

**DIRECTORATE FOR FINANCIAL AND ENTERPRISE AFFAIRS  
INVESTMENT COMMITTEE**

**Working Party on Responsible Business Conduct**

**ITALY**

**NATIONAL CONTACT POINT FOR THE MNE GUIDELINES**

**2016 REPORT TO THE OECD**

*The complete document is available in pdf format only*

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DAF/INV/RBC/RD(2016)20

**OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES**

**ITALIAN NCP**

**REPORT TO THE OECD**

**2015**

## **COMMON FRAMEWORK FOR ANNUAL REPORTING BY NATIONAL CONTACT POINTS TO THE OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES**

**June 2014-December 2015<sup>1</sup>**

The role of National Contact Points is to further the effectiveness of the OECD Guidelines for Multinational Enterprises (the Guidelines) by undertaking promotional activities, handling enquiries and contributing to the resolution of issues that arise from the alleged non-observance of the Guidelines in specific instances by individual companies. NCPs will operate in accordance with core criteria of visibility, accessibility, transparency and accountability to further the objective of functional equivalence.

National Contact Points must regularly report to the OECD Investment Committee on the nature and results of their activities to further the effectiveness of the Guidelines including implementation activities in specific instances.

This Common Reporting Framework, based on the Implementation Procedures of the Guidelines, assists NCPs in the preparation of these reports. The information provided by NCPs is the basis for the Annual Report to the OECD Council on the Guidelines for Multinational Enterprises. It is also used to produce Annual reports of individual NCPs (NCP Annual reports).

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<sup>1</sup> Until 2014, the reporting period for NCPs covered activities undertaken from June to June. From 2015 the reporting period will cover the period from January to December of each year. For practical reasons, the 2015 reporting period will also cover activities between June and December 2014.

## **COMMON REPORTING FRAMEWORK**

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## A. NCP contact information

- Contact name (s): Dr.ssa Maria Benedetta Francesconi (Responsible of the NCP Secretariat)
- Address:  
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Direzione Generale per la Politica Industriale, la Competitività e le PMI,  
Divisione VI - Politiche internazionali, promozione della responsabilità sociale d'impresa e del movimento cooperativo  
Via Molise, 2  
00187 Roma
- Website or webpage: [www.pcnitalia.mise.gov.it](http://www.pcnitalia.mise.gov.it)
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## B. Institutional arrangements

*Adhering governments have flexibility in organising their NCPs as long as the institutional arrangements meet the objective of functional equivalence and help further the effectiveness of the Guidelines. NCPs have to seek the active support of social partners, including the business community, worker organisations, NGOs and other interested parties as relevant.*

1. In which governmental agency (ministry) is the NCP located?  
Ministry of the Economic Development (MED) – Directorate General for Industrial Policy, Competitiveness and Small and Medium Enterprises
2. In the case of independent NCPs, how has the NCPs been set up?
3. Does the NCP include representatives from:
  - Government agencies: Yes/No. If yes, please specify Yes
    - Ministry of Agriculture, Food and Forestry Policies
    - Ministry of Economic Development (Directorate General for Foreign Trade Policies and Directorate General for Internationalisation and Exchange Promotion Policies)
    - Ministry of Environment, Land and Sea
    - Ministry of Economy and Finance
    - Ministry of Foreign Affairs and International Cooperation
    - Ministry of Health
    - Ministry of Justice

- Ministry of Labour and Social Policies
  - Non-governmental bodies. Yes/No. If yes, please specify which: Yes
    - business ✓
  - ABI (Italian Banking Association).
  - CNA (Italian Confederation of Small and Medium Industry);
  - CONFCOMMERCIO (Italian General Confederation of Enterprises, Professional Activities and Self-Employment);
  - CONFINDUSTRIA (Italian General Confederation of Industry)
    - trade unions ✓
  - CGIL (Italian General Confederation of Labour);
  - CISL (Italian Confederation of Workers' Trade Unions);
  - UIL (Italian Labour Union).
    - civil society ✓
  - AOI (Italian Association of Organisations of International Cooperation and Solidarity);
  - CNCU (National Council of Consumers and Users).
    - Other ✓
  - UNIONCAMERE (Italian Union of Chambers of Commerce);

**Note:** all these entities are represented in the Committee of the NCP which is an advisory body.

4. What are the main considerations that have determined the current structure of the NCP? (check all that apply).
- Increase the relevance of the Guidelines to the ministries/government bodies involved
  - Ensure the independence of the NCP vis-à-vis the government
  - Ensure accessibility of the NCP to stakeholders
  - Involve relevant stakeholders in the NCP

- Other

5. Does the NCP have an advisory body? Please indicate composition and functions.

Yes, the NCP's Committee. The Committee is the advisory body of the NCP. It is composed by representatives of enterprises, institutions and stakeholders.

The functions of the Committee, established via a Ministerial Decree are to: determine its programme of activity; propose to the NCP studies and surveys on the issues related to the activities of Italian Multinational enterprises; analyze and discuss the specific instances submitted to the NCP after due investigation by the NCP Secretariat; give its advice on the NCP's programme of activity.

Note: for the composition of the Committee, see question n.3.

The composition of the Advisory Committee has been modified by the Ministerial Decree of 4 June 2015 published in the Official Gazette n. 143 of 23 June 2015, in order to include one representative of AOI (Italian Association of NGOs) and representatives of the two major SMEs associations (CNA and Confcommercio).

6. Does the NCP have an oversight body? Please indicate composition and functions. No

7. Please provide any other information on how its structure enables the NCP to operate in accordance with the core criteria of visibility, accessibility, transparency and accountability.

The activity of the NPC is subject to the principles dictated by the Italian Constitution and by the laws to the Public Administration such as: legality, impartiality, effectiveness and efficiency, publicity and transparency.

In compliance with the rules and more in detail with reference to the criterion of visibility, the placement of the NCP within the Ministry of Economic Development - Directorate General Industrial Policies, Competitiveness and SMEs - and the appointment of the Director General of this Directorate as Chair of the NCP gives relevance and visibility to the Guidelines since they are included among the priorities national policies for sustainable growth and business competitiveness. Moreover the NCP establishes each year a promotional action plan involving different actors and stakeholders including first of all the members of the NCP Committee to its activities. The NCP's institutional website also helps to increase visibility together with the use of social media.

Accessibility is first of all ensured by complying with the laws regulating Public Administration's action. More precisely, the NCP website contains clear directions and a simple format to submit a complaint to the NCP. The complaint can be submitted also by e-mail. The NCP contacts are made public (including a phone number and the e-mail address) and it is possible to receive any requests of information. Beyond the NCP's site the institutional site of the Ministry of Economic Development contains a page with short information on the NCP and a link to its website.

NCP's activity is fully geared to transparency in handling specific instances within the limits of the laws on the respect of privacy. The relevant information on the specific instances are published on the website the procedures for handling specific instances and the results of the procedures are transparent (see chapter on specific instance).

As to the accountability criterion the NCP reports annually on its activity to the OECD Investment Committee and to its national NCP Committee. The activities of the NCP Secretariat are reported each three months and annually for internal monitoring activities at the Ministry. Activities are also briefly reported to the Parliament according to regulatory requirements.

8. How is the NCP funded? (check all that apply)

- government budget ✓ By Government annual budget fixed by law
- 
- other (please specify)

9. Does the NCP have dedicated staff? Yes/No. If yes:u

- How many full time staff members? 2
- How many part time staff members? 2
- No dedicated staff members

10. Are the financial and human resources provided to the NCP sufficient for the NCP to carry out its mandate? Yes/No

Yes. Of course with more resources the Guidelines could be more widely spread especially in foreign countries.

11. What challenges does the NCP face in fulfilling its mandate? (check all that apply)

- Lack of financial resources
- Lack of capacity
- Lack of support from the government
- Difficulties in engaging the business community, worker organisations, other non-governmental organisations, other interested parties.
- Other ✓

There are not specific challenges in the fulfillment of the mandate even though we would like to register a wider reference to the Guidelines by both enterprises and stakeholders (see below).

12. Please explain these challenges, and elaborate on additional elements that would be needed for the NCP to fulfil its mandate and functions.

The number of multinational operating from the Italian territory is small if compared to other OECD countries have economic indicators and a manufacturing base comparable to Italy. Furthermore the production structure is characterised by a majority of SMEs that struggle to understand and apply the Guidelines. Despite the numerous efforts of the NCP to simplify the message for SMEs further work at the OECD level is needed on this regard especially with reference to supply chain management issues.

On the other side, different CSR/RBC frameworks “compete” with Guidelines and seems to be more “appealing” for firms because. One reason could be that they companies applying those instruments have the impression of given a suitable response to the expectations of the society both in terms of avoiding negative impacts (for example making reference to the UNGPBHRs that are certainly at the center of the attention of civil society) or in terms of positive performances of firms (highlighted for example within the Global Compact networks). In addition, the fact that there is no possibility of formal adherence to the Guidelines do not give companies the possibility to give evidence to their action.

As for stakeholders’ attitude, the long-lasting and well-established tradition of industrial relations in Italy – a precious resource for our country - brings trade unions and enterprises and institutions to negotiate and dialogue in different fora, instead of making reference to the NCP specific instance mechanism. National NGOs, from their side, are more attentive to the contribution of companies to development cooperation than to RBC practices.

13. Does the NCP report to the government on its activities? Yes/No. If yes:

- Through regular meetings
- Through established reporting channels ✓
- In an ad hoc manner
- Other

14. Please specify to whom the NCP reports (ex. Parliament, governmental body, etc.)

The NCP’s activities are monitored by means of half-yearly reports within the Ministry, aimed at verifying the efficiency and efficacy of the action of the public administration. In the annual report to the Parliament the NCP’s activity is reported in brief.

15. Does the NCP coordinate with other domestic government bodies or representatives with regard to activities on responsible business conduct? Yes/No. If yes, please elaborate Yes

In addition to the cooperation established within its Committee, the NCP at national level:

- Takes par to the Inter-ministerial Committee on Business and Human Rights (ICBHR), leaded by the Ministry of Foreign Affairs and International Cooperation, which is in charge for preparing the Italian Action Plan on BHR.
- Is the co-leading and steering administration - with the Ministry of Labour and Social Affairs – in the elaboration and implementation of the National CSR Action Plan;

- Is part of the inter-institutional and inter-regional project for the creation and management of a national platform for CSR involving 16 Italian Regions and different Ministries and institutions;
- Is cooperating with the Ministry of the Environment, Land and Sea in the definition of environmental and social indicators for public procurement;
- Cooperates with the Ministry of the Economy and Finance (chef de file) and with the other institutional parties involved in the transposition of the EU Directive [2014/95/EU] on non-financial disclosure;
- is consulted by the Directorate on international trade on the activities related to the adoption of the EU Regulation proposal for minerals from conflict zones.
- is consulted within the Inter-ministerial Committee for administrative liability of legal persons in accordance with Legislative Decree No. 231 of 2001.

### C. Information and Promotion

16. Does the NCP have a dedicated website or dedicated webpages? If yes, please provide link.

Yes: <http://pcnitalia.mise.gov.it/it> (Italian version)

<http://pcnitalia.mise.gov.it/en> (English version)

17. Are the Guidelines available online? Yes/No Yes

Yes in Italian and English version

See: <http://pcnitalia.mise.gov.it/en/oeecd-s-guidelines/introduction>

18. Are the Guidelines available in print? Yes/No Yes in Italian and English version

19. Is the NCPs Annual Report available online or in print? Yes/No

Yes, online

See: <http://pcnitalia.mise.gov.it/en/ncp-s-activities/introduction>

20. Does the NCP have a promotional plan on the Guidelines? If yes, please provide details. Yes

Yes, the Italian NCP since many years has a wide promotional and proactive plan, agreed with its Committee and realized in cooperation with many actors.

In 2014, the NCP activities are reported in the Annual Italian NCP Report (DAF/INV/NCP/RD(2014)13). To those information it is to be added that in the second half of the year the focus of the NCP action was on the Bangladesh Action Plan (see also further on). In June the Italian NCP presented its "Report on Responsible Business Conduct in the Textile and Garment Supply Chain" (<http://pcnitalia.sviluppoeconomico.gov.it/en/news/item/301-report-on-responsible-business-conduct-in-the-textile-and-garment-supply-chain>) at the OECD 2014 Global Forum. On 16th June the Italian Minister for Economic development signed the 16th June Ministerial declaration

asking companies to contribute to Rana Plaza Donors Trust Fund. The NCP, thus, continued working with companies in order to make them advance in responsible supply chain management. Among others, a pilot project was realized in Tuscany - in the area of Prato province- where the NCP realized: three workshops to present its Report on RBC in Textile and Garment involving companies, institutions, trade unions and NGOs; a benchmark of practices and presentation of case studies with focus on the audit actions in the supply chain; a survey on a panel of SMEs on their supply chain positioning and RBC management practices.

For 2015 the Plan of Action of the NCP was organized around the following strategic priorities: (1) General promotion of the Guidelines among companies (2) Action Plan on Bangladesh; (3) National Action Plan on CSR and collaboration with the Inter-ministerial Committee for the Action Plan on Business and Human Rights; (4) Activities in relation to new European and national rules; (5) Participation in national and international initiatives and activities (see point 13). The themes on which action was focused were : human rights; supply chain due diligence, disclosure, sustainable procurement.

As for promotional activities in general they were carried out through organization and participation to workshops, seminars, fairs and with on line tools. During the Reporting period, in order to be close to enterprises at territorial level, a series of promotional initiatives were organized by the NCP in different Regions. For details see the event section.

The Action Plan on Bangladesh (adopted on Sept 29, 2013 following the Rana Plaza tragedy) consists of the activities of the NCP to promote responsible business conduct in the textile and garment supply chain through due diligence processes, multi-stakeholders' initiatives and international framework agreements (IFAs).

In 2015 the NCP continued its action. It financed an ILO multi-donors project for “The implementation of a national employment injury insurance scheme (EII scheme) for Bangladesh workers of the ready-made garment sector”, the funding was used to Preliminary feasibility study for the introduction of the scheme. The NCP took part to the Advisory group of the OECD project on textile and garment sector and was involved in the EU Flagship initiative in Garment. The NCP also participates to a project launched in June 2015 by UNICEF Italy, the “Business Lab”, aimed at leading Italian companies to support them in taking into account children rights in their operations and to implement a process of due diligence in the framework of the Children's Rights and Business Principles.

The NCP is the leading administration as representative of the MED, together with the Ministry of Labour and Social Affairs, for the Italian of the National Action Plan on CSR and it contributes to its implementation. One important specific project lead by the NCP in 2015 was the testing on around 3000 SMEs of a national platform on CSR indicators, destined mainly to help SMEs and Regional Administrations on dealing with CSR. The NCP is also delegate to the Inter-ministerial Committee for the Action Plan on Business and Human Rights, led by the Ministry of Foreign Affairs - to work on the elaboration of the NAP on BHRs.

As for new European and national rules and standards: the NCP cooperates with different administrations (see point 13). On 2015 particular attention was given to the EU directive on non financial disclosures (NFD). The NCP launched in 2015 a national working group and organized two

meetings the first one with state owned enterprises focused on Due diligence in the supply chain and non-financial reporting and the second one – anticipated by a mini survey on involved companies - with the business associations and major Italian companies in different fields on Communication of non-financial information – the Directive 2014/95/EU: opportunities and risks. An other activity involving the NCP in 2015 was in relation to the new Italian law on development cooperation (Law 11 August 2014 n. 125) where reference is made to CSR “qualification” for private entities; the NCP is promoting, through public events and several meeting, the adoption of the OECD Guidelines for this kind of qualification.

21. Has the NCP implemented the actions identified in the promotional plan? Why or why not? Yes
22. How does the NCP inform investors about the Guidelines and their implementation? Through (check all that apply):
- Embassies ✓
  - Export credits agency ✓
  - Overseas investment guarantee body
  - Investment promotion agencies ✓
  - Other (please specify)
23. Has the NCP done any studies to assess awareness of enterprises on the Guidelines and the NCP? If yes, through: No
- Survey(s)
  - Regular meetings
  - Other
24. What were the results of these studies/surveys?
25. Has the NCP organised any events to promote the Guidelines and their implementation procedure? Yes
- Title/subject of the event
  - Place, date
  - Organiser(s)
  - Number of participants and type of audience (e.g. government, business, worker organisations, NGOs, academia, or other parties)

- Highlights and key outcomes

### **Seminars at Regional level to promote the Guidelines and RBC**

Place and date:

- 4 seminars in Emilia Romagna: Modena 09/04/2015; Piacenza 11/05/2015; Ravenna; 29/05/2015; Bologna 16/07/2015;
- 3 seminars in Campania: Napoli 11/03 – 26/03/ 2015; e Salerno 20/02/2015;
- 2 seminars Toscana: San Miniato – PI 20/02/2015; Firenze 19/05/2015
- 1 seminar in Umbria: Perugia 6/05/2015;
- 1 seminar in Lombardia: Milano 13/05/2015;
- 1 seminar in Marche: Ancona 4/06/2015
- 1 seminar in Puglia: Bari 11/06/2015
- 4 Seminars in Friuli Venezia Giulia in the second half of 2016 (July, Oct, Dec)

Organiser(S): NCP with the support of a consultancy company and in collaboration with: the Chambers of Commerce of Caserta, Piacenza, Florence, Ancona, Bari; Unioncamere, National Association of Professional Services for Companies (Asseprim), Confindustria Ravenna, the Friuli Venezia Giulia Region.

Number of participants and type of audience : About 60/70 people per seminar – business, worker organizations, academia.

Highlights and key outcomes : the series of seminars offered information and training on the issues of RBC and the OECD Guidelines for companies and institutions and on national measures to promote CSR (such as regional incentives or “legatity rating” see *infra*).

### **Workshops in Prato (Tuscany) on sustainable supply chain management in the Fashion Industry – pilot project for the Implementation of the Action plan on Bangladesh.**

- Responsible Fashion: risk management and value creation, 11 June and 8 July, including a case study and a survey on participating companies.

Organiser(S): NCP with the support of a consultancy company and in collaboration with: the Chambers of Commerce of Prato and the Tuscany Region.

Number of participants and type of audience : About 40/50 people per seminar – business, worker organizations, institutions.

Highlights and key outcomes : The aim of the workshops was to increase implementation of due diligence practices and supply chain management.

### **Forum on CSR – Space for responsibility, Naples**

Organizer: Spazio alla Responsabilità. The NCP in cooperation with the organiser held several disseminations seminars in the Campania Region before the Forum and he took place an had an information point at the Fair

Place and Date: Naples, march-april 2015

Number of participants and type of audience: N.A.

Highlights and key outcomes: The participation of the NCP is aimed at disseminating the Guidelines in the South of Italy where companies seems to be less aware on international trends.

26. Did the NCP participate in any event organised by stakeholders or other entities to promote the Guidelines and their implementation procedures? Yes

- Title of the event
- Place, date
- Organiser(s)
- Number of participants and type of audience (e.g. government, business, worker organisations, NGOs, academia, or other parties)
- Highlights and key outcomes

**2014 and 2015 Forum on CSR of ABI (Association of Italian Banks)**

Organizer(s): ABI ((Association of the Italian Banks) and ABIEventi and Centre for International Policy Studies – Cespi.

In cooperation with: many subjects including the NCP.

Place and Date: Roma, Piazza del Gesù 49 – Palazzo Altieri 3-4/12/2014- 1-2/12/2015

Number of participants and type of audience: Around 200 participants: businesses, associations, financial companies, institutions and other stakeholders.

Highlights and key outcomes: The forum yearly assess the state of the art of CSR at national and international level, explores possible future developments and is a platform for the exchange of views on the current topics.

Intervention of the NCP during the two edition were on Non financial Disclosure with a general overview of the OECD o Guidelines. In the 2015 edition the Undersecretary of State for Economic development, in the opening, presented the Italian NCP activity.

**2014 and 2015 Fair of CSR and Social Innovation – Rome**

Place and date: Roma, viale Romania, 32 - LUISS Guido Carli University - 04/06/2014 and 06/05/2015

Organizer(s): ANIMA, Koinètica, LUISS Guido Carli University and NEXT; in collaboration with: ACLI, University of Rome Tor Vergata, Legambiente Lazio, Oxfam Italia, Unitelma Sapienza, Green Challenge, Angelicum, Agisa; Institutional Partners: Regione Lazio

Promoters: Ministry of Economic Development-NCP.

Number of participants and type of audience: around 200 people for each edition, University students, Academia, Government, Businesses.

Highlights and key outcomes: Intervention of the NCP in 2014 in the plenary session and in 2015 in the session dedicated to RBC in supply chains. The Fair includes a prize for students “Sustainability Oscar” for the best ideas on possible projects, financed by Lazio Region.

**2015 Fair on CSR and Social Innovation – Milan. Session on "Enterprise and Diversity: the future with the European Directive 95/2014?" Within the 2015 Fair of CSR and Social Innovation**

Organizer: Bocconi University, Koinètica, Sodalitas, CSR Manager network, Alleanza Cooperative italiane, Unioncamere.

Place and date: Milan . 7/10/2015

Number of participants and type of audience: business, public institutions, students

Highlights and key outcomes: debate on possible scenarios of implementation of the EU Directive. Intervention of the NCP on Non financial disclosure: opportunities and risks.

### **CISL (Italian Confederation of Workers' Trade Union)- Study centre, Training course for trade unionists on “Trade Unions approach to CSR. Models, experiences and perspectives”**

Organizer: CISL

Place and date: Florence. 19/05/2014

Number of participants and type of audience: around 40 – trade unions members

Highlights and key outcomes: The NCP presented the OECD Guidelines and the Specific instance mechanism in a daily training session.

### **Seminar the role of the private sector in *profit* international development cooperation**

Organization: Link2007 - Cooperazione in Rete, with the Directorate General for Development Cooperation of the Ministry of Foreign Affairs and International Cooperation.

Place and Date: Rome, Piazza della Farnesina 1 – headquarter of the Ministry of Foreign Affairs and International Cooperation 4/02/2015.

Number of participants and type of audience: multistakeholder

Highlights and key outcomes: debate on the role of the private sector in profit international development cooperation. Intervention of the NCP on the role of RBC and of the Guidelines in qualifying the private entities participation in development Cooperation.

### **Lights on work. Innovation, sustainability and employment policies in the agribusiness and green economy**

Organizer: Italia Lavoro (Technical Agency of the Ministry of Labour), Eidos (European Institute of documentation and social studies), the Province of Siena and Montepulciano.

Place and date: Montepulciano 9-11/07/2015

Number of participants and type of audience – business, trade unions, public institutions, society

Highlights and key outcomes: debate on labour law, competencies and business practices. Intervention of the NCP on the application of the Guidelines in the agribusiness.

### **II edition of the University Master's Degree in “New horizons for cooperation and international law”**

Organizer(s): FOCSIV and Università Lateranense

Place and date: Rome, Piazza San Giovanni in Laterano – Pontificia Università Lateranense, the seminars held by the Italian NCP were on 21/05 - 23/06/2015

Number of participants and type of audience: students

Highlights and key outcomes: The NCP took over the responsibility of the teaching units on RBC highlighting the role of the Guidelines

### **Transparency and Sustainability: from Europe a challenge for Italian companies**

Organizer: Confindustria (Thematic Group on Culture)

Place and Date : Roma, Via Santa Maria in Via, 37 - Presidenza del Consiglio, 3/07/2015

Number of participants and type of audience: 25 businesses,

Highlights and key outcomes: Discussion on the challenge of a real cultural shift by businesses to make quality the cornerstone of competitiveness and to gain a new social legitimacy.

### **UNICEF Business Lab**

Place and date: Milano, Via Bocconi 9 – Luigi Bocconi University, 09/06/2014

Organizer: UNICEF Italia

Number of participants and type of audience: enterprises, institutions, Academia, non-profit Association, Global Compact Italy, business association

Highlights and key outcomes: presentation of the Business Lab project (see the content in the Report above)

#### **1st Session GIVING CHILDREN A VOICE IN BUSINESS**

Place and date: Milano, Luigi Bocconi University, 24/11/2015

Organizer: UNICEF Italia

Number of participants and type of audience: companies adhering to the project

Highlights and key outcomes: first lab with proactive exercises on cooperation between companies; impact of companies activities on children: how to gather information etc.

### **Seminar on decent work**

Organizer: Clean Clothes Campaign Italy in collaboration with the University of Padova.

Place and date: Padova, 30/10/2014

Number of participants and type of audience: around 60, NGOs., Trade Unions, Business, institutions

Highlights and key outcomes: seminar based on the 2014 Clean Clothes Campaign's Report on the wage conditions existing in the apparel and footwear industry in Italy, to collect experiences and suggestions on ways to reach the goal of a living wage for all. Intervention of the NCP on the experience within the Bangladesh Action Plan.

### **People's meeting Change your shoes – Italian session**

Organizer: Clean Clothes Campaign Italy, Fair, Centro Nuovo Modello di Sviluppo

Place and date: Turin,

Number of participants and type of audience: institutions

Highlights and key outcomes. The initiative was part of an international project of Clean clothes campaign (<http://www.abitipuliti.org/changeyourshoes/>) on working conditions in leather and shoes sectors. The Peoples' meeting was organized around themes such as: SDGs, EU policies on Trade and Investment, Consumers' information.

**The path to the compliance of Italian companies towards the universal system of human rights.**

Organizer: MAECI- DGCS

Place and date: Rome, Piazzale della Farnesina 1 - Ministry of Foreign Affairs 14/11/2014

Number of participants and type of audience: institutions

Highlights and key outcomes: debate on business and human rights upon occasion of the presentation of the paper "Business and Human Rights: a challenge for businesses?". The paper is the result of work on the relationship between business activities and respect for human rights.

Intervention of the NCP on the Bangladesh Action Plan and the Italian NCP report.

**“The Millennium Development Goals: focus on achievements between commitments and international responsibility “ - master's degree course**

Organizer: UNICEF

Place and date: Roma, Piazzale Aldo Moro 1 – Università degli Studi la Sapienza di Roma - 8//4/2015

Number of participants and type of audience: master’s degree students

Highlights and key outcomes: A lesson held by the Italian NCP

**The Future of the EU Directive on Non-Financial Information**

Organizer(s): ENEL – (Italian company in the energy sector)

Place and Date: Rome, 2 Events were organised 1 in Viale di Tor di Quinto 58 – Villa Lazzaroni, 28/11/2014, one in Rome at ENEL headquarters Viale Regina 125 - 23/01/2015

Number of participants and type of audience: 40 participants to the first one around 90 participants to the second one. – business, banks, non-profit organizations, national institutions, international organizations, universities.

Highlights and key outcomes: discussion on the forthcoming adoption of the EU directive on non-financial disclosure. The NCP participated to the panels on Institutions views.

**Conflict Minerals: the European companies between the fallout from the US law and the forthcoming European Regulation”**

Place and date: Torino, Via Manfredo Fanti 17 - Centro Congressi Unione Industriale 10/07/2014

Organizer: Unione Industriali Torino

Number of participants and type of audience: around 80, businesses and consultants.

Highlights and key outcomes: intervention of the NCP on the OECD Guidance on conflict minerals.

**2014 And 2015 Green Day Leroy Merlin - “Together to promote CSR”**

Place and date: Milano, Via Hoepli 3b -Auditorium San Fedele, 18/06/2014 and 28/05/2015

Organizer: Leroy Merlin

Number of participants and type of audience: More than 400 participants - government, business, worker organizations, NGOs

Highlights and key outcomes: In 2014 Leroy Merlin- Italy launched a project of CSR and sustainable supply chain. The NCP cooperates with Leroy Merlin all along the process giving advice and it cooperated also in the Project “Diritti per la nostra strada” consisting in webinars for suppliers. The NCP was awarded by Leroy Merlin in 2015 for this project.

### **The management of environmental and social issues in the "supply chain"**

Place and date: - Brescia,12/11/2014

Organizer: AIB (Industry Association of Brescia )

Number of participants and type of audience:

Highlights and key outcomes: an overview of the social issues of the "supply chain, taking into account the practices, regulations, regulatory systems at international and European level, also focusing on specific case - studies on "Conflict Minerals" and the textile industry. Intervention of the NCP on the UN and OECD due diligence standards for a responsible supply chain.

### **Initiative on CSR in the textile, clothing, leather and footwear sector**

Organizer: CNA Federmoda (Fashion Handycraft Association)

Place and date : Prato, via Pucchetto 3 – Textile Museum, 24/04/2015

Number of participants and type of audience: more than 150 – business, government, academia

Highlights and key outcomes: launch of an initiative to support the Italian production in the textile and garment sector in a way that is both competitive and responsible. Intervention of the NCP on the responsible management of the supply chain. Intervention of the NCP on the Guidelines and the due diligence in the textile supply chain.

### **Social Footprint – Social Product Identity: why a social certification of product?**

Organizer(S): Social Footprint Group

Place and date: Milano, Via Pantano 9 - Auditorium Assolombarda, 29/04/2015

Number of participants and type of audience: multistakeholder

Highlights and key outcomes: Launch of the certification system whose ultimate purpose is to engage the consumer in more aware purchase choices and to support organisations in the transparent communication to the market. The organisation certifies its commitment, on the one hand, to stimulate the improvement of social ethics of its production chain; on the other hand, to disclose to the consumer where a product comes from, the location of suppliers and of the actors involved in the process of the final product and related information. Intervention of the NCP on the Guidelines and the due diligence in the supply chain.

27. Does the NCP cooperate with OECD partner organisations and/or other leading organisations working on responsible business conduct? Please check all that apply and provide further details on the nature of the cooperation.

- ILO ✓ EII Scheme- Project on Bangladesh (see point 18) and participation to the ILO CSR Round Table. Dialogue and cooperation with ILO Office in Italy

- UN Global Compact and its local networks ✓ During 2014-2015 the NCP exchanged view with the UN Global Compact Italian network initiative on sustainable supply chains.
- UN Office of the High Commissioner on Human Rights ✓ Participation to the 2015 UN Global Forum
- National Institution for the Protection and Promotion of Human Rights ✓ In Italy there is not a National Institution on HR. The NCP is taking part to the Inter-ministerial Committee for the Action Plan on Business and Human Rights.
- Global Reporting Initiative ✓ The Italian NCP took part to the GRI Governmental Advisory Group meetings, held on 27-28 November, 2014 and is part of the AG
- ISO ✓ The Italian NCP is a member of the Technical Commission on CSR of UNI (the Italian Body for Standards) for ISO 26000
- Other, please provide details. ✓

The NCP participated in the work of the Expert Group (CDDH-CORP) of the Council of Europe for the drafting of the CoE Recommendation of the Committee of Ministers to Member States on business and human rights (under adoption process).

It also undersigned a Memorandum of Understanding with UNICEF for the dissemination of the initiative of the Italian UNICEF Committee called Business Lab (see promotional plan)

In 2015 a representative of the NCP was delegated by the Italian Government to take part to the G7 Germany activity on sustainable supply chains and to the G7 Labour and Economic Cooperation Ministerial Meeting held on 12-13 October 2015 in Berlin where “Action for Fair Production” was launched

[http://www.bmz.de/g7/de/aktuelles/151013\\_PM\\_Fair\\_production/index.html](http://www.bmz.de/g7/de/aktuelles/151013_PM_Fair_production/index.html)

28. Did the NCP receive enquiries about the Guidelines and the NCP? From (check all that apply):

- Business ✓
- Labour organisations ✓
- Non-governmental organisations ✓
- Government agencies ✓
- Other government (e.g. via embassies) ✓
- Other (individuals, press, academia) ✓

29. If available please provide web statistics regarding your NCP’s website:

- How many visitors did the website(s) receive in the reporting period?

The information available is that from August 1st 2015 to December 14th 2015 the site received 1503 different visitors; 1781 visits and 80565 accesses.

Before 1st August 2015 the information is not available.

- How many downloads of materials on the NCP website (e.g. the Guidelines, brochures, other materials) occurred during the reporting period?

This information is not available.

#### **D. Specific instances**

*According to the Procedural Guidance, NCPs are expected to contribute to the resolution of issues that arise relating to the implementation of the Guidelines in specific instances in a manner that is impartial, predictable, equitable and compatible with the principles and standards of the Guidelines.*

30. What are the NCP's procedures for handling specific instances? Please attach the procedures

Procedure for handling specific instances <http://pcnitalia.sviluppoeconomico.gov.it/en/how-we-manage-instances> - Web page to download the pdf

Where applicable please elaborate or note an absence of NCP procedures regarding:

- Requirements on submitting a complaint in a specific instance
- Subject to the requirements set out in the Guidelines, the instance shall be made in writing, preferably by completing the form available on the website, and submitted, duly signed, by post, by fax or by e-mail.

It should include:

- ✓ the contact details the complainant/s;
- ✓ the references of the other involved parties and third parties that could be convened in order to gather more information, including the reasons for their involvement. The NCP reserves the right to supplement this list and /or to use it only in part;
- ✓ the name of the country /s in whose territory the facts occurred;
- ✓ the description of the facts of the case together with the principles and recommendations of the Guidelines allegedly violated;
- ✓ the mention of the data, including those provided with the complaint, considered strictly confidential and those that the complainant/s ask not to be disclosed to the persons referred to in paragraph (2). The NCP reserves the right to make its own assessment of these indications, and shall duly inform the complainant/s on its decisions;
- ✓ the indication of the national and/or international and/or private authorities as well as other NCPs in which one or more proceedings on the same facts or subject matter or on related facts are known to be pending;
- ✓ additional issues held as suitable for consideration and/or detection and / or acquisition and / or examination by the NCP;
- ✓ the copy of the documents held as useful to support the instance;
- ✓ the list of documents attached to the instance (see below);

✓ the signature of the person submitting the instance.

In the case of an instance submitted by fax or e-mail the attachments can also be sent by mail and the application will not be considered by the PCN before their reception.

It is up to the NCP to inform the involved parties and the third parties referred to in paragraph (2). of the submission

- Standing requirements for participating in a specific instance (e.g. rules around who is allowed to bring complaints to an NCP mechanism, who is allowed to participate in mediation).

Anyone with a real and actual interest in the correct implementation of the OECD Guidelines can submit an instance to the NCP to ask for its intervention, one can also be represented by an organisation. At any stage of the procedure, the NCP is entitled to identify and convene other interested parties.

- Confidentiality provisions

Transparency is a general principle of conduct of the NCP in dealing with the public. However, there are circumstances in which confidentiality must be protected.

The NCP shall take appropriate measures to protect sensitive information of companies. Similarly, other information, such as the identity of the individuals involved in the proceedings, remain confidential.

During the proceedings, the nature of the works, including the facts and arguments of the parties is kept confidential. However, their outcomes are, as a rule, transparent.

As said, the complainant is enabled to mention in the complaint the data considered strictly confidential and those that the complainant/s ask not to be disclosed even to the parties involved in the instance. The NCP reserves the right to make its own assessment of these indications, and shall duly inform the complainant;

- Indicative timeframes for the different steps of the procedure

12 months from the start of the examination of the instance to conclude the procedure (unless extended with motivation). 30 days from the submission of the application to complete the initial assessment. Generally 30 days from the communication of the submission for the counterparties to present their replies.

- Existence of a statute of limitations

No. But the facts narrated should not be so far in time to make the issue raised irrelevant to the implementation of the Guidelines.

- Publication and availability online of initial assessments

The NCP is bound to publish – on its website - the outcomes of the initial assessment only if negative, since they represent the statement concluding the procedure, (with the minimum contents provided for

in the Guidelines). The publication of the positive assessment, on the other side, is optional. The initial assessment is always communicated to the interested parties.

31. How many new specific instance(s) did the NCP receive in the reporting period? 1

See Annex (template for reporting specific instances)

32. What are the main challenges the NCP encountered in handling specific instances during the reporting period? (check all that apply).

- Parallel legal proceedings
- Parallel public campaigning by complainant ✓
- Unrealistic expectations regarding possible outcomes ✓
- Unwillingness of the company to engage
- Unwillingness of the complainant(s) to engage
- Other (please elaborate) ✓ See answers to questions 11 and 12
- No specific instances

## **E. Proactive Agenda**

*In accordance with the Investment Committee's proactive agenda, NCPs should maintain regular contact, including meetings, with social partners and other stakeholders in order to: a) consider new developments and emerging practices concerning responsible business conduct; b) support the positive contributions enterprises can make to identify and respond to risks of adverse impacts associated with particular products, regions, sectors or industries.*

33. Does the NCP engage in any of the multi-stakeholder advisory groups under the proactive agenda?

- Responsible Mineral Supply Chains? Yes/No. Please specify.
- Stakeholder Engagement in the Extractive Industries? Yes/No. Please specify.
- Responsible Business Conduct in the Financial Sector? Yes/No. Please specify.
- Responsible Agricultural Supply Chains? Yes/No. Please specify.
- Responsible Supply Chains in the Textile and Garment Sector? Yes/No. Please specify. Yes

34. How does the NCP use and rely on guidance developed as part of the proactive agenda projects mentioned above? (check all that apply).

- Promotion and awareness raising activities ✓
- Dealing with specific instances
- Handling enquiries ✓
- Developing guidance at the national level ✓
- Other

## **F. Co-operation and peer learning**

*In addition to contributing to the Committee's work to enhance the effectiveness of the Guidelines, NCPs are encouraged to cooperate and engage in horizontal, thematic peer reviews and voluntary peer evaluations. Cooperation and experience sharing can be carried out through meetings at the OECD or hosted by a government and can include mentoring and coaching, direct co-operation between individual NCP on specific issues, etc.*

35. How did the NCP engage in co-operation and experience sharing with other NCPs during the reporting period? Check all that apply:
- Horizontal learning activities ✓
  - Co-hosting events
  - Co-operation in handling specific instances ✓
  - Mentoring/capacity building events
  - Other
  - No co-operation
36. Did the NCP encounter any difficulties in co-operating with other NCPs? If yes, please elaborate. No
37. Is the NCP interested in volunteering for a peer evaluation? Yes/No. Please indicate semester/year.  
Yes. The NCP applied for being voluntary peer-reviewed in 2016 and for hosting a peer learning exercise.
38. Is the NCP interested in being part of a peer review team? Yes/No. – Please indicate semester/year.  
Yes
39. Please provide suggestions for themes of future horizontal learning exercises.
- Institutional arrangements
  - Mediation procedures and arrangements
  - Coordination between NCPs in multiple NCPs specific instances

40. Is the NCP interested in hosting an NCP learning/experience-sharing event? Please indicate semester/year. Yes

## **G. Impact and future work**

41. Have there been any measurable impacts of the Guidelines and/or the efforts of the NCP in the past implementation cycle? For example:

- Have the Guidelines been referred to in national legislation (e.g. on non-financial reporting, export credits regulation etc.)?

According to art. 7 of the Law-decree 21 June 2013, n. 69, within the framework of the Italian commitment to overcome tied aids, the Italian firms aiming to obtain subsidized loans from the revolving fund for development cooperation must formally commit to respect the OECD Guidelines and the obligations set out in the Resolution P7\_TA(2011)0141 of the European Parliament regarding international investment and business compliance with social environmental and human rights international standards.

The “Legality Rating” introduced by the Law-decree of 24 January 2012 n. 57 is a system of incentives for companies which comply with the law and with the highest standards of ethical/social responsibility, governance and compliance. Subject to certain requirements, all the companies operating within the Italian territory can apply to the Italian Competition Authority for gaining the Legality Rating certification. This will enable them to gain benefits in the accession to public grants etc. and to have easier access to bank credit. The OECD Guidelines are mentioned, among the highest RBC standards, as a reference for CSR practices by companies in the Authority’s guidelines.

The Emilia-Romagna Region requires that companies benefiting from public support contribute to regional sustainability by promoting the principles set out in its Charter for Corporate Social Responsibility (adopted by Resolution n. 627/2015 of the Regional Council), which is inspired specifically, among other tools, to the OECD Guidelines.

- Do any domestic industry standards refer to the Guidelines?

Some industry standards - which are in the process of review according to the legislative decree 231 on liability of legal persons – refer to the OECD Guidelines as reference framework for the codes of ethics.

- Other?

Among the requirements to have access to the certification “social footprint” companies have to comply with the OECD Guidelines ( <http://www.socialfootprint.it/la-certificazione/>).

Leroy Merlin Italy launched a project in the supply chain including the signing of its code of ethics by suppliers. The Code includes reference to adherence to the OECD Guidelines. Up to now 90% of suppliers signed the code.

42. What are the new emerging challenges for enterprises identified by NCPs, notably in developing and emerging economies and sectors?

Disclosure

Supply Chains due diligence and SMEs

Contribution of the private to Sustainable Development Goals

43. How has the NCP helped enterprises address these challenges?

By implementing its” promotional plan” mainly devoted to face these challenges. In this process dialogue and support to businesses are central to the NCP action. The NCPO also cooperates with all those actors that at national and international level can help it succeed in facing emerging challenges. The NCP believes that a suitable way to face sector challenges is to foster multi stakeholders networks, hopefully having an international scope.

44. What issues might deserve particular attention during the 2016 implementation cycle of the Guidelines? For example:

- Areas for which additional proactive agenda projects would be valuable
- Continue working on due diligence in supply chain, favouring the creation of sector multi stakeholders initiatives and also finding ways for involving and supporting SMEs in due diligence processes.
- Deepening knowledge and contribute to standard setting with regards to disclosure and reporting on RBC. One of the main issue here is how can reporting be effective both for target categories (countries, investors, consumers) and for the companies themselves (to better integrated RBC strategies).
- Find new, innovative and effective ways to improve the dissemination of the OECD Guidelines among companies, governments and society.
- Areas where additional research or analytical support would be helpful

RBC and economic performance/value creation for companies and society

- Areas which would benefit from additional policy dialogue

Policy coherence to foster sustainable supply chains at national and international level

Sustainable Development Goals and RBC

RBC in Trade and Investment agreements

- Other