
Stocktaking exercise on the OECD Guidelines for Multinational Enterprises

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Submissions Received from BIAC

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Background

In November 2020, the OECD Working Party on Responsible Business Conduct (RBC) agreed to undertake a stocktaking exercise on the OECD Guidelines for Multinational Enterprises. The purpose of the stocktaking is to take account of the key developments, achievements and challenges related to the OECD Guidelines and their unique grievance mechanism the National Contact Points for RBC, as well as the ecosystem in which the OECD Guidelines are implemented.

Business at the OECD (BIAC), the Trade Union Advisory Committee to the OECD (TUAC) and OECD Watch were actively involved throughout the process, contributing comments and submissions on several drafts of the stocktaking report.

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Zero draft of the stocktaking - comments

Business at OECD (BIAC) initial comments on the stocktaking of the OECD MNE Guidelines

Business, as represented by *Business at OECD* (BIAC), has long recognized the importance of responsible business conduct in a globalized world. *Business at OECD* considers responsible business conduct, as promoted by the MNE Guidelines, to be an essential part of an open investment climate and in the best interest of business. To that end, *Business at OECD* is working closely with its member organizations and multinational enterprises in order to raise the visibility of the MNE Guidelines.

Business at OECD is pleased to present initial comments on the stocktaking of the OECD MNE Guidelines and stands ready to contribute as this process moves forward. The remarks presented below are grouped around the items outlined in the *Roadmap for a stocktaking of the OECD Guidelines for Multinational Enterprises*(DAF/INV/RBC(2020)28).

Key challenges

- Business is confronted with a **proliferation of responsible business conduct (RBC) measures both on national and international levels**. Unilateral regulatory policy actions at the national level create considerable challenges for business operating globally, in particular if these initiatives are not aligned with or diverge from globally recognized standards such as the OECD Guidelines for Multinational Enterprises (OECD MNE Guidelines), the UN Guiding Principles on Business and Human Rights (UNGPs), and the ILO MNE Declaration.
- At the same time, **the international business environment is considerably changing**. The rules-based trade and investment system, which has critically supported growth and development of economies over the past decades and which goes hand in hand with the promotion of RBC (as is also recognized by the OECD MNE Guidelines), is increasingly challenged by geopolitical tensions, rising protectionism and new national security concerns.
- At the same time, we are witnessing a **change in global economic weights**. This is amongst others characterized by a **rising importance of state owned enterprises (SOEs)**, which are already accounting for about one fifth of the world's largest companies, while increasingly expanding into global markets. These developments merit careful consideration, especially since an OECD study (2018) found that “in almost half of the participating SOE’s (and 42% of all respondents) at least one respondent reported that corrupt and related irregular practices have materialised in their company in the last three years”¹. There is a need for reinforced attention to RBC issues in SOEs, especially with a view on creating and maintaining a level playing field.

¹ [OECD \(2018\) STATE-OWNED ENTERPRISES AND CORRUPTION What are the risks and what can be done?](#)

- The Covid-19 crisis has also catalysed efforts with respect to **digital transformation**. Digital technologies, including blockchain, artificial intelligence and platforms, have spurred innovation and productivity as well as new dialogues on RBC. *Business at OECD* appreciates the work the OECD has been conducting on the nexus between digital and RBC, including through the organization of a dedicated workshop and the development of targeted background notes. We welcome the approach of convening experts to discuss specific ongoing and emerging RBC challenges in a flexible manner.

Key considerations

Role of business

- Business constitutes the backbone of our economies, providing employment, generating innovation and fostering growth. Business recognises the importance of engaging in responsible business conduct, including the fight against corruption and the respect of human rights, and the importance of seeking to prevent and mitigate potential adverse impacts, in line with reputational considerations, ethical convictions and legal obligations.
- Companies have proven their commitment to uphold responsible business conduct in the current crisis, quickly adapting to altered conditions by making efforts to maintain jobs, facilitating distance working and implementing additional health safeguards and controls, where teleworking is not feasible.
- Over the past decade, and especially after the adoption of the UNGPs and the OECD MNE Guidelines, many businesses have fundamentally changed and improved their due diligence practice and gained considerable experience in implementing internationally recognised frameworks. This is reflected in proactive third party due diligence, increased transparency, compliance programmes, training sessions, reporting mechanisms and codes of conduct that address corruption and human rights risk. Nonetheless, this is a continuous learning process.
- However, as the UNGPs and the OECD Guidelines recognize, companies may face obstacles in performing due diligence and it may not always be possible to exercise complete oversight over all their suppliers. This is particularly true when there is a large number of suppliers involved and when expectations around performing due diligence go deep into the supply chain, where companies have limited ability to access information or exert influence. SMEs furthermore might in some instances lack resources to implement far reaching due diligence programs and lack the leverage to effectively influence their suppliers' conduct.
- Importantly, business efforts with respect to RBC also depend on complementary government action. Serious RBC issues usually have a public governance dimension. Corruption for instance can only be fought effectively, if governments also make efforts to reinforce public integrity and address the demand side of bribery. Similar challenges exist in the human rights agenda, where the UNGPs make it clear that while corporations have a

responsibility to respect human rights, States have a duty to protect human rights. Companies cannot replace the role of states.

Role of governments

- While company efforts are critical, they cannot substitute for the key role governments must play in establishing and maintaining a sound policy framework for responsible business conduct. RBC issues, corruption and human rights violations are not a direct consequence of trade and investment per se, but they arise from an environment in which there is a lack of rule of law, weak governance and poor implementation of laws already “on the books”.
- To advance progress, all states must be encouraged to address economic, environmental and social - including human rights - challenges, in their own jurisdictions and to implement key standards both at the national and local levels. As highlighted in the OECD Policy Framework for Investment, which includes a chapter on RBC, governments “must enact and enforce the laws and regulations that protect the public interest and underpin RBC.”
- In the case of anti-corruption, governments have the duty to ensure that certain legal provisions are in place and enforced domestically, while in the case of human rights, governments have a state duty to protect against human rights infringements as recognized under international law.
- Beyond this, governments should be aware of the importance of ‘walking the talk’ by fulfilling their duty with respect to integrity and responsible business conduct in their own operations, including in the management of their SOEs in order to foster policy coherence and promote the update of RBC more broadly.

RBC in a broader context

- Responsible business conduct should not be considered in isolation. The OECD, with its multi-stakeholder processes, its convening power and its cross-cutting research abilities, is ideally suited to address RBC issues in a coherent manner. This includes ensuring that policy approaches are eventually practicable and implementable and have the greatest impact on the ground through consultation with all relevant stakeholders. The OECD should also convey to policy makers the critical interlinkages between RBC and other policy fields, thereby stressing that RBC goes hand in hand with an open investment environment and a sound public governance framework.
- The OECD is further in a unique position to promote RBC not just in member but also in non-member countries and enable a global level playing field through outreach through regional and country programmes as well as dialogue with key partners. The issue of the global level playing field is becoming increasingly important.

What has been achieved

- The OECD MNE Guidelines have been a ‘game changer’, which have brought about a broad-based cultural change in business. The MNE Guidelines are not only a demand on business, but they also support business. They contribute to providing a more level playing field, nationally and internationally, by setting out the standards of responsible behavior that are expected from all MNEs. In addition, the Guidelines have been developed through an extensive, global and multi-stakeholder dialogue, reflecting the views from adhering governments, which also incorporate the input of business, labor and civil society. Thus, the Guidelines also protect business from unrealistic expectations and provide flexibility, recognizing that there are differences across sectors and companies. The MNE Guidelines are deliberately not legally enforceable as they are intended to stimulate responsible behavior, not to trigger legal disputes.
- The Guidelines are underpinned by a unique implementation mechanism of National Contact Points (NCPs), promoting the instruments and providing a non-judicial grievance mechanism that can contribute to the resolution of issues that arise in relation to the implementation of the Guidelines. Business believes that the NCP system, if well implemented, can create great benefit, by offering a mediation platform for constructive dialogue with a view towards finding a future-oriented solution that is in the interest of all parties involved. The NCP process can thereby also serve as an effective dispute resolution mechanism that offers a way to potentially avoid costly and time-consuming judicial proceedings. National peer-reviews can play an important role in ensuring the efficiency of NCPs across the board.
- Building on the OECD MNE Guidelines, the OECD General Due Diligence Guidance as well as the sectoral due diligence guidance documents² have provided additional practical guidance to businesses by providing non-prescriptive, practical information on the steps of the due diligence process as well as offering concrete examples of how companies can implement the provisions as foreseen by the MNE Guidelines. Business appreciates that it is clearly recognized that not all steps apply to every situation and underlines the importance of user-friendly and practical guidance.
- Business further appreciates the outreach that has been conducted via the various regional programs, which has helped raise awareness of RBC and promote the MNE Guidelines and related due diligence guidance on a global level.
- Of great importance is also the international coherence provided by the MNE Guidelines, including though the human rights chapter, which is closely aligned with the UN Guiding Principles on Business and Human Rights (UNGPs). Together with the latter and other instruments such as the ILO MNE Declaration, the MNE Guidelines have developed into an important global reference, which have prompted significant investment in policies and procedures to drive action.

² addressing RBC in the extractive sector, mineral supply chains, agricultural supply chains, garment supply chains and the financial sector

What has worked less well

- *Business at OECD* (BIAC) is working together actively with national business federations and companies to raise awareness for the MNE Guidelines and the NCP system. Yet, despite the efforts, the Guidelines and NCPs still lack sufficient visibility among the business community. While major listed multinationals may be familiar with the Guidelines, this may not always be the case for SMEs and other privately-held, internationally active companies.
- As outlined in our [joint BIAC-TUAC-OECD Watch statement from 2015](#) and reiterated in our [comments on the paper on the 20th anniversary of the NCP system](#), governments should live up to their responsibility to ensure that their NCPs are adequately equipped and that NCP staff are accordingly trained in order to follow the processes and comply with the core criteria foreseen in the OECD Guidelines. This creates an unlevel playing field among NCPs, risking forum shopping, and significantly hampers the overall functioning of the NCP system.
- Another potential impediment to realizing the potential of the NCP system is a lack of trust. Businesses have in some instances expressed concerns regarding the respect of confidentiality and impartiality of the process as well as the use of aggressive campaigning, which may ultimately prevent companies from engaging in a specific instance process. The sometimes-prevailing public perception that a company involved in a specific instance has automatically ‘done something wrong’ may further serve as a disincentive to engage. There should further be a common understanding of what the NCP process is and what it is not.

Proposed next steps

- **Great achievements have been made with respect to the promotion of RBC over the past decade.** The OECD MNE Guidelines are truly unique in scope (covering all major areas of business ethics) and implementation (NCP system, due diligence guidance documents) and, most importantly, they have brought about a broad-based cultural change in business. Companies have gained considerable experience in the implementation of due diligence, codes of conduct, training programs, reporting channels and other important components of responsible business conduct. However, further capacity building must remain high on the agenda, including for SMEs.
- **Accordingly, adhering governments should be encouraged to commit to their responsibilities** of ensuring a sound regulatory environment, fostering a conducive climate for RBC, and addressing the root causes of RBC related challenges, including in the areas of corruption and human rights abuses. In this context, it is essential that governments advance on the implementation national and international standards.
- In this context, the OECD could also consider **analyzing the practical impact of OECD guidance on the ground** in order to identify focus areas and streamline efforts with respect to the promotion of RBC going forward.

- It must also be recognized that while many companies have made significant advances on the RBC front, there are still companies which would benefit from reinforced capacity building and awareness raising. **One key element in order to ensure that the MNE Guidelines are and remain fit for purpose is therefore increased visibility** – both with a view on the business community as well as non-member countries. While there has been considerable progress, including through regional outreach programs, more can be done in order to reach practitioners on the ground.
- **In addition, stronger efforts are needed with respect to supporting the implementation of the Guidelines and leveraging the potential of the NCP system.** This could include increased promotional activity, development of targeted informational material, efforts to monitor and strengthen the resources and capacities of NCPs, ensure that NCPs are operating according to the procedural guidance set out in the MNE Guidelines and encourage all parties to engage with good faith in the process. In addition, as specific instances are becoming increasingly complex and as they tend to involve a growing number of NCPs, **there is need to reinforce cooperation** between NCPs, including through the provision of opportunities and platforms for the exchange of experiences as well as best practices.
- The recent alleged **incidents of pressure against submitters of specific instances** further threaten to undermine the functioning of the NCP system. No submitter filing a specific instance should face repercussions for calling on an NCP as stressed in our [joint Business at OECD \(BIAC\)-TUAC-OECD Watch statement from March 2020](#).
- Last but not least, **the impact of the Guidelines also depends on the degree of openness in global markets.** Efforts to safeguard an open trade and investment environment therefore go hand in hand with the scope for promoting responsible business conduct in different parts of the world.

1st draft of the stocktaking - comments

Business at OECD (BIAC) submission to the public consultation on the OECD MNE Guidelines stocktaking

14 September 2021

Business at OECD (BIAC) reiterates its strong support for the OECD MNE Guidelines, which are unique due to their comprehensive nature, their government backing and their stakeholder involvement. The Guidelines have provided very useful guidance for mainstreaming responsible business conduct (RBC) across companies, which have gained considerable experience in this field over the last decade.

We further underline the importance of close alignment between the MNE Guidelines and the UNGPs, championing the State duty to protect and the corporate responsibility to respect human rights, alongside access to remedy. These key principles lay out an important framework for addressing RBC challenges, which remains relevant also in light of new challenges.

We believe the stocktaking is a good opportunity to consider the successes of the MNE Guidelines as well as the opportunities and challenges related to fostering further uptake and efficient and balanced implementation of the instrument. It will be essential to ensure that the Guidelines remain a cornerstone for RBC in the decade to come. Yet, while there are ongoing discussions at the national and international levels, a full-fledged review process such as in 2011 would be premature. Nonetheless, we see an important role for the OECD to monitor ongoing developments and identify ways in which business and governments can proactively work together to address new challenges in the area of good governance.

To that end, we recommend the OECD to focus on the following issues:

- **Visibility:** While large Multinational Enterprises (MNEs) may be well familiar with the Guidelines, smaller MNEs and as well as other domestic companies are often less aware of the instrument, the supporting NCP system and the associated practical guidances. Additional efforts to increase their visibility as well as outreach to the broader business community, with the help of tailor-made, concise, plain language communications materials in close cooperation with national business organizations, are therefore urgently needed.
- **SME buy-in:** Smaller businesses, many of which are MNEs, often face particular challenges in implementing due diligence programs given resource constraints and limited leverage to influence suppliers and business partners. The Guidelines provide the needed flexibility, recognizing that expectations for the practical implementation of the provisions towards small and medium sized enterprises (SMEs) may differ from those towards large MNEs. This flexibility must be maintained. Moreover, the development of more targeted practical promotion materials for the MNE Guidelines, paying due consideration to the specific

challenges companies may be facing on the ground could help to leverage uptake of the Guidelines among SMEs.

- **Global outreach:** In order to promote a broad-based paradigm shift and foster a global level playing field, regional outreach and capacity building efforts are key. The OECD is already engaging in a number of dedicated initiatives, which should be maintained and strengthened. Further outreach activities are needed to promote the Guidelines in non-OECD countries, with a view to further expanding the circle of adherents, provided that candidate countries demonstrate willingness to implement, enforce and live up to the expectations under the Guidelines.
- **NCPs:** While business efforts are vital, governments' commitments to create enabling policy environments and maintain well-functioning NCPs are key to the success of the Guidelines. Yet recent reports have shown that NCP capacity remains uneven. Efforts should focus on ensuring that NCPs are sufficiently equipped and capable to facilitate constructive dialogues and deal with emerging challenges according to national circumstances and that the process is transparent as well as well understood and trusted by all parties to allow for sound engagement. To that end, we underline the importance of consulting with representative stakeholders' groups, such as representative business/employers' organizations, and to engage in a joint dialogue in order to learn about representative stakeholders' expectations and identify avenues to foster confidence.

2nd draft of the stocktaking - comments

Business at OECD (BIAC) comments on the 2nd stocktaking report of the OECD MNE Guidelines

Business, as represented by *Business at OECD* (BIAC), has long recognized the importance of responsible business conduct in a globalized world. *Business at OECD* considers responsible business conduct, as promoted by the MNE Guidelines, to be an essential part of an open investment climate and in the best interest of business. To that end, *Business at OECD* is working closely with its member organizations and multinational enterprises in order to raise the visibility of the MNE Guidelines.

Business at OECD has further been contributing to the ongoing stocktaking of the Guidelines from the very outset of the process. To that end, we have provided [initial comments](#) at the March 2021 OECD Working Party on RBC (WPRBC) meeting, have made a [formal submission to the public consultation](#), which took place over the summer, and have participated in an ad-hoc meeting of the WPRBC discussing the outcomes of the public consultation in October 2021.

Comments on the results of the public consultation

The findings of the public consultation reconfirm our views, most notably that **the Guidelines are fit for purpose** and that they have played a decisive role in promoting RBC. 38 NCPs, who have participated in the survey provided an average rating of 8.1. (where 1 is the lowest and 10 is the highest suitability) for overall suitability of the Guidelines to meet future RBC challenges.

Over a third of respondents to the public online consultation further noted that ‘*a major achievement of the Guidelines, alongside other international instruments, is the establishment of RBC as a strong international norm, based on a government backed standard*’. **The Guidelines have produced substantial changes** in the business culture around RBC, which is not always sufficiently recognized in the debate.

We also agree that the **NCPs system**, with its focus on mediation and constructive, forward-looking dialogue, **has been a key achievement of the Guidelines**, while uneven NCP performance remains an important challenge in the context of effective implementation of the instrument.

Comments on 2nd draft stocktaking report

Overarching remarks

While we appreciate the comprehensive nature of the report, providing an overview of the findings of the different surveys/consultations, we regret that the **views of the institutional**

stakeholders, *Business at OECD* (BIAC) and TUAC and as well as OECD Watch, are not explicitly highlighted in the report, recognizing their status as “advisory bodies” of the WPRBC. We therefore urge the OECD Secretariat to give specific emphasis to the comments and assessments provided by the institutional stakeholders, *Business at OECD* (BIAC) and TUAC, and as well as OECD Watch, who have actively contributed to the stocktaking process from the very beginning and which represent large, organized, representative stakeholder groups, which provide consensus-based inputs and feedback. This distinction between the positions and proposals of the institutional stakeholders and the general public should be fully taken into account in the conclusions to be drawn from the stocktaking exercise.

Moreover, when the stocktaking report refers to the public online consultation, we ask the OECD Secretariat to clearly mark the details on the **distribution of submissions across stakeholder groups**, which are necessary to appropriately evaluate the responses and their context.

Nevertheless, we acknowledge that selected stakeholder comments are highlighted in the boxes at the end of each chapter and appreciate the **reference to our joint statement** with TUAC and OECD Watch on NCPs as well as our workshop on NCPs.

Remarks on the contents

Given the key role of the NCPs, we welcome the inclusion of a dedicated chapter on national contact points, providing a comprehensive assessment of the NCP landscape (including details on their setup and performance), the NCPs’ achievements as well as key developments and observed challenges faced in the system. We further acknowledge the distinction between issues, implementation and institutions, which helps to disentangle and streamline the feedback provided in the stocktaking process. In our view, **implementation and institutions are key to ensure that the Guidelines remain fit for purpose**.

Concerning implementation, we stress that there remain different levels of implementation on the ground. While some states and NCPs are advanced, some are lagging behind. Further efforts are needed, including through the exchange of best practices and peer reviews. **Policy coherence** remains an important objective, especially in light of a proliferation of RBC initiatives and regulation, which creates practical challenges for businesses operating across different jurisdictions. Furthermore, we believe that it could be helpful to develop **targeted support materials** (while not generating new standards), which are in line with the MNE Guidelines, and potentially also **launch targeted information campaigns** to raise awareness beyond the traditional RBC community. Special attention could further be given to alignment of collective industry and multi-stakeholder initiatives with the Guidelines, thereby respecting the autonomy of social partners and stakeholders and taking into account the different needs, challenges and traditions on the ground. The aim of RBC efforts should never be to create more enforcement and fines, but to promote a better situation on the ground. To that end, **collective initiatives can play an important role** in the implementation of RBC.

Concerning the institutions, we appreciate the emphasis on the important role of the NCPs, and the explicit reference to the **implementation gaps in the NCP system**, resulting from ‘*under resourcing, insufficient government support and/or inadequate structure at a number of NCPs*’. The notion that the public support and resourcing of some NCPs need to be strengthened is a shared one across the three stakeholders. The report also notes that ‘*functional equivalence is currently not achieved*’, citing **differences in human and financial resources, expertise and stakeholder confidence across NCPs**. These indicate clear target areas for improving the functionality of some NCPs. OECD efforts should focus on ensuring that NCPs are sufficiently equipped and capable to facilitate constructive dialogues and deal with emerging challenges according to national circumstances, while ensuring that the process is impartial, well understood and trusted by all parties to allow for sound engagement.

Concerning the issues, we acknowledge that the broader RBC environment has evolved over the last decade. We are also aware of new regional standards and initiatives, while recognizing that many of these developments are ongoing and that the RBC landscape will continue to develop. Therefore, we are against **a revision of the Guidelines** because we think it is **not needed and may lead to practical challenges and unintended consequences**. Discussions on the inclusion of references to other multilateral instruments, for instance, could potentially become **very complex in practice**. To provide a concrete example, while many large companies have aligned their corporate policies and strategies with the Paris agreement, the Paris agreement remains a commitment by governments. Hence, it is unclear how such reference would fit into the context of the Guidelines. Lack of generalized ratification, diverging coverage and differences in the nature and legal standing of instruments and guidance documents, more broadly, can further cause additional challenges.

Furthermore, it must be taken into account that in the last years the OECD has already developed a sufficient amount of cross-sectoral and sectoral Guidance documents. Overall, we thus remain convinced that there is no need for new RBC standards and rules, but that **more should be done to implement the MNE Guidelines and improve the performance of NCPs** on the ground. Nevertheless, we see an **important role for the OECD to monitor developments** in the RBC policy sphere and to collect best practice examples with a view to inform discussions and flexible approaches going forward.

Proposed way forward

While **the Guidelines remain highly** relevant and fit for purpose, there are **opportunities to support their implementation on the ground**. Specifically, we are convinced that there is a need to strengthen resourcing, ensure sound functioning and foster trust in the NCP system, which is confirmed by the stocktaking assessment.

We welcome the call to *'leverage (NCPs) in terms of the support they receive from governments'* as well as the recommendation to *'further developing relations with stakeholders and other relevant bodies to increase confidence and expertise'* with a view to **foster confidence and promote shared understanding of the NCP mediation process**. The institutional stakeholders, BIAC and TUAC, as well as OECD Watch can and must play a key role in this regard. In addition, we call on the OECD to **encourage governments to undergo peer reviews**, working towards the ultimate objective of having all NCPs peer reviewed, while making sure that there is a clear understanding that there is **no one size fits all for how individual NCPs are set up**. Moreover, the OECD may wish to consider exploring **additional measures that can foster monitoring and regular feedback**. We further recommend to support NCPs with **practical tips and best practices** within the framework of the Procedural Guidance. While the OECD Secretariat has been working on targeted guidance on specific issues related to case handling, it will be important to recognize the role, responsibilities and **independence of NCPs** and work with them through **dedicated training sessions and exchanges**. The report further points to diverging interpretations and practices among NCPs, which could lead to diverging expectations across stakeholder groups. However, **we continue to emphasize the need for flexibility** in the set-up of National Contact points as it is explicitly foreseen in the MNE Guidelines. The challenge is to combine functional equivalence with freedom of choice concerning the appropriate organisational model of the NCP.

In addition to this, we continue to consider as a key priority issue for the next decade of the Guidelines **the need for better visibility of the Guidelines** - both nationally and on a global scale though **more outreach activities in non-OECD countries**. To that end, we would like to see the OECD, together with the institutional stakeholders, explore new approaches to **support awareness raising among new audiences** that lack familiarity with the OECD's MNE Guidelines, both among large and small multinational companies. With a view to multinational SMEs, we note that their effective embracement of the Guidelines hinges on the **flexible nature of the Guidelines**, which needs to be maintained, while outreach to multinational SMEs should be accompanied by awareness raising activities. Finally, a key driver behind global promotional efforts in the context of the Guidelines are the **OECD's regional programs, which should not only be continued, but also further strengthened**, also with a view to further **expanding the circle of adherents** to the Guidelines in non-OECD countries, provided that candidate countries demonstrate willingness to implement, enforce and live up to the expectations under the Guidelines.

Conclusion

→ Business is concerned about the ongoing **proliferation of widely diverging mandatory regional and national RBC legislation**, threatening global competition and open and smooth international trade and investment

- Business considers the stocktaking report to contain **valuable material for further discussions**, but urges the Secretariat to make sure that the views of the institutional stakeholders are fully reflected in the final version of the report.
- We consider the Guidelines as being **fit for purpose for current and future challenges**. To that end, we are against a **revision of the Guidelines** because we believe it **is not needed** and could even lead to practical challenges and unintended consequences.
- Business sees a **substantial unused potential of the Guidelines**. We therefore believe that there should be more ownership and focus on **implementation** on the ground, especially with a view to the functioning of the NCPs and the visibility of the Guidelines, and more **outreach** to smaller businesses as well as non-OECD countries. This is also important to guarantee for the future that the Guidelines maintain their widely recognised status of an important international reference document, which they have gained in the past decade.