



## OECD Investment Policy Review of Ukraine

Workshop

### *Responsible Business Conduct and the OECD Guidelines for Multinational Enterprises*

17 September 2015

Cabinet Ministers Club, Institutskaya str. 7  
Kyiv, Ukraine

*Ukraine is currently undergoing an investment policy review as part of the procedure for Ukraine's adherence to the [OECD Declaration on International Investment and Multinational Enterprises](#) (Declaration). The Declaration is a policy commitment by adhering governments to provide an open and transparent environment for international investment and to encourage the positive contribution businesses can make to economic and social progress. The review aims to identify actions that could enhance the overall investment climate of Ukraine and supports the implementation of the Sector Competitiveness Strategy for Ukraine-Phase III project, which is co-financed by the European Union and the Government of Sweden.*

*The purpose of this workshop is to share information with the Ukrainian authorities about the government obligations under the Declaration related to the [OECD Guidelines for Multinational Enterprises](#) (Guidelines), one of four instruments of the Declaration.*

*The Guidelines are the leading international instrument for promoting responsible business conduct (RBC). They provide the most comprehensive set of government-backed recommendations on what constitutes responsible business in areas such as information disclosure, employment and industrial relations, environment, human rights, combating bribery, consumer interests, science and technology, competition, and taxation.*

*The adhering governments set up National Contact Points (NCPs) to promote RBC and the Guidelines and to help resolve issues related to their implementation through good offices and mediation.*



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## AGENDA

### 09:00 - 09:15 Welcoming Remarks

- **Yylia KOVALIV**, First Deputy Minister of Economic Development and Trade, Ukraine
- **Roel NIEUWENKAMP**, Chair, Working Party on Responsible Business Conduct, OECD

### 09:15 - 09:45 Session 1: What is Responsible Business Conduct?

Objective This session will discuss what is responsible business conduct and why it matters for development, investment and trade.

*Lead Discussant*

- **Tihana BULE**, Economist and Policy Analyst, Responsible Business Conduct, OECD

- Discussion
- What does responsible business conduct (RBC) mean for governments and businesses?
  - How does RBC contribute to sustainable development? Why does it matter for investment and trade?

### 09:45 – 11:00 Session 2: The OECD Guidelines for Multinational Enterprises

Objective This session will provide an overview of the OECD Guidelines for Multinational Enterprises and their unique elements. Examples of how the Guidelines are used in international and national context will be provided.

*Introduction*

- **Tihana BULE**, Economist and Policy Analyst, Responsible Business Conduct, OECD

*Lead Discussants*

- **Roel NIEUWENKAMP**, Chair, Working Party on Responsible Business Conduct, OECD
- **Jacqueline KACPRZAK**, Counsellor to the Minister and the Secretary of the Corporate Social Responsibility Advisory Board of the Minister of Economy, Poland
- **Diana PUTNINA**, Counsellor, Economic Relations and Development Cooperation Policy Department, Ministry of Foreign Affairs, Secretariat of the National Contact Point, Latvia



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- Discussion
- What are the OECD Guidelines for Multinational Enterprises? How do they relate to other international instruments that address business conduct, such as the UN Guiding Principles for Business and Human Rights and the core ILO conventions?
  - What are different ways governments promote and implement RBC policies on a national level? What role do the OECD Guidelines for Multinational Enterprises have in developing and implementing those policies?

11:00 - 11:30 Coffee Break

**11:30 - 12:30 Session 3: National Contact Points for the OECD Guidelines**  
*Part 1 - Mandate and Structure*

Objective National Contact Points are government bodies tasked with ensuring implementation of the OECD Guidelines for Multinational Enterprises. This session will introduce their mandate, different institutional arrangements and core criteria for functioning.

*Introduction*

- **Tihana BULE**, Economist and Policy Analyst, Responsible Business Conduct, OECD

*Lead Discussants*

- **Jacqueline KACPRZAK**, Counsellor to the Minister and the Secretary of the Corporate Social Responsibility Advisory Board of the Minister of Economy, Poland
- **Diana PUTNINA**, Counsellor, Economic Relations and Development Cooperation Policy Department, Ministry of Foreign Affairs, Secretariat of the National Contact Point, Latvia
- **Piret POTISEPP**, National Contact Point for the OECD Guidelines, Estonia
- **Julia VAGO**, National Contact Point for the OECD Guidelines, Hungary

12:30 - 14:00 Lunch Break

**14:00 - 15:30 Session 3: Continued**  
*Part 2 - Core Criteria for Functioning*

- Discussion
- Why do governments have an active role in supporting the implementation of the Guidelines?
  - What are the main government obligations for setting up an effective NCP? What are the main considerations, such as the need to provide adequate resources, capacity, and accountability, for the government to take into account?
  - What is the NCP mandate?
  - How do different NCPs organise themselves? What good practices for institutional



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arrangements have emerged from different NCP structures?

- What are the main core criteria for NCP functioning?
- What are effective ways in which NCPs implement their mandate and core criteria?
- How do NCPs coordinate their activities?

15:30 - 16:00 Coffee Break

#### 16:00 - 17:30 Session 4: Resolving Issues in Practice - Cases

**Objective** This session will discuss practical experiences by NCPs in dealing with issues related to non-observance of the OECD Guidelines for Multinational Enterprises by individual companies and providing access to remedy.

##### *Introduction*

- **Tihana BULE**, Economist and Policy Analyst, Responsible Business Conduct, OECD

##### *Lead Discussants*

- **Roel NIEUWENKAMP**, Chair, Working Party on Responsible Business Conduct, OECD
- **Jacqueline KACPRZAK**, Counsellor to the Minister and the Secretary of the CSR Advisory Board of the Minister of Economy, Poland

- Discussion**
- What is considered remedy? How do facilities offered by NCPs relate to other available mechanisms that provide access to remedy? What is the added benefit of using non-judicial mechanisms and problem solving techniques?
  - How do NCPs remain impartial and independent in dealing with complaints?
  - What are the main challenges that NCPs face (for example, resource constraints, lack of capacity and government support, ensuring recognition by and engagement with stakeholders, etc.)?
  - How do NCPs co-operate in cases dealing with company operations in multiple countries?



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