération avec les milieux d'affaire et autres interlocutaires en matière d'information et promotion.*

Avec les syndicats et les ONGs la cooperation est important. Avec les milieux d'affaires cette cooperation est insignifiante.

- *D'autres activités d'information.*

Le PNC a organisé des séminaires, a préparé des publications et a participé à plusieurs réunions d'informations organisées par des syndicats et des ONGs.

- a. Nous avons présenté les Directrices dans un séminaire spécifique organisé par la Direction Gouvernementale de la Sécurité Sociale sur la RSE, avec des représentants de l'ensemble du secteur public.
- b. Nous avons fait une conférence sur les Principes Directeurs à l'Université Austral de Valdivia.
- c. Nous avons organisé à Santiago un séminaire sur les Directrices avec la participation des PCN de l'Argentine, Brésil et Mexique, et du TUAC. Les PCN ont décidé de constituer une coordination permanente pour l'Amérique Latine. Un rapport détaillé sur cette rencontre vous sera envoyé en annexe.

Non.

- *Liens entre les principes et les programmes de crédit à l'exportation, de garantie des investissements.*

Il n'y a pas des changements par rapport à l'information de l'année 2006. Le Comité d'Investissements Etrangers (CIE) s'en occupe.

Demandes d'information: a) Le PNC du Brésil a demandé des renseignements concernant le Projet minier "Pascua Lama". Lettres b) et c) du formulaire :non.

C. Mise en œuvre dans des circonstances spécifiques.

Ce rapport concerne 3 cas spécifiques soumis à la connaissance du PCN.

1. Date de réception.

- Cas de l'Entreprise Unilever : 8 Juin, 2005.
- Cas de la Banque du Travail, du Pérou, entreprise multinationale, liée à des Investisseurs chiliens du groupe Altas Cumbres: 25 Avril, 2007.
- Cas de l'entreprise multinationale ISS Facility Services S.A., d'origine danois: 16 avril, 2007.

2. Auteur de la requête.

- Cas Unilever: Centrale Unitaire des Travailleurs du Chili (CUTCH).
- Cas Banque du Travail du Pérou: Centrale Générale des Travailleurs du Pérou (CGTP), la Confédération des Syndicats de la Banque du Chili et d'autres organisations.
- Cas de l'Entreprise ISS Facility Services S.A: Centrale Unitaire des Travailleurs du Chili et le Syndicat des Travailleurs de cette entreprise.

3. *Chapitres des Principes directeurs cités dans la requête.*

- Cas Unilever: Point IV, N° 6 et 7.
- Cas de la Banque du Travail : Point N°1 du Prologue; Point II, N°2 des Principes Généraux; Point IV n°s 1,2 et 8 de Emploi et Relations de Travail.
- Cas de l'Entreprise ISS Facility Services S.A : Point IV, N°s 1, 2, 3, 4, 6 et 7 du Chapitre Emploi et Relations de Travail.

4. *Activités commerciales menées dans un pays non signataire.*

Les activités de la Banque du Travail du Pérou sont menées au Pérou, lequel est un pays non signataire des Principes directeurs de l'OCDE.

5. *Secteurs d'activités concernés par les entreprises mises en question.*

- Cas de l'entreprise Unilever : secteur manufacturier, branches liées à la production de dentifrices, de détergents et des produits alimentaires.
- Cas de l'entreprise ISS Facility Services S.A: Services divers, nettoyage et autres.
- Cas de la Banque du Travail du Pérou: Services financiers.

6. *Acceptation ou rejet de la requête.*

- Cas de Unilever: le cas fut accepté et résolu.
- Les cas des entreprises ISS et de la Banque du Travail de Pérou sont à l'étude. Le PNC décidera sur l'acceptation ou le rejet au cours du mois de Mai.

7. *Date à laquelle une issue a été trouvée.*

Cas de l'entreprise Unilever: le traitement du cas a pris 6 mois (dès juin à décembre 2005).

8. *Mode de communication du résultat.*

Le PNC a publié un Rapport détaillé contenant le résultat dans la page Web de la DIRECON et les parties ont utilisés des moyens de communication semblable.

9. *Information complémentaire.*

Le cas de l'entreprise Unilever a été très emblématique car il s'agit du premier cas présenté par la CUTCH et l'accueil réservé à la décision fut très positif. En effet, l'entreprise a participé à la Rencontre Internationale organisée par le PNC le mois d'avril passé. Le représentant de l'entreprise et celui du Syndicat ont exposé le cas à l'ensemble des participants à cet événement.

CZECH REPUBLIC / RÉPUBLIQUE TCHEQUE

A. Institutional arrangements

The Czech National Contact Point (NCP) is established at the Ministry of Finance of the Czech Republic. The NCP is chaired by Mrs Eva Anderová, Director of the EU and International Relations Department. Below are the relevant co-ordinates.

International Organisations Department
Ministry of Finance
Letenská 15
118 10 Prague
Czech Republic

tel. +420 2 5704 2300
fax: +420 2 5704 2281
e-mail address: Eva.Anderova@mfcz.cz

No changes in the location or in the NCP status are expected.

The NCP also closely co-operates with other relevant ministries and with social partners.

The NCP consults with other ministries and central authorities, especially on issues concerning promotional activities and the solution of submitted disputes. The NCP works in particularly close contact with officials of the Ministry of Labour and Social Affairs and the Ministry of Industry and Trade. The NCP hosts consultation sessions with them and other ministries as well e.g. the Ministry of the Interior, the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of the Environment and the Czech National Bank.

The NCP also closely co-operates with social partners - the Czech representative in BIAC (the Confederation of Industry of the Czech Republic) and with the Czech representative in the TUAC (the Bohemian-Moravian Trade Unions Confederation). The specific Guidelines issues are discussed with branch-specialised organisations of employees and employers.

The NCP continues the co-operation with Czech NGOs, especially with the Czech OECD Watch member, the Environmental Law Service.

B. Information and promotion

Information on the website

The Guidelines including the commentaries and information relating the Guidelines are accessible not only on the Ministry of Finance websites but also on the websites of the Ministry of Industry and Trade and CzechInvest (the Czech Government's Investment Promotion Agency). The publications involve link to the Czech NCP and to the related documents supporting the implementation and observance of ethical codes, including direct references to the ethical codes of particular associations and companies in the Czech Republic.

Information towards social partners

The NCP maintains informal permanent contacts with all key partners, primarily representatives of the Confederation of Industry of the Czech Republic and the Bohemian-Moravian Trade Unions Confederation in order to disseminate information among their members. The social partners keep their members informed of the particular Guidelines issues. On the other hand the social partners have provided the NCP with useful information.

Information to non-governmental organisations

At the request of the non-governmental institution (the Czech OECD Watch member) specialized in publishing and editorial activities the NCP provided respective information of the Czech NCP's activities. This co-operation continues, the NGO's representatives took part in the Czech NCP's regular meetings.

C. Implementation in specific instances*Institutional framework*

The NCP arranges one regular meeting per year and other meetings where trade unions and business associations take part in case of necessity (other relevant parties are involved depending on the issue discussed).

Information on specific instances

Any new specific instance has not yet been submitted to the Czech NCP during the June 2006 – June 2007 period.

D. Other

To apply the Guidelines effectively, in particular cases the NCP uses criteria of visibility, accessibility, transparency and co-operation, i.e. while dealing with specific cases in a so-called narrower negotiation, the NCP calls representatives of trade union, employer's unions, concerned ministries and central authorities. The NCP also invites concerned employees, or employers for so-called wider negotiation. Within these negotiations, it discusses problems with concerned parties, and offers a mediation, which could help to solve the problem; by this, it fulfils the criterion of transparency, accessibility, and cooperation.

DENMARK / DANEMARK

A. Institutional arrangements

- No update of annex 1 is necessary. In annex 2 the name and contact details for The Chairman of the Danish Contact Point should be amended since it is now Deputy Permanent Secretary, **Lise Fangel**, +45 72205100, lfa@bm.dk.
- The Danish Contact Point consists of representatives from
 - The Danish Federation of Trade Unions
 - The Salaried Employees and Civil Servants Confederation
 - The Danish Confederation of Professional Associations
 - The Danish Employers Confederation
 - The Ministry of the Environment
 - The Ministry of Economic and Business Affairs
 - The Ministry of Employment (where the Secretariat and chairmanship is anchored)
- The above mentioned Danish government agencies are considered to have a direct interest in the *Guidelines*. The Danish Contact Point does not have any specific relations to other government agencies, but will involve relevant agencies if necessary. Accordingly, The Danish Forest and Nature Agency is seconding the Danish Contact Point with regard to the specific instance submitted in March 2006 by Nepenthes.
- The social partners are represented in the Danish Contact Point and have contributed to the information on and promotion of the *Guidelines*.
- Alongside the Danish Contact Point an open "Guidelines-group" has been established with representatives of interested NGOs and the members of the Danish Contact Point. The Guidelines-group meets on average twice a year. The purpose of the Guidelines-group is to facilitate the exchange of views and ideas on the promotion of the *Guidelines*.
- The Danish Contact Point is aware of other initiatives within the field of "corporate social responsibility" including UN Global Compact but has not taken any steps to establish any formal relation.

B. Information and Promotion

- The Danish Contact Point released a booklet containing the *Guidelines* in Danish in 2001. In an effort to promote the awareness of the *Guidelines* in Denmark a handbook on the *Guidelines* and was also published and both are still in demand by the public. The *Guidelines* in Danish are accessible on the WWW.
- Aside from the co-operation within the Danish Contact Point and in the "Guidelines-group" mentioned above the Danish Contact Point has made an effort to ensure public awareness of the *Guidelines* through the media.

- A member of the Secretariat of the Danish Contact Point guest lectured twice in March 2007 about the *Guidelines* and the Danish Contact Point at the University of Copenhagen (a course in international labour law and a course in international political science). Cooperation with the university in this regard is expected to continue in the future.
- The OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones has not specifically been disseminated or referred to in the context of interactions with enterprises or stakeholders.
- In Denmark there is no direct linkage between Export Credits/Investment and the *Guidelines*. No update of Table 1 in Annex 3 and, accordingly, there is no referral to the OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones.
- No enquiries have been received during the last year.

C. Implementation in specific instances

- In March 2006 a specific instance was brought before the Danish Contact Point by Nepenthes, an NGO concerned with protection of forests around the world. This specific instance, involving a Danish company trading in timber and wood products, covers several chapters of the *Guidelines* and later in the spring 2006 it was initially assessed that it should be reviewed by the Danish Contact Point.
- The specific instance concerns business activities in three non-adhering countries (Burma, Cameroon and Liberia) and, in order to find a common understanding between the parties, consultations and deliberations have been taking place progressively and has not yet been concluded.
- No other specific instances have been brought before the Danish Contact Point in the June 2006-2007 cycle. No update of Annex 4 is necessary.

D. Other

- The Danish Contact Point seeks to operate in accordance with both Danish and international standards on visibility, accessibility, transparency and accountability. The Danish Contact Point acknowledges that unlimited transparency is not always a possibility, but seeks, e.g. in meetings with the guidelines group, to be as informative as possible with regard to specific instances and other activities in relation to The Danish Contact Point.

ESTONIA / ESTONIE

A. Institutional Arrangements

Estonian National Contact Point (ENCP) is administratively situated in the Foreign Trade Policy Division in the Trade Department of Ministry of Economic Affairs and Communications.

National Contact Point of OECD Declaration on International Investment and Multinational Enterprises
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e-mail: hellehelena.puusepp@mkm.ee

The Advisory Committee to ENCP consists of the representatives from several ministries, business associations and the association of trade unions. The members of Committee are experts from the Ministry of Finance, Ministry of Foreign Affairs, the Association of Trade Unions and business associations.

The ENCP relies also on the experience and expertise of other ministries, for example Ministry of Social Affairs, Ministry of Environment, and governmental bodies. The ENCP has close links with the Enterprise Estonia that represents important partner in promoting the guidelines.

The other NGOs are involved in the functioning of the NCP through informal contacts. They have provided an insight on different aspects of foreign investments and the guidelines thus the ENCP seeks to deepen these contacts in the promotion of the guidelines.

B Information and Promotion

The Guidelines have been translated into the Estonian language. The translation and the original text have been published in the official gazette Riigiteataja (RTII 05.03.2003 7, 25). The Estonian text of the Guidelines is available on the Ministry of Foreign Affairs web-page (<http://web-static.vm.ee/static/failid/118/OECDsuunised.pdf>). On request the ENCP sends also the copies of the Guidelines and other relevant material.

The contacts with the Confederation of Estonian Trade Unions, Estonian Employers' Confederation and the Estonian Chamber of Commerce continue ensuring the dissemination of information about Estonian adherence to the Guidelines and the events of the ENCP and the developments in the area of international investment.

The declaration has been used as a benchmarking tool to study the CSR situation and past developments among Estonian enterprises in 2006. The study was carried out by the Estonian Chamber of Commerce and Industry. One of the objectives of the study was to acknowledge enterprises that do business in a responsible manner. Overall, it aimed at strengthening the overall perception of the benefits that derive from responsible entrepreneurship. While the response rate has not been overwhelming, the study has drawn attention among the NGO's and other interested groups and will clearly provide support to

other initiatives in the future. The results also show that the responsible entrepreneurship is better received when embarking upon it is voluntary.

The ENCP participated at the OECDWatch event in Helsinki in April 2007 and engaged in the discussions on the model NCP. These discussions provided further insight on the functioning of the NCP and served as necessary input for improving NCP work in Estonia.

C. Implementation in specific instances

The procedures for dealing with specific instances have been put in place and will be developed further based on the experience of the ENCP.

There have been no specific instances brought to the attention of the ENCP.

Visibility: The ENCP has promoted the Guidelines since the adherence to the Declaration. The guidelines have been translated into Estonian and published in printed form and on web pages.

Accessibility: The detailed contacts have been added to the list of the NCPs on OECD web-page and the link has inserted in the Ministry of Economic Affairs and Communications web-page. The institutional location has been advertised through press announcements.

Transparency: All activities of the ENCP have been open and transparent. There have been no specific instances raised to date, and no issues of confidentiality/transparency have arisen.

D. Other

The ENCP will continue its promotional activities and take every opportunity to draw attention to the Guidelines. As adherent to the Declaration, the working party meetings constitute an important source for additional knowledge on the NCP functioning and its improvement of the Estonian NCP.

FINLAND / FINLANDE

A. Institutional Arrangements

Composition: The Finnish Committee on International Investment and Multinational Enterprises (MONIKA) acts as the Finnish National Contact Point. The organization of MONIKA is quadripartite, involving the Government, business, trade organizations and non-governmental organizations operating in connection with the Ministry of Trade and Industry. The Finnish NCP MONIKA is by the Government decree issued on the Committee, a cooperative body of the government, business life and other actors, which will promote corporate responsibility in Finland within the framework of a governmental programme, called Corporate Responsibility Finland.

Participants to MONIKA:

Within the Government:

Ministry of Trade and Industry
Ministry for Foreign affairs
Ministry of Finance
Ministry of Social Affairs and Health
Ministry of Social Labour
Ministry of Environment

Within Social and Business Partners

The Confederation of Finnish Industries EK
The Central Chamber of Commerce of Finland / International Chamber of Commerce ICC Finland
The Central Organization of Finnish Trade Unions SAK

The NGOs are represented by

FinnWatch
The Finnish Association for Nature Conservation
Kuluttajat-Konsumenterna ('The Consumers'), a Finnish consumers' organization

The relation to other Government agencies, social partners and NGOs:

The MONIKA Committee includes members from various responsible ministries, business and trade unions and NGOs. It operates under the auspices of the Ministry of Trade and Industry as a wide scoped forum of public and private representatives for issues related to investment and Corporate Responsibility, taking care of the promotion of the Guidelines, as important principles of Corporate Responsibility, and serving as an advisory forum in other issues related to the Investment Committee, and assisting when necessary in the interpretation of the Guidelines.

The final responsibility for the handling of inquiries and the implementation in Specific Instances lies with the Ministry of Trade and Industry. The Committee has its own rules of procedure, and gets together several times over the review period, where it discusses all Guidelines-related business within the public authorities and the stakeholders.

B. Information and promotion

The availability of the OECD Guidelines in Finland

- The Guidelines have been translated into Finnish and Swedish (the official languages in Finland). A website of the Finnish NCP including links to the OECD website and other organizations and with information on the Guidelines and Corporate Responsibility has been developed <http://www.ktm.fi/monika>.
- The Guidelines have been widely promoted and distributed to the public and companies by official speeches, various seminars, publications and by other means as unique globally accepted CSR principles. The MONIKA members have promoted the Guidelines within their activities. The Guidelines have also been transmitted to the government and to the Parliament so that they can take these into account in the regulatory framework building.

Co-operation on promotion of the Guidelines

- Ministries, business, trade unions and NGO's represented in the quadripartite Finnish NCP have actively attended the meetings of the NCP. The Finnish NCP held five formal meetings between June 2004 and May 2004. The principles of the Guidelines and the OECD Investment Committee meeting topics have been discussed in details. Meetings in the NCP provide valuable input to the position of Finland to the Investment Committee. The co-operation is fruitful for the promotion of the OECD Guidelines.
- Corporate Responsibility Finland Programme

The Finnish NCP MONIKA has been developed, by revising the Government decree issued on the Committee, into a cooperative body of the government, business life and other actors, which will promote corporate responsibility in Finland within the framework of a programme called Corporate Responsibility Finland.

This strategy has four strands:

- Promote activities that bring economic, social and environmental benefits;
- Work in partnership with the private sector, community bodies, unions, consumers and other stakeholders;
- Encourage innovative approaches and good practice;
- Encourage awareness, trust and healthy public dialogue.

The *Corporate Responsibility Finland* programme aims to:

- Support CSR, especially in international activities;
 - Focus on making CSR part of organisations' core operations;
 - Assist small and medium sized enterprises (SMEs);
 - Raise the profile of CSR, for example by encouraging more CSR reporting; and
 - Promote greater transparency and clearer guidance on CSR reporting.
- Meetings were organized specifically to discuss the following topics laid down in the Corporate Responsibility Finland Programme:
 - ISO initiative 'Guidance on Social Responsibility'

- OECD Guidelines, Global Compact and GRI and their progress in Finland in order to provide an overall picture of international guidelines and initiatives concerning corporate social responsibility and of the public promotion of corporate social responsibility reporting and other forms of corporate governance
- CSR principles stocktaking in Finnish public procurements.

Other information and promotion activities

Business orientated seminars and conferences have been organized by the Government, and in partnership with private sector, on CSR and the OECD Guidelines. Examples of recently organized events:

- OtaEco '06 Environment and Corporate Social Responsibility –congress, the largest congress in Finland focusing on sustainable development and produced by the Helsinki University of Technology Lifelong Learning Institute Dipoli and the Finnish Business & Society network was held on November 7th - 8th, 2006 in Espoo, Finland. OECD Guidelines and OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones were presented.
- The Finnish EU Presidency conference ‘Corporate Social Responsibility Policies Promoting Innovation and Competitiveness’ was held in Brussels on 22 November 2006. In keeping with the innovation and competitiveness theme of the conference, the major agenda assessed broad CSR and related trends, both in the EU and abroad (incl. OECD Guidelines and other international investment issues), and their implications both among multinational enterprises and SMEs.
- Finland/OECD Workshop on labour-related immigration and the environment for foreign direct investment in Finland was held in Helsinki on March 5th 2007. This unique workshop was organised by the Ministry for Foreign Affairs and the OECD Services. In this workshop OECD Political Framework for Investment and OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones and other OECD Guidelines related items (open and transparent policy frameworks for investment, responsible business conduct and making the most of international investment agreements) were discussed from the Finnish perspective.
- OECD Watch Regional Roundtable ‘Toward a Model European National Contact Point’ was held in Helsinki on the 27th of April 2007. This seminar, organised by FinnWatch and Germanwatch and part of a larger OECD Watch EU-funded project, was the second of three regional roundtables aimed at developing a model European National Contact Point (NCP) based on experiences and practices in different regions of Europe. This roundtable focused on the Northern and Northeastern European Region. A draft model NCP was presented. The final draft will be presented at the larger roundtable in Brussels in June 2007. The second major goal of the project is to facilitate the increased use of the OECD Guidelines by Socially Responsible Investment (SRI) Agencies.
- A seminar on Russian investment policy was held on 21-22 May 2007 in Helsinki in co-operation with the OECD Investment Committee and the Finnish authorities as part of the preparation of the Investment Committee's next Investment Policy Review of the Russian Federation to be launched in 2007 for completion by end-2008. In this seminar OECD Political Framework for Investment and OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones and other OECD Guidelines related items (open and

transparent policy frameworks for investment and responsible business conduct) were discussed.

Linkages – The OECD Guidelines and export credit, overseas investment guarantee and inward investment promotion programmes

The official Finnish Export Credit Agency (ECA) Finnvera plc wishes to call the OECD Guidelines for Multinational Enterprises to the attention of guarantee applicants.

A new OECD Council Recommendation on Bribery and Officially Supported Export Credits has been adopted by the OECD Council in December 2006 to strengthen the measures for combating bribery in international business transactions. As the official Finnish Export Credit Agency (ECA), Finnvera is committed to implement the measures required by the Recommendation. Finnvera requires the exporter and the lender as beneficiary of the guarantee to sign an anti-bribery declaration. The exporter shall also commit to refund Finnvera the possible indemnification if bribery has been proven. Finnvera requires anti-bribery declarations to be signed also in connection with short term export transactions.

C. Implementation in specific instances

Annex 4 has been updated.

Botnia SA paper mill project in Uruguay

1. CEDHA/Botnia S.A/Metsä-Botnia Oy

Specific Instance Complaint regarding Botnia's construction of a Pulp Papermill Factor in Uruguay was raised in April 2006 by the Center for Human Rights and Environment (CEDHA) of Argentina. According to the CEDHA, Botnia has violated the guidelines especially with respect to Chapter II 'General Policies', Chapter III 'Disclosure', Chapter V 'Environment' and Chapter VI 'Bribery'.

Finland's National Contact Point (the Ministry of Trade and Industry) decided to deal with the Specific Instance submitted by the CEDHA. In the decision it was considered that even though the building project is implemented in Uruguay, Finland's National Contact Point has the authority to deal with the Specific Instance, due to the fact that Uruguay does not have a corresponding National Contact Point, and because Botnia S.A/Metsä-Botnia Oy can be regarded as having a connection to Finland, e.g. through ownership. Furthermore, it was considered that an Argentinian non-governmental organisation has the authority to submit the Specific Instance, since it was considered that the effects of the pulp mill also extend across the Argentine border.

The Specific Instance has been dealt with on many occasions by the Advisory Committee on International Investment and Multinational Enterprises of Finland (MONIKA), which operates under the auspices of the Ministry of Trade and Industry, and which has an advisory role in dealing with corresponding Specific Instances. The hearing was also attended by representatives from Sweden's and Norway's National Contact Points, due to their involvement in the pending Specific Instance regarding Nordea Bank, submitted by the CEDHA.

After the hearing Finland's National Contact Point came to the conclusion that the parties involved do not reach agreement on the issues raised, in spite of the fact that the National Contact Point has aimed to offer good offices to help the parties involved resolve the issues, in accordance with the Procedural Guidance related the OECD Guidelines for Multinational Enterprises. This is why Finland's

National Contact Point decided to start preparing a statement on the Specific Instance submitted by the CEDHA.

During the procedure, Finland's National Contact Point was in contact with the authorities of Uruguay. Among others, the representatives from the Ministry of Trade and Industry met with Uruguay's Deputy Foreign Minister Belela Herrera in Helsinki on 28 September 2006. Furthermore, a representative from the ministry met with the Argentina's National Contact Point and informed Spain's National Contact Point in Paris.

Finland's National Contact Point considered that the evidence presented does not prove that Botnia S.A has failed to comply with the OECD Guidelines. The OECD Guidelines do not aim to create obstacles for international investments but to ensure that the operations of multinational enterprises are in harmony with government policies, to strengthen the basis of mutual confidence between enterprises and the societies in which they operate, to help improve the foreign investment climate and to enhance the contribution to sustainable development made by multinational enterprises.

Enterprises have to be especially careful when involved in investment projects subject to risks related to politics and international law. However, it is always the task of the host country of the investment, in this case that of Uruguay, to pay attention to political viewpoints. With regard to Botnia's pulp mill project, the Uruguayan Government has by no means questioned the investment. On the contrary, it has supported the implementation of the investment and seen the economic and other benefits.

Due to its big size, the pulp mill project is bound to have a variety of effects on the surrounding society. The project is committed to strict international criteria in environmental impact management. Accordingly, the harmful social effects of the project are minimal, whereas its economic benefits are extensive. Even though most of the benefits in this case are reaped on the Uruguayan side of the border, a significant part of the benefits might be realised in Argentina as well.

Botnia S.A/Metsä-Botnia Oy is committed to enhancing sustainable development in all of its business operations, improving its operations on a continuous basis, and doing business in a responsible manner. Botnia S.A has also stated that it adheres to the principles of the UN Global Compact. Even though the principles followed by Botnia S.A on social responsibility are more general in nature than the OECD Guidelines, they are equally comprehensive in scope. This, for its part, ensures that Botnia S.A will use acceptable methods and adhere to internationally acceptable practices also in the future work on the project.

Finland's National Contact Point considered on December 21 2006 that Botnia S.A/Metsä-Botnia Oy has not violated the OECD Guidelines in the pulp mill project in Uruguay.

The NCP issued a press release in December 2006. CEDHA did not agree with the NCP resolution and asked the OECD Investment Committee to reflect upon the NCP Statement.

2. CEDHA/Finnvera plc

The Center for Human Rights and Environment (CEDHA) made on 8 June 2006 a request for specific instance to the Finnish National Contact Point concerning the financial activities of Finnvera Oyj in relation to the Botnia SA paper mill project in Uruguay.

The Finnish National Contact Point concluded on November 8 2006 that the request for specific instance issued does not merit further examination. The nature of Finnvera Oyj's special financing and the company's position as a provider of state export guarantees was considered and the following issues was taken into account:

- Finnvera Oyj cannot be considered a multinational enterprise, as defined by the Guidelines, when contemplating the special nature of state is export guarantees.
- The OECD Guidelines cannot be considered to refer to state's export guarantee activities, which are regulated nationally by special legislation and for which special arrangements exist within the OECD (such as environmental principles approved for export credit agencies).
- First and foremost, the Guidelines concern investment activities and enterprises that have made investments (primary investors), in this case Botnia SA. Commentary 10, Chapter 2 (general principles) of the Guidelines (supply chain) advises multinational enterprises to encourage their business partners and subcontractors to comply with principles that are in harmony with the Guidelines, and which cannot be applied directly to an export guarantee enterprise.
- The OECD Committee of Investment and Multinational Enterprises' (CIME) commentary on the Investment Nexus made in April 2003 does not entail that the Guidelines should be applied to Finnvera Oyj's special financing activities.
- With respect to the investment viewpoint taken by the Guidelines, applying them to the activities of Finnvera Oyj could not, ever otherwise, be considered appropriate.

The NCP issued a press release in November 2006.

D. Other

- ***How have the core criteria for the operation of NCPs (visibility, accessibility, transparency, and accountability) been applied in your country to further the effectiveness of Guidelines implementation? Please provide examples that illustrate this.***

Visibility: The MONIKA Committee has highlighted the role of the Guidelines in national competitiveness strategies and the general welfare of the society, enhancing Finnish companies' interest in regard to the competitiveness factor and the public image they provide. Interest among the partners is also intensifying.

Accessibility: The promotion of the Guidelines includes joint Government-business initiatives and the support to NGO initiatives. Moreover the Government sets emphasis on the availability and the accessibility of publications through paper or web format.

Transparency: The quadripartite organization of MONIKA provides for an open discussion arena where information is shared and conveyed downstream.

Accountability: Collaboration between the MONIKA partners assures that all the different actors are considered in the working process.

- ***Do you wish to provide any other information on the nature and results of NCP activities, including on any useful experiences and/or difficulties encountered in carrying out the duties of the NCP?***

No.

FRANCE

A. Organisation institutionnelle

Le PCN (Point de Contact National) fonctionne selon une structure tripartite rassemblant les principales organisations syndicales (CFDT, CGT, CGT-FO, CFE-CGC, UNSA), une organisation patronale (MEDEF) et l'administration (ministère de l'économie des finances et de l'emploi, ministère des affaires étrangères et européennes, ministère de l'écologie, développement et aménagement durables, du travail, relations sociales et solidarité – et tout autre ministère en tant que de besoin en fonction des saisines).

La Direction générale du Trésor et de la politique économique (DGTPE) au ministère de l'économie, des finances et de l'emploi assure la présidence et le secrétariat du PCN.

Le PCN se met en rapport avec d'autres administrations de l'Etat ou avec toute autre entité publique ou privée, quand la circonstance spécifique qu'il doit traiter nécessite qu'un expert fasse part de son point de vue aux membres du PCN de façon à les éclairer sur des points précis soulevés dans la saisine.

B. Information et promotion.

Le PCN dispose d'une page « web » sur le site du ministère de l'économie, des finances, et de l'emploi (http://www.minefi.gouv.fr/directions_services/dgtpe/pcn/pcn.php). Cette page a vocation à présenter les principes directeurs en précisant le champ et la raison d'être, et en mettant à disposition des internautes le texte français des principes directeurs. Le rôle du PCN fait également l'objet de développements ainsi que les modalités de la saisine dont il peut être l'objet. Les cas spécifiques traités par le PCN ayant donné lieu à une communication publique ainsi que le rapport annuel que le PCN remet au Comité de l'investissement de l'OCDE sont également consultables en ligne.

Durant la période qui court de juin 2006 à juin 2007, aucune nouvelle saisine n'a été enregistrée. L'instruction des affaires en cours a été poursuivie (cf. infra, C.). Dans ce cadre, le PCN français a notamment coopéré avec un PCN étranger afin d'échanger un certain nombre d'éléments nécessaires au traitement d'une saisine dont il a été l'objet en 2003. La prochaine réunion du PCN se tiendra le 8 juin prochain.

En outre, les membres du PCN ont mené diverses actions de promotion des principes directeurs de l'OCDE à l'intention des entreprises multinationales.

Le 7 décembre 2006, le MEDEF a organisé un colloque sur la lutte contre la corruption. Plus de 350 personnes ont participé à ce colloque au cours duquel sont intervenus Monsieur Gurrià, Secrétaire Général de l'OCDE, Madame Labelle, Présidente de Transparence Internationale, Monsieur Leipziger, Vice-Président de la Banque Mondiale et Monsieur Musca, Directeur Général du Trésor et de la Politique économique du Ministère de l'Economie, des Finances et de l'Emploi ainsi que de nombreux représentants du secteur privé, des organisations internationales et des ONG.

Le Ministère de l'Economie, des Finances et de l'emploi, en collaboration avec le MEDEF, a engagé les démarches en vue de diffuser à l'ensemble des missions économiques françaises les

brochures relatives aux principes directeurs de l'OCDE réalisées par le MEDEF, en vue d'une diffusion aux entreprises.

Le Ministère du travail, des Relations sociales et des Solidarités organisera à la fin du mois de juin une conférence intitulée « quelles régulations pour une mondialisation plus juste » au cours de laquelle une présentation des principes directeurs de l'OCDE sera faite.

C. Mise en œuvre des circonstances spécifiques.

Durant le cycle 2006-2007, le PCN français a continué son travail sur trois circonstances spécifiques et suivi du projet de barrage Nam Theun II au Laos.

- **Première circonstance spécifique**

Le PCN a été saisi début 2003 d'une circonstance spécifique ayant trait à la violation des principes directeurs de l'OCDE au titre du non-respect du chapitre V (environnement) et de son chapeau. Le PCN continue pour l'heure de travailler sur cette circonstance spécifique.

- **Deuxième circonstance spécifique**

Le PCN a été saisi le 2 octobre 2003 par deux ONG pour allégation de violation des principes directeurs de l'OCDE par un consortium auquel 3 entreprises françaises participent, dans le cadre du projet de construction et d'exploitation d'un oléoduc. En réponse à la saisine des ONG, le PCN a reçu l'argumentaire de l'une des 3 entreprises françaises concernées.

Un examen préliminaire de la lettre de saisine des ONG et de ses annexes par le PCN français en décembre 2003 a démontré que la saisine s'appuyait sur un premier corpus de documents encadrant le projet, mais ne prenait pas en considération les documents complémentaires de clarification et d'interprétation produits ultérieurement par le Consortium et les trois Etats concernés, lesquels sont susceptibles de modifier la saisine. Ces documents complémentaires semblent en effet, de nature à répondre à plusieurs des griefs soulevés contre le consortium dans la saisine initiale.

Aussi, le PCN français a-t-il décidé d'inviter les ONG à reformuler leur saisine, à la lumière des documents ultérieurement produits sur ce projet en précisant dans ce cadre les points sur lesquels ces ONG estiment que les sociétés françaises mises en cause ne respectent pas les principes directeurs de l'OCDE à l'intention des entreprises multinationales. Aucune nouvelle saisine n'est à ce stade parvenue au PCN.

Par ailleurs, le PCN français est en attente d'éléments d'analyse de la part d'un PCN étranger également saisi de cette circonstance spécifique.

- **Troisième circonstance spécifique**

Le PCN a été saisi, le 9 février 2005, d'une circonstance spécifique ayant trait à la violation alléguée des principes directeurs par la direction d'une entreprise dans le cadre de négociations sur les conditions d'emploi au cours desquelles des menaces de transfert à l'étranger de tout ou partie d'une unité d'exploitation auraient été formulées, en vue, selon la saisine, d'exercer une influence déloyale sur ces négociations (chap. IV point 7). Ce dossier est toujours en cours d'instruction par le PCN.

- **Mise en œuvre de la clause de rendez-vous avec EDF dans le cadre du projet de barrage « Nam Theun II » au Laos**

Le PCN a, le 31 mars 2005, adopté des recommandations à l'intention de l'entreprise EDF et de ses partenaires au sujet de la mise en œuvre du projet de barrage « Nam Theun II » au Laos.

En conclusion de ces recommandations, il était prévu que le PCN mènerait avec EDF « des consultations régulières (au moins annuelles) permettant un suivi de l'évolution du projet et de ses impacts ainsi que des échanges constructifs concernant les mesures correctrices à apporter pour maintenir un niveau de bonnes pratiques élevé et le statut d'exemplarité que s'est fixé ce projet ». Le PCN a décidé de mettre en application cette clause de rendez-vous avec EDF. Une réunion avec l'entreprise s'est déroulée en juin 2006. Au cours de cette réunion, le PCN s'est déclaré satisfait des mesures prises, pour l'heure, par EDF et ses partenaires afin de prévenir et d'atténuer les conséquences de leurs activités sur les populations, la faune et la flore et de contribuer au développement économique d'une région dans une perspective de développement durable. Le PCN a toutefois souhaité que lui soit fourni des éléments complémentaires en matière environnementale (protection de la faune et de la flore) et sociale et continue de suivre l'avancement du projet.

Une nouvelle réunion avec EDF devrait se tenir à la fin du mois de juin 2007.

GERMANY / ALLEMAGNE

A. Institutional Arrangements

- *Annexes 1 and 2 to this questionnaire show, respectively, Annex Table 1 (“Structure of the National Contact Points”) from the 2005 NCP Chair’s Summary and the list of National Contact Points (providing contact details) that is available on the OECD Guidelines website. NCPs are asked to update these tables if necessary.*

Please update contact details of the German NCP in Annex 2:

Bundesministerium für Wirtschaft und Technologie

<http://www.bmwi.de/BMWi/Navigation/aussenwirtschaft,did=177082.html>

- *NCPs may wish to provide additional information regarding institutional arrangements (e.g. regarding the composition of the National Contact Point; advisory committees)?*

A 'Working Party on the OECD Guidelines' composed of representatives of Federal Ministries, business organisations, employee organisations/trade unions and selected NGOs meets once a year under the chairmanship of a senior official of the Federal Ministry of Economics and Technology to discuss all Guidelines-related issues.

- *How does the NCP relate to other government agencies?*

The National Contact Point consults other Federal Ministries including the Federal Foreign Office, Federal Ministry for Labour and Social Affairs, the Federal Ministry of Justice, the Federal Ministry of Finance, the Federal Ministry for Economic Cooperation and Development and the Federal Ministry for the Environment and provides them with the opportunity to participate in the implementation of the Guidelines. Furthermore, these Ministries co-operate and participate in conciliation or mediation proceedings, as appropriate.

- *How does the NCP relate to social partners (business community and employee organisations) involved in the functioning of the National Contact Point?*

Within the context of the 'Working Party on the OECD Guidelines' the national contact point offers representatives of business organisations and social partners the opportunity to participate in Guidelines-related activities. The National Contact Point consults and includes them on an ad-hoc basis in conciliation or mediation proceedings with the agreement of the parties involved. During the period under review, the NGOs and the German Trade Union Confederation issued a statement addressing possible steps to be taken from their perspective for improving the functioning of the NCP.

- *How does the NCP relate to other interested parties, including non-governmental organisations (NGOs), involved in the functioning of the NCP?*

In its efforts to promote the Guidelines, the National Contact Point also co-operates with other non-governmental organisations within the context of the 'Working Party on the OECD Guidelines'. Furthermore, the National Contact Point consults and includes them on an ad-hoc basis in conciliation or mediation proceedings with the agreement of the parties involved.

- *Do you also wish to provide any information on how the NCP relates with other initiatives such as the UN Global Compact and its local networks?*

Representatives of the UN Global Compact Germany, represented by GTZ, asked the German NCP for closer cooperation and whether it could especially provide NCP's mediation capacity for possible cases of non-compliance with the Global Compact principles. The German NCP welcomed this request and suggested a two-step procedure, to which the Global Compact representatives agreed: First, the Global Compact tries to solve possible problems within its reporting system; second, if the results are not satisfactory, the problem could be presented to the German NCP as a 'specific instance', which would offer its mediation according to the OECD Guidelines and following the standards of the 'OECD Procedural Guidance'. The stakeholders of the UN Global Compact Germany have approved and formalized this possibility of cooperation.

B. Information and Promotion

- *How have the Guidelines been made available in your country (translation, creation of a webpage or website, etc.)?*

A German translation of the Guidelines is available on the revised Internet sites of both the Federal Ministry of Economics and Technology and the OECD BERLIN CENTRE. Furthermore, a leaflet (‘Merkblatt OECD-Leitsätze’) about the Guidelines is posted on the website of the Federal Ministry of Economics and Technology and has also been made available in a print version. It also has been distributed by the economic sections of all German embassies abroad as well as other institutions, e.g. the Federal Foreign Office and the Federal Ministry for Economic Cooperation and Development as well as the UN Global Compact Germany represented by GTZ.

- *How is co-operation with the business community, trade unions, NGOs and the interested public carried out, with respect to information on, and promotion of, the Guidelines (consultations, distribution of the Guidelines, etc.)?*

Additionally, the Guidelines are promoted by the central German Government internet portal for foreign business "iXPOS". Numerous requests for information - mainly by students, researchers, citizens - were received and have been answered in detail.

The leaflet and additional information about the Guidelines are available at all 81 Chambers of Industry and Commerce in Germany (IHK) and at the 58 German binational Chambers of Industry and Commerce abroad, at the 22 Offices of the Delegates/Representatives of German Industry and Commerce and at their 36 subsidiary offices worldwide (AHK). As the first point of contact for German companies on foreign markets, the AHK network is a part of the official German Foreign Trade Promotion Programme supported by the BMWi. Furthermore, the Guideline information is available at the coordinating chamber head organization, the Association of German Chambers of Industry and Commerce (DIHK). It is displayed on the occasion of DIHK and IHK events and all other chamber activities on the regional and federal level related to investments in non-adhering countries. An introduction to the Guidelines with contact addresses and a download of the leaflet is integrated on the DIHK and other IHK and AHK websites. In addition, companies with a concrete investment interest in non-adhering countries are informed by IHK and AHK foreign trade officials when being involved by individual contacts. The Guidelines are also mentioned in major chamber publications on foreign investment topics.

German business is promoting the Guidelines within its various activities to mainstream CSR. The Guidelines are promoted by the BDI/BDA internet portal “CSR Germany”.

The German Confederation of Trade Unions (DGB) promotes the OECD Guidelines within the context of CSR on the DGB website.

- *Have other information and promotion activities been held or planned (seminars and/or conferences on the Guidelines in general or on specific subjects, informative publications, co-operation with investment promotion agencies, departments of education, business schools, etc.)?*

For its G8 Presidency in 2007, Germany has placed Corporate Social Responsibility on the agenda. As part of the OECD Declaration on International Investment, the OECD Guidelines for Multinational Enterprises have proven to be a strong international instrument for promoting corporate responsibility.

The G8 Labour and Employment Ministers agreed in May 2007 in Dresden to strongly encourage companies in the G8 countries and beyond to observe the OECD Guidelines for Multinational Enterprises and to commit themselves to actively supporting the dissemination of these guidelines and promoting a better governance through OECD Guidelines' National Contact Points.

The support of the OECD Guidelines for Multinational Enterprises as an important international benchmark for Corporate Social Responsibility will also be reaffirmed at the G8 Summit 2007 in Heiligendamm. In addition, emerging economies will be encouraged to associate themselves with the values and standards contained in these guidelines and will be invited to a High Level Dialogue on Corporate Social Responsibility issues at the OECD.

The German Confederation of Trade Unions (DGB) has published a booklet for workers' representatives (works councils, trade unions) which compares various international labour standards including the OECD Guidelines. Together with the DGB Users' Guide to the OECD Guidelines and the DGB proposals for strengthening the OECD-Guidelines in the national and international context this publication soon will be available on the DGB website (<http://www.dgb.de>). Furthermore, in the period under review the DGB has held a series of seminars and workshops on the guidelines for members of European and national Works Councils.

The German NGOs introduced the OECD-Guidelines in two workshops at the World Social Forum 2007 in Kenya; offered a seminar for 50 partner organizations of 'Brot für die Welt' and 'Misereor' in January 2007 in Kenya; conducted a survey of those 18 German enterprises that explicitly refer to the OECD-Guidelines; informed sustainability rating agencies on the OECD-Guidelines and its specific procedures, and organized a workshop on the potential of the OECD-Guidelines at the 12th International Anti-Corruption Conference (IACC) in Guatemala.

Within the OECD Watch network German NGOs participated in elaborating a „Guide to the OECD Guidelines for Multinational Enterprises Complaint Procedure“; in a seminar on the OECD-Guidelines and other instruments of Corporate Social Responsibility in Ghana; in a workshop of OECD Watch and Eurosif for financial institutions on the OECD-Guidelines; in developing a model-NCP and discussing it in Finland and Slovakia, and in a roundtable in Brussels in June 2007 on the OECD-Guidelines, inter alia with a workshop on 'OECD-Guidelines and climate protection“.

Various written questions (“Kleine Anfrage“ and “Grosse Anfrage“) by parliamentary groups on the Guidelines were answered on behalf of the German Federal Government.

- *Has the OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones been disseminated or otherwise referred to in the context of interactions with enterprises and stakeholders?*

This excellent tool has been posted on the revised Internet site of the Federal Ministry of Economics and Technology.

- *Annex 3 to this questionnaire presents Table 1 of the 2005 NCP Chair's Summary ("Linkages – The OECD Guidelines and export credit, overseas investment guarantee and inward investment promotion programmes"). NCPs are asked to update this Table. If no update is necessary, please indicate this.*

No update necessary.

- *Have enquiries been received from (a) other NCPs; (b) the business community, employee organisations, other non-governmental organisations, or the public; or (c) governments of non-adhering countries?*

Ad (a): Some NCP's have asked for support. Ad (b): Numerous requests for information - mainly by students, researchers, citizens - were received and have been answered in detail. Ad (c): None.

C. Implementation in specific instances raised and/or concluded during the June 2006-2007 cycle

The German National Contact Point (German NCP) follows the existing 'OECD Procedural Guidance' for the Guidelines in dealing with all Guidelines-related issues as well as with specific instances. Regularly, after a careful initial assessment of whether the issues raised merit further examinations and, if so, having accepted a request as a specific instance, it asks for further written statements by the parties concerned and then starts conciliation proceedings with the parties involved.

Furthermore, the German NCP is also offering its 'good services' (providing assistance or through conciliatory talks) in other specific instances or requests that were in the competence of other NCP's or in cases where the initial assessment of the German NCP had shown that the Guidelines were not (or not directly) applicable.

1. In June 2003, the German NCP received a request - through the Confederation of the German Trade Union (DGB) - by the Philippines Labour Unions to consider a specific instance against a German MNE (chemistry) in which they complained that its subsidiaries in the Philippines, a non-adhering country, had not complied with the OECD Guidelines Chapter IV (Employment and Industrial Relations). After having received comprehensive comments by the MNE as well as by the Unions in view of the complexity of the case, the German NCP in October 2004 held a first meeting with the parties involved. The main result of the meeting was that the parties themselves acknowledged that they have to obtain more information in order to objectively assess all the facts. The German NCP produced a Draft Joint Statement, which will be discussed and finalized together with the parties in June 2007.
2. In October 2004, the German NCP received a request by Germanwatch and other NGOs to consider a specific instance against a German MNE (chemistry) in which it complained that its supplier in India, a non-adhering country, had not complied with the OECD Guidelines Chapter IV (Employment and Industrial Relations) with regard to child labour. After having received comprehensive comments by both parties, the German NCP invited to a meeting with

the parties involved. Unfortunately, the MNE was unable to join the meeting due to a question of principle based on a management decision with regard to categorical (non-)cooperation with one of the NGOs involved. Thus the German NCP held several separate and detailed meetings with both parties in November 2006 and January 2007. The German NCP produced a Draft Statement that will be finalized and posted on its Internet site in due course.

3. In April / July 2006, the German NCP received requests by Transparency International (TI) to consider various issues against a German MNE (pharmaceutics) in which it complained that the company had not complied with OECD Guidelines Chapter VI (Combating Bribery); the first request with regard to Germany, the later one with regard to other countries. The requests were reviewed by the German NCP and found to be outside its responsibility: As far the request concerned incidents in Germany the NCP had strong doubts about the applicability of the Guidelines against the background of its subsidiary character vis-à-vis domestic judicial and other institutions as well as the lack of a cross-border nexus; as far as the request concerned issues abroad, because the alleged incidents took place inter alia in Belgium, Canada and Spain, all of them being OECD member countries with their own respective NCPs. The German NCP recommended TI - according to the 'OECD Procedural Guidance' - to submit the particular requests directly to those NCPs and offered its good services.
4. In May 2007, the German NCP received a request by Germanwatch to consider various issues against a German MNE (automotive manufacturer). The main reproach was that the company had not complied with the OECD Guidelines Chapter II (General Policies), Chapter III (Disclosure), Chapter V (Environment) and Chapter VII (Consumer Interests) with regard to climate protection. This request is currently being reviewed.

D. Other

- *Do you wish to provide any other information on the nature and results of NCP activities, including on any useful experiences and/or difficulties encountered in carrying out the duties of the NCP?*

While the German NCP is observing confidentiality in its activities related to ongoing specific instances, also with regard to the mere receipt of a request - as demanded according to the NCPs understanding by para. I.C.4.a) of the 'Procedural Guidance' and para. 19 of the 'Commentary' for the handling of specific instances - this principle was nonetheless not equally respected by some of the other parties involved. To some degree, this seems to be related to the fact that some of the specific instances were raised in connection with already existing or newly launched public campaigns of NGOs. This automatically tends to entail conflicts with the general confidentiality requirement. In each individual case the confidentiality requirement - being the principal basis for trusting cooperation - needs to be weighed against the transparency requirement for the work of the NCP. Apart from the confidentiality question, the issue of the relationship between 'specific instances' and the use of the Guidelines in the context of certain NGO campaigns may still warrant more general reflection and discussion.

GREECE / GRECE

A. Institutional arrangements

- The Greek National Contact Point is located in the premises of the Ministry of Economy and Finance:

Ermou & Kornarou 1

Athens 10563

Tel: (+30) 210 328 6231

(+30) 210 3286242

fax: (+30) 210 328 6209

e-mail: g.horemi@mnec.gr / evgenia.konto@mnec.gr

- The NCP is a governmental service: The *Unit for International Investments* in the *Directorate for International Economic Developments and Co-operation*, part of the General Directorate for International Economic Policy of the Ministry of Economy and Finance.

B. Information and Promotion

- The Guidelines have been translated into Greek and are electronically available, together with an Introductory Note and information on the Greek NCP (in Greek and English), on the website of the Ministry of Economy and Finance as well as of our Investment Promotion Agency (ELKE), at the addresses: www.mnec.gr/, www.elke.gr/. Links are provided to relevant OECD and EU papers.
- An informational leaflet in greek that provides guidance to the public with information on issues and procedures of the Guidelines, has been developed and published.
- This leaflet is been distributed to the public (interested people, companies, NGOs or associations) from the Information Desk of the Ministry of Economy and Finance.
- Relevant information has been provided within the Ministry of Economy and Finance, as well as to the Hellenic Organization of Small Medium Sized Enterprises and Handicraft SA (EOMMEX), the Export Credit Insurance Organization (OAEP), the Hellenic Bank Association and our National Board of Exports.
- A meeting with representatives from other governmental agencies, such as the Ministry of Foreign Affairs, Environment, Employment and Social Protection, Development and Consumer Affairs, as well as from trade unions, business associations and CSR Greece was held with the aim to organise closer co-operation with them all for the active promotion of the Guidelines and the handling of any specific instances that may come up in the future.
- We associate our activities with the Hellenic Network for Corporate Social Responsibility (CSR), partner of CSR Europe and the Hellenic Organization for Standardization.
- No enquiries have been received.

C. Implementation in specific instances

- No specific instances have been brought to the attention of the NCP up to now.

D. Other

- Promotional activities are planned for 2007. In this context, we intend to organize a conference that will include presentations by OECD, governmental agencies, trade unions, employees and business associations as well as interested social partners in order to promote the Guidelines.

HUNGARY / HONGRIE

A. Institutional Arrangements

Address of the Hungarian National Contact Point:

Ministry of Economy and Transport
1055 Budapest, Honvéd utca 13-15.
Department of Economic Development Programmes
Phone: (36-1)-374-2877 Fax: (36-1)- 332-6154
E-mail: tejnora.tibor@gkm.gov.hu

Composition of the Hungarian National Contact Point (HNCP)

The organizational structure is bilateral, the HNCP is an interdepartmental government body with permanent members. If needs arise the number of members can be temporarily increased by ministries affected in harmony with the nature of problem emerged.

Recent permanent members of HNCP

Ministry of Economy and Transport (MoET)
Ministry of Finance (MoF)

From the beginning of foundation of HNCP MoET and its legal predecessors worked as a Secretariat for the HNCP and a permanent member of HNCP at the same time. HNCP made decision on the basis of consensus.

The main supervisor and the person in charge of HNCP is the State Secretary for Economic Development of MoET.

B. Information and Promotion

The main information source on the Guidelines is the home page of MoET and the HNCP itself in the MoET. The address of HNCP and other relevant information are as follows:

Guidelines: <http://www.gkm.gov.hu/feladataink/kulgazd/oeed/iranyelvek/iranyelvekoecd.html>

HNCP: <http://www.gkm.gov.hu/feladataink/kulgazd/oeed/kapcsolattarto.html>

The text of the Guidelines together with all relevant information (e.g. Commentaries, Declaration, etc) was translated to Hungarian language. The most important and essential documents are on the Internet Homepage (see below).

- Brief press release (summary) of Hungarian language on the Guidelines
<http://www.gkm.gov.hu/feladataink/kulgazd/oeed/osszefoglaloOECD.html>
- Procedural guide of Hungarian language on the Hungarian NCP (explains what and how to do in the case of enquiry)

In 2006-2007 special training or seminars on the Guidelines or related issues were not organised.

C. Implementation

On April 20, 2006 HNCP received a request. A Hungarian lawyer (dr. Csaba Kiss, expert on environmental affairs, a member of staff of Environmental Management and Law Association¹) submitted the request to the HNCP on behalf of his client (Mr. Imre Horgosi- Hungarian citizen) who worked for a one hundred percent owned foreign company (Visteon Hungary Ltd. located at Székesfehérvár) manufacturing car parts in Hungary. According to the lawyer's views the foreign owned company infringed Article 4. b) of Chapter IV (Employment and Industrial Relations) of the Guidelines. But the case (a particular operation in the technological process that caused health injury) took place between March 12 and 16, 2002 and after the period mentioned employee himself did not carry out similar activity. On April 2003 the company reported technological modifications publicly and a press release on small –scale downsizing related to the scale of products (manufacturing of one product was ended and it was transferred to India) was published. The company gave employee notice to quit on July 2004 referring to restructuring the production. After the notice the employee took legal proceeding of labor against the company and reported the company the Municipal Police on March 10, 2005; the Municipal Public Prosecutor Office on September 20, 2005, and later on the Fejér County Public Prosecutor Office. In the latter case an inquiry has been set up.

In order to clarify the turbulent situation and to know the reasons of the long delays between actions carried out by the employee additional information and proofs were asked for the HNCP from the lawyer on May 8, 2006. At the same time HNCP contacted the company as well as. The case did not turn into a specific instance since all examinations carried out by Hungarian authorities in succession and initiated by the worker were concluded and the Hungarian official organizations (including authorities and trade union) could not find any irregularity in operation of the company. HNCP itself collected information on activity of the company, i.e. how the particular operation that caused health injury was carried out by the worker, what sort of individual personal protective equipments (chemical gloves, chemical workers goggles, apron, respiratory protective mask) were used, how these equipments were applied, what health and safety regulation were valid in the workshop in order to avoid any injury. On the basis of additional and collected information /Material Safety Data Sheets, reports, minutes, records, standard test methods (ASTM F739 and EN 374) of protective chemical gloves/ HNCP pointed out that the company kept the written regulation but the medium level managers did not follow the ethical obligations and they were not cautious proportionally to risks stemming from the operation and they did not make any serious and expected attempt to decrease the risks. Managers on the spot could have the chance to apply so-called quick test of gloves before start of the operation. But the quick test as a mean to cut the risks was unknown in the company and the health and safety regulations in force did not involve it. Quick test was not built in the Hungarian rules as compulsory mean. Moreover quick test of chemical protective gloves can be carried out in different ways which can produce different results depending upon the circumstances and samples of gloves (since gloves are mass products). The quick test cannot give 100% safety but it can reduce the risk significantly.

After analyzing the case HNCP proposed some measures to the company leaders in order to modify the safety regulation worked out for operation done in workshop (i.e. to introduce the so-called quick test of protective chemical gloves), to improve the training for workers exposed to dangers, and to decrease the risks coming from operation; storing, handling and application of hazardous materials.

¹ EMLA is a non-governmental organisation. It has over 80 members which are drawn from Hungary's top environmental professionals including lawyers, scientists, managers, economists, professors, and journalists. The NGO has a handful of international members. Among its founding/organisational partners are George Andrew Kellner Fund, Regional Environmental Center, EMLA-NJ Foundation, Rockefeller Brothers Fund, United Nations Environment Program etc and individuals.

From the viewpoint of the judgment of the case it is remarkable that the worker was not on the official sick-list (injury was mild skin irritation and the worker was treated as outpatient) and the case was legally outdated when it was reported to HNCP. The worker did not claim damages from the company though the company drew his attention to this. In fact the worker worked on March 7, 8 and 12, 2002 respectively in contrary to the request submitted by the lawyer and the operation needed roughly 3x10-15 minutes not all days. However these facts came to light during the investigation and not at the beginning. Reasonable result of detailed investigation was due to the readiness of the company for cooperation providing all necessary information and documents to judge the case properly and precisely. This way gave opportunity for a sort of control of written documents submitted by the lawyer and his client and HNCP could draw a comparison between documents handed over to HNCP by two sides.

Closing the case HNCP elaborated a Statement which was signed by the representative of the company and the Head of Department of MoET who is responsible for the operation of the HNCP. The worker was not satisfied with the results of investigations carried out by Hungarian State Organs, Trade Union and HNCP respectively. His target was to achieve a moral victory against a multinational enterprise settled down in Hungary and to condemn the company practice as it was openly declared at different sites on the Internet fora by him. Therefore he did not sign the Statement.

Statement (see Annex) was published.

May 14, 2007

Annex. Hungarian NCP Statement on Mr. Imre Horgosi vs Visteon Hungary Ltd case²

On April 20, 2006 dr. Csaba Kiss lawyer, environmental attorney submitted a request to the OECD HNCP on behalf of his client, Mr. Imre Horgosi who was a former worker of Visteon Hungary Ltd.

In the letter sent to the HNCP the lawyer stated that ... “ in the limited company the employees’ rights, neither health and safety, environmental regulations (related to hazardous materials) nor labour rules do not prevail”. According to the lawyer’s views the Visteon Hungary Ltd Company infringed Article 4. b) of Chapter IV (Employment and Industrial Relations) of the Guidelines, i.e. “ the enterprise should take adequate steps to ensure occupational health and safety in their operations.”

In accordance with his request in March 2002 his client had to carry out cleaning and washing faulty parts related to compressor manufacturing technology using organic solvent during testing the production line but this operation was not a part of the official technological procedure. Since the protective gloves which were applied in the first phase did not resist the effect of the organic solvent the workers’ hands suffered mild skin irritation which was treated by adequate crème. The worker was treated by medical specialist, but injury did not entitle to sick pay.

The HNCP asked two sides to prove their statements and to cooperate in order to learn the entire case. On the basis of submitted documents the HNCP found that statement of the lawyer is not true, namely “in the limited company the employees’ rights, neither health and safety, environmental regulations (related to hazardous materials) nor labour rules do not prevail”.

However the HNCP stated that though the middle level company leaders took into consideration one part of regulations during testing the production line but they did not apply them by the most careful and prudent way as they could do in order to keep all of the regulations in force and to cut and to screen the risks stemming from the unofficial operation beyond the technological procedure and to prevent development of dangerous situation. But after the first signalisation of deficiency the company terminated them within a short time (two weeks) and the official examinations and supervisions carried out by the Hungarian organs in succession could not find any irregularity in operation.

Selection of the chemical protective gloves needs reasonable experience and special knowledge. The middle level company leaders worked on the basis of insufficient knowledge and information what they had at that time. Material Safety Data Sheet of the organic solvent (Solutin C6) did not contain the type of gloves has to be applied. Therefore during the operation they applied three pairs of gloves in succession which were known by them and the gloves were previously used against organic solvent detecting damaging despite that the second pair of gloves was qualified as improved protective and the third pair of gloves should have resisted to caustic effect of solvent throughout 30 minutes at least.

The target of leaders on the spot was not to carry out “experiments on human beings” but the fulfilment of duty by use of protective equipments that they qualified as adequate and they applied in other operations successfully. On the basis of the proofs the examination could not reveal wilful endangering.

Responsibility of leaders comes up in respect with the fact that after the cognition of first gloves’ damages and signalisation given by the workers they did not stop the unofficial operation beyond the technological procedure and they did not look for the adequate type of protective equipment, i.e. they should have used the appropriate mean. They could have checked the permeability of material of gloves without direct human participation (it was not necessary to put hands of human being into the gloves) by so-called quick

* English language text is for information only. For official use, the Hungarian version signed by both sides is in force.

test in harmony with the Guide for selection of chemical protective gloves which is a general recommendation known in EU and harmonised by competent Hungarian authorities in Hungary and after a consultation with the representative of glove manufacturer firm.

During the operational time the worker did not suffer such an injury which could justify drop-out of working time and pay sick. Worker was not enforced to do similar activity during all time spent in company.

Worker suffered mild injury which was through no fault of his (own). Worker did not claim damages from the company though the company drew his attention to this. According to the Hungarian rules in force labour claims become outdated over three year period, i. e. the case had lapsed.

Considering all facts and acts HNCP declares the case legally closed and draws all sides' attention to the needs that the probable risks in the case of applying technologies or aid material not known in full circle and deeply and all factors having harmful effect on environment and health have to be taken into consideration in the most prudent way and the interested sides have to take measures with respect to them and with special regard to the content of 25/2000. (IX.30.) EüM-SZCsM joint ministerial decree. The leaders on the spot are not only responsible for keeping the rules but they have to meet the ethical obligations which are not binding and which are not written in laws, e. g. which are in the Chapter IV and V (and the paragraphs 27, 34, 35 and 40 of the Commentary) of the Guidelines for Multinational Enterprises or which were formulated in Ethics and Integrity Policy of Visteon mother company (US).

HNCP proposes that Visteon Hungary Ltd should work up the consequences of the case and on the basis of experiences obtained should form safety regulation applied within the company workshops with special regard to the selection, application and maintenance of protective equipments used against hazardous chemical materials. Company leaders should devote great care to teaching knowledge related to hazardous materials in order to eliminate all risks endangering life and health.

20 February, 2007
Budapest

Ministry of Economy and Transport
1055 Budapest, Honvéd u.13-15.

Visteon Hungary Ltd.
8000 Székesfehérvár, Aszalvölgyi út 9-11.

ICELAND / ISLANDE

A. Institutional Arrangements

No decision has been taken on the interdepartmental composition of the Icelandic NCP. Hence, the NCP remains for the time being a single department exercise.

B. Information and Promotion

The Guidelines are in the process of being translated into Icelandic. Upon completion of the translation, the Ministry will decide how best to make the Guidelines available to domestic stakeholders.

Informal inquiries for information on the Guidelines have been responded to.

The NCP introduced the Guidelines to masters degree students at the Reykjavik University school of law.

C. Implementation in Specific Instances

No specific instances have been brought to the attention of the Icelandic NCP.

IRELAND / IRLANDE

Introduction

This is the Seventh Annual Report of Ireland's National Contact Point on the OECD Guidelines for Multinational Enterprises. The Report is submitted for consideration at the Annual Meeting of National Contact Points and submission to the OECD Investment Committee. The Report covers the period since the last annual report, - June 2006 to June 2007.

Providing a mechanism whereby National Contact Points can formally record the outcome of any cases they handle enhances the profile of both the National Contact Points (NCP) and the Guidelines themselves. Annual reports are necessary to ensure the recognition and long term successful implementation of the Guidelines, thereby positioning the Guidelines as the benchmark code of corporate social responsibility.

A. Institutional Arrangements

Annex 1 to this Report is attached without amendment. Annex 2 is also attached with necessary amendments made in strikeout mode.

The National Contact Point can be contacted at the following address:

National Contact Point for the OECD Guidelines for Multinational Enterprises
Bilateral Trade Promotion Unit
Department of Enterprise, Trade and Employment
Kildare Street
Dublin 2
IRELAND.
Telephone + 353 1 631 2605
Fax + 353 1 631 2560
e-mail Anne_Webster@entemp.ie

The main Irish development agencies with responsibility for enterprise development and investment promotion, report to the Department of Enterprise, Trade and Employment. These agencies are kept informed of significant developments in relation to the Guidelines, as are other Government Departments.

As outlined above, the NCP functions as a single expert point of contact. Business, trade unions and non-governmental organisations do not directly participate in its operation. However, communication is maintained with these groups as appropriate, and the NCP is available for consultations with any party expressing an interest in the Guidelines.

The NCP continues to operate as a single point of contact within the Department of Enterprise, Trade and Employment. The senior official heading the NCP is Ms. Anne Webster, Principal Officer in charge of the Bilateral Trade Promotion Unit at the Department.

B. Information and Promotion

The importance of adopting, maintaining and evaluating high standards of business conduct continues to be recognised by Irish enterprise. The implications of increasing globalisation inform the work of the National Contact Point in promoting the visibility and recognition of the Guidelines.

As part of outreach activities to that end, the NCP has contact as appropriate with corporate governance experts in both the national employers federation - Irish Business and Employers Confederation (IBEC) and in the Irish Congress of Trade Unions (ICTU).

The key actions of the NCP to promote and encourage the use of the Guidelines can be summarised as follows:

- **Website Access and Information**

This Government Department's website displays an area with details and access links for further information on the work and remit of the Investment Committee; the Guidelines for Multinational Enterprises with contact details for all National Contact Points and access to the Investment Committee's 'Risk Awareness Tool'. This information can be accessed at www.entemp.ie/trade/bilateral/work.htm. This facilitates those requiring access to the text of the Guidelines and other reports and to associated commentaries on them. It also provides access to the Committee's information brochure Promoting Investment for Growth and Sustainable Development Worldwide.

- **Links with business communities, trade unions, NGOs, etc.,**

The NCP advised the Irish Business and Employers Confederation (IBEC) on the development of a voluntary *Code of Corporate Governance* for the Confederation's members. The NCP provides support to the Irish Congress of Trade Unions' (ICTU) participation in the Trade Union Advisory Committee to the OECD (TUAC).

- ***Department of Enterprise, Trade & Employment Sustainable Development Strategy***

The Department published its *Sustainable Development Strategy 2003-2005* which set targets relating to the impact of business in areas such as climate change, corporate sustainability and corporate social responsibility. "Sustainable Development" represents a form of development that seeks to integrate economic, environmental and social dimensions in a balanced way. From the Department's perspective, sustainable development is about finding more environmentally and socially responsible and sustainable ways of doing business, both within the Department itself and for enterprises in Ireland.

The Strategy contains a section (as set out below) on Corporate Social Responsibility that recounts the importance of the following Key Commitments and Indicators including the OECD Guidelines for Multinational Enterprises:

5.3 Key Commitments and Indicators

Responsible Corporate Practices

- Improve knowledge and awareness of CSR in enterprises.
- Contribute to EU and international initiatives on CSR.
- ***Encourage knowledge and observance of OECD Guidelines for Multinational Enterprises.***
- Encourage corporate social and environmental reporting.
- Continue to support the work of Company Law Review Group.

Key Indicators

- Number of enterprises participating in environmental technologies research initiatives.
- Number of Irish firms adhering to OECD Guidelines for Multinational Enterprises.
- Number of firms producing annual environmental reports.
- Work initiated on WSSD trade-related actions.
- Number of applications from Irish firms for the EU Eco-Label.
- Number of Irish firms availing of EI environmental information service.
- Number of firms availing of EI grants for sustainable management practices.
- Number of firms with environmental management systems.

Access to the Department's Strategy document can be accessed at www.entemp.ie/trade/environment/sustainabledevelopmentstrategy.htm. The Department is currently assessing how to build on this Strategy for 2007 and future years. The Department undertook a review of the implementation of its Sustainable Development Strategy, 2003-2005 which can be accessed at www.entemp.ie/publications/trade/2006/reviewimplsusdevestrategy.pdf.

- **Department of Enterprise, Trade & Employment Annual Report**

Details of the review of the Sustainable Development Strategy are recounted in the Department's Annual Report for 2006 which was just published recently. A link to the Annual Report 2006 is available at <http://www.entemp.ie/publications/corporate/2006/AnnualReport2006.pdf>.

- **Other Information and Promotion**

The Department of Enterprise, Trade and Employment continues to participate in fora that address matters relating to corporate social responsibility. It does so particularly via the Corporate Social Responsibility European Multi-Stakeholder Forum and the European Union High Level Group on Corporate Social Responsibility which facilitates exchange of best practices on Corporate Social Responsibility. This work is closely linked to the promotion of the OECD Guidelines.

As part of our obligations under the Freedom of Information Act 1997, we produce a reference book every three years which describes the functions, rules and operations of the Department, including its role in relation to corporate social responsibility: *"Freedom of Information Act, Sections 15 & 16 Reference Book: A Guide to the Functions, Records, Rules and Practices of the Department" – 3rd Edition April 2004*, is accessible at <http://www.entemp.ie/publications/corporate/2004/section1516.pdf>.

Annex 3 to this Report is attached with no update necessary.

No specific enquiries have been received by this National Contact Point from other NCPs, business or employee organisations or other organisations.

C. Implementation in specific instances

No specific instances have arisen during the period covered by this Annual Report. Annex 4 to this Report is attached without amendment.

D. Other

The Department of Enterprise, Trade & Employment is satisfied that necessary public awareness concerning the existence of the Guidelines for Multinational Enterprise and their contents, exists. There has, however, been little recourse to the National Contact Point to date but it is available to assist and to intervene when required.

ISRAEL / ISRAËL

ITALY / ITALIE

A. Institutional Arrangements

Structure of the Italian National Contact Point

There is no change to the structure of the NCP. The contact details are as follows:

Mrs. Loredana Gulino	Tel: (39-6) 47052988/47052475
Italian National Contact Point	Fax: (39-6) 47052475
General Directorate for Productive Development and Competitiveness	Email: pcn1@attivitaproduttive.gov.it
Ministry of Productive Activities	pcn2@attivitaproduttive.gov.it
Via Molise 2	Web: www.pcnitalia.it
I-00187 Rome	

Institutional arrangements

The Italian National Contact Point was created by the national law n. 273/02 which defined its aims, structure and financial resources and attributed to Ministry of Productive Activities (now Ministry of Economic Development) - General Directorate for Productive Development and Competitiveness (DGSPC) the responsibility of its management.

The decree of the 30th July 2004, signed by the Minister of Productive Activities, detailed the content of the above mentioned law, providing for NCP's specific scopes and functions, operational bodies and tasks.

During this year no changes have interested the NCP's organisational structure which continues to be composed of:

1. the General Director of the DGSPC, who represents the NCP and has the decision-making powers;
2. the Advisory Committee, composed by representatives of ministries³ and of the most important trade unions and business associations. This composition is, anyway, flexible: all the stakeholders with a legitimate right to attend the Committee works can be authorized, by the General Director, to take part in it.

Owing to the 2006 political election, on last February the NCP requested the confirmation of any minister's representatives. The next Committee meeting is scheduled for the end of this semester;

3. the Secretariat, which is in charge of assuring the operational functioning of the NCP.

Modalities to manage the relation between NCP and other government agencies

³ The Ministries attending the works are the following: Economic Development, Foreign Affairs, Environment and Land and Sea Protection, Economy and Finance, Justice, Social Solidarity, Health, International Trade, Agricultural, Food and Forest Policies.

National administrations

The NCP is strongly engaged in involving governmental agencies and institutions in its activity and, in particular, national and regional administrations who may effectively contribute to promote and implement the OECD Guidelines and the Corporate Social Responsibility (CSR) principles.

At national level, the NCP preserves orderly relationships with the Ministry of Social Solidarity which inherited the project “*CSR - SC Corporate Social Responsibility*” (launched by the previous Ministry of Welfare), with the Ministry of Foreign Affairs sponsoring the project “*Italian Global Compact – to promote the sustainable development through Global Compact*” and with the Ministry of Justice promoting the anti-bribery campaign and the concerning working group (18th October 2006)

In particular, as far the relation with the Ministry of Foreign Affairs/ILO, the NCP attended the meeting of last 15th January 2007 aimed at elaborating and planning a shared working programme to create synergies and avoid duplications in diffusing CSR themes (15th January 2007) and participated, along with an independent evaluator, in the encounters to evaluate the efficiency of the joint promotional programmes (29th January 2007 and 15th May 2007).

Regional administrations

The NCP devotes great attention to the regional administrations which, being closely related to territories, can promote the OECD Guidelines principles amongst local actors, mainly SMEs.

To this end, the NCP has related with the Italian Regions involved in diffusing social responsible conducts, *in primis*, Lombardy and Veneto Regions which have been collaborating with the NCP since its institution and are particularly committed in diffusing CSR principles among their local enterprises.

With the former, the National Contact Point organised the first mission of the Project “*Exportation of the Italian model of a social responsible enterprise*”.

This project “***Exportation of the Italian model of a social responsible enterprise***” - which tanks to its significant outcomes was replicated three times during the considered period (see the subsequent paragraphs) - aims at stimulating SMEs to adopt social responsible conducts thus to became a reference model, both inside and outside the national borders.

The project was articulated in a training session and in a following institutional/entrepreneurial mission abroad.

During the session the NCP’s staff transferred to trainees (representatives of local firms and business bodies) the knowledge of the OECD Guidelines, the widespread international tools concerning CSR themes and internationalisation initiatives (such as the “*OECD Policy Framework for Investment*” and the “*OECD Risk Awareness Tool for Weak Governance Zones*”) along with the information to operate in home and foreign markets.

The missions were finalised to promote a model of social responsible enterprise and to favour the demand-supply matching.

The mission organised with the Lombardy Region took place in Morocco, from 14th to 17th May 2006, and it was launched by the kick-off meeting “*Morocco: a favour Mediterranean partner. Opportunities and strategy to successfully operate in the Moroccan market*” (Milan, 4th May 2006). Several institutional authorities (representatives of the Italy-Morocco Institute, Italian Embassy, Deutsche Bank, etc.) and twenty Italian entrepreneurs attended the project.

For what the Veneto Region concerns, it subscribed with the NCP an agreement to carry on a mutual benefits programme on OECD Guidelines and it promoted the event “*The Corporate Social Responsibility: the answer to international competition*”, held in Venice last 19th July at the presence of institutional and economical authorities, such as the Regional Assessor to Training and Employment Policy, the regional representatives of European Commission and the President of the local Chamber of Commerce.

Institutions

During the considered period the NCP has strongly intensified the relations with the Italian Chambers of Commerce, which thanks to their proximity to the entrepreneurial system and their capacity to perceive its needs, can be a valid source of information for NCP’s activities.

Within this project, the NCP:

- Attended the meeting organised by A&T, Special Agency of the Roman Chamber of Commerce, to raise suggestions from trade unions, entrepreneurial associations, institutions and NGOs to best diffuse the OECD Guidelines (5th July 2006);
- Organised, in collaboration with the Genoa Chamber of Commerce, the working seminar “*The OECD Guidelines opportunities and challenges for Italian enterprises on the global market*” (6th October 2006). The seminar aimed at discussing on the advantages, the commitments, the perspectives and the real needs of the Italian enterprises to properly compete on international market;
- Subscribed an agreement with UnionCamere (the national institution which represents the network of the Chambers of Commerce) to carry out a training programme devoted to the staff of the Italian Chambers. The programme will be articulated on 20 training sessions.

Modalities to manage the relations between the NCP and the social partners

The overall object of the Italian NCP is to favour the moral suasion of enterprises and strengthen the partnership between institutions, enterprises and other stakeholders to create a trust mutual climate.

Enterprises, business associations and trade unions are therefore invited to cooperate with the NCP in the definition and implementation of activities as well as in the adoption of voluntary socially responsible conducts.

With regard to the business community, four organisations – FICEI, Apindustria Vicenza, Brescia World Trade Centre and AIDDA - revealed to be crucial for the execution of the NCP’s activities and for the realization of the Project “*Exportation of the Italian model of a social responsible enterprise*” (see previous paragraph 3).

The involvement of FICEI (Italian Federation of consortia and bodies promoting national industry) is due to its important role in sustaining the development of the North-East firms and aimed at enforcing the effectiveness of the second edition of the Project “*Exportation of the Italian model of a social responsible enterprise*”, whose institutional mission was held in Israel and Jordan (18th – 22nd June 2006).

In collaboration with FICEI, the NCP organised the follow-up seminar “*The OECD Guidelines and the sustainable development in internationalisation processes*” (Verona, 21st July 2006).

Apindustria Vicenza fostered the role of the NCP in the Italian North East zones by supporting the third edition of the Project “*Exportation of the Italian model of a social responsible enterprise*”, whose mission was held in Turkey (9th – 12th September 2006).

To inform enterprises about the straight of this initiative, Apindustria Vicenza and the NCP promoted the workshop “*Opportunities for enterprises’ internationalisation in the light of OECD Guidelines. Focus on Turkey*” (Vicenza, 26th July 2006) and sponsored the mission.

Moreover, Apindustria Vicenza:

- organised the meeting “*OECD Guidelines - opportunities for enterprises’ internationalisation: Ekaterinburg and Novosibirsk*” to sensitise the local industries on the main features of the east economy systems (24th May 2006);
- promoted the seminar “*CSR.....is enterprises’ strategy*” to favour the approach of the largest public to SCR principles (26th October 2006);
- arranged for a restricted meeting within the NCP and the General Secretary of the Italian Chamber of Commerce in Turkey to examine possible future collaborations (27th October 2007).

Also the Brescia WTC (Brescia World Trade Centre - an organisation promoting industrial system of the Province of Brescia) was involved in the third edition of the Project to export an Italian enterprise model.

To prepare its enterprises to fully attend the mission, Brescia WTC and the NCP promoted the workshops “*The OECD Guidelines - sustainable development and globalisation: opportunities for enterprises’ internationalisation. Workshop on Turkey*” (11th July 2006) and organised the subsequent follow-up “*The OECD Guidelines - sustainable development and globalisation: opportunities for enterprises’ internationalisation. Workshop on Konya District – Turkey*” (16th November 2006).

Considering the huge interest of the local enterprises in Turkish business opportunities, the Brescia WTC required the NCP to introduce itself and the OECD main tools during the recent meeting “*The OECD Guidelines - sustainable development and globalisation: opportunities for enterprises’ internationalisation. Workshop on Orodea District – Turkey*” (3rd April 2007).

The excellent relation created result also from the participation of the National Contact Point to the meeting “*Montana ed Arkansas in Italy. Workshop on Innovation, Internationalisation and Sustainability*”, organised by Brescia WTC to transfer to the representatives of Montana and Arkansas universities the model of the Italian districts and local economies (21st February 2007).

The collaboration with AIDDA (Association of female entrepreneurs and managers) was finalised to sensitise the female management component on the OECD Guidelines. The NCP attended two meetings promoted by AIDDA:

- “*The OECD Guidelines*” (11th July 2006);
- “*The OECD Guidelines - sustainable development and globalisation: opportunities for enterprises’ internationalisation*” (24th November 2006)

but further initiatives are in agenda.

Relations with other interested partners

The NCP constantly involves and informs the other interested parties by resorting to several different tools, going from organising meetings and roundtables to supplying training courses, from managing a specific forum, where they may dialogue and exchange experiences, to sending them the periodical PCNM@gazine newsletter (see below, section B, point 3).

Relations with UN Global Compact

See Section A, Point 3, Central Administration (Ministry for Foreign Affairs).

B. Information and Promotion

1. Availability of the Guidelines

Although an already existing Italian version of the OECD Guidelines, a new official one has been translated and will be soon diffused.

The OECD Guidelines in the Italian language, along with the English version, are available on the Italian Official NCP’s website (www.pcnnitalia.it) and by now, over 1.500 copies of them have been distributed during NCP’s events and sent, without any charges, on people’s request.

Several copies of the OECD Guidelines will be sent, in a short while, to the Chamber of Commerce to be distributed to local enterprises.

2. Information and promotion of Guidelines carried out with business community, trade unions, NGOs and interested public

During this year, the Italian NCP has resumed a strong informative and promotional campaign dedicated to OECD Guidelines and CSR principles to incentive people awareness and favour a new and conscious business and social culture.

The NCP has carried out wide and heterogeneous promotional initiatives, including development of promotional materials, management of the dedicated website, information of interested counterparts, promotion of initiatives and events, participation to public appointments (forums, fairs, etc), as follows described:

- **management of the official NCP website (www.pcnnitalia.it)**

The NCP is arranging to substitute the actual website with a more efficient and modern one.

The news website will host the actual contents (information on NCP's structure, organisation and regulation; the copy of OECD Guidelines, both in Italian and English version along with their popular slides; the list of next initiatives, appointments and meetings; the FAQs; the discussion) but it will be integrated with new sections devoted to:

- the requests of intervention, making available the pertinent forms;
- the articles of mass media on NCP's events and initiatives;
- all the relevant documents on NCP's activities or CSR themes;
- the list of institutional links;
- single forms describing the main important aspects of CSR (i.e. on human right, labour conditions, etc.).

The website has revealed to be a very useful tool of promotion, thanks to its particularly dynamicity which permits to catch people's attention by using electronic and graphic solutions and, from July 2006 to May 2007, 4.000 visitors accessed to it.

- **NCP newsletter "PCNM@gazine":** To fully promote the activity and inform people about NCP's initiatives and campaigns, four numbers of the periodical newsletter "PCNM@gazine" have been sent to the enrolled addressees (about 300 addresses).

The NCP sends the newsletter, by e-mail, to central and local national institutions, governmental agencies, chambers of commerce, Italian embassies and consulates, national enterprises (operating in Italy or abroad), labour unions, business associations, NGOs, universities and high training schools, students and privates who required it.

An English version of the newsletter is sent to the foreign NCPs, international bodies and NGOs, European Commission and OECD Offices too

- **Researches:** To encourage the adoption of the OECD Guidelines, during the public events the NCP underlines their positive effects on enterprises' performances.

To this aim, the NCP started two researches finalized to ascertain and quantify the impacts of CSR policies on economical and financial entrepreneurial results. In particular:

- the first survey, entitled "*Possible Impact of the Corporate Social Responsibility on Economic Dynamics of the Italian SMEs*", was collected by CE.L.I.T from a sample of 50 SMEs operating in Lombardy, Piemonte, Veneto, Liguria, Emilia-Romagna and Tuscany Regions. The survey highlights the main aspects of the social responsible conducts dynamics in Italian SMEs and confirms the integration of CSR principles in entrepreneurial strategies: they are not just communication instruments but are tools to efficiently operate in national and foreign markets.
- the second survey, entitled "*The impact of environmental choices on the performance of Italian SMEs*", provides some ideas for reflecting on the evolution of the Sustainable Development concept, on how international institutions and governments have translated it into policies to pursue fair and sustainable development process and how these ones influence the performance of enterprises. From a methodological point of view, the survey is articulated into an analysis of the origins of the international environmental

movement and the European approach to the subject of sustainable development, presents a picture of the Italian reality and offers several case studies. These latter regard the participation of the province of Modena and of twelve local SMEs in the IIC Ökoprofit International Programme and the experience of three excellent Italian SMEs which have been able to transform environmental investments into a driving force for growth and development - achieving results higher than any reasonable forecast. This survey will be officially introduced, by the responsible of the NCP's Secretariat, during the Conference "Enhancing the role of SMEs in Global Value Chains" which will be held in Tokio on next 30th May – 1st June.

- **Information documents:** For guaranteeing the widest awareness of the OECD Guidelines, the Italian NCP has prepared several materials (notes, articles, informative leaflets), both in Italian and in English language, describing the Italian NCP, its structure, aims and duties and the OECD Guidelines. The English version of this brochure has been already composed and it will be printed in a short while.
- **Demonstrations and fairs:** Pursuing the object of sustaining enterprises in the adoption of the BATs, the NCP sponsored, in collaboration with the Ministry of Environment and with A&T, the "Firm – Environment Prize", to promote the Italian firms engaged in reducing their economic, social and environmental impacts and in contributing to the sustainable development process.

Finally, the NCP attended the FORUM PA, the most important a national demonstration devoting to public administrations' activities (Rome, 8th – 12th May 2006). During these events the NCP had its own information desk where materials, copies of OECD Guidelines and promotional documents are distributed and the main aspects of its activity and tasks are introduced to the public.

3. Other information and promotion activity held or planned

The involvement of the stakeholders in the NCP's activities is made by resorting to several different tools: organising meetings and roundtables supplying training courses, managing a specific web forum, sending the periodical electronic newsletter. During the considered period, in particular, the relations with the stakeholders have been carried on by, mainly, the participation to the respective initiatives on the territory. Several contributions on the OECD Guidelines have been presented during the following happenings:

- Convention "*Third Annual Forum on business ethics and corporate social responsibility in a global economy*", promoted by Politeia – an association encouraging public policies of efficacy, effectiveness and social fairness (9th and 10th July 2006);
- Meeting "*CSR between public sphere and entrepreneurial world*", organized by Vodafone (26th September 2006);
- Convention "*Building ethics, public confidence and legal certainty in Iraq*", promoted by Transparency International Italia (26 September 2006)
- Convention "*Citizenship as CSR partner*" promoted by the NGO Fondaca (30 June – 1 July 2006);
- Convention "*Supply chain,, human rights and advantages for the Italian responsible enterprises*" (Rome, 24 October 2006), organised by ALTIS (High School for the responsible management of profit and no-profit bodies) and Operandi (Foundation of the British American Tobacco Italia).

Universities

To foster the germination of a new business culture, based on the OECD Guidelines principles, Italian PCN has also involved universities and students in its promotional activities. In particular, the NCP:

- Has continued to collaborate with the “Sacro Cuore” Catholic University of Milan, through its “School for High Training”, to diffuse and implement OECD Guidelines.
- This collaboration has led the NCP to attend the public events when the graduation thesis handling OECD Guidelines have been introduced to public (9th June 2006) and have been given a prize with the scholarships of NCP (2nd October 2006). A copy of these graduation thesis have been published on NCP’s website;
- Has planned, for next October, a training session on OECD Guidelines and other OECD instruments sustaining internationalisation processes which will be held at the University of Brescia;
- Has contacted Econometrica, the coordination centre of the Italian University engaged in diffusing CSR principles, to launch a joint programme devoted to sensitise and inform the largest number of students;
- Has commissioned to the University of Bologna, faculty of Economy, to carry out the survey “*The CSR as competitive elements for SMEs: implementation policy and communication instruments to reach consumers*”
- This survey intends to verify if SMEs know the CSR principles and at what extent; how this knowledge is translated into concrete projects and how they communicate it. The survey will be concluded on next October 2007;
- Is supplying a training course at Palermo University – Political Sciences Faculty, to diffuse the knowledge of OECD Guidelines and of the other OECD tools for internationalisation process.

4. Dissemination of OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones

Whenever the NCP introduces the OECD Guidelines and its activities, in a private or public debates or workshops, the “*OECD Risk Awareness Tools for Multinational Enterprises in Weak Governance Zones*”, along with the “*OECD Policy Framework for Investment*” and the “*Convention on combating bribery of foreign public officials in International Business Transaction*” are explained too.

5. The OECD Guidelines and export credits

The Italian NCP keeps regular relations with SACE (the Italian association in charge of insuring export credit) and to contribute to the activities of this latter, attended the meeting “*Environment and Credit Export: news roles and voluntary tools*” (3rd - 4th April 2006).

6. Enquires received from (a) other NCPs; (b) business community, employee organisations, other NGO, public; (c) governments of non adhering countries.

No enquires were received.

C. Implementation in Specific Instances

By now, the Italian NCP has received two instances. Due to discretion exigencies, they are anonymously called “first instance” and “second instance”.

1. Date of request

First instance: 29th April 2003;

Second instance: 4th January 2007.

2. Who raise the specific instance

First instance: an international NGO;

Second instance: a national labour union.

3. OECD Guidelines violated chapters

First instance: Chap. 1 par. VII, Chap. 2 par. II and V, Chap. 3 par. I, Chap. 5 par. I, IIa, IIb and IV;

Second instance: Chap. 4 and Chap. 9.

4. Involved business activities in a non-adhering countries

First instance: Yes;

Second instance: No.

5. Sector of activities

First instance: extractive industry – extraction of natural resources;

Second instance: electricity equipments production.

6. Acceptance or rejection of the instances

First instance: not yet available, in preliminary phase;

Second instance: not yet available, in preliminary phase.

7. Conclusion of the instances

First instance: idem;

Second instance: idem.

8. Communicated Results

-

9. Additional information

First instance: the NCP is in contact with all the involved parties to acquire the needed preliminary information. It is also evaluating the possibility to organise a preliminary meeting with the aforesaid parties. It also advised with other NCP that already managed the same case.

Second instance: the NCP is having preliminary contacts with the party allegedly in breach of the Guidelines.

D. Other

The application of the core criteria to further the effectiveness of Guidelines implementation

The NCP defined internal procedures to handle the instances accordingly to the core criteria of the Guidelines. However the NCP intends to adopt a flexible and cooperative approach when facing single instances and requests in order to reach the best result.

More in detail here follows the salient aspects of the approach.

Visibility: as already described, the NCP has planned numerous and various meetings and events to promote itself, the Guidelines and the principles of the CSR among citizens, institutions, enterprises, NGOs and associations.

Planned events for the remaining 2006 months, have been submitted to the NCP Committee, to gather consensus and suggestions;

Accessibility: the NCP has adopted all possible measures to facilitate communication: dedicated telephone and fax machine lines, e-mail addresses, the website.

Transparency: the NCP intends to act in the most transparent way. To reach this goal it constantly updates the information published on its website and it has elaborated an internal procedure to handle the requests of information and the instances received.

The requests of information must be presented without any reference to specific people or enterprises. If appropriate, to make them available to everyone, the NCP will add these requests of information to the list of the FAQ of its website.

The instances are subjected to a preliminary evaluation and, only if they respect the condition required, the NCP informs the counterparts and the thirds and it starts the investigation. During the investigation phase, the NCP is responsible of keeping the secret on the specific subjects and events involved (respecting the national law on privacy rights) and it can publish, on its website, only same general references.

The involved parties will be periodically informed about any news and changes while the parties not directly engaged will be informed only in the presence of legal obligation.

At the end of the procedure, the level of detail which can be diffused through the final public statement must be agreed with the parts.

Accountability: to guarantee the best treatment of the instances, the NCP created a Committee characterized by the presence of different and various bodies (see Annex 1) able to effectively contribute to solve the question proposed.

In particular circumstances, when specific skills are required, the NCP internal procedure provides for the possibility of forming group of experts to debate and evaluate the instances.

As far as the measures to promote timeless and efficiency concerns, the Italian NCP decided to arrange the handling of instance without fixing any standard time because the duration of exam could depend on events beyond its control.

Nevertheless, the NCP handles instances in “congruent time” guaranteeing efficiency and accuracy in their management.

JAPAN / JAPON

A. Institutional Arrangements

- *Annexes 1 and 2 to this questionnaire show, respectively, the “Structure of the National Contact Points” from the 2005 NCP Chair’s Summary and the list of National Contact Points (providing contact details) that is available on the OECD Guidelines website. NCPs are asked to update these tables if necessary.*

(A) The amendment in Annex 2 is made on the website of Ministry of Economy, Trade and Industry as one of the NCPs in order to provide the correct link to the NCP.

- *NCPs may wish to provide additional information regarding institutional arrangements (e.g. regarding the composition of the National Contact Point; advisory committees)?*

(A) No additional information. Three Ministries composing NCP of Japan are having close contact and exchanging information related to the Guideline as well as specific instances raised to the NCP.

- *How does the NCP relate to other government agencies?*

(A) Information such as documents, reports or records of Investment Committee is always shared by other government ministries/agencies concerned. They will be involved in the process of dealing with specific instances if necessary. The NCP of Japan will keep in close contact with other government agencies if necessary.

- *How does the NCP relate to social partners (business community and employee organisations) involved in the functioning of the National Contact Point?*

(A) The NCP of Japan is determined to make the maximum use of meetings, seminars and forums, organised by itself or others, to promote the Guidelines where our social partners can participate. The NCP of Japan held a meeting with Japanese Trade Union Confederation (Rengo) and shared the updates concerning development of discussions on the Guideline in the OECD.

- *How does the NCP relate to other interested parties, including non-governmental organisations (NGOs), involved in the functioning of the NCP?*

(A) The NCP of Japan is determined to make the maximum use of meetings with parties, including non-governmental organizations (NGOs). The NCP of Japan held meetings with multinational corporation, a NGO and a labour union which are one of the related Parties of a specific instance, and exchanged views and shared information about the specific instance. The NCP is also having contact with such interested parties to exchange views and information on specific instances through Japanese Embassies in third countries.

- *Do you also wish to provide any information on how the NCP relates with other initiatives such as the UN Global Compact and its local networks?*

(A) Not necessary.

B. Information and Promotion

- *How have the Guidelines been made available in your country (translation, creation of a webpage or website, etc.)?*

(A) Japanese provisional translation of the 2000 Guidelines, the revised Council Decision and the Procedural Guidance, together with a general explanatory note, are available on websites of MOFA, METI and MHLW is also working for establishing the linkage to the Guidance on its website.

- *How is co-operation with the business community, trade unions, NGOs and the interested public carried out, with respect to information on, and promotion of, the Guidelines (consultations, distribution of the Guidelines, etc.)?*

(A) The NCP of Japan is determined to make the maximum use of meetings, seminars and forums to promote the Guidelines where our social partners including NGOs can participate. The NCP is prepared to distribute copies of the Guidelines when these opportunities are organized. The NCP is ready to respond to anyone who makes enquiries of the Guidelines.

- *Have other information and promotion activities been held or planned (seminars and/or conferences on the Guidelines in general or on specific subjects, informative publications, co-operation with investment promotion agencies, departments of education, business schools, etc.)?*

(A) The Japanese government is working for linking the OECD Guideline to the Japanese External Trade Organization (JETRO), which is promoting trade and investment, and research of developing countries.

- *Has the OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones been disseminated or otherwise referred to in the context of interactions with enterprises and stakeholders?*

(A) Japan's NCP is working for linking the website of MOFA to the Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones.

- *Annex 3 to this questionnaire presents Table 1 from the 2006 NCP Chair's Summary ("The OECD Guidelines and Export Credit, Overseas Investment Guarantee and Inward Investment Promotion Programmes". NCPs are asked to update this table. If no update is necessary, please indicate this. If the OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones is referred to in these programmes, please indicate this separately.*

(A) Update is made as in Annex 3

- *Have enquiries been received from (a) other NCPs; (b) the business community, employee organisations, other non-governmental organisations, or the public; or (c) governments of non-adhering countries?*

(A) The NCP of Japan has not received any enquiries.

C. Implementation in specific instances

(A) No information on specific instances that were raised and/or concluded during the June 2006-2007 cycle for dissemination.

Specific instances considered by NCPs to date

- *Annex Table 4 presents a summary table intended to provide basic information about specific instances that have been accepted for consideration by NCPs. NCPs are asked to verify and update this table if necessary.*

(A) Update is made on specific instances. See attached Annex 4. The NCPs are currently working for producing initial assessments on the remaining specific instances mentioned above.

D. Other

- *How have the core criteria for the operation of NCPs (visibility, accessibility, transparency, and accountability) been applied in your country to further the effectiveness of guidelines implementation? Please provide examples that illustrate this.*

(A) The MOFA is introducing procedures on its website how the NCPs act for the guidelines when a third party raises an issue, and also showing previous cases of works as the NCP, as well as main points of the guidelines.

- *Do you wish to provide any other information on the nature and results of NCP activities, including on any useful experiences and/or difficulties encountered in carrying out the duties of the NCP?*

(A) The NCP of Japan has always been facing difficulties on fact-finding about activities of stakeholders and getting legal materials, and when it tries to conduct an assessment on the specific instances.

- *If the NCP disposes of surveys or statistics documenting companies' awareness of the Guidelines, do you wish to make this information available in your report?*

(A) Not necessary.

KOREA / COREE

Korea reports the 2005-2006 activities of the National Contact Point (NCP) to the Investment Committee in accordance with the *OECD Guidelines for Multinational Enterprises Decision of the Council* (June 2000).

A. Institutional Arrangements

Summary

Korean NCP is a foreign investment subcommittee (hereinafter referred to as 'the Committee'), headed by the Vice Minister of Ministry of Commerce, Industry and Energy (MOCIE). The responsibilities of the Korean NCP are:

- a. to promote OECD Guidelines;
- b. to interpret OECD Guidelines; and
- c. to resolve conflicts regarding the implementation of OECD Guidelines and to cooperate with overseas NCPs.

For the efficient execution of NCP activities, the Foreign Investment Policy Division of MOCIE was designated as the Secretary of the Korean NCP. The Foreign Investment Policy Division of MOCIE oversees activities related to the OECD Investment Committee (contact information provided below).

Secretary of the Committee (Foreign Investment Policy Division of MOCIE)
1 Chungang-dong, Gwacheon-si, Kyonggi-do
Tel: 82-2-2110-5356
Fax: 82-2-503-9655
E-mail: fdikorea@mocie.go.kr
Web: www.mocie.go.kr

Major Features

The committee is comprised of both central and local governments. Thirteen ministries that are related to chapters of the Guidelines participate in the committee, including the Ministry of Finance and Economy, the Ministry of Labor and the Ministry of Planning & Budgets. Local governments are also encouraged to participate as they play an increasing role in attracting foreign investments, and their awareness of the OECD Guidelines becomes more important.

Since the committee is participated in by several different organizations, it can efficiently resolve issues and raise the interests of central and local governments regarding OECD Guidelines.

The promotion of OECD Guidelines is carried out by MOCIE and, in specific instances, MOCIE reports to the committee.

Companies and NGOs cooperate with the Korean NCP through seminars and discussions. In the process, experiences and expertise are shared between the Korean NCP and private organizations.

Also, an arbitration committee comprised of labor organizations, NGOs and experts can be organized in specific instances to provide further consultation.

B. Information and Promotion

OECD Guidelines Promotion

OECD Guideline provisions (English and Korean) can be found at the Ministry of Commerce, Industry, and Energy (MOCIE) homepage: (www.mocie.go.kr). Also, the NCP is working to enhance multinational enterprises' awareness of corporate social responsibility by publishing and distributing OECD Guidelines for Multinational Enterprises handbooks.

Domestic Promotion Activities

The NCP is promoting OECD Guidelines for Multinational Enterprises in CSR (Corporate Social Responsibility) forums and lecture meetings with domestic corporations, media outlets, lawmakers, labor unions and civic groups. Korean NCP participated in the following events:

- '06.4.4 The 1st CSR Forum: Lawmakers, labor unions, media, civic groups, and economists participated.
- '06.4.20 Lecture to the members of the Clean Plus Club, which was launched by Korea's major media outlets to promote transparent and fair management within corporations.
- '06.4.25 Forum hosted by the Sustainable Development Corporation Council
- '07.1 Debate on CSR of companies and temporary workers, hosted by the Korean Chemical & Textile Workers' Union

NCP is also promoting OECD Guidelines for Multinational Enterprises to foreign investors in Korea and those with plans to enter the Korean market. Promotion methods are as follows:

- distribution of OECD Guidelines for Multinational Enterprises pamphlet;
- translation and distribution of guidelines on Operations of NCP Korea
- e-mail service in the form of newsletters
- translation into Korean and distribution of 'Environment and the OECD Guidelines for Multinational Enterprises: Corporate tools and approaches.

Overseas Promotion Activities

The NCP has developed linkages between the Guidelines and the Overseas Investment Guarantee and trade-investment promotion agencies. KOTRA (Korean Trade Investment Promotion Agency) and the Korean foreign exchange banks provide information on the Guidelines to multinational enterprises with inward and outward investments.

NCP promoted the OECD Guidelines for Multinational Enterprises to Korean corporations in Mexico, Honduras and Guatemala from July 17 to 28, 2005. The following was introduced:

- activities of NCP Korea
- contents of the OECD Guidelines for Multinational Enterprises
- specific procedures on settling cases in NCP Korea
- best practices of local corporations

The OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones

As more and more Korean companies are entering overseas markets, the government is paying increasing attention to protecting the rights of corporations that enter regions with weak governance structures. Therefore, NCP plans to upload the OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones on GK's (Global Korea) homepage (www.globalwindow.or.kr). GK is an organization within KOTRA (Korea Trade-Investment Promotion Agency) that supports corporations entering overseas markets, and produces and distributes pamphlets to companies entering foreign markets in May 2007.

C. Implementation in specific instances

1. Procedure for resolving Specific Instances

The Korean NCP handles specific instances based on Korean NCP rules, which define the function, organization, interpretation and arbitration procedures of NCP.

When a specific instance is filed with the NCP Secretary regarding OECD Guidelines, the Secretary decides whether to process the specific instance. Within 30 days, the Korean NCP notifies the applicant whether the instance will be processed further. However, the Korean NCP can extend the notification period if the specific instance is complex or if authoritative interpretation by the OECD investment committee is needed.

The Korean NCP does not provide information regarding mediation or arbitration to the public in principle, nor does it release internal information of multinational companies without consent from the concerned parties. If deemed necessary, the Korean NCP requests research or studies by the business community, labor organizations, NGOs, or experts.

2. Specific Instance between 2006 and 2007

Company "A" is based on an OECD member country and company "B" is based in Korea. Company B was Company A's subcontractor and closed their businesses in May 2006. The workers dismissed from Company B argued that Company A should guarantee their rights.

On 1 November 2006, a labor union filed a complaint with the Korean NCP, arguing that Company A breached the Employment and Industrial Relations chapter of OECD Guidelines.

The labor union that raised the issue was made up of workers in charge of equipment operation in a subcontracting division of a cement company. The workers are employees of domestic Company B, and the company had a contract with Company A. The workers contended that they

were illegally dispatched under a fraudulent contract. They prescribed Company A as the employer and argued that Company A violated the OECD Guidelines for Multinational Enterprises.

NCP Korea suggested (06.12) that Company A was not the employer of Company B's workers, and that company A had no obligations as an employer. NCP Korea respected the OECD Investment Committee's opinion that intervention should be restrained during 'parallel proceedings', and contended that whether Company A violated the provision could only be determined if the National Labor Relations Commission defined Company A as the employer of Company B. In March 2007, the National Labor Relations Commission ruled that the contract between Companies A and B was legal, and that Company A was not the employer of the workers of B. The issue on the alleged violation of OECD Guidelines was not deliberated, as Company A was not the employer.

LATVIA / LETTONIE

A. Institutional Arrangements

The contact details are:

Director
Economic Relations Department
Ministry of Foreign Affairs of the Republic of Latvia
36 Brīvības Bulvāris
Rīga LV - 1395
Tel: + 371 7016412
Fax: + 371 7321588
E-mail: lvncp@mfa.gov.lv
Web: <http://www.mfa.gov.lv>

Latvian NCP is OECD Consultative Board - an inter-ministerial institution that co-ordinates Latvia's co-operation with the OECD. The responsible body for the practical functioning of the NCP is Department of Economic Relations of the Ministry of Foreign Affairs.

OECD Consultative Board is represented by the majority of the government ministries and agencies: Ministry of Economics, Ministry of Environment, Ministry of Finance, Ministry of Welfare, Latvian Investment and Development Agency, Competition Council, Corruption Prevention and Combating Bureau. Information on the latest developments related to the Guidelines is shared within the meetings of OECD Consultative Board. The last meeting of the OECD Consultative Board was held on 8 February 2007.

Employers Confederation of Latvia (LDDK) and Free Trade Union Confederation of Latvia (LBAS) are represented in OECD Consultative Board. LDDK is the largest organisation representing employers' interests in Latvia. LBAS is the *biggest non-governmental organisation in Latvia* which protects the interests of professional trade union members and employees in the socio economic field.

OECD Consultative Board statute provides that other institutions, including NGOs, may be invited to the Board meetings to discuss specific issues related to their field of competence.

B. Information and Promotion

The summary of the Guidelines as well as the text of the Guidelines are available in Latvian and English on the websites of the Ministry of Foreign Affairs <http://www.mfa.gov.lv> and Latvian Investment and Development Agency (LIDA) <http://www.liaa.gov.lv>.

The overall priority of Latvian NCP in the context of promotional work is to position the Guidelines within the broader framework of CSR initiatives in Latvia.

In this regard information on the Guidelines as well as encouragement to consider the events and formats appropriate for the promotion of Guidelines has been sent to the:

- Latvian Civic alliance - an umbrella organization that advocates on behalf of the NGO sector in Latvia.
- Latvian Association of Business Consultants – public organization engaged in promoting CSR in Latvia and Baltic States.

Latvian NCP is following the overall trends in Latvia on promoting CSR and will continue to seek cooperation with interested parties to promote the Guidelines.

- *Has the OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones been disseminated or otherwise referred to in the context of interactions with enterprises and stakeholders?*

No

C. Implementation in specific instances

The Latvian NCP has not received a request to consider a specific instance.

LITHUANIA / LITUANIE

A. Institutional Arrangements

No updates in Annex 1.

There are updates in Annex 2. Function of NCP is delegated from Company law division of Company law and privatisation department to Investment policy division of Investment and innovation department of Ministry of Economy. Ministry of economy appointed new NCP – Agne Pestenyte you can find details in the box given below.

Investment Policy Division	Tel: 370 5 262 3505
Investment and Innovation Department	Fax: 370 5 263 3974
Ministry of Economy of the Republic of Lithuania	E-mail: a.pestenyte@ukmin.lt
Gedimino ave. 38/2	Web: www.ukmin.lt
LT-01104 Vilnius	

The Lithuanian NCP is organized in accordance with the tripartite principle to ensure effective collaboration with trade unions and business community. The NCP works in co-operation with the Tripartite Council – a national body, including representatives of government institutions as well as employee and business organisations.

B. Information and Promotion

The *Guidelines* are available by following means:

- The *Guidelines* are translated into Lithuanian;
- The web page for the NCP is created in the web site of the Ministry of Economy (http://www.ukmin.lt/lt/imoniu_teise/oecd/more.php) The translation as well as the review of recent developments concerning the scope and application of the *Guidelines* is available in the NCP web page.

Collaboration with the Tripartite Council enables the NCP to maintain a close link with all major Lithuanian employees and business community organisations, and the information on the *Guidelines* is also presented during the meeting of Tripartite Council.

There have been conferences on the *Guidelines*, in general between ministries held and also there was given general information on the *Guidelines* to investment promotion agency – to Lithuanian development agency

- *Has the OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones been disseminated or otherwise referred to in the context of interactions with enterprises and stakeholders?*

No, not yet. But in the future we are planning to place the OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones in to NCP web page.

- *Annex 3 to this questionnaire presents Table 1 from the 2005 NCP Chair's Summary ("The OECD Guidelines and Export Credit, Overseas Investment Guarantee and Inward*

Investment Promotion Programmes”. NCPs are asked to update this table. If no update is necessary, please indicate this. If the OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones is referred to in these programmes, please indicate this separately.

There is a special agency called “Lithuanian development agency” operating in the Republic of Lithuania which provides information on Lithuanian business environment to foreign investors. It has prepared an information package that is passed to all foreign investors considering investing within the territory of Lithuania. The Lithuanian Development Agency provides fast and efficient support for starting a business in Lithuania by providing detail information on the local market, servicing investors through the investment decision process, organizing site and company visits, identifying local suppliers and sourcing. The Lithuanian NCP (at the Ministry of Economy) cooperates closely with “Lithuanian development agency”.

- *Have enquiries been received from (a) other NCPs; (b) the business community, employee organisations, other non-governmental organisations, or the public; or (c) governments of non-adhering countries?*

The Lithuanian NCP has received oral and written questions related to the OECD Guidelines from governmental institutions and non-governmental organisations.

C. Implementation in specific instances

No specific instances have been brought to the attention of the NCP.

D. Other

Visibility. The Guidelines are readily available, through the website. Lithuanian development agency also promotes the Guidelines and the NCP.

Accessibility. The NCP has responded to all oral and written enquiries or requests for information received. The NCP can be contacted by phone, e-mail, fax or post.

Transparency. All activities of the NCP have been open and transparent

Accountability. The NCP is accountable to the government through the Ministry of economy. .

- *If the NCP disposes of surveys or statistics documenting companies’ awareness of the Guidelines, do you wish to make this information available in your report?*

If we would have essential information of companies’ awareness of the Guidelines in the future, we would like to make this information available in our report.

LUXEMBOURG

MEXICO / MEXIQUE

A. Institutional Arrangements

The National Contact Point of Mexico (NCP) is located at the Ministry of the Economy, at the *Dirección General de Evaluación y Seguimiento de Negociaciones* (Office of the Director General for International Trade Negotiations), to take advantage of the acquired expertise this office has in handling issues related to the side agreements on labour and environmental cooperation of the North America Free Trade Agreement (NAFTA). Our office is also in charge of the administration and proper implementation of NAFTA. Moreover, this area has negotiated the provisions on standard-related measures, trade remedy and safeguards and the textile sector in all the Free Trade Agreements signed by Mexico. In addition, this office participates in the negotiations and follow-up of several multilateral environmental agreements.

The NCP works in close contact with other governmental agencies, trade unions, private sector, NGOs and stakeholders as necessary.

The contact details of the NCP are:

Secretaría de Economía Attn: Kenneth Smith Alfonso Reyes # 30, Piso 18 Col. Condesa C.P. 06179 Mexico, D.F., Mexico	Tel 5729-9146 Fax 5729-9352 E-mail: pcn-ocde@economia.gob.mx ksmith@economia.gob.mx
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B. Information and Promotion

For information and promotion purposes, the NCP has developed a Guidelines web page which can be accessed through the Ministry's home page: www.economia.gob.mx, as well as on the home page of the Undersecretariat for International Trade Negotiations: www.economia-snci.gob.mx.

The web page includes information on the NCP, the annual reports to the Investment Committee, the Guidelines in Spanish along with an introductory page, links to the OECD home page, the Declaration on International Investment and Multinational Enterprises, as well as the June 2000 Decision of the OECD Council.

Communications and brochures have been sent to governmental agencies, trade unions, private sector, NGOs and academic organizations in order to inform them about the Guidelines and the functions of the NCP.

- *How is cooperation with the business community, trade unions, NGOs and the interested public carried out, with respect to information on, and promotion of, the Guidelines?*

Information regarding the Guidelines and the NCP activities was sent to the business community, including industry and trade chambers and associations, trade unions, academic and civil society organizations.

- *Have other information and promotion activities been held or planned?*
 - On April 26th and 27th 2007 the NCP participated in the event: *Encuentro Regional de Puntos Nacionales de Contacto de América Latina* (Regional Meeting of the Latin American National Contact Points), which was organized by the NCP of Chile. This successful seminar was attended by the NCP of Argentina, Brazil, Chile and Mexico, as well as representatives of TUAC and trade unions from several Latin American countries, who raised questions to the NCPs regarding the Guidelines and its implementation. The NCP shared its experience in relation to promotion activities and specific instances.
 - Additionally, the NCPS held a meeting with the TUAC representative to talk about the NCPs activities, including procedures in specific instances and particular situations such as parallel legal proceedings.
 - The NCP is planning to hold an event on the Guidelines and their implementation in Mexico. Government agencies, trade unions, business community, NGOs, academic organizations and the public in general will be invited to participate. We expect to have an open dialogue among all stakeholders in order to improve understanding of the Guidelines and the NCP activities.
- *Have enquiries been received from other NCPs; the business community, employee, organizations, other non-governmental organizations, or the public; or governments of non-adhering countries?*

We have received requests for general information by NGOs and public interested, including workers and students, in learning what the OECD Guidelines are and how the NCP works.

The NCP received no enquiries from other NCP or governments of non-adhering countries.

C. Implementation in Specific Instances

1. Uniroyal case

On August 24th 2000, the *Sindicato Nacional de Trabajadores de Uniroyal* (hereafter referred to as the trade union) and the company Uniroyal (hereafter referred to as the company) made an agreement to finish collective and individual labour relationships in two plants situated in Queretaro and Mexico City. Consistent with that agreement, the company committed to compensate the company's workers according to law.

However, a group of workers rejected the settlement arguing that the closures of these plants were contrary to Mexican law because they were carried out without any prior notification or consultation with the workers. Legal processes are conducted through federal tribunal, which will settle the dispute during the coming months.

On March 10th 2004 the NCP was requested to assist by the group of workers in the resolution of the conflict with respect to the implementation of the OECD Guidelines (IV.6 Employment and Industrial Relations). We in turn requested additional information from the workers, which was received on February 10th 2005.

The NCP met with representatives from the company and from the Ministry of Labour and Social Security, as administrative authority, in order to hear their points of view on this case. Both the company and the Ministry of Labour argue that the closure and compensation were conducted in a manner consistent with the law.

After an initial assessment of whether the issues raised merit further examination and response to the party, the NCP of Mexico offered its good offices to assist the parties involved to resolve these issues in accordance with applicable law.

We have requested additional information to the parties, including the status of the parallel legal procedures, to be duly considered by the NCP.

D. Other relevant activities

The NCP seeks to work in accordance with the Mexican legislation and the Guidelines core criteria of visibility, accessibility, transparency and accountability to further the objective of functional equivalence. We consider that by making the Guidelines readily accessible through the Internet, through printed materials such as the brochure, as well as by carrying out informational meetings, we are contributing towards the effective application of the core criteria for the operation of the NCP of Mexico.

NETHERLANDS / PAYS-BAS

A. Institutional Arrangements

The Ministry of Economic Affairs chairs the National Contact Point (NCP).

Ministry of Economic Affairs
P.O. Box 20102
2500 EC The Hague
T: +31 70 379 6485
F: +31 70 3797221
E: ncp@minez.nl
www.oesorichtlijnen.nl

Acting chair: Willem van der Leeuw;
Secretariat: Bea Hoogheid

The NCP is an interdepartmental committee co-ordinated by the Ministry of Economic Affairs. All other ministries are invited to attend the meetings of the NCP. In practice, there is active participation in the work of the NCP by the Ministry of Foreign Affairs, the Ministry of Housing, Spatial Planning and Environment and the Ministry of Social Affairs and Employment.

The NCP holds regular consultations with social partners (i.e. business community and employee organisations) and NGOs. These meetings provide input for the position of the Netherlands in the IC and WP. During these meetings implementation and promotion of the OECD Guidelines for Multinational Enterprises (the guidelines) are discussed.

During proceedings of specific instances, ministries that have an interest in the subject of the instance are involved in these proceedings.

As was announced in last year's report, the NCP is currently undergoing a complete revision of its set-up. In June 2007, an independent council consisting of a chairman and three members will form the NCP council. They will be appointed by the Dutch Minister for Foreign Trade, who will do so after consulting his colleagues from the Ministries mentioned above. Even though these four members do not formally represent different groups of stakeholders, the Minister will strive for a balanced composition of the NCP council.

The Ministry of Economic Affairs will provide the NCP council with secretarial back-up and will, together with the other ministries, provide it with knowledge and advice when requested.

It will also act as the liaison between the OECD Investment Committee and the Dutch NCP.

If the NCP, after dealing with a specific instance, produces a statement, this statement will be presented to the Minister for Foreign Trade, who will either merely endorse it or, if he so wishes, add his comments, before the statement is made public.

B. Information and Promotion

The Ministry of Economic Affairs hosts a website (www.oesorichtlijnen.nl) to promote the guidelines. A translation of the guidelines is available on the site. Statements on specific instances are published on this site as well. The website will shortly be revised, giving information on the new NCP council and its activities.

Promotion of the guidelines has the constant attention of the Dutch NCP. NCP members will use any occasion to inform colleagues, stakeholders and others about the existence of the guidelines. The NCP will focus its promotion activities on small and medium-sized companies, using a sector-based approach. It will carry out this task in close co-operation with "MVO Nederland", the Dutch semi-governmental knowledge centre on CSR.

In November 2006, the Dutch NCP, at the request of Transparency International, gave a presentation at the 12th International Anti-Corruption Conference (IACC) in Guatemala City on the possible role of the OECD Guidelines (and the NCPs) in the fight against corruption.

C. Implementation in specific instances

Since last year's report, six new cases have reached the Dutch NCP. Four of them are primarily being dealt with by other NCPs, two are pending at the Dutch NCP. Of those two instances, one is currently on hold because of legal proceedings in the host country.

- In July and again in December 2006, the US NCP requested the Dutch NCP to engage into a dialogue with a Dutch parent company of an American company. The US NCP was dealing with an instance concerning trade union rights brought against this American Company by an US Trade Union. The US NCP wanted to learn about the parent company's view on the situation. In March 2007, the Dutch NCP met with the Dutch parent company and sent a report of this meeting to the US NCP. In April 2007, the case was closed after a final deal was made between the American company and the local union.
- In July 2006, an instance was brought against a Dutch multinational company concerning a storage facility in the Philippines. The case is about alleged improper influencing of local decision making processes and alleged violations of environmental and safety requirements. Due to local legal proceedings, the handling of this instance has recently been put on hold, while the possible interference of the specific instance and those local procedures is being assessed.
- At the same time, an instance was brought against the same Dutch company and its American partner, concerning a joint storage facility in Brasil. The case is about alleged improper seeking of exceptions to local legislation and endangering the health of both employees and the surrounding community. The Dutch NCP has referred the notifying NGO to the NCP in Brasil and has offered its assistance in the handling of the instance.
- In October 2006, an instance was brought to both the Dutch and the British NCP concerning an Indian subsidiary of a Dutch-British multinational company accused of violating fundamental labour rights, such as the right to collective bargaining and to join a union. Because the British branch of the company is primarily responsible for the subsidiary in question, the British NCP is taking the lead in dealing with this instance, whereas the Dutch NCP has offered to assist the British NCP if required.

- In October 2006, another instance concerning alleged violation of trade union rights in India was brought against a Dutch clothing company. After separate meetings with the parties involved, the Dutch NCP is currently exploring the possibilities for a mediated solution.
- In November 2006, the Dutch NCP was approached with a specific instance concerning a Dutch company because of its involvement in a Turkish clothing company that allegedly denied trade union rights at its facility. However, it appeared that the Dutch company no longer existed in the public registration system of the Dutch Chamber of Commerce. Therefore, there was no territorial link with the Netherlands and, hence, no formal role to play for the Dutch NCP. The NCP has been in contact with the Turkish NCP, which had also been asked to deal with the specific instance, but which is not doing so at present because of parallel legal proceedings.

D. Other/CSR in the Netherlands

Review of the National Contact Point

During the previous reporting period the Ministry of Economic Affairs reviewed the role and functioning of the National Contact Point. A combination of a desk study, a benchmark in six capitals, interviews and round table sessions with various stakeholders in the Netherlands resulted in a number of recommendations.

The review focused mainly on the way the NCP functioned, the reasons for its diminishing case load and doubts about its legal structure. The review resulted in a decision by the Minister for Foreign Trade to establish a far more independent NCP, as mentioned above.

Promoting CSR in trade and investment

The following activities in 2006-2007 are highlighted:

The Agency for International Business and Cooperation (the EVD/ www.evd.nl) provides (potential) entrepreneurs with information on the government-endorsed OECD Guidelines (and why it is rewarding to use them) and with guidance on challenges that may occur when trying to implement the Guidelines in several emerging markets. Early October 2006, country-specific toolkits for Brazil, China, India, Indonesia, Russia and South Africa were made available on the EVD website.

CSR has also been part of several trade missions to e.g. China, where NGOs were given the opportunity to provide input on specific CSR issues. Currently, the ministry of Economic Affairs is elaborating a framework for making CSR an element of all trade missions led by the Minister for Foreign Trade. Specific CSR activities will be tailored to the country or region of destination.

On September 26, 2006, a conference was held in Rotterdam on CSR and Trade with participation from international consumer organizations, multinational companies, national governments, IGOs and NGOs. During this conference, consisting of both plenary sessions and small group workshops, the OECD presented its report on how consumers are informed about the CSR aspects of international trade in four specific product groups.

Transparency

In December 2006, the annual Transparency Benchmark was published for the third time. The consultancy firm PricewaterhouseCoopers was commissioned by the Ministry of Economic Affairs to examine the annual reports of 98 listed and 76 non-listed companies for transparency as regards CSR.

This third Transparency Benchmark deepened the insight into the extent to which Dutch companies are transparent about the impact of their activities on the environment and on society in general and helped to identify best practices.

A comparison of the scores on the benchmarks 2004 and 2005 with those from 2006 shows that the increasing demand for transparency is acknowledged by a growing number of companies.

NEW ZEALAND / NOUVELLE-ZELANDE

A. Institutional Arrangements

The contact details for the NCP require updating. They are:

Trade Facilitation and Tariffs team	Phone: +64 4 472 0030
Competition Trade and Investment Branch	Fax: +64 4 499 8508
Ministry of Economic Development	Email: oeed-ncp@med.govt.nz
PO Box 1473	Web: http://oeed-multinat.med.govt.nz
Wellington	
New Zealand	

- *What is the composition of the NCP?*

The New Zealand National Contact Point is comprised of officials from the Ministry of Economic Development.

The NCP is assisted by a Liaison Group comprising representatives from the:

- Ministry of Foreign Affairs and Trade;
- Department of Labour;
- Ministry for the Environment;
- Treasury;
- New Zealand Council of Trade Unions;
- Engineering, Printing, and Manufacturing Union;
- Business New Zealand;
- New Zealand Business Council for Sustainable Development; and
- New Zealand Sustainable Business Network.

The members of the Liaison Group represent the views of their stakeholders to the NCP and promote and supply information about the Guidelines to their stakeholders and other members of their organisations.

The NCP has adopted a co-ordinated and cooperative approach which involves all members Liaison Group in discussions on the promotion of the Guidelines in New Zealand.

The Liaison Group meets as required, but at least once per year.

- *How does the NCP relate to other government agencies?*

The NCP draws on the expertise and resources of other relevant government agencies as needed – often through the contacts in the Liaison Group.

The NCP recognises that meeting our promotional responsibilities under the Guidelines requires a co-operative and co-ordinated approach. It has sought the active involvement of other government departments in the following ways:

- supplying information about the Guidelines to all government departments and asking each to ensure its officials are aware of the Guidelines and incorporate them appropriately in departmental policies, processes, and promotional activities.
- asking government departments to help promote the Guidelines through their websites.

- *How does the NCP relate to social partners (business community and employee organisations) involved in the functioning of the NCP?*

The NCP consults with business, unions and other social partners as required (either directly or through their representatives on the Liaison Group) and asks these organisations to help promote the Guidelines through their websites.

- *How does the NCP relate to other interested parties, including NGOs, involved in the functioning of the NCP?*

The NCP welcomes the input of NGOs and wider civil society. It consults with interested parties, including NGOs, as required and through the Liaison Group.

- *Information on how the NCP relates with other initiatives*

The NCP works closely with government agencies and other interested parties on initiatives that relate to the Guidelines.

B. Information and Promotion

- *How have the Guidelines been made available in your country?*

The Guidelines are available in both written and electronic forms from the NCP. The updated website of the New Zealand NCP now includes:

- a link to the Guidelines;
- an introductory guide to the Guidelines and its processes;
- a description of the role of the NCP;
- contact details for the NCP;
- documents relevant to the Guidelines (including NCP meetings and Guidelines-related OECD reports); and
- links to OECD websites and those of other relevant organisations.

Hard copies of the Guidelines are available on request.

Information on the Guidelines and the role of the NCP in New Zealand has been included in information packs at business events and other relevant fora. The NCP also distributes, as appropriate, a one-page information sheet on the Guidelines. This is also available on the NCP's website.

- *How is co-operation with the business community, trade unions, NGOs and the interested public carried out, with respect to information on, and promotion of, the Guidelines?*

The Liaison Group works cooperatively to facilitate the promotion of the Guidelines in New Zealand.

- *Have other information and promotion activities been held or planned?*

The NCP has:

- distributed our information sheet on the Guidelines at business conferences and other relevant events as the occasion arises;
- updated and extended our website to include OECD publications, minutes of the Liaison Group meetings and other relevant documents
- provided copies of our information sheet to all New Zealand overseas Embassies, Consulates and High Commissions for distribution, at the appropriate time, to New Zealand companies operating overseas.

Planned activities include:

- following up our previous correspondence with New Zealand's Embassies, Consulates and High Commissions and providing additional information on the Guidelines where necessary;
- continuing to encourage relevant government agencies to refer to the Guidelines in their promotional material, including in the context of the New Zealand government's "Export Year 2007";
- considering, in consultation with the Liaison Group, whether the membership of the Liaison Group needs to be expanded to include a broader range of stakeholders;
- considering the development of an information sheet and notification form to assist those who may raise a specific instance with the NCP;
- publishing an article about the operation of the Guidelines for inclusion in the Ministry of Economic Development's on-line newsletter, Business Update which is distributed to 15,000 members of the New Zealand business community;
- publishing an article about the operation of the Guidelines for inclusion in the Ministry of Foreign Affairs' newsletter, Business Link which is distributed to 3000 members of the New Zealand business community; and
- investigating the production of a publication linking the Guidelines to other Guidelines-related programmes and activities.

Updates to Annex 3

No update to Annex 3 is required.

Enquiries of the NCP

No enquiries have been received from other NCPs or from the governments of non-adhering countries. The New Zealand NCP has replied to a number of enquiries from individuals and non-governmental organisations relating to how the Guidelines are promoted in New Zealand.

C. Implementation in specific instances

- *Have specific instance been brought to the attention of your National Contact Point?*

No specific instances have been brought to the attention of the NCP. No update to Annex 4 is required.

D. Other

- *How have the core criteria for the operation of NCPs been applied in your country to further the effectiveness of guidelines implementation?*

Visibility: The Guidelines are readily available, through the NCP website and in other ways. Members of the Liaison Group also promote the Guidelines and the NCP. As described above, steps have been taken and are also planned to increase the visibility of the Guidelines and the NCP.

Accessibility: The NCP has responded to all enquiries and requests for information received. The NCP can be contacted by telephone, e-mail, fax or post.

Transparency: All activities of the NCP have been open and transparent. There have been no specific instances raised to date, and no issues of confidentiality/transparency have arisen.

Accountability: The NCP is accountable to the government through the Minister of Commerce.

Other information on the nature and results of NCP activities;

The NCP will, over the coming months, consider undertaking a survey on the effectiveness of our promotional activities.

NORWAY / NORVEGE

A. Institutional Arrangements

Co-ordination of the Norwegian National Contact Point has been transferred to a new entity in the Ministry of Foreign Affairs (MFA): Section for Economic, Commercial and CSR Affairs. Otherwise unchanged. The National Contact Point is comprised of members from the Norwegian Ministry of Trade and Commerce, the Norwegian Confederation of Trade Unions and the Confederation of Norwegian Enterprise.

B. Information and Promotion

The Guidelines are translated into Norwegian and are available on the website of the Ministry of Foreign Affairs. We have also published a brochure about the Guidelines in Norwegian and English. These are also is posted on the website of the MFA.

Co-operation is carried out through the NCP. In addition there is a national consultation committee for CSR, "Kompakt" in which the OECD Guidelines are discussed.

The OECD Guidelines are highlighted as a practical tool to advance CSR in the document The Oslo Agenda for Change, a brief summary of Partnerships for Sustainable Development: the Oslo conference on good governance and social and environmental responsibility.

No update is required for Annex 3.

C. Implementation in specific instances

One specific instance was raised with the Norwegian NCP during the June 2006-2007 cycle. In June 2006 both the Swedish and Norwegian NCPs were contacted by the Norwegian NGO Bellona and the Argentinian NGO Center for Human Rights and Environment (CEDHA) which alleged that the Scandinavian bank Nordea, as partial financier of the Finnish company Botnia's construction of a pulp mill in Uruguay, was not following the OECD Guidelines for Multinational Enterprises.

Nordea's legal domicile is Sweden. Thus, the instance is formally treated by the Swedish NCP. However, the Swedish and Norwegian NCP have dealt with the report jointly. Their respective chairmen have also participated in a meeting of the Finnish NCP, when the related report concerning Botnia was dealt with.

The report from Bellona/CEDHA has been assessed in accordance with the rules of procedure prescribed in the OECD Guidelines for Multinational Enterprises. No position has been so far been taken on the substantial part of the report, i.e. whether Nordea has followed the Guidelines or not.

POLAND / POLOGNE

A. Institutional Arrangements

Since 2001, the Polish National Contact Point is located at the Polish Information and Foreign Investment Agency (PAIIZ). Its address is:

Polish Information and Foreign Investment Agency
 Business Intelligence Department
 Ul. Bagatela 12
 00-585 Warsaw, Poland
www.paiz.gov.pl

PAIIZ is the governmental agency fully owned by the State Treasury and reports directly to the Ministry of Economy.

The NCP stays in contact with social partners through correspondence and telephone calls and maintains operational contact with employee organizations (trade unions). It also keeps in touch with embassies, foreign companies, NGOs and individuals interested in the Guidelines.

B. Information and Promotion

The *Guidelines for Multinational Companies* are available in Polish and in English and are distributed in the following ways:

- on the website of the Polish Information and Foreign Investment Agency in a special section assigned for the NCP. Information on the role of the NCP as well as on the role of the *Guidelines* can be found there. It is possible to download the Guidelines in Polish and there is a link to the *Guidelines* in English on the OECD website;
- the OECD section on the PAIIZ's website is obtainable in 5 languages: Polish, English, Russian, French and German;
- the *Guidelines* are also distributed in a printed form - as a booklet. The booklets are displayed on a stall situated near the main conference room in the Agency's office and are available for every potential investor visiting PAIIZ.
- *Guidelines* are sent to those interested in upon request in electronic and printed version;
- to promote OECD *Guidelines*, the NCP issued an article „The Guidelines for Multinational Companies. The role of OECD PNP in promotion of guidelines”. The article was published in the conference materials together with a publication „CSR Conception in Poland – current situation and development perspectives”. The conference was organized together with the Office of Competition and Consumer Protection and Friedrich Ebert Foundation on June 6th 2006. The goal of the conference was to discuss issues related to implementation of CSR strategy in Poland. The debate was concerning current initiatives undertaken by governmental and non-governmental organizations. The subject of the discussion was the hitherto progress in the field of CSR and the examples of implementing CSR strategies in the management

practice of multinational corporations, as well as the chances for intensifying the development if CSR concept within the expectations formulated by various stakeholders groups.

The Polish NCP stays in contact with business community and trade unions, which conduct their informational activities according to the core criteria for the operation of the NCPs. Additionally, NCP answers numerous questions from the business, NGOs and social partners.

The questions concern both the *Guidelines*, the NCP's procedures and matters connected with special instances. Co-operation with the public includes contacts with individuals such as employees of embassies and ministries, consulting firms, students of law and economics as well as individuals checking on the activities of the NCP and the *Guidelines*.

The other activity of the NCP was promoting the Guidelines to individuals and people representing the business community. This kind of promotion included distributing the booklets with Guidelines and responding to enquiries regarding them and the role of the NCP.

The number of questions raised proves that the NCP is known among the society.

In December 2006 the NCP translated and circulated 100 copies of the OECD publication – „Policy Framework for Investment”, the Polish title: „Podstawy polityki na rzecz inwestycji.

The publication was also placed on the websites of PAIiIZ: www.paiz.gov.pl and the Ministry of Economy: www.mg.gov.pl.

In order to promote the OECD policy framework for investment the publication was also distributed among participants of the conference (representatives of the Ministry of Economy, the heads of local government bodies and Special Economic Zones, as well as local investment services centers) in the city of Kielce on the 19th-20th February 2007.

The conference in Kielce was organized by the NCP in cooperation with Świętokrzyska Regional Development Agency in Kielce. The aim of the conference was to promote “The guidelines for Multinational Companies” among local authorities from many regions of Poland, who were invited to the seminar, as well as the representatives of the central government.

The event highlighted the importance of the inflow of foreign direct investments to Poland. Numerous companies presented their experience in the field of supporting innovative investments and their strategy of economic promotion of Polish regions.

Polish NCP is going to take part in IRENE/OECD Watch and FES-Bratislava seminar called OECD Watch Regional Roundtable: Toward a Model European National Contact Point in Bratislava, scheduled on the 24th of May 2007.

This roundtable focuses on the Central and East-European region. The aim of the seminar is to gather representatives of Central and East-European NCPs, other governmental bodies, business, and civil society organisations, including labour unions and NGOs to discuss NCP best practices. The participants of the seminar will discuss numerous topics concerning the NCP's activities and problems. The seminar gives the Polish NCP a chance to acquire new ideas on how to shape the NCP activities and handle some problems in the future.

C. Implementation in specific instances

A new specific instance was raised to the NCP at the end of April 2006. It involved a claim by the board of trade union “Solidarity” about a situation in a foreign company from the food processing sector. The board of the Polish subsidiary is accused of infringing the regulations of the IV chapter of the Guidelines.

According to the claim, the board failed to engage in constructive negotiations to reach agreement with the trade union representatives. Additionally, sexual harassment and unfair dismissal of several women took place. In this case parallel legal proceedings are underway. In the third quarter of 2006 PNCP continued to solve the problem.

The representative of both parties met together and the representatives of PNCP familiarized with the case. Afterwards, they proceeded to correspond with the National Contact Point in USA and with TUAC. In the fourth quarter of 2006 the representatives of both parties met for the second time to clarify the matter. Then, they continued the correspondence with the National Contact Point in USA and with TUAC.

The representatives of aggrieved party and their witnesses have already been questioned in court. At present, the witnesses of the accused are being questioned at the court and the verdict will be returned in October 2007 at the latest.

PORTUGAL

ICEP Portugal is the Portuguese Contact Point, located in Lisboa:
Av. 5 de Outubro, nº 101; 1050-051 Lisboa, Portugal.
Tel. +351 217 909 500 // +351 217 909 351 //
Fax +351 217 909 593
Emails: icep@icep.pt / rui.marques@icep.pt
Web: www.icep.pt/empresas/dirempmulti.asp
ICEP Portugal is a public institute (agency) depending directly from the Ministry of Economy and Innovation.

A. Institutional Arrangements

As far as institutional arrangements are concerned, and due to internal national reorganisation, the Portuguese NCP contact changed as shown above.

ICEP Portugal keeps working in close cooperation with other agencies from Ministry of Economy such as API (Portuguese Agency for Investment), DGE (Directorate General of Enterprise of the Ministry of Economy) and IAPMEI (Medium and Small Enterprises Institute), and directly collaborating with the Foreign Office and the Embassies of Portugal all over the world, networking locally as well as internationally through its 50 offices abroad.

ICEP Portugal maintains consultations with its social partners, namely developing a closer relationship with the main Portuguese business associations and Chambers of Commerce.

ICEP Portugal maintained contacts with interested Portuguese NGOs, mainly on information activities and on recent initiatives aiming at defining a model NGO.

B. Information and Promotion

In terms of promotion, linkages were developed with entrepreneurial representatives and social partners aiming at reinforcing the effectiveness of guidelines implementation, as a way of good governance, namely by increasing their involvement in the organization of events and carrying out activities together with the NCP. Presentations on the contribution to corporate responsibility by the Guidelines were made to business sector.

This year, a special emphasis was given to corruption and fight against bribery: in parallel with the work being done within the framework of the Bribery Convention, ICEP, as NCP for the Guidelines, promoted a major information action, aimed at creating awareness on the crime of bribery of public officials. Information was distributed to all ICEP's delegations throughout the world (more than 40) and to all Portuguese diplomatic missions.

- *Has the OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones been disseminated or otherwise referred to in the context of interactions with enterprises and stakeholders?*

Yes.

- *Have enquiries been received from (a) other NCPs; (b) the business community, employee organisations, other non-governmental organisations, or the public; or (c) governments of non-adhering countries?*

Yes.

No update is necessary to Annex 3.

C. Implementation in specific instances

No specific instances were raised. No change to Annex 4.

ROMANIA / ROUMANIE

This present report of the Romanian National Contact Point is presented to the Investment Committee in accordance with the Common Reporting Framework for Annual Reporting by the National Contact Points for the period June 2006 – June 2007. The Government of Romania has established a National Contact Point for the Guidelines, in order to help the implementation and promotion of the Guidelines in Romania and make them better known to business, labour and other interested parties.

A. Institutional arrangements

In December 2004, Romania became eligible for adherence to the OECD Declaration on International Investment and Multinational Enterprises after a full examination of its foreign direct investment policies.

In February 2005 OECD published the study OECD Investment Policy Review Romania as a result of a collective effort from Romanian officials and experts, the 38 government adherents to the Declaration, the Investment Compact for South-East Europe and the OECD Secretariat.

In April 2005, there was organized the exchange of the official letters between OECD and Romania that constitutes the agreement between the Organisation and the Government of Romania, by which Romania accepted the invitations set in the OECD and the rights and obligations related.

Thus, the Romanian National Contact Point was established by Government Decree No. 420/12 May 2005, published in the Official Journal of Romania No. 411/16.05.2005, as binding element for the application of the OECD Guidelines for Multinational Enterprises. The Romanian National Contact Point (RNCP) is responsible for encouraging the implementation of the OECD Guidelines for Multinational Enterprises in the national context and for disseminating information on these to the business communities and other interested parties. The Romanian National Contact Point (RNCP) collects the information regarding the national experiences of OECD Guidelines promotion, discusses the questions raised by business community regarding OECD Guidelines and assists their solving. When there are specific issues regarding the business behavior related to Guidelines implementation, RNCP is responsible for supporting their solving. Any person or company may contact RNCP concerning any Guidelines related request.

The establishment of the Romanian National Contact Point is in accordance with Romania's status of adhering country to the OECD Declaration on International Investments and Multinational Enterprises.

The RNCP includes representatives with decision power from the following authorities:

- Ministry of Foreign Affairs
- Ministry of Economy and Finance
- Ministry of Justice
- Ministry of Education, Research and Youth
- Ministry of Labor, the Family and Equal Opportunities
- Ministry of Transport
- Ministry of Development, Public Works and Housing
- Ministry of Environment and Sustainable Development
- Ministry for Small and Medium-Sized Companies, Trade, Tourism and Liberal Professions
- Romanian Agency for Foreign Investments
- Business Environment Unit
- Institute for Economic Research
- Alliance of Romanian Employers' Association Confederation
- Chamber of Commerce and Industry of Romania

Also, depending on the issue under debate within the Romanian National Contact Point, the consultation process may be extended to other representatives from governmental and nongovernmental institutions, trade unions and civil society. (e.g. Foreign Investors' Council, OECD Regional Office Bucharest, European Commission Delegation in Bucharest, World Bank Representative Office in Bucharest, Competition Council, Stock Exchange Commission, Authority for State Assets Recovery, EXIMBANK SA, etc).

The Coordination of the Romanian National Contact Point is assured by Minister for Small and Medium-Sized Companies, Trade, Tourism and Liberal Professions, together with the responsible person for the relation between Romania and OECD, assigned by the Minister of Foreign Affairs.. The executive function belongs to Business Environment Unit and the President of the Romanian Agency for Foreign Investment and the technical secretariat is ensured by the designated persons from the Romanian Agency for Foreign Investment and the Ministry of Foreign Affairs..

Headquarters of the Romanian National Contact Point is within the Romanian Agency for Foreign Investments. The contact details are as follows:

Romanian Agency for Foreign Investments, 22 Primaverii Blvd, district 1, Bucharest;
 phone: +40 (021) 233 91 62;
 fax: +40 (021) 233 91 04;
 e-mail: pnc@arinvest.ro
 Web-site: <http://www.arinvest.ro/arinvest/SiteWriter?sectiune=PNC>

B. Information and promotion

According to G.D. No. 420/12 May 2005, the Romanian National Contact Point is implementing and promoting in a pro-active manner the OECD Guidelines for Multinational Enterprises.

The Romanian National Contact Point activities since its establishment until present have focused on promoting its role, responsibilities and structure as well as the OECD Guidelines for Multinational Enterprises. The Romanian National Contact Point web page was improved, presenting in a friendlier manner information in Romanian and English such as: RNCP's role, responsibilities, structure, [Resolution of Issues Related to Implementation of OECD Guidelines](#), [OECD Investment Policy Review Romania](#), [OECD Guidelines for Multinational Enterprises](#), [Useful links and Contact coordinates](#).

During the period under consideration, the Romanian National Contact Point continued the dissemination and promotion campaign towards: central and local public authorities, multinational companies, Foreign Investors Council in Romania, regional development agencies, local and bilateral chambers of commerce, foreign embassies in Bucharest and Romanian embassies abroad, trade unions, labor unions, professional associations. The leaflets dedicated to RNCP presentation and OECD Guidelines for Multinational Enterprises were provided to the representatives of the Romanian embassies abroad and Commercial Offices, the information about OECD Guidelines being thus included in the general presentation about Romanian investment and business climate. As well, the leaflet is part of the promotional materials distributed by the Romanian Agency for Foreign Investment - that ensures the Executive function and Technical Secretariat of the Romanian National Contact Point - within international and national forums, seminars, workshops and other similar events where the Agency is present.

For example, in 2007 the Romanian Agency for Foreign Investment made a presentation on OECD Guidelines for Multinational Enterprises for an Executive MBA program at IMD (a business school in Lausanne Switzerland) that included one week training in Romania. 20 executives attended this event. The students in this MBA program were fast-rising executives and key decision makers in multinational

companies headquartered around the world. The average age of the group was 39, and their average business experience was about 15 years. They have been chosen and sponsored by their companies as high potential leaders in their firms - the CEO's of tomorrow.

An article containing information on Romanian National Contact Point and OECD Guidelines for Multinational Enterprises was published in Romanian Economic and Business Review. The Romanian Economic and Business Review is the first peer-reviewed Romanian journal in the field of economics and business. This journal intends to provide a forum for academic analysis of the economic phenomena and institutions affecting the world economy in general, and Romania, in particular. REBE examines a wide variety of phenomena related to economic growth and business development and attempts to publish high quality research focusing on the role of institutions and public policy, within both a national and international context. REBE encourages cross-disciplinary research work of Romanian and foreign scholars. The Romanian Economic and Business Review is a refereed journal published four times annually by the Scientific Research Department of The Romanian American University.

C. Implementation in specific instances

Regarding this issue, on the web page dedicated to the Romanian National Contact Point (<http://www.arisinvest.ro/arisinvest/SiteWriter?sectiune=PNC>) are made clarifications concerning the resolution process of issues that arise relating to the implementation of the OECD Guidelines for Multinational Enterprises in specific instances. The RNCP provides a forum for discussion and assists the business community, employee organizations and other parties concerned to deal with the issues raised in an efficient and timely manner and in accordance with applicable law.

During June 2006-June 2007 there haven't been received any requests to be considered specific instances by the Romanian National Contact Point.

D. Other issues

The core criteria of visibility, accessibility, transparency and accountability for the functioning of the Romanian National Contact Point have been applied to further the effectiveness of the OECD Guidelines for Multinational Enterprises. The Romanian NCP web page was improved, starting from Romanian Agency for Foreign Investment central site including the Guidelines in English and Romanian language. Also the Guidelines were presented within an Executive MBA program at IMD (a business school in Lausanne Switzerland) that included one week training in Romania. Leaflets including the presentation of the OECD Guidelines for Multinational Enterprises were distributed at the events, seminars and conferences attended by the representatives of the Romanian Agency for Foreign Investment.

Romania used each opportunity to share and promote a constructive and proactive high-level dialogue by discussing also the very comprehensive OECD document "Policy Framework of Investments". It was a challenge for highlighting the sensitive issues necessary for implementing specific policies that have an impact on investments contributing to a better balance of the globalization effects in different regions.

Romania considers this document a very useful one and appreciates the OECD accurate work to take into account the countries' experience, including Romania. The ten chapters of PFI and the addressed specific questions in each of them, covered a widely policy areas that has been used to foster an appropriate environment for all investments within the new Romania's investment policy approach. For the governmental decision making process, we promoted this instrument in the consultation process handled by the Romanian Government at different institutional levels with all dialogue partners.

SLOVAK REPUBLIC / RÉPUBLIQUE SLOVAQUE

SLOVENIA / SLOVENIE

A. Institutional Arrangements

The Slovenian National Contact Point is located within the Ministry of the Economy:

Mr. Dimitrij Grcar
Spokesperson
Ministry of the Economy
Kotnikova 5
1000 Ljubljana

tel: + 386 1 478 3553, 478 3521

fax: + 386 1 478 3611

e-mail: dimitrij.grcar@gov.si / slonkt.mg@gov.si

Following the change of government in Slovenia in late 2004, the new Minister of Economy, responsible for OECD relations had instructed that operation of a functioning NCP in Slovenia was a priority goal. Accordingly an Action Plan was adopted for OECD related activities in the Ministry of the Economy, with the NCP as a focal point. Discussions have taken place with potential partners in an NCP structure, information has been broadly disseminated on the relevance of an NCP coordination body in Slovenia. Information was gathered on the organisation and performance of NCPs in countries comparable to Slovenia. However, a formal institution of a coordinating body has not taken place, to date. This is an ongoing project for the Ministry of Economy.

B. Information and Promotion

A link to information on the National Contact Point and to the OECD website has been created on the website of the Ministry: <http://www.mg-rs.si/>.

C. Implementation in specific instances

No cases have been received to date.

SPAIN / ESPAGNE

A. Organisation institutionnelle

Le PCN espagnol continue d'être situé au:

Secrétariat Général pour le Commerce Extérieur
Ministère de l'Industrie, du Tourisme et du Commerce
Paseo de la Castellana, 162
28046 Madrid

- téléphone: (+34) 91 349 38 60
- fax: (+34) 91 457 28 63 et (+34) 91 349 35 62
- e-mail: pnacional.sccc@mex.es

Nous avons modifié l'annexe 2 de ce rapport.

Comme déjà rapporté précédemment, le PCN est un service unique du Ministère de l'Industrie, du Tourisme et du Commerce.

Le PCN continue à maintenir des contacts réguliers avec le Ministère de l'Environnement, le Ministère du Travail et des Affaires Sociales et le Ministère de la Justice.

Les partenaires sociaux (milieux d'affaires: CEOE et Conseil Supérieur des Chambres de Commerce; Syndicats: UGT et CC.OO.) assistent à des réunions du PCN.

Plusieurs ONG sont convoquées à des réunions du PCN et y assistent régulièrement.

B. Information et promotion

Les Principes directeurs avaient déjà été traduits à l'espagnol et publiés par le Secrétariat Général au Commerce Extérieur, le PCN ayant aussi édité en espagnol la brochure du TUAC traduite par les syndicats.

Les Principes directeurs ont été traduits cette année en catalan et en galicien.

Un nouveau site web du PCN, www.espnc.es, indépendant de celui du Ministère de l'Industrie, du Tourisme et du Commerce, a été mis en place. D'autre part, la page web consacrée aux Principes directeurs dans le nouveau site www.comercio.es du Ministère a elle aussi été renouvelée.

Comme déjà indiqué dans les rapports précédents, la coopération s'organise par le biais de réunions du PCN auxquelles sont invités les partenaires sociaux (milieux d'affaires, syndicats) et des ONG, ainsi que des représentants de quatre autres ministères.

Le PCN a participé à une semaine d'études sur le « Droit des investissements » à l'Université Rey Juan Carlos de Madrid, ainsi qu'à un atelier de travail intitulé « Vers un Modèle Européen de PCN » organisé par l'Observatoire de la RSE et OECD Watch. En outre le PCN a pris part à une conférence sur « La RSE et le Commerce International » à la Chambre de Commerce de

Madrid, et à un séminaire sur les Principes directeurs de la Compagnie de Financement du Développement (COFIDES).

Le PCN continue à participer aux réunions du « Forum des experts en responsabilité sociale des entreprises » organisées par le Ministère du Travail et des Affaires Sociales.

Le PCN intervient toujours dans les cours de formation des Conseillers Économiques et Commerciaux et des analystes des investissements des Ambassades d'Espagne, pour leur fournir des renseignements plus détaillés sur les Principes directeurs, ainsi que dans ceux qui s'adressent aux nouveaux fonctionnaires des corps supérieurs des Ministères de l'Économie et de l'Industrie, du Tourisme et du Commerce.

Le PCN a de plus fourni à toutes les Directions Territoriales et Provinciales de Commerce en Espagne des brochures contenant le texte des Principes directeurs afin que tout demandeur d'information pour investir à l'étranger ou en Espagne en soit informé. Cette même démarche a été entreprise auprès des Chambres espagnoles de Commerce à l'étranger.

- *Est-ce que l'Outil de sensibilisation au risque de l'OCDE destiné aux entreprises opérant dans les zones à déficit de gouvernance a été disséminé ou référé par ailleurs dans le cadre d'interactions avec les entreprises et autres parties intéressées?*

Non.

- *Demandes d'information*

Trois ONG qui avaient déjà contacté le PCN pour lui apporter diverses informations sur les activités de trois différentes entreprises espagnoles en Amérique Latine ont continué à fournir des renseignements sur le développement de ces affaires. Aucune n'a entraîné la présentation d'un cas spécifique devant ce PCN.

L'annexe 3 est inchangée.

C. Mise en oeuvre dans des circonstances spécifiques

Le PCN n'a été saisi d'aucun cas spécifique pendant la période 2006-2007.

D. Divers

Les quatre critères (visibilité, accessibilité, transparence et légitimité) de fonctionnement du PCN sont assurés par les contacts maintenus autant avec les partenaires sociaux et les ONG qu'avec d'autres départements de l'Administration, ainsi que par la mise en œuvre du nouveau site web www.espnc.es.

Les activités du PCN se déroulent de façon satisfaisante grâce aux bonnes relations établies avec d'autres Ministères, les partenaires sociaux et un nombre croissant d'ONG.

Nous ne disposons pas d'enquêtes ou statistiques documentant la sensibilisation des compagnies aux Principes directeurs.

SWEDEN / SUEDE

A. Institutional Arrangements

- *Composition*

Tripartite: government, business organisations and trade unions. The Ministry for Foreign Affairs, Department for International Trade Policy, chairs the Swedish National Contact Point (NCP) and has the ultimate responsibility for its work and its decisions.

Participants in the NCP:

Ministry for Foreign Affairs:

Department for International Trade Policy

Department for Development Policy

Ministry of Employment

Ministry of Environment

Ministry of Enterprise

Organisations:

IF Metall

SIF - Swedish Union of Clerical and Technical Employees in Industry

Swedish Confederation of Professional Employees (TCO)

Swedish Trade Union Confederation (LO)

Swedish Confederation of Professional Associations (SACO)

Confederation of Swedish Enterprise (Svenskt Näringsliv)

Swedish Trade Federation (Svensk Handel)

- *The NCP relation to other government agencies*

No changes since last year.

The NCP is open for cooperation with any interested agency. Through the initiative Swedish Partnership for Global Responsibility (which aims at promoting the OECD Guidelines and the principles set forth in the UN Global Compact) an ongoing dialogue is held with several government agencies on issues relating to the OECD Guidelines.

- *Involvement of social partners (business community and employee organisations)*

No changes since last year. The principal parties are involved in the NCP.

- *Other interested parties, including non-governmental organisations (NGOs)*

No changes since last year.

Since the launch of the Swedish Partnership for Global Responsibility in 2002, NGO's have shown an increased interest in the OECD Guidelines and the work of the NCP. The Swedish Partnership organise seminars and work-shops sometimes together with NGO and sometimes when NGO participate.

Members of the NCP regularly attend seminars and conferences where they inform about and discuss the OECD Guidelines and the work of the NCP with NGO's.

- *How the NCP relates with other initiatives such as the UN Global Compact and its networks?*

The Swedish NCP and the Swedish Partnership have a very close relationship with the UN Global Compact and its local networks. Point of departure for the Partnership is the UN Global Compact and the Guidelines. Sweden consider that the two instruments complement and reinforce each other. The Partnership have close contacts with the Nordic Global Compact Network and the Swedish NCP-chair participate in annual Global Compact Network meetings. The Swedish government is the biggest donor to the Global Compact and the Partnership cooperate with the UN Special rapporteur John Ruggie and have financed parts of his missions. The Partnership has also organised visits to Sweden and meetings with the Swedish State Secretary for Trade and SGSR John Ruggie.

B. Information and Promotion

- *The availability of the OECD Guidelines in Sweden*

The OECD Guidelines and selected parts of the commentary have been translated into Swedish and fitted into a handbook. The handbook has been printed in 10 000 copies and have been distributed to all Swedish embassies, the Swedish Parliament, the members of the organisations represented in the NCP and to various interested organisations and companies and on request. All companies applying for officially supported export credit guarantees are also given information about the Guidelines. The Swedish NCP has revised the handbook 2006.

The handbook is posted on the Swedish Partnership for Global Responsibility's web page where there are also links to the UN, OECD Investment Committee's (IC's) web page and to the OECD Guidelines and the commentary in Swedish and English.

The handbook and/or a short information note on the OECD Guidelines have been available at the seminars organised by the Swedish Partnership for Global Responsibility. Since the launch of the Partnership in March 2002, almost 50 seminars have been held. The seminars are attended by an average of 100 representatives from a wide range of actors, for example from the business sector, NGO's, the Government Offices and trade- unions.

- *Co-operation on promotion of the OECD Guidelines*

The Swedish NCP is a tripartite body constituted of representatives from the business sector, trade unions and the government. Meetings in the NCP provide valuable input for the position of Sweden to the Investment Committee and the co-operation is fundamental for the promotion of the OECD Guidelines.

The Swedish NCP held various formal meetings between June 2006 and May 2007. The meetings were held in preparation for the IC-meetings, but addressed as well various other issues related to ongoing national and international Corporate Social Responsibility (CSR) activities, for example seminars and workshops. The NCP has also a continuous dialogue in-between meetings over e-mail. Due to a specific instance the NCP have met on several occasions.

Swedish Partnership for Global Responsibility

The Swedish Government actively encourages Swedish business to behave responsibly by striving to comply with the OECD Guidelines. The Swedish Partnership for Global Responsibility was launched by the Prime Minister in March 2002 and is an effort to encourage Swedish companies to become ambassadors for human rights, core labour standards, anti-corruption and a sound environment, all over the world. The point of departure is provided by the OECD Guidelines and the ten principles set forth in the UN Global Compact.

The Partnership is a crosscutting function within the Government Offices, based in the Ministry for Foreign Affairs but working closely with other Departments and Government Agencies. The aim is to bring clarity to the debate on CSR, highlight good examples, bring different actors and stakeholders together as well as assist individual companies.

The Partnership carries on intensive information work on e.g. international developments in CSR, international systems of rules and conventions and practical experience and research results. The Partnership is also organising and facilitating a wide range of activities such as counselling, in-house training, network building, seminars and workshops. Almost 50 seminars and over ten workshops have been held since the launch in 2002. The seminars and workshops highlight specific geographical or thematic issues such as Core Labour Standards, Business in Conflict, Reporting on non-financial information, Business in China, Corruption, Business and human rights, Corporate responsibility and business law and Socially Responsible Investment. The OECD Guidelines are a very effective tool in this context.

In May 2005 the Swedish NCP organised a Nordic NCP-meeting also inviting NCPs' from the Baltic countries. The theme was how to promote the Guidelines and how the Nordic-Baltic countries can find areas for cooperation. It was decided that Latvia chair the Nordic-Baltic meeting 2007.

- *Other information and promotion activities*

The following are examples of other information and promotion activities that have taken place:

The Chairperson of the NCP has participated in a range of activities to talk about the Government's role in promoting CSR and how the OECD Guidelines can be an effective tool in this context, in Sweden and abroad. He has, for example, made presentations at Swedish universities and also giving speeches on CSR in Brazil and on importpromotion seminar in Colombia. The chair has also participated in OECD Watch's regional roundtable in Finland.

Parties of the NCP are actively engaged in promoting the OECD Guidelines as a part of their regular activities. For example the Confederation of Swedish Enterprises has a prize for the best sustainability report. The Confederation of Swedish Enterprises organized a conference on ethics in March 2004 and at the same time was the report "The role of business in Society" launched including the importance of the OECD Guidelines.

The Swedish Trade Federation is a private organization for importers, traders, wholesaler and retailers. Ethics in trade and corporate social responsibility are key topics in their dialogue with members and potential suppliers to Swedish companies and the Swedish market. The Federation is actively promoting the Guidelines in their activities for member companies and in seminars abroad for foreign companies.

During 2006/2007 the Board of Directors of the Swedish Trade Federation has taken a special interest in questions concerning corporate social responsibility and supply-chain management and a half-day seminar was arranged to get more deepened knowledge.

The Annual Meeting of the Swedish Trade Federations focused on “ethical trade”, where certain member companies, e.g H&M, presented their work with CSR and demonstrating best-practice.

The Swedish Trade Federation has carried out activities for the Swedish SMEs in the area of CSR. The Federation arranged a visit to the Canton Fair in China, with a focus on how to practically incorporate CSR in the day-to-day business.

The Swedish Trade Union Confederations (LO/TCO/SACO) has applied for and received resources from the Ministry for Foreign Affairs for information about the guidelines in certain developing countries (DAC). The information project is hosted by TUAC, Trade Union Advisory Committee to OECD, aiming at making more countries to adhere and implement the guidelines. The Confederation (LO) has been promoting the OECD Guidelines by sending more than a thousand handbooks to members and affiliates within the organisation.

The Swedish Trade Union Confederation (LO) has participated in two seminars about CSR in China arranged by the Swedish Ministry for Foreign Affairs/Swedish Partnership for Global Responsibility. LO has further promoted the guidelines in their international contacts, for example giving the guidelines in Chinese to representatives to Trade Unions Council of Guangzhou during their visit to Stockholm. The translation of the guidelines has been made possible by TUAC, Trade Union Advisory Committee to OECD in Paris.

The representative of The Swedish Trade Union Confederation (LO) in the national contact point has been a key note speaker at national CSR conference about the role of financial sector in the CSR field. The present specific instance in the Swedish NCP was mentioned at the conference. And the Confederation (LO) has taken part in a roundtable about CSR within the Clean Cloth Campaign, where the parts of the Swedish fashion industry were informed about the guidelines.

The Swedish Trade Union Confederation (LO) has send an expert to take part in an Education program for trade unions leaders in Vietnam about globalization, where the guidelines is one of the topics. The same person has also participated in a CSR-conference in Hanoi.

The Swedish Trade Union Confederation and the Swedish Confederation of Professional Associations participated in the OECD/TUAC working group on Global Trade and Investment and their regularly consultations with the OECD Investment Committee concerning issues related to the OECD GL. Furthermore the respective organisation participated in the NCP Annual Meeting in June 2006 in Paris.

The Swedish Trade Union Confederations (LO/TCO/SACO) participated in the review meeting of the European Multistakeholder Forum on CSR in December 2006 hosted by the European Commission in Brussels. The Confederations participated in the TUAC Plenary meeting in December 2007 in Paris. The meeting was followed by a meeting with the OECD General Secretary and the chair of the Investment Committee. Key-issues was implementation of the guidelines, OECD work program for China and Core Labour Standards and OECD membership.

The Swedish Association of Graduate Engineers arranged, as a part of the finalization of the European joint trade union project *Making Offshore Outsourcing Sustainable (MOOS)* supported by the European Commission, two seminars for trade union representatives during November –

December 2006. The seminars focused on trade union perspectives on companies offshore outsourcing projects and the situation in target countries.

The Swedish Confederation of Professional Associations participated in a joint seminar between OECD Watch and Eurosif during March 2007 in Paris on how the European Socially Responsible Investment (SRI) community could use the OECD GL.

SIF and IF Metall organized a joint seminar on Framework Agreements partly focusing on Core Labour Standards such as the OECD Guidelines.

The Swedish Export Credits Guarantee Board provides all its customers with information on the rules on bribery in accordance with their commitments in the OECD Recommendation on Bribery and Officially Supported Export Credits, and on the OECD Guidelines for Multinational Enterprises' (MNE's) and the Swedish Partnership for Global Responsibility.

The Swedish Minister for Trade is going to have a central role in the up-coming Global Compact Leader Summit in July in Geneva where he - among other issues - is going to discuss and promote what governments can do.

The Ambassador and Head of the Swedish Partnership for Global Responsibility has participated in:

- a Swedish Trade delegation to Ghana where she had meeting with business people and government officials in connection with trade seminar,
- a seminar with Chinese companies and government officials in Canton, Shanghai and being one of the speakers at national meeting hosted by China Manufactures and the trade unions and giving lecture at Renmin University,
- in seminars in Vietnam and giving lectures at RMIT University,
- seminar in Malta with new EU member states, NGOs and government officials,
- seminars and giving lectures at Chatham House and Wilton Park on the role of governments.

The Swedish Government launched a national action plan for human rights, 2006-2008, which sets out a coherent approach to human rights issues in Sweden. The communication contains a number of measures aimed at promoting respect for human rights, one is corporate social responsibility.

In June 2005 the Ministry for Foreign Affairs launched an Action Plan against corruption. The plan has recently been updated and again circulated to all departments at the Ministry and to all missions abroad. The main objectives of the Plan are to raise awareness among all employees about the negative consequences of corruption and to ensure that there is no corruption in the activities of the Ministry and its missions. Fight against corruption is included as a subject in many training courses for employees, in particular for those to be posted abroad.

The Swedish Minister of Education founded in November 2006 a Council of Globalization. The Council is founded in order to deepen the knowledge and broaden the official discussion on how Sweden can have an active role on the global arena. The Council consists of a wide range of representatives, from journalists to executives and governmental ministers. In order to produce a successful working strategy, one core principle of the Council consists of guarding the ideas of Corporate Social Responsibility. As a part of this, the OECD guidelines are hence a part of the work of the Council.

- *The OECD Risk Awareness Tool for Multinational Enterprises in Weak governance zones*

The Swedish government strongly supports the tool and wants to disseminate it to all important actors such as companies, NGO and trade unions. The Swedish Minister for Trade has strongly emphasised the importance of the tool in the Swedish Parliament. The government has translated the tool to Swedish and the NCP will use the tool in its promotion activities.

- *Have enquiries been received from (a) other NCP:s; (b) the business community, employee organisations, other non-governmental organisations, or the public; or (c) governments of non-adhering countries?*
 - a. The Swedish NCP has contact when necessary with other NCPs through meetings at the OECD, supplemented by informal contacts.
 - b. Many. In particular since the launch of the Swedish Partnership for Global Responsibility in March 2002 and after the two specific instances was received in February 2003. And especially this year when the NCP is handling a new specific instance. NGO's, academic institutions, media and others have contacted the NCP to learn more about the OECD Guidelines and the role of the NCP and the specific instance.
 - c. The NCP has received no official enquiries from the governments of non-adhering countries but has discussed issues with official representatives from Uruguay.

C. Implementation in specific instances

On 12 July 2006 CEDHA and Bellona reported Nordea to the Swedish NCP for the OECD guidelines. The same report was sent to the Norwegian NCP too. The report alleges that Nordea, as possible partial financier of the Finnish company Botnia's construction of a pulp mill in Uruguay, is not following the OECD Guidelines for Multinational Enterprises.

The Swedish and Norwegian NCP have dealt with the report jointly. Their respective chairmen have also participated in a meeting of the Finnish NCP, when the related report concerning Botnia was dealt with. Nordea's *legal* domicile is Sweden. This instance is therefore formally treated by the Swedish NCP.

The Swedish NCP, with the support of the Norwegian NCP, has decided to take up the report and consequently it is now *formally* a specific instance. The report has been assessed in accordance with the rules of procedure prescribed in the OECD Guidelines for Multinational Enterprises. No position has been taken on the substantial part of the report, i.e. whether Nordea has followed the Guidelines or not.

D. Other

- *How have the core criteria for the operation of NCPs (visibility, accessibility, transparency, and accountability) been applied in your country to further the effectiveness of OECD Guidelines implementation? Please provide examples that illustrate this.*

Visibility: The Swedish Partnership for Global Responsibility has been of great importance for the promotion of the OECD Guidelines and it is clear that the interest among Swedish companies, trade unions, NGO's and others are intensifying. Whenever the chairperson of the

NCP participates in seminars and conferences he informs about the OECD Guidelines, the NCP and the possibilities these give.

Accessibility: Members of the NCP (representing the business sector, union and the Government) participate in different groups, which is an asset in the work in the NCP and the effective implementation of the OECD Guidelines.

Accountability: The close collaboration between different actors within the NCP assures that different interests are being considered in the work of the NCP.

Transparency: Relevant information is posted on the web page, www.ud.se/ga.

SWITZERLAND / SUISSE

1. Organisation institutionnelle

- *Où est situé le PCN ?*

Secrétariat d'État à l'économie (SECO)
Secteur Investissements internationaux et entreprises multinationales
Point de contact national
Effingerstrasse 1
CH-3003 Berne

Tél. (+41) (0)31 324 08 54
Fax (+41) (0)31 325 73 76
Courriel : afin@seco.admin.ch
Internet : www.seco.admin.ch

- *Quelle est la composition du PCN ?*

Le Point de contact national suisse est assuré par le Secteur Investissements internationaux et entreprises multinationales du Secrétariat d'État à l'économie (SECO).

- *Quel est le lien entre le PCN et d'autres agences gouvernementales ?*

Le PCN suisse est en contact régulier, formel et informel, avec les unités administratives compétentes pour les divers aspects couverts par les Principes directeurs. Lorsque des circonstances spécifiques sont soumises au PCN, un groupe de travail ad hoc est constitué, avec la participation des unités habilitées à traiter des questions soulevées. En font partie des spécialistes à la fois du domaine traité (par ex. relations de travail, droits de l'homme, environnement) et du pays concerné.

- *Comment sont impliqués les partenaires sociaux (des milieux d'affaires et des organisations syndicales) dans le fonctionnement du PCN ? D'autres organisations telles les ONG sont-elles associées au PCN ?*

La coopération avec les partenaires sociaux et d'autres organisations intéressées a lieu autant par des contacts directs qu'en faisant appel à un « Groupe de liaison pour les Principes directeurs de l'OCDE ». La dernière rencontre de ce groupe, en mai 2007, a réuni une douzaine d'organisations de partenaires sociaux et de la société civile, ainsi que plusieurs unités administratives. Le groupe continuera de se réunir, dans la règle, une fois par an et, entre les réunions, de rester en contact par voie électronique. Si besoin, des séances extraordinaires seront également convoquées.

2. Information et promotion

- *Comment les Principes directeurs ont-ils été rendus accessibles ?*

Les Principes directeurs ont été publiés par le Gouvernement fédéral dans les trois langues officielles. De son côté, le Secrétariat d'État à l'économie les a publiés, également dans les trois langues officielles, sur son site internet. Un site spécialisé offrant de plus amples informations sur les Principes directeurs est en voie de réalisation.

- *Comment la coopération avec les milieux d'affaires, les syndicats, les ONG et les autres publics concernés pour promouvoir les Principes directeurs a-t-elle été organisée ?*

En 2006-07, les contacts entre le PCN et les organisations intéressées se sont maintenus à un bon niveau. A côté du « Groupe de liaison », des rencontres et échanges ont eu lieu avec des associations économiques, des syndicats et des ONG. Des contacts ont été établis avec le réseau suisse du « Pacte Mondial » des Nations Unies, créé en 2006. En outre, les Principes directeurs ont de nouveau été présentés lors de plusieurs manifestations publiques et privées. Par exemple, un séminaire sur les Principes directeurs a été organisé avec des représentants d'entreprises du secteur financier. L'Outil de l'OCDE de sensibilisation au risque, destiné aux entreprises opérant dans les zones à déficit de gouvernance, a été distribué aux membres du « Groupe de liaison » et à d'autres organisations, ainsi qu'à des entreprises intéressées par le sujet.

- *D'autres activités d'information et de promotion ont-elles été organisées ?*

Les Principes directeurs et le rôle des PCN ont à nouveau été mis en exergue à l'occasion d'un certain nombre de discours prononcés par des ministres ou autres hauts représentants du Gouvernement suisse. Les missions économiques et autres visites de hauts représentants du gouvernement à l'étranger, principalement dans les pays en développement, donnent régulièrement l'occasion de promouvoir cet instrument. Les Principes directeurs ont été intégrés dans des cours de formation pour le personnel des représentations suisses à l'étranger. Par ailleurs, l'Union syndicale suisse, avec le soutien du gouvernement suisse, a poursuivi ses efforts de promotion des Principes directeurs dans des pays du sud-est de l'Europe. Ainsi, en avril 2007, sur la base d'une traduction des Principes directeurs en langue serbe, un séminaire de deux jours a été organisé à Belgrade, avec la participation d'une quarantaine de représentants des partenaires sociaux, d'entreprises multinationales et des autorités.

- *Des demandes d'information ont-elles été reçues de la part a) d'autres PCN ; b) des milieux d'affaires, des organisations syndicales, d'autres organisations non gouvernementales, du public ; c) de gouvernements de pays n'ayant pas adhéré aux Principes directeurs ?*

En 2006-07, le PCN suisse a participé à plusieurs échanges de demandes et d'informations avec d'autres PCN, que ce soit dans le cadre de consultations concernant l'ensemble des PCN ou qu'il s'agisse de points particuliers, de nature bilatérale. En outre, des requêtes émanant des milieux d'affaires, organisations syndicales et autres organisations non gouvernementales, de la presse, des milieux universitaires et étudiants, ainsi que du public parviennent assez régulièrement au PCN suisse. Notre PCN continue aussi à contribuer à des prises de position et réponses du Gouvernement suisse dans lesquelles les Principes directeurs de l'OCDE interviennent à côté d'autres aspects, par exemple dans le contexte

d'initiatives parlementaires ou dans celui des travaux du Représentant spécial du Secrétaire général des Nations unies sur les droits de l'homme et les entreprises.

Aucune demande d'information de gouvernements de pays n'ayant pas adhéré aux Principes directeurs n'a été adressée au PCN suisse en 2006-2007.

C. Mise en œuvre dans des circonstances spécifiques

A plusieurs occasions en 2006-07, le PCN suisse est intervenu à des stades préalables à des circonstances spécifiques, en fournissant des informations et des explications. A deux reprises, le PCN a reçu des représentants de syndicats ou d'ONG étrangers afin d'être informé de griefs concrets et d'exposer le fonctionnement et les moyens d'action du PCN. Aucun de ces cas n'a jusqu'ici donné lieu à une demande de traitement en tant que circonstance spécifique. Dans deux cas relatifs au comportement d'une entreprise suisse dans un autre État partie aux Principes directeurs – affaires soumises au PCN locaux –, un échange d'information a eu lieu entre PCN.

D. Divers

- *Comment les critères d'action des PCN prévus par les Principes directeurs pour renforcer leur efficacité (visibilité, accessibilité, transparence, légitimité) ont-ils été appliqués dans le cas de votre pays ? Veuillez fournir des exemples pour illustrer ces différents points.*

Le PCN a poursuivi son travail en faveur des Principes directeurs, essentiellement à deux niveaux. Tout d'abord dans le cadre de l'action de l'État, en promouvant l'instrument de façon systématique, par exemple auprès des clients de l'Agence de crédits à l'exportation, dans le cadre des mesures de lutte contre la corruption ou dans le contexte de projets de la coopération économique au développement qui impliquent des entreprises. Deuxièmement, le PCN adopte une approche aussi positive et constructive que possible dans tous les cas de requête d'informations, de présentations et de circonstances spécifiques.

- *Souhaitez-vous fournir d'autres informations sur la nature et les résultats de l'activité du PCN, y compris des expériences utiles éventuelles et/ou des difficultés rencontrées en faisant le travail du PCN ?*

Le PCN suisse s'emploie à aussi promouvoir les Principes directeurs dans des situations concrètes ne faisant pas l'objet d'une demande de traitement en tant que circonstance spécifique ou échappant, pour l'une ou l'autre raison, au strict mandat du PCN.

Illustration d'un tel engagement de notre PCN, le souci qu'il met à rappeler l'importance de la mise en œuvre des Principes directeurs à des entreprises suisses dont l'attitude à l'étranger, selon les informations obtenues (par ex. d'une représentation diplomatique), pourrait être en désaccord avec cet instrument. En 2006-07, des interventions dans ce sens (« *proactive approach* ») de notre PCN se sont à nouveau soldées par des efforts accrus des entreprises approchées.

TURKEY / TURQUIE

A. Institutional Arrangements

- The contact details for the Turkish NCP are as follows:

Deputy Director General	Tel:	90-312-2046619
Undersecretariat of Treasury	Fax:	90-312-2125879
General Directorate of Foreign Investment	Email:	zergul.ozbilgic@hazine.gov.tr
Inönü Bulvarı		ozlem.nudrali@hazine.gov.tr
06510 Emek-Ankara	Web:	www.hazine.gov.tr

B. Information and Promotion

- The Guidelines had been translated to Turkish in 2001 and the text had been distributed and published on the internet. In 2005 both the Guidelines and a manual prepared by the NCP have been reprinted. Also the guidelines and the relevant documents, currently accessible through the treasury website, are promoted via the investment portal of Turkey.
- In the year 2004 the NCP of Turkey asked for the help of the business organisations- that are members to BIAC- , a trade union- member to TUAC- and an NGO aiming at promoting ethical values in the Turkish business life in order to ensure better promotion of the Guidelines. All the parties accepted to give their full support and since then the NCP has got direct contact with all, providing documents or participating at activities upon request.
- During the 1 year period between June 2006-May 2007 the NCP organised a seminar for the newly recruited assistant experts of the Undersecretariat of Treasury.
- Participants of the “Energy Law and Competition Law” certificate programmes have been informed of the Guidelines. Thus an info session on the Guidelines have been introduced to the curricula of these programmes
- No update is necessary for the Annex 3.
- An enquiry has been received from the Dutch NCP.

C. Implementation in specific instances

A Specific instance was received in December 2006. The instance was raised by a trade Union under Chapter IV- Employment Relations. The specific instance involves business activities in Turkey in the manufacturing (textiles) sector.

Rejected since there’s an ongoing legal proceeding.

D. Other

The NCP tries to guarantee the core criteria through facilitating the access of the public to all relevant documents.

UNITED KINGDOM / ROYAUME-UNI

A. Institutional Arrangements

The UK NCP is based in the Trade Operations Branch of the Department of Trade and Industry (DTI). The full contact details are:

UK National Contact Point
Department of Trade & Industry
Trade Operations Branch
Europe and World Trade Directorate
Bay 4133
1 Victoria Street
London SW1H 0ET

T: 020 7215 5756

F: 020 7215 2234

E: uk.ncp@dti.gsi.gov.uk

Website: <http://www.dti.gov.uk/ewt/ukncp.htm>

The NCP participates in the Government-wide Inter-Departmental Group on Corporate Social Responsibility. Through these contacts the NCP ensures that the Guidelines feature prominently in wider UK policy on corporate social responsibility. In addition, the Minister for Trade has undertaken to meet on a quarterly basis the APPG Great Lakes Joint Working Group on the Great Lakes and Genocide Prevention. It is expected that these meetings will cover broader CSR issues in addition to the Guidelines.

A newly established Steering Board oversees the work of the NCP. The Board includes External members drawn from outside Government, selected for their experience in business, employee relations and issues of concern to NGO's. Other Government Departments and agencies with an interest in the OECD Guidelines are also represented (Attorney General's Office, Department for Environment, Food and Rural Affairs, Department for Constitutional Affairs, Department for International Development, Department for Work and Pensions, Exports Credit Guarantee Department, Foreign Office, UK Trade and Investment and the Scottish Executive). The Board met for the first time on 22 May 2007.

The NCP promotes other corporate social responsibility initiatives such as the Global Compact, EITI and the OECD Risk Awareness Tool for MNEs when promoting the Guidelines.

B. Information and Promotion

- *How have the Guidelines been made available in your country (translation, creation of a webpage or website, etc.)?*

The Guidelines are readily accessible on the UK NCP webpages on the main DTI website which has direct links to the full text on the OECD site. The NCP also sends out copies of the text of the Guidelines and Commentaries (either electronically or hard copy) to enquirers on request. A hard copy of the Guidelines and Commentaries is included with the booklets that we distribute. The texts have also been deposited in the UK Parliamentary libraries.

The NCP is currently updating the booklets and website to reflect the new NCP arrangements in the UK.

- *How is co-operation with the business community, trade unions, NGOs and the interested public carried out, with respect to information on, and promotion of, the Guidelines (consultations, distribution of the Guidelines etc)?*

The NCP continues to work with the CBI, TUC and NGOs to publicise the existence of the Guidelines and the role of the NCP. They continue to disseminate information to their members. The TUC are promoting the Guidelines in various fora inside and outside the trade union world, and as a result we are seeing an increase in the number of specific instances brought by international trade unions. The TUC website retains information about the Guidelines.

The CBI support the Guidelines as an International Code of Conduct and provides a link to the relevant section of the OECD website. The CBI promotes the website among other CSR initiatives in regional events.

At the end of May 2007, the Secretary of State for International Development and the Minister for Trade Investment and Foreign Affairs wrote jointly to key stakeholders including business, trade unions and NGOs promoting the OECD Guidelines.

- *Have other information and promotion activities been held or planned (seminars and/or conferences on the Guidelines in general or on specific subjects, informative publications, co-operation with investment promotion agencies, departments of education, business schools, etc.)?*

The NCP has also had a dialogue with individual companies seeking input into their CSR strategies – this is something on which we are keen to build. Presentations have been given on the Guidelines, or including reference to the Guidelines for the following organisations or events:

- International Chambers of Commerce Bribery and Corruption Committee
- Business Breakfast for the UK Embassy, Oslo
- Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development, Geneva
- Ethical Corporation Business – NGO – Government Partnerships Conference, London
- The FCO promotes the Guidelines alongside other CSR initiatives during its outreach sessions in the UK regions

UK Embassies and Department for International Development staff have been provided with an introduction to the OECD Guidelines, a power point presentation and a speaking note to allow staff to raise awareness amongst enterprises operating within their areas of responsibility.

In addition the NCP Steering Board is considering recommendations as to how the NCP should continue to promote the Guidelines.

UK NCP has kept its webpages updated. They are also used to seek views from interested parties on the Guidelines and NCP. The NCP has also received many e-mails to its dedicated e-mail account. The NCP has committed to establish an e-mail notification list for website updates.

The UK NCP has continued to distribute its explanatory booklet aimed at providing an introduction to the Guidelines and the role of the NCP in promoting and implementing them. In addition the booklet is available electronically on the UK NCP web pages. The booklet is currently being updated.

Other promotional measures include:

- to help raise awareness among inward investors to the UK, a hyper-link with the U.K. Trade and Investment (the UK government’s investment promotion agency) website together with a one-page summary of the guidelines and their relevance to inward investors;
 - to help reach companies seeking overseas investment insurance from the UK government, a hyper-link with the Export Credit Guarantees Department website;
 - Guidelines are taken into account in the Export Credits Guarantee Department’s (“ECGD”) Case Impact Analysis Process that informs ECGD’s assessment of the acceptability of an application for its support for a particular transaction
 - to raise awareness amongst UK overseas investors, information and a hyper-link from the UK Trade Partners UK website;
 - The NCP has declared its willingness, on the UK NCP webpages and in the booklet, to discuss any aspects of the Guidelines or NCP’s role, particularly in respect of promoting them.
- *Have enquiries been received from (a) other NCPs; (b) the business community, employee organisations, other non-governmental organisations, or the public; or (c) governments of non-adhering countries?*

The UK NCP has contact when necessary with other NCPs through meetings at the OECD, supplemented by informal contacts.

The UK NCP has received a number of enquiries, the majority of which have been from the business community (particularly investment funds), but the NCP has also received enquiries from NGOs, academics and members of the public and corporate lawyers.

The UK NCP has received no official enquiries from the governments of non-adhering countries

- *Has the OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones been disseminated?*

The NCP promotes the Risk Awareness Tool alongside the OECD Guidelines when appropriate. For example, the Awareness tool has been outlined in bilateral contacts with a number of companies and is mentioned in a statement concluding a Specific Instance.

C. Implementation in specific instances

- *Have procedures been put in place to deal with specific instances?*

Outline procedures have been put in place and publicised in the booklet and in the UK NCP web pages. The UK NCP has a process flowchart which gives broad guidance and timescales and the expected progress of any case. The purpose of this flowchart is to preserve confidentiality but increase transparency of the process. It was always intended that this would be amended as best practice was established.

The Steering Board is to consider a timetable for completing individual specific instances.

- *Have specific instances been brought to the attention of your National Contact Point? By whom (business, labour, NGO, other NCPs, others)?*

Yes. Our current specific instances were brought to our attention by trade unions and NGOs. The NCP is dealing with one remaining case arising from the UN Expert Panel's report but this case is now near completion.

- *If applicable, how did your National Contact Point assist in solving these specific instances? What was the outcome?*

In Specific Instances concluded since the last annual return and those which are still ongoing, the NCP has been able to use its good offices to facilitate exchange of information between parties involved. This has resulted in increased mutual understanding.

Full details of completed specific instances can be found in the NCP statements, available from www.dti.gov.uk/ewt/avient.doc.

- *Have any specific instances arisen in non-adhering economies? What procedures were followed by the NCP? What was the outcome?*

Yes. We are following the U.K. Guidelines implementation procedures.

D. Other

- *How have the core criteria for the operation of NCPs (visibility, accessibility, transparency, and accountability) been applied in your country to further the effectiveness of guidelines implementation? Please provide examples that illustrate this.*

Visibility: The NCP has proactively promoted the Guidelines and its role through, for example, presentations to interested parties, the distribution of booklets, through webpages, and inclusion in publications of other government departments. The NCP has attempted to mainstream the Guidelines into other related areas of UK CSR policy, notably with ECGD.

A new leaflet explaining the OECD guidelines and how to make a complaint to the NCP has been printed. This has been distributed widely to business, NGOs and Trade Unions as well as to UK Embassies overseas.

Accessibility: The UK NCP has widely advertised its telephone, fax and e-mail details, for example in the UK NCP booklet. The UK NCP has its own e-mail account

(uk.ncp@dti.gsi.gov.uk) so that it can be accessed by those working in the NCP rather than just one individual. Our average response time is less than two working days.

Transparency: The UK NCP has provided details of its activities on its webpages, to other NCPs at OECD meetings in Paris, and in discussions with business, trade unions, NGOs and other interested parties.

Accountability: The UK NCP has kept UK Ministers and the UK Parliament informed of its activities, for example by answering Parliamentary Questions and providing copies of the UK NCP Annual Reports to Parliament and posting them on the UK NCP webpages. When the NCP issues final statements with regard to Specific Instances these are approved by Ministers and are subsequently deposited with Parliament. The NCP has always taken the opportunity to update fellow NCPs on its activities at relevant OECD meetings.

- *Do you wish to provide any other information on the nature and results of NCP activities, including on any useful experiences and/or difficulties encountered in carrying out the duties of the NCP?*

UK experience is that a number of Specific Instances relate to the activities of business in more than one country. It would therefore be helpful if NCPs took steps to improve liaison between themselves. This is particularly important at periods between meetings at the OECD.

UNITED STATES / ETATS-UNIS**I. Institutional Arrangements**

The United States of America National Contact Point (U.S. NCP) is located in the Bureau of Economic and Business Affairs' Office of Investment Affairs at the Department of State. The U.S. NCP regularly consults with officers of the Departments of Commerce, Treasury, and Labor, the Office of the United States Trade Representative, and the Environmental Protection Agency through an active interagency working group. The Director of the Office of Investment Affairs convenes meetings of the interagency committee to discuss Guidelines issues as needed. The State Department's Advisory Committee on International Economic Policy provides a vehicle for advice by business, labor, and civil society organizations. These organizations, international financial institutions, and other international organizations are consulted on an ad-hoc basis.

The contact information for the U.S. NCP is:

Mr. Wesley S. Scholz
Director
Office of Investment Affairs
Bureau of Economic and Business Affairs
Department of State
2201 C St NW
Washington, DC 20520
U.S.A.
Telephone: 202 736-4274
Fax: 202 647-0320
E-mail: usncp@state.gov

II. Information and Promotion

The OECD Guidelines for Multinational Enterprises are available via the Department of State's internet web page for the Office of Investment Affairs: (http://www.state.gov/www/issues/economic/ifd_oia.html). The U.S. NCP website contains information on the Guidelines, key documents, and appropriate links (<http://www.state.gov/e/eb/oeed/>). An NCP booklet is available on the U.S. NCP website. The booklet outlines the Guidelines and the role and procedures of the NCP, and is presented in a brief and easily readable format.

The Advisory Committee on International Economic Policy is the formal advisory body through which issues relating to the OECD Guidelines and the NCP are addressed with the private sector. However, officials from the relevant government agencies maintain informal contacts with representatives of business and labor groups and non-governmental organizations interested in the Guidelines.

In addition to the stakeholders referenced above, the U.S. NCP and representatives of interested agencies maintain contact with other persons and organizations interested in corporate social responsibility, including research institutes, universities, private firms, the international financial institutions, students,

and others who have contacted the U.S. NCP for more information about the Guidelines. Most of these inquiries are received by telephone or E-mail.

The Under Secretary of State for Economic, Business, and Agricultural Affairs and the Assistant Secretary for Economic and Business Affairs have addressed the OECD Guidelines in remarks for business, labor, and financial audiences, other U.S. Government agencies, foreign diplomats, academics, and other interested civil society organizations. Assistant Secretary of State for Economic and Business Affairs has consulted with the United States Council on International Business, representatives of major companies, and other civil society groups when there are opportunities to discuss issues related to the Guidelines. The Department of State's Bureau of Democracy, Human Rights and Labor (DRL) also promotes the OECD Guidelines when it addresses topics related to human rights, labor, and corporate responsibility.

The U.S. NCP provides information about the OECD Guidelines to the Economic and Commercial Training Division of the National Foreign Affairs Training Center, where Foreign Service diplomatic, economic, and commercial officers receive advanced economic training for overseas assignments. The Department of Commerce includes the OECD Guidelines in its training of Foreign Commercial Service officers. The NCP collaborates with the Export-Import Bank of the United States on the provision of information on the Guidelines to applicants for the Bank's financing programs in support of U.S. business activities abroad.

During the June 2006-June 2007 Annual Report period, the U.S. NCP received a number of public inquiries about the OECD Guidelines. Inquiries were received from non-governmental organizations (NGOs), legal associations, academic institutions, and individuals. The State Department's Bureau of Democracy, Human Rights, and Labor referenced the OECD Guidelines in its 2004 Human Rights Report and also referred to the Guidelines in its contact with a number of U.S. firms and associations in relation to its work on codes of conduct.

- An April 2007 speech by the Department of State Office of Commercial and Business Affairs' Senior Adviser for Business Outreach and entitled "The State Department and Corporate Citizenship", delivered at the Maxwell School of Syracuse University by the Department of State's Senior Coordinator in the Office of Economic Policy and Public Diplomacy, extensively referenced the Guidelines.
- The Guidelines were referenced during Department of State Office of Commercial and Business Affairs' Senior Adviser for Business Outreach's (who) participation at the Business Civic Leadership Center Global Corporate Citizenship Program, April 2007.
- The Guidelines were discussed in a March 2007 meeting between representatives from the U.S. NCP's office and Canada's Department of Foreign Affairs and Natural Resources Canada.
- The Guidelines were outlined during a February 2007 meeting between representatives from the U.S. NCP's office and the Business Ethics Project for Albania.
- The Guidelines were included in an address a speech given by the Department of State Office of Commercial and Business Affairs' Senior Adviser for Business Outreach at the Rapaport International Diamond Conference, February 2007.

Greater public attention to globalization and corporate responsibility has created new opportunities for the promotion of the OECD Guidelines. The U.S. NCP references the OECD Guidelines in its daily work on issues of corporate social responsibility and good governance. This is an ongoing process in economic and commercial advocacy efforts, in bilateral relations, and in our discussions with civil society groups, international financial institutions, and multilateral bodies, including the United Nations Security Council, the United Nations Conference on Trade and Development, and the G-8.

III. Implementation in specific instances

In terms of routine procedures, the U.S. NCP responds to questions about specific instances of activity in relation to the Guidelines. If an initial assessment justifies further involvement of the U.S. NCP, the NCP follows up with the interested parties, offering them the opportunity to express their views and to take advantage of the NCP's good offices. The NCP keeps each side informed of its contacts with the other, and, generally, shares documents provided by one party with the other party.

During the June 2006-2007 period, labor and (non-governmental organizations?) raised three specific instances with respect to which they have requested U.S. NCP involvement. Each of these raised issues related to Chapter IV of the Guidelines on Employment and Industrial Relations. When added to the three other specific instances before the NCP from 2005-2006, there were a total of six specific instances before the U.S. NCP during 2006-2007. Most of the instances raised with the U.S. NCP involved questions with respect to Chapter IV. They also involved the question of parallel proceedings in other fora, in particular the U.S. National Labor Relations Board, which administers the process under U.S. law for resolving labor disputes.

Late in the 2006-2007 reporting period the U.S. NCP issued a final statement on a long standing specific instance, which effectively concludes involvement in the issue. The specific instance dates from early 2003 and involved issues relating to Chapter IV on Employment and Industrial Relations. The final report details the U.S NCP and is appended hereto.

In early 2006 the U.S. NCP received a request from a concerned party regarding Chapter IV on Employment and Industrial relations with respect to the activities of a wholly U.S.-based company that is a supplier to a multinational firm. The U.S. NCP has monitored the situation during its initial assessment, and corresponded with the NCP of the multinational firm's home country regarding the status of the specific instance. Before completing the initial assessment the NCP received notice from the party raising the specific instance that the dispute was resolved through the U.S. labor law process. The party advised that, because of this development, the U.S. NCP's involvement was no longer necessary.

In another specific instance dating from the 2005-2006 reporting period, the U.S. NCP determined that the activities in question occurred entirely within the territory of another National Contact Point, and that NCP has agreed to take the lead on the specific instance, with the U.S. NCP cooperating as necessary. The U.S. NCP continues to monitor the issue through periodic updates from the party that raised the specific instance.

With respect to new specific instances, the U.S. NCP received notice of three new specific instances in the 2006-2007 reporting period. These specific instances related to Chapter IV Employment and Industrial Relations. In two of these cases, the U.S. NCP has not yet completed its initial assessment of whether or not it is appropriate for the U.S. NCP to become further involved. In one of these specific instances the parties in question have informed the US NCP that the issue was resolved under U.S. labor law. .

In addition to the information above, there is one additional instance from 2003 that the U.S. NCP continued to monitor during the 2006-2007 reporting period.

The instance that remains open involves issues raised by NGOs relating to Chapters I (Concepts and Principles), II (General Policies) and V (Environment) of the Guidelines regarding the activities of an international consortium. This instance was also raised with the NCP of the home country of the managing partner of the consortium and the NCP of one of the countries within which the activities of the consortium takes place. By agreement among the three NCPs, the NCP of the home country of the managing partner took the lead. Throughout the process the U.S. NCP received periodic updates which informed on the progress being made. Early in the 2006-2007 period the U.S. NCP was informed by one of the parties to the specific instance that the NCP taking the lead in the specific instance would soon be issuing a final report. The U.S. NCP made multiple requests to be updated on the views of the NCP in charge of the matter with respect to the specific instance. However, the U.S. NCP was not initially able to obtain a response. Upon final receipt of a response, the U.S. NCP was told that the lead NCP would not share its draft report in advance. The U.S. NCP has recently learned that the lead NCP's report is due to be released in the near future.

EUROPEAN COMMISSION / COMMISSION EUROPEENNE

A. Institutional Arrangements

The European Commission is not formally a “National Contact Point” (NCP). However, it is committed to the success of the OECD Guidelines for Multinational Enterprises and the process initiated by the 2000 review. The promotion and use of the OECD Guidelines is part of Community policies on CSR and on trade.

It is DG Trade Unit B1, responsible for investment issues and overall coordination of corporate social responsibility for DG Trade, that follows the work of the OECD Investment Committee. The delegate to the Investment Committee is Mr Wolfgang Iglér. Mrs Adeline Hinderer follows specifically aspects related to the OECD Guidelines for Multinational Enterprises.

Unit B1 ensures the coordination and information of all other relevant Commission Directorate Generals (DGs) on issues related to the OECD Guidelines for Multinational Enterprises (mainly DGs Enterprise, Employment and Social affairs, Development, External Relations, Health and Consumer Safety and Environment), including relevant OECD papers and initiatives. Some aspects are discussed within the interservice group on corporate social responsibility involving various relevant DGs.

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B. Information and Promotion

a) Availability of the Guidelines

How have the Guidelines been made available in your country (translation, creation of a webpage or website, etc.)?

Links to the OECD webpages on the OECD Guidelines exists on the Directorate General for Trade website, both under investment and corporate social responsibility.

b) Cooperation with relevant actors

- *How is co-operation with the business community, trade unions, NGOs and the interested public carried out, with respect to information on, and promotion of, the Guidelines (consultations, distribution of the Guidelines, etc.)?*

DG Trade has a regular dialogue with civil society on the policy areas it deals with. Non-governmental organisations, trade unions, enterprises and business federations attend these meetings. Member States' representatives can also attend.⁴ Contacts with relevant stakeholders have also taken place on an informal basis at various levels.

In 2006-2007, the Commission participated alongside NCPs in various seminars related to the OECD Guidelines. It joined the event organised by the Netherlands on "CSR in production and international trade" on 26 September in Rotterdam, with a view to contribute to the OECD Trade Committee paper on this issue.

The Commission also intervened in two regional roundtables organised by OECD Watch to exchange and promote best practices among European NCPs, in Madrid (26 March 2007) and Helsinki (27 April 2007). This project also benefits from European Commission's financial support (as part of DG Employment's support to civil society activity on CSR,) although the events and outcomes are under the responsibility of OECD Watch.

The OECD Guidelines and their dissemination and implementation, including through NCPs, are also an important topic in the March 2007 European Parliament opinion on corporate social responsibility. In May 2007, the Commission provided an answer to the European Parliament on its requests and the actions it has taken or intends to take.

The European Commission has also worked with other G8 partners on references to the OECD Guidelines in the upcoming G8 statement, notably on investment.

Finally, the European Commission has discussed with Member States the development of ISO's guidance standard on social responsibility (ISO 26000), notably the articulation with existing international instruments on CSR.

c) Publicising the Guidelines

- *Have other information and promotion activities been held or planned (seminars and/or conferences on the Guidelines in general or on specific subjects, informative publications, co-operation with investment promotion agencies, departments of education, business schools, etc.)?*

The Commission adopts a coherent and broad approach to CSR issues and has drawn attention to the role of the OECD Guidelines in several Communications on related topics, such as CSR, decent work, the social dimension of globalisation, conflict prevention, and sustainable development.⁵

⁴ More information is available on <http://trade.ec.europa.eu/civilsoc/index.cfm>

⁵ 'Implementing the partnership for growth and jobs : making Europe a pole of excellence on corporate social responsibility' (COM/2006/0136). Text available on http://eurlex.europa.eu/LexUriServ/site/en/com/2006/com2006_0136en01.pdf

'Promoting decent work for all: The EU contribution to the implementation of the decent work agenda in the world' (COM(2006)249). Text available on http://ec.europa.eu/employment_social/news/2006/may/com_2006_249_en.pdf

"The Social Dimension of Globalisation - the EU's policy contribution on extending the benefits to all", http://trade-info.cec.eu.int/doclib/cfm/doclib_section.cfm?sec=169&lev=2&order=date

Since the World Commission's Report on The Social Dimension of Globalisation, the Commission has stated its readiness to strengthen the social dimension of its trade policy and to ensure cooperation in relevant areas with the ILO. Its policy, outlined in a 2006 communication⁶ and presented at the Decent Work conference in Brussels on 5 December 2006, includes the promotion of core labour and decent work standards including by using internationally agreed instruments such as the OECD Guidelines for Multinational Enterprises.

DG Trade, through its contacts with other Directorate Generals within the European Commission, also undertakes to raise awareness internally on the OECD Guidelines and their implementation mechanism. In particular, information on the project 'OECD Risk awareness tool for investors in weak governance zones' was shared with representatives of other Directorates within the Commission. Reflections on the dissemination and use of the tool are still ongoing.

Exchanges of information on CSR projects and initiatives also take place within the High Level Group of CSR Representatives. At the meeting of the High Level Group on 7 May, DG Trade presented an update on latest developments on CSR at international level, including with regards to the OECD Guidelines.

The European Commission also attended the Public Hearing on Corporate Social Responsibility organised by the European Parliament Human Rights Subcommittee in January 2007, and made a reference to the OECD Guidelines in its intervention.

In general, Commission officials are also promoting the OECD Guidelines when speaking in events and seminars on international investment and corporate social responsibility issues or in informal contacts, including contacts undertaken by the European Commission delegations.

The international dimension of CSR has attracted considerable attention over the past months. The European Commission, following up upon recommendations by the European Parliament in its March 2007 opinion on CSR, foresees a conference on this issue on 7 December 2007. One of the sessions is likely to focus on international CSR instruments, including the OECD Guidelines for Multinational Enterprises.

d) Answering enquiries

- *Have enquiries been received from (a) other NCPs; (b) the business community, employee organisations, other non-governmental organisations, or the public; or (c) governments of non-adhering countries?*

"Corporate Social Responsibility: a business contribution to Sustainable Development" COM(2002) 347 final, http://ec.europa.eu/employment_social/soc-dial/csr/

"Conflict prevention", COM (2001) 211 final, 11 April 2001
http://europa.eu.int/comm/external_relations/cpcm/cp.htm

"The European Union role in promoting human rights and democratisation in third countries", COM (2001) 252 final, 8 May 2001; http://ec.europa.eu/external_relations/human_rights/intro/index.htm

"A sustainable Europe for a better world : a European Union strategy for sustainable development", COM (2001) 264 final, 15 May 2001; http://europa.eu.int/eur-lex/en/com/cnc/2001/com2001_0264en01.pdf

⁶ 'Promoting decent work for all: The EU contribution to the implementation of the decent work agenda in the world' (COM(2006)249).

Over the reporting period, the European Commission has received questions related to the OECD Guidelines from academics, students, international organisations as well as chambers of commerce.

e) Relations with Third Countries

Formal and informal dialogues with third countries enable the EU to raise sustainable development and corporate social responsibility issues, including raising awareness on the OECD Guidelines. After the Association Agreement between the EU and Chile (2002), including a reference to the Guidelines⁷, the inclusion of sustainable development/CSR issues is sought in future EU bilateral trade agreements.

The Commission is very supportive of the OECD objective to establish a dialogue with Chinese authorities on CSR/the OECD Guidelines. The Commission should be in a position to support financially the OECD project in this field (relevant procedures are in the process of being completed).

C. Implementation in specific instances

The European Commission is not a NCP and does not handle individual cases. The Commission welcomes new exchanges on specific instances as a regular agenda item of the Committee or Working Party. The Commission hopes this will help reinforce the Guidelines implementation mechanism thanks to exchanges and review among peers.

D. Other

All additional information has been included above.

⁷ A “Joint Declaration” indicates that: “The Community and its Member States and Chile jointly remind their multinational enterprises of their recommendation to observe the OECD Guidelines for Multinational Enterprises, wherever they operate.”