

## **POLISH OECD NATIONAL CONTACT POINT ACTIVITY REPORT OF 2020**

### **INTRODUCTION**

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

- (1) promotes the *OECD Guidelines for Multinational Enterprises* (OECD Guidelines) and other OECD standards of responsible business conduct,
- (2) conducts proceedings in cases arising from notifications of an alleged breach of the OECD Guidelines received by the OECD NCP.

The OECD Guidelines set the standard for responsible business conduct. The recommendations gathered in the document concern employee relations, work safety, respect for human rights as well as environmental issues, access to information, protection of consumer interests and tax settlements. They also indicate the principles of due diligence in the operations of multinational enterprises.

Where a multinational enterprise breaches the OECD Guidelines in its operations, it is possible to submit a notification to the OECD NCP. After reviewing the case and accepting it for consideration, the OECD NCP may propose to the parties concerned mediation or its good offices, the goal of which is to help the parties to find a satisfactory solution.

In 2020, the Polish OECD NCP was functioning in the Ministry of Development Funds and Regional Policy (MDFRP) within the structure of the Minister's Office, which is responsible for direct support of the high Ministry management as well as for disseminating trends and standards of responsible business conduct among enterprises and other organisations.

In 2020, the Polish OECD NCP included three employees of the Minister's Office, the MDFRP, including: the Head and the Counsellor to the Minister from the Unit of CSR and Cooperation with NGOs, and the Head of the Unit for Coordination of the Government Legislative Process.

This report summarises the activities carried out by the Polish OECD NCP in 2020.

### **PROMOTION OF THE OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES**

The main channel for disseminating the standards of responsible business conduct developed by the OECD is the website of the OECD NCP, created on the official website of the Ministry of Development Funds and Regional Policy.

The [OECD NCP website](#) is run in two language versions: [Polish](#) and [English](#), while some of the OECD NCP documents are also available in [Ukrainian](#) and [Russian](#).

In 2020, the OECD NCP developed and published on the OECD NCP website a brochure promoting the *OECD Guidelines for Multinational Enterprises* as well as the tasks of the OECD NCP. The brochure is available on the OECD NCP website in [Polish](#) and in [English](#).



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

#### **October 5, 2020**

##### **OECD NCP networking session during the CSR Marketplace**

The CSR Marketplace, organised by the Responsible Business Forum, is one of the most important events, organised periodically, on the subject of responsible business conduct. In 2020, due to the epidemic situation in Poland caused by COVID-19, the Marketplace was organised online. In 2020, the Ministry of Development Funds and Regional Policy was for the first time among the exhibitors.

In addition to providing information and documents on the operations of the Polish OECD NCP at the virtual stand of the Ministry of Development Funds and Regional Policy, on 5 October 2021, the OECD NCP conducted a networking session, providing visitors to the CSR Marketplace with information on the activities of the Polish OECD NCP.

#### **November 5, 2020**

##### **Webinar on the activities of the Polish OECD NCP for responsible business conduct**

The objective of the webinar was to present the activities of OECD National Contact Points as an out-of-court alternative dispute resolution mechanism. Representatives of the Polish OECD NCP presented information on the OECD standards, the network of OECD National Contact Points around the world and the history of the Polish OECD NCP.

The procedure for submitting notifications of an alleged breach of the *OECD Guidelines for Multinational Enterprises* to the Polish OECD NCP and the notification form were discussed in detail.

#### **December 3, 2020**

##### **Conference on the occasion of the 20<sup>th</sup> anniversary of the OECD NCPs network for responsible business conduct**

The Polish OECD NCP organised an international conference to mark the 20<sup>th</sup> anniversary of providing access to remedies by the Network of the OECD NCPs. The event was opened by Małgorzata Jarosińska-Jedynak, Secretary of State at the MDFRP, and Cristina Tebar-Less, acting Head of the OECD Centre for Responsible Business Conduct.

During the conference, experts from the OECD NCPs from various countries (Austria, the Czech Republic, France, the Netherlands, Lithuania and Hungary) presented their experience in running the OECD NCP and talked about the benefits of proceedings before the OECD NCP for both enterprises and their stakeholders.

As part of the meeting, a discussion was held on the assessment of the effectiveness of the OECD NCP from the point of view of representatives of Polish organisations which are members of the OECD institutional stakeholders: Employers of Poland (member of the BIAC), NSZZ Solidarność (member of the TUAC), and the CSR Watch Coalition Poland (member of the OECD Watch).

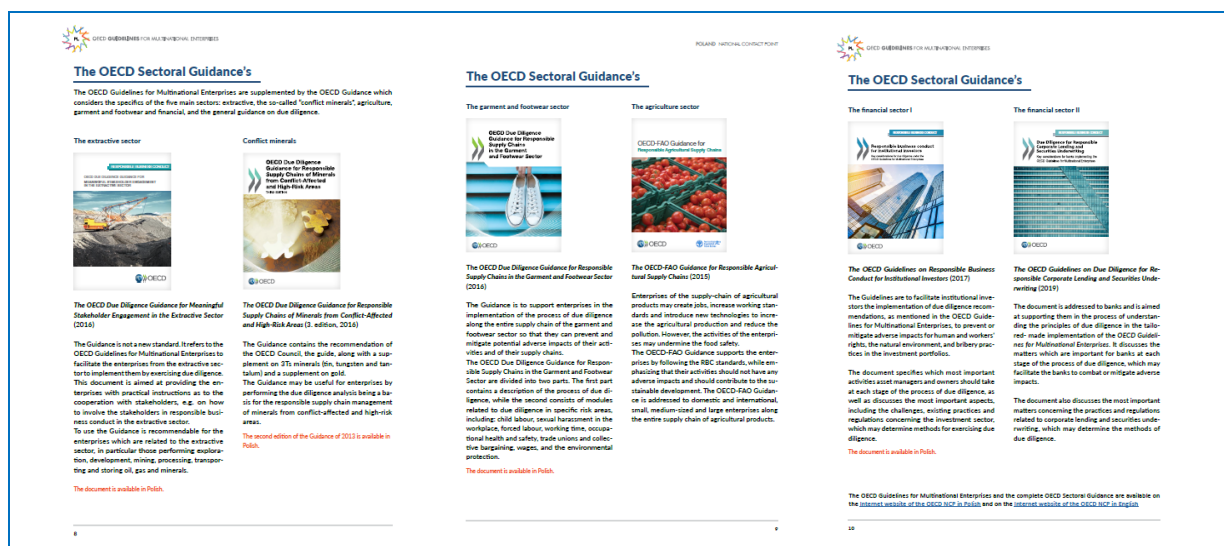
Recordings from the conference (in Polish and in English) are available for listening on the OECD website (<https://www.gov.pl/web/fundusze-regiony/oecd-ncp-activities>).

### PROMOTION OF SECTORAL OECD GUIDELINES

The *OECD Guidelines for Multinational Enterprises* are complemented by detailed recommendations which take into account the specificity of five main sectors:

- extractive,
- conflict minerals,
- agri-food,
- garment and footwear,
- financial.

Sectoral OECD Guidelines are also briefly described in the OECD NCP brochure:



The screenshot displays a brochure titled 'The OECD Sectoral Guidance's' with four columns. Each column provides a brief overview of a specific sectoral guideline, including its title, a small image, and a short description of its purpose and availability. The sectors covered are: Extractive Sector, Conflict Minerals, Garment and Footwear Sector, Agriculture Sector, Financial Sector I, and Financial Sector II. At the bottom, it states that the full guidelines and complete OECD guidance are available on the internet website of the OECD NCP in Polish and on the internet website of the OECD NCP in English.

The OECD NCP, presenting the responsible business conduct (RBC) standard promoted by the OECD, indicates sectoral guidance's that complement the general recommendations in the main OECD Guidelines with specific conditions for conducting business in a given industry. A separate section dedicated to the [sectoral guidance's](#) has been created on the website of the OECD NCP, where all documents can be downloaded.

In 2020, the Polish OECD NCP focused mainly on activities addressed to two sectors: financial, and garment and footwear:

#### **January 16, 2020**

##### **Meeting of the Financial Market Development Council Working Group on Sustainable Finance**

Information on the OECD standards on responsible business conduct was presented at the first meeting of the Financial Market Development Council Working Group on Sustainable Finance, which is run by the Ministry of Finance. The goal of the presentation was to familiarise the participants of the meeting with a set of tools prepared for enterprises, especially the financial sector, in the field of creating responsible business models.

#### **February 28, 2020**

##### **Workshop for representatives of the financial sector**

The workshop was organised by the Polish OECD NCP at the Ministry of Development Funds and Regional Policy with the participation of the OECD experts. The goal of the workshop was to introduce representatives of the financial sector to the OECD recommendations developed for the financial sector: [Guidelines for institutional investors](#) and [Guidelines for banks regarding Due Diligence for Responsible Corporate Lending and Securities Underwriting](#). About 70 representatives of banks, insurance companies, credit intermediaries as well as institutions and organisations of the financial sector participated in the workshop.

#### **November 3, 2020**

##### **Webinar on the future of the sustainable textile sector**

The Polish OECD NCP actively participated in educational activities carried out by the Asia Europe Foundation regarding SDG 12: Sustainable Consumption and Production. A representative of the OECD NCP participated in the webinar on the future of the sustainable textile sector, and on the initiative of the OECD NCP a representative of the Gdynia Cotton Association, a Polish textile sector organisation, was also invited to participate.

In addition, the OECD NCP engaged in the annual ASEF conference: **Asia-Europe Environment Forum (ENVforum) Annual Conference. Connecting the Dots: Creating an Enabling Environment for SDG 12 in ASEM** which took place on-line between 9 and 11 November 2020. A representative of the OECD NCP moderated a thematic session on the issue of sustainable textiles, and on the initiative of the Polish OECD NCP a representative of Polish clothing company LPP, EU and OECD experts and representatives of the science community were also invited to participate.

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

In 2020, representatives of the OECD NCP participated, *inter alia*, in the following events:

- 1) Meeting of OECD NCPs from countries of Central and Eastern Europe, **January 27, 2020**, Budapest, Hungary;
- 2) Global Forum on Responsible Business Conduct, **May 19, 2020** and **June 17, 2020**;
- 3) Meetings of the Network of the OECD National Contact Points for responsible business conduct, **18-19 June 2020** and **November 4, 2020**;
- 4) On **5 October 2020**, representatives of the OECD NCP had the opportunity to present the activities of the OECD NCP during the CSR Marketplace, the largest event on responsible business conduct organised in Poland for several years;

- 5) On **November 17, 2020**, the UN Forum on human rights in business. A representative of the OECD NCP participated in a regional session devoted to the issues of respect for human rights in business in the countries of Central and Eastern Europe;
- 6) On **December 14, 2020**, an on-line conference organised by the OECD on the occasion of the 20<sup>th</sup> anniversary of the Network of the OECD NCPs on responsible business conduct;
- 7) On **December 14, 2020**, the inaugural meeting of the Intersectoral Platform of Experts on Human Rights in Business established by the Ukrainian Parliament Commissioner for Human Rights.

## RESPONSIBLE BUSINESS CONDUCT IN THE DAYS OF THE COVID-19 PANDEMIC



### COVID-19 and Responsible Business Conduct

This note, prepared by the OECD Centre for Responsible Business Conduct, reviews the challenges the COVID-19 crisis presents for business behaviour and outlines initial responses by governments and companies. It describes the rationale and method for adopting a responsible business conduct approach to address the crisis and sets down the potential short-term and long-term benefits of such an approach.

The situation which arose around the world as a result of the development of the COVID-19 pandemic in 2020 also had a significant impact on the economy. According to the OECD, the application of responsible business approach standards in the responses of governments and enterprises to the situation resulting from the pandemic could support the development of the situation and bring both short- and long-term benefits.

In May 2020, the OECD issued a [Note](#) on responsible business during the COVID-19 pandemic which was published by the Polish OECD NCP in [Polish](#) on the OECD NCP website.

## THE OECD NCP AT THE MEETINGS OF THE SUSTAINABLE DEVELOPMENT AND CORPORATE SOCIAL RESPONSIBILITY ADVISORY BOARD

In 2020, as part of its tasks, the OECD NCP cooperated with the Sustainable Development and Corporate Social Responsibility Advisory Board, an auxiliary body of the Minister of Development Funds and Regional Policy.

The main task of the Advisory Board is to create a space for dialogue and exchange of experiences between public administration ministries, social and economic partners, non-governmental organisations and academia in the field of developing corporate responsibility practices (CSR/RBC) on the Polish market.

Tasks of the Advisory Board include creating recommendations for the implementation of the CSR/RBC standards into public policies in accordance with the priorities of socio-economic development specified in the country's medium-term development strategy – Strategy for Responsible Development. In 2020, information presented during the meetings of the Advisory Board for Sustainable Development and CSR (meetings held once a quarter) was related to the current activities of the Polish OECD NCP. Between the meetings, members of the Advisory Board were informed and encouraged to actively participate in events such as webinars and conferences organised by the Polish OECD NCP. The Advisory Board members were involved in consulting documents and directions of activities planned by the OECD in 2020 in the field of development of responsible business conduct.

## NOTIFICATIONS OF AN ALLEGED BREACH OF THE OECD GUIDELINES

In 2020, the OECD NCP received two notifications of an alleged breach of the *OECD Guidelines for Multinational Enterprises* and carried out monitoring of two cases in which Final Statements were issued in 2019.

### 1) Monitoring of the OLX case

In accordance with the findings presented in the [Final Statement](#) of the case concerning the OLX in which the notification to the OECD NCP was submitted by the Frank Bold Foundation, on 29 April 2020, the OECD NCP requested the parties to provide information on the course of cooperation and the implementation of the agreement concluded between the parties. On the basis of the information received from the parties to the proceedings, the OECD NCP prepared a [Monitoring note](#) which was published in Polish and English on the website of the OECD NCP on 7 August 2020.

In the note of the OECD NCP concerning monitoring of the case, the OECD NCP positively assessed the cooperation with the parties at various stages of the proceedings, emphasised the commitment of the Company both in responding to the expectations of the Frank Bold Foundation regarding the removal of the indicated advertisements, as well as by undertaking other educational and training activities.

The OECD NCP stated that the Company complied with the recommendations set out in Chapter II "General Policies" in particular in point 13 according to which: *"In addition to addressing adverse impacts in relation to matters covered by the Guidelines, enterprises should encourage, where practicable, business partners, including suppliers and sub-contractors, to apply principles of responsible business conduct compatible with the Guidelines"*.

The case concerning the OLX Company was noticed at the OECD level and included in the report issued for the 20<sup>th</sup> anniversary of the Network of the OECD NCPs (the report included 20 most interesting cases from the entire Network of NCPs): [National Contact Points for Responsible Business Conduct. Providing access to remedy: 20 years and the road ahead.](#)

### 2) Monitoring of the PZU S.A. case

In accordance with the findings of the [Final Statement](#) in the case concerning the PZU S.A. Capital Group in which the notification to the OECD NCP was submitted by the Foundation "Development YES – Open-Pit Mines NO", the OECD NCP issued an invitation to the parties to the proceedings to participate in the meeting. Due to the situation resulting from the COVID-19 pandemic and the recommendations on limiting meetings and on social distancing, the meeting was held on-line on 15 October 2020.

On the basis of the information received from the parties to the proceedings, the OECD NCP prepared a [Monitoring note](#) which was published on the website of the OECD NCP in 2021 in Polish and English.

### 3) In cases related to the notifications of an alleged breach of the *OECD Guidelines for Multinational Enterprises* received by the OECD NCP in 2020, the OECD NCP carried out actions related to the initial assessments of these cases. With regard to one case, on 30 September 2020 the OECD NCP made a decision to accept the case for consideration. An [Initial Assessment](#) of this case was published on 18 January 2021.