



Ministry of Development
Funds and Regional Policy

POLISH OECD
National Contact Point
for responsible business conduct

OECD NCP Poland



Report on 2023 activities
of the Polish OECD National Contact Point for RBC



OECD National Contact Point for Responsible Business Conduct

2023 Activity Report

The OECD National Contact Point for Responsible Business Conduct (OECD NCP) performs the following tasks:

- (1) promotes the *OECD Guidelines for Multinational Enterprises on Responsible Business Conduct* (OECD Guidelines) and other OECD standards in the scope of responsible business conduct (RBC);
- (2) conducts proceedings in cases arising from notifications received by the OECD NCP, pertaining to potential breaches of the OECD Guidelines.

The OECD Guidelines set the main standard for RBC. The recommendations contained herein refer to actions of enterprises in the areas of: disclosure of information, respect for human rights, employee relations, environmental issues, combating bribery, protection of consumer interests, science, technology and innovation issues, competition and taxation. At the same time, the OECD Guidelines also clarify what the idea of due diligence in RBC means.

Where the activities of a multinational enterprise breach the OECD Guidelines, it is possible to submit a notification to the OECD NCP. After examining the case and accepting it for further consideration, the OECD NCP may offer the parties its *good offices*, i.e. joint talks with the participation of the OECD NPC with the aim of facilitating a satisfactory solution for the parties. The role of the OECD NCP is to support the parties in these discussions.

In 2023, the Polish OECD NCP was functioning in the Ministry of Development Funds and Regional Policy (MDFRP). Until April 2023. The OECD NCP was located within the structure of the Minister's Office, while since 18 April 2023 it has been located in the Department of European Affairs and International Cooperation, in the Corporate Social Responsibility Unit.

In 2023, the Polish OECD NCP was composed by three MDFRP employees from the Corporate Social Responsibility Unit: Head of the Unit, the Counsellor and Senior Specialist.

This report summarises the activities carried out by the OECD NCP in 2023, including:

- 1) promotional activities of the Polish OECD NCP through the website;
- 2) participation of the Polish OECD NCP in the work on updating the OECD Guidelines;
- 3) OECD Ministerial Meeting on RBC;
- 4) peer review of the Polish OECD NCP;
- 5) participation of OECD NCP representatives in other events;
- 6) conducting proceedings before the OECD NCP.



Promotional Activities of the Polish OECD NCP



The main channel for disseminating the responsible business conduct standards developed by the OECD is the [OECD NCP website](#), operated on the official website of the Ministry of Development Funds and Regional Policy.

The OECD NCP website is maintained in two language versions: [Polish](#) and [English](#).

Some of the OECD NCP documents were also available in [Ukrainian](#) and [Russian](#).



The OECD NCP website also features a brochure describing the OECD standards for responsible business conduct and the tasks of the OECD NCP – available in [Polish](#) and in [English](#).





The tabs on the OECD NCP website:

[OECD Guidelines for Multinational Enterprises](#)

It describes the chapters of the OECD Guidelines and provides links to download the 2023 edition of the OECD Guidelines.

[Due diligence Guidance](#)

Describes the *OECD Due Diligence Guidance for Responsible Business Conduct* and provides links to download the document.

[OECD Sectoral Guidelines](#)

Provides a description and links to download OECD documents for the following sectors:

- extractive sector
- conflict minerals sector
- garment and footwear sector
- agriculture sector
- financial sector

[Activities of the OECD NCP](#)

Contains a description of webinars, conferences, and meetings organised by the OECD NCP and international events in which the Polish OECD NCP participated. At the bottom of this page, a “Materiały” [Materials] section is available, allowing to download, among others, the annual reports on the activities of the Polish OECD NCP.

[OECD NCP Network](#)

It contains a description of the OECD National Contact Points Network and a link to the OECD website, leading to individual OECD NCPs operating in 51 countries in 2023.

[Conduct procedure before the OECD NCP](#)

Contains links to download the documents of the Polish OECD NCP:

Conduct procedure before the OECD NCP

Chart of conduct procedure before the Polish OECD NCP

Template for notification concerning a potential breach of the Guidelines

[Notifications](#)

Contains links for downloading documents related to proceedings conducted by the Polish OECD NCP (Initial Assessments, Final Assessments, Monitoring Notes, etc.)

[Archive 2001-2015](#)

Contains links for downloading the annual reports on the activities of the OECD NCP in the years 2001-2015.



Participation of the Polish OECD NCP in the work on updating the OECD Guidelines for Multinational Enterprises

In 2023, the OECD finalised the work on updating the OECD Guidelines in terms of their compliance with the current trends and other regulations in the scope of responsible business. From 15 January to 10 February 2023, a draft update of the the OECD Guidelines was made available to a wide range of stakeholders within an open public consultation.

The Polish OECD NCP actively participated in the work on updating the OECD Guidelines by participating in the work of the OECD Working Group on RBC and by submitting to the OECD comments submitted by the Polish public administration.

The OECD NCP also disseminated information about ongoing work through the OECD NCP website and meetings with stakeholders, including, among others, a meeting on **31 January 2023**, during which it encouraged stakeholders to participate in the public consultation.

The graphic in Polish on the right was an invitation to the above-mentioned event. consultation meeting.

Międzynarodowe Centrum Współpracy Gospodarczej i Innowacji
Ministerstwo Funduszy i Polityki Regionalnej
oraz Polski Krajowy Punkt Kontaktowy OECD zapraszają
przedstawicieli biznesu, organizacji pozarządowych,
organizacji społeczeństwa obywatelskiego, związków
zawodowych, organizacji branżowych, środowiska
akademickiego i administracji publicznej na

SPOTKANIE NA TEMAT AKTUALIZACJI WYTYCZNYCH OECD DLA PRZEDSIĘBIORSTW WIELONARODOWYCH

31 STYCZNIA 2023 r. godz. 12:00 – 14:00

Zapraszamy do udziału w siedzibie MFIPR
ul. Wspólna 2/4, sala konferencyjna im. G. Gęśickiej

Wydarzenie będzie transmitowane na kanale YouTube i Facebooku
Ministerstwa Funduszy i Polityki Regionalnej

▶ Linki do transmisji w poście

Więcej informacji na temat aktualizacji Wytycznych OECD: <https://www.gov.pl/web/fundusze-regiony/wytyczne-oecd>



OECD Ministerial Meeting on RBC

Experts from the Polish OECD NCP participated in the preparations for the OECD Ministerial Meeting on RBC, held in Paris on 14-15 February 2023.



14-15 February 2023 | #OECDRBCministerial

Responsible Business Conduct
IN THE GLOBAL ECONOMY

The Ministerial Declaration, adopted at the end of the meeting, entitled [Promoting and enabling responsible business conduct in the global economy](#) emphasises shared values and commitment to the implementation of RBC standards. The text of the Declaration highlights the importance of RBC standards for resilience and sustainability in the global economy and signals their role in supporting action in the scope of climate change, sustainable finance, digitalisation and resilient supply chains. Particular attention was paid to the importance of the OECD Network of National Contact Points on Responsible Business Conduct and [Recommendation the OECD Council of December 2022 on the role of the state in promoting responsible business conduct](#).



After the OECD ministerial meeting, the OECD NCP commissioned a translation of the OECD *Recommendation of the Council on the role of Government in Promoting Responsible Business Conduct* into Polish.

On 2 March 2023, the OECD NCP circulated the Polish language version of the above-mentioned Council Recommendation to ministries and central offices, encouraging them to review the content of the document and to disseminate it within their relevant units and above all, to apply the recommendations contained in the Recommendation.

The Recommendation indicates a comprehensive set of principles and policy recommendations to support government administrations, other public bodies and relevant stakeholders in their efforts to plan and implement policies that enable and promote RBC.

The Polish OECD NCP also cooperated with the Permanent Representation of the Republic of Poland to the OECD (PR RP to the OECD) in the preparation of the information material on the OECD Ministerial Meeting on RBC, which was included in the monthly newsletter of the PR RP to the OECD and distributed widely. In addition, the OECD NCP circulated the publication through its distribution list, which triggered interest among OECD NCP stakeholders in the newsletter of the PR RP to the OECD.



Peer review of the Polish OECD NCP

A peer review of the activities of the Polish OECD NCP took place in 2023. The peer reviews of the OECD NCPs, which should have been conducted by the end of 2023 in all 51 countries implementing the OECD Guidelines, provide an important opportunity to share experience on activities of the OECD NCPs. This applies both to the promotional activities of the OECD NCP, the cooperation with stakeholders, as well as to any barriers and challenges the OECD NCP may face in achieving its objectives.

The peer reviews provide the opportunity to exchange experience and good practices in the performance of the OECD NCP's tasks, including an examination of the OECD NCP's procedures and approach to case handling, which may help to improve the consistency of action in this area in the future.

On **28-29 June 2023**, the Peer Review Team that examined the activities of the Polish OECD NCP met in Warsaw. The Peer Review Team consisted of representatives of the OECD NCPs from Bulgaria, Germany and the USA, and representatives of the OECD Secretariat. An observer of the peer review process, at the invitation of the Polish OECD NCP, was a representative of the OECD NCP of Ukraine.

The Peer Review Team met with a broad range of stakeholders of the Polish OECD NCP, as well as with representatives of the government administration and selected parties to proceedings conducted by the Polish OECD NCP.

The report on the peer review of the Polish OECD NCP in March 2024 was presented at the meeting of the OECD Working Group on Responsible Business Conduct and published on the OECD website.

The OECD Peer Review Team also had the opportunity to participate in a conference on ***Responsible Business Conduct and Stakeholder Engagement in Accordance with the New Text of the OECD Guidelines for Multinational Enterprises***, which was organised by the Polish OECD NCP at the MDFRP on 27 June 2023.

During the conference, key changes to the OECD Guidelines were reviewed and the role of stakeholders in the process of updating the OECD Guidelines was discussed.

Recordings of the conference are available on the [FB](#) and [YT](#) channels of the MDFRP.





Participation of the Polish OECD NCP Representatives in OECD meetings and meetings organized by other OECD NCPs

Meetings at the OECD forum

15 February 2023 – participation in the OECD Global Forum on RBC, during which the results of the OECD Ministerial Meeting on RBC were discussed.



16 February 2023 – participation in the OECD Forum on Due Diligence in the Garment and Footwear Sector. The issues discussed during the Forum included, among others, wage gaps in garment supply chains and the assessment of the implementation of due diligence in responsible supply chains.

16 February 2023 – participation in the meeting of the *OECD-FAO Multi-stakeholder Advisory Group for Responsible Agricultural Supply Chain*. The Group's priorities for the next five years were discussed, including in the context of such events as the UN Food Systems Summit and COP-28.

OECD NCP Network Meetings

Representatives of the OECD NCP participated in meetings of the OECD NCP Network organised by the OECD on **20-21 June 2023** and **9-10 November 2023**.

Review of the OECD NCP in Iceland

A representative of the Polish OECD NCP, together with a representative of the Finnish OECD NCP and representatives of the OECD Secretariat participated in the Peer Review Team preparing the peer review of the OECD NCP in Iceland. In **December 2023**, a representative of the Polish OECD NCP participated in the on-site visit to Reykjavik, during which meetings were held with stakeholders of the OECD NCP in Iceland.

Seminar of the OECD NCP in Latvia

On **13 December 2023**, a representative of the Polish OECD NCP participated in a seminar in Riga organised by the Latvian OECD NCP on the responsible business conduct titled: ***The RBC method and practical implementation – experience of the NCP of Poland***. The representative of the Polish OECD NCP shared her experience of the functioning of the OECD NCP, including the promotion of RBC standards through cooperation with the business community, NGOs, CSOs, trade unions, public administration and academia. She also discussed examples of proceedings conducted by the Polish OECD NCP. The seminar was attended by representatives of the Latvian government administration, law firms, business, social organisations and also representatives of the office of the Latvian ombudsman.



Participation of representatives of the Polish OECD NCP in other events on RBC

10 October 2023

Meeting of the Working Group on Due Diligence operating within the Advisory Board on Sustainable Development and Corporate Social Responsibility, during which, among other things, information was presented on the current activities of the Polish OECD NCP, including updates on the OECD Guidelines.

27 November 2023

Webinar on the European Sustainability Reporting Standards (ESRS) – organised by the Working Group on the Development of Non-Financial Reporting, which provided information on the update of the OECD Guidelines.

The recordings (in Polish) of the aforementioned webinars are available on the MDFRP website addressing the [CSR events](#).

6 December 2023

Participation in the meeting for the financial sector organised by mBank with a presentation on minimum safeguards arising from Article 18 of the EU Taxonomy.

8 December 2023

Participation in the meeting of the Working Group of the Ministry of Economic Development and Technology on the implementation of the EU Taxonomy on minimum safeguards arising from Article 18 of the EU Taxonomy. Declaring the involvement of the OECD NCP in the development of a guide on minimum safeguards for enterprises.

15 December 2023

Participation in the meeting of the Responsible Business Forum Due Diligence Working Group – presentation on due diligence as perceived by the OECD and participation in the discussion.

Specific instances

A significant area of activity of the OECD NCP involved conducting cases resulting from notifications received by the OECD NCP concerning alleged breaches of the OECD Guidelines by enterprises.

1. In 2023, the OECD NCP received two new notifications of alleged breach of the OECD Guidelines by enterprises.
2. One of the above-mentioned cases was received by the OECD NCP on **22 January 2023**. The notification was filed by a former employee of a Polish IT company belonging to a French Group. The notification indicated a potential breach of Chapter III "Disclosure", Chapter IV "Human rights" and Chapter V "Employment and industrial relations".



After a detailed analysis of the case and separate meetings with the parties to the proceedings, on 28 August 2023, the OECD NCP accepted the case for further proceedings.

On 31 October 2023, the OECD NCP published [an Initial Assessment](#) concerning this case.

3. Regarding the second of the new cases submitted to the OECD NCP in 2023, the OECD NCP received a notification of this case on **5 December 2023**. In accordance with the OECD NCP procedure, the Notifier received an acknowledgement of receipt of the notification by the OECD NCP during the following 10 days. The content of the notification was also sent to the company concerned with a request to take a stance on the case. The OECD NCP continued the activities on the case in 2024.
4. In 2023, the OECD NCP conducted proceedings in two cases pending since 2022.
Proceedings in one of these cases was concluded on **17 February 2023**. The case concerned an alleged breach of the OECD Guidelines, in particular the chapters on general principles, disclosure, human rights and the environment.

As a result of the proceedings before the OECD NCP, the parties reached a partial agreement. [The Final Statement](#) of the case was published on 7 March 2023.