

## OECD National Contact Point Poland

### Activity Report for 2017

#### **Introduction**

The aim of the OECD National Contact Point (NCP) is the promotion of the *OECD Guidelines for Multinational Enterprises* and conduction of proceedings in the range of their adherence.

The OECD Guidelines set the international standard for Responsible Business Conduct (RBC). The principles outlined in the document concern labour relations, environmental issues, respect for human rights, as well as workplace safety, access to information, taxation, environmental protection, and maintaining due diligence in the activities of multinational enterprises..

In situations where a multinational enterprise breaches the OECD Guidelines through its business activities, it is possible to submit a notification to the NCP, which is obligated to assist in the settlement of disputes. Upon familiarizing itself and accepting the given case for further consideration, the NCP may offer the disputed parties a mediation procedure. The objective of the mediation is for both parties to reach a joint solution to the given case.

Poland's NCP was conducted in 2017 by the Unit of CSR and Stakeholders' Affairs in the Minister's Office of the Ministry of Economic Development. The following report constitutes a summation of activities and information on Poland's NCP for the year 2017.

#### **Notification of alleged non-observance of the OECD Guidelines**

In 2017 the NCP handled two notifications of alleged non-observance of the OECD Guidelines by a multinational enterprise:

- 1) A notification submitted by a departmental trade union organization of a multinational enterprise operating in food distribution with a branch in Poland. The case was concluded prior to the release of an initial assessment. The notifying party submitted a withdrawal declaration relating to the non-observance of OECD Guidelines, which was received by the Ministry of Economic Development on 1 June 2017.
- 2) A notification submitted by a former employee of a multinational enterprise operating in the Energy sector. The case was not taken up by the NCP. An initial assessment of the case was published on the NCP webpage on 20 November 2017.

#### **Training sessions for NCP members**

Considering that one of the tasks of the NCP is to conduct proceedings on notifications of alleged non-observance of the OECD Guidelines, in 2017 NCP members expanded their knowledge and skills with special attention given to mediation. NCP members took part in two training sessions: a general mediation training and a specialized training in civil and economic mediation. Upon completion, the NCP members attained the right to conduct mediation proceedings.

### **The NCP's involvement in other trainings and workshops**

On 18 and 19 May 2017 members of Poland's NCP took part in an event titled "Workshop on building collaboration and confidence between NCPs and stakeholders in CEE: Understanding each other's challenges and building on opportunities", which was held at the Ministry of Economic Development and organized by the Polish Institute for Business and Human Rights as part of a project realized by OECD Watch and the Frank Bold Foundation titled "Improving Access to remedy in CEE Countries".

### **Promotion of the OECD Guidelines for Multinational Enterprises:**

NCP members actively promoted the OECD Guidelines alongside the activities of Poland's NCP at conferences, working group meetings, lectures, workshops, etc.

In 2017 NCP activities were presented at three meeting of the Advisory Board for Sustainable Development and Corporate Social Responsibility, an auxiliary body of the Minister of Economic Development and Finance (1 March, 7 June, 9 October 2017).

On topics enclosed in **Chapter 3 of the OECD Guidelines "Disclosure"** special attention was paid to issues surrounding non-financial reporting at conferences, including:

(1) during the conference for managerial and oversight boards titled „Responsible business conduct in light of new regulations relating to the obligation to disclose non-financial information" (19 April 2017). The conference was organized at the Ministry of Economic Development in cooperation with the Ministry of Finance in relation to the implementation of the 26 January 2017 act implementing directive 2014/95/UE. The aim of the conference was to prepare enterprises for new non-financial reporting requirements.

(2) during the conference titled „Non-financial reporting practice. How to fulfill the new requirements of the accounting act" (3 October 2017). The aim of the conference was to present specific advice, in particular for companies preparing their first non-financial report in relation to the implementation of directive 2014/95/UE regulations on non-financial information disclosure. The conference was also attended by representatives of public administration, academia, and NGOs. Organizers: Ministry of Economic Development and its partners.

During conferences and meetings concerning non-financial reporting also discussed were issues enclosed in **Chapter 4 of the OECD Guidelines "Human Rights"**, i.e. during the conference titled "OECD Guidelines concerning business and human rights – implementation of the National Action Plan" (2 October 2017). The conference was organized jointly by the Ministry of Economic Development, the Ministry of Foreign Affairs and the Polish Institute for Business and Human Rights. The event was directed at members of public administration with the aim of presenting issues disclosed in the National Action Plan for the Implementation of the United Nations Guiding Principles on Business and Human Rights 2017 – 2020 (NAP). The NAP contains, among others, points regarding Corporate Social Responsibility and Responsible Business Conduct, including the functioning of the OECD National Contact Point.

One of the issues relevant to the functioning of responsible business is ethics. **Chapter 7 of the OECD Guidelines "Combating bribery, solicitation and extortion"** was referred to during, among others,

the conference titled “Business Ethics – current state and challenges for the future” (18 October 2017). The conference was organized by the Working group for ethics and responsible business conduct standards of the Advisory Board for Sustainable Development and Corporate Social Responsibility. During the conference discussed was the influence of ethical issues on the tempo of changes occurring in enterprise in relation to technological advancements, the development of new specializations, and the creation of new jobs.

Issues concerning **Chapter 9 “Science and technology”** were discussed during the conference titled “University Social Responsibility – challenges for academia and business” (16 November 2017). The main topic of the conference concerned issues surrounding cooperation between business and academia.

*The OECD Guidelines for Multinational Enterprises* were also promoted through a weekly newsletter sent out electronically to employees of the Ministry of Economic Development, as well as in quarterly brochures prepared by the Unit of CSR and Stakeholders’ Affairs (in Polish and English).

#### **Translation of the Guidance for the garment and footwear sectors into Polish**

Among activities aimed at wider promotion of the OECD Guidelines and OECD due diligence standards was the translation partnership for the *OECD Due Diligence in the Garment and Footwear Sector* initiated by the Ministry of Economic Development. Among the partners of the initiative were representatives of business, sectoral organizations, and NGOs. The *OECD Due Diligence in the Garment and Footwear Sector* constitutes a practical tool for enterprises that explains how to implement due diligence standards while taking into account the risks concerning child labour, forced employment, water usage, dangerous waste and homeworkers in their business activities. The Polish version of the document is expected in spring of 2018.

#### **Peer exchange between NCPs**

A bilateral meeting took place on 17 May 2017 between members of Poland’s NCP and the head of the Lithuanian NCP. The meeting’s aim was to exchange experiences and consider opportunities for cooperation in the future.

#### **NCP participation in international events:**

Members of Poland’s NCP took part in the following events in 2017:

- 1) OECD NCP Network meetings (27 June 2017 and 5-6 December 2017)
- 2) OECD Roundtable on Due diligence in the garment and footwear sector, 2017 (8-9 January 2017)
- 3) Fifth Global Forum on Responsible Business Conduct (29-30 June 2017)
- 4) Sessions of the UN Forum on Business and Human Rights, "Realising Access to Effective Remedy" (27-29 November 2017)



### **Official webpage of Poland's NCP**

In 2017 a subpage was created on the website of the Ministry of Economic Development as part of Poland's NCP activities. The following documents were made available in both language versions:

- *OECD Guidelines for Multinational Enterprises,*
- *OECD Guidelines for Multinational Enterprises summary,*
- FAQ regarding submission of a notification of alleged non-observance of OECD Guidelines,
- Conduct procedure in specific instances related to alleged non-observance of OECD Guidelines.

The NCP webpage was made available in two language versions: Polish and English.

Individual NCP documents are also available in the Russian and Ukrainian languages.

### **Additional information:**

At the start of 2018 Poland's government administration underwent organization changes, resulting in the creation of two ministries in place of the Ministry of Economic Development: the Ministry of Investment and Economic Development and the Ministry of Entrepreneurship and Technology.

Since January of 2018 Poland's NCP is located in the Ministry of Investment and Economic Development.

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