



Human Rights Due Diligence in Practice: Lessons from the OECD Guidelines and NCP Cases

OECD Guidelines • Due Diligence Guidance • Luxembourg National Contact Point

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What's in a name?

RBC, BHR, CSR and ESG: related terms, different meanings

RBC

OECD umbrella framework

BHR

business and human rights focus

CSR

traditional responsibility language

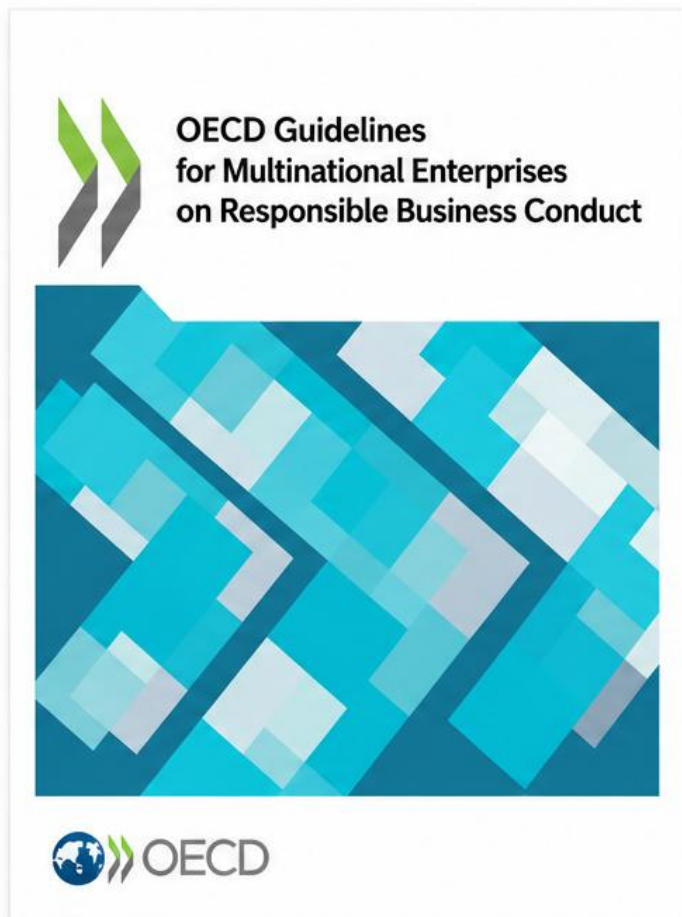
ESG

investor and performance lens

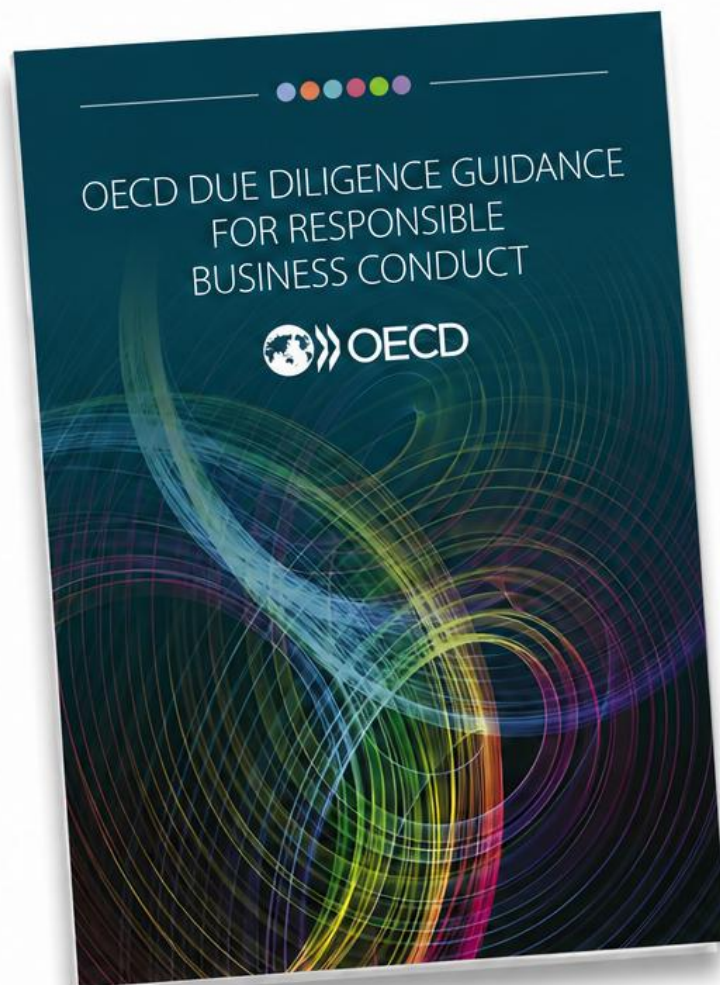
- These terms overlap, but they are not interchangeable.

OECD Guidelines:

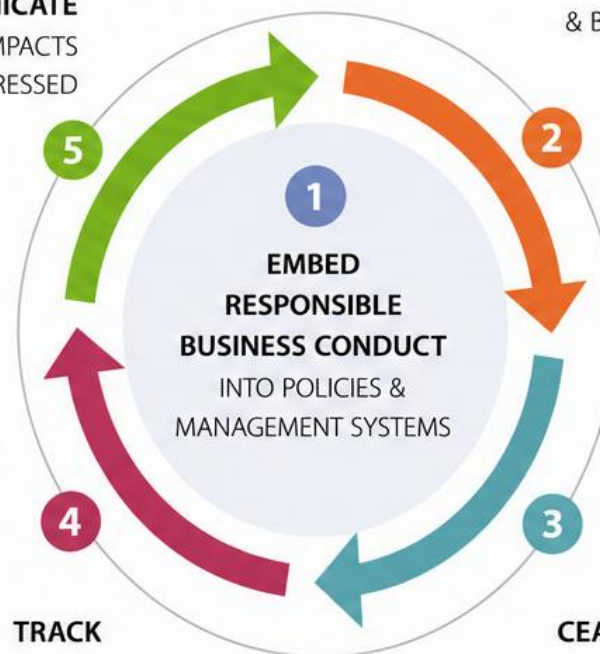
A shared international reference for RBC



Due diligence: the OECD risk-based approach



COMMUNICATE
HOW IMPACTS
ARE ADDRESSED



TRACK
IMPLEMENTATION
AND RESULTS

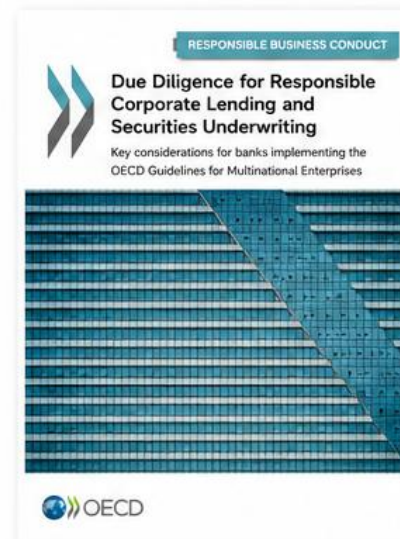
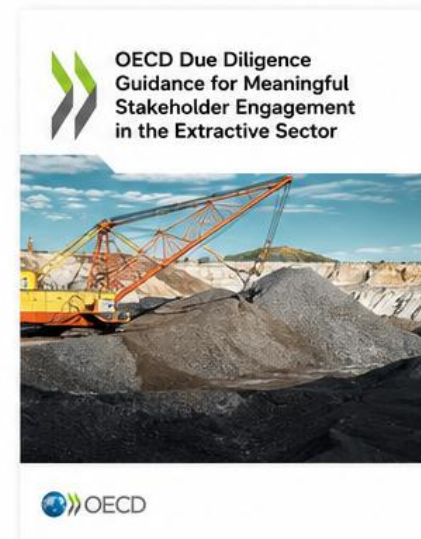
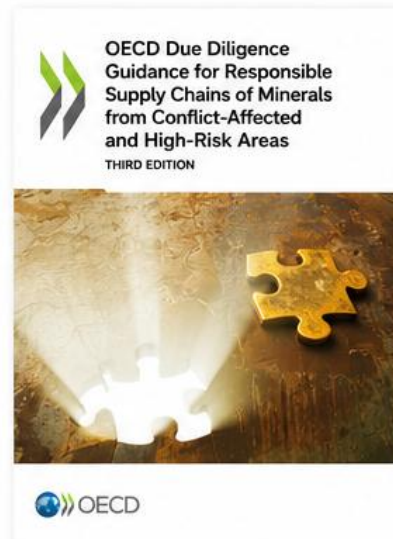
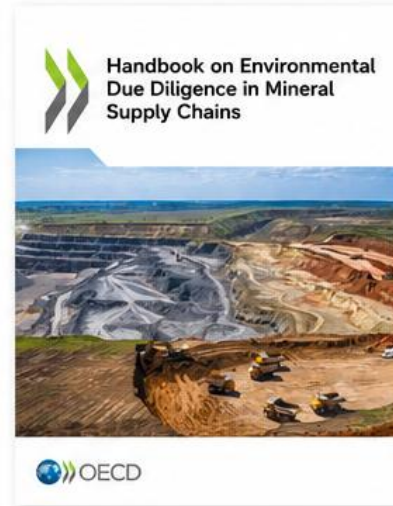
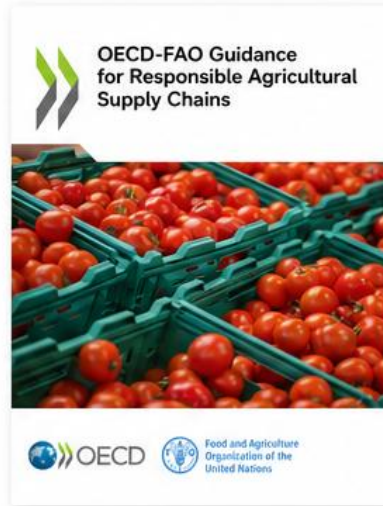
**IDENTIFY & ASSESS
ADVERSE IMPACTS**
IN OPERATIONS, SUPPLY CHAINS
& BUSINESS RELATIONSHIPS



6 **PROVIDE FOR OR
COOPERATE**
IN REMEDIATION
WHEN APPROPRIATE

CEASE, PREVENT OR MITIGATE
ADVERSE IMPACTS

OECD Due Diligence Guidance: Sector-Specific Tools



National Contact Points:

the implementation mechanism of the OECD Guidelines

Functional equivalence means that NCPs operate according to common core criteria, even if their institutional arrangements differ from country to country.



Common criteria

Visibility • Accessibility • Transparency •
Accountability • Impartiality • Predictability



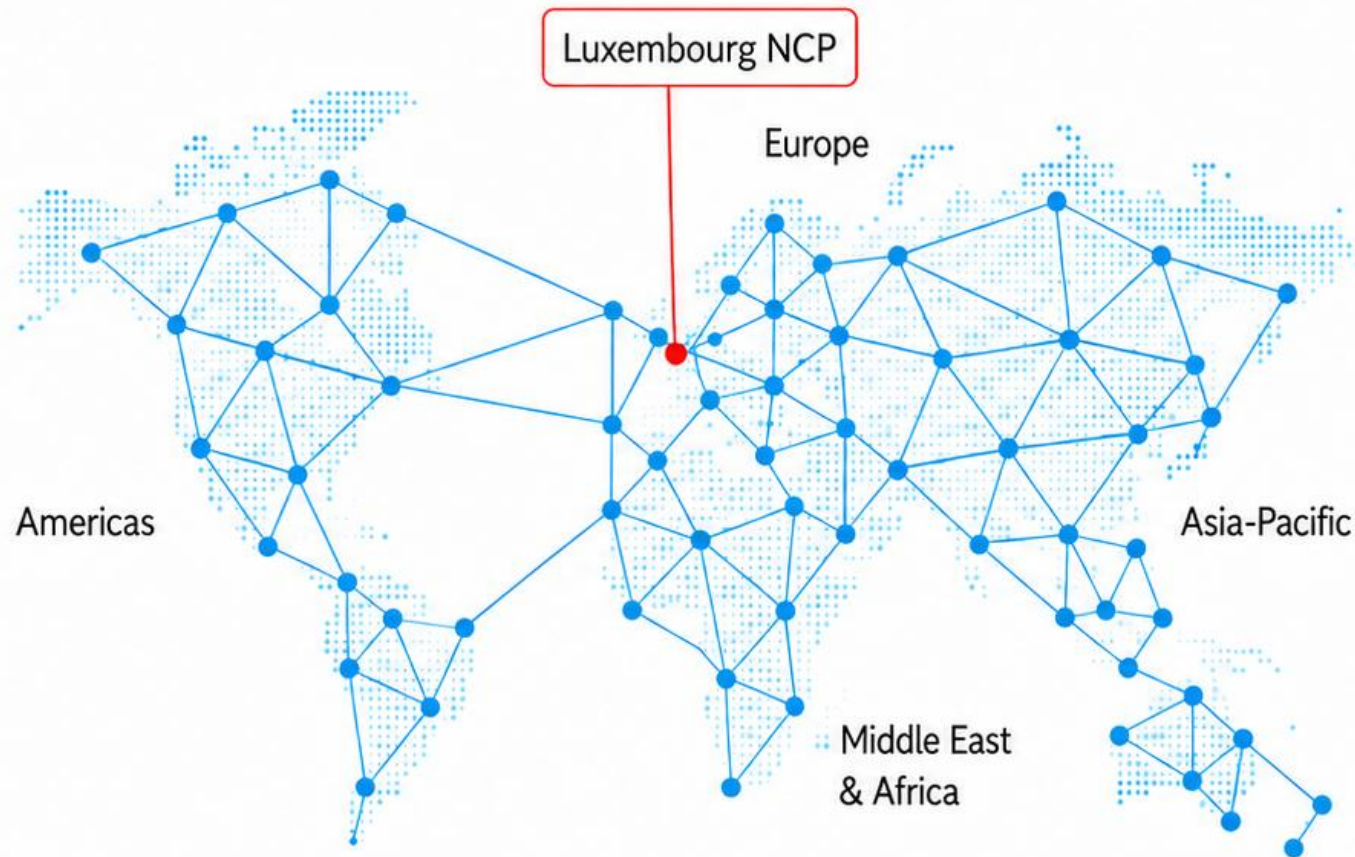
Different arrangements

NCPs may be hosted in ministries, agencies,
independent bodies or multi-stakeholder
structures.



Shared mandate

Promote the Guidelines and contribute to
the resolution of issues concerning their
implementation.



LuxNCP is one among 52 within the global OECD NCP network.

The Luxembourg NCP: mandate and role

Government-backed mechanism based within the Ministry of the Economy.



THE GOVERNMENT
OF THE GRAND DUCHY OF LUXEMBOURG
Ministry of the Economy

Promote the OECD Guidelines

Raises awareness among companies, workers, civil society and other stakeholders.

Handle specific instances

Offers a non-judicial process for issues concerning the implementation of the Guidelines.

Contribute to policy coherence

Contributes to responsible business conduct policy coherence and engages with the OECD NCP network.

Specific instances

The NCP's state-based, non-judicial grievance mechanism

Who can submit?

Individuals or organisations with a legitimate interest in resolving issues covered by the OECD Guidelines.

When is it relevant?

Issues concerning implementation of the Guidelines by companies operating in or from an adherent country.

What does the NCP offer?

Good offices: dialogue, mediation or conciliation to help parties seek agreement.

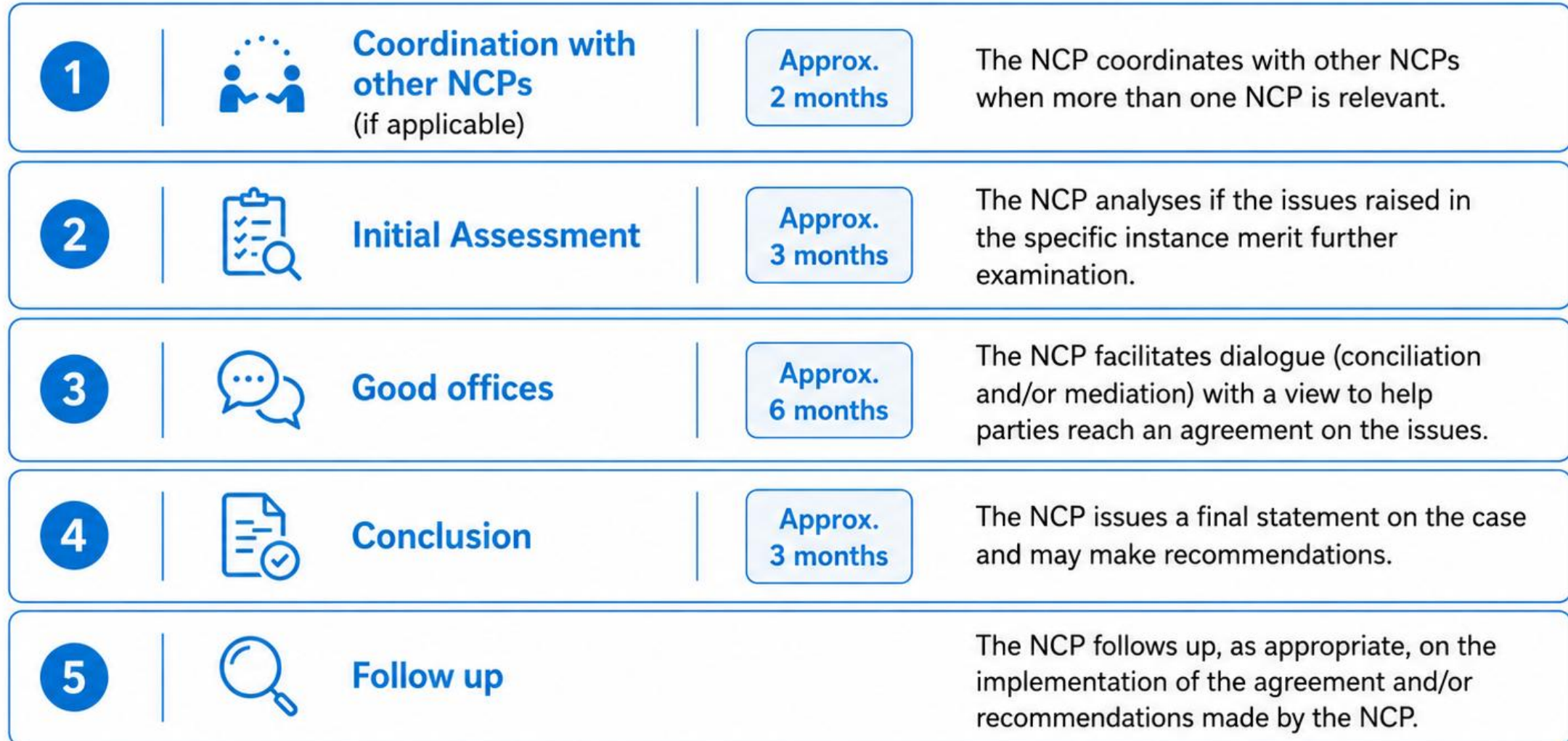
Limits and outcomes

Not a court process: participation is voluntary and the NCP cannot order remedies; it may issue recommendations and follow up.

- The NCP mechanism has been part of the Guidelines since the 2000 review. Since then, more than 700 cases have been handled by NCPs, covering over 110 countries and territories.

How do NCPs handle cases?

NCP cases follow a five-step process.

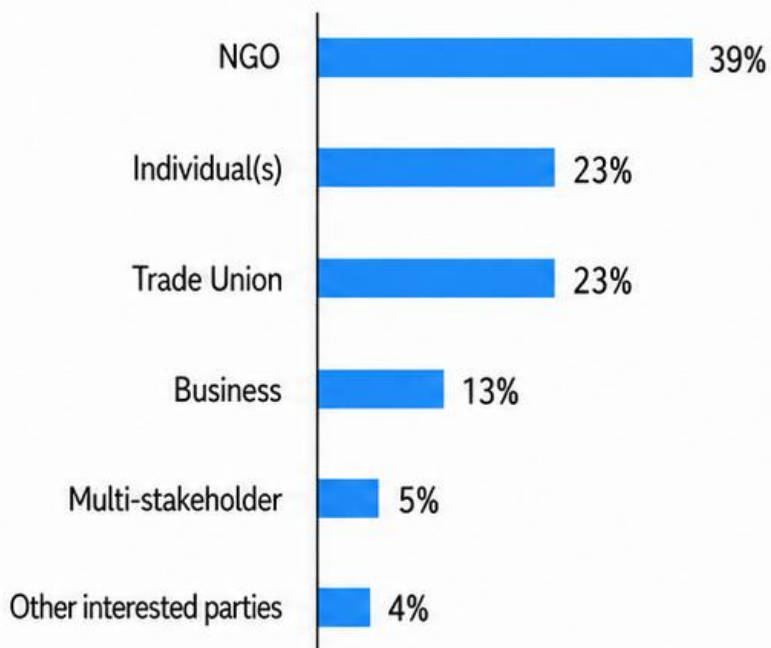


While all NCPs follow this process, there might be practical differences in the procedures followed by NCPs.

Who raises complaints – and about what?

OECD NCP activity in 2024: submitters, sectors and OECD Guidelines chapters

By submitter type



By industry sector



By OECD Guidelines chapter



- In 2024, NGOs were the most frequent submitters; the financial and insurance sector was most commonly involved; and human rights was the most frequently raised OECD Guidelines chapter.

Human rights cases before NCPs

Illustrative issues raised in selected NCP specific instances

Product end-use

Pharmaceuticals and executions: medicine allegedly diverted for executions abroad.

Social audits

Audit linked to an unsafe supplier site after a major factory disaster.

Conflict-affected operations

Legacy worker claims linked to operations during civil conflict.

Investor leverage

Institutional investors challenged over workplace gender-based violence risks.

Export-controlled goods

Crowd-control products allegedly used by state actors in repression.

Land and livelihoods

Property, pollution, remedy and grievance-mechanism concerns.

Downstream product use

Construction equipment allegedly used in harmful demolitions.

Responsible exit

Telecom disengagement from a high-risk market after a military coup.

- These examples illustrate how human rights-related issues can arise across products, services, finance, operations, supply chains and exit decisions.

Further information and contact

When to contact the LuxNCP

- General information on the OECD Guidelines and related due diligence guidance
- General information on relevant OECD sector-specific resources
- Information on the LuxNCP mandate and specific instance procedure
- A concern that may fall within the NCP specific instance procedure

How to contact us



Email: pcn@eco.etat.lu

Website: <https://pcn.gouvernement.lu/en.html>

Ministry of the Economy, Luxembourg

Thank you!