

# National Contact Point for Responsible Business Conduct Peer Reviews Netherlands 2026



# Disclaimers

This work was approved and declassified by the Working Party on Responsible Business Conduct on 24 December 2025.

This document, as well as any data and map included herein, are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.

**Photo credits:** © Octavian Lazar/Getty Images.

© OECD 2026



**Attribution 4.0 International (CC BY 4.0).**

This work is made available under the Creative Commons Attribution 4.0 International licence. By using this work, you accept to be bound by the terms of this licence (<https://creativecommons.org/licenses/by/4.0/>).

**Attribution** – you must cite the work.

**Translations** – you must cite the original work, identify changes to the original and add the following text: *In the event of any discrepancy between the original work and the translation, only the text of original work should be considered valid.*

**Adaptations** – you must cite the original work and add the following text: *This is an adaptation of an original work by the OECD. The opinions expressed and arguments employed in this adaptation should not be reported as representing the official views of the OECD or of its Member countries.*

**Third-party material** – the licence does not apply to third-party material in the work. If using such material, you are responsible for obtaining permission from the third party and for any claims of infringement.

You must not use the OECD logo, visual identity or cover image without express permission or suggest the OECD endorses your use of the work.

Any dispute arising under this licence shall be settled by arbitration in accordance with the Permanent Court of Arbitration (PCA) Arbitration Rules 2012. The seat of arbitration shall be Paris (France). The number of arbitrators shall be one.

# Foreword

The OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (the Guidelines) are recommendations addressed by governments to multinational enterprises operating in or from adhering countries. They provide non-binding principles and standards for responsible business conduct in a global context consistent with applicable laws and internationally recognised standards. The Guidelines are the only multilaterally agreed and comprehensive code of responsible business conduct that governments have committed to promoting.

Adhering governments to the Guidelines are required to set up a National Contact Point for Responsible Business Conduct (NCP) that operates in a manner that is visible, accessible, transparent, accountable, impartial and equitable, predictable, and compatible with the Guidelines. The 2023 update of the Guidelines reinforced peer reviews of NCPs by making them mandatory and periodic, subject to the Modalities for Peer Reviews of National Contact Points for Responsible Business Conduct, approved by the Working Party on Responsible Business Conduct (WPRBC).

The peer reviews are led by representatives of two other NCPs who assess the NCP under review and provide recommendations. The reviews give NCPs a mapping of their strengths and accomplishments, while also identifying opportunities for improvement, including a structured assessment of how the NCP addresses the core effectiveness criteria. More information can be found online at <https://www.oecd.org/en/networks/national-contact-points-for-responsible-business-conduct/national-contact-point-peer-reviews.html>.

This document is the peer review report of the NCP of The Netherlands. This report was prepared by a peer review team made up of reviewers from the NCPs of Denmark and Lithuania. The NCP of Denmark was represented by Linda Nielsen and Maja Lyngbye. The NCP of Lithuania was represented by Andrius Bambalas and Akvilė Andriulytė. The OECD Centre for Responsible Business Conduct was represented by Emily Halstead, Nicolas Hachez, and Bettina Braun. The report was informed by dialogue between the peer review team, the NCP of The Netherlands and relevant stakeholders during an in-person mission on 1-3 July 2025. The peer review team wishes to acknowledge the NCP for the preparation of the peer review. This report also benefited from comments by delegates to the WPRBC and institutional stakeholders (BIAC, OECD Watch, TUAC). It was discussed by an informal review group of the WPRBC on 2 December 2025 and approved and declassified by the WPRBC on 24 December 2025.

# Table of contents

Disclaimers	2
Foreword	3
<b>1 Key findings and recommendations</b>	<b>6</b>
Institutional arrangements	6
Promotional activities	7
Specific instances	8
Support for government policy efforts to promote RBC	10
<b>2 Structured assessment of core effectiveness criteria</b>	<b>11</b>
<b>3 Introduction</b>	<b>12</b>
2010 Peer Review of the Dutch NCP	13
Economic context	14
<b>4 Institutional arrangements</b>	<b>16</b>
Legal basis	16
NCP Structure	16
Composition	17
Functions and operations	18
Advisory bodies	19
Resources	21
Reporting	21
<b>5 Promotion</b>	<b>24</b>
Promotional plan	24
Information and promotional materials	24
Promotional events	25
Website/webpage	26
Responding to enquiries	27
Co-operation amongst NCPs	27
<b>6 Specific instances</b>	<b>28</b>
Overview	28
Case-handling procedures	29
Specific instances in practice	34
<b>7 Support for government policies to promote RBC</b>	<b>43</b>
Recent governmental policies enabling and promoting RBC	43

National Action Plan on Business and Human Rights	45
The role of the NCP	45
Annex A. List of organisations that submitted a response to the NCP peer review questionnaire	48
Annex B. List of organisations that participated in the NCP peer review on-site visit	49
Annex C. Promotional events	50
Annex D. Overview of specific instances handled by the NCP as the leading NCP	55
References	65
Notes	68

## FIGURES

Figure 1. Case handling Procedures – Steps in the procedure	30
Figure 2. Indicative Timeframes	33
Figure 3. Number of specific instances tagged by ten most common keywords on substantive issues	41
Figure 4. Transposition explanatory memorandum	44

## TABLES

Table 1. Findings and recommendations – Institutional arrangements	7
Table 2. Findings and recommendations – Promotional Activities	8
Table 3. Findings and recommendations – Specific instances	9
Table 4. Findings and recommendations – Support for government efforts to promote RBC	10
Table 5. Structured assessment of core effectiveness criteria	11
Table 6. Current members of the NCP+	17
Table 7. Findings and recommendations – Institutional arrangements	23
Table 8. Findings and recommendations – Promotional activities	27
Table 9. Specific instances where The Netherlands NCP had co-ordinated with other NCPs	35
Table 10. Findings and recommendations – Specific instances	42
Table 11. Findings and recommendations – Support for government policies to promote RBC	47
Table A A.1. List of organisations that submitted a response to the NCP peer review questionnaire	48
Table A B.1. List of participants in the NCP peer review on-site visit	49
Table A D.1. Overview of specific instances handled by the NCP as the leading NCP	55

# 1 Key findings and recommendations

## Institutional arrangements

The Dutch NCP has an expert-based structure, consisting of a secretariat, independent experts (NCP members), a government advisory body, and a stakeholder board (NCP+). The NCP was formally established in 2000, and its current structure was established in 2014 through the NCP Establishment Order by the Ministry of Foreign Affairs. The secretariat is in the Ministry of Foreign Affairs with the Secretary of State for Foreign Trade and Development Aid and consists of four policy officers. The NCP secretariat is part of an RBC Unit in the ministry (the RBC Unit) but acts independently. It does not report on the content of its work to its hierarchy and does not share confidential case information with the Unit. The NCP itself has four independent members who are non-civil-service experts, usually with a background in either business, trade union, civil society or academia. The NCP members take decisions by consensus. The NCP also has an advisory body with representatives from different ministries, and a stakeholder board which meets quarterly (NCP+ meetings), which is composed by representatives of the employers organisations, workers organisations, civil society and the Social and Economic Council of the Netherlands.

The NCP's structure is widely perceived as enabling it to act impartially and avoid conflicts of interests. Stakeholders value and respect the independent set-up of the NCP and the impartiality, independence and expertise of NCP members and the secretariat. The NCP through the position of its secretariat in the RBC Unit is also well integrated with other parts of government.

The advisory body approves the selection of NCP members, exchanges information with the NCP on developments within the respective ministries, and advises on NCP activities including promotion, specific instance handling and policy coherence. It receives confidential information on cases, mostly in the form of draft statements. When reviewing draft statements, the advisory members reported seeing their role as limited to providing feedback on factual correctness and logic of arguments. Members of the advisory body do not all share a common understanding of their role, including on their responsibilities and whether they represent a ministry position or what type of information they can share within their hierarchy. This may contribute to a lack of transparency around the advisory body operations and could negatively affect the perceived independence of the NCP.

The stakeholder board acts as a sounding board for the NCP concerning the interpretation of the Guidelines, the NCP's working methods and other matters arising from the NCP's tasks, except for individual specific instances in which it is not involved. The stakeholder board members generally viewed the platform as appropriate for engaging stakeholders, to share planned and past activities and receive updates from the NCP. Some members however reported not consistently debriefing their organisations on information received, or not always providing feedback to the NCP when requested, such as on the communication plan.

The NCP's human resources, consisting of four full-time staff members for the secretariat and four NCP members with ca 33% of staff time (chair 38.56%, other members 33.99%), allow it to fulfil its

responsibilities. At the same time, the time share arrangements of independent members may limit their availability and can cause delays in e.g. the handling of cases.

**Table 1. Findings and recommendations – Institutional arrangements**

	Finding	Recommendation
1.1	In the advisory body, the NCP and the represented ministries share updates and co-ordinate on RBC topics. The advisory body also approves the selection of NCP members and provides advice on NCP's activities. It receives confidential draft statements in specific instances and provides feedback, mostly focussed on factual correctness. However, members of the advisory body do not all share a common understanding of their role, including their responsibilities and what type of information they can share within their hierarchy. This may contribute to a lack of transparency around the advisory body operations and could negatively affect the perceived independence of the NCP.	There should be a clear reference document setting out the following in respect of the advisory body: <ul style="list-style-type: none"> <li>• Role in the body (whether members represent their ministry and its priorities or act as experts, whether members report in their own hierarchy)</li> <li>• Confidentiality arrangements, e.g. who within the ministry has access to confidential information shared by the NCP</li> <li>• Nature of advice they provide, e.g. purely factual or substantive</li> <li>• Clarification of role in and criteria for approving independent NCP members</li> <li>• Role in supporting the NCP in visibility and promotion.</li> </ul>
1.2	The stakeholder board in NCP+ meetings largely functions as a mutual information chamber. It represents large groups of stakeholders through their membership but with little involvement and ownership from some of the stakeholders.	The NCP should discuss with the stakeholder board to identify possibilities to leverage it to increase visibility, legitimacy, and stakeholder buy-in of the NCP. This could include: <ul style="list-style-type: none"> <li>• Helping raise awareness of the NCP as the authority on the Guidelines in the Netherlands and of the specific instance process within the respective stakeholder groups (including target groups identified by the NCP in its communication plan and stakeholders not yet reached within respective stakeholder groups)</li> <li>• Disseminating final statements</li> <li>• Regular reporting back to the stakeholder groups on NCP activities and information, even if no immediate action is required.</li> </ul>
1.3	The NCP's human resources, consisting of four full-time staff members for the secretariat and four NCP members with ca. 33% of staff time, allow it to fulfil its responsibilities. At the same time, the time share arrangements of independent members may limit their availability and potentially cause delays in e.g. the handling of cases.	The resources should at least be maintained at the level of the secretariat and the government should explore ways to increase the availability of the NCP members, for example by increasing their time share if possible, or working with external mediators in some cases.

## Promotional activities

The NCP secretariat maintains a website in English and Dutch featuring information about the Guidelines, due diligence, the NCP and specific instances. It annually publishes a workplan and in 2025 additionally published a communication plan. The communication plan identifies two overarching goals: (i) to further expand the NCP's position as the authority on the OECD Guidelines and (ii) to increase the impact of final statements. It identifies core messages and target groups, e.g. consultants working with business and higher professional education institutions like academia, and strategies (such as collaborating with multipliers like the RBC support office), expanding the visibility and effectiveness of final statements through targeted communication, and improving the webpage). It includes action items, which in part are partly reflected in the NCP's workplans. Such actions are prioritised per year, taking into account resources available. The list of priorities is not published as part of the communication plan.

The NCP organises one themed event per year in Dutch open to all stakeholder groups and in recent years additionally organised smaller events targeted at different government entities. The NCP is regularly invited to participate and present in events organised by other organisations.

In the Netherlands, other institutions and organisations actively promote the Guidelines, including the RBC Unit and an RBC support office which provides advice to business and develops tools and trainings. The RBC support office's website (only available in Dutch) contains links to the Guidelines, as well as limited information on the NCP itself, including the expectation to engage in the specific instance process. The RBC support office can be accessed by all Dutch businesses but is primarily addressed to small- and medium-sized companies. It does not actively promote the NCP, as it is associated with the theme of access to remedy, which the RBC support office chose not to prioritise. Because other actors promote RBC in the Netherlands, the NCP dedicates the majority of its resources on specific instance handling and support for government policies to promote RBC, as well as the organisation of the annual promotional event, which typically focusses on a specific Guidelines-related topic.

Stakeholders have noted that the NCP is well known in different stakeholder groups, in large part due to its frequent and effective handling of specific instances. Stakeholders also noted that the NCP tends to reach the same people and organisations within the various stakeholder groups, and that more outreach towards companies might be beneficial, particularly large companies among which the NCP is not as known and who are not necessarily targeted by the RBC support office. Some stakeholders also noted that the relationship between the NCP, the RBC support centre and other agencies promoting RBC might not be clear from the outside.

**Table 2. Findings and recommendations – Promotional Activities**

	Finding	Recommendation
2.1	In the Netherlands, different agencies promote RBC to stakeholders. Despite co-ordination with these other agencies, there remains a lack of clarity within other agencies, the NCP, and stakeholders about what the division of tasks in promoting RBC is, including who reaches which stakeholders as well as promoting the NCP and other access to remedy related topics. NCP thematic events currently reach similar groups of participants and stakeholders noted that large multinational companies could be reached better.	The NCP should continue co-ordinating with other agencies promoting RBC to ensure visibility and promotion of the NCP, ensuring that all relevant stakeholders are reached (e.g. NCP thematic events currently reach similar groups of participants, large multinational companies need to be better targeted) and all relevant topics (e.g. including access to remedy related topics).
2.2	The NCP published a communication plan, setting out core messages, target groups and strategies such as approaching higher professional education institutions, updating the website and expanding the visibility and effectiveness of final statements through targeted communication. Such actions are prioritised per year, taking into account resources available. The list of priorities is not published as part of the communication plan.	Additional low-resource items to prioritise for maximal impact might include: <ul style="list-style-type: none"> <li>• Leveraging specific instances more e.g. on social media</li> <li>• Updating the website</li> <li>• Increasing collaboration with academia (e.g. presenting the NCP in lectures and seminars).</li> </ul>

## Specific instances

As of the date of the on-site visit, the NCP had received 60 specific instances in total (43 since 2011). Thirty-six specific instances have been concluded by the NCP, 13 were not accepted, and 11 are ongoing.<sup>1</sup> Considering cases submitted in the last ten years, 18 have been concluded, seven were not accepted, and 11 are ongoing. Among the 18 concluded cases submitted in the last ten years, nine were concluded with agreement, two of which were partial agreements and one of which was reached outside of the NCP process, and nine were concluded without agreement, all of which resulted in recommendations, and seven of which resulted in determinations. To date, the NCP has co-ordinated with other NCPs in 45 cases, 17 in which the Dutch NCP acted as lead and 28 cases in which the NCP acted as support.

Normally, two independent members and one representative of the secretariat handle a specific instance, though important decisions such as whether to accept a case and approving a final statement are taken by consensus among all four independent members. The NCP in most cases does not use external mediators. The NCP has case-handling procedures, which were updated in consultation with the stakeholder board to align with the 2023 version of the Guidelines. The updated version was published in May 2024 and is available in English and Dutch on the NCP's webpage.

The case-handling procedures are comprehensive and include indicative timelines as recommended by the Guidelines. On some issues, stakeholders however had different understandings of the process, particularly on rules concerning public statements by parties on the issues during mediation or the issuance of determinations. On the latter, the NCP purposefully included open language to reflect the NCPs' flexibility in conducting investigations and determinations.

Stakeholders generally praised the NCP's handling of specific instances. The NCP is largely trusted by both parties and peers, and is viewed as professional, inclusive, fair, impartial, transparent, and respectful. The NCP emphasises its dedication to providing outcomes for the benefit of the parties even in cases without an agreement. Accordingly, it conducts proceedings in a very thorough way, particularly through extensive deliberations and the development of well-argued and comprehensive final statements. The NCP has created a largely accessible process for parties to specific instances, including by providing relevant information on its webpage, briefing parties on the process, and facilitating party participation in good offices. The NCP has a high case load, including several cases in which the issues are taking place in other adherent countries, while submitters choose the Dutch NCP as the lead. Keeping within indicative timelines is an ongoing challenge for the NCP. Causes for delays include the high case load, added complexity due to co-ordination with other NCPs, large amounts of material submitted by parties, a reluctance of parties to end a mediation process that is not progressing, and the desire of the NCP to comprehensively assess information submitted.

**Table 3. Findings and recommendations – Specific instances**

	Finding	Recommendation
3.1	The NCP has created a largely accessible process for parties to specific instances, including by providing relevant information on their webpage, briefing parties on the process, and facilitating party participation in good offices. However, there are different views among case parties as to certain aspects of the process.	The NCP should manage expectations notably through updating case-handling procedures and communication with parties to: <ul style="list-style-type: none"> <li>• Reflect the expected timelines and possible extensions.</li> <li>• Reflect the practice around good offices and determinations (including role of independent members as mediators, clarify discretion of the NCP on determinations).</li> <li>• Revisit whether language on public statements by parties on the issues during the mediation process appropriately manages and clarifies expectations.</li> </ul>
3.2	The NCP emphasises its dedication providing outcomes for the benefit of the parties even in cases without an agreement. Accordingly, it conducts its proceedings in a thorough way, particularly through extensive deliberations and the development of well-argued and comprehensive final statements. Correspondingly, cases regularly exceed indicative timelines. The length of proceedings has been noted by stakeholders as well as the NCP as a point for improvement.	The NCP should consider ways of keeping control of timing, for example: <ul style="list-style-type: none"> <li>• Managing volume of documents submitted (e.g. setting a page limit to submissions, requiring a summary of annexes, receiving evidence only upon request)</li> <li>• Having intermediate timelines</li> <li>• Setting an end-date for mediation, following which it would terminate unless there is a real prospect of agreement</li> <li>• Prioritising most meaningful aspects of a case in the examination phase and in the statement in light of the objective of furthering effectiveness of the Guidelines.</li> </ul>

	Finding	Recommendation
3.3	There are 21 cases where the host country was an adherent but not in the lead as the Dutch NCP is often chosen as lead by submitters, which can inflate the case load. Co-ordination with other NCPs has been a roadblock.	The NCP should strongly encourage other NCPs in the NCP Network to lead on cases where appropriate and in accordance with the Implementation Procedures. When another NCP takes the lead on cases that also concerns the Dutch NCP, it should consider offering sufficient support to that NCP (e.g. if it would help with the trust of the parties, or if the lead NCP could benefit from the Dutch NCP's experience).

## Support for government policy efforts to promote RBC

The Netherlands is implementing a smart mix of policy measures to promote RBC with the Guidelines at the centre. Next to a second version of a National Action Plan for Business and Human Rights, the Netherlands have a draft transposition law of the EU's Corporate Sustainability Due Diligence Directive (CSDDD) as well as numerous initiatives on RBC, including an RBC support office, sector-wide International RBC Agreements, as well as a subsidy policy framework for sectoral co-operation for business and stakeholders to work together on addressing RBC risks.

The NCP is well-positioned to collaborate with other ministries and support on policy efforts due to the position of the secretariat in the RBC Unit at the Ministry of Foreign Affairs and through members of its advisory body in the Ministries of Economy and Labour. Although the NCP's role to support government policy to promote RBC is not reflected in the Establishment Order, the NCP has worked to enable coherence and uptake of the Guidelines by co-ordinating with and maintaining a good working relationship at technical level with other relevant entities, such as the export credit agency, and entities responsible for public procurement. The NCP on a quarterly basis shares NCP statements and details about company engagement in specific instance processes with other agencies, who take this information into account. Companies applying for trade support, such as going on trade missions, need to commit to the Guidelines and to engaging with the NCP in case of a specific instance.

The NCP is seen as a hub of expertise and authority on the RBC Guidelines. Government actors have turned to the NCP for guidance, and the NCP has provided inputs on request, like the well-received influential assessment of CSDDD drafts and a study on the oil and gas sector.

**Table 4. Findings and recommendations – Support for government efforts to promote RBC**

	Finding	Recommendation
4.1	The NCP has worked to enable coherence and uptake of the Guidelines by co-ordinating with other relevant entities, such as the export credit agency or entities responsible for public procurement, including by sharing quarterly updates of NCP statements and company engagement in specific instance processes. Companies applying for government support, such as participating in trade missions, need to commit to the Guidelines and to engaging with the NCP.	The NCP should continue establishing connections and strategies with other ministries and agencies working on RBC topics or future legislation (in the context of the communication plan). The government should consider institutionalising the NCP's role on policy coherence by reflecting it in the Establishment Order to ensure clarity in and continuation of the NCP's mandate.

## 2 Structured assessment of core effectiveness criteria

As provided for in the Modalities for Peer Reviews of NCPs, the following table provides a structured assessment of the extent to which the NCP under review achieves the core effectiveness criteria as set out in the Implementation Procedures of the Guidelines. The findings in the table work to inform the report's recommendations and provide an overview of the NCP's functioning and areas for improvement.

**Table 5. Structured assessment of core effectiveness criteria**

	Visibility	Accessibility	Transparency	Accountability	Impartiality and equitability	Predictability	Compatibility with the Guidelines
<b>Institutional arrangements</b>	The NCP Secretariat is its own, independent and separate unit within the RBC Unit.	The advisory body connects the NCP to other relevant ministries and the NCP+ to representative stakeholder groups, though involvement and ownership from some stakeholders could be strengthened.	Founding documents are publicly available. There is no document detailing how the advisory body functions in practice.	There is possibility for stakeholder feedback through the NCP+ meetings. The NCP reports on its activities but not on substance in the RBC Unit to retain independence.	The independent NCP structure ensures impartiality and equitable participation of stakeholder groups in the designation of independent members.	The Establishment Order and case-handling procedures are clear on the functioning of the NCP.	Structure meets main requirements from the Procedures (resources, senior leadership, stakeholder confidence, expertise).
<b>Promotion</b>	The NCP reaches a critical mass of stakeholders in particular through its annual thematic event and through handling specific instances. The events do not always reach new stakeholders.	OECD promotional materials are free and available on the website or LinkedIn channel. Proliferation of bodies promoting RBC caused some confusion among stakeholders on which agencies advise on which RBC aspects.	The NCP publishes its annual workplans and published its communications plan on its website.	The NCP does not systematically assess impacts of its promotion.	The NCP equally promotes to representative stakeholders.	The NCP announces promotional activities in advance and organises recurring annual thematic events.	The NCP's promotion largely meets the expectations of the Guidelines. Some aspects of promotion are left to other bodies, which could promote the NCP more affirmatively.
<b>Specific instances</b>	Past and current cases have made the specific instance process with the NCP well known among stakeholders, though it is less known among business stakeholders.	The case-handling procedures do not set onerous filing or acceptance requirements.	The NCP consistently publishes its statements.	The NCP does not formally request feedback on its handling of specific cases, but remains actively engaged with both parties throughout the process.	The NCP provides support equitably to parties, based on needs. The NCP is perceived generally as impartial among parties and stakeholders.	The NCP usually does not meet indicative timelines. The case-handling procedures are sometimes interpreted differently by parties.	NCP's case-handling procedures and handling of specific instances is largely aligned with the Procedures.
<b>Conclusion</b>	Maintain	Strengthen	Maintain	Maintain	Maintain	Strengthen	Maintain

Note: Light grey boxes correspond to areas where the NCP should maintain practice, medium grey boxes correspond to areas where the NCP should strengthen practice, and dark grey boxes correspond to areas where the NCP should prioritise improvements to current practice. Conclusions reflect the overall level of achievement of effectiveness criteria across all three areas.

# 3 Introduction

## Box 1. The Netherlands NCP at a glance

**Established:** 2000

**Structure:** Expert-based, advisory body, stakeholder body

**Location:** Secretariat of the NCP is in the Ministry of Foreign Affairs/ DG Foreign Economic Affairs/ International Trade Policy and Economic Governance Department/ RBC unit

**Staffing:** 4

**Webpage:** <https://www.oecdguidelines.nl/ncp> (Dutch); <https://www.oecdguidelines.nl/ncp> (English)

**Specific instances:** 60 total, 36 concluded, 13 not accepted, 11 ongoing

The Implementation Procedures of the Guidelines require NCPs to operate in a manner that is visible, accessible, transparent, accountable, impartial and equitable, predictable, and compatible with the Guidelines. This report assesses conformity of The Netherlands NCP with the core effectiveness criteria of NCPs and with the Implementation Procedures.

The Netherlands adhered to the OECD Declaration on International Investment and Multinational Enterprises (Investment Declaration) in 1976 (OECD, 2023<sup>[1]</sup>). The OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (the Guidelines) are part of the Investment Declaration. The Guidelines are recommendations on responsible business conduct (RBC) addressed by governments to multinational enterprises operating in or from Adherents. The Guidelines have been updated six times since 1976; the most recent revision took place in 2023.

Countries that adhere to the Investment Declaration are required to establish National Contact Points for Responsible Business Conduct (NCPs). NCPs are set up to further the effectiveness of the Guidelines and Adherents are required to make human and financial resources available to their NCPs so they can effectively fulfil their responsibilities in a way that fully meets the core effectiveness criteria, taking into account internal budget capacity and practices (OECD, 2000<sup>[2]</sup>).

NCPs are agencies established by adhering governments to “promote the Guidelines and act as a forum for discussion of all matters relating to the Guidelines” (OECD, 2023<sup>[1]</sup>). The OECD Council Decision on the Guidelines states that “NCPs shall have the following responsibilities:

- a) Promote awareness and uptake of the Guidelines, including by responding to enquiries;
- b) Contribute to the resolution of issues that arise in relation to the implementation of the Guidelines in specific instances.

In addition, where appropriate and in coordination with relevant government agencies, NCPs may also provide support to efforts by their government to develop, implement, and foster coherence of policies to promote responsible business conduct” (OECD, 2023<sup>[3]</sup>).

Adherents are required to make human and financial resources available to their NCPs so they can effectively fulfil their responsibilities in a way that fully meets the core effectiveness criteria, taking into account internal budget capacity and practices [Decision, I.4.].

The Procedures attached to the Decision cover the role and functions of NCPs in six parts: institutional arrangements, information and promotion, specific instances, support for government efforts to promote responsible business conduct, reporting, and peer reviews.

From 2009-2024, NCPs underwent voluntary peer reviews. The methodology for the peer review was the OECD Core Template for Voluntary Peer Reviews of NCPs (OECD, 2021<sup>[4]</sup>). In 2017, at the OECD Ministerial Council Meeting (MCM), ministers committed ‘to having fully functioning and adequately resourced National Contact Points, and to undertake a peer learning, capacity building exercise or a peer review by 2021, with the aim of having all countries peer reviewed by 2023.’<sup>2</sup> In 2023, the Procedures were updated. In particular, a new part on peer reviews was added providing for periodic mandatory peer reviews of NCPs. Mandatory peer reviews follow a cycle of seven years, with each NCP set to undergo a peer review in each cycle, starting in 2025. “Modalities for Peer Reviews of National Contact Points for Responsible Business Conduct” (Modalities) for these peer reviews were adopted in November 2024 (OECD, 2025<sup>[5]</sup>).

The objectives of peer reviews as set out in the Modalities and the Commentary (para. 23) are to evaluate the strengths and weaknesses of the NCP in accordance with its responsibilities and the core effectiveness criteria set out in the Procedures; and to make recommendations for improvement.

The peer review of the NCP was conducted by a peer review team made up of reviewers from the NCPs of Denmark and Lithuania, along with representatives of the OECD Secretariat. The peer review included an on-site visit which took place on 1-3 July 2025. The information in this report is current as of 1 July 2025. This visit included interviews with the NCP, other relevant government representatives and stakeholders. A list of organisations that participated in the on-site visit is set out in Annex B.

This report was prepared based on information provided by the NCP and in particular, its responses to the NCP questionnaire set out in the Modalities for Peer Reviews as well as responses to requests for additional information. The report also draws on responses to the stakeholder questionnaire and NCP Network questionnaire, which were completed by 12 organisations representing business, trade union, government and civil society, and nine other NCPs, respectively (see Annex A for a complete list of stakeholders who submitted written feedback) and information provided during the on-site visit.

The peer review team wishes to acknowledge the NCP for the preparation, documentation and discussions throughout the peer review, the open exchanges at the on-site visit, and its efforts to ensure participation from stakeholder groups through written contributions and during the on-site visit. The peer review team also welcomes the NCP’s efforts to facilitate deep dive sessions with parties to closed specific instances.

## 2010 Peer Review of the Dutch NCP

The Dutch NCP underwent a peer review 2009-2010. Though the peer review system at that point was widely used at the OECD, the review of the Dutch NCP was the first to evaluate a performance of an NCP. The review was conducted at the request of the Dutch NCP and did not follow an established methodology.

The peer review team consisted of representatives of the NCPs of Canada, Chile, France, Japan, and the United Kingdom, and was assisted by the OECD Secretariat and a consultancy.

At the time of the peer review, the NCP had a three-pillar structure, of which the main pillar were four independent members from different backgrounds. The other two pillars were advisory members from ministries and the NCP secretariat, housed at the Ministry of Economic Affairs.

The peer review team in the peer review report (OECD, 2010<sup>[6]</sup>) made 28 recommendations on the structure of the NCP, the NCP's promotional activities and the NCP's dealing with specific instances.

Key recommendations on the **NCP structure** included to:

- “(1) formalise the appointment process in a transparent manner (§ 2.1.1.1);
- (2) With four members, appoint a new member each year for four years replacing a leaving member, so that institutional memory is preserved (§ 2.1.1.1);
- (3) when appointing new members, appoint qualified mediators to the point that at least half of the total NCP members have adequate mediatory expertise (§ 2.1.1.2);
- (6) consider over time some sort of appeal board or steering board with regard to appeals on procedural grounds, which is now absent (§ 2.1.3).”

Recommendations on **promotional activities** included.

- “(9) to consult with stakeholders on how to further enhance the relevance of its stakeholders meetings (§ 2.2.2);
- (11) to follow up on the call from the key stakeholders to meet more regularly next to the stakeholders meetings (§ 2.2.3);
- (13) to align its annual communication plan with the schedule of annual reporting to the OECD (§ 2.2.4); and
- (14) to team up with other NCPs and/or the OECD to enjoy the economies of scale in promotional activities, mainly with regard to multilingual access to information (§ 2.2.4).”

Key recommendations on **specific instance process** were:

- “(16) more extensively assess the interest of a complainant in the issue(s) raised and his or her substantiation (§ 2.3.1);
- (17 and 18) make use of Dutch embassies, also with regard to the relevance of protective measures for the claimants when such is deemed necessary (§ 2.3.1);
- (19) issue a statement on the NCP website about how the NCP deals with parallel procedures (§ 2.3.3);
- (20) keep a clearer distinction between mediatory and adjudicatory stages of the NCP procedures and communicate clearly with parties in this respect (§ 2.3.4);
- (22) avoid situations in which crucial information cannot be shared with all parties involved (§ 2.3.5);
- (24) make clear at the end of an initial assessment the scope of the procedure and to stick to this scope throughout the procedure (§ 2.3.6);
- (25) state a process for obtaining feedback on recommendations in final statements on the correct implementation of the Guidelines and include this in the NCP's online procedural guidance (§ 2.3.7);
- (26) adjust timelines that fit recent practice of procedural steps taken (§ 2.3.8);
- (27) communicate in a transparent manner with parties about timelines, delays and their causes (§ 2.3.8).”

## Economic context

Regarding foreign direct investment (FDI), the inward stock of FDI, which represents the accumulated value of FDI in the Dutch economy over time, was USD 3 761 834 million in 2023, equivalent to 326% of its gross domestic product (GDP). The outward stock of FDI was USD 4 691 096 million in 2023, representing 407% of its GDP (OECD, 2024<sup>[7]</sup>). In 2023, the Netherlands' exports of goods were

EUR 686 623 million and exports of services were EUR 290 807 million, while imports of goods were EUR 614.860 million and imports of services were EUR 273 323 million (Centraal Bureau voor de Statistiek, 2024<sup>[8]</sup>).

The main investors in the Netherlands in 2023 were the United States, the United Kingdom, Luxembourg, Germany and Belgium. The main inward investment sectors were financial and insurance activities, manufacturing, information and communication and professional, scientific and technical activities. During the same year, the main destinations for outward investment from the Netherlands were the United States, the United Kingdom, Germany, Switzerland and Luxembourg. The most important sectors were financial and insurance activities, manufacturing, information and communication and professional, scientific and technical activities. The most important partner countries for exports of goods in 2023 were Germany, Belgium, France, the United Kingdom and the United States, while the most important source countries for imports of goods were Germany, Belgium, the United States, the United Kingdom and France. In 2023, the most important destinations for exports of services were Germany, the United Kingdom, the United States, France, and Switzerland, and the most important sources for imports of services were the United States, Germany, the United Kingdom, Belgium, and Ireland (OECD, 2024<sup>[7]</sup>).

# 4 Institutional arrangements

## Legal basis

The Netherlands adhered to the OECD Investment Declaration in 1976, and the Dutch NCP was formally established in 2000. The current NCP structure was established in 2014 through the NCP Establishment Order 2014 (Establishment Order) by the Ministry of Foreign Affairs (Ministry of Foreign Affairs, 2014<sup>[9]</sup>). The NCP indicated that the Establishment Order will be updated in 2025 to reflect new developments and current and desired practices of the NCP and the ministry.

## NCP Structure

The NCP has an expert-based structure and consists of:

- A secretariat
- Independent experts (NCP members)
- An advisory body
- A stakeholder board (NCP+)

The NCP Secretariat is located in the Ministry of Foreign Affairs with the State Secretary (previously Minister) for Foreign Trade and Development Aid (State Secretary) and is composed of one co-ordinating policy officer and three (senior) policy officers. The NCP members are four independent, non civil-service experts with backgrounds in the business sector, trade unions, NGOs and academia. One of the NCP members serves as the chairperson, as proposed by the NCP members. The NCP's advisory body has representatives from different ministries (currently officials from the Ministries of Foreign Affairs, Economic Affairs, and Social Affairs and Employment). The stakeholder board consists of representatives of employers' organisations, workers' organisations and civil society. The Social and Economic Council of the Netherlands (SER)<sup>3</sup> is part of the stakeholder board as a "hearer", but in practice participates the same as the other members. The meeting with all sections of the NCP together is called "NCP+ meeting".

The NCP structure has evolved over time. It was first established in 2000 as an interministerial civil service committee. In 2006, the structure changed to include a chairperson from outside the civil service and a maximum of four non-civil-service members. A study was carried out in 2013 at the Request of the House of Representatives to establish how the functioning of the NCP could be improved (Ministry of Foreign Affairs, 2014, pp. 4-5<sup>[9]</sup>). The findings of the study resulted in the Establishment Order 2014. This provided for:

- An explicit role of the NCP in interpreting OECD Guidelines, such as for the purposes of CSR agreements or conducting sector-wide assessments on request of the government.
- The possibility for the NCP to facilitate dialogue on the Guidelines even where there is no formal notification.
- Formalisation of stakeholder consultations.
- The possibility to obtain advice on a regular basis from other line ministries.

## Composition

The NCP members consist of a chairperson and up to four other non-civil service members (Ministry of Foreign Affairs, 2014<sup>[9]</sup>). The members need to have expertise in the areas of the Guidelines, have mediation skills, and knowledge and experience in relation to a relevant NCP stakeholder group, namely business, trade unions, civil society or academia. Even though NCP members are selected to represent diverse backgrounds, they act in their personal capacity and not as representatives of specific interest groups. They receive a fixed remuneration depending on the scope of activities and receive additional travel allowance.

These non-civil service members are appointed by the Minister for Foreign Trade and Development Aid (now state secretary)<sup>4</sup> for a maximum duration of four years and can be reappointed. The procedure for appointing NCP members is laid out in the Establishment Order (Ministry of Foreign Affairs, 2014, p. 2<sup>[9]</sup>) (Article 3) and further defined in an internal procedure called “Procedure for the Appointment of an NCP Member, December 2023”. To open the appointment process, the minister publishes the vacancy in the government gazette, and the NCP publishes the announcement on the NCP website and sends a request to stakeholders and other NCP members to submit suitable candidates. After receiving applications from the candidates, the NCP creates a shortlist, supported by the head of the Responsible Business Conduct unit (RBC Unit), which is shared with the NCP+ so stakeholders can raise significant objections. The NCP chair and head of RBC Unit select preferred candidate(s), whose applications are then discussed with the other NCP members, and then approved by the advisory board. The minister makes the final selection, and the candidate receives an appointment letter.

The secretariat of the NCP is housed at the Ministry of Foreign Affairs in the RBC Unit of the Directorate General of Foreign Economic Affairs, International Trade Policy and Economic Governance Department, which consists of 15 policy officers in total. According to the Establishment Order, the minister needs to ensure the effective functioning of the NCP by providing for a secretariat with the necessary skills and for an appropriate budget. The NCP members are involved in appointing and assessing the secretariat staff. While the secretariat is part of the RBC Unit, it operates independently. The members of the secretariat attend the weekly meeting of the RBC unit, where they only share non-confidential information that is relevant to the Ministry, for example a meeting the NCP attends, a presentation by the NCP, input of the NCP on an international RBC agreement etc. Regarding specific instances, the NCP secretariat only shares when a new case was submitted, including the names of the parties, and when an initial assessment, final statement or follow-up statement is published. The manager of the RBC unit is the formal manager of the members of the secretariat.

**Table 6. Current members of the NCP+**

	<b>Members</b>	<b>Organisation</b>
<b>NCP Members</b>	Catelene Passchier	
	Joris Oldenziel	
	Liesbeth Enneking	
	Rutger Goethart	
<b>Advisory Members</b>	Saïd El Haroui	Ministry of Foreign Affairs, International Trade Policy and Economic Governance Department
	Ellen van Lindert	Ministry of Social Affairs & Employment, Department of International Affairs
	Ruud van Soelen	Ministry of Economic Affairs, Enterprise Department
<b>NCP secretariat</b> <sup>5</sup>	Lotte Hoex	senior policy officer
	Kamala Laghate	senior policy officer
	Marina van Riel	policy officer
	Sylvia Tuin	co-ordinating policy officer
<b>NCP Stakeholder board</b>	Marhijn Visser	VNONCW-MKB Netherlands, business organisation

	Members	Organisation
	Frans Dekker	FNV, trade union
	Virginia Sandjojo	MVO Platform, civil society organisation
	Martine Bosman	Social and Economic Council

Source: The Ministry of Foreign Affairs (n.d.<sup>[10]</sup>), NCP – Home, <https://www.oecdguidelines.nl/ncp>.

## Functions and operations

The Establishment Order sets out the mission of the NCP, which is:

- “to promote and interpret the content and meaning of the OECD Guidelines for Multinational Enterprises, so as to encourage enterprises to observe them
- to deal with notifications of alleged instances of non-observance of the Guidelines (or parts thereof) and to facilitate a dialogue in order to resolve alleged instances of non-observance of the Guidelines (or parts thereof).”

This mission reflects the main responsibilities of NCPs as described in the Implementation Procedures of the Guidelines (para. 1) but does not explicitly include providing support to governments to foster policy coherence on RBC topics, which NCPs may take up where appropriate according to the Procedures.

Decision making is done only by the NCP members, such as on “performance of tasks and organization of working method” (Ministry of Foreign Affairs, 2014, p. 6<sup>[9]</sup>). In practice, decision making within the NCP members on major decisions is done by consensus. This includes decisions on any public statement, such as the initial assessment statement and decisions on admissibility of a case, final statements, in particular on conclusions, recommendations and/or determinations, as well as decisions on co-ordination, in particular whether to hand a case to another NCP. Other decisions during the handling of a specific instance are made by the two members handling the case, after seeking advice of the secretariat. This includes decisions on having a meeting with a party / the parties, responding to requests of the parties to the NCP or whether to end the good offices phase. Combined with the diversity of the background of the NCP members, the consensus decision making is meant to provide a balance of interests in the decision making body. The Establishment Order provides that the NCP members need to regularly meet with the advisory members as well as the stakeholder board to inform their decisions. The NCP members regularly ask the advisory body for input on specific instances, for instance by asking it to comment on every draft statement. The NCP members do not have to follow the advice of the advisory body, though the NCP members and advisory body often agree. So far there has only been one instance in which the NCP members found a specific instance admissible against the advice of the majority of the advisory body.

The Establishment Order does not specify the mission of the chair\_of the NCP, apart from stating that the Chair must report orally to the minister upon request (Ministry of Foreign Affairs, 2014, p. 3<sup>[9]</sup>) (Article 8 para 3). In practice, the chair acts as a *primus inter pares*, taking an equal part in handling specific instances and promotional activities. At the same time, the chair is the main representative of the NCP, such as in conferences or external meetings, and is responsible for chairing all NCP meetings, including the monthly NCP meetings, meetings with the advisory board and NCP+ meetings. The chair and the co-ordinator of the secretariat work together on organisational matters, such as planning for trainings.

The mission of the NCP secretariat is not described in detail in the Establishment Order, which provides that the Minister for Foreign Trade and Development Co-operation provides skilled secretariat support to the NCP members. A note on “Impartiality and Integrity of the Netherlands NCP” (The Netherlands NCP, 2023<sup>[11]</sup>) clarifies that the secretariat does not play a decision making role in matters of the NCP. It is involved in preparing and handling of specific instances, as well as providing information about and promoting the Guidelines. In specific instances, the secretariat members in practice are present, explain the rules of the process to the parties, are notetakers during mediation meetings and hold the pen on

drafting statements. The secretariat together with the independent members provide expertise on the Guidelines during the specific instance process.

The Establishment Order also provides that the NCP needs to establish its own working methods, subject to the OECD Guidelines (Ministry of Foreign Affairs, 2014, p. 2<sup>[9]</sup>). The NCP has done so by publishing a procedure for handling specific instances to the Netherlands NCP available in Dutch (The Netherlands NCP, 2024<sup>[12]</sup>) and English (The Netherlands NCP, 2024<sup>[13]</sup>). The NCP is required to draw up an annual work plan and a budget every year. Every four years, the minister must send a report to the House of Representatives of the States General so the functioning of the NCP can be reviewed. The Establishment Order is planned to be aligned with the standard practice of the ministry, under which the review would take place every seven years instead of every four years.

The abovementioned note on “Impartiality and Integrity of the Netherlands NCP” (The Netherlands NCP, 2023<sup>[11]</sup>) outlines procedures for cases in which a conflict of interest is assumed to exist or where one may seem to exist. Cases in which a conflict of interest is assumed include if the NCP member has a personal interest in the matter, is currently or was recently involved in a senior position at either of the parties involved in the specific instance or has a close relative or spouse on the board of or hold a senior position at either of the parties. A potential or perceived conflict of interest may exist for example where the member is a recent former employee of one of the companies involved in a specific instance, has recently provided professional services to them or has a former spouse or partner on the board of or hold a senior position at either party. In the first case of an assumed conflict of interest, the member is expected to declare the conflict and recuse themselves from handling the specific instance in the entirety. In the second case of a potential or perceived conflict, the member will not be one of the two members responsible for handling that specific instance but will still contribute to the decision making.

Civil society and trade union feedback positively noted the independent structure of the NCP, namely that complaints are handled by non-governmental experts. Feedback from business stakeholders generally found that the NCP’s structure enables it to act impartially and avoid conflicts of interests, though noted that being housed within a ministry might create a different perception. Government feedback likewise reflected that the NCP’s structure enables impartial operations, but noted that, since only one NCP Member has a business background, business could perceive it differently.

## Advisory bodies

The Establishment Order stipulates that the NCP has at least four advisory members (advisory body) representing the Minister for Foreign Trade and Development Co-operation as well as other relevant ministries (Ministry of Foreign Affairs, 2014<sup>[9]</sup>) (Article 4). The advisory members advise the NCP members in performing their tasks.

The Establishment Order also states that the NCP must regularly, at least four times per year, provide representatives of Dutch interested parties an opportunity to give advice (stakeholder board).

## Composition

The advisory body is currently composed of officials from the Ministries of Foreign Affairs, Economic Affairs and Social Affairs & Employment. The representative for the Ministries of Foreign Affairs currently is the RBC Unit head. Article 4 of the Establishment Order states that the advisory body should have at least four members. Since the Ministry of Infrastructure and Water decided to step away from its advisory role in December 2024, there currently is a vacancy for a fourth member. The NCP has approached and is in contact with other ministries to fill the vacant spot. If the independent and/or advisory members deem it desirable, representatives from other ministries may also be asked for advice. The Establishment Order indicates that the minister appoints the advisory members as proposed by the minister concerned.

The Establishment Order also indicates that the stakeholder board should include representatives of employers, employees and civil society. Current members are representatives of the Confederation of the Netherlands Industry and Employers (known as VNO-NCW), the FNV (trade union representation) and MVO Platform (civil society representation). The organisations decide internally who attends quarterly meetings with the NCP on their behalf, there is no formal appointment.

### ***Functions and operations***

The Establishment Order outlines the role of the advisory body in relation to the NCP (Ministry of Foreign Affairs, 2014, p. 6<sup>[9]</sup>). The advisory body does not provide supervision on NCP activities or functioning. It does however approve the appointment of NCP members and would have the option to veto a candidate, though this has not happened in practice. There is no set list of criteria for the advisory body to consider when approving NCP members, but advisory body members reported looking at the applicants' background, their independence, expertise in the Guidelines and mediation skills, as well as considering diversity. The advisory body does not take a joint decision; the members individually approve candidates.

In monthly meetings with the NCP, the advisory body members share information on developments within their own ministries and advise on such matters as the interpretation and promotion of the Guidelines, specific instance-handling in general, draft statements in individual cases and policy coherence. When reviewing draft statements in specific instances, the advisory members reported seeing their role as limited to providing feedback on factual correctness (e.g. on cited regulations or international Treaties) and on the validity of arguments in arriving at proposed conclusions, rather than influencing the substantive aspects of the NCP's decisions. In one case, the advisory board's opinion on the admissibility of a case differed from that of the NCP, and the NCP in the end did not follow the advice of the advisory body. The advisory body receives confidential information on specific instances, mostly in the form of draft statements, but not minutes of meetings or mediation related documents. The practice of how to handle confidential information received differed between the advisory board members. While one reported not passing on this information to supervisors or other colleagues in the ministry, another reported uploading documents to a folder accessible to his team and reporting on relevant information to their supervisor. The advisory board members likewise differed in their understanding of whether they act as representatives of their ministries and their ministries priorities as opposed to purely providing expertise. A lack of clarity and common understanding of the advisory body's role, receipt of confidential information and the possibility of the advisory body to veto possible NCP members could in the future impede the NCP's perception of independence with stakeholders.

The advisory body attends NCP events and, depending on the subject, may present or otherwise take part. The members of the advisory body, when presenting in other events, mention the NCP and its role, when appropriate.

NCP+ meetings are organised on a quarterly basis. During NCP+ meetings, the stakeholder board joins the NCP meeting and advises the NCP, acting as a focus group or sounding board concerning the NCP's activities, the NCP's working methods and other matters arising from the NCP's tasks, except for confidential case-handling issues. The NCP also shares updates with the stakeholder board on NCP activities. Confidential information may be shared with the advisory body but not with the stakeholder board.

Civil society positively highlighted that the stakeholder board ensures equal representation between the core stakeholder groups, as this creates trust in civil society of the NCP's accountability, accessibility and impartiality. Trade unions likewise positively perceived the NCP+ meetings. Both noted that this structure enables the NCP to understand perspectives of different stakeholders but noted that the NCP might not have access to experts covering all topics of the Guidelines. Business stakeholders noted that, while the NCP generally reaches out to stakeholders and incorporates their feedback, more funding for field-visits or promotion would enable the NCP to improve this. Some members reported not consistently debriefing

their organisations on information received, or not always providing feedback to the NCP when requested. For example, no comments were received on the communication plan.

## Resources

The Minister for Foreign Trade and Development Co-operation is responsible for the effective functioning of the NCP and provides for the secretariat and for resources for the NCP to carry out its tasks. The human resources available to the NCP secretariat have increased in the past five years. The capacity of the secretariat increased from three to four persons in 2019 and the position of a management assistant was replaced by that of a policy officer. This has led to the current set-up consisting of a co-ordinating officer and three (senior) policy officers. The remuneration of the chairperson and members of the NCP is laid down in a separate remuneration order (Staatscourant, 2022<sup>[14]</sup>), only available in Dutch). In 2022, upon request of the NCP members and taking into account the workload, the working time factor of the chair and the members has been increased (chair: from 21.65% to 38.56%; member from 17.05% to 33.99% per month in relation to a full-time position of 36 hours per week).

The NCP has a dedicated budget which includes the remuneration of the members and resources to carry out its tasks. The NCP discusses how to spend the budget at the end of each year. The co-ordinator of the secretariat is in charge of overseeing the budget and reporting on the exhaustion of the budget to the RBC Unit, as well as proposing a budget for the next year. The management team of the Directorate General for Foreign Economic Relations then determines the budget for the NCP each year. Because of budgetary under-implementation the budget has slightly decreased in the years 2021-2023. In recent years it has increased because of the increase of the remuneration of the members.

The NCP considers its current resources sufficient but does see challenges balancing promotional activities and policy work in the context of a high volume and complexity of specific instances. Promotion of the Guidelines is however not limited to the NCP in the Netherlands (See below Section 5).

The NCP has had some turnover in the past years. In December 2022 a secretariat member providing administrative and secretarial support left and in May 2023, the secretariat co-ordinator left the NCP. New secretariat members started in September 2023 and in March 2024. To ensure institutional memory, the NCP secretariat archives relevant emails in specific instances, on promotion, or on contact with stakeholders in its general NCP mailbox (ncpoecd@minbuza.nl). All relevant documents concerning the NCP's activities are saved by the secretariat in a separate part of the online archive system of the MFA which is only accessible by the NCP secretariat. Records concerning the activities of the NCP are managed in accordance with the procedures in place at the ministry. Annual reports and Work Programmes of the NCP are available on the NCP's website. To ensure knowledge management and effective transitions in case of staff changes, the co-ordinator and the other members of the NCP secretariat introduce any new staff member to the daily practice, rules of procedures and other relevant information about the NCP, make sure the new member follows training if necessary on the OECD Guidelines and/or mediation. The secretariat ensures that new NCP members are made familiar with its tasks and encouraged to follow the training and tools for new NCPs provided for by the OECD. The last years (in 2019 and annually since 2022), the NCP and the secretariat followed a mediation training.

## Reporting

The NCP reports annually to the OECD and drafts its own annual activity report. The annual activity report details the NCP's activity relating to any updates to the NCP's operating rules, the year's promotional activity, and the handling of specific instances. The reports are made available in both Dutch<sup>6</sup> and English.<sup>7</sup> The advisory body and stakeholder board provide input into the annual activity report. During monthly

meetings with the advisory body, the NCP reports on activities and updates on specific instances. The NCP secretariat provides weekly updates to the RBC Unit in meetings. The NCP sends its annual work plan to the Minister for Foreign Trade and Development.

Although the NCP secretariat is located in the RBC Unit, its members do not report to the head of the RBC Unit on the content of their work. They have a yearly performance interview with the head of the RBC Unit, input for which is given by a direct colleague as well as by one or two NCP members.

According to the Establishment Order, every four years the minister must send a report to Parliament for the NCP's functioning to be assessed. Additionally, the Policy and Operations Evaluation Department of the Ministry of Foreign Affairs (IOB) evaluates Dutch Governments' RBC policy including the functioning of the NCP every 7 years. In November 2019 an evaluation report of the Dutch NCP during the years 2012-2018 was conducted by the IOB (Ministry of Foreign Affairs, 2019<sup>[15]</sup>). The report was sent to Parliament along with a letter of the Dutch Government in response to the report. If asked, the minister responds to questions posed by members of Parliament in relation to NCP matters. In recent years, this has included Parliamentary questions following the final statement of the specific instance FNV & Just Eat Takeaway.com (The Netherlands NCP, 2023<sup>[16]</sup>) and a question about deforestation and possible instruments to prevent contributions to deforestation in May 2024.

### Box 2. IOB Evaluation NCP 2012-2018

The IOB evaluation presented a generally positive assessment of the Dutch NCP, confirming that it operates in line with OECD Guidelines standards of visibility, accessibility, transparency, and accountability. The NCP's effectiveness was seen as closely tied to its available capacity, which improved with the addition of a policy officer and the establishment of a temporary "flexible layer" of consultants.

Key observations included:

- The NCP's visibility benefits from outreach through embassies, website publications, and presentations abroad.
- On accessibility, the evaluation recommends a helpdesk function, but the secretariat is already easily reachable and seen as fulfilling this role.
- Recommendations also address handling complaints predictably and fairly, and systematically tracking complaint outcomes.

Overall, the Dutch NCP welcomed the recommendations and has taken steps to implement several improvements. The NCP also committed to sharing lessons learned from complaints, where appropriate and with respect for confidentiality, and to reviewing its procedures to better manage expectations.

Source: Ministry of Foreign Affairs (2019<sup>[15]</sup>), IOB Evaluation NCP 2012-2018, <https://english.iob-evaluatie.nl/publications/reports/2019/10/01/434-ncp>; The Minister for Foreign Trade and Development Co-operation (2019<sup>[17]</sup>), Letter of Minister for Foreign Trade and Development Co-operation to Parliament of 22 November 2019.

Table 7. Findings and recommendations – Institutional arrangements

	Finding	Recommendation
1.1	In the advisory body, the NCP and the represented ministries share updates and co-ordinate on RBC topics. The advisory body also approves the selection of NCP members and provides advice on NCP's activities. It receives confidential draft statements in specific instances and provides feedback, mostly focussed on factual correctness. However, members of the advisory body do not all share a common understanding of their role, including their responsibilities and what type of information they can share within their hierarchy. This may contribute to a lack of transparency around the advisory body operations and could negatively affect the perceived independence of the NCP.	<p>There should be a clear reference document setting out the following in respect of the advisory body:</p> <ul style="list-style-type: none"> <li>• Role in the body (whether members represent their ministry and its priorities or act as experts, whether members report in their own hierarchy)</li> <li>• Confidentiality arrangements, e.g. who within the ministry has access to confidential information shared by the NCP</li> <li>• Nature of advice they provide, e.g. purely factual or substantive</li> <li>• Clarification of role in and criteria for approving independent NCP members</li> <li>• Role in supporting the NCP in visibility and promotion.</li> </ul>
1.2	The stakeholder board in NCP+ meetings largely functions as a mutual information chamber. It represents large groups of stakeholders through their membership but with little involvement and ownership from some of the stakeholders.	<p>The NCP should discuss with the stakeholder board to identify possibilities to leverage it to increase visibility, legitimacy, and stakeholder buy-in of the NCP. This could include:</p> <ul style="list-style-type: none"> <li>• Helping raise awareness of the NCP as the authority on the Guidelines in the Netherlands and of the specific instance process within the respective stakeholder groups (including target groups identified by the NCP in its communication plan and stakeholders not yet reached within respective stakeholder groups)</li> <li>• Disseminating final statements</li> <li>• Regular reporting back to the stakeholder groups on NCP activities and information, even if no immediate action is required.</li> </ul>
1.3	The NCP's human resources, consisting of four full-time staff members for the secretariat and four NCP members with ca. 33% of staff time, allow it to fulfil its responsibilities. At the same time, the time share arrangements of independent members may limit their availability and potentially cause delays in e.g. the handling of cases.	<p>The resources should at least be maintained at the level of the secretariat and the government should explore ways to increase the availability of the NCP members, for example by increasing their time share if possible, or working with external mediators in some cases.</p>

# 5 Promotion

## Promotional plan

Since 2016, the Dutch NCP publishes an annual workplan on its website (The Netherlands NCP<sup>[18]</sup>). The workplans describe the work of the NCP based on the two core tasks described in the Establishment Order – handling notifications and promoting and interpreting the content of the Guidelines. The advisory body and stakeholder board advise on draft workplans. The NCP does not have a separate promotional plan, but the annual workplans contain action points on promotion, such as organising a thematic meeting.

The NCP additionally published a communication plan on its website in May 2025 in Dutch and in June 2025 in English.<sup>8</sup> The communication plan's goals are to “further expand the NCP's position as the authority on the OECD Guidelines' including through promoting the message that “OECD Guidelines form the basis for compliance with a wide range of EU legislation” and raising awareness of RBC principles among professionals advising companies on RBC issues. A second goal of the communication plan is to increase the impacts of the NCP's final statements and expanding the reach of final statements beyond the parties. The communication plan further sets out important core messages, target groups (business community, government organisations, supervisory authorities, and higher professional education institutions like academia), as well as strategies, such as collaborating with multipliers like the RBC support office and improving the NCP website. The communication plan is not a comprehensive reflection of promotional activities of the NCP (e.g. it does not mention the NCP's annual thematic event) or elaborates how the communication plan ties in with the current promotional activities. Actions in the communication plan are prioritised per year, taking into account resources available. The list of priorities is not published as part of the communication plan. In preparation for the communication plan, the NCP conducted a stakeholder analysis in 2024. The plan was developed in consultation with the advisory body and stakeholder board, and an evaluation of the communication plan is scheduled for the end of 2025.

As indicated above, the NCP considers its financial and human resources to be adequate to fulfil its responsibilities but indicates that balancing promotional tasks with the handling of specific instances is a challenge, given the high number and complexity of the specific instances currently active at the NCP.

## Information and promotional materials

In recent years, the Dutch NCP has not developed its own promotional materials such as flyers or brochures. The NCP's website includes a link to the OECD video on the activities of NCPs, which is now outdated. It also provides a link to the OECD's flyer in English about the NCP Network. The 2023 version of the Guidelines is available in Dutch<sup>9</sup> and English.<sup>10</sup> There are other institutions and organisations that actively promote the Guidelines in the Netherlands alongside the NCP: the RBC Unit's work also includes promoting the Guidelines among business and stakeholders. The RBC Unit conducted two monitoring studies in the past, which included monitoring awareness of the OECD Guidelines. The Netherlands have an RBC support office which provides advice to business and develop tools and trainings (RBC support office) (Rijksdienst voor Ondernemend Nederland<sup>[19]</sup>), and the SER organises trainings and develops tools for business on RBC with a focus on specific sectors.

While the NCP focusses on the Guidelines, the RBC support office has a broader remit, also informing companies on RBC-related regulation (e.g. EU CSRD, EU CSDDD, EU Deforestation Regulation.). The RBC support office's website contains links to the OECD Guidelines, as well as limited information on the NCP itself, including the expectation for companies to engage in the specific instance process. The RBC support office can be accessed by all Dutch companies but is primarily addressed to small- and medium-sized companies. At times, the RBC support office interacts with larger companies (1000 – 5 000 employees) as well. The RBC support office covers introductory questions on RBC for companies that wish to start the process of implementing RBC measures and might redirect more advanced questions to the NCP. It does not actively promote the NCP, as it is associated with the theme of access to remedy, which the MVO support centre chose not to prioritise.

The NCP and RBC support office collaborated particularly in the early phases of setting up the RBC support office to ensure that the content depicted on the website such as tools and information material is aligned with the Guidelines. Participants noted that collaboration currently could be intensified. Stakeholders noted they primarily view the RBC support office as the organisation to turn towards with questions, rather than the NCP.

It was also shared that the future supervisory authority to be created through the transposition of the EU CSDDD would likely play an important role in providing information and communication to large enterprises, at least for questions covered by the CSDDD.

In light of the above, the NCP is mindful not replicate promotional work done by other organisations, and seeks to focus its promotional work on specialised topics or specific messages. In the communication plan, the NCP has started the process to identify targeted and specific messages for promotion, including highlighting that OECD Guidelines form the basis of compliance with numerous regulations applicable to Dutch businesses and their supply chains, better disseminating the content of final statements and presenting the NCP as *the* authority on the Guidelines.

## Promotional events

The NCP has both organised events and participated in events organised by others in recent years. An overview of promotional events in which the NCP has engaged is available in Annex C. In 2024, it organised three events and participated in eight; in 2023, it organised four and participated in eight; and in 2022, it organised one event and participated in eight.

The NCP in the last years organised one themed event per year to which all stakeholder groups have been invited. On 12 December 2024, for example, the NCP organised a half-day event focussing on supply chain transparency, diving into expectations of the OECD Guidelines and new EU legislation, as well as showcasing practical examples and exploring the connection between supply chain transparency and stakeholder engagement. On 23 October 2023, the NCP organised an event focussing on the revised OECD Guidelines. The event focussed on two chapters that have undergone the most significant revisions: Environment and Science, Technology & Innovation, and included a discussion on the EU due diligence legislation (CSDDD). The NCP additionally organised events in recent years targeting government stakeholders, often the RBC staff in other ministries. The events that the NCP participated in addressed different stakeholder groups, including NGOs, academia, lawyers, NCPs, government, and business. Several events also had a multi-stakeholder audience. The majority of events consisted in general presentations of the NCP, the Guidelines, or related RBC instruments.

Stakeholder positively noted the thematic events organised by the NCP. While business stakeholders acknowledged the NCP's promotional efforts – particularly the organisation of the public event focussed on the practical implementation of the Guidelines – they noted that the NCP appeared to lack visibility among companies. They noted that awareness of the NCP and its grievance mechanism seems largely

restricted to larger firms operating internationally. Stakeholders also noted that the NCP events tend to be well attended by a regular audience but might not be as well attended by new audiences.

## Website/webpage

The NCP has a website hosted by the Ministry of Foreign Affairs with four subsections. Two subsections cover the OECD Guidelines and due diligence, one subsection is dedicated to information about the NCP and another is specifically dedicated to “Notifications” (specific instances). The NCP secretariat manages and updates this website.

The NCP webpage is available in Dutch<sup>11</sup> and English.<sup>12</sup> Information on the two versions of the webpage is largely aligned. The Dutch and English versions of the webpage were last updated in 2024.

The NCP webpage includes an overview of the NCP’s main tasks, information on mediation by the NCP, a presentation of its independent and advisory members, a reference to the NCP Establishment Order 2014, as well as some relevant documents. However, the section with news updates is not current, with the latest entry dating back to 2019.

The webpage also includes the following subpages:

- Core criteria: a summary of the core effectiveness criteria defined by the OECD Guidelines for the functioning of NCPs, with explanations of how the Dutch NCP adheres to each.
- NCP members: an updated list of the four independent members of the NCP, including their professional backgrounds and areas of expertise, as well as the four advisory members representing key Dutch ministries.
- NCP secretariat: a description of the Secretariat supporting the NCP, based at the Ministry of Foreign Affairs, outlining its key roles such as handling enquiries, supporting specific instances, promoting the OECD Guidelines, facilitating dialogue, and co-ordinating events. The current staff members are also listed.
- Stakeholders: an overview of the Dutch NCP’s engagement with key stakeholders, including Dutch representatives of BIAC, TUAC, and OECD Watch, through regular NCP+ platform meetings.
- Annual Reports and Workplans: a list of the annual reports and workplans from 2002
- IRBC Agreements and the role of the NCP: a summary of sector-level International Responsible Business Conduct agreements<sup>13</sup> in the Netherlands, based on the OECD Guidelines, involving businesses, government, trade unions, and NGOs. The Dutch NCP occasionally supports these agreements by reviewing their alignment with the OECD Guidelines.
- NCP cross sector research: a description of the Dutch NCP’s mandate to conduct cross-sector research, including a 2019 report on the Dutch oil and gas sector’s compliance with the Guidelines.
- Peer review: 2010 peer review of the Dutch NCP conducted by five other NCPs (Canada, Chile, France, Japan, and the UK).
- About OECD and other NCPs: overview of the Investment Committee, with links to additional information about the OECD Guidelines and a complete list of NCPs.
- News: latest items on the NCP, not updated since 2019.
- Documents: latest items on the NCP, not updated since 2019.

The webpage dedicated to the Guidelines also provides an overview of the different chapters of the Guidelines. Feedback from stakeholders noted that the NCP webpage lacks practical tools for companies. The website includes a subsection dedicated to “notifications,” which provides an overview of the specific instances submitted to the Dutch NCP, but it is separate from the NCP webpage.

The NCP is active on social media and uses its own LinkedIn account for regular posting and re-posting. In 2024, the NCP indicated that it had made 5-10 posts from the NCP's LinkedIn account. At the time of writing, the NCP's LinkedIn had 423 followers. The NCP had previously reported being active on X, but is no longer.

## Responding to enquiries

The NCP's contact details (address and telephone number) are listed on its webpage. It invites users to contact for more information. The website features a contact form available in both English<sup>14</sup> and Dutch.<sup>15</sup> This form can also be used to reach out to the NCP for advice prior to submitting a notification. In 2024, the NCP received 19 requests through the form and in the last three years (between 2021 and 2024) a total of 102 requests. The requests typically cover a range of topics. Some requests are related to submitting a specific instance such as how to submit relevant material, others are general inquiries about the OECD Guidelines and the NCP. The NCP also receives regular requests for interviews by PhD candidates or students.

## Co-operation amongst NCPs

The NCP engages with other NCPs through multilateral and bilateral meetings (see chapter on Specific Instances below) and participates in peer learning events. For example, the NCP contributed by preparing a session on stakeholder engagement to a peer learning even in October 2024 organised by the NCP of Austria. Other NCPs note that the NCP is always willing to co-operate and generous in sharing their experience, as well as noting that the NCP is highly engaged and a front runner in taking new initiatives. One NCP highlighted an insightful meeting on the CSDDD and the potential implications for NCPs.

In recent years, the NCP participated in the peer review of the Israeli NCP in November 2024, and previously took part in the peer review of the Spanish NCP in 2022 and the Belgian NCP in 2015.

**Table 8. Findings and recommendations – Promotional activities**

	Finding	Recommendation
2.1	In the Netherlands, different agencies promote RBC to stakeholders. Despite co-ordination with these other agencies, there remains a lack of clarity within other agencies, the NCP, and stakeholders about what the division of tasks in promoting RBC is, including who reaches which stakeholders as well as promoting the NCP and other access to remedy related topics. NCP thematic events currently reach similar groups of participants and stakeholders noted that large multinational companies could be reached better.	The NCP should continue co-ordinating with other agencies promoting RBC to ensure visibility and promotion of the NCP, ensuring that all relevant stakeholders are reached (e.g. NCP thematic events currently reach similar groups of participants, large multinational companies need to be better targeted) and all relevant topics (e.g. including access to remedy related topics).
2.2	The NCP published a communication plan, setting out core messages, target groups and strategies such as approaching higher professional education institutions, updating the website and expanding the visibility and effectiveness of final statements through targeted communication. Such actions are prioritised per year, taking into account resources available. The list of priorities is not published as part of the communication plan.	Additional low-resource items to prioritise for maximal impact might include: <ul style="list-style-type: none"> <li>• Leveraging specific instances more e.g. on social media</li> <li>• Updating the website</li> <li>• Increasing collaboration with academia (e.g. presenting the NCP in lectures and seminars).</li> </ul>

# 6 Specific instances

## Box 3. Terminology for the status of specific instances

- Specific instances **concluded** are those that the NCP found to merit further examination after the initial assessment and that have subsequently been closed. For such specific instances, the NCP will have offered its “good offices” (e.g. mediation/conciliation) to both parties.
- Specific instances **not accepted** are those that the NCP found not to merit further examination, or cases that have been withdrawn prior to the completion of the initial assessment and that have therefore been closed.
- Specific instances **closed** include both specific instances that have been concluded and those that were not accepted.
- Specific instances that are **ongoing** are those that are not yet closed. These include submissions received by the NCP, both those awaiting initial assessment, as well as those accepted by the NCP.

Source: OECD **Invalid source specified.**, 2024 Annual Report on NCP Activity, <https://www.oecd.org/content/dam/oecd/en/networks/national-contact-points/OECD-2024-Annual-Report-on-NCP-Activity.pdf>

## Overview

As of the date of the on-site visit, the NCP had received 60 specific instances in total (43 since 2011). Thirty-six specific instances have been concluded by the NCP, 13 were not accepted, and 11 are ongoing. Considering cases submitted in the last ten years, 18 have been concluded, seven were not accepted, and 11 are ongoing.<sup>16</sup>

Among the 18 concluded cases that had been submitted in the last ten years:

- Nine were concluded with agreement, two of which were partial agreements and one of which was reached outside of the NCP process.
- Nine were concluded without agreement, all of which resulted in recommendations, and seven of which resulted in determinations.
- All 18 concluded cases underwent or have a planned follow up.

The main sectors concerned by specific instances handled by the NCP are manufacturing (19 cases), mining and quarrying (13), financial and insurance activities (8), as well as wholesale and retail trade (8). Of cases submitted in the last ten years, the main sectors referenced were manufacturing (9), mining and quarrying (7), and financial and insurance activities (6).

In terms of submitters, trade unions (in some cases together with other stakeholders) have submitted the most cases (26). They are followed by NGOs (23) and Individuals (10). Of cases submitted in the last ten years, the main submitters were trade unions (13), NGOs (12), and individuals (10). While individual

submitters accounted for fewer submissions than other stakeholder groups historically, the last ten years suggested more balance among submissions across stakeholder groups.

The most frequently raised chapters of the Guidelines in cases handled by the NCP are the chapters on General Policies (Chapter II) (36 cases), Employment and Industrial Relations (Chapter V) (35), Human Rights (Chapter IV) (27), followed by Environment (Chapter VI) (13), and Disclosure (Chapter III) (12). Of cases submitted in the last ten years, the most frequently raised chapters were General Policies (Chapter II) (27), Human Rights (Chapter IV) (24), and Employment and Industrial Relations (Chapter V) (17).

An overview of all cases handled by the NCP is available in **Annex D**.

## Case-handling procedures

### Overview

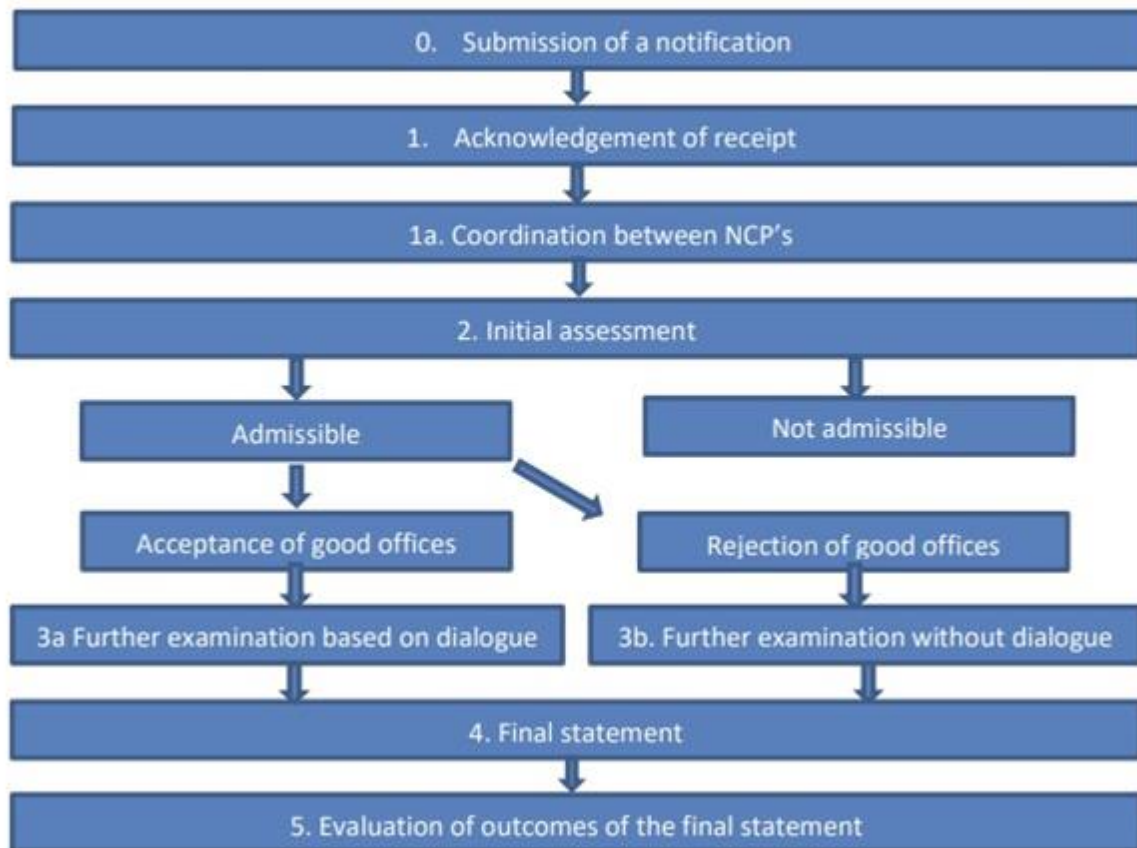
The NCP has case-handling procedures called “The Specific Instance Procedure of the Netherlands’ National Contact Point for Responsible Business Conduct (NCP)” (The Netherlands NCP, 2024<sup>[13]</sup>). The procedures were updated in consultation with the stakeholder board to align with the 2023 version of the Guidelines. The updated version was published in May 2024 and is available in both English (The Netherlands NCP, 2024<sup>[13]</sup>) and Dutch (The Netherlands NCP, 2024<sup>[12]</sup>) on the NCP’s webpage.

The case-handling procedures are organised into five sections addressing (i) general information, (ii) steps in the process, (iii) indicative timeframes, (iv) procedural arrangements to facilitate the process, and (v) useful information and background documents. The first section provides general information on NCPs, including the core effectiveness criteria. It references the Implementation Procedures of the OECD Guidelines as well as the NCP document “Impartiality and Integrity of the Netherlands NCP” (The Netherlands NCP, 2023<sup>[11]</sup>) as a complement to the case-handling procedures. The section also addresses the important balance between transparency of the procedural steps and confidentiality of the procedure and makes specific reference to the EU General Data Protection Regulation.

The second section opens with a visual overview of the steps in the procedure set out in Figure 1 below. After the indicative timeframes are presented in the third section, the fourth section – useful information and background documents – sets out expectations of party behaviour, how the NCP handles sensitive information and confidentiality provisions. It also recommends that the parties refrain from publicity regarding the submission to avoid jeopardising the dialogue and advises against engaging external lawyers to avoid overly legalising the process. The final section outlines the possibility of filing a substantiated submission to the Investment Committee or requesting that the Investment Committee issue a clarification on the interpretation of the Guidelines. It also contains links to the OECD website and the Guidelines.

Civil society feedback noted that the procedures should not advise parties to not communicate publicly about the complaint.

Figure 1. Case handling Procedures – Steps in the procedure



Source: The Netherlands NCP (2024<sup>[13]</sup>), The Specific Instance Procedure of the Netherlands' National Contact Point for Responsible Business Conduct, <https://www.oecdguidelines.nl/documents/2021/07/26/specific-instance-procedure>.

### **Filing a complaint**

The case-handling procedures in step 0 set out that submissions can be made to the NCP via a contact form.<sup>17</sup> The webpage section “Submitting a specific instance” adds that submissions may also be made via regular mail and that the NCP can process submissions in Dutch or English (The Ministry of Foreign Affairs<sup>[20]</sup>). The contact form includes the address and telephone number of the NCP but not its email address. The webpage also informs potential submitters that they can reach out to the NCP for advice before submitting a specific instance.

Information to submit in the contact form is: the name, e-mail, organisation / company, and a message. Submitters may also provide a telephone number. The form also highlights that personal data will not be shared with third parties. The contact form does not provide for the option to upload supporting materials to the submission. In practice, potential submitters send their complaints as attachments via email or ask through the contact form how to submit a complaint. The NCP secretariat then advises them to send it via email. As part of the communication plan, the NCP secretariat plans to improve accessibility of the website and is exploring improving the contact form so that specific instances may be submitted solely through the website. The page “Submitting a specific instance” provides further details on the information that submitters should include in their submission:

- “information about the notifier(s)

- information about the organization which is responsible for the alleged breach of the Guidelines in the notification
- content of the specific instance: what is the alleged breach of the Guidelines, and what parts of the Guidelines does it relate to?
- when relevant: information on parallel proceedings, such as a current court proceedings on (part of) the specific instance.”

After receiving a submission, Step 1 of the case-handling procedures sets out that the NCP sends an acknowledgement of receipt within seven working days, informs the company about the submission and forwards a copy of the submission to it. The NCP also sends a description of the procedures to both parties. There is no specific time frame for the latter three steps.

### ***Co-ordination with other NCPs on specific instances***

The case-handling procedures set out that in step 1a the NCP may inform and co-ordinate with other concerned NCPs. The procedures specify that this might be the case where the NCP receives a submission “regarding operations by multiple enterprises, some of which may not all be established” in the country of the NCP, and that NCPs may receive a submission regarding issues in their country or concerning enterprises established in their country. The case-handling procedures note that the NCP will keep the parties informed.

### ***Initial assessment***

The case-handling procedures in Step 2 list the initial assessment criteria contained in para. 33 of the Commentary to the Procedures. These are copied verbatim except for the criteria related to the identity of the party and its interest in the matter. There, the case-handling procedures provide further explanation when a party may have a legitimate impact: “for example, it is directly impacted by the business activities of the enterprise. A third party representing the party that is directly impacted may also have an interest. Organisations whose objectives are related to the problem may likewise have an interest” (The Netherlands NCP, 2024, p. 3<sup>[13]</sup>).

The procedures set out that the NCP may find a case inadmissible according to the criteria on its own or hold discussions with both parties separately and confidentially. Before publication, the NCP shares drafts of the initial assessment with the parties and provides the opportunity to comment within 14 days. This period may be extended by the NCP or upon request of a party. It is then up to the NCP to decide whether to amend the draft initial assessment based on comments received before publication on the NCP’s website. The case-handling procedures provide that the NCP will in principle publish the initial assessment if a submission is accepted (“admissible”) and will always publish the assessment if the submission is not accepted. If the NCP opts not to publish the initial assessment in an accepted case, it will inform the parties of the reasons.

Civil society positively highlighted that the procedures reflect the initial assessment criteria of the Guidelines and that parallel proceedings do not automatically hinder admissibility of a specific instance.

### ***Good offices***

When a case is accepted, the NCP will, according to step 3 of the case-handling procedures, offer good offices in the form of mediation between the parties. Step 3a of the procedures sets out the process if the parties agree to engage: The NCP will “encourage” the parties to agree on key subsequent steps in the mediation including a desired goal, scope, timetable, dialogue, participants, confidentiality and public comments. While members of the NCP will typically serve as a mediator, the NCP does provide for the possibility to appoint an external mediator, for which there is a specific procedure (The Netherlands NCP,

2021<sup>[21]</sup>). The case-handling procedures do not specify who from the NCP acts as mediator (i.e. NCP members or the Secretariat) or how many representatives from the NCP are involved in handling a specific instance. The NCP also actively participates in the dialogue by contributing its expertise on the Guidelines. Step 3a clarifies that the good offices phase ends when the parties come to an agreement, one of the parties withdraws from the dialogue, or the NCP concludes it will not be possible to arrive at an agreement within a reasonable period of time.

Step 3b sets out the process if the parties do not come to an agreement or the good offices are rejected. The NCP will in principle undertake independent examination to determine whether the company observed the recommendations of the OECD Guidelines. The case-handling procedures detail that this examination may include “asking the parties to provide additional information, consulting external parties or independent experts, carrying out or commissioning research on location, and/or requesting information from other parties involved in the submission”. In practice, the NCP uses desk research, asking parties for additional information, and, where relevant, engaging with experts. The NCP may also access resources for research or presence on location if needed. In the past, the NCP has hired an external mediator to conduct mediation in the Democratic Republic of the Congo, and has hired an expert in Bangladeshi labour law. Business stakeholders noted the impression that some submitters’ main objectives seemed to be a determination on whether the company adhered to the Guidelines, rather than seeking an agreement through good offices. The NCP noted that the case-handling procedures allow for flexibility on the extent to which the NCP will make an independent investigation or if it will make a determination.

### **Conclusion**

Once good offices are concluded, the NCP issues a final statement according to step 4 of the procedures. If the parties come to an agreement, the final statement will refer to the agreement and will annex the text or a summary thereof, unless otherwise agreed by the parties.

If the parties have not reached an agreement or one of the parties rejected good offices, the final statement will describe the process and include the outcome of an examination if the NCP conducted one. In its final statement in such cases, the NCP may mention information on the good faith behaviour of the parties. The NCP may include a “determination on the extent to which the enterprise has adhered to the Guidelines with respect to the issues raised in the submission” (The Netherlands NCP, 2024, p. 5<sup>[13]</sup>) and may provide recommendations for future observance of the Guidelines.

### **Follow up**

The case-handling procedures in Step 5 set out that the NCP publishes a follow-up statement one year after publishing the final statement. In the follow-up, the NCP will assess implementation of an agreement and / or recommendations to the parties. The procedures set out that the NCP conducts follow up by asking the parties for information on any progress made and do not specify a specific form in which to conduct the follow-up. As with the initial assessment and final statement, parties have two weeks to comment on the draft follow-up statement, before it is published on the NCP website.

### **Indicative timelines**

The case-handling procedures contain a table pictured in Figure 2, setting indicative timelines for the process overall and for the different phases of the process.

Figure 2. Indicative Timeframes

Stage	Step	Indicative timeframe
0	Receipt of submission	
1	Acknowledgement of receipt of submission	Seven working days
1a	Coordination between NCPs, if applicable	Two months (timeframe recommended by OECD)
2	Conclusion of initial assessment	Three months after receipt of submission, or five months in the case of coordination between NCPs (timeframe recommended by OECD)
3	Conclusion of assistance to the parties / Further examination	Six months after conclusion of the initial assessment (timeframe recommended by OECD)
4	Conclusion of procedure, publication of final statement	Three months after conclusion of assistance to the parties (timeframe recommended by OECD)
5	Follow up on final statement	One year after publication of the final statement

Source: The Netherlands NCP (2024<sup>[13]</sup>), The Specific Instance Procedure of the Netherlands' National Contact Point for Responsible Business Conduct (NCP), <https://www.oecdguidelines.nl/notifications/specific-instance-procedure>.

Overall, stakeholder feedback noted positively that the NCP acted predictably in accordance with the case-handling procedures, apart from not keeping within indicative time frames.

### **Confidentiality and transparency**

The first section of the case-handling procedures highlights the importance of transparency while balancing it with confidentiality. The fourth section ("Procedural arrangements to facilitate the process") provides more detail on confidentiality requirements in the specific instance process and both confidentiality and transparency are additionally addressed where relevant in descriptions of steps of the process.

With regard to communication to the public and third parties, the case-handling procedures clarify that in principle, the NCP does not disclose information provided to it and expects the same from the parties (The Netherlands NCP, 2024, p. 6<sup>[13]</sup>). Exceptions to confidentiality are listed and include published statements by the NCP, information on the existence of the process and the stage it is at, unless otherwise agreed between the parties, publicly available information, and information the parties provided prior to the mediation, such as submissions and statements. With regard to communication between parties, the NCP in principle shares information with the other party. If the party makes a reasonable request to not share the information, for instance to protect sensitive information or interests of other stakeholders, the NCP will, in consultation with the submitting party, redact sensitive content. In such a case, the NCP will not base fundamental decisions on redacted information if possible.

The case-handling procedures also provide that the identity of persons involved in the procedure can be kept anonymous for safety reasons, upon request of that person. The procedures also state that the NCP

may take adequate protective measures within its capacities to protect a person involved in the procedures or one of its members where there is a (threat of a) reprisal.

Civil society as well as trade union feedback stressed that the procedures should foresee more transparency in the mediation process to counter potential power imbalances between the parties. Civil society suggested that the default during mediation should not be confidentiality with exceptions for information that can be disclosed, but rather that transparency be the default with a defined list of confidential information. Civil society also noted that the NCP should publish the name of a company when it receives a submission, as well as noting that any future policy on reprisals should proclaim zero-tolerance and set out proactive and reactive measures for the NCP to respond to (a threat of) reprisals.

### ***Impartiality and avoidance of conflicts of interest in handling specific instances***

While the case-handling procedures themselves do not contain detailed provisions on impartiality or conflicts of interest, they do refer to and link the NCP document “Impartiality and Integrity of the Netherlands NCP”. This document outlines principles of independence of the NCP, public integrity and impartiality. The section on independence of the NCP explains how the set-up and structure of the NCP, including the appointment process and role of different parts of the NCP, support its independence.

The Establishment Order in Article 7 originally provided that the minister be given an opportunity for a formal reply to a final statement that in practice was sent to Parliament. This used to be a reaction to the statement, but not on its content. This Article was withdrawn in December 2014 through a separate decree, not available in English (Staatscourant Nr. 36720, 2014<sup>[22]</sup>).

The last section on conflict of interests provides a process for NCP members if a case a conflict of interest is assumed to exist, as well as if there is a potential or perceived conflict of interest. For further details on these two sections see above Section 4. The section on public integrity reiterates that independent NCP members, though they are not government officials are committed to public integrity, taking guidance from the Dutch Code of Conduct for Integrity in the Central Public Administration 2016<sup>18</sup> and relevant OECD instruments, including the OECD Recommendation on Guidelines for Managing Conflict of Interest in the Public Service and Recommendation on Public Integrity (OECD, 2003<sup>[23]</sup>).

### ***Parallel proceedings***

The submission form asks submitters to disclose parallel proceedings. The case-handling procedures do not address parallel proceedings other than in the initial assessment criteria.

## **Specific instances in practice**

When the NCP receives a specific instance, in practice two NCP members and one representative of the Secretariat are assigned to handle the case. The Establishment Order sets out the NCP members are the only ones with decision making powers, and in practice take decisions as a group on a consensus basis (see above Section 4). Until recently, a specific instance was always assigned to two NCP members and a member of the Secretariat in the Initial Assessment stage. For efficiency reasons, a case may now be assigned to one NCP member and a member of the Secretariat if the case does not appear complex.

### ***Co-ordination on specific instances***

To date, the NCP has co-ordinated with other NCPs in 45 cases, 17 of which the Dutch NCP acted as lead and 28 cases in which the NCP acted as support (see Table 9). When acting as the lead NCP, the Dutch NCP has co-ordinated the most with the NCPs of the United States (7 cases), the United Kingdom (6), and

Peru (2). When acting as a supporting NCP, the Dutch NCP has co-ordinated the most with the NCPs of the United States (5 cases), Brazil (4), and Italy and Luxembourg with three cases each.

The NCP receives a high number of submissions which require co-ordination with other NCPs. This is partially due to the fact that many companies are headquartered in the Netherlands while negative impacts related to issues raised in specific instances are taking place in other adherent countries. Some of these cases concern “letterbox” companies. In cases for which the operational headquarters are located in the Netherlands, an in which due diligence issues are raised, the NCP has often considered that the issues were taking place in the Netherlands, as due diligence policies are typically the responsibility of headquarters. Stakeholders also noted that due to the good reputation and experience of the Dutch NCP, as well as the fact that it issues determinations, submitters might choose to submit a specific instance particularly to the Dutch NCP. The amount of co-ordination required leads to longer case durations, since co-ordination can take several months. It is also an ongoing challenge for the NCP to decide in which cases to take the lead and in which to pass the case to another NCP (e.g. when the headquarters in the Netherlands are more of a “letter box” company and ties of the company are stronger in other adherent countries). In several instances, the NCP has taken the lead due to the reluctance of other NCPs concerned to do so thereby causing an inflation of the NCP’s docket.

Six NCPs provided feedback on their co-operation with the Dutch NCP. The NCPs had co-operated with the NCP in the context of specific instances as lead, supporting or advisory NCPs. NCPs noted that the co-ordination went smoothly and appreciated the commitment of the NCP and the quick handling of important process steps, such as contacting the company. NCPs also highlighted that they learned through the co-ordination from the NCP’s expertise and experience and lauded how the NCP approached complex issues, such as parallel legal proceedings. One NCP noted that they had problems maintaining their advisory role in a specific instance handled by the Dutch NCP, since they had not received updates in several years. Overall, NCPs commended the co-ordination of the NCP, including that it was excellent in communicating and keeping other involved NCPs informed.

**Table 9. Specific instances where The Netherlands NCP had co-ordinated with other NCPs**

Specific instance	Lead NCP	Supporting NCP(s)
Trade union rights in the United States	Netherlands	United States
Oil spills in the Niger Delta	Netherlands	United Kingdom
Oil sector in Nigeria	Netherlands	United Kingdom
Business relationships in Russia	Netherlands	United Kingdom
Human rights breaches related to manufacturing of iron in India	Netherlands	Korea, Republic of (South)
IKEA and UNI Global Union	Netherlands	Ireland, Portugal, the United States
FNV, ITF, PSI and IndustriALL Global Union, supported by Friends of the Earth & Chevron Netherlands BV and 13 other affiliated entities (Chevron et al.)	Netherlands	Argentina, the United States
Individual & G4S and ING	Netherlands	United States, the United Kingdom
ATUMA & Unilever	Netherlands	United Kingdom
Indigenous federations from Peru et al. (FEDIQUEP, FECONACOR, OPIKAFPE, ACODECOSPAT, Peru Equidad, SOMO, Oxfam Peru, Oxfam Novib) & Pluspetrol Resources Corporation B.V.	Netherlands	Peru
Four trade unions (IUF, EFFAT-IUF, SEIU, UGT) & APG Asset Management	Netherlands	Norway, the United States
The Building and Wood Workers International (BWI), the International Association of Machinists and Aerospace Workers of North America (IAMAW) and Facket För Skogs-, Trä och Grafisk Branch (GS Facket) & Inter IKEA Holding B.V.	Netherlands	United States, Sweden
National Board of Indonesia Prosperity Trade Union vs. CNV (Union)	Netherlands	Belgium
FNV & Just Eat Takeaway	Netherlands	Israel
International Alliance of App-Based Transport Workers & Uber Technologies, Inc. (Uber)	Netherlands	United States, the United Kingdom, Costa Rica

Specific instance	Lead NCP	Supporting NCP(s)
22 Italian associations and NGOs, represented by two lawyers of Studio Legale Dini-Saltalamacchia & Stellantis N.V. and FCA Italy S.p.A.	Netherlands	Italy
Seven Peruvian NGOs & Louis Dreyfus Company	Netherlands	Peru
Salmon farming in Chile	Chile	Netherlands
Employment issues in the USA	United States	Netherlands
Employment issues in the manufacturing sector in the USA	United States	Netherlands
Employment issues related to a factory closure in India	United Kingdom	Netherlands
Profit sharing plan negotiation in Brazil	Brazil	Netherlands
Labour rights in India and Italy	Italy	Netherlands
Institute for Participation and Development of Argentina (INPADE) and Friends of the Earth Argentina & Shell C.A.P.S.A	Argentina	Netherlands
Environmental issues with a gas project off the Irish coast	Ireland	Netherlands
Unilever and the trade union Unified Workers' Central (CUT)	Brazil	Netherlands
Mining in Liberia	Luxembourg	Netherlands
Human rights breaches related to manufacturing of iron in India	Korea, Republic of (South)	Netherlands
Van Oord Marine Operations Services, and Forum Suape Environmental Association, Conectas Human Rights, Fishermen colony of the city of Cabo de Santo Agostinho, and Both ENDS (Dutch NGO)	Brazil	Netherlands
United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) and IndustriALL Global Union & Nissan Motor Co.,Ltd., Renault S.A.S. and Renault-Nissan BV	Japan	France, the Netherlands, USA
Human rights due diligence in Italtel S.p.A agreement with the Telecommunications Company of Iran	Italy	Netherlands
Sitraterium Guatemala/IndustriAll Union against Ternium Guatemala and Ternium Luxembourg SA	Luxembourg	Netherlands
ENI S.p.A., ENI International BV, and CWA and ACA	Italy	Netherlands
Japan Cabin Crew Union & KLM Royal Dutch Airlines	Japan	Netherlands
Unilever and Trade Union N°1, Chilean Trade Union Confederation (CUT)	Chile	UK, the Netherlands
I-Buycott & Starbucks Coffee France	France	Mexico, the Netherlands, Spain, the United Kingdom, the United States
Conectas and ADERE-MG & JDE	Brazil	Netherlands
An Australian national supporting a Polish family & a French MNE	France	Australia, Austria, Germany, the Netherlands, Poland, the United States.
Léonce Safari Kajangu, Anicet Tambwe Byadunia, and François Zabene Zagabe, and the Coca-Cola Company	United States	Belgium, Germany, Ireland, Luxembourg, the Netherlands, Switzerland, the United Kingdom
Four trade unions (IUF, EFFAT-IUF, SEIU, UGT) & Norges Bank Investment Management (NBIM)	Norway	Netherlands, the United States
The General Federation of Labour in Israel (Histadrut) & 10bis and Scoober	Israel	Netherlands
Maurice Matadi Kajangu, Romain Bazira Bankulikire, Chrispain Belebele Ntumba & the Coca-Cola Company	United States	Brazil, France, the Netherlands
IUF, EFFAT, SEIU, UGT & McDonald's Corporation	United States	Netherlands, Norway
Individual complainants & Schweppes Holdings Limited	Ireland	Netherlands, the United States
Mr. Edouard Teumagnie & European Investment Bank (EIB)	Luxembourg	Netherlands

Source: OECD (n.d.<sup>[24]</sup>), NCP Database, <https://mneguidelines.oecd.org/database/>

### ***Non-accepted cases***

Thirteen out of 49 closed specific instances were not accepted by the NCP. Considering the seven cases not accepted that were received in the last ten years, where specified, reasons for not accepting cases were:

- In one specific instances, the submitter did not provide the required additional information.
- In four specific instances, the NCP was not the correct entity to examine the issues.
- In one specific instance, the NCP could not establish the parties' interest in the matter.
- In one specific instance, the NCP found the issues raised were not material and substantiated.
- In one specific instance, the NCP did not find a link between the company's activities and the Guidelines.
- In two specific instances, the NCP found – among other factors – that the consideration of the specific instance would not contribute to the purposes and effectiveness of the Guidelines.

Public statements for the seven specific instances listed above are available on the NCP's website.

### ***Accepted cases***

Out of 60 cases received, 36 have been concluded. Considering the 36 cases submitted in the last ten years, 18 have been concluded, seven were not accepted, and 11 are ongoing.

Among the 18 concluded cases that had been submitted in the last ten years:

- Nine were concluded with agreement, two of which were partial agreements and one of which was reached outside of the NCP process.
- Nine were concluded without agreement, all of which resulted in recommendations, and seven of which resulted in determinations.
- All 18 concluded cases underwent or have a planned follow up.

When the NCP offers good offices to the parties, it makes an effort to explain in detail the mediation procedure as well as the structure of the NCP and how the NCP works impartially and independently, as well as offering meetings with the parties to explain the process. If a party rejects good offices, the NCP continues to communicate with the company when required according to the procedure, e.g. to share draft final statements. In such as case, the NCP has in the past taken a less flexible, stance towards the company, e.g. only asking for factual corrections instead of asking for detailed comments on a draft statement. The NCP usually conducts mediation itself but as indicated above, it also has the option to use external mediators. In practice, this has happened in very few cases. At the outset of the good offices phase, parties will negotiate Terms of Reference for mediation, based on a template shared by the NCP. Often, the Terms of Reference will include detailed rules on confidentiality and campaigning by the submitters. In some cases, this negotiation has led to delays in the specific instance process.

When the parties have not come to an agreement, have come to a partial agreement or the company has rejected good offices, the NCP has consistently examined the issues and formulated recommendations to the company and in some cases to both parties, as well as determinations on the conduct of the company in most cases. In the past ten years, out 18 concluded specific instances, the NCP issued recommendations or made a determination in 13. If the parties do come to an agreement, the NCP will publish the agreement or a summary of it in the annex to the final statement, unless the parties agree otherwise.

The final statements follow a clear structure and have increased in length and complexity in the last years, from about 6 to 7 pages in the years 2017-2021 to about 15 pages in the years 2020-2024. This has led to internal discussions on how broad and complete the NCPs investigation as well as the statements should

be. Civil society stakeholders positively noted that the NCP issues determinations of (non-)compliance with the Guidelines but noted that the NCP could communicate in promotion more clearly on its ability to issue determinations. Government stakeholders suggested that it might be helpful if the NCP found a way to decrease the length of statements without compromising on the analysis of due diligence measures.

#### Box 4. Specific Instance – IKEA and UNI Global Union

On 27 September 2018, UNI Global Union, a global union federation based in Switzerland, together with its affiliates (UFCW in the U.S., Mandate Trade Union in Ireland, SITESE in Portugal, and the Dutch FNV as a supporting voice), submitted a specific instance to the NCP. The submitters alleged that actions of IKEA in the United States, Ireland, and Portugal did not observe the Guidelines due to anti-trade union activities, and that these issues occurred due to a failure in due diligence by IKEA's global management in the Netherlands (INGKA Holdings B.V.).

After the NCP accepted the specific instance with its initial assessment on 12 June 2019, the parties accepted good offices and entered into mediation. The mediation led to an agreement, signed 21 June 2021. It set out principles on topics such as access to workplace for trade unions and neutrality of the company towards freedom of association of workers. The agreement also set out a framework for meetings, including topics to be discussed, at the local level in the United States, Portugal and Ireland, and opening the framework for local meetings in other countries as well.

In the next stage of the procedure the Parties, including local stakeholders, met in the USA, Ireland and Portugal without the respective NCPs or the Dutch NCP. While the meetings in Portugal allowed the parties to make arrangements towards solving the issues, no agreement was reached in the USA and Ireland, despite an additional meeting facilitated by the NCP regarding the issues taking place in the USA.

The NCP published its final statement on 6 July 2023, which annexes the agreement signed 21 June 2021 and describes the process made. The statement also included recommendations including encouragement to the parties to continue constructive dialogue at the local level and, in the US context, to work towards finding practical solutions concerning union access to the workplace. Follow up was conducted with an in-person meeting in September 2024, reporting further engagement between the parties and further progress in Portugal, but no progress in implementing the agreement signed 21 June 2021 on principles in the USA.

Parties overall appreciated the engagement of the NCP in the process and noted that while the specific instance in its entirety took several years, those times had been necessary for negotiations. They also noted that the agreement signed 21 June 2021 had been useful in framing further meetings at the local level after the specific instance had been concluded. A party noted that during the mediation sessions, one of the independent members was more active than the other and that they had perceived the members to be representatives of particular stakeholder groups. A party also noted that it might have been helpful if an NCP had been present at the local meetings.

Source: OECD (n.d.<sup>[24]</sup>), NCP Database, <https://www.oecd.org/en/networks/national-contact-points-for-responsible-business-conduct/database/nl0033.html>

#### **Follow-up**

The Dutch NCP has planned or conducted follow-up in 18 out of 36 concluded specific instances, including all 18 cases concluded in the last ten years. The NCP conducts the follow-up in writing, and/or through a

call with the parties, together or individually or through an in-person meeting. If the NCP has a high workload, it prioritises ongoing cases and starts the follow-up process later.

The follow-up statements of the last five years follow a clear structure, wherein the NCP summarises recommendations from the final statement, details the steps the NCP took as part of the follow-up or evaluation process (e.g. written communications with the parties, meetings), reflect in detail the responses received from the parties on relevant issues if the NCP received them, and finally provides an evaluation. In some cases, the NCP conducted its own desk research. In the evaluation, the NCP acknowledges if the company has made progress and highlights if it did not implement elements of recommendations.

### ***Timeliness***

The average overall duration of cases concluded by the NCP is 844 days. The average duration of non-accepted cases is 306 days. The average duration of the initial assessment phase for accepted cases is 293 days. Of cases submitted in the last ten years, the average duration of cases concluded by the NCP is 911 days, notably including a case that lasted 2 217 days.<sup>19</sup> The average duration of non-accepted cases submitted in the last ten years is 316 days. The average duration of the initial assessment phase for accepted cases submitted in the last ten years is 348 days.

Considering concluded cases submitted in the last ten years, where exact dates are known, one out of 18 (6%) took less than one year to conclude, seven (39%) took between one and two years to conclude, four (22%) took between two and three years to conclude, four (22%) took between three and four years to conclude, and two (11%) took over four years to conclude.

One factor that contributes to longer case durations is time spent on co-ordination with other NCPs (see above rdination on specific instances). Another challenge the NCP faces is related to cases in which mediation is unproductive, but parties are reluctant to terminate the mediation. The NCP also noted that some parties submit large amounts of material in the initial assessment stage, during mediation or for a final assessment, sometimes receiving submissions of several hundred pages and documents. The NCP highlighted its desire to comprehensively assess information received as well as potentially conducting its own research and reflecting results in their statements. In cases in which the parties do not reach an agreement, the NCP particularly noted the value of issuing a thorough statement in order to provide an outcome of value to the submitting party. The NCP reported that this practice can be time consuming and frequently leads to further delays.

Multiple stakeholder groups noted the long duration of specific instances as a main area of concern. Some stakeholders attributed the duration to a high caseload compared to available human resources, others highlighted the role the parties play and others noted that the NCP works in a very detailed manner, which can cause delays.

### ***Confidentiality and transparency***

The case-handling procedures outline the rules for the specific instance process on confidentiality and transparency (See above Section 5). Often, more detailed rules for confidentiality and campaigning are included in the Terms of Reference for mediation, depending on what parties negotiate in practice. Upon request, the identity of persons involved in the procedure may be kept secret for safety reasons.

The confidentiality rules in mediation were raised by stakeholders both as being too strict as well as being too lenient. Trade union stakeholders noted that the NCP in practice leans towards confidentiality which might make trade unions with limited resources hesitant to submit a specific instance. Civil society noted that publicity surrounding a specific instance was an important tool for civil society to use, and that its use should not be discouraged by the NCP. Business representatives on the other hand noted that the NCP in a case conveyed the expectation that campaigning statements by submitters on specific instances should

be expected, but that they carry reputational risks to the company and can hollow out trust between the parties.

### **Box 5. Specific Instance – Milieudefensie/Friends of the Earth Netherlands, WALHI/Friends of the Earth Indonesia and SDI/Friends of the Earth Liberia and ING**

On 5 July 2019, Milieudefensie/Friends of the Earth Netherlands, WALHI/Friends of the Earth Indonesia and SDI/Friends of the Earth Liberia submitted a specific instance to the Dutch NCP alleging that ING, a multinational company active in the financial sector, did not observe the OECD Guidelines and had contributed to adverse impacts on the environment, human rights and labour rights through activities of subsidiaries of ING’s clients active in palm oil production. The complaint alleged that though ING initially had been directly linked to these adverse impacts, this had changed into contribution i.a., through foreseeability of harmful impacts and by continuing to provide and renew loans to the relevant clients.

On 20 January 2020, the Dutch NCP published its initial assessment accepting the specific instance for further examination. Both parties accepted the NCP’s offer to engage in mediation and agreed on confidentiality arrangements. This included that submitters would cease campaigning with regards to ING for the duration of the mediation. The dialogue ended in August 2021 after ING withdrew as trust broke down over conflicting interpretations of confidentiality and campaigning arrangements.

On 7 April 2022, the NCP published its final statement, in which it recommended that the parties remain in contact about the issues raised, specifically regarding the alleged relationship of the company to the impacts, appropriate due diligence measures in this instance, and engagement with (or disengagement from) large-scale palm oil production.

On 13 July 2023, the NCP published a follow up statement noting that, overall, the NCP had not identified substantive progress made by the parties jointly regarding its recommendations. The NCP noted the adoption by ING of an internal guidance on due diligence, which is now being implemented. The NCP encouraged ING to continue monitoring developments and where necessary further develop this guidance in consultation with relevant stakeholders.

Feedback on the final statement has been positive, in particular the clarifications it provided regarding the role of the sustainability initiatives in due diligence. On the contrary, the handling of the campaigning issue was viewed less positively, as lack of clarification on what constitutes “campaigning” led to different expectations among the parties. This placed the NCP in a difficult situation having to respond to opposing claims in this regard, which affected its perception of impartiality.

Source: OECD (n.d.<sup>[24]</sup>), NCP Database, <https://www.oecd.org/en/networks/national-contact-points-for-responsible-business-conduct/database/nl0035.html>

### ***Impartiality and avoidance of conflict of interest in the handling of specific instances***

Among the stakeholders that provided a response to the questionnaire, the NCP enjoys a high level of trust in its impartiality. All stakeholders stated they believed the NCP to be impartial and equitable in the handling of specific instances. Some positively highlighted in this regard the composition of the NCP and the diverse backgrounds of its members, others regular dialogues with stakeholders.

In individual cases, despite guarantees of independence and the publication of the impartiality document, some business stakeholders had a diminished perception of the impartiality of the individual NCP members due to their backgrounds. In one instance, the company objected to one of the NCP members handling a specific instance because it perceived them to be partial. The NCP drafted the note on “Impartiality and

Integrity of the Netherlands NCP" following this instance. In another instance for example, a company accused the NCP of publishing confidential information in the initial assessment and refused to participate further in the process. The NCP explained in an email the NCP's process of ensuring impartiality and offered a meeting, which the company rejected. Likewise, issues around campaigning have affected the NCP's perception of impartiality in one specific instance (see Box 5).

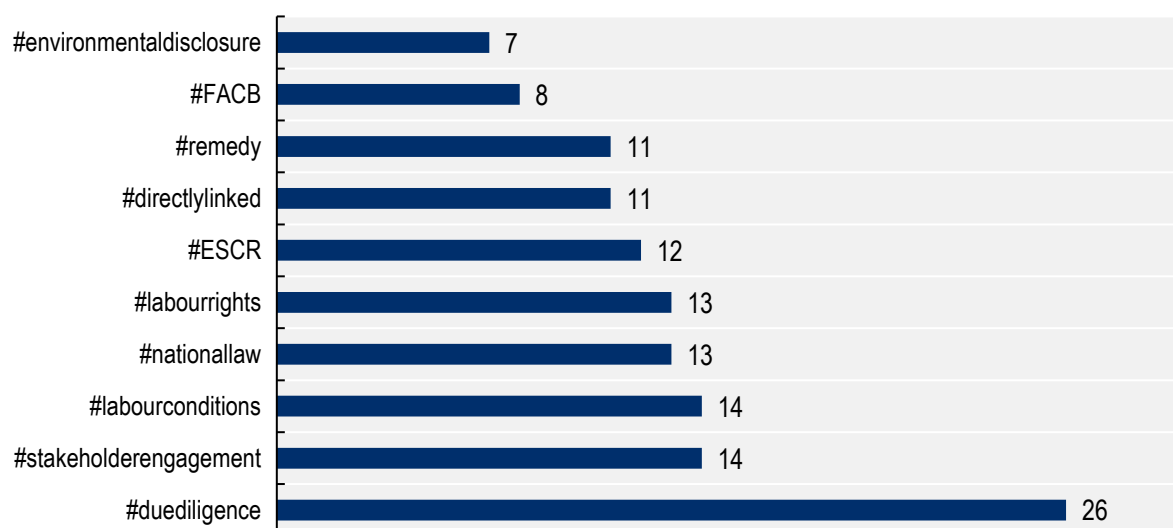
### ***Parallel proceedings***

Nine cases submitted to the NCP in the last ten years included parallel proceedings. In one case, the NCP waited for the outcome of a court case in the host country to integrate it into the final statement. The NCP process was thereby delayed for several months. In another case, the company rejected good offices due to ongoing legal proceedings in the host countries. This was despite the NCP's engagement with the company and explaining possible benefits of an NCP process in addition to parallel proceedings.

### ***Key issues and sectors in specific instances***

Forty-two of the 60 specific instances of the Dutch NCP haven been tagged in the NCP case database maintained by the OECD Secretariat against a list of keywords relating to the main issues and sectors concerned.<sup>20</sup> The most common substantive issue keywords tagged in cases handled by the Dutch NCP were due diligence (26 cases), stakeholder engagement and labour conditions (14 each), and national law and labour rights tagged in 13 cases each (See: Figure 3). The most common sectoral keywords tagged in cases handled by the Dutch NCP were extractives (6 cases), institutional investors and crops with four each, and oil and gas and investment banking with three each.

**Figure 3. Number of specific instances tagged by ten most common keywords on substantive issues**



Note: N=42.

Source: OECD (n.d.<sup>[24]</sup>), NCP Database, <https://www.oecd.org/en/networks/national-contact-points-for-responsible-business-conduct/database.html>.

Table 10. Findings and recommendations – Specific instances

	Finding	Recommendation
3.1	The NCP has created a largely accessible process for parties to specific instances, including by providing relevant information on their webpage, briefing parties on the process, and facilitating party participation in good offices. However, there are different views among case parties as to certain aspects of the process.	The NCP should manage expectations notably through updating case-handling procedures and communication with parties to: <ul style="list-style-type: none"> <li>• Reflect the expected timelines and possible extensions.</li> <li>• Reflect the practice around good offices and determinations (including role of independent members as mediators, clarify discretion of the NCP on determinations).</li> <li>• Revisit whether language on public statements during the mediation process appropriately manages and clarifies expectations.</li> </ul>
3.2	The NCP emphasises its dedication providing outcomes for the benefit of the parties even in cases without an agreement. Accordingly, it conducts its proceedings in a thorough way, particularly through extensive deliberations and the development of well-argued and comprehensive final statements. Correspondingly, cases regularly exceed indicative timelines. The length of proceedings has been noted by stakeholders as well as the NCP as a point for improvement.	The NCP should consider ways of keeping control of timing, for example: <ul style="list-style-type: none"> <li>• Managing volume of documents submitted (e.g. setting a page limit to submissions, requiring a summary of annexes, receiving evidence only upon request)</li> <li>• Having intermediate timelines</li> <li>• Setting an end-date for mediation, following which it would terminate unless there is a real prospect of agreement</li> <li>• Prioritising most meaningful aspects of a case in the examination phase and in the statement in light of the objective of furthering effectiveness of the Guidelines.</li> </ul>
3.3	There are 21 cases where the host country was an adherent but not in the lead as the Dutch NCP is often chosen as lead by submitters, which can inflate the case load. Co-ordination with other NCPs has been a roadblock.	The NCP should strongly encourage other NCPs in the NCP Network to lead on cases where appropriate and in accordance with the Implementation Procedures. When another NCP takes the lead on cases that also concerns the Dutch NCP, it should consider offering sufficient support to that NCP (e.g. if it would help with the trust of the parties, or if the lead NCP could benefit from the Dutch NCP's experience).

# 7 Support for government policies to promote RBC

In line with the Implementation Procedures, NCPs may support efforts by their government to develop, implement, and foster coherence of policies aimed at promoting RBC (OECD, 2023<sup>[31]</sup>). NCPs may thus assist with implementation of the Recommendation on the Role of Government in Promoting Responsible Business Conduct (OECD, 2022<sup>[25]</sup>). The Recommendation recognises the important role of NCPs in ensuring policy coherence for RBC, notably by facilitating co-ordination within government, disseminating information on the NCP's activities and specific instances, engaging or exchanging with other public authorities on RBC-related issues (e.g. public procurement officers, state-owned enterprise officials, trade and investment officials), and promoting stakeholder participation in the implementation, monitoring and promotion of RBC.

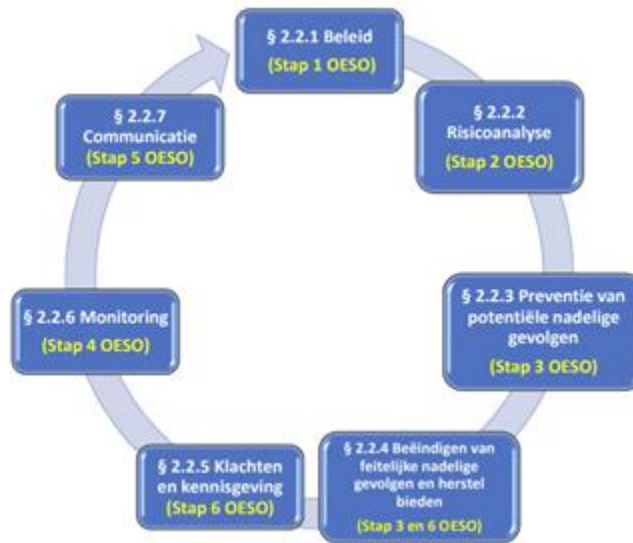
The Dutch NCP's secretariat is part of the RBC Unit in the Ministry of Foreign Affairs and takes part in the Unit's weekly meetings. These meetings keep the NCP informed of ongoing policy developments and offer opportunities for the NCP to provide input, usually through the Secretariat, though sometimes NCP members may also contribute. The RBC Unit regularly consults the NCP for input on RBC topics, including on policy documents or responding to questions of the House of Representatives.

NCP advisory members, representing different ministries (see above Section 4), meet monthly with the NCP. When necessary, the NCP liaises with the Human Rights unit of the Ministry of Foreign Affairs, particularly in cases involving potential reprisals related to specific instances.

## Recent governmental policies enabling and promoting RBC

The Netherlands is implementing a smart mix of policy measures to promote RBC with the Guidelines at the centre (Government of the Netherlands, n.d.<sup>[26]</sup>). The Netherlands adopted and published a Child Labour Due Diligence law in 2019 (Nederland. Staatsblad van het Koninkrijk der Nederlanden, 2019<sup>[27]</sup>). In 2024, the Netherlands published a draft transposition law of the EU Corporate Sustainability Due Diligence Directive (CSDDD) for consultation (Ministry of Foreign Trade and Development Aid, 2024<sup>[28]</sup>). The draft transposition law foresees that the Child Labour Due Diligence law will be repealed (Art. 5.1). The accompanying explanatory memorandum explicitly references the OECD Guidelines as well as the NCP. It acknowledges potential overlap between the NCP and the designated supervisory authority and clarifies that the two will make working arrangements to ensure that the specific expertise of each can be utilised by the other. The explanatory memorandum mentions the OECD Guidelines throughout, tracing elements of the CSDDD transposition law to the Guidelines. It includes a graphic, depicted in Figure 4 below, illustrating how due diligence steps in the draft law reflect the six-step due diligence process of the OECD Guidelines.

Figure 4. Transposition explanatory memorandum



Note : Unofficial translation: § 2.2.1 Policy (Step 1 OECD) → § 2.2.2 Risk analysis (Step 2 OECD) → § 2.2.3 Prevention of potential adverse impacts (Step 3 OECD) → § 2.2.4 Addressing actual adverse impacts and providing remedy (Step 3 and 6 OECD) → § 2.2.5 Complaints and notifications (Step 6 OECD) → § 2.2.6 Monitoring (Step 4 OECD) → § 2.2.7 Communication (Step 5 OECD).

Source: Ministry for Foreign Trade and Development Aid (2024<sup>[29]</sup>), Memorie van toelichting wet(svoorstel) internationaal verantwoord ondernemen, <https://www.internetconsultatie.nl/wivo/b1#sectie-waarkuntuopreageren>.

In 2024, the Netherlands adopted specification texts to the International Social Conditions (ISV) agenda (Ministrie van Binnenlandse Zaken, 2024<sup>[30]</sup>), to further align public procurement with international RBC standards. The specification texts aim to increase alignment of supplier contracts with the Guidelines. The standards set in the specifications are mandatory in tenders from the Dutch central government in eight high risk procurement categories when they meet European thresholds. Additionally, if an enterprise wishes to apply for government support from the Ministry of Foreign Affairs, such as subsidies or participation in a trade mission, this requires a commitment by the company to the OECD Guidelines (Rijksdienst voor Ondernemend Nederland, 2025<sup>[31]</sup>). Recently, these conditions have been expanded to include a requirement for companies to report and collaborate with the NCP when subject to a notification. Overall, government support is based on the condition that a company demonstrates continuous improvement and engagement with the process.

The Netherlands largely promote multi-stakeholder RBC agreements (IBRC agreements) across a broad range of sectors. They are private law agreements between business and other stakeholders, in which business agree to follow core due diligence principles, including with reference to OECD Guidelines. The newest agreement was signed 6 March 2023 in the Renewable Energy Sector. Until recently the Ministry of Foreign Affairs tasked the SER to provide a secretariat for such agreements while resources were provided by all parties and the government (SER, n.d.<sup>[32]</sup>). In October 2024, the Dutch Government introduced a subsidy instrument for that purpose (Netherlands Enterprise Agency, n.d.<sup>[33]</sup>).

The Netherlands Enterprise Agency has a subsidy policy framework, under which it offers subsidies for sectoral co-operation for business and stakeholders to work together on addressing RBC risks (Netherlands Enterprise Agency, 2022<sup>[34]</sup>). It previously provided a “Subsidy Programme for Responsible Business – SPVO” for companies, aiming to prevent negative unintended consequences through application of RBC legislation, such as excluding local producers from international supply chains (Netherlands Enterprise Agency, 2023<sup>[35]</sup>).

## National Action Plan on Business and Human Rights

The Netherlands published a first National Action Plan on Business and Human Rights (NAP) in 2014, and a second plan in 2022 (Ministry of Foreign Affairs, 2022<sup>[36]</sup>). Actions from the first NAP were either implemented or constituted ongoing obligations. The 2022 NAP outlines 33 action points in the three categories, reflecting the three Pillars of the UN Guiding Principles on Business and Human Rights. The action points should be implemented between 2022 and 2026, and a working group was formed to consider annually the progress made, which is also shared with Parliament. Action points on Pillar 3 Access to Remedy include that the Ministry of Foreign Affairs should “promote collaboration on step 6 of the due diligence (complaints mechanism) and participation in the policy framework for new style sector-wide cooperation”, as well as encouraging “cooperation and follow-up by businesses of recommendations” made by the NCP (Ministry of Foreign Affairs, 2022, pp. 15, 16<sup>[36]</sup>). As part of the latter, a condition has been added into certain trade support processes that companies applying for support acknowledge the NCP and report and collaborate when involved in a specific instance. This has been published and is communicated to companies when they apply for support measures of the Ministry of Foreign Affairs.

## The role of the NCP

The NCP actively engages on RBC policy developments and co-ordinates with other parts of government. The NCP secretariat helps informing the position of the Netherlands in the OECD Working Party for Responsible Business Conduct on request of the RBC unit when the items on the agenda relate to the NCP and/or its work. In the past years, the NCP in particular engaged on negotiations on the EU CSDDD, including by:

- providing an analysis of drafts of the CSDDD on the basis of the OECD Guidelines upon request of the Parliament (The Netherlands NCP, 2023<sup>[37]</sup>) further discussed in Box 6 below.
- providing input upon consultation requests of the RBC unit in the CSDDD process on issues relating to the NCP and OECD Guidelines
- Holding regular meetings with CSDDD national transposition and implementation team, as well as meetings with the ministry and CSDDD supervisory authority concerning the national implementation of the CSDDD to co-ordinate and plan future agreements on collaboration.

### Box 6. NCP analysis of the draft CSDDD on the basis of OECD Guidelines

In 2023, the Parliamentary Committee on Foreign Trade and Development Co-operation requested that the NCP “interpret to what extent the Council position and European Commission proposal RBC (CSDDD) are in line with the content and meaning of the OECD Guidelines”. This request was later extended to the position of the European Parliament.

The NCP in response conducted a comparative analysis of the OECD Guidelines for Multinational Enterprises and RBC Guidance on the one hand and the proposal and two positions on the other hand. The analysis considered 20 key areas in three broader categories:

- characteristics of due diligence
- scope of due diligence
- steps in the due diligence process

The NCP highlighted 14 key areas of concern where there was a divergence from OECD Guidelines. This included:

- noting a differing scope of companies covered
- a different scope of the supply chain and issues covered
- a divergence from key characteristics of due diligence, such as the risk-based approach

In the detailed analyses of the individual due diligence process steps, the NCP highlighted on step 6 – access to remedy – among others a lack of criteria for company grievance mechanisms, lack of provisions explicitly requiring co-operation with legitimate remediation mechanisms, and lack of non-judicial state-based grievance mechanisms. The NCP highlighted that while it would be possible to file complaints with a supervisory authority, that process is primarily aimed at monitoring company compliance and not at providing remediation for affected parties.

Overall, the NCP expressed concern that where legislation diverges from the Guidelines, companies might understand that they will not be expected anymore to align with OECD Guidelines standards but only with legislation.

Stakeholders in their feedback positively noted the publication of the NCP.

Source: The Netherlands NCP (2023<sup>[37]</sup>), NCP Analysis of the draft CSDDD on the basis of OECD Guidelines, <https://www.oecdguidelines.nl/latest/news/2023/07/27/ncp-analysis-of-the-draft-csddd-on-the-basis-of-the-oecd-guidelines>

The NCP also provided input into the development of the NAP process, highlighting an increase in rejections of good offices by companies. This resulted in the inclusion of the action point for the Ministry of Foreign Affairs to encourage co-operation and follow-up by business in the NCP specific instance process. To support implementation of this action point, the NCP holds meetings with relevant governmental agencies, such as the export credit agency Atradius DSB and the Netherlands Enterprise Agency, to explain the importance of taking into account the behaviour of a company in a specific instance when that company applies for state support. The NCP also sends quarterly updates about specific instances to agencies and authorities that provide government support to companies, so that such updates can be included in decisions on government support. The NCP has also provided input into the latest NAP report on access to remedy issues as well as substantive issues, such as the safety of human rights defenders in the RBC context.

The NCP promotes the Guidelines with trade and investment promotion agencies as well as with embassies abroad. In 2023 and 2024, the NCP did not promote the Recommendation on the Role of Government in Promoting RBC among relevant government agencies.

The NCP always shares draft statements in specific instances with the advisory board. If the NCP comments on the good-faith behaviour of the parties in a specific instance, the ministries represented in the advisory board are therefore informed of that party's behaviour. In some cases where a company refuses to engage, the NCP might specifically request the advisory board to act. As recommended by the NCP, the 2024 progress report of the Dutch NAP also announced that a company's conduct in a specific instance will be considered in the application for or while making use of trade instruments.

Other past engagement of the NCP on RBC policy developments includes:

- Upon request of the Cabinet and the Minister for Foreign Trade and Development Co-operation, issuing a report examining the compliance of the Dutch oil and gas sector with the OECD Guidelines (The Netherlands NCP, 2019<sup>[38]</sup>).
- Providing expertise on the OECD Guidelines in regards to the ISV specification texts for contracts with suppliers in public procurement, as well as providing advice on the scope and rationale of the due diligence expectations in the public procurement context.
- Upon request, giving advice on the coherence with the OECD Guidelines on the drafts of the IRBC Agreements to the parties planning to sign an agreement. The latest advice was a coherence test of the Metal Covenant with the OECD Guidelines, in March 2025.
- Upon request regularly checking whether information published by the RBC Support Center of the Dutch Enterprise Agency is in line with the OECD Guidelines (Rijksdienst voor Ondernemend Nederland<sup>[39]</sup>).

Other parts of government in their feedback valued the expertise and input of the Dutch NCP and noted in particular that the NCP manages to keep a good balance in providing valuable input while keeping within its mandate, for instance by focussing on alignment with the OECD Guidelines. One ministry suggested that the NCP might have an even bigger role in supporting policies of government agencies in RBC due to their level of independence and knowledge. Stakeholders noted positively the NCP's analysis of the draft CSDDD on the basis of the OECD Guidelines.

**Table 11. Findings and recommendations – Support for government policies to promote RBC**

	Finding	Recommendation
4.1	The NCP has worked to enable coherence and uptake of the Guidelines by co-ordinating with other relevant entities, such as the export credit agency or entities responsible for public procurement, including by sharing quarterly updates of NCP statements and company engagement in specific instance processes. Companies applying for government support, such as participating in trade missions, need to commit to the Guidelines and to engaging with the NCP.	The NCP should continue establishing connections and strategies with other ministries and agencies working on RBC topics or future legislation (in the context of the communication plan). The government should consider institutionalising the NCP's role on policy coherence by reflecting it in the Establishment Order to ensure clarity in and continuation of the NCP's mandate.

## Annex A. List of organisations that submitted a response to the NCP peer review questionnaire

**Table A A.1. List of organisations that submitted a response to the NCP peer review questionnaire**

Business	Civil Society	Government	Trade Unions
UN Global Compact Network Netherlands	RVO MVO Steunpunt	Ministry of Economic Affairs	CNV
MVO Nederland	MVO Platform	SER	FNV
Apollo Capital Advisors (H.Mulder CJ)	OECD Watch	Ministry of Social Affairs and Employment	
	SDG Netherlands	Dutch Ministry of Foreign Affairs	

## Annex B. List of organisations that participated in the NCP peer review on-site visit

**Table A B.1. List of participants in the NCP peer review on-site visit**

Academia	Business	Civil Society	Government	Trade unions
Erasmus University	VNONCW-MKB Netherlands	MVO Platform	Ministry of Foreign Affairs	CNV
True Price	ING bank	OECD Watch	Ministry of Social affairs and Employment	TUAC
	Atradius Dutch State Business	Oxfam Novib	Social and Economic Council	UNI Global Union
	IKEA	Solidaridad	RVO / RBC support office	IUF
		Odoh Family	Authority for Consumers and Markets	FNV
		Manon Wolfkam	Ministry of Foreign Trade and Development Aid	
			Ministry of Economic Affairs	

## Annex C. Promotional events

**Table A C.1. Promotional activities in 2024 organised by the NCP**

Title	Date	Location	Size of audience	Organised or co-organised	Target audience
NCP Presentation for RBC staff of Ministry of Foreign Affairs	26-Nov-2024	The Hague	10-50	Organised	Government
NCP Congress on Transparency in the value chain and stakeholder engagement	12-Dec-2024	The Hague	50-100	Organised	Business, NGOs, trade unions, academia, government
NCP Presentation for head of DG Foreign Economic Affairs	04-Mar-2024	The Hague	<10	Organised	Government

Source: NCP Reporting Questionnaire (2024).

**Table A C.2. Promotional activities in 2024 participated in by the NCP**

Title	Date	Location	Size of audience	Organiser(s)	Target audience
RBC session for Gulf states	25-Jan-2024	Online	10-50	NL MFA	Government
Bridges between international Criminal Justice and Other Areas of Law	02-Feb-2024	The Hague		Commission of the International Criminal Defence Commission of the International Association of Lawyers	Other, lawyers
Dialogsessie over de OESO-richtlijnen en de CSDDD	09-Feb-2024	The Hague	10-50	Business, government and social economic council	Business, NGOs, trade unions, academia, government
UN Side event on Indigenous Rights and OECD GL	15-Apr-2024	Online		UN	NGOs
Presentation on the GL and NCP	06-May-2024	Tilburg, the Netherlands	10-50	Tilburg University	Academia
NCP presentation for Heads Economic Affairs at NL embassies	04-Nov-2024	The Hague, the Netherlands	10-50	NL MFA	Government
Presentation on stakeholder engagement during the NCP Peer	22-Oct-2024	Vienna, Austria	10-50	Austrian NCP	NCPs

Title	Date	Location	Size of audience	Organiser(s)	Target audience
learning session					
Presentation for delegation from Turkish Labour Inspection	15-Apr-2024	The Hague	<10	UNICEF	Government

Source: NCP Reporting Questionnaire (2024).

**Table A C.3. Promotional activities in 2023 organised by the NCP**

Title	Date	Location	Size of audience	Organised or co-organised	Target audience
Presentation for Trade/RBC staff of Ministry of Foreign Affairs	11-Apr-2023	The Hague	10-50	Organised	Government
Presentation for RBC staff of Ministry of Economic Affairs and Climate Policy	16-May-2023	The Hague	10-50	Co-organised	Government
NCP Congress on updated Guidelines	23-Oct-2023	The Hague	50-100	Organised	Business, NGOs, trade unions, academia, government
Presentation for RBC staff of Ministry of Social Affairs and Employment	31-Oct-2023	The Hague	10-50	Co-organised	Government

Source: NCP Reporting Questionnaire (2023).

**Table A C.4. Promotional activities in 2023 participated in by the NCP**

Title	Date	Location	Size of audience	Organiser(s)	Target audience
Roundtable with Members of Parliament regarding CSDDD in relation to OECD Guidelines	18-Jan-2023	The Hague	10-50	Parliamentary Committee for Foreign Trade and Development Co-operation	Other, legislative branch
Meeting with Member of Parliament	09-Feb-2023	The Hague	<10	Member of Parliament	Other, legislative branch
Interview with Master student from the University of Goteburg	20-Mar-2023	Online	<10	Student	Academia
Presentation for sustainability consulting firm ERM/Sustainalise	12-Jun-2023	Amsterdam	10-50	ERM/Sustainalise	Business
Meeting with Dutch Embassy in Portugal	08-Aug-2023	Online	<10	Dutch Embassy	Government
Interview with PhD student from NYU	25-Sep-2023	Online	<10	Student	Academia
Brainstorm with	28-Sep-2023	The Hague	10-50	Social Economic	Business, NGOs,

Title	Date	Location	Size of audience	Organiser(s)	Target audience
stakeholders				Council	trade unions, government
Launch of Business and Human Rights Lawyers Association	21-Nov-2023	Amsterdam	10-50	Business and Human Rights Lawyers Association	Others, lawyers

Source: NCP Reporting Questionnaire (2023).

**Table A C.5. Promotional activities in 2022 organised by the NCP**

Title	Date	Location	Size of audience	Organised or co-organised	Target audience
Works Council Training	05-Jul-2022	The Hague	50-100	Organised	Other, work councils

Source: NCP Reporting Questionnaire (2022).

**Table A C.6. Promotional activities in 2022 participated in by the NCP**

Title	Date	Location	Size of audience	Organiser(s)	Target audience
Public consultation on Human Rights Due Diligence, Accountability and Access to Remedy	03-Mar-2022	Online	50-100	OHCHR, Accountability and Remedy Project	NGOs, trade unions, academia, government
Stakeholder meeting on OECD Stocktaking	12-Apr-2022	Online	<10	Ministry of Foreign Affairs	Business, NGOs, trade unions, government
RBC Helpdesk	23-Jun-2022	The Hague	10-50	Netherlands Enterprise Agency	Business, NGOs, trade unions, government
RBC Helpdesk	23-Aug-2022	The Hague	10-50	Netherlands Enterprise Agency	NGOs, trade unions, government
RBC Helpdesk	13-Oct-2022	The Hague	10-50	Netherlands Enterprise Agency	Business, NGOs, trade unions, government
Dispute Resolution	20-Oct-2022	Online	50-100	PeaceNexus	NGOs, government, other (development banks, NCPs, mediators, HR organisations)
Remedy processes	22-Nov-2022	Amsterdam	10-50	Shift Business Learning Program	Business, other (NCPs)
Webinar "cause-contributed-linked"	01-Dec-2022	Online	10-50	Swiss NCP and OECD secretariat	

Source: NCP Reporting Questionnaire (2022).

**Table A C.7. Promotional activities in 2021 organised by the NCP**

Title	Date	Location	Size of audience	Organised or co-organised	Target audience
Click here to enter	Click here to enter a				

text.	date.				
-------	-------	--	--	--	--

Source: NCP Reporting Questionnaire (2021).

**Table A C.8. Promotional activities in 2021 participated in by the NCP**

Title	Date	Location	Size of audience	Organiser(s)	Target audience
NCP	02-Feb-2021	Online	10-50	RBC department MFA	Colleagues
NCPs	13-Apr-2021	Tilburg	10-50	Tilburg University	Students
Due Diligence steps	19-May-2021	Online	50-100	MFA	Members insurers association
Migrant Workers	25-May-2021	Online	10-50	Bank Association	Members bank association
Deforestation – perspective of NCPs	17-Jun-2021	Online	50-100	OECD	Government representatives
Panel session	23-Sep-2021	Online	10-50	UN/OECD	B-Tech project)
Towards mandatory human rights	12-Nov-2021	The Hague	50-100	Ngo with three universities	NGOs, academia, government

Source: NCP Reporting Questionnaire (2021).

**Table A C.9. Promotional activities in 2020 organised by the NCP**

Title	Date	Location	Size of audience	Organised or co-organised	Target audience
Access to Remedy	09-Nov-2020	Online	50-100	Co-organised	Business
RBC in the digital economy	14-Dec-2020	Online	50-100	Organised	Business, NGOs, trade unions, academia

Source: NCP Reporting Questionnaire (2020).

**Table A C.10. Promotional activities in 2020 participated in by the NCP**

Title	Date	Location	Size of audience	Organiser(s)	Target audience
Panel Discussion	27-Jan-2020	Hungary	50-100	Hungarian NCP	Business, NGOs, trade unions, government
Presentation	29-Jan-2020	The Hague	10-50	Asser Institute	Students, NGOs, business
Presentation	12-Feb-2020	Wellington	10-50	Victoria University	Scientists, government officials, students etc
Presentation	30-Apr-2020	Online	10-50	Leiden University	Students
Presentation	14-May-2020	Online	10-50	Insurance Fund	Pension officials
Presentation	17-Jun-2020	Online	50-100	OECD	Stakeholders from business, trade unions, civil society, academia
Presentation	10-Sep-2020	Online	10-50	Insurance Fund	Pension officials
Presentation	22-Oct-2020	Online	10-50	Austrian NCP	NCPs and

Title	Date	Location	Size of audience	Organiser(s)	Target audience
					government officials
Presentation	04-Nov-2020	Online	50-100	Employers organisation / Foreign Office	Business
Panel discussion	03-Dec-2020	Online	10-50	Polish NCP	NCPs, OECD, government official Poland

Source: NCP Reporting Questionnaire (2020).

## Annex D. Overview of specific instances handled by the NCP as the leading NCP

Table A D.1. Overview of specific instances handled by the NCP as the leading NCP

Enterprise	Submitter	Host Country	Chapter(s) of the Guidelines	Date of submission	Date of initial assessment	Date of conclusion	Outcome	Description	Follow-up
Adidas	NGO India Committee of the Netherlands	India	V	01-07-2001	N/A	2002	Concluded	Concluded with an agreement between parties.	No
Multinational enterprise operating in India	NGO	India	II, V	02-07-2001	N/A	2001	Not accepted	After seeking an explanation of the OECD Committee on International Investment and Multinational Enterprises on investment nexus it was decided that the request did not merit further examination by the NCP.	N/A
IHC CALAND	FNV and CNV, two Dutch trade unions	Myanmar	II, V	03-07-2001	N/A	2004	Concluded	Concluded with an agreement between parties.	20-08-2010
Finnish multinational enterprise	Trade union	Netherlands	V	03-12-2001	N/A	2002	Concluded	The submitted withdrew from the process.	No
Multinational enterprise	Trade union	United States	V	01-07-2002	N/A	2002	Not accepted	The NCP decided the specific instance did not merit further	N/A

Enterprise	Submitter	Host Country	Chapter(s) of the Guidelines	Date of submission	Date of initial assessment	Date of conclusion	Outcome	Description	Follow-up
								consideration.	
Multinational enterprise	Trade union	Netherlands	V	08-08-2002	N/A	2005	Concluded		No
Chemie Pharmacie Holland BV	NGO	Democratic Republic of the Congo	V, VI	01-07-2003	N/A	2003	Not accepted	The NCP decided the specific instance did not merit further consideration but it issued a statement.	N/A
Multinational enterprise	Trade union	Netherlands	V	01-09-2003	N/A	2003	Concluded	The trade union withdrew their request after successful negotiations of a social plan and the NCP subsequently concluded the specific instance.	No
Travel agency operating in Myanmar.	Trade union	Myanmar	V	31-12-2003	N/A	2004	Not accepted	The NCP decided the specific instance did not merit further consideration, but it issued a statement about travel policy to Myanmar.	N/A
Multinational enterprise	Trade union	United States	V	02-08-2004	N/A	2004	Concluded	The NCP discussed the trade union's concern with the company. Soon after, the labour dispute in the U.S. between the American affiliate and the trade union was resolved.	No
Multinational enterprise	Trade union	Netherlands	V	01-10-2004	N/A	2005	Not accepted	The NCP decided that the specific instance did not merit further consideration.	N/A
US-based multinational enterprise	Trade union	Netherlands	V	04-10-2004	N/A	2005	Concluded	Parallel legal proceedings took care of the trade union's concerns and the NCP subsequently concluded the specific	No

Enterprise	Submitter	Host Country	Chapter(s) of the Guidelines	Date of submission	Date of initial assessment	Date of conclusion	Outcome	Description	Follow-up
								instance.	
Dutch-based multinational enterprise	Trade union	Chile	V	01-07-2005	N/A	2005	Concluded	The trade union requested that the NCP inquire after the follow-up of an interim report issued by the ILO's Committee on Freedom of Association regarding a complaint against the Government of Chile.	No
Shell Petroleum Corporation	NGOs The Fenceline Community for Human Safety and Environmental Protection, Milieudefensie (Friends of the Earth Netherlands), and the (Netherlands-based) Friends of the Earth International	Philippines	II, III, V, VII	16-05-2006	N/A	2009	Concluded	Due to ongoing legal proceedings, the NCP suspended its review of the allegations for an extended period. Following changes in local regulations, mediation no longer appeared feasible.	No
Dutch-based multinational enterprise	Trade union	United States	V	03-07-2006	N/A	2007	Concluded	Concluded with an agreement between parties.	No
G-Star International	2 trade unions	India	II, V	11-10-2006	N/A	2008	Concluded	The parties came to an agreement without the help of the NCP, which concluded the specific instance and issued a final statement detailing the proceedings.	No
Makro-Habib Pakistan Limited, a subsidiary of SHV Holdings N.V.	NGO Shehri – Citizens for a Better Environment (Shehri CBE)	Pakistan	II, VI	09-10-2008	N/A	2010	Concluded	The NCP concluded the specific instance because the investment nexus had ceased to exist.	No
Royal Dutch Shell	three NGOs, Friends of the Earth International,	Nigeria	III, VI, VIII	25-01-2011	24-02-2011	21-03-2013	Concluded	The NCP issued recommendations to the	No

Enterprise	Submitter	Host Country	Chapter(s) of the Guidelines	Date of submission	Date of initial assessment	Date of conclusion	Outcome	Description	Follow-up
	Friends of the Earth Netherlands, and Amnesty International							company.	
Nidera Holdings	CEDHA, SOMO, Oxfam-Novib and INCASUR	Argentina	II, V	27-06-2011	N/A	03-02-2012	Concluded	Concluded with an agreement between parties.	No
Royal Dutch Shell	Friends of the Earth International, Friends of the Earth Netherlands, and Amnesty International	Nigeria	III, IV, VI, VIII	30-12-2011	01-02-2012	02-10-2014	Concluded	Concluded without agreement as the NGOs no longer want to continue with the process.	No
NUON	FNV Eemshaven	Netherlands	V	27-07-2012	17-12-2012	01-12-2013	Concluded	Concluded with an agreement between parties.	No
Royal Dutch Shell	NGO Sakhalin Environment Watch	Russian Federation	II	31-07-2012	20-03-2013	20-03-2013	Not accepted	The NCP decided the specific instance did not merit further consideration.	N/A
ABP and APG	NGOs (Lok Shakti Abhiyan (India), Korean Trans National Corporation Watch (South Korea), Fair Green Global Alliance (Netherlands), and ForUM (Norway))	India	II, IV	09-10-2012	18-01-2013	18-11-2013	Concluded	Concluded with an agreement between parties. The NCP issued recommendations to the company.	No
Rabobank	Friends of the Earth Europe and Friends of the Earth Netherlands/Mileudefensie	Indonesia	II, IV	27-06-2014	16-12-2014	15-01-2016	Concluded	Concluded with an agreement between parties. The NCP issued recommendations to the company.	Yes (end of 2017)
Mylan	Mr. Bart Stapert, attorney	United States	II, IV	03-03-2015	17-07-2015	11-04-2016	Concluded	Concluded with an agreement between parties following mediation. The NCP issued recommendations to the company.	27-09-2017

Enterprise	Submitter	Host Country	Chapter(s) of the Guidelines	Date of submission	Date of initial assessment	Date of conclusion	Outcome	Description	Follow-up
Atradius Dutch State Business	Both Ends, Associacao Forum Suape Espaco Socioambiental, Conectas Direitos Humanos and Colonia de Pescadores do Municipio do Cbo de Santo Agostinho	Brazil	II, III, IV, VI	08-06-2015	03-12-2015	30-11-2016	Concluded	Concluded with an agreement between parties following mediation. The NCP issued recommendations to the company.	3-05-2017
Heineken	Individual	Democratic Republic of the Congo	I, II, V, VII	14-12-2015	28-06-2016	18-08-2017	Concluded	Concluded with an agreement between parties following mediation. The NCP issued recommendations.	21-04-2021
VEON	UNI Global Union	Bangladesh	I, IV, V	11-07-2016	06-02-2018	11-02-2020	Concluded	Concluded without agreement. The NCP issued recommendations.	23-03-2022
Philips Lighting	Individual	Ukraine	II, IV, V	17-11-2016	25-10-2017	25-10-2017	Not accepted	The NCP did not accept the specific instance for further examination.	N/A
ING	Oxfam Novib, Greenpeace, BankTrack and Friends of the Earth Netherlands (Milieudefensie)	Netherlands	III, VI, VIII	08-05-2017	14-11-2017	19-04-2019	Concluded	Concluded with an agreement between parties.	Yes
N/A	Initiative to Keep Hasankeyf Alive and Hasankeyf Matters	Türkiye	II, IV	28-07-2017	09-01-2018	20-08-2018	Concluded	Concluded without agreement after mediation. The NCP issued recommendations.	24-06-2021
N/A	Stichting Hou Friesland Mooi	Netherlands	II, IV, VI	12-12-2017	19-06-2018	18-12-2018	Concluded	Concluded without agreement. The NCP issued recommendations.	Yes (December 2019)
Shell	Obelle Concern Citizens (OCC)	Nigeria	I, II, III, IV, V, VI	29-01-2018	04-06-2019	27-02-2020	Concluded	Concluded without agreement. The NCP issued recommendations.	16-12-2022
IKEA	UNI Global Union	Ireland, the Netherlands, Portugal, the	II, IV, V	27-09-2018	12-06-2019	06-07-2023	Concluded	Concluded with an agreement after mediation. The NCP	Yes (July 2024)

Enterprise	Submitter	Host Country	Chapter(s) of the Guidelines	Date of submission	Date of initial assessment	Date of conclusion	Outcome	Description	Follow-up
		United States						issued recommendations.	
Chevron Netherlands BV and 13 other affiliated entities (Chevron et al.)	FNV, ITF, PSI and IndustriALL Global Union, supported by Friends of the Earth	Nigeria, Argentina, Venezuela	III, XI	08-10-2018	22-06-2021	24-03-2022	Concluded	The enterprise did not co-operate in the follow up process and the NCP conducted its own desk research concluding that the enterprise had not implemented the recommendations.	18-12-2023
Bralima, Heineken N.V.,	Mr. Maurice Kajangu	Democratic Republic of the Congo	I, II, V, VII	17-10-2018	07-08-2019	30-03-2020	Not accepted	The NCP conducted a follow up during which the parties were able to reach an agreement following dialogue facilitated by the NCP. The NCP acknowledges that the company has made important steps in developing and implementing RBC policies.	21-04-2021
Shell	Aminigboko Community	Nigeria	I, II, III, IV, V, VI, VII, VIII	16-05-2019	03-06-2021	10-02-2023	Concluded	Concluded without agreement. The NCP issued recommendations.	23-01-2025
ING	Milleudéfensie/Friends of the Earth	Indonesia	II, IV	05-07-2019	20-01-2020	07-04-2022	Concluded	Concluded with an agreement between parties following mediation. The NCP issued recommendations.	13-07-2023
Perfetti Van Melle's	IUF	Bangladesh	II, IV, V	09-08-2019	30-11-2019	15-06-2020	Concluded	The NCP issued recommendations.	16-09-2021
G4S and ING	U.S. Citizen	United States	I, IV	09-09-2019	16-04-2020	20-02-2021	Not accepted	The NCP did not accept the case, as it considered that the claimant's status as a taxpayer in the affected country did not constitute sufficient	

Enterprise	Submitter	Host Country	Chapter(s) of the Guidelines	Date of submission	Date of initial assessment	Date of conclusion	Outcome	Description	Follow-up
								interest to meet the admissibility criteria.	
Unilever-Marsavco	workers	Democratic Republic of the Congo	I, II, III, IV, V, VII	12-04-2018	20-04-2021	07-05-2024	Concluded	Concluded without an agreement between parties following mediation. The NCP issued recommendations.	Yes (May 2025)
Pluspetrol Resources Corporation B.V.	Indigenous federations from Peru et al. (FEDIQUEP, FECONACOR, OPIKAFPE, ACODECOSPAT, Peru Equidad, SOMO, Oxfam Peru, Oxfam Novib)	Peru	II, III, IV, VI, XI	09-03-2020	30-03-2020		In progress	The NCP moved to offer its good offices which the submitters accepted and the enterprise did not.	N/A
Bralima, Heineken N.V.,		Democratic Republic of the Congo	I, II, V, VII	04-11-2019	20-05-2021	30-03-2020	Not accepted	The NCP did not accept the specific instance for further examination because individual labour disputes are not covered by the Guidelines.	N/A
APG Asset Management	the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF), the European Federation of Food, Agriculture and Tourism Trade Unions (EFFAT-IUF), the Service Employees International Union (SEIU) and the União Geral dos Trabalhadores (UGT)		II, IV, V	18-05-2020	25-10-2021	03-02-2022	Concluded	Concluded with an agreement between parties following mediation. The NCP issued recommendations.	21-12-2023
Inter IKEA Holding B.V.	The Building and Wood Workers International	United States, the Netherlands	V	24-12-2020	28-09-2020	25-04-2023	Concluded	Concluded with an agreement between	Yes

Enterprise	Submitter	Host Country	Chapter(s) of the Guidelines	Date of submission	Date of initial assessment	Date of conclusion	Outcome	Description	Follow-up
	(BWI), the International Association of Machinists and Aerospace Workers of North America (IAMAW) and Facket För Skogs-, Trä och Grafisk Branch (GS Facket)							parties following mediation. The NCP issued recommendations.	
CNV (trade union)	Dewan Pengurus Pusat (Konfederasi) Serikat Buruh Sejahtera Indonesia ((K)SBSI)	Indonesia		05-05-2020	22-07-2021	28-09-2020	Not accepted	The NCP did not accept the specific instance for further examination because the submission did not make reference to any provisions in the Guidelines	N/A
Just Eat Takeaway	FNV	Israel	I, II, IV, V	22-02-2021	10-02-2022	22-03-2023	Concluded	The NCP concluded the specific instance determining that the company has acted in a manner that is not consistent with the Guidelines. The NCP issued recommendations.	Yes
Shell Petroleum Development Company of Nigeria Ltd.	The Odoh Family	Nigeria	I, II, IV, VI	06-05-2021	15-06-2022	11-07-2024	Concluded	The NCP concluded that the company had not fully observed the Guidelines. The NCP issued recommendations.	Yes (July 2025)
Uber Technologies, Inc. (Uber)	International Alliance of App-Based Transport Workers (IAATW)	Multiple	II, IV, V	06-04-2021	n/a		In progress	The NCP decided to accept the specific instance for further consideration. The NCP will move to the good offices phase, in which the parties have both agreed to participate.	N/A
flower auction Plantion and	from two Dutch trade unions, FNV and CNV	Netherlands	V	10-03-2022	16-04-2020	22-02-2023	Not accepted	The NCP did not accept the specific instance for	N/A

Enterprise	Submitter	Host Country	Chapter(s) of the Guidelines	Date of submission	Date of initial assessment	Date of conclusion	Outcome	Description	Follow-up
Dutch flower auctions association VBN								further examination because the complaint lacked an international component and it was not the right entity to address the issues raised	
Stellantis N.V. and FCA Italy S.p.A.	22 Italian associations and NGOs, represented by two lawyers of Studio Legale Dini-Saltalamacchia	Democratic Republic of the Congo	II	21-07-2022	13-02-2023		In progress	The NCP decided to accept the specific instance for further consideration. Both parties have accepted the NCP's offer of good offices.	N/A
ING Groep N.V., ING Belgium S.A.	Mr. Chishali Matabaro, Mr. Mungu Akonkwa Chishibanji, Mr. Mutayongwa Kashosi, Mr. Chishesa Mushizi, Mr. Basirike Chigaruka Byamungu, Mr. Muguma Arhahama Zihaliwa and Mr. Mugula Cleophas	Democratic Republic of the Congo	II	07-11-2022		26-04-2023	Not accepted	The NCP did not accept the specific instance for further examination because the issues raised did not fall under the scope of the Guidelines as they related to a commercial dispute between parties involved in a commercial relationship.	N/A
Louis Dreyfus Company B.V.	AIDSESEP, FECONAU, FPP, IDL, Kené, EIA and CCCA	Peru	II, III, IV, VI	01-12-2022	04-09-2023		In progress	The NCP decided to accept the specific instance for further examination. Both parties have accepted the NCP's offer of good offices.	N/A
Ecumenical Development Co-operative Society U.A. (Oikocredit)	the Cambodian League for the Promotion and Defense of Human Rights (LICADHO), Equitable Cambodia (EC), and FIAN Germany	Cambodia	II, IV, VIII	12-12-2022	15-09-2023		In progress	The NCP decided to accept the specific instance for further examination. Both parties have accepted the NCP's offer of good offices.	N/A
Confidential	Confidential	Italy	MISSING	2022			In		

Enterprise	Submitter	Host Country	Chapter(s) of the Guidelines	Date of submission	Date of initial assessment	Date of conclusion	Outcome	Description	Follow-up
							progress		
Port of Rotterdam	Asamblea Campesina	Colombia	II, IV	20-04-2023			In progress		
Deutsche Umwelthilfe & ONE-Dyas	VU Climate Change and Sustainability Law Clinic, North Sea Fossil Free, Scientists for Future NL, Scientist Rebellion NL	Netherlands	II, III, IV, VI, VIII	24-01-2024	11-10-2024		In progress	The NCP decided to accept the specific instance for further examination. Both parties have accepted the NCP's offer of good offices	N/A
Confidential	Confidential	Turkiye	II, IV	26-01-2024			In progress		
Confidential	Confidential	Netherlands	V	30-10-2024			In progress		
Confidential	Confidential	Turkiye	II, IV, V	19-08-2024			In progress		

# References

- Centraal Bureau voor de Statistiek (2024), , <https://longreads.cbs.nl/dutch-trade-in-facts-and-figures-2024/dutch-trade-in-facts-and-figures-2024-exports-imports-and-investment-an-introduction/>. [8]
- Government of the Netherlands (n.d.), *Improving Responsible Business Conduct (RBC)*, <https://www.government.nl/topics/responsible-business-conduct-rbc/government-promotion-of-responsible-business-conduct-rbc>. [26]
- Ministrie van Binnenlandse Zaken (2024), *Bestekteksten Internationale Sociale Voorwaarden*, <https://www.pianoo.nl/nl/document/14444/bestekteksten-internationale-sociale-voorwaarden>. [30]
- Ministry for Foreign Trade and Development Aid (2024), *Memorie van toelichting wet(svoorstel) internationaal verantwoord ondernemen*, <https://www.internetconsultatie.nl/wivo/b1#sectie-waarkuntuopreageren>. [29]
- Ministry of Foreign Affairs (2022), *National Action Plan Business and Human Rights*, <https://www.government.nl/documents/publications/2022/11/8/national-action-plan-business-and-human-rights>. [36]
- Ministry of Foreign Affairs (2019), *IOB Evaluation NCP 2012-2018*, <https://english.iob-evaluatie.nl/publications/reports/2019/10/01/434-ncp>. [15]
- Ministry of Foreign Affairs (2014), *NCP Establishment Order 2014*, <https://www.oecdguidelines.nl/documents/2014/07/01/ncp-establishment-order-2014>. [9]
- Ministry of Foreign Trade and Development Aid (2024), *Wetsvoorstel internationaal verantwoord ondernemen*, <https://www.internetconsultatie.nl/wivo/b1#sectie-waarkuntuopreageren>. [28]
- NCP (2024), *NCP Work Plan 2024*, <https://www.oecdguidelines.nl/documents/2024/10/16/ncp-work-plan-2024>. [40]
- Nederland. Staatsblad van het Koninkrijk der Nederlanden (2019), *Wet van 24 oktober 2019 houdende de invoering van een zorgplicht ter voorkoming van de levering van goederen en diensten die met behulp van kinderarbeid tot stand zijn gekomen (Wet zorgplicht kinderarbeid)*, <https://zoek.officielebekendmakingen.nl/stb-2019-401.html>. [27]
- Netherlands Enterprise Agency (2023), *Subsidy Programme for Responsible Business - SPVO (previously Social Sustainability Fund - SSF)*, <https://english.rvo.nl/subsidies-financing/subsidy-programme-responsible-business-spvo>. [35]
- Netherlands Enterprise Agency (2022), *Sectoral Partnerships - Pillar 1*, <https://english.rvo.nl/subsidies-financing/sectoral-partnerships-international-mvo/sectoral-partnerships>. [34]

- Netherlands Enterprise Agency (n.d.), *Sectoral Partnerships Pillar 2*, [33]  
<https://english.rvo.nl/subsidies-financing/sectoral-partnerships-international-mvo/sectoral-partnerships-pillar-2>.
- OECD (2025), *Modalities for Peer Reviews of National Contact Points for Responsible Business Conduct*, OECD publishing, [https://one.oecd.org/document/DAF/INV\(2024\)31/FINAL/en/pdf](https://one.oecd.org/document/DAF/INV(2024)31/FINAL/en/pdf) (accessed on 6 May 2025). [5]
- OECD (2024), *OECD Data Explorer - FDI positions main aggregates, BMD4*, [https://data-explorer.oecd.org/vis?lc=en&tm=fdi&pg=0&snb=35&isAvailabilityDisabled=false&hc\[Measure\]=&hc\[Accounting%20entry\]=&vw=tb&df\[ds\]=dsDisseminateFinalDMZ&df\[id\]=DSD\\_FDI%40DF\\_FDI\\_POS\\_AGGR&df\[ag\]=OECD.DAF.INV&df\[vs\]=1.0&dq=NLD.LE\\_FA\\_F.USD\\_EXC%2BPT\\_B1](https://data-explorer.oecd.org/vis?lc=en&tm=fdi&pg=0&snb=35&isAvailabilityDisabled=false&hc[Measure]=&hc[Accounting%20entry]=&vw=tb&df[ds]=dsDisseminateFinalDMZ&df[id]=DSD_FDI%40DF_FDI_POS_AGGR&df[ag]=OECD.DAF.INV&df[vs]=1.0&dq=NLD.LE_FA_F.USD_EXC%2BPT_B1). [7]
- OECD (2023), *Decision of the Council on the Guidelines for Multinational Enterprises on Responsible Business Conduct*, OECD/LEGAL/0307, [3]  
<https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0307>.
- OECD (2023), *Declaration on Internaitonal Investment and Multinational Enterprises*, [1]  
 OECD/LEGAL/0144, <https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0144#adherents>.
- OECD (2022), *Recommendation of the Council on the Role of Government in Promoting Responsible Business Conduct*, OECD/LEGAL/0486, [25]  
<https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0486>.
- OECD (2021), *National Contact Point Peer Reviews: Core Template*, OECD Publishing, Paris, [4]  
<https://doi.org/10.1787/2073dc40-en>.
- OECD (2010), *Dutch National Contact Point: Aspirations and Expectations Met? Report of the NCP Peer Review Team 2010*, <https://www.oecdguidelines.nl/ncp/peer-review>. [6]
- OECD (2003), *Recommendation of the Council on OECD Guidelines for Managing Conflict of Interest in the Public Service*, OECD/LEGAL/0316, [23]  
<https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0316>.
- OECD (2000), *Decision of the Council on the Guidelines for Multinational Enterprises on Responsible Business Conduct*, <https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0307>. [2]
- OECD (n.d.), *Database of Specific Instances*, <https://mneguidelines.oecd.org/database/> (accessed on 6 May 2025). [24]
- Rijksdienst voor Ondernemend Nederland (2025), *Voorwaarden deelname handelsmissie met en zonder bewindspersoon*, <https://www.rvo.nl/onderwerpen/handelsmissie/uitgaande-handelsmissies/voorwaarden-deelname-met-en-zonder>. [31]
- Rijksdienst voor Ondernemend Nederland (n.d.), *Het MVO-steunpunt*, [19]  
<https://www.rvo.nl/onderwerpen/over-mvosteunpunt>.
- Rijksdienst voor Ondernemend Nederland (n.d.), *Het MVP-steunpunt*, [39]  
<https://www.rvo.nl/onderwerpen/mvo-steunpunt>.
- SER (n.d.), *International Responsible Business Conduct: background*, [32]

<https://www.imvoconvenanten.nl/en/why/achtergrond>.

- Staatscourant (2022), *Bezoldigingdbrdluit*, <https://zoek.officielebekendmakingen.nl/stcrt-2022-15681.pdf>. [14]
- Staatscourant Nr. 36720 (2014), *Besluit van de Minister voor Buitenlandse handel en Ontwikkelingssamenwerking van 11 december 2014*, <https://www.oesorichtlijnen.nl/site/binaries/site-content/collections/documents/2014/12/8/ncp-instellingsbesluit---wijziging-art-7---19-dec-2014/2014+Instellingsbesluit++36720+wijziging+art+7+-+Staatscourant+36720+-+19+dec+2014.pdf>. [22]
- The Ministry of Foreign Affairs (n.d.), *Submitting a specific instance*, <https://www.oecdguidelines.nl/notifications/submitting-a-specific-instance#:~:text=In%20case%20of%20the%20Dutch,the%20specific%20instance%20is%20about>. [20]
- The Minister for Foreign Trade and Development Cooperation (2019), *Letter of Minister for Foreign Trade and Development Cooperation to Parliament of 22 November 2019*. [17]
- The Ministry of Foreign Affairs (n.d.), *NCP - Home*, <https://www.oecdguidelines.nl/ncp>. [10]
- The Netherlands NCP (2024), *Procedure voor Specifieke Gevallen bij het Nederlandse Nationale Contactpunt voor maatschappelijk verantwoord ondernemen (NCP)*, <https://www.oesorichtlijnen.nl/meldingen/documenten/publicatie/2021/06/09/procedure-specifieke-gevallen>. [12]
- The Netherlands NCP (2024), *The Specific Instance Procedure of the the Netherlands' National Contact Point for Responsible Business Conduct (NCP)*, <https://www.oecdguidelines.nl/notifications/specific-instance-procedure>. [13]
- The Netherlands NCP (2023), *FNV & Just Eat Takeaway.com*, <https://www.oecd.org/en/networks/national-contact-points-for-responsible-business-conduct/database/nl0043.html>. [16]
- The Netherlands NCP (2023), *Impartiality and Integrity of the Netherlands NCP*, <https://www.oecdguidelines.nl/documents/publication/2023/01/31/impartiality-and-integrity-of-the-netherlands-ncp>. [11]
- The Netherlands NCP (2023), *NCP Analysis of the draft CSDDD on the basis of OECD Guidelines*, <https://www.oecdguidelines.nl/documents/publication/2023/10/5/ncp-analysis-of-draft-csddd-on-the-basis-of-oecd-guidelines>. [37]
- The Netherlands NCP (2021), *NCP procedure for engaging an external mediator*, <https://www.oecdguidelines.nl/notifications/external-mediator-procedure>. [21]
- The Netherlands NCP (2019), *Publication Dutch NCP research into the oil and gas sector and the OECD Guidelines*, <https://www.oecdguidelines.nl/documents/2019/04/23/dutch-ncp-research-by-ce-delft-arcadis-regarding-the-oil-and-gas-sector>. [38]
- The Netherlands NCP (n.d.), *Annual Reports and Workplans*, <https://www.oecdguidelines.nl/ncp/annual-reports>. [18]

# Notes

<sup>1</sup> Following the on-site visit, the NCP concluded: a specific instance on 3 September 2025, see The Netherlands NCP (2025), final statement in the Specific Instance Indigenous Federations from Peru et al. vs. Pluspetrol Resources Corporation B.V., <https://www.oecdguidelines.nl/site/binaries/site-content/collections/documents/2025/09/03/final-statement-indigenous-federations-vs-pluspetrol-resources-corporation-b.v/fs-indigenous-fed-vs-pluspetrol.pdf>; a specific instance on 12 November 2025, see The Netherlands NCP (2025), final statement in the Specific Instance IUF vs. Perfetti can Melle, <https://www.oecdguidelines.nl/latest/news/2025/11/12/final-statement-iuf-vs.-perfetti-van-melle>.

<sup>2</sup> See the 2017 MCM Council Statement: <https://web.archive.oecd.org/2017-06-12/442001-2017-ministerial-council-statement.htm>.

<sup>3</sup> The Social and Economic Council of the Netherlands is an advisory body to the Dutch Government and Parliament on socio-economic policy. Its membership represents in equal parts entrepreneurs, employees and independent experts, see also <https://www.ser.nl/en/ser/about-the-ser/what-is-the-ser>.

<sup>4</sup> The State Secretary for Foreign Trade and Development Aid was formerly the Minister for Foreign Trade and Development Aid. The Establishment Order and other NCP documents refer to the minister. This function is currently performed by the state secretary.

<sup>5</sup> Since the on-site visit, Kamala Laghate left the NCP Secretariat. Mara van der Meer has since joined the NCP Secretariat.

<sup>6</sup> Available at: <https://www.oesrichtlijnen.nl/ncp/jaarverslagen>.

<sup>7</sup> Available at: <https://www.oecdguidelines.nl/ncp/annual-reports>.

<sup>8</sup> An action point of the 2024 workplan was to draft a communication plan, based on an analysis to identify relevant stakeholders and their potential for impact (NCP, 2024<sub>[40]</sub>).

<sup>9</sup> Available at: <https://www.oesrichtlijnen.nl/oeso-richtlijnen/algemene-informatie-oeso-richtlijnen>.

<sup>10</sup> Available at: <https://www.oecdguidelines.nl/oecd-guidelines/all-about-the-oecd-general-information>.

<sup>11</sup> Available at: <https://www.oesrichtlijnen.nl/ncp>.

<sup>12</sup> Available at: <https://www.oecdguidelines.nl/ncp>.

<sup>13</sup> The International Responsible Business Conduct (IRBC) Agreements are voluntary, multi-stakeholder partnerships involving businesses, trade associations, government, trade unions, and NGOs. Based on

the OECD Guidelines for Multinational Enterprises, these agreements aim to identify, prevent, and address risks such as exploitation, environmental harm, and animal suffering through joint, sector-level efforts.

<sup>14</sup> Available at: <https://www.oecdguidelines.nl/contact>.

<sup>15</sup> Available at: <https://www.oesorichtlijnen.nl/contact>.

<sup>16</sup> Following the on-site visit, on 3 September 2025 the NCP concluded another case, see The Netherlands NCP (2025), final statement in the Specific Instance Indigenous Federations from Peru et al. vs. Pluspetrol Resources Corporation B.V., <https://www.oecdguidelines.nl/site/binaries/site-content/collections/documents/2025/09/03/final-statement-indigenous-federations-vs-pluspetrol-resources-corporation-b.v/fs-indigenous-fed-vs-pluspetrol.pdf>.

<sup>17</sup> Available at: <https://www.oecdguidelines.nl/contact>.

<sup>18</sup> Available at: <https://www.government.nl/documents/decrees/2017/02/10/code-of-conduct-for-integrity-in-the-central-public-administration-2016>.

<sup>19</sup> The Netherlands NCP, *Unilever and ATUMA*, <https://mneguidelines.oecd.org/database/instances/nl0037.htm>.

<sup>20</sup> See list of possible keywords here [https://mneguidelines.oecd.org/ncps/NCP\\_Public\\_keywords.pdf](https://mneguidelines.oecd.org/ncps/NCP_Public_keywords.pdf).

