



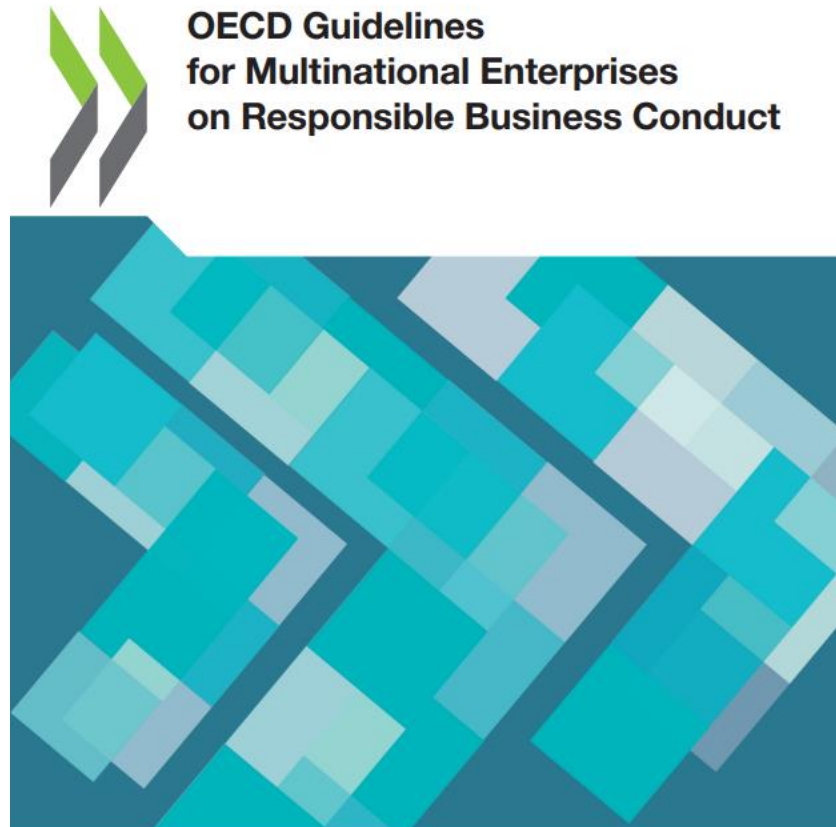
OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES ON RESPONSIBLE BUSINESS CONDUCT

2023 Edition – What is new?





OECD Guidelines for MNEs on RBC

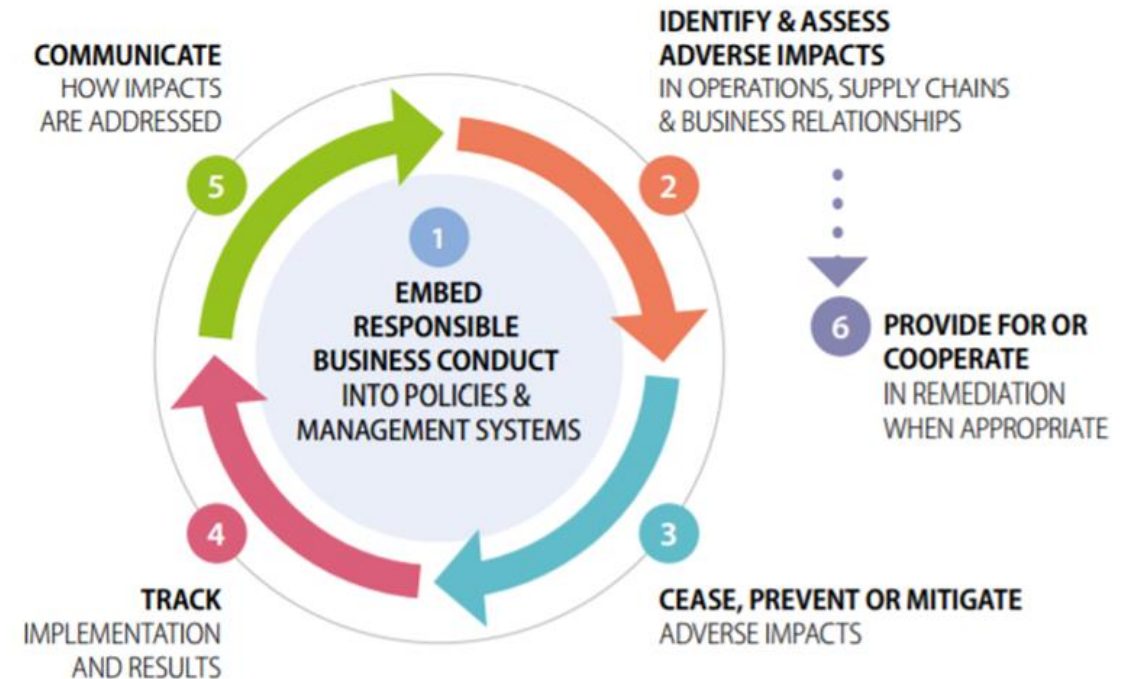


- Voluntary recommendations from governments to businesses operating in or from their territories
- First adopted in 1976, revised and updated 6 times (latest June 2023) to ensure their continued relevance
- Aligned with other international RBC standards
- Reflected in emerging domestic/regional laws and regulations
- Supported by a unique implementation mechanism

Substantive Chapters

Disclosure	Human Rights	Employment & Industrial Relations
Environment	Consumer Interests	Science, Technology and Innovation
Combating Bribery and Other Forms of Corruption	Taxation	Competition

RBC Due Diligence



Targeted Update Process

The targeted update was guided by a set of parameters set out by the Working Party on Responsible Business Conduct:

- excludes a **wholesale revision** of the Guidelines or a full redrafting of existing chapters
- based on **issues raised in the preceding stocktaking exercise** and current understanding and practice by Adherents
- guided by the criteria of
 - ensuring **coherence** with OECD priorities and standards;
 - enhancing OECD's **leadership** on RBC;
 - building on **achievements and strengths**; and
 - ensuring **focus and proportionality**.



Stocktaking report on the OECD Guidelines for Multinational Enterprises

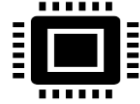




Highlights



Recommendations for enterprises to align with internationally agreed goals on **climate change and biodiversity**



Introduction of due diligence expectations on the development, financing, sale, licensing, trade and use of **technology, including gathering and using data**



Recommendations on how enterprises are expected to conduct **due diligence on impacts and business relationships related to the use of their products and services**



Updated recommendations on **disclosure of responsible business conduct information**



Better protection for **at-risk persons and groups** including those who raise concerns regarding the conduct of businesses



Expanded due diligence recommendations to **all forms of corruption**



Recommendations for enterprises to ensure **lobbying activities** are consistent with the Guidelines



Strengthened procedures to ensure the visibility, effectiveness, and functional equivalence of **National Contact Points on Responsible Business Conduct**



What's new?

- Highlighting developments in the context for international business
- Introducing the concept of risk-based due diligence
- Underscoring the role of government in creating an enabling environment for responsible business conduct



What's new?

- Concept of a multinational enterprise
- Risk-based due diligence
- Meaningful consultation
- Responsible engagement and disengagement
- Business relationships
- Individual consumers
- Reprisals
- Lobbying activities
- Alignment of self-regulatory initiatives



What's new?

- Alignment with the G20/OECD Principles of Corporate Governance
- Corporate disclosure and reporting
- Alignment with due diligence reporting expectations
- Defining materiality



What's new?

- Special attention to at-risk individuals and groups
- Human rights defenders
- Indigenous Peoples
- Free, Prior and Informed Consent (FPIC)
- Enhanced due diligence in context of armed conflict



What's new?

- Respect the rights of all workers to freedom of association and collective bargaining
- Provide a safe and healthy working environment
- Prevent human trafficking
- Training for up-skilling and re-skilling
- Managing changes related to automation and green transition



What's new?

- Adverse environmental impact and due diligence
- Climate mitigation and adaptation
- Biodiversity
- Circular economy
- Animal welfare



Chapter VII: Combating Bribery and Other Forms of Corruption

What's new?

- Adding other forms of corruption
- Business relationships
- Collective action and meaningful engagement



What's new?

- Risks of e-commerce
- Sustainability-related product claims



What's new?

- Included in due diligence expectation
- Sale, development, licensing, use of technology
- Data governance
- High-risk contexts
- Digital security



What's new?

- RBC initiatives and competition law
- Labour input



What's new?

- Highlights provisions of the BEPS project

Procedures: Implementation through NCPs for RBC

- Agencies established by the Governments
- Twofold mandate:
 - to promote awareness and uptake of the Guidelines and related due diligence guidance
 - to handle complaints (known as “specific instances”) as a non-judicial grievance mechanism
- Policy coherence on RBC
- 51 NCPs vary in terms of form and structure, but all have to comply with the criteria of “functional equivalence”
- Three main objectives of the updates to the Procedures:
 - I. Improve functional equivalence
 - II. Clarify mandate and authority
 - III. Ensure effective and efficient handling of specific instances



NEDERLANDS NATIONAAL
CONTACTPUNT VOOR DE
OESO-RICHTLIJNEN



Functional Equivalence

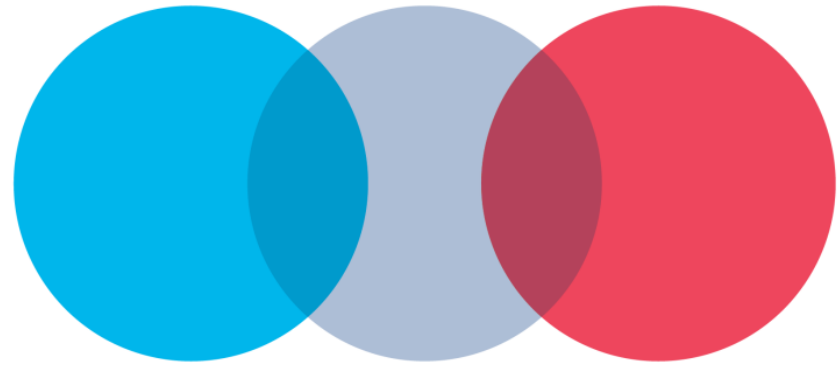
- Definition of functional equivalence through the core effectiveness criteria
- Human and financial resources
- Stakeholder confidence
- Mechanism to address situation of non-functioning NCPs
- Mandatory periodic peer reviews

Mandate and Authority

- Non-judicial grievance mechanism
 - Recommendations
 - Follow up
 - Views on observance of the Guidelines and good faith engagement
- NCP role in promoting the Guidelines
- Public policies to promote RBC

Specific Instances

- Publication of case-handling procedures
- Coordination among NCPs in multi-country cases
- Initial assessment criteria
- Role of NCP in good offices
- Emphasis on transparency
- Addressing risks of reprisals



Thank you for your attention!