

OECD Guidelines for Multinational Enterprises: Short Version for Governments

Disclaimer: This document was prepared by the New Zealand National Contact Point for the OECD Guidelines for Multinational Enterprises. It is not an official publication of the OECD; it is a summary only of governments' responsibilities taken from the Guidelines. It should not be used in place of the official Guidelines, which can be downloaded in English at <http://www.oecd.org/dataoecd/43/29/48004323.pdf>.

<u>OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES: RECOMMENDATIONS FOR RESPONSIBLE BUSINESS CONDUCT IN A GLOBAL CONTEXT</u>	
Declaration on international investment and multinational enterprises:	
<ul style="list-style-type: none">❖ International investment has important benefits in many areas and, as important vehicles for investment, multinational enterprises should observe the <i>Guidelines</i>.❖ Adhering governments should treat all enterprises equally favourably, and should act with regard to the principles of the <i>Guidelines</i>.❖ Adhering governments will cooperate in international investment to minimise conflicting requirements on multinational enterprises, and will make measures transparent.❖ Adhering governments will consult with one another on the above matters, and will review them periodically.	
Concepts and principles: <p><i>Note: Concepts and principles 1 – 6 relate to enterprises, and are found in the partner document "OECD Guidelines for Multinational Enterprises: Short Version for Enterprises"</i></p> <ul style="list-style-type: none">7 Governments adhering to the <i>Guidelines</i> should not use them for protectionist purposes.8 The <i>Guidelines</i> do not override governments' rights to set rules for enterprises, but governments are encouraged to cooperate to resolve conflicting requirements for enterprises operating in each country concerned.9 Governments adhering to the <i>Guidelines</i> will treat all enterprises equitably in accordance with international law and other agreements.10 Governments and enterprises should use international mechanisms, including arbitration, to resolve disputes between them.11 Adhering governments will implement and participate in interpreting the <i>Guidelines</i>, in addition to creating National Contact Points to promote the <i>Guidelines</i>.	
<u>DECISION OF THE COUNCIL ON THE OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES</u>	
1 Adhering countries shall set up National Contact Points (NCPs) which will promote the <i>Guidelines</i> , handle enquiries and contribute to the resolution of <i>Guidelines</i> implementation issues.	

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| <p>2 NCPs from different countries shall cooperate, as needed.</p> <p>3 NCPs shall report to the Investment Committee of the OECD and meet with other NCPs regularly.</p> <p>4 Adhering countries shall resource their NCPs so that they can effectively fulfil their responsibilities, as budgets and priorities allow.</p> | |
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PROCEDURAL GUIDANCE

National Contact Points will:

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- 1 Be arranged so that they can effectively and impartially deal with *Guidelines*-related issues while remaining accountable to their government.
- 2 Be senior officials, a group of senior government representatives, a government office, an interagency group or a group with independent experts.
- 3 Develop and maintain relations with interested parties and stakeholders.

B

- 1 Make the *Guidelines* available in appropriate languages and forms.
- 2 Raise awareness of the *Guidelines* and how to use them.
- 3 Serve as a contact point for other NCPs, governments, the business community, worker and non-worker organisations and the public.

C In Specific Instances:

- 1 Assess issues raised to see if they merit further examination and respond to the parties involved.
- 2 Offer good offices to the involved parties to resolve an issue where it requires further examination, seeking advice and assistance when necessary, and offer access to resolution mechanisms such as mediation or conciliation.
- 3 Consult with the involved parties and release a public report detailing the results, when a Specific Instance is concluded, while protecting sensitive information.
- 4 Maintain confidentiality during the proceedings.
- 5 Develop an understanding of issues raised in non-adhering countries, and follow these procedures where practicable and relevant.

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- 1 Report annually to the Investment Committee.
- 2 Include information in the report about NCP activities, including Specific Instance-related activities.

The guidelines for how governments adhering to the OECD Guidelines for Multinational Enterprises should conduct themselves end here. Readers who are interested in the responsibilities of multinational enterprises, will find the partner document “OECD Guidelines for Multinational Enterprises: Short Version for Enterprises” useful.