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**DIRECTORATE FOR FINANCIAL, FISCAL AND ENTERPRISE AFFAIRS
COMMITTEE ON INTERNATIONAL INVESTMENT AND MULTINATIONAL ENTERPRISES**

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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 4 of the agenda at the Annual Meeting of the NCPs on 18 June 2001. It is a compilation of the NCP reports submitted by each delegation.

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ARGENTINA / ARGENTINE

(to come)

AUSTRALIA / AUSTRALIE

The OECD Guidelines for Multinational Enterprises

The Guidelines cover issues such as:

- employment and industrial relations – recognising fundamental rights at work and international labour standards as set out by the International Labour Organisation;
- the environment – recognising the objectives contained in the Rio Declaration on Environment and Development and the importance of sound environmental management to improve sustainable development;
- human rights – recognising the Universal Declaration of Human Rights;
- combating bribery;
- consumer interests;
- competition;
- taxation;
- science and technology; and
- corporate disclosure.

The Guidelines represent ‘best practice’ standards for responsible business conduct. They are not a binding code of conduct on multinational enterprises, and they *do not* over-ride Australian law.

The Australian Government has established a National Contact Point for the Guidelines, in order to aid the implementation and promotion of the Guidelines and make them better known to business, labour and other interested parties.

Australia’s NCP is the Executive Member of the Foreign Investment Review Board.

This Report has been prepared in consultation with business, labour and NGOs, some of whom made specific contributions. It will be made publicly available. It is submitted to the OECD Committee responsible for the Guidelines and related activities (The Committee on International Investment and Multinational Enterprises).

Introduction

1. Prior to the 2000 review of the OECD Guidelines for Multinational Enterprises (“the Guidelines”), there was a very low awareness of the Guidelines in the Australian business community and the Australian community more generally. The Australian National Contact Point (NCP) itself played only a very passive role in promoting the Guidelines.
2. The review of the Guidelines followed closely in the wake of the OECD MAI Negotiations. The experience of the MAI negotiations created a climate of mistrust on the part of many organisations in Australia. They felt that they had not been adequately consulted on the MAI and that their concerns about the MAI had been ignored. Since the MAI negotiations ceased in 1998, civil society concerns about globalisation and the power of multinationals has escalated even further. In Australia, concerns have been expressed from some sectors of the community about foreign ownership and control of Australian assets.
3. Australia’s participation in the review of the Guidelines was the responsibility of the Treasury department, the same department to have taken the lead role in the MAI negotiations. Consequently, when Treasury approached organisations to seek their involvement in the Guidelines review, Treasury was confronted with a certain degree of scepticism and suspicion. Treasury, like the OECD, has had to work hard to improve its consultation procedures and re-engage confidence and trust from other parties to the process. While some progress has been made on this front, Australia concedes that there is still room for improvement.
4. The outcome of the Guidelines Review did not address the concerns of all organisations. In reality, it would not have been possible to achieve an outcome that satisfied all parties. Nevertheless, the dissatisfaction of some parties with the outcome of the Review has created some challenges for Australia in promoting and implementing the revised Guidelines. Added to this is the very limited experience that Australia has had in regard to implementation of the Guidelines, both because of the low awareness that existed and because there has only ever been one issue raised with the Australian NCP. Therefore, in promoting and implementing the Guidelines, the Australian NCP has itself been learning as it goes, and there remains a degree of uncertainty about where this will all lead to and what the result will be if Australia is particularly successful in promoting awareness of the Guidelines.

A. *Institutional Arrangements*

5. Australia is satisfied that the outcome of the Review accorded flexibility to Governments in the institutional arrangements they establish for their NCPs. Different forms of organisation are possible, as long as they provide an effective basis for dealing with a broad range of issues and facilitate relations with business and employee organisations and other NGOs. The countries adhering to the Guidelines are not homogenous and therefore there is no perfect model or one size fits all for NCPs. Australia is a vast country with its major cities spread across great distances and we are geographically isolated from most other OECD countries. This creates particular difficulties in conducting effective and far-reaching face to face consultations.
6. Currently, the Australian NCP for the Guidelines is the Executive Member of the Foreign Investment Review Board (FIRB). The contact details are as follows:

The Executive Member
 Foreign Investment Review Board
 c/- The Treasury
 CANBERRA ACT 2600

Telephone: (02) 6263 3795
 Facsimile: (02) 6263 2940
 E-mail: ancp@treasury.gov.au
 Website: www.ausncp.gov.au

7. The FIRB is a non-statutory body that advises the Australian Government on foreign investment policy and its administration. Executive assistance to the Board is provided by the Foreign Investment Policy Division of Treasury, which is headed by the Executive Member of the FIRB, a senior Treasury official. In addition to its function as a secretariat to the Board, the Executive also advises the Government on international investment issues in international fora such as the OECD. Treasury officials from within the Executive represent the Government in the OECD Committee on International Investment and Multinational Enterprises (CIME).

8. Given the relationship between the FIRB, the Executive Member, Treasury and CIME, the Executive Member is a logical choice for the Australian NCP. However, that is not to say that this arrangement is not without its limitations.

9. The Australian NCP for the Guidelines nominally comprises only one person. However, in practice, the functioning of Australia's NCP involves a number of people, including Treasury officials and officials from other Australian Government departments. The Australian NCP draws on the expertise and networks of a range of Government departments in implementing and promoting the Guidelines and in dealing with specific Guidelines issues when they arise. Treasury hosts consultation sessions with other Government departments to keep them informed of Guidelines developments and discuss Guidelines issues, particularly regarding promotion of the Guidelines. When specific Guidelines issues are raised with the Australian NCP, the NCP consults with all relevant Government agencies in seeking to resolve the issue. However, prior to the review, the Australian NCP did not regularly consult with non-Government organisations or draw on the expertise of such organisations to consider specific Guidelines issues.

10. Since the review of the Guidelines was completed in June 2000, the Australian NCP has taken on a more pro-active role in regard to the implementation of the revised Guidelines, particularly in regard to their promotion. This has involved consultations with business, labour and other non-Government organisations representing a wide range of interests. The aim of the consultations has been to keep organisations with an interest in the Guidelines informed of Guidelines developments (eg, outcome of the Review) and to seek their views on Guidelines issues, in particular, how the Australian NCP can best fulfil its role. The consultations have involved direct contact with organisations with an interest in the Guidelines through written correspondence, email and face to face meetings, and indirect contact through the Australian NCP website.

11. In November 2000, the Australian Treasury produced a discussion paper on the implementation of the Guidelines, which covered, among other things, the structure of the Australian NCP. The paper sought comment from interested parties on whether they considered the existing institutional arrangements for the Australian NCP to be satisfactory. The discussion paper was sent to a wide range of organisations with an interest in the Guidelines for comment as well as being uplifted onto the Internet with an invitation for public comment.

- Many organisations have expressed concerns about the current structure of the Australian NCP. Suggestions for improvements to the current arrangements range from a tripartite body to a broad consultative body.
- Treasury has formulated a range of possible models for the Australian NCP, based on the various suggestions put forward by organisations and models used in other OECD countries. These are the subject of ongoing consultation and discussion - see paragraph 20.

12. Australia sees the role of the NCP as having two strands. The first strand is the NCP's role in promoting the Guidelines and providing information on the Guidelines to all interested parties. The second

strand is the NCP's role in dealing with specific Guidelines issues when they arise. Similarly, the involvement of other interested parties in implementing the Guidelines has the same two strands.

B. Information and Promotion

13. While information on the Guidelines has been included on the Treasury departmental website for some years, Australia believes that it is important for the Australian NCP to have its own dedicated website. In early March 2001, a dedicated website for the Australian NCP was created (www.ausncp.gov.au), which includes a comprehensive package of information on the Guidelines and the NCP's role with regard to the Guidelines. A separate website that can be readily updated, is an important tool in addressing the NCP's core criteria of Visibility, Accessibility, Transparency and Accountability.

14. Prospective investors in Australia are provided with information on the Guidelines through the FIRB. Correspondence from the FIRB to prospective investors (eg when approving their proposals to invest in Australia) states that Australia encourages MNEs operating in Australia to observe the Guidelines, and advises them where to get more information on the Guidelines (eg the NCP website). The revised Guidelines text has also been reproduced in the FIRB Annual Report.

15. In consultation with business, labour and NGOs, the Australian NCP expects to produce and disseminate widely a Service Charter. This document will set out an overview of the Guidelines and the Australian NCP's role with regard to the Guidelines and their implementation. The Charter will provide details on the procedures for raising a specific issue with the NCP. It was agreed that issuing the Service Charter could follow decisions expected early in the second half of 2001 to restructure the NCP. The standing of the Service Charter would be greatly enhanced if it was issued under the auspices of a more broadly constituted NCP.

16. The Australian NCP has developed a network of contacts representing business, labour and other non-government organisations. All of these contacts were informed of the outcome of the Review of the Guidelines and provided with the key Guidelines documents. The Australian NCP, through the Australian Treasury, has hosted two rounds of workshops on the Guidelines with business labour and other non-government organisations. The aim of these workshops was to, among other things, seek these organisations views on the most effective way for the Australian NCP to promote the Guidelines and to involve these organisations as much as possible in that process.

17. A model for regular consultations with business, labour and other non-government organisations is currently being formulated. A range of options is being considered.

C. Implementation in Specific Instances

18. While no specific instances have been raised with the Australian NCP in the past 12 months, the Australian NCP is working in consultation with business, labour and other non-government organisations to put appropriate procedures in place for dealing with issues when they arise.

19. The procedures to be put in place for dealing with specific instances will depend to a certain extent on what decision is ultimately made in regard to the structure of the Australian NCP. The procedures will also depend on the nature of the issues raised with the NCP. However, in recognition of the primacy of domestic laws and policies, the NCP would first consider how the issues raised are dealt with under Australian laws and policies. In making its initial assessment of whether the issues raised merit further examination, the NCP would consider whether further avenues could be pursued at the domestic

level. In considering the issues, the Australian NCP would involve relevant experts from within government and may also include experts from non-government organisations, as appropriate.

D. Looking Forward - other perspectives

20. Our priority over the coming months will be to finalise the structure of the NCP and the associated consultation procedures. Clearly any change to the current arrangements requires a government policy decision by the Treasurer and all parties involved in the discussions of possible options are fully aware of that. Whatever Australia ultimately decides in regard to the structure of its NCP, all interested parties are committed to ensuring that an arrangement is put in place that facilitates both promotion and effective implementation of the Guidelines. When specific issues arise, it is the intention to involve all interested stakeholders. Inevitably, the Australian NCP will need to take a detailed look at what resources are available to undertake both ongoing administrative issues and research. Ideally, the Australian NCP would like to initiate some research projects on issues such as Australian businesses level of compliance with the Guidelines.

Business initiatives

21. The Australian Chamber of Commerce and Industry (ACCI) has been actively engaged in the review of the Guidelines, both directly through its membership of the Business and Industry Advisory Committee (BIAC) and work with the Australian Treasury. The Chamber last year ratified a formal Policy Statement on Corporate Governance that addresses many of the issues raised in the Guidelines. While the Policy Statement is not binding on the 350,000 firms the Chamber represents, it is meant to offer a framework and be informative on corporate governance matters. The Chamber has also indicated a willingness to work co-operatively with the Australian Government in promoting the Guidelines through its constituency, as well as being an active participant in private and public consultations with the National Contact Point.

22. On 31 May, the Business Council of Australia released its Statement on Strategies for Sustainable Development. The Statement identifies key strategies for fulfilling the corporate contribution to sustainable development through improved environmental and social performance and reporting. At the same time, the BCA released a draft guide to leading corporate practices in these areas. The BCA documents are broadly in line with the relevant areas of the Guidelines. The BCA is an association of chief executives of leading Australian corporations.

Trade Union perspective

23. The Australian trade union movement has been involved in ongoing consultations regarding the Guidelines. Currently the trades unions are negotiating a practical model to ensure that the Australian NCP is broader and more open than has been the case in the past. The 2000 update of the Guidelines has been very worthwhile in this regard.

24. Although the Australian trade union movement supports an internationally binding regulatory framework of MNEs we are looking forward to being involved in the implementation of the updated OECD Guidelines in Australia.

25. The Australian trade union movement has been increasing its research capabilities, role and voice regarding the debate on international institutions; the role of international regulation; the impact of MNEs; and the impact of the current model of globalisation. The Australian trade union movements has been very

critical of the negative impacts of globalisation both within Australia and in other countries especially in our region and therefore support the use of such instruments as the OECD Guidelines in the future to ensure that corporations act in an acceptable manner.

AUSTRIA / AUTRICHE

A. *Institutional Arrangements*

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

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Phone number: +43 1 71100 5180 or 5792

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E-mail address: POST@II5.bmwa.gv.at

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 Economic Affairs and Labour concerned;
- other Federal Ministries concerned;
- the social partners;
- some NGOs interested in the OECD Guidelines.

The Advisory Committee has its own rules of procedure and so far has held 3 meetings (on 24 October 2000, 19 February 2001 and 15 Mai 2001). The Advisory Committee has discussed all relevant business of the Contact Point, including the present annual report.

B. *Information and Promotion*

The OECD Guidelines are available on the website of the Federal Ministry of Economic Affairs and Labour (www.bmwa.gv.at/positionen/pos1_fs.htm).

Moreover, the Contact Point envisages editing 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 no specific enquires from other NCPs or governments of non-adhering countries so far.

C. *Implementation in specific instances*

There have been no specific instances brought before the Austrian National Contact Point so far. Nevertheless, there is consensus that in specific instances brought before the Contact point the rules of procedure recommended by the OECD would be followed.

BELGIUM / BELGIQUE*Préambule*

La Belgique a toujours été considérée comme une terre d'accueil pour les investisseurs étrangers. Cette attitude positive remonte à la fin du 19^{ème} siècle mais la plupart des investissements étrangers, surtout américains, britanniques, allemands, français ainsi que japonais ont pris cours après 1958, après la constitution de ce que l'on appelait à l'époque le Marché Commun.

Ce phénomène a naturellement amené les autorités belges à se préoccuper des problèmes causés par ces implantations d'entreprises étrangères sur son territoire, non seulement des problèmes mais également des facilités d'échanges et d'expériences.

C'est dans cette optique que le Gouvernement belge de l'époque a fortement appuyé l'initiative prise dans le courant des années 1970 par l'OCDE pour tenter d'élaborer ce que l'on appelait à l'époque un Code de bonne conduite à l'égard des multinationales ou plus exactement d'arrêter des Principes directeurs à l'égard de ces sociétés multinationales.

Nous avons participé activement à un groupe de travail qui a été constitué à l'époque sous la présidence d'un Directeur général du Ministère allemand des Affaires économiques et les travaux ont débouché sur les Principes directeurs qui furent adoptés en 1976 et qui ont fait l'objet de quatre légères modifications et adaptations depuis lors.

La plus importante est naturellement celle qui a consisté en l'an 2000 à une actualisation des Principes directeurs et qui a débouché sur les Principes directeurs révisés lors de la réunion des Ministres de l'OCDE de juin 2000.

La Belgique a donc décidé dès l'origine d'entrer dans une voie de concrétisation pour mettre en œuvre de manière aussi complète que possible les Principes directeurs.

Pour la Belgique les Principes Directeurs à l'intention des entreprises multinationales contribuent à clarifier la position des implantations multinationales étrangères sur notre territoire et contribuent de ce fait à la croissance du pays.

Le Point de Contact belge a été constitué et a commencé son existence avec une première réunion le 5 décembre 1980. Depuis lors, nous avons tenu des réunions régulières comme le prévoit d'ailleurs un règlement d'ordre intérieur et cette concrétisation nous permet de dire que nous en sommes maintenant à la 58^{ème} réunion du Point de Contact belge. Depuis l'année 2000 plus de 6 réunions ont eu lieu.

A. Aspects institutionnels

- Le Point de Contact belge fut instauré près le Ministère des Affaires économiques en 1980.

Siège : Ministère des Affaires économiques
Administration des Relations économiques
rue Général Leman 60
1040 Bruxelles
Belgique

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- **Président** : M. Roland CHARLIER, Directeur général honoraire du Ministère des Affaires économiques
Secrétariat et membre : un représentant du Ministère des Affaires économiques

Autres membres :

Représentants des ministères fédéraux suivants :

Ministère de l'Environnement

Ministère de l'Emploi et du Travail

Ministère des Affaires étrangères

Ministère des Finances

Ministère de la Justice

Représentants des gouvernements régionaux :

- Bruxelles-Capitale

- Flandre

- Wallonie

Représentants des fédérations professionnelles suivantes :

- FEB (Fédération des Entreprises de Belgique)

- AGORIA (Fédération multisectorielle de l'industrie technologique)

- FEDICHEM (Fédération des industries chimiques de Belgique)

Représentants des organisations syndicales suivantes :

- FGTB (Fédération Générale des Travailleurs de Belgique)

- CSC (Confédération des Syndicats Chrétiens)

- Centrale Générale des Syndicats Libres de Belgique

Les ONG belges ne sont pas membres du PCB et n'ont pas approché à ce jour le Point de Contact.

B. Information et promotion

La Belgique ayant toujours été active depuis la création de son Point de Contact National (PCN) au début des années 80 et ce Point n'ayant jamais cessé de siéger, une promotion régulière, assurée par ses différents membres, a été possible.

Grâce à une composition équilibrée du PCN, tous les membres se sentent liés aux Principes directeurs. Ils les abordent et en font la promotion directement et indirectement lors de formations ainsi que dans leurs divers contacts avec les entreprises et les autres partenaires.

Les différentes organisations ont publié plusieurs articles à ce sujet, dans leurs revues et magazines. Les firmes elles-mêmes ont suivi le mouvement.

Les clarifications demandées par la Belgique au CIME ont également permis à cette matière de rester actuelle dans les entreprises belges.

Le monde académique a organisé plusieurs séminaires durant, pendant et après les négociations portant sur la révision des Principes directeurs qui ont été traités dans la presse financière.

La traduction des Principes directeurs en néerlandais vient d'être achevée et une publication sur le site du Ministère des Affaires Economiques est prévue sous peu. Cette action a pris plus de temps que prévu car la Belgique a opté pour une visibilité optimale des Principes directeurs.

La publication d'une brochure en quatre langues est également prévue et une lettre aux parlementaires et aux Ministres-Présidents des trois Régions est en préparation.

C. *Traitement des affaires spécifiques*

Il n'est pas nécessaire pour la Belgique de modifier les procédures de traitement des cas spécifiques puisque le PCN les a toujours suivies depuis sa création.

Le nouveau cas sera examiné en toute transparence et confidentialité en ce qui concerne les données et échanges de vues.

Même si on observe un ralentissement sensible ces dernières années, plusieurs dizaines de dossiers ont été étudiés depuis la création du Point de Contact en 1980. Cette évolution s'explique selon certains par le fait que les Principes Directeurs sont mieux connus par les acteurs économiques. Par ailleurs le fonctionnement du Point de Contact satisfait ses membres.

La plupart des sujets concernent les relations professionnelles; ils ont été déposés par les syndicats ou par le Président comme les demandes de clarifications au CIME.

Il y a peut-être lieu de rappeler que la Belgique a été le premier pays à introduire dès 1980 une demande de clarification des Principes directeurs et qu'elle l'a fait à 6 reprises depuis lors.

Jusqu'à présent différents cas spécifiques concernant les relations professionnelles ont été, soit soumis au PCN par les syndicats, soit inscrits à l'ordre du jour à l'initiative du Ministre des Affaires économiques ou du Président. Aucun cas examiné ne concernait un pays non-membre de l'OCDE.

Depuis l'actualisation des Principes directeurs, le PCN a été saisi récemment d'un nouveau cas.

Les problèmes spécifiques ont été traités selon la procédure suivante qui est résumée succinctement ci-après :

Après introduction du dossier, les parties concernées sont contactées, in casu le directeur de la multinationale en question. On essaie aussi de prendre contact avec le PCN du pays où est implantée la maison mère, ce qui la plupart du temps s'est soldé par un échec car il était souvent difficile, voire impossible, de trouver les responsables du Point de Contact étranger.

Ensuite l'affaire est examinée par l'ensemble des membres du PCN qui tentent de trouver une solution satisfaisante pour toutes les parties. Ces solutions n'ont, jusqu'à présent, jamais été rendues publiques via un communiqué de presse ou un autre média.

La confidentialité est toujours de règle.

D. Autres

- Les critères de base des Principes Directeurs, à savoir visibilité, accessibilité, transparence et responsabilité ont toujours été appliqués sans qu'il ait été nécessaire – surtout en phase de démarrage – de les rappeler. La composition du PCN doit permettre une visibilité suffisante envers tous les partenaires, vu la large représentativité des diverses composantes de la société. Ceci vaut également pour l'accessibilité. Il est possible d'approcher le PCN de différentes manières, entre autres via les fédérations patronales et les organisations syndicales, représentées en son sein.
Quant à la transparence, elle a été et reste totale. Les membres du PCN ont toujours fait preuve de transparence dans les contacts avec leurs organisations sans dévoiler les informations confidentielles.
Une approche responsable est une condition requise de manière évidente, étant donné la composition particulière du PCN qui regroupe toutes les parties concernées.
- Les cas de fermeture d'entreprises sont en la matière exemplaire. Les problèmes auxquels nous avons été confrontés, étaient principalement dus à la difficulté, et souvent à l'impossibilité de dialoguer avec le PCN du pays où est implantée la maison-mère ou à une certaine lenteur dans l'examen de demandes de précisions par le CIME. Un cas relativement récent avec la France a constitué une exception qui s'est révélée fructueuse.
- Dès 1983, la Belgique avait demandé à son représentant au CIME de veiller à une meilleure coordination entre les différents PCN.

E. Relations souhaitées avec l'OCDE et les autres points de contact

La Belgique s'est réjouie de l'actualisation des Principes directeurs telle qu'elle a été approuvée par le Conseil au niveau des Ministres de l'OCDE en juin 2000.

La Belgique adoptera comme par le passé une attitude constructive et active à l'égard des Principes directeurs. Elle attache une importance particulière à la première réunion des PCN et aux rapports qui seront introduits par ceux-ci parce qu'elle a effectivement éprouvé quelques difficultés dans le passé à rencontrer les interlocuteurs des autres pays. Elle espère que les dispositions nouvelles pour une coordination plus efficace, plus active et plus en profondeur des PCN permettra d'améliorer encore le respect des Principes directeurs par les entreprises multinationales.

Tout ceci souligne l'intérêt que la Belgique attache aux Principes directeurs et au rôle des PCN. Elle accorde également une grande importance à la coordination en cette matière avec d'autres organisations comme l'OIT et l'ONU notamment.

BRAZIL / BRESIL

(to come)

CANADA

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1. Introduction

The 2000 review of the OECD Guidelines for Multinational Enterprises (the "Guidelines") was the most far-reaching and comprehensive since the Guidelines' inception in 1976. At the outset of the review, OECD Members identified the role of the National Contact Point as important to raising the profile and improving the effectiveness of the Guidelines. To this end, improved guidance has been provided to assist NCPs in carrying out their responsibilities. As well, NCPs will meet annually to share experiences and report to the OECD Committee for International Investment and Multinational Enterprises (CIME).

The following report to the CIME describes the new institutional nature of Canada's NCP and provides information on the activities undertaken in the past year to implement the Guidelines in Canada. The report also summarizes the Canadian policy context in which the Guidelines are situated.

2. The Canadian Policy Context

The Guidelines are an important element of the Government's approach to promoting corporate social responsibility, at home and abroad. A number of government departments are active in this area, through information dissemination, facilitation of dialogue among stakeholders and support for the development of international norms. Many Canadian enterprises are responding through the adoption of codes of conduct and other management strategies such as training and the establishment of environmental management systems. The Guidelines provide a frame of reference for these private sector initiatives and an institutional home for efforts to encourage progress in this area internationally.

Corporate social responsibility, and 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 the NCP has a clear mandate to implement the Guidelines, its activities also support other broader policy objectives of the Government.

3. Institutional Arrangements

The key responsibilities of the NCP are to promote the Guidelines, respond to inquiries and contribute to the resolution of problems that may arise. In meeting these responsibilities, the Canadian NCP will respect the four core criteria identified during the review as important for improving the effectiveness of NCPs. These criteria are visibility, accessibility, transparency and accountability.

Canada's NCP has been organised as an interdepartmental committee with representatives from a number of federal government departments. These departments include the Department of Foreign Affairs and International Trade, Industry Canada, Human Resources Development Canada, Environment Canada, Natural Resources Canada, the Department of Finance and the Canadian International Development Agency. Regular dialogue is maintained with the Export Development Corporation as well. The diversity of the issues covered by the Guidelines and the potentially broad spectrum of public interest (business, labour, non-governmental organizations) in Canada underscores the importance of structuring the NCP in this way. Other departments may participate in NCP activities as necessary.

The representatives of Canada's NCP meet about every two months through their participation in a larger interdepartmental committee on corporate social responsibility. The Guidelines are routinely discussed at these meetings, providing for a greater breadth of promotion within the government as well as co-ordination of the Guidelines with other related programs and activities. The NCP also meets independently of this larger committee as required, to respond to requests from business, labour or non-government organisations (NGOs) to discuss the Guidelines.

The NCP maintains contact with the key business and labour interlocutors on the Guidelines, i.e., the Canadian Council for International Business (CCIB), the Canadian Labour Congress (CLC) and the Confédération des syndicats nationaux (CSN). Their input was solicited in the creation of a new website and the preparation of promotional materials and other related documents.

A regular point of contact has not been established with the NGO community, although the Guidelines have been promoted with a number of these organizations.

4. Information and Promotion

The information and promotion activities have been generally of four types: preparing information and promotional materials; responding to inquiries; making presentations on the Guidelines at key events; and positioning the Guidelines as departmental responses to concerns in society about globalization.

4.1 Information and Promotional Materials

A national website on the Guidelines has been established that reflects the interdepartmental nature of Canada's NCP. The website, which was launched in early June 2001, includes a summary of the Guidelines, a description of the interdepartmental structure and responsibilities of the NCP, coordinates of the NCP and main business and labour interlocutors on the Guidelines, and a number of related links to Canadian and international organizations involved with corporate social responsibility. Links are also established to the OECD and the key Guidelines documents. The creation of the website provided a good opportunity for dialogue and consultation with the business and labour communities. The NCP plans to send an information notice on its new website to a number of organizations, including the many it contacted during the review process. The NCP also created a two-page summary of the Guidelines which it distributes at promotional events and which can be accessed from its website.

4.2 Inquiries

Since June 2000, Canada's NCP has received five inquiries for information concerning the Guidelines in addition to those received from the CCIB, CLC and CSN. The requests came from three individuals, a non-governmental organisation and a business organisation involved in corporate social responsibility, and were concerned mainly with what the government was doing to encourage corporate social responsibility in Canada and the new structure of the NCP.

4.3 Promotional Events

The NCP was invited to make a presentation at a conference organised by the Université du Québec à Montréal in November 2000 on the theme "Multinational Enterprises and Labour Law". The NCP representative's presentation focused on both the Guidelines and the ILO Tripartite Declaration for Multinational Enterprises and Social Policy. The presentation was well received and copies of both instruments were provided as well as website addresses. Labour, academic, employer, and government representatives from Canada, France, and the United States contributed to the success of the conference.

In March 2001, NCP representatives gave a presentation on the Guidelines to members of the Canadian Chamber of Commerce. Business community interest focused on implementation and, in particular, on how the NCP would respond to cases. The follow-up mechanism was portrayed by some as a form of alternative dispute resolution. The importance of maintaining business confidentiality was raised as an important issue as well.

The Guidelines were promoted by the NCP at an all-day meeting between government officials and the NGO community in May 2001. The NGOs were generally sceptical of the effectiveness of voluntary instruments, including multilateral instruments such as the Guidelines. Nevertheless, interest was expressed in how the Guidelines would apply to certain situations, especially in non-adhering countries. The new NCP website was promoted and the NGOs were invited to use the site to express their views on issues related to the Guidelines.

The NCP met with the Executive Director of Canadian Business for Social Responsibility, a member-based organisation of Canadian businesses committed to socially responsible policies and practices. The purpose of the meeting was to discuss strategies for promoting and implementing the Guidelines with Canadian companies, including small and medium-sized companies.

NCP representatives promoted the Guidelines at a meeting of the Conference Board of Canada in May 2001. A presentation was made to the Board's Corporate Responsibility and Ethics Council. This was the first encounter with the Guidelines for most Council members. Considerable interest was expressed on a wide range of issues. Of particular importance was the manner in which cases would be managed by the NCP. Members were of the view that the profile of complaints should be managed to prevent unwarranted negative publicity for companies - reputation is an important corporate asset that needs to be protected. A concern was expressed as well that the Guidelines could become another level of compliance with which firms would have to deal. A clear distinction was made by this group between values-based ethics programs, which are promoted through internal training, etc., and compliance-based programs that required adherence to compulsory standards and regulatory frameworks.

4.4 Promotion within the Government

Various government departments are promoting the Guidelines through their programs. The Department of Foreign Affairs and International Trade (DFAIT) has integrated the Guidelines into its activities to

promote corporate social responsibility at the international level and with Canadian organisations whose operations focus internationally. Close co-operation is maintained with other departments to ensure co-ordination of Guidelines implementation activities with other related international initiatives, such as the UN Global Compact. The Guidelines have also become an important element of the Departments strategy to promote sustainable development.

Activities are underway in DFAIT to inform departmental staff about the Guidelines. The Department provides information sessions on the Guidelines for its overseas trade officials. Three such sessions took place in the past year. The provision of Guidelines information is also a part of human rights training for government officials preparing for overseas postings. A formal training program on CSR targeted at trade officials is planned, and will include a session on the application of the Guidelines abroad.

To advance the four core criteria for NCP operations (i.e. visibility, accessibility, transparency, and accountability), Canada's Department of Industry has publicly-committed to promoting the OECD Guidelines for MNEs in its Sustainable Development Strategy for 2000-2003. This involves not only identifying concrete deliverables regarding the OECD Guidelines (e.g. developing promotional material and identifying opportunities to promote the Guidelines with the Canadian business community), but also reporting publicly on these efforts.

Beyond the Sustainable Development initiatives, Industry Canada has also identified the Guidelines as the main departmental response to public concerns about globalisation and the activities of multinational enterprises. As such, the Guidelines have been promulgated throughout the department, particularly to all areas which are involved in investment development activities. Essentially, these groups have been requested to hotlink their respective websites to Canada's National Website on the OECD Guidelines for MNEs and to circulate a brochure about the Guidelines to client groups on an as-requested basis.

Canada's Export Development Corporation (EDC) has developed a corporate social responsibility framework to make CSR an integral part of its corporate strategy. Through its Corporate Plan, EDC will promote corporate social responsibility principles and standards, including the recommendations of the Guidelines. EDC will establish a link between its website and that of Canada's NCP.

5. Implementation in Specific Instances

Canada's NCP has not received notice of any specific instances of MNE conduct in relation to the Guidelines since June 2000.

A draft paper has been prepared laying out the approach Canada's NCP plans to adopt in responding to cases. This approach closely mirrors the approach provided in the Guidelines' *Procedural Guidance* document. Comments were solicited from the CCIB, CLC and CSN. The paper will be posted on the website to allow other organisations a chance to provide input as well.

6. Concluding Remarks

Progress has been made in improving the visibility, accessibility, transparency and accountability of Canada's NCP. The establishment of the website and the broader interdepartmental structure of the NCP have made an important contribution in this regard. Promotional activities have been carried out with business, labour and NGOs, and more such activities will take place in the coming year.

CHILE / CHILI

(to come)

CZECH REPUBLIC / RÉPUBLIQUE TCHEQUE

A. *Institutional arrangements*

In the Czech Republic the Ministry of Finance was charged to establish a National Contact Point after the accession of the Czech Republic to the OECD. The aim of the Czech National Contact Point is to implement the Guidelines for Multinational Enterprises, monitor the behaviour of multinational companies and resolve any disputes arising.

Responsible person for the National Contact Point is the director general of International Organisations Department at the Ministry of Finance, Mrs. Lenka Loudova (Letenská 15, 118 10 Prague 1, tel.: 00420 2 57042133, fax: 00420 2 57042795, e-mail: lenka.loudova@mfcz.cz).

The Czech National Contact Point closely co-operates with the Czech BIAC (represented by the Czech Association of Industry and Transport) and the Czech-Moravian Trade Unions Confederation, which co-operates with the OECD's TUAC. Meetings of the Czech National Contact Point are attended also by representatives of relevant ministries and state authorities (Ministry of Labour and Social Affairs, Ministry of Industry and Trade, Ministry of Justice, Ministry of Foreign Affairs, Ministry of the Environment, Czech National Bank, Office for the Protection of Economic Competition).

B. *Information and promotion*

The Ministry of Finance of the Czech Republic has created a web-site for the National Contact Point (<http://www.mfcz.cz/scripts/hp/default.asp?OECD-NKM>). There is possible to find the Czech translation of the current OECD Guidelines for Multinational Enterprises, a direct link to the English text of the Guidelines on the OECD's web-site, documents supporting the implementation and observance of ethical codes, including direct links to the ethical codes of selected associations and companies in the Czech Republic, and of course the contact to the Czech National Contact Point.

An official publication of the Guidelines in one of the most important Czech economic magazine – "*Ekonom*" is under preparation.

The Czech National Contact Point has one regular meeting per year, and extraordinary meetings in the case of necessity, i.e. if one of the participants requests an extraordinary meeting. Nevertheless the Ministry of Finance struggles also for very informal permanent contacts with all key partners, primarily representatives of the Association of Industry and Transport and the Czech-Moravian Trade Unions Confederation.

Last regular meeting of the Czech National Contact Point was held on 2 November 2000. Participants were informed about the approval of the revised OECD Guidelines for Multinational Enterprises by the OECD Council (at Ministerial level) on 27 June 2000, about the presentation of the new Guidelines to the public, and also about the issues on Corporate Governance. The meeting decided to provide an analyses of the Czech legislation vis-a-vis the Guidelines, and on the promotion of the implementation and observance of ethical codes.

Since 1999, the Association of Industry and Transport has regularly informed its members about negotiations on the revision of the Guidelines for Multinational Enterprises. The Association published several articles on the significance and mission of the Guidelines and the role of the National Contact Point in its newspaper "*Zpravodaj*".

C. Implementation in specific instances

At the beginning of 2001, a conference on Business Ethics in Trade was organised by the Ministry of Industry and Trade, the Ministry of Finance incl. the Czech National Contact Point in the close co-operation with the Chamber of Deputies of the Czech Parliament. Approximately 200 representatives from various organisations attended the conference. Participants received basic information on the revised Guidelines and a brochure of proceedings was published, which also features two chapters of the Guidelines, the General Policies and a commentary on them.

DENMARK / DANEMARK

A. *Institutional arrangements*

- The Danish National Contact Point is located at the labour law office in the Danish Ministry of Labour

Ministry of Labour
 Holmens Kanal 20
 DK 1060 Copenhagen K
 Tel. +45 33 92 59 00
 Fax +45 33 12 13 78

The Chairman of the Danish Contact Point is Deputy Permanent Secretary of State **Einar Edelberg** [Tel: +45 33929959; E-mail: eed@am.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 Danish Agency for Trade and Industry
 - The Environmental Protection Agency
 - The Ministry of Economy
 - The Ministry of Foreign Affairs
 - The Ministry of Labour (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 do not have any specific relations to other government agencies, but is currently attempting to make its presence known.
- 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" have been established with representatives of interested NGOs and the members of the Danish Contact Point. The purpose of the Guidelines-group is to facilitate the exchange of views and ideas on the promotion of the *Guidelines*.

B. *Information and Promotion*

- The Danish Contact Point has recently released a booklet containing the *Guidelines* in Danish. In an effort to promote the awareness of the *Guidelines* in Denmark a handbook on the *Guidelines* and how to use them has been published and is currently being distributed to enterprises, libraries etc.. The *Guidelines* in Danish are accessible on the WWW, and a more comprehensive service on the web is underway.

- Aside from the co-operation within the Danish Contact Point and in the "Guidelines-group" mentioned above the Danish Contact Point have made an effort to ensure public awareness of the *Guidelines* through the media.
- The Danish Contact Point hosted a conference on the *Guidelines* on the 10 May 2001. The new releases were presented and this was followed by - *inter alia* - speeches by the Minister of Foreign Affairs and the Minister of Labour.
- The Danish Contact Point has not received any enquiries since the revision of the *Guidelines*.

C. *Implementation in specific instances*

- The Danish Contact Point considers itself ready to deal with specific instances.
- No specific instances have been brought to the attention of the Danish Contact Point since the revision of the *Guidelines*.

D. *Other*

- The Danish Contact Point has not been able to test itself under the new *Guidelines* in relation to specific instances. Although such an instance would perhaps create some publicity the Danish Contact Point is more eager to establish some positive examples where an enterprise or a branch of business make the *Guidelines* part of their policy. There seems to be some possibilities in this direction. The Danish Contact Point has tried to create a framework to deal with specific instances in accordance with both Danish and international standards on visibility, accessibility, transparency and accountability, but it does not seem possible to exemplify this specifically at the present time.
- In recent months, the Danish Contact Point has concentrated on making the *Guidelines* known by the enterprises and the general public. It seems a little early to judge whether this first phase in the work to further the effectiveness of the *Guidelines* have been fruitful. The Danish Contact Point has made a point of requesting the public - and especially the NGOs - to assume the role as watchdog. But as yet this has not resulted in any specific instances being brought to the attention of the Danish Contact Point.

FINLAND / FINLANDE

A. Institutional Arrangements

- *Where is the National Contact Point located? Please include mailing address, phone number, e-mail address, and other relevant co-ordinates.*

The Advisory Committee on International Investment and Multinational Enterprises of Finland (MONIKA), which 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 investments, acts as the Finnish NCP. This committee, which has been established by the Government Decree 335/2001, takes care of the promotion of the Guidelines and serves as an advisory forum in other issues related to the CIME. The Ministry of Trade and Industry is responsible for the handling of inquiries and the implementation in Specific Instances.

Mailing Address etc:

General Secretary, Senior Government Secretary Jorma Immonen
 Advisory Committee on International Investment and
 Multinational Enterprises of Finland (MONIKA)
 Ministry of Trade and Industry
 PO Box 32
 0023 Valtioneuvosto
 Helsinki

Tel. +358 9 160 4689 or GSM +358 50 3756198
 Email: jorma.immonen@ktm.vn.fi
 Web: <http://www.ktm.fi/monika/>

- *What is the composition of the National Contact Point? (If other government departments or specialised agencies are included, please specify.)*

Chairman: Mr Risto Paaermaa
 Ministry of Trade and Industry

Vice Chair: Mrs Päivi Luostarinen
 Ministry for Foreign Affairs

Members:

Mr Jyrki Jauhiainen, Ministry of Justice
 Mrs Asta Niskanen, Ministry of Finance
 Mr. Rolf Myhrman, Min. of Social Affairs and Health
 Mr Jouni Lemola, Ministry of Labour
 Mrs Tuula Varis, Ministry of Environment
 Mrs Pirkko Haavisto, TT - The Confederation of Finnish Industry and Employers
 Mr Timo Vuori, The Finnish Section of the International Chamber of Commerce (ICC)
 Mr Peter J. Boldt, The Central Organization of Finnish Trade Unions SAK
 Mrs Eeva Simola, Service Centre for Development Cooperation KEPA

General Secretary:

Mr. Jorma Immonen, Ministry of Trade and Industry

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

The other government agencies are represented in the NCP by the relevant ministries, see above.

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

Social partners are represented in the NCP by TT - The Confederation of Finnish Industry and Employers, The Finnish Section of the International Chamber of Commerce (ICC) and the Central Organization of Finnish Trade Unions SAK, see above

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

The NGOs are represented by the Service Centre for Development Cooperation KEPA, see above.

B. Information and Promotion

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

The Guidelines have been translated into Finnish and Swedish, which are the official languages in Finland.

A special webpage of the Finnish NCP with links to the OECD website and other organisations has been created, <http://www.ktm.fi/monika>

- *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.)?*

Ministries, social partners and NGO's represented in the NCP have actively attended the meetings of the NCP and promoted the Guidelines by disseminating information to stakeholders etc.

A number of activities have been undertaken since the June 2000 Guidelines review, aiming at promoting the Guidelines among business, trade unions and non-governmental organisations and preparing a special information seminar.

Well over a hundred civil servants and representatives of enterprises, employees' organisations and non-governmental organisations convened for the Seminar on Globalisation and the Responsibility of Enterprises organised by the Ministry of Trade and Industry on Wednesday, 23 May 2001. The Seminar brought out views of the public administration, trade organisations and non-governmental organisations on globalisation and

the social responsibility of enterprises. The aim was to promote the Guidelines and to offer a discussion forum for the different parties and to give feedback to the Finnish NCP.

The half-day Seminar was opened by Mr Erkki Virtanen, Permanent Secretary at the Ministry of Trade and Industry, who presented his views about the challenges of global economy to the public authorities. Mr Marinus Sikkel, the Dutch Chairman of the OECD's Committee on Investment and Multinational Enterprises, discussed the Guidelines of the Organisation for Economic Co-operation and Development (OECD). Mr Veli Sundbäck, Nokia's Director and Board Member, spoke about the social responsibility of enterprises. Mr Peter J. Boldt, Economist at the Central Organisation of Finnish Trade Unions (SAK), presented the views of the employees organisations. The theme of Ms Sirpa Pietikäinen, Member of Parliament, was the thoughts of the non-governmental organisations on the responsibility of enterprises.

- *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.)?*

Follow-up of the 23 May 2001 Seminar will include the following:

- Networking of participants of the Seminar, and follow-up discussions on Corporate Social Responsibility (CSR) in the NCP with the stakeholders;
 - Further studies on Codes of Conduct of the Finnish MNEs; and
 - Creation of an internet-based forum, accessible from the above mentioned address.
- *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?*

In January 2000 a Finnish company manufacturing computer equipment in Finland closed down its production unit in Finland and transferred the operations of the unit to its parent company's units in Augsburg and Sömmerda in Germany. Well over 400 employees in Finland lost their jobs. At the request of the organisations representing the employees of company, the company's plans and ways of action were discussed by the NCP at the Ministry of Trade and Industry in Finland. The NCP consulted the parties involved and the NCP in the Bundesministerium für Wirtschaft und Technologie in Germany. However, the NCP could not issue a statement while on the basis of the Finnish act on co-operation within undertakings (725/1978) the Ministry of Labour, Finland and the trade unions initiated a parallel legal procedure in the local judicial authorities.

C. Implementation in specific instances

- *Have procedures been put in place to deal with specific instances?*

None.

- *Have specific instances been brought to the attention of your National Contact Point? By whom (business, labour, NGO, other NCPs, others)?*

None.

- *If applicable, how did your National Contact Point assist in solving these specific instances? What was the outcome?*

Not applicable.

- *Have any specific instances arisen in non-adhering economies? What procedures were followed by the NCP? What was the outcome?*

None.

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.*

See chapter B.

- *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?*

Guidelines and Linkages: The new act on Export Credits will enter into force on 1 July 2001. In the preparation of the Government bill Parliament stated a clear position that Finnvera plc, the national Export Credit Agency, should follow the Guidelines in offering export credit guarantees. According to this position Finnvera plc is preparing necessary modalities.

FRANCE

A. Organisation institutionnelle

- *Où est situé le PCN ? Veuillez indiquer l'adresse postale, le numéro de téléphone, l'adresse « email », etc...*

L'activité du PCN est coordonnée par la Direction du Trésor au Ministère de l'économie et des finances. L'adresse à laquelle doit être envoyée toute demande concernant le PCN est la suivante :

Madame Odile RENAUD-BASSO
Sous-directrice « Affaires européennes et monétaires internationales »
Direction du Trésor
139, rue de Bercy
75572 Paris Cedex 12

- *Quelle est la composition du PCN ?*

Le PCN est une structure tripartite qui rassemble, outre l'administration, les partenaires sociaux (syndicats et entreprises) :

- Administrations : Ministère de l'économie et des finances, Ministère de l'emploi et de la solidarité, Ministère de l'environnement, Ministère des affaires étrangères.
- Syndicats : CFDT, CGT, CGT – FO, CFE – CGC, CFTC, UNSA.
- Entreprises : MEDEF.

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

Le PCN assure une coordination interministérielle.

- *Comment sont impliquées les partenaires sociaux dans le fonctionnement du PCN ?*

Les partenaires sociaux assistent à toutes les réunions régulières du PCN.

- *D'autres organisations telles les ONG sont-elles associées au PCN ?*

Non

B. Information et promotion

- *Comment les Principes directeurs ont-ils été rendus accessibles ? (traduction, création d'une page web, d'un site web, etc...)*

Une page web du PCN a été créée sur le site du Ministère de l'économie et des finances (adresse : <http://www.minefi.gouv.fr/minefi/europe/multinationale/index.htm>). Les ambassades françaises, qui avaient déjà été sensibilisées après la révision des Principes

directeurs de juin dernier, le seront de nouveau très prochainement au sujet plus particulièrement de l'organisation du PCN.

- *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 ? (consultations, diffusion des Principes directeurs, séminaires, etc...)*

La coopération s'effectue dans le cadre du PCN dont les réunions régulières à un rythme trimestriel permettent d'échanger des informations sur les différentes initiatives prises par ses différents membres. Des colloques ont été organisés et plusieurs articles ont été publiés (cf. question suivante).

- *D'autres activités d'information et de promotion ont-elles été organisées ? (séminaires, conférences, publications, coopération avec les agences de promotion de l'investissement, les écoles de commerce, etc...)*
 - Colloque organisé par le MEDEF les 19 et 20 juin 2001 : « Les Principes directeurs de l'OCDE à l'intention des entreprises multinationales : tremplin vers une meilleure gouvernance mondiale d'entreprises ou une mise sous tutelle de l'investissement international ? »
 - Article au sujet des Principes directeurs paru dans la revue de l'UNSA en mars 2001 : « Zoom – Les "PDO" ».
 - Article au sujet des Principes directeurs paru dans la revue hebdomadaire de CGT-FO : « Recommandations de l'OCDE », FOH 2483.
- *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 ?*

Des demandes d'information au sujet de l'organisation du PCN ont été adressées par l'ambassade de Lettonie.

C. Mise en œuvre dans des circonstances spécifiques

- *Des procédures particulières ont-elles été mises en place pour traiter de cas spécifiques ?*

Un règlement intérieur du PCN sera prochainement élaboré de façon à préciser les modalités de saisines du PCN et de consultation dans le cadre du PCN.

- *Des cas spécifiques ont-ils été portés à l'attention du PCN ? Par qui (entreprises, employés, ONG, d'autres PCN, autres) ?*

Trois cas ont été portés à l'attention du PCN depuis la révision des Principes directeurs. Le premier l'a été par un autre PCN. Les deux autres l'ont été par plusieurs syndicats.

- *Comment le PCN est-il intervenu dans la résolution de ces cas spécifiques ? Quelle a été l'issue ?*

Dans le premier cas, le PCN français s'est informé auprès du siège de l'entreprise française concernée et est resté en contact avec le PCN étranger. L'affaire s'est réglée par un accord entre l'entreprise et ses syndicats.

Dans les deux autres cas, le PCN s'est dans un premier temps réuni pour préciser le contexte des saisines du PCN et définir les modalités de consultation avec les entreprises. Des réunions avec chacune des entreprises ont été fixées dans un second temps.

Tous les cas soulevés l'ont été au titre du chapitre IV des Principes directeurs (« emploi et relations professionnelles »).

Par ailleurs, dans les cas concernant d'autres pays adhérant aux Principes directeurs, une consultation régulière avec les PCN de ces autres pays a été organisée.

- *Certains cas spécifiques ont-ils soulevés dans des pays n'adhérant pas aux Principes directeurs ? Quelles procédures a été suivie par le PCN ? Quelle a été l'issue ?*

Oui. Le processus de consultation s'est limité, à ce stade, à l'entreprise intervenant dans ce pays. Le processus de consultation n'est pas encore achevé.

D. Divers

- *Comment les caractéristiques des PCN prévues 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.*

Une large participation au PCN (administrations, syndicats et entreprises) en assure la légitimité, tout en contribuant à sa transparence et à son accessibilité. De plus, la création d'un page « web » spécifique sur le site du Ministère de l'économie et des finances, de laquelle sont d'ailleurs accessibles le rapport du PCN, le site de l'OCDE et celui des différents membres du PCN, accroît également à la fois la visibilité du PCN, son accessibilité et sa transparence.

- *Souhaitez-vous fournir d'autres informations sur la nature et les résultats de l'activité du PCN ?*

Sans objet

GERMANY / ALLEMAGNE

A. *Institutional Arrangements*

- *Where is the National Contact Point located?*

Bundesministerium für Wirtschaft und Technologie
Scharnhorststraße 34-37
10115 Berlin
Deutschland

Phone: +49-30-20.14-71.79
Fax: +49-30-20.14-54.93
E-mail: buero-vc-f2@bmwi.bund.de

- *What is the composition of the National Contact Point (NCP)?*

The National Contact Point is headed by a senior official of the Federal Ministry of Economics. The foreign investment division is the focal point for all questions concerning the Guidelines. The National Contact Point works in close co-operation with the social partners.

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

The National Contact Point will provide interested ministries with the opportunity to participate in the further implementation of the Guidelines. This includes discussions on the application of the Guidelines on the issues raised in a Specific Instance as well as discussions on the composition, appropriate to the circumstances of that Specific Instance, of the group of the Parties Involved.

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

The involvement of the social partners in the practical work of the National Contact Point depends on the substantive requirements. As far as the application of the Guidelines in Specific Instances is concerned, the social partners will be given access to possible conciliation or mediation procedures, with the agreement of the Parties Involved.

- *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. As far as the application of the Guidelines in Specific Instances is concerned, non-governmental organisations are consulted on possible conciliation or mediation procedures, with the agreement of the Parties Involved, as stipulated.

B. Information and Promotion

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

A German translation of the revised Guidelines was prepared in June 2000 by the German Translation Service of the OECD, which is funded by the Federal Government.

The German version of the Guidelines was put on the Internet site of the OECD BERLIN CENTRE in October 2000 and can be downloaded under: www.oecd.org/deutschland/dokumente/leitsaetze.pdf

The Federal Ministry of Economics and Technology has published a documentary booklet on the “Revision 2000” of the Guidelines in German.

A reference to the OECD Guidelines for Multinational Enterprises was included on the application form for investment guarantees granted by the Federal Government. The reference also mentions the Internet address for the German translation of the “Revision 2000” of the OECD Guidelines.

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

The German Government has been supporting the OECD initiative for the revision of the Guidelines from the beginning. The Federal Government requests German business associations, as well as any German company with foreign activities, to help make the new OECD Guidelines effective and successful. As early as 11 July 2000, the Federal Minister for Economics and Technology had addressed a letter to this effect to the President of the Federation of German Industries (Bundesverband der Deutschen Industrie e.V. - BDI).

The German business community has made a positive contribution to the development of these recommendations on conduct as well and endorsed the stipulated principles and standards in public statements.

In December 2000, a representative of the Federal Ministry of Economics participated in the workshop “International Rules for the Economy?” held by the German Confederation of Trade Unions (Deutscher Gewerkschaftsbund - DGB) and gave a lecture on “The OECD Guidelines seen from the Federal Government’s Perspective”.

In January 2001, the Federal Ministry of Economics took part in a panel discussion organised by the OECD BERLIN CENTRE on the topic “Opportunities and Limitations of the OECD Guidelines” which was designed in particular for non-governmental organisations and the broad public.

Also in January 2001, the documentation of the Federal Ministry of Economics on the “Revision 2000” of the OECD Guidelines was distributed to the members and experts of the Study Commission “Globalisation of the World Economy – Challenges and Responses” of the German Bundestag.

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

As guest speaker at the BDI symposium “Freedom in Responsibility. Multinational Enterprises in Globalisation” on 13 June 2001, the Federal Minister for Economics and Technology will underline, inter alia, the importance of the OECD Guidelines for Multinational Enterprises.

In late autumn 2001, the Federal Minister for Economics and Technology will hold a conference with the social partners on the OECD Guidelines for Multinational Enterprises.

- *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) No.
 - (b) The National Contact Point has provided the requested information and answered the questions submitted.
 - (c) No.

C. *Implementation in specific instances*

- *Have special procedures been put in place to deal with specific instances?*

No.

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

No.

- *Have any specific instances arisen in non-adhering economies?*

No.

GREECE / GRECE

A. *Institutional arrangements*

- The Greek National Contact Point is located at the following address:

Ministry of National Economy
 Ermou & Kornarou 1
 Athens 10563

Tel: (+301) 328 6307 or (+301)328 6231

Fax: (+301) 328 6309

E-mail: sdooa@dos.gr

- The NCP is a governmental service.
- The *Directorate for International Organisations and Policies*, headed by its Director, Mr. Nicholas Symeonidis, part of the General Directorate for Policy Planning and Implementation, General Secretariat for International Relations of the Ministry of National Economy.
- Government agencies as well as the social partners (Federation of Greek Industries and the Trade Unions' Federation) have been asked to appoint a "contact point" to the NCP. These persons have been consulted during the review of the Guidelines, are associated with promotional activities and will participate, as appropriate, in the Advisory Committee (see below, under C).

B. *Information and Promotion*

- The Guidelines have been translated into Greek and are now electronically available, together with an Introductory Note and information on the Greek NCP, on the website of our Investment Promotion Agency (ELKE), at the address: www.elke.gr/bloecd.htm.
- NGOs have been informed by letter on the adoption of the revised Guidelines and the establishment of the NCP. For social partners, see above under A, third bullet.
- A conference is planned for early autumn 2001 on the Guidelines in general.
- Inquiries of a general nature have been received by a few NGOs.

C. *Implementation in specific instances*

- Specific instances will be dealt by the NCP, assisted by an Advisory Committee, composed by representatives of relevant government agencies, business and labour.
- No specific instances have been brought to the attention of the NCP up to now.

D. Other

- We consider that our contacts with social partners and NGOs, together with the posting of relevant information on the web, have rendered the NCP visible and accessible to all interested parties. Transparency and accountability are more connected to the implementation of the Guidelines in specific instances and we hope that if and when such an instance arises, the Advisory Committee procedures will prove satisfactory to this effect.
- In an effort of making the Guidelines known to non-adhering countries, information on the Guidelines and the position of the Greek government on their observance has been prepared to be given out on the occasion of Joint Intergovernmental Meetings with non-adhering countries where Greek business operates.

Nicholas Symeonidis
Director

HUNGARY / HONGRIE

(to come)

ICELAND / ISLANDE

(to come)

IRELAND / IRLANDE

Introduction

Under previous revisions of the OECD Guidelines for Multinational Enterprises, formal and informal activities of National Contact Points generally went unreported. The important efforts of many NCPs, to assist interested groups in problem solving or in marketing and promoting the Guidelines, were not gathered in a systematic and informative way. Ireland welcomes the innovation in the 2000 Revision of the Guidelines that facilitates adhering countries to highlight the work of their NCPs. Providing a mechanism whereby National Contact Points can formally record the outcome of any cases they handled will enhance the objectives of both the National Contact Points and the Guidelines themselves. Indeed, the opportunity to learn from the shared experience of others can only enhance NCP effectiveness.

Furthermore, annual reports are an essential component in the toolbox of every Contact Point to ensure that the four attributes of their activity – visibility, accessibility, transparency and accountability – obtain the necessary recognition that will contribute to the long term successful implementation of the Guidelines. Ultimately, the combined endeavours of all NCPs will position the Guidelines as the benchmark among codes of corporate social responsibility.

The Negotiating Process

As this is the first annual report from Ireland's National Contact Point, it is worthwhile making a few observations about its activity during the negotiation process as well as its work since the Guidelines were approved at the 2000 OECD Ministerial at which Ireland was represented by Mr. Tom Kitt TD, Minister for Labour, Trade & Consumer Affairs.

A central theme guiding Ireland's participation in the revision process was the concept that good governance is the foundation of good business. This premise also underpins Ireland's NCP in promoting the Guidelines as the essential template against which individual corporate codes of conduct should be designed.

Reflecting the inclusive nature of the Guidelines negotiations at the OECD, business, trade unions and NGOs as well as Government Departments and enterprise development agencies were informed of the process and their views and comments helped formulate Ireland's contribution to the Guidelines Revision. The consultation process also involved the Trade Advisory Forum¹ that is set up to advise Minister Kitt on strategic trade and investment issues.

1. The Trade Advisory Forum is made up of representatives of State agencies, trade unions, business representatives, exporters and Chambers of Commerce.

A. Institutional Arrangements

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

National Contact Point for the OECD Guidelines for Multinational Enterprises
Enterprise Policy Unit
Department of Enterprise, Trade and Employment
Kildare Street
Dublin 2

Telephone: + 353 1 631 2471

Fax: + 353 1 631 2822

E-mail: Gerard_Monks@entemp.ie or Páraig_Hennessy@entemp.ie

The NCP operates as a single point of contact within the Department of Enterprise, Trade and Employment. The senior official heading the NCP is Mr. Páraig Hennessy, Principal Officer in charge of the Enterprise Policy Unit at the Department.

The principal Irish development agencies connected with enterprise development and investment report to the Department of Enterprise, Trade and Employment. These were included in the consultation process connected with the Guidelines negotiations, as were other Government Departments.

As the NCP is organised as a single expert point of contact, business, trade unions and non governmental organisations are not directly involved in its operation. However, there is frequent communication with these interest groups, through both direct and informal channels, with the contact point initiating discussions and being available for consultations at the request of any party interested in the Guidelines.

In conjunction with the NCP, the Irish Business and Employers Confederation participated at the EU Commission's Conference on the Guidelines and Corporate Social Responsibility on 10 – 11 May 2001.

B. Information and Promotion

The NCP undertook the following activities to promote the Guidelines both during the negotiating process and subsequently:

- The Minister for Labour, Trade and Consumer Affairs spoke about the Guidelines to the Trade Advisory Forum. Comments were invited from both business and non business participants and the availability of the NCP for ongoing consultations was emphasised. The Minister spoke about the range of topics that the new Guidelines covered and their importance to both business and society as business increasingly became a global activity.
- The Minister for Labour, Trade and Consumer Affairs wrote to the General Secretary of the Irish Congress of Trade Unions asking for the support of the union movement in both supporting and promoting the Guidelines.

- In promoting awareness of the Guidelines among the business community, the Irish Business and Employers Confederation used their members' newsletter to highlight the Guidelines and what they would mean for both large and small enterprises.
- Details about the Guidelines and the National Contact Point are referenced on the Department's website and can be viewed at <http://www.entemp.ie/epst/fdi2.htm>.
- This site also provides a link to the dedicated OECD site covering the Guidelines to facilitate access to the full Guidelines text and associated commentaries.
- The Department's Annual Report for 2000 includes a section on the Guidelines and how to contact the NCP. It is intended that the Guidelines will be a regular feature of this report. The report can be accessed at <http://www.entemp.ie/report2000.pdf>²
- Under Ireland's Freedom of Information legislation, the Department publishes a document that formally describes the functions and operations of the Department. Access details for the NCP are also detailed in this publication³.
- Over the past decade Ireland has successfully implemented a number of accords with the social partners. Regular progress reports under the latest agreement, The Programme for Prosperity and Fairness (PPF), are prepared for the social partners. The 3rd. Progress Report on the PPF included a commentary of the role of the Guidelines for Irish companies investing abroad.
- The importance and relevance of the Guidelines was emphasised on a number of occasions when Ministers addressed NGOs e.g. at a major conference organised by Trocaire⁴ in 2000 and to Comhlámh⁵. Promotion of the Guidelines to the NGO community will continue through such events.
- In planning Ireland's participation at the WTO Ministerial in Qatar, the Department is planning comprehensive discussions and consultations with business, labour and NGOs. These consultations with society will be an important aspect of preparing for the Ministerial. The process will include web based discussions and the Guidelines will feature in the investment context. This will also provide the Department with the opportunity to promote the accessibility, visibility and transparency of the NCP.
- The NCP has received no enquiries about the Guidelines from other National Contact Points or from the Governments of non adhering countries.

2. Department of Enterprise and Employment, Annual Report 2000, p17.

3. Department of Enterprise, Trade and Employment, Freedom of Information Act Sections 15 and 16 Reference Book - A Guide to the Functions, Records, Rules and Practices of the Department, 2nd Edition, April 2001. P 79, 80, 82-83, <http://www.entemp.ie/FOI1405.pdf>.

4. Trocaire, the Irish Catholic Agency for World Development that is also associated with Caritas Internationalis.

5. Comhlámh is an association of returned development workers who wish to promote effective global development.

C. *Implementation in Specific Instances*

No specific instances have so far been addressed to Ireland's NCP.

The NCP is in a position to deal with any specific instances that may arise in the future.

D. *Summary / Other*

The work of Ireland's NCP in the first year since the 2000 Guidelines were launched has been taken up with formally setting up the contact point within the formal structure of the Department as well as with general information and promotional activities.

The relevance of the Guidelines to contemporary business is reinforced by increasing international discussions about the role of global investment. This will continue to influence the approach of enterprise, trade unions and non governmental organisations to matters of corporate governance. In this context, the Irish NCP will continue to promote and encourage use of the Guidelines.

ITALY / ITALIE

(to come)

JAPAN / JAPON

A. *Institutional Arrangements*

At present, the National Contact Point is located at the following address:

Second International Organisations Division
Economic Affairs Bureau
Ministry of Foreign Affairs

Tel: 81-3-3581-0018

Fax: 81-3-3581-9470

Web: www.mofa.go.jp/mofaj/gaiko/economy/oecd/index.html

The Second International Organisations Division is responsible for co-ordinating policies on OECD affairs in the Government.

Since its founding, the National Contact Point has been keeping close contact with other government agencies such as Ministry of Health, Labour and Welfare (MHLW) and Ministry of Economy, Trade and Industry (METI), in dealing with issues covered by the Guidelines.

The Government is currently reviewing the structure of the National Contact Point, taking into account the revision of the Guidelines in 2000 as well as opinions submitted to the National Contact Point by its social partners. It is expected that the review process will be finalised as soon as possible.

B. *Information and Promotion*

In September 2000, the National Contact Point finalized translations of the 2000 Guidelines, the revised Council Decision, and the Procedural Guidance into Japanese language. These texts together with a general explanatory note are available on websites of MOFA and METI.

With respect to disseminating information on the Guidelines, several meetings have been organised in Tokyo, including:

- July 2000: Information meeting to Keidanren (Japan Federation of Economic Organisations) by MOFA and METI;
- December 2000: Seminar concerning the Guidelines organised by MHLW and the ILO Association of Japan, and supported by ILO Tokyo Branch Office and OECD Tokyo Center;
- December 2000: Information meeting to Keidanren by MOFA, MHLW and METI;
- April 2001: Meeting between Government, Labour and Business organised by MHLW.

Besides a few questions in a very general nature from the public, the National Contact Point has not received any specific enquiries from other NCPs nor governments of non-adhering countries.

C Implementation in specific instances

No specific instances have been brought to the National Contact Point.

D. Other

The Government of Japan is committed to enhancing the role and functioning of its National Contact Point, taking into account the social, cultural, and institutional context in which it is placed. To realise its commitment, it has been exerting its utmost efforts to promote the Guidelines, which resulted in early publishing of the translations and frequent meetings with its social partners. The National Contact Point continues to promote such activities, keeping in line with the core criteria for the operation of National Contact Points.

KOREA / COREE

A. *Institutional Arrangements*

The Korea National Contact Point (NCP) is the Executive Committee on FDI (“hereinafter referred as a “the committee”). The chair of the Committee is the Vice-Minister of the Ministry of Commerce, Industry and Energy (MOCIE). The Committee consists of the deputy minister of each ministry of the central government and vice governors of each local government. The secretary of the committee, who is responsible for the work of the NCP in a practical sense, is the FDI policy division of MOCIE. The committee has Mediation Committees as sub-committees, which consist of government agencies, business associations, trade unions and NGOs including environment protection organizations. The Mediation Committees were established to effectively resolve issues raised relating to the implementation of the OECD Guidelines for multinational enterprises in the fields of employment and industrial relations, environment and consumer interests.

Contact information on the Korea NCP is as follows:

- Tel:822-507-2152, 822-500-2568
- Fax:822-504-4816, 822-503-9655
- Email:fdikorea@mocie.go.kr
- Website:www.mocie.go.kr

As can be seen in section B, the Korea NCP is related to some agencies such as ministries of the central government, local governments, KOTRA (Korea Trade-Investment Promotion Agency) and Korean foreign exchange banks in implementing the functions of the NCP. Both the Ministry of Foreign Affairs and Trade and the Ministry of Finance and Economy also engage in promotion of the OECD Guidelines through meetings with Korean multinational enterprises operating abroad. Local governments also help multinational enterprises of other countries operating in Korea to promote and implement the OECD Guidelines.

The Korea NCP holds consultation with relevant ministries of the central government to resolve issues relating to the implementation of the OECD Guidelines in the fields of employment, environment, and consumer interests. KOTRA and Korean foreign exchange banks Korea provide multinational enterprises with information on the OECD Guidelines when multinational enterprises invest inward or outward. Business associations and trade unions do not participate directly in the NCP as NCP members. But the representatives of those agencies participate as members of Mediation Committees, the sub-committees of the NCP, in the fields of employment, environment, consumer interests.

B. *Information and promotion*

The Korea NCP provides information and materials on the OECD Guidelines to the business associations, trade unions, environment protection organizations and other NGOs such as consumer associations. The Korea NCP also meets with these NGOs in order to determine and reflect their views in both promotion and implementation of the OECD Guidelines.

In order for the interested parties to understand and gain easy access to the OECD Guidelines, the Korea NCP has taken the following measures.

First, the Korea NCP published “Handbook on the OECD Guidelines” in English and Korean in December 2000. The Handbook includes all OECD documents regarding the OECD Guidelines such as the OECD Guidelines for Multinational Enterprises, Decision of the Council on the OECD Guidelines for Multinational Enterprises, Procedural Guidance, Commentaries on the OECD Guidelines and Procedural Guidance.

Second, the Korea NCP loaded the Handbook on the MOCIE website (www.mocie.go.kr). The Korea NCP also linked the MOCIE website to the OECD web site in order for interested parties to be able to check developments in the OECD Guidelines and in the related fields in the OECD.

Third, the Korea NCP published pamphlets containing the core contents of the OECD Guidelines and the procedures of the NCP in order for interested parties to understand the OECD Guidelines more easily.

Fourth, the Korea NCP prepared and published “The Official Regulations on the Korea NCP Operations” explaining the composition and activities of the NCP and mediation procedures on the issues raised by interested parties in the Official Gazette. These official regulations will contribute to improvement of the accessibility, transparency and accountability of the Korea NCP.

Fifth, the Korea NCP distributed the Handbook of the OECD Guidelines and the pamphlets mentioned above to the major multinational enterprises, business associations, trade unions, other NGOs such as environment protection groups, and local governments.

Sixth, the Korea NCP held meetings (symposiums) in which business associations, employee organizations, academics and other NGOs participated. The participants in these meetings discussed the developments in the OECD Guidelines, the current situation of the code of conduct in Korea, and the role of the interested parties such as business associations and NGOs.

Seventh, the Korea NCP also held meetings abroad in which Commercial Attaches and Korean multinational enterprises operating abroad discussed the OECD Guidelines and how to observe them.

Eighth, the Korea NCP provides information on the OECD Guidelines to multinational enterprises newly investing in Korea or Korean companies investing abroad through KOTRA and Korean foreign exchange banks to which new foreign direct investors in Korea or abroad need to give advance notice of their investment plans.

Ninth, the Korea NCP also surveyed both the current code of conduct of Korean enterprises and the extent to which the Korean enterprises use the OECD Guidelines. The Korea NCP will encourage the Korean enterprises to accept good practice in making their codes of conduct.

Tenth, the Korea NCP plans to give awards to the multinational enterprises which implemented the OECD Guidelines particularly well in order to encourage implementation of the OECD Guidelines by example and emulation.

C. *Implementation in specific instances*

The Korea NCP follows the procedures and four criteria of visibility, accessibility, transparency, and accountability in the OECD Guidelines in implementation in specific instances. When issues are presented to the Korea NCP by interested parties, the Korea NCP endeavors to resolve there

matters through mediation or other means. In this regard, the Korea NCP has adopted additional procedures, not included in the OECD Guidelines, to transmit the result of the resolution process to the government ministries (ministry) or agencies (agency) most directly concerned to assist them in policy making.

Korea NCP has established general procedures to deal with specific instances in “The Official Regulations on the Korea NCP Operations”.

The general procedures are as follows:

1. *Application by interested party*

Any interested party hands in a written application to the Korea NCP on which an applicant writes his name, address, contact point, and issues relating to the implementation of the OECD Guidelines. This makes it easier for the applicant to inquire about the OECD Guidelines and to raise issues relating to implementation of the OECD Guidelines.

2. *Examination of an application*

The Korea NCP examines an application considering the nature of the issues raised, relevance of the issues to the implementation of the OECD Guidelines, relevant precedents, and economic and social effects of the issues.

3. *Fact finding and mediation*

Where the issues raised have relevance, the Korea NCP offers closed conciliation and mediation in which the party or parties raising the issues, the multinational enterprise concerned and government participate. Especially for issues in the fields of employment, environment and consumers interests, the Korea NCP summons the “Mediation Committee” established under “The Official Regulation on the Korea NCP Operations”, and if necessary, the Korea NCP will consult with experts in that field.

4. *Public announcement and notification to the competent ministry(authority)*

When the parties involved do not reach agreement on the issues raised, the Korea NCP will release statements by each party. If necessary, the Korea NCP will make recommendations as appropriate on the implementation of the OECD Guidelines. In all cases, Korea NCP will inform the competent authority of the result in order for the authority to reflect the result into its policy making.

So far, the interested parties have not raised any issues relating to the implementation of the OECD Guidelines. Neither has any specific instances arisen in non-adhering economies.

D. Others

In addition to promotion of the OECD as mentioned in section B, the Korea NCP specified the core criteria for its operation through preparing and publishing “The Official Regulation on the Korea NCP Operations” in the Official Gazette. The Korea NCP thought that it is necessary to make procedures transparent considering the fact that there is difficulty in resolving the issues raised not only because the OECD Guidelines include wide-ranging contents with regard to multinational enterprise’s business operations but also because the OECD Guidelines are not obligatory.

The Korea NCP thinks that it is necessary for adhering countries to survey the current code of conduct in order to facilitate the implementation of the OECD guidelines and in order for the OECD Guidelines to form the codes of conduct. In surveying the current codes of conduct of multinational enterprises operating in Korea, the Korea NCP benefited from a careful study of the results of the OECD’s Private Initiative for Corporate Responsibility survey.

LUXEMBOURG

(to come)

MEXICO / MEXIQUE

A. *Institutional Arrangements*

The National Contact point is located on the Ministry of Economy, specifically on the Dirección General de Análisis y Seguimiento a Tratados Comerciales Internacionales headed by Mr. Hector Marquez. This with the purpose of taking advantage of the acquired expertise this office has on handling the affairs related to the parallel agreements of NAFTA. This office has also been in charge of establishing the suitable operation and diffusion of the North America Free Trade Agreement (NAFTA). Moreover, this office has negotiated the dispositions in the matters of rules of origin, customs procedures, standards related measures, emergency action, antidumping, textile sector and automotive sector in each one of the Free Trade Agreements signed by Mexico with other countries. Finally, this office makes the diffusion work and consults during the international trade negotiations with the private sector through the Coordinadora de Organismos Empresariales de Comercio Exterior (COECE) and the Chambers and Associations that represents the industrial sector in Mexico.

The NCP mailing address is:

Secretaría de Economía
Attn: Hector Marquez
Alfonso Reyes # 30, Piso 16
Col. Condesa C.P. 06140
Mexico, D.F. Mexico

Tel 5729-9119
Fax: 5729-6091
hmarquez@economia.gob.mx

The NCP may be a senior official or a government office headed by a senior official. Alternatively, it may be organized as a co-operative body, including representatives of other government agencies, representatives of the business community, employee organizations or other interested parties. The first form of organization was considered the most convenient for Mexico. It was concluded that this choice would not affect the cooperation with other interested parties.

B. *Information and Promotion*

With the purpose of promotion, the Guidelines web page was established on the Ministry's home page: www.economia-snci.gob.mx/foros/dirocde.pdf. The web page includes the Guidelines in Spanish with an introductory page to them. Links to the OECD home page, the Declaration on International Investment and the Multinational Enterprises as well as the June 2000 Decision of the OCDE Council were also included. Furthermore, a letter notifying the establishment of the NCP as well as the Internet site were sent the government agencies that deal with the matters of concern of the Guidelines. Members of the business community and labor organizations. That is:

I. Governmental Agencies:

- Ministry of Finance
- Ministry of Labor
- Ministry of Environment
- Ministry of Comptrollership and Administrative Development.
- Consumers Affairs Commission
- Science and Technology Council
- Mexican Institute of Intellectual Property
- Competition Commission
- Ministry of Finance
- Ministry of Foreign Affairs

II. Business Community

- American Chamber of Commerce
- Chamber of Industry

III. Labor Organizations

- Mexican Confederation of Workers
- Mexican Confederation of Employers

So far no promotional activities in collaboration with other interested parties had taken place. However, we expect it to happen once the informational meetings we have planned with the business community and other NGO's take place. Moreover, an informational brochure is expected to be published.

C. *Implementation in Specific Instances.*

Up to this point, we have not received any enquiries about the Guidelines.

D. *Other*

We consider that by making the Guidelines readily accessible through the Internet and the Brochure and by carry out the informational meetings, we are working 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
Tel. 070-379 6378

Chair: Marinus Sikkel; e-mail: M.W.Sikkel@minez.nl
Secretariat: Jeannette Baljeu; e-mail: J.N.Baljeu@minez.nl

The NCP is composed of most of the ministries in the Netherlands (Defence; Transport, Public Works and Water management; and Justice are not involved at the moment). All are free to attend the meetings of the NCP. Most involved are the ministries of Social Affairs, Environment, and Foreign Affairs. Other ministries are involved when a specific subject is in their interest. They all receive an invitation to the NCP meetings and receive minutes of the meetings.

The NCP holds quarterly meetings with the social partners (business community and employee organisations). These meetings provide input for position of the Netherlands in the CIME and WGP. During the meetings questions regarding the guidelines are discussed as well as possibilities to promote the guidelines. The meetings with the social partners are separate from meetings with civil society (NGOs) for most of the time. The possibility of organising more combined meetings with social partners and NGOs is being discussed. Civil society is strongly represented in the Netherlands, for every meeting some 24 NGOs are invited. Most of them represent a specific area of interest. Depending upon the issues in the agenda 5 to 10 NGOs actually participate in the consultations.

B. *Information and Promotion*

Parliament has been informed about the review of the guidelines and the suggested activities of the NCP.

The guidelines are translated into Dutch and brought in line as much as possible with the Flemish translation. Translating the guidelines turned out to be more complicated than anticipated. Specific meaning of the text or the intention of the wording required consultation of those who were part of the negotiation process of the guidelines. Ministries, social partners and NGOs who have been closely involved in the making of the guidelines have approved the translation.

To promote the guidelines and make the concept of the guidelines more accessible to companies and the public, the Ministry of Economic Affairs hosts a website: www.oesorichtlijnen.nl. Links have been made with other websites in both ways.

On the part of promotion the following activities have been arranged;

- An official start of the campaign, a kick off meeting. The Minister for Foreign Trade opened the meeting and emphasised the importance of the guidelines. With this kick off meeting, representatives of the business community formally committed themselves to the guidelines and announced that they would work with other parties involved to promote the guidelines.

- A national seminar on corruption. This seminar was focused on a specific subject of the guidelines; corruption.
- The Minister for Foreign Trade has included the guidelines in several speeches
- The yearly meeting of Dutch ambassadors has been informed about the guidelines.
- NCP members have participated in meetings with business groups and seminars several articles and interviews were published
- Government agencies such as The Netherlands Foreign Investment Agency, Dutch Foreign Trade Agency and agencies that promote investments abroad are informed about the guidelines.

The OECD guidelines are also part of a lively debate on Corporate Social Responsibility in general. This debate has a wider range than the guidelines. The national discussion could have an influence on the position of the NCP within a knowledge centre on Corporate Social Responsibility. The establishment, nature and scope of such a centre is currently being investigated.

As a related event, the Dutch Social and Economic Council published a report on Corporate Social Responsibility in December 2000, providing authoritative recommendations to Government which were unanimously supported by employers organisations and trade unions.

Because of the high level of attention in the Netherlands for corporate social responsibility, parliament has been very interested to discuss linking the guidelines to government procurement and government programmes like export credits guarantees. At the time of writing this report a letter from the Minister for Foreign Trade was sent to parliament with proposals on this issue. (An unauthorised provisional translation of that letter is attached to this report). There will be a follow-up on the discussion with parliament.

Future

- In the future we are looking for close co-operation between all parties involved (ministries, social partners and NGO's).
- One or more seminars will be arranged later this year.
- In co-operation with the Chamber of Commerce and business community a CD-ROM will be made. This will be easily accessible tool for companies to inform them about the guidelines focusing especially on SMEs.

C. *Implementations in specific instances*

The NCP has not put in place any specific procedures other than those mentioned in the guidelines. Within the process of cases procedures will be put in place to support the case in the most appropriate way. The NCP of the Netherlands believes that there is a need for experience before defining such procedures.

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

D Other

Visibility - Promotion can never be enough. Reaching all, and particularly small and medium sized enterprises is a challenging task.

Accessibility - The website, an e-mail address and the secretariat within the Ministry of Economic Affairs provides the necessary accessibility.

Transparency - All relevant information will be made public on the website.

Accountability - The Minister for Foreign Trade informs parliament on the progress made to promote the guidelines. This annual report will also be presented to parliament.

Annex

Letter to Parliament from the Dutch Foreign Trade Minister

1 Introduction

According to the Dutch Social and Economic Council (SER), corporate social responsibility (CSR) is one of a company's core tasks. It binds the public and private sectors, individual citizens and social groups. Each of the various players has its own role, and at the same time works with the others to realise more socially responsible enterprise. The Cabinet has received the SER's advisory report on the various players and their roles, entitled 'The Benefits of Values'. The Cabinet's response has already been sent to you (26485, dated 3 April 2001). This letter covers one area of the broader CSR policy, namely the relationship between CSR and the deployment of international financial instruments.

CSR has received considerable attention in an international setting in recent months. The revised OECD Guidelines for Multinational Enterprises, introduced in the summer of 2000, represent a clear milestone in this regard. The Guidelines provide companies with leads and a frame of reference for the realisation of their social role. As a direct result of the new Guidelines, we have considered their consequences for the government's instruments to stimulate companies to become and remain active in foreign markets. After all, the Guidelines reflect government expectations regarding corporate conduct.

In its advisory report, the SER states that CSR develops from the bottom up. Self-regulation by the private sector must take priority. The government's role here is one of active stimulation. This means that general legislation such as that described above is not the most obvious choice of instrument. However, self-regulation will not suffice for the deployment of government instruments in relation to foreign markets. Precisely in emerging markets and developing countries, there is a lack of legislation and enforcement capacity, including in relation to environmental, anti-corruption and social legislation, taxation and competition. Often, the business climate makes CSR difficult, which means that further assurances are needed.

More in general, companies can make a positive contribution to the development of underdeveloped societies by investing in them. At the same time, in these circumstances, companies hold special social responsibilities. This means that in these countries, too, they must operate as transparently as possible. This may include the provision of information and the involvement of the local population or relevant institutions in decisions that affect them directly.

Ideas have been exchanged with the Second Chamber on this issue before, both in writing (29 June 2000, TK 1999-2000 26485 No. 9) and orally, during the general debate on CSR on 11 October 2000 and in the subsequent continued general debate of 28 November 2000. In the general debate, the government promised that the export credit insurance regulations, and in particular the environmental requirements that play a role in these, would be compared with those of other countries. This letter, on behalf of the Development Co-operation Minister and the Minister of Finance, realises plans with regard to the foreign export and investment promotion instruments. It also complies with the Koenders motion (Second Chamber Documents 2000-2001 26485 No. 13, adopted on 5 December 2000), which focuses on export credit insurance and the Export Transactions Relevant to Development (ORET/Miliev) programme for tied development aid.

2 *Outline of approach*

CSR must also play a key role in the deployment of the instruments to promote exports and investment. The private sector, in as far as necessary, must become fully aware of its responsibilities with regard to enterprise in foreign countries, and the government must focus on the conditions necessary in order to realise this. International developments play an important role here. After all, attention to social issues in international commerce is not confined to the Netherlands alone. It was extremely important for the more internationally harmonised approach aimed for in the realisation of the OECD Convention on Control of Bribery in International Transactions (1997) and the OECD Guidelines for Multinational Enterprises (2000). These OECD Guidelines are therefore also supported in the Netherlands, by asking businesses for a clear commitment to efforts in this area, if they wish to make use of the export and investment promotion instruments.

Furthermore, where possible, applications from companies (including tenders) will be assessed for clear and transparently applicable criteria, so that irresponsible forms of enterprise are ruled out in respect of the use of export and investment promotion instruments. For the time being, attention will focus here on controlling corruption and on environmental and social conditions. These are issues that lend themselves to development in generally applicable criteria, and that are consistent with international trends. This CSR test can only be designed for individual projects drawn up in a responsible manner and supported by the government, for the alternative - i.e. tests for individual companies - involves considerable legal and technical complications relating to enforcement, which make such an approach impractical. Certainly with regard to an issue as important as this, the government must not make promises that it cannot realise.

Experience in various government fields shows that it is not sufficient to impose rules and conditions alone. For this reason, this letter also discusses monitoring by the party that implements the rules, and enforcement. The National Contact Point (NCP, see also Item 5) will play an important role in enforcement in the event of serious breaches of the principles of the Guidelines.

In outline, the approach amounts to the following:

- a) Asking companies to endorse the OECD Guidelines
- b) Including rejection rounds in the assessment of applications
- c) Monitoring and enforcement.

This approach will be followed for all foreign financial instruments. However, one cannot ignore the fact that the export and investment promotion instruments vary in nature. Due to the specific nature of certain instruments and the level of government involvement in the associated projects, aspects of the OECD Guidelines will be considered in detail when applications for such schemes are assessed. For example, additional environmental requirements will be made for the ORET/Miliev, the Eastern Europe Co-operative Programme (PSO) and the Emerging Markets Co-operative Programme (PSOM). Other CSR issues may also play a role in these instruments, such as conduct in compliance with international standards in relation to competition, if local legislation and regulations are inadequate in this area, and tax payments. With regard to ORET/Miliev, the Dutch government will not encourage developing countries with high debts to finance imports with loans that increase these debts, unless there can be no question about the relevance of the local investments financed to development.

It should also be noted in this regard that an agreement on productive expenditure has recently been signed within the OECD, aimed at controlling state aid for exports that do not contribute towards control of poverty and to social and economic development. This will help to reduce the debt burden of heavily indebted poor countries (HIPC's).

The approach developed in this letter will be developed in more detail and implemented in the coming period in consultation with the implementing organisations and the private sector.

3 *The OECD Guidelines*

The OECD Guidelines for Multinational Enterprises were signed on 27 June 2000 by 29 OECD countries plus Argentina, Brazil, Chile and Slovakia. The realisation of these Guidelines represents a milestone in international CSR policy. The signatories are responsible for some 90% of total global foreign investments. The Netherlands was a key supporter of reform of the former Guidelines, which dated from 1976. One unique point is that the Guidelines were realised in close consultation with the private sector, the trade union movement and social organisations. Important issues such as child labour, forced labour, human rights, the environment, corruption, competition, tax payments and consumer protection are included in the Guidelines.

The government will ensure that all the issues mentioned in the Guidelines receive attention in the NCP. The full breadth of the Guidelines will serve as the point of departure for policy aimed at stimulating CSR. The Ministry of Economic Affairs will further expand its role as an information provider in this area. An explicit relationship will be created between the use of the export and investment promotion instruments and the Guidelines. Companies will be required to declare in writing that they are familiar with the Guidelines and that they will make an effort to apply them in their own activities within the limits of their ability, if they wish to qualify for financial aid.

4 *Assessment criteria*

All applications for aid via the export and investment promotion instruments will be assessed for social responsibility. However, not all sections of the OECD Guidelines lend themselves to development in generally applicable criteria for instruments aimed at export and investment promotion. As mentioned above, for the time being, concrete criteria/qualifying requirements will be applied in relation corruption, the environment and social conditions. The principle for these social assessment criteria is that their application should be as uniform as possible. Sometimes, however, there are reasons requiring differentiation of these criteria in the various instruments:

- The level of influence: in projects with substantial direct government involvement, it is possible to impose more (additional) conditions in the CSR field.
- The level of international competition: in a highly competitive international environment, it is more difficult to impose additional CSR requirements, particularly if these go beyond those imposed on foreign competitors.
- Proportionality: CSR requirements and the associated administrative costs must be in reasonable proportion to the financial scale of the project to be supported. For example, stringent (i.e. costly) environmental requirements for a relatively small grant are disproportionate.

A concrete action plan is developed for each theme below, and will be implemented in phases, taking account of the scale.

Corruption

The OECD Convention on control of bribery in international transactions (1997) made bribery of foreign officials for commercial transactions a criminal offence. An amendment of the Criminal Code to this effect came into force on 1 February 2001. This is not, in fact an CSR issue, therefore, but one of compliance with the law. Where necessary, criteria will be included in the export and investment promotion instruments to enable withdrawal of aid in the event of corruption.

A standard anti-corruption provision is included both in the description of the ORET/Miliev programme (State Gazette 2000, 27) and in the individual decisions issued pursuant to it, in order to avoid any State aid for transactions realised via bribery.

Attention to corruption will be intensified further in the implementation of export credit insurance. At present, internal Guidelines are used for the level of agency fees and commissions regarded as normal. As a result, NCM/the State do not provide any cover for transactions in which potential involvement in corrupt practices is suspected, due to excessively high commissions. Partly as a result of informal talks with NGOs, an Action Statement on Bribery and Officially Supported Export Credits was agreed within the OECD in November 2000. In this statement, OECD member states undertake to apply effective measures to control corruption, e.g. by using statements from applicants/exporters. Such measures are now being developed in more detail.

The Promotion of Integrity Assessments in Public Administration Bill (BIBOB) is currently before the Second Chamber. This Bill will allow subsidies to be rejected or withdrawn in the event that criminal offences are associated with these subsidies. The subsidy instruments that should become subject to this future Act in the light of this letter will be considered.

Environment

Environmental implications are included in the assessment of applications for the ORET/Miliev tied aid programmes as a standard procedure. Environmental issues are already considered in the development aid instruments. PSO projects, for example, must lead to an improvement of the environmental situation as far as possible. In view of the assignment nature of this programme, the government has the option of imposing additional requirements at the project level. Dutch environmental standards are applied as far as possible in the assessment of individual project proposals.

In the assessment of the environmental impact of projects with state-aided export financing, the Netherlands will follow the OECD Agreement on Common Approaches to Environmental Implications in Export Financing, expected to take effect before the end of 2001. The Agreement provides for a harmonised approach to the assessment of the environmental burden in export projects. It is important partly in order to prevent distortions of competition as a result of different environmental assessments by different countries. The Netherlands made an active contribution to the realisation of this agreement and will also call for transparency in the policy practices of the different member states.

In anticipation of the OECD agreement, the Netherlands will introduce an environmental assessment procedure as soon as possible (the target date is 1 June 2001). From that date, no government-aided export credit insurance will be issued in the event of an excessive negative environmental impact, on balance. This expansion of the assessment will be directed at consumption of scarce raw materials and mineral resources, the use of energy, emissions into the air, surface waters and the soil, waste flows and the effects of a project on flora and fauna. Assessments will be made on a project-by-project basis, without defining sensitive sectors in advance. In order to avoid a substantial increase in the administrative burden as far as

possible, the environmental assessment will focus on 'major projects' for the time being. Obviously, developments in assessment practices in other OECD member states will be taken into consideration in both the implementation of environmental assessments and in later evaluations.

On the basis of the development of the environmental assessment for export credit insurance, the possibility of applying this method for other insurance and/or financing instruments will be considered.

Environmental impact is already explicitly defined in the investment instruments, in relation to risk assessment. In the modernisation of these instruments planned for 2001, the environmental criteria will be made more explicit and will be sharpened where necessary.

Social conditions

Earlier letters to the Second Chamber have already discussed the importance of the fundamental labour norms defined in the 1998 ILO Convention as a measure for foreign commercial activities. The principle is that these norms should be integrated in the investment promotion instruments where relevant, at the project level wherever possible.

The norms, laid down by the ILO in conventions, cover:

- The right to association and collective negotiation
- Prohibition of child labour
- Prohibition of enforced labour
- Prohibition of discrimination in work and occupations.

The export and tied aid instruments relate to capital goods that are primarily produced in the Netherlands. Dutch law therefore applies to the conditions under which they are produced. As a rule, exporters have no formal responsibility for the physical implementation of a project after delivery. However, if it becomes clear in the assessment of the project that social norms have been abused, the relationship of this with the effort required of the company with regard to the OECD Guidelines will be considered.

The co-operation and investment instruments do involve the conduct of Dutch businesses in other countries, however. Depending on the character of the instrument and the project, labour norms may be relevant here. In practice, this is not explicitly considered by the implementing organisations at present. The aim is to include explicit assessment criteria on this point in 2001.

Finally, in relation to human rights, procedures will follow existing and future international practices. If measures are taken under international decisions (e.g. international sanctions, because human rights are flagrantly abused in certain countries, such countries will be excluded from the foreign financial instruments. No further support will be provided for individual or individual projects by Dutch companies in those countries. One special case here is the recent general censure of Burma by the ILO, realised with the contribution of the private sector and the trade union movement. This censure led the government to further discourage transactions aimed at trade with or investments in this country wherever possible. However, support for transactions in Burma had already been suspended in the relevant instruments before the ILO's condemnation. Questions on the actions of Dutch companies in Burma may be submitted to the NCP.

5 *Monitoring and enforcement*

In the first instance, the implementing organisations are responsible for assessing applications and monitoring projects in practice. This is because these organisations have sufficient knowledge and skills regarding CSR to assess applications adequately. A flexible response is important here. An assessment must therefore focus primarily on the countries and/or sectors where the risks of irresponsible enterprise are highest. The implementing organisation itself holds primary responsibility for building up this knowledge. The government will require implementing organisations to acquire sufficient knowledge in this field (e.g. when granting order or in implementing agreements) and shall ensure that this requirement is met in practice.

The above approach does not yet provide a watertight assurance that no problems will arise during the life of a state-aided project. However, enforcement of CSR criteria, as already mentioned, is particularly difficult in legal terms. However, we shall make a maximum effort within the boundaries of what is legally possible. If socially irresponsible enterprise is observed in a project and aid proves to have been granted on the basis of inaccurate information supplied by the applicant, depending on the level of accuracy, the aid will be withdrawn or revised to the recipient's disadvantage. In addition, the BIBOB Bill mentioned above contains some provision for the enforcement phase.

Furthermore, every interested party can enlist the support of the NCP if there are indications of socially irresponsible enterprise at a particular company. The NCP will then seek a solution for the problem, in consultation with all concerned. If no agreement can be reached, the NCP will publish its views of the correct application of the OECD Guidelines and, if applicable, its recommendations. Naturally, the NCP will only make recommendations if there are sound reasons to do so. The NCP is particularly important because of the limited legal possibilities for action in the event of CSR contraventions after subsidies or a tender have been granted. This partly involves channelling and objectifying 'enforcement by public opinion', but at least equally important is the attention to best practices. These could be realised in practice through the attention of the NCP to relations between businesses and local organisations, and the relationship with local technology and science organisations. In due course, the CSR Information Centre to be set up could focus on defining, analysing and further disseminating examples of CSR in developing countries. Finally, the NCP will devote attention to CSR issues that in the first instance, avoid public opinion. In consultation with the SER, a workshop will be organised to highlight CSR best practices. The Ministries involved, Dutch businesses and NGOs will be invited to participate in this workshop.

6 *CSR and government instruments in an international perspective*

In view of the aim of objectified approaches that are not detrimental to the international level playing field for international companies, a comparison was made with the way in which other governments address these problems. It should be noted that a direct comparison is difficult. After all, as yet there is no handy international review of the implementing practices of governments and their institutions with regard to CSR issued. Certain examples in recent years show that implementing practice in concrete cases can differ from what might be expected on the basis of published policy intentions. However, the Netherlands will continue to work through international fora for the realisation of transparency in application practices relating to CSR issues in foreign financial instruments.

The Second Chamber was promised that the Dutch effort in relation to export credit insurance, in particular with regard to the environmental requirements applied, would be compared with that of other countries. It is also important to refer here to the harmonisation currently being sought within the OECD. The OECD member states have agreed to realise an Agreement on Common Approaches to Environmental Implications in Export Financing before the end of 2001.

Some OECD member states have already introduced environmental assessments, whilst others are still working on this. In general terms, it can be said that countries where government aid for export financing is provided via direct financing (such as the US, Canada and to some extent Japan) are slightly more advanced in this process - at least to the letter - than countries where support for export financing is provided via insurance facilities. Export financing institutions such as US Ex-Im Bank and the Export Development Corporation (EDC) do not support projects if the expected negative environmental impact is not offset by the expected positive effects. However, one of the principles applied here is that an environmental assessment may not, in principle, have a negative impact on the competitive position. Generally speaking, due to a greater emphasis on credit insurance facilities, European governments are less involved in export projects and consequently have less influence on their specific design. The development of environmental assessments is therefore of a somewhat more complex character in these countries, and has been addressed somewhat later. Nevertheless, the development of environmental assessments in most European countries can be said to run more or less parallel with the development of the OECD Agreement on export financing and the environment. The Dutch environmental assessment in export credit insurance will therefore easily comply with the letter and spirit of the international test. Reference can also be made to the aforementioned OECD agreement on productive expenditure in relation of export credit insurance.

This letter provides the framework for CSR policy in relation to foreign financial instruments. The approach outlined above is both ambitious and realistic. It entails a fundamental change in comparison with the present situation. It will give CSR a fixed place within the government's export and investment promotion instruments. With this approach, the Dutch government realises its international social responsibility, together with international businesses, in an involved manner.

NEW ZEALAND / NOUVELLE-ZELANDE

(to come)

NORWAY / NORVEGE

A. *Institutional Arrangements*

- *Where is the National Contact Point located? Please include mailing address, phone number, e-mail address, and other relevant co-ordinates.*

Ministry of Foreign Affairs
Department for trade policy, environment and resources
WTO/OECD Section
PO Box 8114
N-0032 Oslo

TEL : (47) 2224 3418
FAX : (47) 2224 2784
E-mail : s-wto@mfa.no

- *What is the composition of the National Contact Point? (If other government departments or specialised agencies are included, please specify.)*

The Norwegian NCP is composed of representatives from the Ministry of Foreign Affairs (chair), Ministry of Industry and Trade, Ministry of the Environment, The Confederation of Norwegian Business and Industry (NHO) and The Norwegian Confederation of Trade Unions (LO).

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

If necessary the NCP will contact agencies not represented in the NCP.

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

Business and labour are represented in the NCP. The NCP has held three meetings since the Guidelines were revised in June 2000. The main item on the agenda for the meetings has been information on WPG activities.

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

Informal contacts are established with The Norwegian Forum for Environment and Development (ForUM) which is a network organisation for approx. 60 Norwegian NGOs. ForUM has produced their own "Guidelines Concerning Human Rights and Environment for Norwegian Companies Abroad" which i.a. state that Norwegian companies should adhere loyally to the OECD Guidelines (<http://english.forumfor.no/>).

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 translated into Norwegian and are available on the website of the Ministry of Foreign Affairs (<http://odin.dep.no/ud/norsk/handelspolitikk/032061-990006/index-dok000-b-n-a.html>).

- *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.)?*

Co-operation is carried out through the NCP

- *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.)?*

NHO has published a report : Standpunkt-Korrupsjon (Standpoint on corruption) which i.a. reproduces Chapter VI on Combating Bribery. In connection with the introduction of the report NHO held a seminar on corruption and bribery.

LO has had the Guidelines on the agenda of its Committee for corporations and the Committee for corporate trade union officials.

The Consultative Body for Human Rights and Norwegian Economic Involvement Abroad (KOMpakt) was established in 1998 and is composed of representatives from government, industry, labour and NGOs. The OECD Guidelines have been presented for the group and they are referred to in KOMpakt reports (<http://odin.dep.no/ud/mr/english/KOMPakt/index-b-n-a.html>)

- *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?*

No

C. Implementation in specific instances

- *Have procedures been put in place to deal with specific instances?*

If specific instances arise, our point of departure would be the procedures described in the Procedural Guidance : *C. Implementation in Specific Instances*.

- *Have specific instances been brought to the attention of your National Contact Point? By whom (business, labour, NGO, other NCPs, others)?*

No

- *If applicable, how did your National Contact Point assist in solving these specific instances? What was the outcome?*

N.A.

- *Have any specific instances arisen in non-adhering economies? What procedures were followed by the NCP? What was the outcome?*

N.A.

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.*

The activities of the NCP are described above. In addition we have an e-mail address on the MFA's Guidelines page for enquiries etc.

- *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

POLAND / POLOGNE

The OECD Guidelines for Multinational Enterprises are the recommendations addressed by the governments to multinational companies, providing voluntary principles and standards for conducting business activities. Since their adoption almost 25 years ago, the Guidelines have been the pattern of conduct for the OECD multinational enterprises. They are a model solution, which, along with national law and regulations and other codes of conduct, should be followed in the international activities of the companies. Despite the non-binding character of the Guidelines, they have had a significant impact on international and national economies and reflect good practice for both multinational and domestic enterprises.

The process of revising the Guidelines, which came to an end in June 2000 during the OECD Council on the Ministerial Level, created the possibility to adjust the principles, envisaged in the document, to the changing business environment of the globalising world. The adoption of the revised Decision of the Council on the Guidelines with the Annex has enabled further effective implementation of the Guidelines in Poland. We believe that the National Contact Points are an appropriate forum for discussion and assistance to the business community, employee organisations and other parties concerned and should continue their efforts to promote principles of the Guidelines.

The Polish Government recognises the foreign direct investment (FDI) as an indispensable element for sustainable economic growth and further transformation of our economy. Since 1989 till the end of 2000, nearly USD 40 bln of FDI were invested in Poland. Almost 90% of this total value came from the OECD countries. The number of foreign enterprises in Poland increased strongly since the beginning of 90-ties, now exceeding 13,000. For these reasons, Poland attaches great importance to the Guidelines, which can play a major role in increasing labour, environment, consumer protection and other standards of the multinationals and consequently the Polish companies.

After the accession to the OECD in 1996, Poland has launched a process of promoting the Guidelines and encouraging the enterprises to apply them in their activities. For the first two years the National Contact Point was located in the Ministry of Treasury, and then was transferred to the Ministry of Economy and located in the Department of Economic Strategy:

Ministry of Economy
 Department of Economic Strategy
 Pl. Trzech Krzyży 3/5
 00-507 Warsaw

Phone: (48 22) 693 55 98
 Fax: (48 22) 693 59 94
 E-mail: danjab@mg.gov.pl

In 1997, a special task force, consisting of the representatives of the Ministries of Economy, Treasury, Foreign Affairs, Finance, Labour, Environment, Agriculture, Internal Affairs, Post and Telecommunications, Office of the Committee for European Integration, Office for Competition and Consumer Protection, National Bank of Poland, Polish Agency for Foreign Investment, was created with the objective to promote the Guidelines. During the entire process of elaborating the new version of the Guidelines, the Polish National Contact Point conducted intensive and transparent dialogue with the members of the task force, representations of trade unions and the business community, as well as with other non-governmental organisations.

Since July 2000, the activities of the Polish National Contact Point have focused on information on the new revised Guidelines and their promotion. The main audience was governmental institutions, employers' organisations, trade unions, non-governmental organisations. The new text of the Declaration on International Investment and Multinational Enterprises and the Guidelines with the Procedural Guidelines and the Commentaries have been translated to the Polish language and published in the form of booklet. The booklet has been sent to the large number of the institutions and organisations together with the general information on the objectives and the role of the Guidelines. The Internet page has also been created within the Ministry of Economy web site, where the Polish text of the document is available. Additionally, the new version of Guidelines was presented during the seminars, organised for the representatives of the labour unions in Poland.

Despite many efforts aiming at making the Guidelines better known by the parties concerned, they are still not widely recognised in Poland as an effective instrument for assuring the appropriate standards of the corporate business conduct. The interest on Guidelines among the enterprises, representatives of employees and non-governmental organisations is rather weak.

At the end of 2000, the decision was made to change the location and the structure of the Polish National Contact Point. Since April 2001, the Polish National Contact Point is located in the Polish Agency for Foreign Investment (PAIZ):

Polish Agency for Foreign Investment
Al. Róża 2
00-559 Warsaw, Poland
Phone: (48 22) 622 61 72, 629 57 17
Fax: (48 22) 621 84 27
e-mail: azolnowski@paiz.gov.pl

PAIZ was set up in 1992 as a joint stock company, wholly owned by the State Treasury, to encourage foreign companies to choose Poland as their preferred investment location. PAIZ's role is that of an intermediary, serving individual and corporate foreign investors. The Agency is responsible for providing comprehensive information regarding investment conditions and procedures, facilitating the initial stages of foreign investors investment process and assisting them in contacts with the Polish authorities and business organisations. PAIZ also helps companies considering investing in Poland in identifying potential business partners and entering the Polish market.

The change of location of the NCP will be accompanied by the change of its structure. After the initial stage of functioning of NCP in Poland, devoted mostly to the general promotion and information on Guidelines, the future activity should focus more on the developing and maintaining relations with representatives of the business communities. The closer co-operation with business should aim at raising the awareness of both multinational and Polish companies on the issues considered by the Guidelines as the most important for responsible business conduct. Additionally, the deeper involvement of the social partners into the works of the National Contact Points is being considered. The objective is to create a forum for discussion on all the issues covered by the Guidelines with the parties concerned. We hope that the new formula of NCP will result in the broader recognition of the Guidelines as an important instrument facilitating the implementation of standards for responsible business conduct.

PORTUGAL

(to come)

SLOVAK REPUBLIC / RÉPUBLIQUE SLOVAQUE

A. *Institutional Arrangements*

- *Where is the National Contact Point located? Please include mailing address, phone number, e-mail address, and other relevant co-ordinates.*

National Contact Point of the Slovak Republic:

NKM SR
Slovak Investment and Trade Development Agency SARIO
Drienova 3
821 02 Bratislava

Phone: +421-7-48209311
Fax: +421-7-48209319
E-mail: ncp@sario.sk
Web: <http://www.sario.sk/oced/webtexte.html>

- *What is the composition of the National Contact Point? (If other government departments or specialized agencies are included, please specify.)*

NKM SR is one division of SARIO, so the staff of NKM SR is employed by SARIO. Legal form of SARIO is a joint-stock-company. Shareholders' rights are equally distributed among seven government bodies: Ministry of Economy of the Slovak Republic, Ministry of Finance of the Slovak Republic, Ministry of Labor, Social Affairs and Family of the Slovak Republic, Ministry of the Environment of the Slovak Republic, Ministry of Construction and Regional Development of the Slovak Republic, Ministry for Administration and Privatization of National Property of the Slovak Republic and Office of the Government of the Slovak Republic. Each of these bodies has one representative in the Supervisory Board of SARIO (altogether 7 members on the Board).

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

NKM SR has no direct link to other government agencies. It has a director who reports to the Director General of SARIO, who reports to the Board of Directors which then reports to the Supervisory Board. Director of NKM SR also reports to the Head of Delegation of the Slovak Republic to the CIME who reports to the Director General of Division of Strategy, Promotion of Entrepreneurship and Legislation of the Ministry of Economy of the Slovak Republic (MoE SR). The DG for strategy of MoE SR is responsible for National agency for Development of Small and Medium Enterprises, Agency for Industrial Development and Revitalization, SARIO and National Agency for Science and Technology.

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

Neither business community nor employee organizations are integral parts of NKM SR. They are only involved in discussion and exchange of views either directly or at the sessions of the Co-ordination Committee for Activities of the Slovak Republic in the OECD.

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

NGOs are not integral parts of NKM SR. They are only involved in discussion and exchange of views with NKM SR.

B. Information and Promotion

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

Translation of the Guidelines to the Slovak language and other relevant information is made publicly available under the website of SARIO (see A.1.) and has been published in main national economic daily newspapers.

- *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.)?*

Business community and trade unions are involved in discussion and exchange of views either directly or at the sessions of Co-ordination Committee for Activities of the Slovak Republic in the OECD. NGOs and the interested public are involved in communication either in direct discussion or mostly via e-mail address which is publicly made known.

- *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.)?*

Seminars and/or conferences may be organized by NKM SR if substantial interest from the social partners be shown via various means of communication. For the time being, there are not many requests for information or explanation about the NKM SR and the Guidelines. There is close coordination with investment promotion policy of the MoE SR and the SARIO. Communication is going on with the Bratislava University of Economics, which is the leading business school in the country.

- *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) none; (b) yes, there have been some reactions from the press and NGOs; (c) none

C. Implementation in specific instances

- *Have procedures been put in place to deal with specific instances?*

NKM SR is operational and ready to proceed with specific instances which might arise. This operability is given by regular and active participation of NKM SR Director in the work of CIME and WPG for the Guidelines.

- *Have specific instances been brought to the attention of your National Contact Point? By whom (business, labour, NGO, other NCPs, others)?*

No concrete specific instances of operations of MNEs in the Slovak Republic have been brought to the attention of NKM SR for the time being.

- *Have any specific instances arisen in non-adhering economies? What procedures were followed by the NCP? What was the outcome?*

No concrete specific instances of operations of MNEs of the Slovak Republic in non-adhering economies have been brought to the attention of NKM SR.

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.*

NKM SR is publicly visible as information on its activities and on the *Guidelines* has been published in main national economic daily newspapers. NKM SR is publicly accessible via telephone, telefax and e-mail as well as through the web site of SARIO (see A.1.). Activities of the NKM SR have been so far promotional and in the area of exchange of views with main social partners and have been conducted in a transparent manner. No commitments in the area of confidentiality had to be taken by NKM SR as no specific instances had been arisen. Accountability of the NKM SR at national level is there on two main fronts. (1) Director of NKM SR reports to Director General of SARIO. (2) At the same time, he is accountable to the Head of Delegation of the Slovak Republic to the CIME.

SPAIN / ESPAGNE

A. *Institutional Arrangements*

National Contact Point:

General Secretary for International Trade
 Ministry of Economy
 Paseo de la Castellana nº 162
 28046 Madrid

E-mail: PNacional.Contacto@sscc.mcx.es

The General Secretary for International Trade is the Spanish Governmental body responsible for the application of the *OECD Guidelines for Multinational Enterprises* (hereafter, the Guidelines). As this is not an interministerial body, no other department participates in the National Contact Point (NCP). Nonetheless, provision has been made for any necessary contacts with competent governmental departments or agencies in the event of specific enquiries or instances. This was found to be the most effective formula, as it allows for specific contact with specialised authorities in each individual case.

Periodic meetings with the social partners are envisaged to clarify the contents of the Guidelines, report on the major subjects discussed by the Working Group and deal with specific instances.

Parallel contacts will be established with NGOs to establish a dialogue that should facilitate the dissemination and implementation of the Guidelines.

B. *Information and Promotion*

To date, the National Contact Point has focused its work on the initial launch and dissemination of the Guidelines. The Guidelines, Commentaries and the text on Procedural Guidance have all been translated into Spanish and this version has been included on the Ministry of Economy's website: (<http://www.mcx.es/polco/InversionesExteriores/acuerdosinternacionales/acuerdosinternacionales.htm>) with a hyperlink to the respective OECD page on the Guidelines.

Anyone interested can also obtain this information from the Ministry of the Economy-ICEX (Foreign Trade Institute) Call Centre.

Furthermore, the NCP has its own specific e-mail address: (Internet: PNacional.Contacto@sscc.mcx.es; X-400: C=ES A=400NET P=MCX O=SSCC S=Contacto G=PNacional).

The specific action taken to promote relations with the business community and trade unions includes the notification of the NCP and circulation of the Spanish version of the Guidelines.

In subsequent meetings other dissemination activities will be decided between all concerned partners.

C. *Implementation in specific instances*

No enquires or specific instances related to the Guidelines have been received to date.

D. Other

The information and promotion activities under way, which will be intensified in the future, will guarantee compliance with the established standards of visibility, accessibility and accountability. Any action taken in specific cases will always be governed by the principle of transparency.

SWEDEN / SUEDE

A. *Institutional Arrangements*

- *Composition?*

Tripartite: government, business organisations and trade unions. Committee chaired by the Ministry for Foreign Affairs - Department for International Trade Policy. Participants:

Foreign Ministry:

International Trade Policy Department
 Global Co-operation Department
 International Development Co-operation Department
 International Law and Human Rights Department
 Ministry of Industry, Employment and Communications
 Ministry of Environment
 Ministry of Justice (consumer interests)
 National Board of Trade

Organisations:

Swedish Metal Workers' Union (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 Federation of Trade (Svensk Handel)

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

It is in principle open to participation for any interested agency. In April 2001, a meeting was organised specifically to discuss the Guidelines with various government agencies that are not part of the NCP. The invited agencies were: National Board of Occupational Safety and Health, National Institute for Working Life, Swedish Work Environment Authority, The Swedish Accounting Standards Board, Invest in Sweden Agency, Export Credits Guarantee Board, Swedish Trade Council, National Integration Office, Office of the Equal Opportunities Ombudsman, Defence Material Administration, Swedish Environment Protection Agency, The National Board for Public Procurement, Office of the Ombudsman against Ethnic Discrimination, National Chemicals Inspectorate, National Board for Consumer Policies, National Board of Trade, Swedish Business Development Agency, Swedish Competition Authority, National Tax Board, The Knowledge Foundation, Swedish Agency for Innovation Systems.

- *Social partners (business community and employee organisations) involvement?*

Parties in the NCP.

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

At various occasions, interested NGOs have been informed about the functions and activities of the NCP and invited to express their views. The interest has been limited. A special NGO-meeting was held in March 2000. Since then, input from and information to interested NGOs have been channelled through an existing reference group for WTO-issues. In September 2000 that group were informed about the outcome of the revision of the Guidelines. Members of the NCP regularly attend seminars and conferences where they inform about and discuss the Guidelines and the NCP.

B. Information and Promotion

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

1. Translation into Swedish, fitted into a
2. Handbook posted on a
3. Webpage: www.utrikes.regeringen.se/nkp.htm

- *Information?*

1. Handbook in 5500 copies for distribution to members of NCP member organisations, all Swedish embassies, the Swedish Parliament, to various interested organisations and companies and on request.
2. NCP Seminar, October 2000 lead by State Secretary Lotta Fogde. Interventions by the OECD secretariat (Rainer Geiger), the Metal Workers Union (Göran Johnsson), ICA (Lisbeth Kohls), a major Swedish retailer and Ericsson (Lars Stålberg), a telecom company. More info (in Swedish) on the website.
3. Common press article written by the Minister for Trade, and the chairpersons of the (then) Federation of Swedish Industries, the Trade Union Confederation and the Swedish Confederation of Professional Employees.
4. Active participation in seminars organised by others, eg NGOs and trade unions.

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

1. NCP-parties responsible for distribution of handbook to local representatives throughout the country.
2. Parties in the NCP are actively engaged in the preparation for and execution of seminars.
3. Information co-operation with the Swedish Export Credits Guarantee Board and the Swedish Trade Council.

- *Other information and promotion activities? (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.)*

1. NCP-held seminar on September 5 2001 in Stockholm.
 2. In the autumn of 2000, a second Nordic NCP meeting was held in Helsinki, on invitation from the Finnish NCP. The next Nordic meeting will be organised by the Norwegian NCP.
 3. The NCP has decided to initiate a discussion with individual companies on how to relate the GL to company codes of social responsibility. One way of achieving this is through the seminars the NCP organises. This discussion will be developed further.
- *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) No
 - b) Many, mostly informal questions about access to information. One formal interview.
 - c) Yes, Estonia: visit to Stockholm, for discussion of the work of an NCP.

C. *Implementation in specific instances*

- *Have special procedures been put in place to deal with specific instances?*
Cases will be handled in accordance with the procedural guidance.
- *Have specific instances been brought to the attention of your National Contact Point?*
Two, in 1980 and 1989.
- *Has the National Contact Point taken up any specific instance of its own initiative?*
No.
- *Have any specific instances arisen in non-adhering economies?*
No.

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.*

The two most important channels are the webpage, and active participation in the public debate. Whenever the chairman of the NCP participates in seminars and conferences he informs about the Guidelines, the NCP and the possibilities these give. Members of the NCP participate in different groups, which is an asset in the work in the NCP and the effective implementation of the Guidelines. Reports from meetings of the OECD Working Group and

the Swedish NCP are posted on the webpage. Accountability is a guiding principle whenever cases are brought.

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

Promotion is the easier of the two principal duties of the NCP. The real challenge will be handling cases, in particular in non-adhering countries. In Sweden the NCP is used to plan for meetings in the OECD working group. The issues on the agenda are discussed. One of the benefits of a formal tripartite structure is that the participants have an ownership in the process. As result could be treated that could not have been discussed in a less formal form of committee.

In conjunction with a debate on Human Rights in Sudan in the Swedish Parliament the Foreign Minister was asked if the Government intended to develop rules for the conduct of Swedish MNEs in other countries. She replied in brief summary that companies have an important role to play for the respect of Human Rights, but that the best method to use is not the creation of new rules for corporate behaviour. Rather, the Swedish Government wants to ensure that existing rules, in particular the OECD Guidelines, are followed.

The Swedish Government has decided to contribute financially to the work of the UN Global Compact (USD 400.000).

The Government appointed in 2000 a Parliamentary Commission with the task to deliver a proposal for Swedish policy on Global development (Globkom). This Commission will look into the issue of Corporate Social responsibility.

SWITZERLAND / SUISSE

A. Institutional Arrangements

- *Where is the National Contact Point (NCP) located? Please include mailing address, phone number, e-mail address, and other relevant co-ordinates.*

Département fédéral de l'économie
 Secrétariat d'Etat à l'économie
 Secteur investissements internationaux et entreprises multinationales
 Point de contact national
 Effingerstrasse 1
 3003 Berne

Tél. (++41) (0)31 324 08 71
 Fax (++41) (0)31 324 90 42
 E-mail: IWFB@seco.admin.ch
 Internet: <http://seco-admin.ch/>

- *What is the composition of the NCP? (If other government departments or specialised agencies are included, please specify)*

Le Point de contact national (PCN) suisse est dirigé par le Secteur investissements internationaux et entreprises multinationales du Secrétariat d'Etat à l'économie.

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

Le large éventail de questions se rapportant aux Principes directeurs, exige une collaboration active, formelle ou informelle, de l'ensemble des offices et organismes suisses compétents.

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

La coopération avec les partenaires sociaux (les milieux d'affaires, les syndicats et autres cercles intéressés) est institutionnalisée par un "groupe de liaison", qui se réunit régulièrement. Toutes les questions concernant les Principes directeurs peuvent y être traitées.

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

Comme tous les milieux intéressés suisses les organisations non gouvernementales (ONG) font partie du "groupe de liaison".

B. Information and Promotion

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

Les Principes directeurs ont été publiés dans le rapport annuel du Conseil fédéral du 10 janvier 2001 sur la politique économique extérieure 2000, cela dans les langues officielles. De son côté, le Secrétariat d'Etat à l'économie a publié les Principes directeurs sur son site internet. La création d'un propre site internet du PCN est actuellement à l'étude.

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

Le PCN a notamment donné des conférences et participé à des colloques sur des thèmes liés aux activités des entreprises multinationales. Il n'a pas manqué de profiter de ces occasions pour expliquer l'objectif, la portée et la nature des Principes directeurs. Avec les ONG, le PCN a continué d'entretenir de nombreux contacts informels. En ce qui concerne les syndicats, les contacts seront renforcés.

- *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 or education, business schools, etc.)?*

Il est prévu d'organiser plus fréquemment des séminaires en coopération avec les milieux d'affaires, les syndicats, les ONG et d'autres parties intéressées.

- *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?*

Pas encore.

C. Implementation on specific instances

- *Have procedures been put in place to deal with specific instances?*

Pas encore.

- *Have specific instances been brought to the attention of your NCP? By whom (business, labour, NGO, other NCP's, others)?*

Pas encore.

- *If applicable, how did your NCP assist in solving these specific instances? What was the outcome?*

- *Have any specific instances arisen in non-adhering economies? What procedures were followed by the NCP? What was the outcome?*

Pas encore.

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.*

En Suisse, toute la façon de travailler du PCN (structure souple, contacts le plus souvent informels...) que la solide tradition de concentration des différents acteurs facilitant considérablement le respect de ces critères.

- *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?*

Conscientes de l'importance d'un comportement éthique, en Suisse comme à l'étranger, les entreprises multinationales suisses se dotent souvent de leurs propres codes de bonnes conduites. Il existe donc, en ce qui les concerne, une grande sensibilité pour les questions traitées par le PCN.

TURKEY / TURQUIE

A. *Institutional Arrangements:*

- Location of National Contact Point:

Undersecretariat of Treasury
General Directorate of Foreign Investment
06510, Emek –ANKARA

Tel: 00 90 312 212 89 14-15

Fax: 00 90 312 212 89 16

E-mail: harika.coskunoglu@hazine.gov.tr / aslan.akpinar@hazine.gov.tr

- Composition of the NCP: No other government departments or agencies are included.
- The NCP of Turkey, General Directorate of Foreign Investment is a governmental agency which is a department of Undersecretariat of Treasury.

B. *Information and Promotion:*

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

1. The Guidelines have been translated into Turkish,
2. The English and Turkish text of the Guidelines are available on the Internet site of the Undersecretariat of Treasury. (www.treasury.gov.tr)
3. An information letter has been sent to related government agencies and non-governmental organisations (including business community, employee organisations and consumer societies) to promote the Guidelines and to collect their comments on it.

- No other information or promotion activities have been held or planned.
- No enquiries have been received from other NCPs, NGOs, the public or governments of non-adhering countries.

C. *Implementation in specific instances:*

- No procedures have been put in place to deal with specific instances.
- No specific instances have been brought to the attention of our NCP.

UNITED KINGDOM / ROYAUME-UNI

A *Institutional Arrangements*

- *Where is the National Contact Point (NCP) located? Please include mailing address, phone number, e-mail address, and other relevant co-ordinates.*

The UK NCP is based in the International Investment Policy Unit of the Department of Trade & Industry (DTI). The full contact details are:

UK National Contact Point
 Department of Trade & Industry
 Bay 365
 Kingsgate House
 66-74 Victoria Street
 London SW1E 6SW

T: 020 7215 4510
 F: 020 7215 4577
 E: uk.ncp@dti.gsi.gov.uk
 Website: www.dti.gov.uk/worldtrade/ukncp.htm

- *What is the composition of the National Contact Point? (If other government departments or specialised agencies are included, please specify.)*

The NCP is composed of DTI officials.

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

The NCP consults with and draws on the experience and expertise of other government departments, for example on promotional activities. Copies of the Guidelines and the UK NCP booklet were distributed to other government departments. The NCP works particularly closely with officials responsible for corporate social responsibility in DTI, the Foreign and Commonwealth Office, and Department for International Development. Through these contacts the NCP ensures that the Guidelines feature prominently in wider UK policy on corporate social responsibility.

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

The NCP has held meetings with the Confederation of British Industry (CBI) and Trades Union Congress (TUC). The NCP also has regular informal contact with these organisations. This contact has been of great benefit, for example in drafting the UK NCP booklet on the Guidelines, and the NCP will continue to develop this fruitful relationship with social partners.

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

The NCP has discussed implementation issues with NGOs (principally Oxfam and Friends of the Earth) at meetings and through informal contacts. Again, they have provided valuable help in commenting on the drafts of the UK NCP explanatory booklet on the Guidelines. As with the social partners, the NCP will seek to build on this contact.

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. The texts have also been deposited in the UK Parliamentary libraries.

- *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 has worked with the CBI, TUC and NGOs to publicise the existence of the Guidelines and the role of the NCP. Since the completion of the review of the Guidelines the CBI and TUC have continued to disseminate information to their members. For example, the CBI have publicised the UK NCP and its website to all their members including through an article in the CBI magazine *Business Voice*; the TUC have disseminated information about the Guidelines on their website and plan to hold a seminar in the autumn on the Guidelines. The NCP and UK Minister for Trade have contacted selected business organisations and NGOs to promote the Guidelines and raise the profile of the UK NCP. The CBI, TUC and NGOs have provided valuable help in drafting the UK NCP booklet. They have also provided useful input into our promotional activities, for example a suggestion by the CBI resulted in the NCP's participation at their annual conference in November 2000.

- *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 completion of the review of the Guidelines in June 2000 was publicised in the UK with a press release from the Minister for Trade. UK NCP webpages were established in November 2000 as part of the DTI/Worldtrade website and this included a range of information on the Guidelines and the NCP. The UK NCP webpages are the most popular entry pages for the DTI/Worldtrade website accounting for an average of 10% of initial hits (an average of around 485 total hits per month). The webpages are regularly updated and refined, for example to provide information on Guidelines meetings and UK NCP activities. As the webpages have developed and been more widely publicised their use has grown from 189 hits in December 2000 to 840 in March 2001. They are also used to seek views from interested parties on the Guidelines and NCP.

On 27 March 2001 the NCP launched an explanatory booklet aimed at providing an introduction to the Guidelines and the role of the NCP in promoting and implementing them.

The booklet was launched to coincide with a meeting between the Minister for Trade, the Deputy Director General of the CBI, and General Secretary of the TUC at which they discussed the promotion and implementation of the Guidelines. A press release was issued and included supporting remarks from CBI, TUC and Oxfam.

The booklet has been distributed widely to interested companies, trades unions, NGOs, Members of Parliament (UK and European), academics and members of the public. Around 500 hard copies had been distributed by the end of April 2001.

The booklet is available electronically on the UK NCP web pages and had been downloaded 526 times by the end of April 2001. Publication and distribution of the booklet has stimulated a number of requests for further information or meetings with the NCP. This has included contact from consultants specialising in corporate social responsibility issues and from investment funds to discuss the possible application of the Guidelines in their contacts with companies.

Other promotional measures include:

- to help raise awareness alert inward investors to the UK, a hyper-link with the InvestUK (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;
- the issuing of a telegram to all British Posts overseas requesting their active participation in promoting the Guidelines to UK investors (existing and potential) in their respective countries and to host Governments. This includes a one-page summary of the Guidelines and NCP role and why the Guidelines are relevant for UK outward investors;
- a Parliamentary Question on the activities of the NCP to coincide with the launch of the UK NCP booklet;
- briefing of the International Investment Panel of the CBI (a group of leading UK companies);
- participation in the DTI stand at the annual CBI Conference;
- participation in Guidelines and other corporate social responsibility-related seminars.

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?*

There is regular contact with other NCPs through meetings at the OECD, supplemented by informal contacts.

There have been a number of enquiries, the majority of which have been from the business community, but there have been some enquiries from NGOs and members of the public.

There have been no enquiries from the governments of non-adhering countries.

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. They will be elaborated upon as the NCP's experience and that of other NCPs grows.

- *Have specific instances been brought to the attention of your National Contact Point? By whom (business, labour, NGO, other NCPs, others)?*

Yes. One by another NCP and two by NGOs. They are currently in the early stages of information gathering.

- *If applicable, how did your National Contact Point assist in solving these specific instances? What was the outcome?*

This stage has not been reached.

- *Have any specific instances arisen in non-adhering economies? What procedures were followed by the NCP? What was the outcome?*

Yes, but as they have only recently been brought to the NCP's attention, information is still being gathered.

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 publication of a booklet, establishment of webpages, and inclusion in the publications of other government departments.

Accessibility

The telephone, fax and e-mail details of the UK NCP have been widely advertised for example in the UK NCP booklet and in press releases. 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.

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 the UK Parliament regularly informed, for example by providing a progress report to the Trade and Industry Select Committee and drawing the attention of MPs to our activities through Parliamentary Questions and depositing UK NCP booklets in Parliamentary libraries. The NCP will also provide copies of this report to Parliament and post it on the UK NCP webpages. 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?*
 - (i) On the promotion side the UK NCP's aim has been to create and take opportunities to draw the existence of the Guidelines, and the UK Government's support for them, to the attention of business in particular. The more that businesses encounter the Guidelines in an informed way, the more likely they are to make use of them as a framework to develop or enhance their own codes of conduct. The UK NCP has received valuable help from the CBI in these efforts and has also used mailing lists from other organisations' websites to effectively target promotional efforts, for example in the distribution of the UK NCP booklet.
 - (ii) One difficulty encountered is that of making contact with smaller companies and engaging their interest in the Guidelines, and also establishing whether companies are making use of the Guidelines. This is an area the UK NCP intends to focus on over the next year.
 - (iii) Establishing where the Guidelines 'fit in' with other international and national initiatives in the burgeoning area of corporate social responsibility is a challenge. The UK NCP intends to participate constructively in ongoing debate which will hopefully help to clarify the relationship between, and relevance of, the many existing codes and principles. Through this the UK NCP hopes to encourage, small and medium sized enterprises in particular, to develop codes of social responsibility.

UNITED STATES / ETATS-UNIS

(to come)

EUROPEAN COMMISSION / COMMISSION EUROPEENNE

A. *Institutional Arrangements*

- *Where is the National Contact Point located? Please include mailing address, phone number, e-mail address, and other relevant co-ordinates.*

Not applicable. The European Commission is not formally a “National Contact Point”. However, it is committed to the success of the Guidelines, and the process initiated by the 2000 review.

Directorate General for Trade, Unit F2, follows the OECD Committee on International Investment and Multinational Enterprises. The delegate to CIME is Ms Corinne Dreyfus.

Ms Corinne Dreyfus

CHAR 8/204

Rue de la Loi 200

B-1049 Brussels

tel: +322.295.16.55

fax: +322.299.16.51

e-mail: Corinne.Dreyfus@cec.eu.int

website: <http://www.europa.eu.int/comm/trade/miti/invest/oecd.htm>.

- *What is the composition of the National Contact Point? (If other government departments or specialised agencies are included, please specify.)*

Not applicable.

Directorate General for Trade (unit F2) is “chef de file” in the CIME. It chairs a Foreign Direct Investment inter-service group with other interested Directorate Generals in the Commission: Economic and Financial Affairs, Enterprises, Employment and Social Affairs, Environment, External Relations, Development, EuropAid Agency, Enlargement, Agriculture, Information Society, Research, Internal Market, Education and Culture, Taxation and Customs Union, Justice and Home Affairs, General Secretariat and Legal Service.

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

Not applicable.

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

Not applicable.

Directorate General for Trade is engaged in dialogues with social partners at European Union level: UNICE (Union des Industries de la Communauté Européenne) and ETUC (European Trade Unions Confederation). Unit F2 has in particular raised the Guidelines on several occasions with business, through its Business Investment Network (with European

companies and business federations), and with trade unions in the civil society dialogue of DG Trade (see point below).

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

Directorate General for Trade has an ongoing dialogue with civil society on the areas it deals with. Non-governmental organisations, trade unions, enterprises and business federations attend these meetings. Member States representatives can attend these meetings. There is a specific Issues Group on investment that resumed its work since end 2000, and that discussed the Guidelines on several occasions.

B. Information and Promotion

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

A link to the OECD website has been created on Directorate General for Trade website (<http://www.europa.eu.int/comm/trade/miti/invest/oe.cd.htm>). So the English and French versions are available.

Links to the nine other languages of the European Union (and relevant Member States National Contact Points websites) should be processed in the future.

- *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 number of activities have been undertaken since the June 2000 Guidelines review, at the level of the Commissioner for Trade, Mr Pascal Lamy, and at the level of the Directorate General for Trade (unit F2). These activities first aimed at promoting the Guidelines among business, trade unions and non-governmental organisations. They also answered to questions from Members of the European Parliament about the Guidelines. Dialogue with stakeholders showed that concrete exchange of management practices in the light of the Guidelines was an area where more work was needed. This paved the way for preparing and organising a Conference on 10-11 May in Brussels (see point below).

- **Commissioner for Trade, Pascal Lamy, interventions on the Guidelines:**
 - 26 October 2000 : Executive Committee of ETUC (European Trade Unions Confederation)
 - 23 November 2000 : Trade policy dialogue and consultations with civil society
 - 6 February 2001 : European Parliament, Committee on Industry, External Trade, Research and Energy
 - 12 February 2001 : ETUC (European Trade Unions Confederation), meeting with General Secretary of ETUC, Mr Emilio Gabaglio
- **Directorate General for Trade, unit F2:**
 - 18 October 2000 : Business Investment Network
 - 18 January 2001 : Meeting with Trade Unions
 - 22 March 2001 : Business Investment Network

- 27 February and 24 April 2001 : civil society dialogue: Issue Group on Investment
 - 19 April 2001 : informal meeting with European Member States National Contact Points
 - January to May 2001 : meetings with Members of the European Parliament for the preparation of the 10-11 May Brussels Conference (Richard Howitt, Erika Mann, Nick Clegg, Caroline Lucas, Philippe Herzog)
 - Since February 2001 : participation in the process of preparation of a Commission Green Paper on corporate social responsibility.
 - Contribution to Commission Staff Working Document on 'Integrating the environment into External Relations policies'
 - Contribution to the Communication from the Commission to the Council and the European Parliament, COM (2001) 252 final, of 8 May 2001, 'The European Union's Role in promoting Human Rights and Democratisation in Third Countries'.
- **Answers to letters from Members of the European Parliament:**
- QE 2640/00 by Mr Claude Turmes
 - Letter of Ms Glenys Kinnock (answer of 21.12.00)
- **Delegations of the Commission abroad :** the Guidelines are part of the briefing package of delegations on Foreign Direct Investment (January 2001)
- **Organisation of a Conference** on 'Best business practices for Corporate Social Responsibility : Management tools for implementing the OECD Guidelines for Multinational Enterprises' on 10-11 May in Brussels. This Conference was a significant step in the implementation process of the Guidelines at European level. The Conference brought together business participants from the European Union, European public authorities, Members of the European Parliament, National Contact Points of Member States, trade unions, and civil society, to exchange views on their concrete experience on implementing socially responsible practices and define best practices. Conclusions of the Conference and press release are attached to the present report. All other material is accessible on following website address: <http://www.europa.eu.int/comm/trade/miti/invest/oecd.htm>.
- *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.)?*

Follow-up of the 10-11 May 2001 Conference will include following elements:

- Networking of participants of the Conference, and follow-up discussions on good business practices in the Foreign Direct Investment inter-service group, the Business Investment Network and the civil society investment issue group.
- Creation of an internet-based forum, accessible from the above-mentioned address.

The upcoming Green Paper on corporate social responsibility will also include references to the Guidelines.

- *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 business community (individual enterprises and business federations), trade unions, non-governmental organisations, European affairs consultancies, and various research centres have been discussing with the Commission the Guidelines and subjects related to the Guidelines.

C. *Implementation in specific instances*

Not applicable.

D. *Other*

Not applicable.

Brussels, 11 May 2001

**EU Conference on “Best business practices for Corporate Social Responsibility:
Management tools for implementing the OECD Guidelines for Multinational Enterprises”**

PRESS RELEASE

EU launches dialogue on best practice for multinationals to encourage corporate social responsibility

At a two-day conference held in Brussels on May 10 and 11th, the European Commission launched a dialogue on implementing voluntary commitments of good corporate behaviour. The conference entitled “Best business practices for corporate social responsibility: Management tools for implementing the Organisation for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises” enabled European firms to exchange experiences on their practices at EU level. Pascal Lamy, European Commissioner for Trade, said: ‘ We in the EU have to work together towards corporate citizenship, because we all share the issues and societal objectives at stake. Management tools for the daily implementation of these principles are crucial to enable us to follow this path.’ ”

The Conference brought together business participants from the European Union to exchange views on their experience on implementing socially responsible practices and define best practices. They were joined by European public authorities, Members of the European Parliament, National Contact Points of Member States (in charge of implementing the OECD Guidelines), trade unions, and civil society. The event focused on how to implement good corporate behaviour in the daily management of a firm.

In the 10 May introductory session, chaired by Deputy Director General for Trade Roderick Abbott, Commissioner Pascal Lamy’s call on all stakeholders to work towards corporate citizenship was echoed by Member of the European Parliament Richard Howitt, President of EU Business Federation UNICE Baron Georges Jacobs, Secretary General of EU Trade Unions ETUC Emilio Gabaglio and Chairman of OECD Committee on International Investment and Multinational Enterprises Marinus Sikkel.

On 11 May, three parallel workshops chaired by three Members of the European Parliament, Erika Mann, Nick Clegg and Richard Howitt, allowed panellists and participants from business, public authorities, trade unions and civil society to exchange among themselves on the concrete implementation of the Guidelines along three interrelated perspectives:

How to implement voluntary commitments such as the Guidelines in enterprises

Exchanges among participants in the first workshop focused on the way voluntary commitments such as those expressed in the Guidelines and in companies’ codes of conduct can be implemented in practice in the daily management of a firm. Panellists and participants discussed experiences of management tools, internal compliance programmes, social and environmental auditing and monitoring, whether internal or external, and looked at what it takes for a successful translation of corporate social responsibility principles into the real-life operations of a firm.

How to involve stakeholders

Panellists and participants called for involvement of all levels of staff to be a key element for the process, from the chief executive officer to the shop-floor worker, through a two-way dialogue. Communication with consumers and local communities, and finding ways to channel demands from the public and answer them, are the necessary foundations of mutual trust. Transparency and disclosure should help assessing the

impact of firms' operations on its social and physical environment and corporate social responsibility record in an objective manner, that is beneficial both for the company and for its stakeholders.

How to implement corporate social responsibility in developing countries

Panellists and participants examined the developmental objectives of the Guidelines and the concrete ways of implementing corporate social responsibility in non adhering countries. It was considered that such principles could help maximise the benefits and minimise the possible costs of a foreign investment, often through a proper involvement of local authorities and communities. The Guidelines allow for a constructive dialogue that can lead to a partnership between the investor and the host country, increasing local standards. Corporate social responsibility and the Guidelines may thus contribute to sustainable development.

The concluding session stressed the need for further co-operation between companies, stakeholders and public authorities. Member of the European Parliament Caroline Lucas, General Secretary of the Trade Union Advisory Committee to the OECD John Evans, Vice-Chairman of Business and Industry Advisory Committee to the OECD Dr Kristian Ehinger, and Director Robert Madelin of DG Trade called for an increased involvement of all parties in this ongoing process. Robert Madelin concluded that the implementation of OECD Guidelines can be a tool for harnessing globalisation and set the path of sustainable development. In view of the upcoming OECD Ministerial meeting, one year after the Review of the Guidelines, participants were of the opinion that the momentum of the 2000 review must be kept going in order to increase the level and the quality of dialogue between all parties at local, national and EU level.

Operational conclusions will be made available at
<http://www.europa.eu.int/comm/trade/miti/invest/oecd.htm>.

BACKGROUND

The conference came at a time of growing public expectations from European Union citizens as regards the behaviour of their firms, in the EU and abroad. Employees, consumers, local communities, citizens, want more from companies: care for the environment, their employees, their consumers, the society at large. On their side, companies are engaging in a number of actions to increase their corporate citizenship record.

The OECD Guidelines were reviewed in June 2000 by OECD Ministers and are the only multilaterally endorsed "code of conduct" that governments expect their companies to apply wherever these operate. Such voluntary commitments by companies are balanced by the setting up of National Contact Point in each country adhering to the Guidelines (currently the 30 OECD countries and Argentina, Brazil and Chile). National Contact Points are in charge of mediating in case of specific problems, and are open to the interested public.

The revised Guidelines cover all areas of corporate social responsibility: human rights, and the refusal of child labour and forced labour, social relations, environmental protection, consumer protection, transparency and disclosure, fight against bribery, transfers of technology, competition and taxation. Also and principally, a reinforced implementation mechanism is attached to the Guidelines. In a Decision, Adhering governments have bound themselves to promote the actual observance of the Guidelines by business and to examine and try to solve any case of non-observance.

Both EU Member States and the European Commission have been very active in the review of the Guidelines. This, in the end, led to European concerns to be reflected fairly in the final text.

This framework adds value to what companies already do in their daily operations as far as corporate social responsibility is concerned: the Guidelines can be seen as a checklist that “crystallises” what any socially responsible company should do as a minimum. As a flexible toolbox, they can help managers assess and implement their own internal codes of conduct. Also, as governments are committed to their success, they provide a good vehicle for a high quality dialogue among stakeholders.

CONCLUSIONS FROM THE CHAIR

Friday, 11th May, saw the start of what is intended to be an ongoing dialogue at European Union level on implementing voluntary commitments of good corporate behaviour as expressed in the OECD Guidelines for Multinational Enterprises. The Brussels Conference on “Best business practices for Corporate Social Responsibility : Management tools for implementing the OECD Guidelines for Multinational Enterprises” organised by the European Commission allowed European firms, trade unions, non-governmental organisations and other interested parties to exchange experiences on their socially responsible practices at EU level.

The Conference brought together business participants from the European Union, European public authorities, Members of the European Parliament, National Contact Points of Member States (in charge of implementing the OECD Guidelines), trade unions, and civil society, to exchange views on their concrete experience on implementing socially responsible practices and define best practices.

The OECD Guidelines for multinational enterprises and corporate social responsibility principles reflect a political choice not to go for precise and binding legislation and regulation, but to apply soft rules which can have higher adherence to. This kind of instrument should not be considered as a substitute, but as complement to legislative and regulatory provisions. The Guidelines are thus a leading contribution to the improvement of global governance in fields affecting trade and investment policy.

The question of verifiability is essential, as data to estimate corporate impact on social and environmental dimensions are still under construction, especially for developing countries. Academic work and policy debate need to be fostered in this regard, in order to allow for sustainable development checks for trade policy.

The time for action for corporate social responsibility is now. Actions to implement corporate social responsibility principles are necessary, and their fruits should be shared between participants. In a year’s time, the work undertaken in the European Union needs to be reviewed with the objective of ensuring coherent and credible contributions to the autumn 2002 Johannesburg World Summit on sustainable development (RIO+10). In order to take stock of actions undertaken on the ground, a review will be undertaken by summer 2002.

The Conference has produced a menu of ideas (attached) for action.

Possible actions:

- **For all parties involved:**

In order to contribute to raising awareness and visibility of the Guidelines, all participants will use this instrument. The Guidelines can be seen as a checklist that “crystallises” what any socially responsible company should do as a minimum. As serious government recommendations, all parties should be committed to respect of the Guidelines. They are a spring-board for a competitive company

to go further. They develop convergence in management and administrative cultures. They are a tool for dialogue.

Communication with consumers, local and regional communities, and finding ways to channel demands from the public and answer them, are the necessary foundations of mutual trust. Transparency and disclosure should help assessing the impact of firms' operations on its social and physical environment and corporate social responsibility record in an objective manner, that is beneficial both for the company and for its stakeholders.

- **For National Contact Points:**

In order to foster implementation of OECD Guidelines in the European Union, National Contact Points are networked, and continue to develop their own networks with enterprises and stakeholders.

Governments are committed to the success of the Guidelines, and through their National Contact Points, the Guidelines provide a good vehicle for a high quality dialogue among stakeholders.

Reporting on their activities to their national Parliaments, and possibly to the European Parliament, could increase the transparency embedded in the Guidelines. The European Parliament is interested in getting better data on National Contact Points work.

- **For the European Commission:**

An internet-based data-exchange and discussion forum will be created on the Commission OECD Guidelines website (<http://www.europa.eu.int/comm/trade/miti/invest/oecd.htm>), to facilitate networking and exchange of best practices.

The network of participants to the Conference should allow for European Union participants in the World Summit on sustainable development to show how corporate social responsibility contributes to sustainability.

The Commission should consider holding a further conference with a similar range of participants in 2002.

- **For enterprises:**

The flexible toolbox offered by the Guidelines should help managers assess, implement and develop their own internal codes of conduct. Management tools such as internal compliance programmes and impact assessments (environmental, social) should be developed to take account of voluntary commitments such as expressed in the OECD Guidelines.

Involvement of all levels of staff is a key element for the process, from the chief executive officer to the shop-floor worker, through a two-way dialogue.

- **For enterprise and stakeholders:**

Social and environmental auditing and monitoring, whether internal or external, are crucial for the credibility of implementing corporate social responsibility principles. A balanced approach between internal and external mechanisms involving stakeholders should contribute to develop a methodology to internalise social and environmental costs, and robust corporate social responsibility standards.

- **Actions in developing countries:**

The Guidelines are free to use. They can be endorsed by enterprises of third countries.

In non adhering countries, the Guidelines can help maximise the benefits and minimise the possible costs of a foreign investment, often through a proper involvement of local authorities and communities. The Guidelines allow for a constructive dialogue that can lead to a partnership between the investor and the host country, increasing local standards. Corporate social responsibility and the Guidelines may thus contribute to sustainable development.

Awareness of the Guidelines in third countries should also be increased, including through the European Commission delegations, and Member States representations. Technical assistance should also take account of the OECD Guidelines, as may overseas development aid.

Member States and the European Union should encourage third countries to use the Guidelines as a key point of reference in defining responsible investor behaviour.