Working Party on the OECD Guidelines for Multinational Enterprises

THE ANNUAL MEETINGS OF NATIONAL CONTACT POINTS

This paper is for consideration at the WPG meeting to be held on 20-21 September 2000.

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1. With the adoption of the revised Guidelines and implementation procedures at the Meeting of Council at Ministerial level in June 2000, the CIME and its Working Party now face the task of making the revised Guidelines an effective tool for the business community and for OECD societies more generally. The commentary on the revised implementation procedures stresses the importance of four attributes of NCP activity: visibility, accessibility, transparency and accountability. The annual meetings of National Contact Points (NCP) – one of the key enhancements to the implementation procedures resulting from the recent Review – have the potential to make important contributions to NCP performance in all four areas.

2. This paper proposes a timetable and a general format for the annual meetings. The paper recalls the basic functions of NCP reporting and of the annual meeting and proposes that the Chair of the annual meeting issue a report summarising the principal findings of the individual NCP reports. It also suggests that the visibility and the expertise of the National Contact Points could be enhanced if they used the occasion of their annual meetings as a forum for developing and sharing expertise in some of the areas covered by the Guidelines.

3. The core texts from the revised Guidelines on annual meetings and NCP reporting are:

- “National Contact Points shall meet annually to share experiences and report to the Committee on International Investment and Multinational Enterprises” (from paragraph I.3 of the Council Decision).

- “Each National Contact Point will report annually to the Committee. Reports should contain information on the nature and results of the activities of the National Contact Point, including implementation activities in specific instances” (from D.1. and D.2. of the Procedural Guidance).

- “Reporting would be an important responsibility of NCPs that would also help to build up a knowledge base and core competencies in furthering the effectiveness of the Guidelines” (from the Commentary on the Implementation Procedures).

4. As suggested in the Decision, and Commentary, the annual report should be detailed enough to respond to the goal of enhancing the transparency and accountability of the NCP. For this purpose, the Working Party could prepare a questionnaire that would, in some sense, standardise the areas that the NCPs should consider in making their reports. It is also possible that broad themes or lessons could emerge from these individual NCP reports. It might be useful to draw these together in the form of a report by the Chair of the Annual NCP Meeting to either the Working Party on the Guidelines or to the CIME. Thus, part of the Annual Meeting could consist of a tour de table where each NCP reports on its activities over the past year and of another session discussing the Chair’s report.

5. In addition to the discussion of NCPs experience and associated reporting activity, the meetings could provide a forum for developing and sharing expertise in some of the areas covered by the Guidelines. Indeed, some of the areas covered by the revised Guidelines lie at the frontier of thinking about international business conduct and behavioural norms are not necessarily well established. Certain
recommendations are unavoidably formulated as compact, summary statements that refer to underlying issues of great complexity. Discussion of such issues could assist the NCPs as they go about promoting the Guidelines and responding to enquiries.

6. Certain Guidelines recommendations deal with high profile issues that have emerged as major concerns in the public debate on globalisation. In some of these areas, the business community itself has been asking for guidance and might appreciate some multilateral consideration of what constitutes appropriate behaviour. Prominent issues of this type include human rights and bribery. A Roundtable discussion involving experts and all interested parties (business, trade unions, NGOs) could enrich the Annual Meetings by enhancing NCP expertise and by contributing to international consensus on key areas of business conduct.

7. A possible timetable for preparing the first meeting of the NCPs would be as follows:

- The annual meeting of the NCPs could take place in June 2001.
- At its December meeting, the Working Party could approve a questionnaire that would be sent to all NCPs in early 2001. The answers to the questionnaire would provide the basis of the NCP annual reports. The questionnaire would be agreed upon in the course of Working Party discussions in December.
- The Committee could decide in December 2000 on the topic for a Roundtable – involving business, government officials and others – to be held back to back with the annual meeting of the NCPs. The Secretariat would then work with the officials of interested governments to organise the Roundtable and to write an “issues paper” about the chosen topic.

Issues for discussion.

- Would it be useful for the Chair of the Annual Meeting of NCPs to submit to the CIME a summary report of NCP activities based on the individual reports?
- Does the Working Party agree that it would be useful to develop and send out a questionnaire that would help to structure the NCPs’ consideration of what should be covered in its annual report?
- Do delegates agree that it would be useful to enrich the annual meetings of the NCPs by holding a roundtable discussion on a topic of general interest? If so, would they like to propose a topic?
- Would delegates support the timetable for preparing for the first meeting of the National Contact Points set out in paragraph 7 above?