



FREQUENTLY ASKED QUESTIONS NATIONAL CONTACT POINTS FOR THE OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES

What are National Contact Points?

National Contact Points (NCPs) are offices set up by governments that have adhered to the OECD Guidelines for Multinational Enterprises (the Guidelines).

The Guidelines are a set of recommendations for responsible business conduct (RBC) covering all areas of business responsibility including disclosure, human rights, employment and industrial relations, environment, anti-corruption, competition and taxation.

NCPs have two main objectives:

- Promote the Guidelines and handle enquiries this means that NCPs organise and participate in events related to RBC to raise awareness of the Guidelines. They also respond to questions about the Guidelines.
- Provide a grievance mechanism to resolve cases (known as "specific instances") relating to non-observance of the recommendations of the Guidelines.

What makes the Guidelines unique?

Consensual and non-adversarial: Dispute resolution through NCPs allows parties to engage in a process aimed at reaching a mutual agreement. The system can bring about longer-term, constructive engagement between companies and stakeholders.

Broad scope: The Guidelines are broad in scope and make reference to relevant provisions of the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy as well

NCPs in numbers

48 NCPs in 35 OECD countries and 13 non-OECD countries

Over **100** countries or territories where issues handled by NCPs have arisen

Over **400** specific instances handled between 2000—2016



as the Rio Declaration. They are also aligned with the UN Guiding Principles for Business and Human Rights (UNGPs). As such, the NCPs have the capacity to consider a broad range of business responsibility issues.

Transnational reach: NCPs provide the only state-based, non-judicial grievance mechanism which handles RBC issues related to companies operating in or from the country of the NCP.

Who can submit a case to an NCP?

Any individual or organisation with a legitimate interest in the matter can submit a case to an NCP regarding a company, operating in or from the country of the NCP, which has not observed the Guidelines.

Many NCPs provide information on how to submit cases on their websites. A list of NCP websites can be found here: <http://mneguidelines.oecd.org/ncps/>

How do NCPs handle cases in practice?

Three steps generally follow the submission of a case:

Initial assessment - The NCP evaluates whether the issues raised merit further examination and either accepts the case or publishes a statement explaining why it has not accepted it.

Support - The NCP offers its "good offices" (dialogue, mediation, conciliation services) to both parties to help resolve the issues.

Conclusion - At the end of the process, the NCP publishes a statement regarding the issues raised in the case, the support offered by the NCP and the outcome.

Are cases public?

Yes, a record of all cases handled by NCPs is available online in the OECD database of specific instances. The database provides a summary of all ongoing and closed cases as well links to final statements on cases published by NCP.

<https://mneguidelines.oecd.org/database/>



How do NCPs communicate on their activities?

Most NCPs maintain a website and some publish regular reports on their activities. In addition, NCPs must report annually to the OECD which produces an Annual Report summarising their activities NCPs, including with respect to cases handled.

<https://mneguidelines.oecd.org/annualreportsontheguidelines.htm>

How do NCPs cooperate?

NCPs meet bi-annually at the OECD to share experiences and discuss ways in which the NCP mechanism can be strengthened. NCPs also consult with each other in handling cases and to agree on which NCP will take the lead in assisting parties where cases involve impacts in several jurisdictions.

How are NCPs structured?

Governments have flexibility in how they structure their NCP. While some NCPs are based within government departments, others are independent of their governments. Many NCPs also have supporting bodies which may be composed of non-governmental stakeholders, such as trade unions and business representatives. Regardless of their NCP structure, NCP leadership should be such that it retains the confidence of social partners and other stakeholders.

What requirements do NCPs need to meet?

All NCPs must operate in accordance with the core criteria of visibility, accessibility, transparency and accountability. This means that the functions of the NCP should be widely promoted; that stakeholders should be able to easily submit inquiries or file cases with the NCP; that the NCP should, to the extent possible, report publically on its activities and how it handles cases; and that the NCP should report annually on its activities and participate in regular meetings where the effectiveness of the activities of NCPs can be assessed.

For more information on individual NCPs, please visit

<http://mneguidelines.oecd.org/ncps/>