



## OECD NATIONAL CONTACT POINT OF POLAND ACTIVITY REPORT FOR 2019

### INTRODUCTION

The OECD National Contact Point for responsible business conduct (OECD NCP) performs two tasks:

- (1) promoting the *OECD Guidelines for Multinational Enterprises* (OECD Guidelines) and other OECD standards for responsible business conduct (RBC),
- (2) conducting proceedings in cases arising from notifications of alleged breaches of the OECD Guidelines received by the OECD NCP.

The OECD Guidelines set the standard for responsible business conduct. The document lays down rules regarding employment, environmental issues, respect for human rights, but also occupational safety, access to information, taxation, environmental protection and due diligence in multinational enterprises.

Where a multinational enterprise is in breach of the OECD Guidelines in their activities, a notification can be made to the OECD NCP. Having examined the case and accepted it for further consideration, the OECD NCP may suggest that the parties take part in a mediation or good offices in order to help them find a satisfactory consensual solution.

Until November 2019, the Polish OECD National Contact Point had been operating under the Ministry of Investment and Economic Development. Since November 2019 r., the OECD NCP has been located in the Ministry of Development Funds and Regional Policy. This change results from the renaming of the Ministry as a consequence of the structural changes of the Council of Ministers following the 2019 parliamentary election. However, the Unit of CSR and Cooperation with NGOs at the Office of the Minister remains in charge of the activities of the Polish OECD NCP.

This report includes information on the Polish OECD NCP and a summary of the OECD NCP activities in 2019.

### PROMOTION OF THE OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES

The *OECD Guidelines for Multinational Enterprises* as well as the role and tasks of the OECD NCP were presented, among others, at the following events:

- 1) Meeting with representatives of the garment sector on dissemination of the Polish language version of the OECD Guidelines for the garment and footwear sector, 21 March 2019;
- 2) Meeting with representatives of the financial sector with an OECD expert on responsible investments, where information on the OECD Guidance for institutional investors was presented. Initiation of the translation of the OECD Guidance for institutional investors into Polish, 20 May 2019;
- 3) Meeting of the Development Cooperation Programme Board at the Ministry of Foreign Affairs, 27 June 2019;



- 4) Conference “*Seminar on private sector engagement in development cooperation*” held by the Ministry of Foreign Affairs at the Google Campus in Warsaw, 11 September 2019;
- 5) Meeting of the Ethics Commission of the Polish Bank Association held in Warsaw on 18 September 2019;
- 6) Conference “*Ecological Forum of the Chemical Industry*” held on 25 September 2019 in Wrocław;
- 7) Conference “*Corporate Social Responsibility Week*” held on 22 October 2019 in Warsaw.

Moreover, in 2019, as part of its tasks, the OECD NCP cooperated with the Advisory Board for Sustainable Development and Corporate Social Responsibility – a subsidiary body of the Minister of Investment and Economic Development, currently the Minister of Development Funds and Regional Policy. The main task of the Advisory Board is to create a space for dialogue and experience exchange between public administration, social partners, non-governmental organisations and academics in the area of developing practices of corporate social responsibility (CSR/RBC) in the Polish market. The Advisory Board is in charge of formulating recommendations on implementing the CSR/RBC standards in public policies, in line with the social and economic development priorities set out in the medium-term national development strategy – the Responsible Development Strategy.

At the meetings of the Advisory Board for Sustainable Development and CSR (held quarterly), information on the current activities of the Polish OECD NCP was presented. The cooperation between the OECD NCP and the Advisory Board focused on education and promotion of the NCP’s projects. Some members of the Advisory Board are proactive partners of the NCP in activities aimed at promoting the OECD general Guidelines and sectoral guidance.

#### **PROMOTION OF THE OECD SECTORAL GUIDANCE**

Supplementary to the *OECD Guidelines for Multinational Enterprises* are detailed recommendations that take into account the specificity of five main sectors:

- extractive sector,
- “conflict minerals” sector,
- agricultural sector,
- garment and footwear sector,
- financial sector.

When presenting the responsible business conduct (RBC) standard promoted by the OECD, the OECD NCP has also always referred to the sectoral guidance. A separate tab on sectoral guidance has been created on the website of the OECD NCP, from where you can download all relevant documents.



A separate tab on the OECD NCP website was also created to promote the document supporting enterprises in the implementation of the OECD Guidelines for Multinational Enterprises in the field of due diligence.

In 2019, the OECD NCP shared the Polish language versions for the following sectors:

- extractive sector,
- “conflict minerals” sector,
- garment and footwear sector, and
- financial sector.

**OECD Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector**



The Polish version of the document is available on the [OECD NCP website](#), and on the [OECD website](#), and serves as a practical tool explaining how to implement due diligence taking into account the risks related to children labour, forced labour, water consumption, hazardous waste, etc.

In February 2019, the Minister of Investment and Economic Development sent a letter to more than 140 major Polish enterprises in the garment and footwear sector to encourage them to implement the OECD recommendations in practice.

On 21 March 2019, at the initiative of the OECD NCP, a meeting with representatives of the garment and footwear sector was held at the Ministry of Investment and Economic Development, in cooperation with the Ministry of Entrepreneurship and Technology. The participants discussed the issues related to the promotion and practical implementation of the sectoral *OECD Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector*.



### ***OECD Guidelines on Responsible Business Conduct for Institutional Investors***

On 20 May 2019, at the initiative of the OECD NCP, in cooperation with the Ministry of Entrepreneurship and Technology and the Ministry of Finance, a meeting with representatives of the financial sector was held at the Ministry of Investment and Economic Development. The OECD NCP had invited an OECD expert to take part in the meeting and present the activities of the OECD in the area of responsible business conduct for the financial sector, including the [OECD Guidelines for Institutional Investors](#). The document may serve as an aid and a useful tool for the financial sector, in particular in the context of the planned EU regulations on sustainable financing of the economic growth.

In December 2019, the OECD NCP presented the Polish language version of the [OECD Guidelines for Institutional Investors](#) to the Team for Sustainable Development and Corporate Social Responsibility. The document had been translated into Polish by the OECD NCP in consultation with representatives of the financial sector. The Guidelines were then sent to the institutions and companies of the financial sector, both on paper and in electronic format.

At the same time, the OECD NCP also disseminated information on the OECD publishing further guidelines for the financial sector: [Due Diligence for Responsible Corporate Lending and Securities Underwriting](#).



### **NOTIFICATIONS OF ALLEGED BREACHES OF THE OECD GUIDELINES**

In 2019, the OECD NCP was still considering two notifications of companies allegedly in breach of the *OECD Guidelines for Multinational Enterprises* received in 2018:

- 1) The first case was submitted to the OECD NCP on 9 April 2018 and accepted for consideration by the OECD NCP. [The Initial Assessment](#) of this case was adopted on 25 June 2018 and published in Polish and English on the OECD NCP website. On 13 June 2019, the OECD NCP issued its [Final Statement](#) on this case.

Both the Initial Assessment and Final Statement on this case have been made available to the public in Polish and English on the OECD NCP website, in the [Notifications](#) tab. Pursuant to the adopted procedure concerning notifications, in 2020, the OECD NCP will monitor the implementation of the agreement reached in this case by the parties to the proceeding.

- 2) The proceedings in the second case conducted by the OECD NCP in 2019 were concluded on 26 July 2019. The notification in this case had been received by the OECD NCP on 6 August 2018. The OECD NCP took this case for consideration on 8 November 2018. However, in the interest of the case, the OECD NCP decided not to make the contents of the Initial Assessment of the case public. It only published a brief [information Note](#) on the case.



In 2019, two meetings were held, both attended by the parties to the proceeding. An agreement was reached following talks witnessed by representatives of the OECD NCP. On 26 July 2019, the OECD NCP issued its [Final Statement](#) on this case.

Information dated 18 December 2018, and the Final Statement on this case have been made available to the public in Polish and English on the OECD NCP website, in the tab [Notifications](#). Pursuant to the adopted procedure concerning notifications, in 2020, the OECD NCP will monitor the implementation of the agreement reached in this case by the parties to the proceeding.

### **PARTICIPATION OF REPRESENTATIVES OF THE POLISH OECD NCP IN INTERNATIONAL EVENTS**

In 2019, representatives of the OECD NCP participated in the following events:

- 1) Global Forum on Responsible Business Conduct, **12–13 June 2019**, Bangkok, Thailand;
- 2) Meeting of the Network of the OECD National Contact Points for responsible business conduct, **19–20 June 2019**, Paris, France;
- 3) First meeting of the OECD NCPs from Central and Eastern European countries, **19 June 2019**, Paris, France;
- 4) Meeting of the Network of the OECD National Contact Points for responsible business conduct, **6–7 November 2019**, Paris, France;
- 5) Second meeting of the OECD NCPs from Central and Eastern European countries, **6 November 2019**, Paris, France;

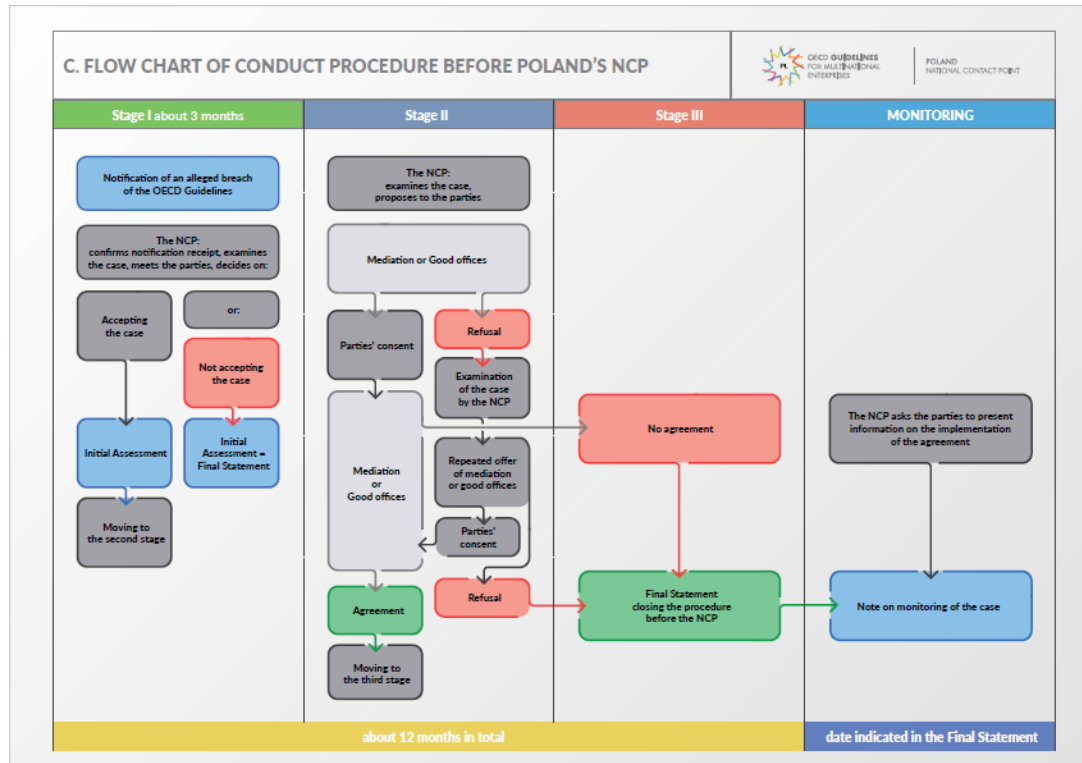
### **UPDATING OF THE CONDUCT PROCEDURE BEFORE THE OECD NCP**

The experience gathered during the two OECD NCP proceedings between 2018 and 2019 resulted in updating of the conduct procedure before the OECD NCP as well as the procedure for submitting notifications of alleged breaches of the *OECD Guidelines for Multinational Enterprises* in October 2019.

The conduct procedure before the Polish OECD NCP has been made available in Polish and in English, Russian and Ukrainian on the [OECD NCP website](#). Four language versions have also been drafted for the template of the conduct procedure before the OECD NCP, which serves as a convenient aid in showing the different stages of the conduct before the OECD NCP.

The notification form of alleged breaches of the *OECD Guidelines for Multinational Enterprises* should be filled out in Polish.

Notification of an alleged breach of the *OECD Guidelines for Multinational Enterprises* should be submitted in an electronic form to the address [kpk.oecd@mfipr.gov.pl](mailto:kpk.oecd@mfipr.gov.pl)



## WEBSITE OF THE POLISH OECD NCP

Information on the OECD NCP can be found on the website being part of the official website of the Ministry of Development Funds and Regional Policy.

The [OECD NCP website](#) has two language versions: [Polish](#) and [English](#), with certain OECD NCP documents also available in **Ukrainian and Russian**.

The website of the Polish OECD NCP features the following tabs:

[OECD Guidelines for Multinational Enterprises](#)

(detailed description of the different chapters of the *OECD Guidelines for Multinational Enterprises*)

[Sectoral guidance](#)

(descriptions of documents referring to selected sectors: garment and footwear, agricultural, extractive, finance and minerals from conflict-affected areas – along with their different language versions available for download)

[OECD Due Diligence Guidelines](#)

(contains a support document which provides practical support for enterprises in implementing the *OECD Guidelines for Multinational Enterprises* in the field of due diligence)

[Polish OECD NCP Activities](#)

(description of activities currently carried out by the OECD NCP as well as events)

[OECD NCP Network](#)

(the tab refers to the website of the OECD, where you can find links to the OECD NCPs in 49 countries)



### [Conduct procedure before the NCP](#)

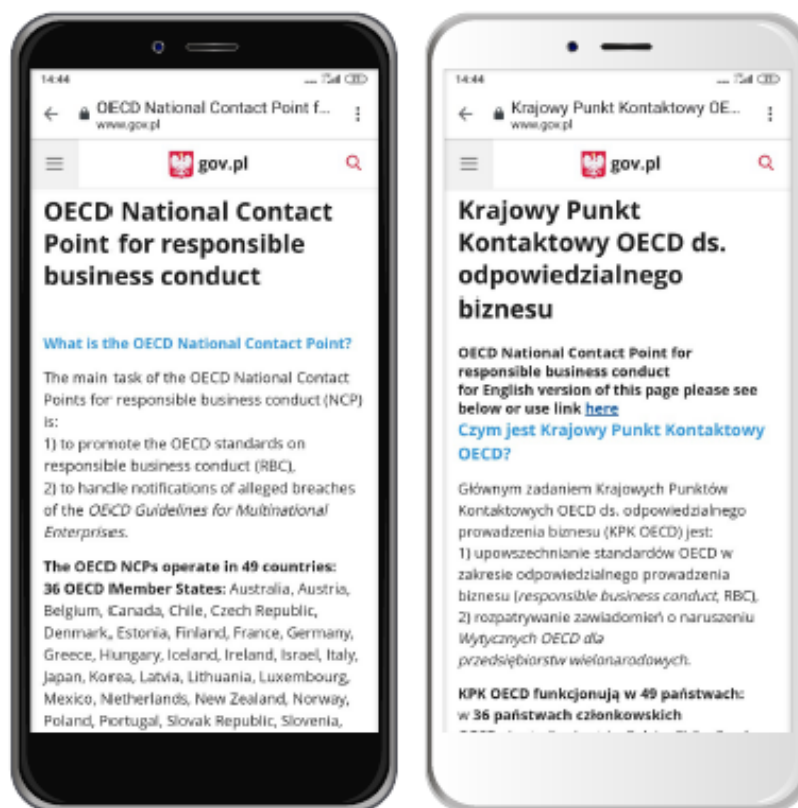
(features a description of the conduct procedure before the OECD NCP in the case of alleged breaches of the OECD Guidelines, along with a template illustrating its stages and the Notification Form. These materials have been made available in four language versions: Polish, English, Ukrainian and Russian)

### [Notifications of breaches of the OECD Guidelines](#)

(features information on the proceedings before the OECD NCP, including Initial Assessments and Final Statements in the different cases)

### [Archive 2001–2015](#)

(contains OECD NCP reports for the years 2001–2015)



### OECD NCP CONTACT DETAILS:

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