Meeting of the Council at Ministerial Level, 7-8 June 2017

STANDARD SETTING: REVIEW OF OECD LEGAL INSTRUMENTS

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EXECUTIVE SUMMARY

The OECD has a long and successful history of standard-setting, having developed around 450 legal instruments since its creation in 1961. 268 of these instruments remain in force today. Thanks to its extensive mandate, broad technical expertise and its ability to move quickly, the OECD has developed innovative and cutting-edge standards, including by taking a horizontal and multi-disciplinary approach, drawing critical links between different areas of public policy.

The Organisation needs to build on its success by maintaining the relevance and impact of its standards and adapting them to the challenges of globalisation and to rapidly evolving international environments, new economic and social actors and new synergies. To that effect, in May 2016, the Secretary-General launched an OECD-wide standard-setting review with a view to ensure that OECD legal instruments continue to respond to the challenges faced by governments, thereby strengthening their relevance and impact for the Membership and beyond. The last exercise of this kind took place more than 30 years ago.

In a little over six months, 27 OECD committees and some of their subsidiary bodies have reviewed some 260 legal instruments, resulting in the following proposed actions: 32 abrogations of outdated instruments, 48 revisions (including through consolidation) and 32 further reviews (need for further analysis to determine the need to revise or abrogate).

The findings of the standard-setting review have highlighted ways in which the OECD could usefully respond to the challenges of extending the reach and impact of its standards beyond its membership, positioning its standard-setting role in relation to other international bodies and maintaining the relevance and impact of its standards over time. This includes drawing on good practices in certain work-streams while bearing in mind the specificities of each committee and instrument. The possible action points include:

- Broaden knowledge and interest in OECD standards across the Organisation with a view to increasing internal knowledge of OECD standards and better integrate them into committees’ work.
- Strengthening the implementation of OECD standards through regular monitoring and the development of toolkits for facilitating their implementation.
- Extend the reach and impact of standards beyond OECD membership to increase non-Members’ participation in standard-setting including through linkages with other global or regional processes as well as increased openness and accountability in standard-setting activities.
- Increase horizontal co-operation across the OECD notably by encouraging synergies between different policy communities within the Organisation.
- Maintain the relevance and impact of OECD standards over time through more regular stock-taking, the identification of instruments which are of mainly historical value and the continued development of standards to address new challenges.

Within a fluid international context, the development and implementation of international standards is at a turning point. In order to maintain its role as a global standard-setter, the OECD must raise its game. The current standard-setting review is a vital first step towards this goal but these efforts must be mainstreamed into the OECD’s work methods and processes in order to ensure that OECD standards remain at the forefront of global governance processes and achieve their objective of levelling the playing field.
I. Introduction

1. At the 2013 Ministerial Council Meeting (MCM), Ministers “reaffirmed the OECD’s role as a global standard-setter” and called on the Organisation to “proactively update and upgrade its existing standards and respond to any gaps in global standard-setting where appropriate” [C/MIN(2013)17]. Ministers have reiterated this call at the 2014 and 2016 MCMs.¹ The Secretary-General has highlighted the role of the OECD as a global standard-setter and repeatedly underscored in his Strategic Orientations the importance of promoting and disseminating OECD standards.²

2. The OECD has a long history of standard-setting, having developed around 450 legal instruments since its creation in 1961. 268 of these instruments remain in force today. OECD standards contribute to create a level playing field in international markets and improve the design of domestic policies. These instruments range from legally binding Decisions and international agreements (including the Codes of Liberalisation and the OECD Anti-Bribery Convention) to non-binding Recommendations (the most common OECD legal instruments with 191 Recommendations out of the 268 instruments currently in force, including the Recommendation on Principles of Corporate Governance and the recent Recommendation on Good Statistical Practice) and Declarations (including the Declaration on International Investment and Multinational Enterprises). The standard-setting activity of the OECD has traditionally focused on certain areas such as the environment (26%), financial affairs (23%) and science technology and innovation (16%) but has recently broadened to new areas including statistics and employment, labour and social affairs.

3. The OECD has been successful as a standard-setter thanks to its broad technical expertise and its ability to move quickly to develop new standards on cutting-edge issues. This gives the OECD significant flexibility to respond to new challenges and adopt innovative approaches, including by taking a horizontal and multi-disciplinary approach, drawing critical links between different areas of public policy. The specific strength and longevity of OECD standards can be explained by the i) development of standards through a well-established bottom up approach starting from the technical level, and ii) the reinforcement of key standards by monitoring and peer review mechanisms through which governments voluntarily submit themselves to in-depth reviews and take concrete actions in response to the resulting recommendations.

4. One of the remarkable features of OECD standard-setting has been the impact and success of so-called “soft law” standards, with non-legally binding instruments having significant political weight and even being subject to monitoring of implementation. Over the years, the Organisation has been adept at creating innovative norms to address emerging challenges for governments, such as the OECD Guidelines for Multinational Enterprises which were the first comprehensive framework for responsible business conduct and remain the only tool with a grievance mechanism to address specific cases. The OECD has repeatedly demonstrated its ability to move fast and adopt innovative approaches to address emerging issues. For example, the OECD/G20 Base Erosion and Profit Shifting (BEPS) Package was developed and adopted in just over two years and there are already 96 jurisdictions which have committed to the Package and its consistent implementation.

5. Moreover, a number of OECD standards are considered as the reference global standards on a particular issue, thereby being applied far beyond the OECD membership:

² See C/MIN(2014)1, C/MIN(2015)1 and C/MIN(2016)1. The strengthening and maximising of the impact of OECD legal instruments, and the identification of areas in which new ones need to be developed, are part of the Secretary-General’s “21 for 21: Proposal for Consolidation and Further Transformation of the OECD”.
In a number of cases, OECD standards have been accepted by the international community as representing the international standard on a particular issue, often by virtue of close co-operation with the G20. For example, the exchange of information standard in Article 26 of the OECD Model Tax Convention on Income and Capital is being implemented by over 130 jurisdictions which are subject to peer review through the Global Forum on Transparency and Exchange of Information for Tax Purposes. Similarly, the G20/OECD Principles of Corporate Governance have been endorsed as one of the Thirteen Key Standards for Sound Financial Systems adopted by the Financial Stability Board (FSB), and are applied in country reviews by the International Monetary Fund (IMF) and World Bank.

OECD standards have also been incorporated into other legal frameworks and have thus been applied outside the OECD for example, the OECD standards on transboundary movement on wastes were the basis for the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal and the Arrangement on Officially Supported Export Credits has been incorporated into European Union and World Trade Organisation law.

Finally, the OECD has been used as a forum for international negotiations of free-standing agreements e.g. the amended Convention on Mutual Administrative Assistance in Tax Matters which is now applicable to 97 countries and jurisdictions and is being used as a basis for automatic exchange of information for tax purposes. Very recently, the OECD hosted the negotiation among over 100 countries and jurisdictions of the Multilateral Convention to Implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting, with a signature ceremony to take place on 7 June 2017.

6. The Organisation needs to build on its success by maintaining the relevance and impact of its standards and adapting to rapidly evolving international environments, new economic and social actors and new synergies. The last OECD-wide review of its standards took place more than 30 years ago and the majority of the instruments have not been reviewed or monitored since then. The recent OECD accession processes which require candidate countries to be evaluated against all OECD legal instruments have thrown light on the need to review and update the stock of OECD standards.

II. Standard-Setting Review

7. Accordingly, an OECD-wide standard-setting review was launched by the Secretary-General in May 2016 and welcomed by Ministers at the 2016 MCM [C/M(2016)10/ADD1]. The goal of the review, which is conducted through the substantive committees responsible for each standard, is to ensure that

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4 As part of the update of the Compendium of OECD Decisions, Recommendations and other instruments, the review resulted in the Council approving the abrogation of 30 Decisions and Recommendations in 1992 [C(92)172 & CORR1 and C/M(92)20/PROV] and 5 Recommendations in 1994 [C(94)10 and C/M(94)3/PROV].

5 Members also “stressed the role of the OECD in global standard-setting and more broadly on international regulatory co-operation as well as the need for mechanisms to ensure that the benefits are more equally shared” at a session of the 2016 GSG dedicated to strengthening the OECD’s role in global governance through its standards [GSG(2016)1, pars. 105-114 and GSG(2016)4].
OECD legal instruments continue to respond to the challenges faced by governments, thereby strengthening their impact and relevance for the membership and beyond.

8. To this end, the standard-setting review is being undertaken in two phases:
   i. a stock-taking of existing legal instruments to examine their relevance and impact and then assess the possibility, implications and suitability of abrogating, revising (including through consolidation of several instruments) or further reviewing them;
   ii. the identification of new sectors or emerging issues on which the OECD could usefully draw on its expertise to develop standards in the future.

9. The standard-setting review provides a unique opportunity for the OECD to take a step back and evaluate the relevance and impact of its standards across the board. In a little over six months, 27 OECD committees have reviewed 255 legal instruments and approved their Standard-Setting Action Plans [see Annex I for the list of committee’s Action Plans, as well as the compendium of Action Plans organised by proposed action set out in C(2017)51/ADD1].

10. This report aims at summarising the findings of the standard-setting review so far and identifying key proposals to strengthen the relevance and impact of OECD standards. A number of concrete proposals (in particular abrogation of certain outdated instruments) will be transmitted to the Council for approval in July 2017. OECD committees will continue to work on the basis of their respective Action Plans in line with their Programmes of Work and Budget (PWB) and will submit to Council proposals for abrogation or revision of existing instruments. Committees will also continue the work on the second phase of the standard-setting review, identifying possible areas for new standards going forward.

A. First Phase of the Review: Existing Standards

11. The relevance and impact of a total of 260 legal instruments have been reviewed as part of the first phase of the standard-setting review. 255 legal instruments have been reviewed by OECD committees and an additional 5 instruments have been assessed by the Secretariat. For each instrument, Committees proposed a specific action (abrogation, revision or further review), noted that an instrument would be subject to upcoming monitoring of implementation or decided that no immediate action was required (see Figure 1 and Annex II). In addition, they identified instruments which should be the subject of continued/increased dissemination.

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6 The review did not include the legal instruments in the area of nuclear energy which are subject to a separate review by the Nuclear Energy Agency.

7 Instruments were reviewed by the Secretariat where there is no committee responsible for the instrument.
Figure 1. Summary of proposed actions

Abrogation

12. Committees identified 32 instruments which could be proposed for abrogation because they are outdated (1 Decision, 25 Recommendations and 6 Declarations). 65% of the instruments proposed for abrogation date back from the 1960s-1970s. The reasons for proposed abrogation include the following: i) the fact that an instrument was developed to address a temporary situation (e.g. the 1971 Recommendation concerning Actions in the Field of Competitive Policy which was introduced during a period of high inflation in response to the need for urgent short-term actions); ii) the instruments have been superseded by more recent OECD standards (e.g. the 1960s instruments on manpower policies have been replaced by the currently revised OECD Job Strategy); or iii) the instruments called for actions which have now been implemented (e.g. the 1988 Ministerial Declaration on Authentication for Electronic Commerce).

13. In certain cases, committees decided to retain certain instruments because they considered that the instruments had historical value or their abrogation could send a negative political signal. This was the case for example for the Paris Declaration on Aid Effectiveness which has been effectively superseded by later commitments through the Global Partnership for Effective Development Co-operation. In some cases, Members decided to explore options for updating instruments. For example, the Development Assistance Committee (DAC) decided not to abrogate its Recommendation on Good Pledging Practice which is not currently used but rather to discuss ways to improve its implementation.

Revision

14. Committees proposed the revision of 48 instruments, mostly in the areas of environment (including chemicals) and financial affairs (competition, pensions and financial markets). 67% of the instruments date back from the 1970-1980s. Most proposed revisions (32 out of 48) would be done through consolidation of several different legal instruments, which has the advantage of avoiding overlaps and regrouping several instruments to provide a comprehensive standard in a given policy area. To spread the workload on committees particularly those which are responsible for a high number of legal instruments, the proposed revisions have been sequenced and will take place over the next five years.

15. In a number of cases, the proposed revisions would align instruments with more recent OECD standards/work streams or take into account policy changes at the international level. For example, the four Recommendations on financial education will be consolidated and updated to reflect policy instruments
developed by the Committee on Financial Markets (CMF) and the Insurance and Private Pensions Committee (IPPC) and endorsed by the G20, and the Recommendation on Good Institutional Practice in Promoting Coherence for Development and the three instruments on environment and development assistance will be streamlined in light of the 2030 Agenda for Sustainable Development and the OECD Action Plan on the Sustainable Development Goals. Finally, in certain cases, the proposed revisions aim to expand the scope of the instrument e.g. the Recommendation concerning Effective Action against Hard Core Cartels and the Recommendation on Implementing Pollutant Release and Transfer Registers (PRTRs).

Further Review

16. For 32 instruments, committees were not able to provide a full assessment in the given timeline and decided to take more time to gather the necessary data and develop the analysis to determine the continued relevance of the instruments or whether they needed to be abrogated or revised. These further reviews are scheduled to take place by 2020. The decision to undertake a later review was due in some cases to the need to take into account other work relevant to the standards e.g. ongoing review of the standard or its implementation (e.g. the Code of Liberalisation of Capital Movements), ongoing work on another legal instrument or policy report in a closely related area or an upcoming event (e.g. the upcoming Conference on SMEs which could have an impact on the Bologna Charter). In other cases, more time was required because of a lack of knowledge regarding instruments either because the instruments are old and have not been monitored for a long time or because there is no longer expertise in these areas within the Secretariat and Committee delegates (e.g. the Recommendations in the area of biotechnology). Finally, in a number of cases, committees noted the lack of resources within the Secretariat and Members to undertake a review of all legal instruments over a short period of time.

Upcoming Monitoring of Implementation

17. 54 recent instruments covered by the standard-setting review will undergo a monitoring of their implementation to be reported to the Council in the next five years. Many OECD legal instruments include a monitoring clause by which the Council instructs the responsible committee(s) to monitor the implementation of the instrument and, in most cases, provide a report to Council within a given timeline, usually three or five years from the date of adoption. Recent OECD instruments systematically include such a clause.

No Immediate Action

18. Committees considered that 94 legal instruments (35% of the OECD acquis) did not require any immediate action. In most cases, the committees considered the instruments to be of continued relevance and in no need of revision. In certain cases, the committees recognised that the instruments were outdated or superseded by more recent standards but preferred to retain the instruments as they stood because of their historical value or because of a lack of time and resources to dedicate to their update for the time being. Delegates also raised concerns that reopening certain instruments could risk a lowering of the standard. In the case of the DAC, the committee decided to maintain the status quo with regard to its instruments until the ongoing deliberations on its reform are concluded.

Continued or Increased Dissemination

19. Committees have proposed continued or increased dissemination for 28 legal instruments (10% of the OECD acquis), mostly for recent instruments. Almost all OECD instruments contain a provision instructing the Adherents and the Secretary-General to disseminate the instrument. This dissemination of the instrument can be to non-OECD Members with a view to possible adherence but also to other non-
governmental stakeholders in order to raise awareness of the standard. Most committees considered that their instruments are sufficiently disseminated, notably through their other work-streams and events organised by OECD bodies or other fora.

**B. Second Phase of the Review: Future Standards**

20. Although the second phase of the standard-setting review will continue into 2018, certain committees have already proposed ideas for possible new OECD legal instruments. Naturally, any such proposals would need to be further discussed and approved by the relevant committee and then submitted to Council. So far proposals for new OECD legal instruments (all Recommendations) have been discussed by 10 committees (see Figure 2). The proposals for possible new instruments often build on existing OECD work and standards e.g. in the areas of open government and responsible business conduct, as well as on work with the G20 e.g. on SOE corruption and integrity. Finally, certain proposed standards aim at enhancing horizontal cooperation across the Organisation e.g. on enhanced access to data.

![Figure 2. Proposals for new instruments by committee](image)

21. Committees also discussed ideas for future standards in the area of agriculture (Internet sales and traceability of fruits and vegetables), fisheries (illegal, unreported or unregulated fishing) and migration. They also began to explore the possibility to embody existing standards in the form of a Recommendation (e.g. Action Plan for Youth or the OECD Job Strategy). Certain proposals for future standards (e.g. whistle-blower protection and extended producer responsibility) were discussed but did not attract support in the committee at present due, inter alia, to a lack of resources and need to focus on other priorities.

**III. How to Improve OECD Standards and Standard-Setting**

22. The findings of the standard-setting review so far, and the reflection process it has provoked within committees and the Secretariat, have highlighted ways in which the OECD could usefully respond to the challenges of extending the reach and impact of its standards beyond its membership, positioning its standard-setting role in relation to other international bodies and maintaining the relevance and impact of its standards over time. This includes drawing on good practices in certain work-streams while bearing in mind the specificities of each committee and instrument. The possible action points include:
A. Broaden knowledge and interest in OECD standards across the Organisation

23. Traditionally standard-setting is more common in some committees and policy communities than in others. As a result of the preparatory work for the standard-setting review, this is evolving with the adoption for the first time of a Recommendation in the area of statistics and the adoption of the first Recommendations for many years in the area of employment, labour and social affairs. In a few areas, the relevant committees do not consider their field as appropriate for the development of international standards (e.g. in the field of education due to the decentralisation of national policies and systems). Even among committees which have adopted a number of legal instruments, there are different trends with some committees having developed a large number of standards in the past creating a challenge for keeping those standards up to date (e.g. on environment), while other committees have accelerated their standard-setting activity in recent years (e.g. on public governance). Finally, in some cases, the Organisation now has reduced expertise in a specific area where there are existing OECD standards e.g. biotechnology, maritime transport. To broaden the level of knowledge and interest in OECD standards, the following actions could be undertaken:

- **Increase internal knowledge of OECD standards**

  The standard-setting review has served to remind committees of existing OECD standards and the process for developing and monitoring the implementation of OECD legal instruments. With regard to monitoring, this is especially important for instruments dating from before 2000. It is important to build on this momentum and strengthen knowledge across committees about OECD standards. In this regard, work is underway to re-design the online Compendium of OECD Legal Instruments to provide easy access to information regarding OECD standards in a user friendly interface.

- **Better integration of OECD standards in committee work**

  Some committees have fully integrated work on OECD standards under their responsibility into their work programmes and have been using them in many different ways including monitoring of implementation and benchmarking of countries. The Committee on Statistics and Statistical Policy (CSSP) has, for example, developed a specific monitoring process on the basis of the Recommendation on Good Statistical Practice which can either take the form of a simple self-assessment, an evidence-based self-assessment or a full peer review with the assistance of the Secretariat. Regular updates to committees on OECD standards under their responsibility could help maintain knowledge and use of standards. For example, the Corporate Governance Committee (CGC) has dedicated sessions on the G20/OECD Principles of Corporate Governance which allows delegates to have regular discussions on the implementation of the Principles.

B. Strengthening the implementation of OECD standards

24. The impact of OECD standards lies in the level of implementation. OECD standards have been successful so far due to a high level of implementation even for non-legally binding instruments. This is due in large part to the strength of the political commitment to the standard but also to the existence of monitoring and peer review mechanisms, one of the hallmarks of the OECD. Implementation could be reinforced over time by:

- **Regular monitoring**

  Certain OECD standards are coupled with a comprehensive and rigorous monitoring framework based on peer review such as the OECD Anti-Bribery Convention or the standard on exchange for
information for tax purposes. In addition, as mentioned above, many OECD legal instruments include a monitoring clause by which the Council instructs the responsible committee(s) to monitor the initial implementation of the instrument within a given timeline after adoption, usually three or five years. This monitoring has been very useful to assess the early impact of the instrument and has sometimes led to its revision (e.g. the Recommendation on Disaster Risk Financing Strategies). However, it would be useful for committees to continue monitoring, at their own level, the implementation of the standards under their responsibility beyond this initial period in order to ensure the continued relevance and impact of the instrument over time. This is already done in certain cases but could be adopted more widely.

➢ Toolkits for implementation

Wherever possible, assistance should be provided to Adherents in implementing OECD standards to ensure their practical application and these implementation tools should be considered in parallel with the development of the standard. An increasing number of committees are developing “toolkits” and “companion documents” to facilitate implementation (e.g. for the recent Recommendations on Water and on Digital Government Strategies). Building on the extensive analysis and experience shared by delegates during the development phase of the instrument, these tools compile best practices, including by using secured web platforms which provide up-to-date information and support to Adherents (e.g. for the Recommendations on Effective Public Investment Across Levels of Government).

C. Extend the reach and impact of standards beyond OECD membership

25. One of the principal challenges for OECD standard-setting is to continue to extend the reach and impact of OECD standards beyond the OECD’s membership, whose share in the global economy continues to decline, from close to 70% in the early 1980s to about 45% currently. Accordingly, the OECD must seek participation of non-Members in its standard-setting work in order to bolster its credibility as a standard-setter and to achieve the objective of levelling the playing field. The OECD can learn from recent success stories in order to spread good practices to other areas of work.8 In particular, the OECD could seek to:

➢ Increase non-Member participation in standard-setting and adherence to standards

All OECD legal instruments are open to adherence beyond the OECD membership and non-Member adherence to OECD standards has increased in recent years. Around 70 OECD legal instruments currently have one or more non-Member Adherents. Beyond formal adherence, non-Members may voluntarily implement OECD standards or ask to be reviewed against an OECD standard. In order to increase the uptake of OECD standards by non-Members, it is essential to create a sense of shared ownership of the standards by involving a wider group of countries in the development and review of implementation of OECD standards. This has been an essential factor in the success of standards developed in the tax area both on exchange of information and on BEPS. In this regard, effective communications and integration strategies are vital to ensuring the meaningful participation of non-Members in work on OECD standards. It may also be necessary

8 At the same time, there may be certain areas in which it makes sense for OECD Members to work together in the first instance on the development or implementation of a standard because the OECD policy view is not shared by all countries.
to consider whether and how to adapt adherence and implementation to better fit the needs of specific countries without lowering the standards. For example, toolkits are under development to assist low-income countries with the implementation of agreed BEPS measures.

- **Link to other global and regional governance processes**

To ensure maximum impact of its standards beyond its membership, the OECD also needs to link in upfront to other global and regional governance processes, in particular the G20. The most successful recent OECD standards have fed into G20 priorities. It is also necessary to increase co-operation with other international standard-setting bodies to share lessons learned, ensure complementarity, exploit synergies and avoid duplication – on average a country is a member of 50 or more international bodies.\(^9\)

- **Increasing openness and accountability in standard-setting activity**

To attract countries to participate in work on OECD standard-setting and to adhere to the resulting standards, the OECD also needs to be responsive to the interests of different stakeholders and to strengthen the legitimacy of its standards by seeking the input of business, social partners and civil society as appropriate. The OECD has already made significant efforts to increase transparency in its standard-setting and many recent instruments have benefited from a public or stakeholder consultation in their development and monitoring phases (e.g. recently for the Recommendations on Water, on Disaster Risk Financing Strategies and on Gender Equality in Public Life). This trend should be continued and expanded across the Organisation as far as possible.

### D. Increase horizontal co-operation across the OECD

26. Given its broad mandate and expert committees, the OECD is uniquely positioned to take a horizontal and multi-disciplinary approach to global issues, drawing links between different areas of public policy. However, these synergies are not fully exploited due to the “silo” system in which substantive committees have traditionally operated. This can be improved by:

- **Encouraging synergies between different policy communities**

The OECD needs to break down barriers between its committees while maintaining the efficiency of its standard-setting process. Currently, involving different committees in the development and monitoring of legal instruments can increase relevance but it can also significantly increase the length and complexity of the process, thereby reducing the Organisation’s competitive advantage of being able to react quickly to new challenges. One solution could be to designate a lead committee to simplify the decision-making process and develop tools to ensure the timely and systematic consultation of all relevant policy communities through a transparent process. Close co-operation between different parts of the Secretariat, including through the establishment of inter-directorate teams, is also important. This kind of approach was taken for the recent Recommendations on Water and on Gender Equality in Education, Employment and

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Entrepreneurship. Over time, the different policy communities will become more familiar with each other’s priorities and working methods, thus facilitating co-operation.

E. Maintain the relevance and impact of the body of OECD standards over time

27. The current standard-setting review is proving to be a very useful exercise, showing that around half of OECD’s instruments are in need of abrogation/revision/review. However, to maintain the relevance and impact of OECD standards over time, it is not sufficient to undertake this exercise every thirty years. Accordingly, the following approaches could be considered:

- A more regular stock-taking of OECD instruments

  The review demonstrates the importance of a regular stock-taking exercise of OECD standards to ensure that instruments do not become outdated. This would be more efficient than conducting a review after a long period of time when significant work is required for the committee to familiarise itself again with existing standards and to bring them up to date. One option would be for committees to regularly undertake a light scan of the legal instruments under their responsibility in order to assess their continued relevance and impact. Such review process could take place in parallel with the renewal of the committee’s mandate every five years, in the same way that committees review their sub-structure at that time. It may be appropriate to conduct such a review in a sequenced way for committees with numerous legal instruments under their responsibility.

- Identification of instruments with historical value but no longer relevant on substance

  It would be useful to consider the best approach for instruments which are no longer relevant on substance but which committees wish to retain for historical reasons. One option would be to keep these instruments as part of the body of OECD standards but put them into a separate “historical” category so that they do not detract attention from more recent and relevant standards.

- Continued development of standards to address new challenges

  To remain relevant, the OECD must continue to adapt its standards, including by developing new standards where a global standard would add value and where the OECD has the necessary and relevant expertise. The OECD needs to stay ahead of the game, scanning the horizon for emerging issues and anticipating the next challenge for governments. Accordingly, it is vital for the OECD to remain open and receptive to ideas for future standards. In this regard, the OECD also needs to make strategic choices since fewer but better standards, which have practical value and are user-friendly, will have more impact. As part of the standard-setting review, a reflection process on future standards has already begun in certain committees but further work will be done in the second phase of the review over this year and next.

IV. Conclusion

28. Within a fluid international context, the development and implementation of international standards is at a turning point. In order to maintain its role as a global standard-setter, the OECD must raise its game by ensuring the continuing relevance and impact of its standards and identifying areas where it can usefully develop new global standards. The current standard-setting review is a vital first step towards this goal but these efforts must be mainstreamed into the OECD’s work methods and processes in order to ensure that OECD standards remain at the forefront of global governance processes and achieve their objective of levelling the playing field.
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<td>Public Governance Committee (PGC)</td>
<td>GOV/PGC(2017)4/FINAL</td>
<td>17 March 2017</td>
</tr>
<tr>
<td>Regional Development Policy Committee (RDPC)</td>
<td>GOV/RDPC(2017)1</td>
<td>15 March 2017</td>
</tr>
<tr>
<td>Regulatory Policy Committee (RPC)</td>
<td>GOV/RPC(2017)1</td>
<td>3 March 2017</td>
</tr>
<tr>
<td>Steel Committee (STEEL)</td>
<td>DSTI/SC(2017)5</td>
<td>17 March 2017</td>
</tr>
<tr>
<td>Tourism Committee (TOU)</td>
<td>CFE/TOU(2016)9/REV1</td>
<td>13 January 2017</td>
</tr>
<tr>
<td>Trade Committee (TC)</td>
<td>TAD/TC(2017)2/FINAL</td>
<td>10 March 2017</td>
</tr>
<tr>
<td>Working Party on Expert Credits and Credit Guarantees(^{10}) and Participants to the Arrangement(^{11}) (ECG + ECPG)</td>
<td>TAD/XCR(2017)1/FINAL</td>
<td>17 March 2017</td>
</tr>
</tbody>
</table>

\(^{10}\) The ECG, a sub-body of the TC, developed its own Action Plan [TAD/TC(2013)13].

\(^{11}\) The “Participants to the Arrangements” is not an OECD body. The assessment of the instruments under the Participants’ responsibility has been integrated into the Action Plan on export credit instruments.
ANNEX II
Actions for Existing Standards by Committee