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English - Or. English

24 April 2024

DIRECTORATE FOR FINANCIAL AND ENTERPRISE AFFAIRS INVESTMENT COMMITTEE

Meeting of the Network of National Contact Points for Responsible Business Conduct

NATIONAL CONTACT POINT 2023 REPORT TO THE OECD: AUSTRIA

This document is available in PDF format only.

OECD Centre for Responsible Business Conduct (rbc@oecd.org)

JT03542318

NCP Annual Reporting Questionnaire 2023

Survey response 1

A. Contact information

Please indicate your country:
Austria
Please provide the names, titles and contact information of all the people to be included in the contacts list on the ONE Community:
Names, job titles and emails of all people to be included:
Mario Micelli, Head of NCP, mario.micelli@bmaw.gv.at Irene Janisch, Head of department for OECD, Sustainability, irene.janisch@bmaw.gv.at Iviktoria Grgic, Intern, viktoria.grgic@bmaw.gv.at
B. Institutional arrangements - (a) Structure, location and composition of the NCP
1. What is the structure of the NCP?
Single agency
1. What is the structure of the NCP? [Other]
1a. Did the structure of the NCP change in 2023? If yes, please provide details in the comment box at the end of this section.
No
2. Who are the staff of the NCP? Please describe the functions of the NCP staff.
Mario Micelli, Head of NCP, Viktoria Grgic, Intern
3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Business]
No
3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Business][Comment]
3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Trade unions] No
3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Trade unions][Comment]
3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Civil society]
No
3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Civil society][Comment]

3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Government (include ministry/department/agency they represent)]

Yes

- 3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Government (include ministry/department/agency they represent)][Comment]
- 3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Other NCP members]

No

- 3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Other NCP members][Comment]
- 4. Does the NCP have a secretariat?

Yes

4. (Continued) If the NCP has a Secretariat, in which ministry or agency is the Secretariat located?

Ministry with an economic focus (economy, finance, treasury, trade, etc.)

- 4. (Continued) If the NCP has a Secretariat, in which ministry or agency is the Secretariat located? [Other]
- 4. (Continued) If the NCP has a Secretariat, in which department of the ministry or agency is the Secretariat located? The NCP is a distinct unit, which is located within the department for OECD and Sustainability.
- 4. (Continued) If the NCP has a Secretariat, did the location of the Secretariat change in 2023?

No

- 5. Has the NCP been established through a legislative, regulatory or administrative instrument (e.g. a statute, a decree, a ministerial decision)? If yes, please provide the name and date of this instrument, and a link if available, in the comments box. Decree, order or similar
- 5. Has the NCP been established through a legislative, regulatory or administrative instrument (e.g. a statute, a decree, a ministerial decision)? If yes, please provide the name and date of this instrument, and a link if available, in the comments box. [Comment]

Administrative Decree (Amendment of the Ministry's Organisational Structure in December 2022) https://www.bmaw.gv.at/en/Ministry/OrganisationalStructure.html

Additional comments on the section Structure, location and composition of the NCP:

Ad 3.) The Austrian NCP is located within the Austrian Federal Ministry of Labour and Economy as a distinct unit. The head of unit carries out promotional activities and specific instances. In organisational and logistical matters (e.g. events, website) it is supported by the department for OECD, sustainability and the department for event management; in communication matters, it is supported by the public relations office of the ministry.

B. Institutional arrangements - (b) Advisory body

6. Does the NCP have one or several advisory bodies?

Yes, one advisory body

6. (continued) Was the advisory body added/modified in 2023? Please describe.

Nο

- 6. (continued) Was the advisory body added/modified in 2023? Please describe. [Comment]
- 6. (Continued) If the NCP has several advisory bodies, please specify.

6. (Continued) If yes, please describe the advisory body(ies)' functions (e.g. advising on promotion, on specific instance handling in general, on individual cases, providing oversight, etc.)

The Austrian NCP has one advisory body, the Steering Committee ("Lenkungsausschuss").

The responsibilities/functions of the Steering Committee include (Section 8 of the Steering Committee's Terms of Reference: https://www.bmaw.gv.at/en/Topics/International/OECD-Guidelines-for-Multinational-Enterprises-and-the-Austrian-NCP/Activities-Austrian-NCP.html; in January 2024 the Terms of Reference have been amended):

- a. Consulting of the Austrian NCP in all matters regarding the implementation of the Guidelines, including the handling of notifications in specific instances;
- b. The support and consulting of the Austrian NCP during the implementation of the pro-active agenda;
- c. Participation in the preparation of the annual report of the Austrian NCP to the OECD Investment Committee;
- d. The promotion of a broad dialogue on the Guidelines with stakeholders;
- e. Proposals for the further development of the

Austrian NCP:

- f. The suggestion that a matter be referred to the OECD Investment Committee in case of doubts regarding the interpretation of the Guidelines;
- g. Evaluation of the activities of the Austrian NCP, in particular with regard to compliance with the Rules of Reference and and the implementation of the key criteria in accordance the OECD Guidelines for Multinational Enterprises and compliance with Guidelines.
- 6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Business]

Yes

- 6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Business][Comment]
- Austrian Federal Economic Chamber (statutory representation of companies/business); Federation of Austrian Industries (business organisation)
- 6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Trade unions]

Yes

6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Trade unions][Comment]

Austrian Trade Union Federation

6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Civil society]

Yes

- 6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Civil society][Comment]

 Südwind (representing OECD Watch)
- 6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Government]

6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Government]

Representatives of: Federal Ministry of Labour and Economy (a representative for economy affairs acting as chair of the Steering Committee and a representative for labour affairs); Federal Ministry of Finance; Federal Ministry for European and International Affairs; Federal Chancellery

- 6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Other]
- 6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Other comment]
- 6. (Continued) Please indicate how often the advisory body(ies) has met in 2023.

Once

6. (Continued) Please indicate how often the advisory body(ies) has met in 2023. [Other]

7. If an advisory body provides oversight, please describe the oversight procedure:

According to the Steering Committee's Terms of Reference (Section 8. g.), the Steering Committee is also responsible for the evaluation of the activities of the Austrian NCP, in particular with regard to the compliance with its Rules of Procedure and the implementation of the key criteria pursuant to Item I of the Procedural Guidance of the OECD Guidelines for Multinational Enterprises as well as the compliance with the latter.

Additional comments on the section Advisory body(ies):

11.1 Have any full-time staff members left the NCP during the year?

11.2 Have any part-time staff members left the NCP during the year?

12. Did the NCP have a dedicated budget this year?

11.2 (Continued) Please indicate how many part-time staff members left the NCP during the year:

Yes

Yes

Ad 6.) Other members of the advisory body are: Austrian Federal Chamber of Labour (statutory representation of workers/employees); Austrian Federal Chamber of Agriculture (representation of farmers and cooperatives); a university professor (as a legal expert in the field of extrajudicial resolution).

In addition to the existing members, the advisory body is to be expanded in 2024 in order to include a human rights expert and representatives of: Federal Ministry of Justice; Federal Ministry of Climate Action, Environment, Energy, Mobility, Innovation and Technology and Federal Ministry of Agriculture, Forestry, Regions and Water Management.

Ad 6.) In general, the advisory body should meet twice a year. The second meeting in 2023 had to be cancelled due to illness. A meeting was held in for January 2024.

B. Institutional arrangements - (c) Human and financial resources

8. Does the NCP have dedicated full-time staff members?
Yes
8. (Continued) Please indicate the number of full-time staff members:
1
9. Does the NCP have dedicated part-time staff members?
Yes
9. (Continued) Please indicate the number of part-time staff members:
2
9. (Continued) Please indicate the percentage of time spent on NCP matters for each part-time staff member:
50 % and 25 %
10.1 Have any full-time staff members joined the NCP during the year?
Yes
10.1 (Continued) Please indicate how many full-time staff members joined the NCP during the year:
1
10.2 Have any part-time staff members joined the NCP during the year?
Yes
10.2 (Continued) Please indicate how many part-time staff members joined the NCP during the year:

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13. During the year, did the human and financial resources available to the NCP allow it to: Please select "N/A" if the response was not relevant to the NCP's work in 2023 (e.g. if the NCP did not handle specific instances). [Handle specific instances in an efficient and timely manner]

No

- 13. During the year, did the human and financial resources available to the NCP allow it to: Please select "N/A" if the response was not relevant to the NCP's work in 2023 (e.g. if the NCP did not handle specific instances). [Organise promotional events] Yes
- 13. During the year, did the human and financial resources available to the NCP allow it to: Please select "N/A" if the response was not relevant to the NCP's work in 2023 (e.g. if the NCP did not handle specific instances). [Provide support to efforts by their government to develop, implement, and foster coherence of policies to promote RBC]

13. During the year, did the human and financial resources available to the NCP allow it to: Please select "N/A" if the response was not relevant to the NCP's work in 2023 (e.g. if the NCP did not handle specific instances). [Attend NCP meetings at the OECD]

Yes

13. During the year, did the human and financial resources available to the NCP allow it to: Please select "N/A" if the response was not relevant to the NCP's work in 2023 (e.g. if the NCP did not handle specific instances). [Attend events organised by other NCPs]

Yes

13. During the year, did the human and financial resources available to the NCP allow it to: Please select "N/A" if the response was not relevant to the NCP's work in 2023 (e.g. if the NCP did not handle specific instances). [Attend events organised by stakeholders]

Yes

13. During the year, did the human and financial resources available to the NCP allow it to: Please select "N/A" if the response was not relevant to the NCP's work in 2023 (e.g. if the NCP did not handle specific instances). [Cover professional mediator fees or in-house mediator fees]

N/A

13. During the year, did the human and financial resources available to the NCP allow it to: Please select "N/A" if the response was not relevant to the NCP's work in 2023 (e.g. if the NCP did not handle specific instances). [Conduct fact-finding research into specific instances]

N/A

13. (Continued) If you have answered "no" to any of the above, please specify:

The Austrian NCP received a specific instance in March 2022 but was only able to conclude the initial assessment in August 2023. This was due to the fact that the specific instance is located in a highly sensitive environment (Belarus) and the NCP was included in a resource intensive process of negotiating the CSDDD. Even if they have not yet made an explicit statement, the parties seem more inclined not to involve an external mediator. The first mediation meeting in the presence of both parties will take place at the end of February 2024.

Additional comments on the section Human and financial resources:

Ad 10. & 11.) The Austrian NCP is supported by the secretariat of the department for OECD, Sustainability of the Ministry of Labour and Economy. However, this secretariat was staffed part-time until May, vacant from May to August and staffed full-time from August onwards. Furthermore, the Austrian NCP is able to rely on resources of other departments/units of the ministry in which it is located if this becomes necessary (e.g. organising events, designing promotional material, communication and public relation).

Ad 12.) The Austrian NCP does not dispose of a dedicated budget for activities related to specific instances or for fact-finding research into specific instances. In case such funding becomes necessary, funds will be allocated on an ad hoc basis.

B. Institutional arrangements - (d) Reporting

14. Does the NCP report to the executive on its activities?

Yes

14. (Continued) If yes, how often?

On an ongoing basis

15. Does the NCP report to the legislative body on its activities?

Yes

15. (Continued) If yes, how often?

Once a year

16. Please indicate any other relevant transparency requirement(s) (e.g. access to information or disclosure laws) applicable to the NCP in your country:

Additional comments on the section Reporting:

Ad 15.) The activities of the Austrian NCP are, inter alia, reflected in the annual report on external relations by the Federal Ministry for European and International Affairs. Members of Parliament have the right to make requests to the Austrian NCP via the competent Minister (right of interpellation).

C. Information and promotion - (a) Website

17. Does the NCP have a website?

Yes

17. (Continued) If yes, please provide the link:

www.oecd-leitsaetze.at

17. (continued) Was the website created/renovated this year?

The NCP website was not created/renovated in 2023.

18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [The text of the Guidelines]

Yes

18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [A description of the Guidelines]

Yes

18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [The OECD Due Diligence Guidance Documents]

Yes

18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [Explanatory text about due diligence]

Yes

18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [OECD Recommendation on the Role of Government in Promoting Responsible Business Conduct]

Yes

18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [Ministerial Declaration on Promoting and Enabling Responsible Business Conduct in the Global Economy]

Yes

18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [Information on the NCP and its mandate]

Yes

18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [The NCP Annual Report submitted to the OECD]

Yes

18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [The NCP's Report to the executive and/or legislative (if applicable)]

18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [The NCP's peer review report (if applicable)]

Yes

18.2 Are the following items available on the NCP website? Information about specific instances [Information on how to submit a specific instance]

Yes

18.2 Are the following items available on the NCP website? Information about specific instances [An online form to submit a specific instance]

Yes

18.2 Are the following items available on the NCP website? Information about specific instances [The NCP's rules of procedure] Yes

18.2 Are the following items available on the NCP website? Information about specific instances [All final statements since 2011] Yes

18.3 Are the following items available on the NCP website? Information on promotional activities: [The NCP's promotional plan] Yes

18.3 Are the following items available on the NCP website? Information on promotional activities: [Information on upcoming events promoting the Guidelines]

Yes

18.3 Are the following items available on the NCP website? Information on promotional activities: [Information on past events promoting the Guidelines]

Yes

18.4 Are the following items available on the NCP website? Contact information: [Information on how to make an enquiry to the NCP]

Yes

18.4 Are the following items available on the NCP website? Contact information: [A phone number to reach the NCP directly] Yes

18.4 Are the following items available on the NCP website? Contact information: [An email address to reach the NCP directly]

Additional comments on the section NCP website:

Ad 18.) In order to further improve the visibility and accessibility of the Austrian NCP, the Austrian NCP has a teaser on current NCP topics and activities (e.g. conclusion of specific instance proceeding; upcoming and past events; stakeholder survey) on the front page of the Ministry's website. The teaser leads directly to the relevant topic on the website of the Austrian NCP.

Ad online form: The Austrian NCP has PDF-forms which can be complied electronically.

C. Information and promotion - (b) Promotional activities*

19. Does the NCP have a promotional plan for the coming year(s)? If yes and it is public, please provide a link in the comments box.

- 19. Does the NCP have a promotional plan for the coming year(s)? If yes and it is public, please provide a link in the comments box. [Comment]
- 20. Did the NCP organise or co-organise events to promote the Guidelines and/or the NCP during the year? If yes, please also provide details in the NCP Reporting Questionnaire Annex document that will be uploaded at the end of the questionnaire.
- 21. Did the NCP make a presentation to promote the Guidelines and/or the NCP in events organised by others? If yes, please also provide details in the NCP Reporting Questionnaire Annex document that will be uploaded at the end of the questionnaire.

22. Did the NCP make use of social media to communicate on NCP promotional activities during the year?

Yes

22. (Continued) If yes, please list the accounts from which the NCP posts.

Facebook

23. Did the NCP hold a stakeholder meeting during the year?

Yes

24. Did the NCP promote the Guidelines among the business community during the year?

Yes

25. Did the NCP carry out any training on the Guidelines aimed at businesses during the year?

Yes

26. Did the NCP promote the Guidelines among NGOs during the year?

Yes

27. Did the NCP promote the Guidelines among trade unions during the year?

Yes

28. Did the NCP focus on any of the following during promotional activities during the year: [OECD Due Diligence Guidance for Responsible Business Conduct]

Yes

28. Did the NCP focus on any of the following during promotional activities during the year: [OECD Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector]

No

28. Did the NCP focus on any of the following during promotional activities during the year: [Due Diligence for Responsible Corporate Lending and Securities Underwriting and/or Responsible Business Conduct for Institutional Investors and/or Responsible Business Conduct Due Diligence for Project and Asset Finance Transactions]

Yes

28. Did the NCP focus on any of the following during promotional activities during the year: [OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas]

No

28. Did the NCP focus on any of the following during promotional activities during the year: [OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector]

No

28. Did the NCP focus on any of the following during promotional activities during the year: [OECD-FAO Guidance for Responsible Agricultural Supply Chains]

No

Additional comments on the section Promotional activities:

Ad 28.) Webinars were held with focus on:

- Due diligence in the finance sector and its impact on companies
- -? Differences in dealing with due diligence obligations along the global supply chains from the perspective of large and small enterprises
- -[?]Implementation of due diligence in environmental and climate protection

A webinar on the implementation of due diligence obligations in the agricultural sector will take place on 31 January 2024.

D. Specific Instances - (a) NCP case-handling procedures for specific instances

29. Does the NCP have case-handling procedures?

Yes

30. Are the case-handling procedures available online?

30. (Continued) If yes, please provide a link in the text box.

https://www.bmaw.gv.at/Themen/International/OECD-Leitsaetze-multinationale-Unternehmen-OeNKP/Der-Beschwerdemechanismus.html

- 30. (continued) If no, please upload a copy of the case-handling procedures in the Additional Materials section at the end of the online questionnaire.
- 31. Were the NCP's case-handling procedures modified this year?

No

31. (continued) If no, what are the NCP's plans to update its case-handling procedures in alignment with the 2023 version of the Guidelines? Please indicate estimated completion date and provide relevant details in the comments box.

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31. (continued) If no, what are the NCP's plans to update its case-handling procedures in alignment with the 2023 version of the Guidelines? Please indicate estimated completion date and provide relevant details in the comments box. [Comment] The draft of the updated case-handling procedures has been finalised. The draft text will be sent to the members of the NCP's Steering Committee in January 2024 for comments.

Additional comments on the section Case-handling procedures:

D. Specific Instances - (b) Specific instances in practice

32. Has the NCP ever received a specific instance?

Yes

- 32. (continued) If yes, how many years ago did the NCP receive its most recent specific instance?
- 1-5 years ago
- 33. Does the NCP request feedback from the parties on the procedure following the conclusion of a specific instance? Please select N/A if the NCP has never received a specific instance

Yes

34. Has the NCP staff undergone training in dispute resolution or problem solving (e.g. mediation)?

No

35. Did the NCP conduct mediation this year?

No

Additional comments on the section Specific instances in practice:

D. Specific Instances - (c) Reporting specific instances

36. Did the NCP receive new specific instance submissions during the year? If yes, please also provide details in the NCP Reporting Questionnaire Annex document that will be uploaded at the end of the questionnaire.

Yes

37. Did the NCP close specific instances during the year? If yes, please also provide details in the NCP Reporting Questionnaire Annex document that will be uploaded at the end of the questionnaire.

No

38. Of the specific instances that were already in progress at the start of the year, are there any that are still ongoing at the end of the year? If yes, please also provide details in the NCP Reporting Questionnaire Annex document that will be uploaded at the end of the questionnaire. Select N/A if no specific instances were in progress at the start of the year.

39. Did the NCP follow up on a case during the year? If yes, please also provide details in the NCP Reporting Questionnaire Annex document that will be uploaded at the end of the questionnaire. Select N/A if no specific instances were concluded before the start of the year.

No

40. Is the OECD database of specific instances accurate and up to date with regard to cases handled by the NCP? Select N/A if the NCP has never received a specific instance.

Yes

40. (Continued) Please provide details (missing cases, out of date entries, broken links, etc.) in the box below:

Additional comments on the section Reporting specific instances:

Ad 36.) A specific instance (PITEE Consumer Protection Association for Financial Services vs. Erste Group Bank AG and Raiffeisen Bank International AG) was submitted to the Austrian NCP on 14 April 2023. The complainant also submitted similar cases against financial institutions to the Belgian, Italian and Hungarian NCPs. After consultation between the NCPs concerned, the Belgian, Italian and Austrian NCPs informed the complainant on 6 July 2023 that the Hungarian NCP is locally responsible for handling the case as the alleged violations of the OECD Guidelines occurred in Hungary. At the same time, the complainant was informed that the Belgian, Italian and Austrian NCPs will not open a separate specific instance, but will be of assistance to the Hungarian NCP. Also, the complainant was informed that this response was no prejudice to whether the case merits further examination by the Hungarian NCP.

E. Peer learning and peer reviews

41. Did the NCP take part in the following activities with other NCPs during the year: [Host a peer learning activity]

No

41. Did the NCP take part in the following activities with other NCPs during the year: [Participate in peer learning activities hosted by other NCPs]

Yes

41. Did the NCP take part in the following activities with other NCPs during the year: [Co-operate with other NCPs in handling specific instances]

Yes

41. Did the NCP take part in the following activities with other NCPs during the year: [Provide mentoring/capacity building to another NCP]

No

41. Did the NCP take part in the following activities with other NCPs during the year: [Participate in/host a meeting of regional networks of NCPs (excluding during the NCP meetings at the OECD)]

Yes

42. Is the NCP interested in hosting an NCP learning/experience-sharing event in 2024?

Yes

43. Which topic would the NCP consider to be a priority to cover in a peer learning event?

Good offices, bringing parties to the table, online mediation, dealing with legislative initiatives regarding RBC at national and international level

44. Is the NCP interested in participating in developing tools for use by NCPs?

Yes

45. Did the NCP act as a peer reviewer during a peer review onsite visit in 2023?

No

46. Did the NCP undergo a peer review (onsite visit) in 2023?

No

46. (continued) If yes, please specify the date on which the onsite visit began.

47. Is the NCP interested in acting as a peer reviewer in 2024?

Yes

47. (continued) If yes, please specify the semester:

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47. (continued) If no, please specify the NCP's earliest availability to act as a peer reviewer.

Additional comments on the section Peer-learning and peer reviews:

F. Support for government policies to promote RBC* - (a) Promotional work

48. Did the NCP have resources to provide support for government policies to promote RBC in 2023?

Yes

49. In 2023, did the NCP promote the Guidelines among: [Embassies abroad]

No

49. In 2023, did the NCP promote the Guidelines among: [Trade and investment promotion agencies (or other government entity in charge of trade and investment support)]

Yes

49. In 2023, did the NCP promote the Guidelines among: [Government agencies]

Yes

50. Did the NCP promote the Recommendation on the Role of Government in Promoting RBC among relevant government officials during the year?

Yes

50. Did the NCP promote the Recommendation on the Role of Government in Promoting RBC among relevant government officials during the year? [Comment]

The NCP seeks to emphasise the role of governments in the effective and coherent implementation of RBC through various events it organises or participates in: e.g. Multi-Stakeholder Forum on RBC, webinars etc., in which representatives from various ministries and other government agencies have participated in 2023. Furthermore, the NCP also endeavours to promote RBC and coherent implementation through its involvement in the CSDDD legislative process. In general, the NCP is involved in numerous evaluation procedures for legislative initiatives at national or international level (e.g. EU Forced Labour Regulation, Austrian Master Plan Raw Materials 2030, Austrian Defence Strategy) with the aim of promoting RBC and policy coherence.

Additional comments on the section Promotional work for policy coherence:

F. Support for government policies to promote RBC - (b) RBC policy landscape and the role of the NCP

51. Have the Guidelines and/or the Recommendation on the Role of Government in Promoting RBC been referred to in national legislation/regulations/policies/economic agreements adopted during the year? (e.g. on responsible business conduct; non-financial reporting, export credits, public procurement, trade and investment)

No

51. (Continued) Please provide a short summary and a link to the legislation/regulation/policies/economic agreement. If a link is not available, please upload a copy of the legislation at the end of the questionnaire, on the "Additional materials" page.

52. Did your country adopt a National Action Plan (NAP) on Business and Human Rights or Responsible Business Conduct this year?

No

52. (Continued) Please indicate the scope of the National Action Plan: [NAP on Business and Human Rights] N/A 52. (Continued) Please indicate the scope of the National Action Plan: [NAP on Responsible Business Conduct] 52. (Continued) Please provide a link to the NAP on Responsible Business Conduct: If a link is not available, please upload a copy of the legislation at the end of the questionnaire, on the "Additional materials" page. 52. (Continued) Did the NAP on Responsible Business Conduct make reference to: [The Guidelines?] 52. (Continued) Did the NAP on Responsible Business Conduct make reference to: [The NCP?] 52. (Continued) Did the NAP on Responsible Business Conduct make reference to: [The Recommendation on the Role of Government in Promoting RBC?] 52. (Continued) Please provide a link to the NAP on Business and Human Rights: If a link is not available, please upload a copy of the legislation at the end of the questionnaire, on the "Additional materials" page. 52. (Continued) Did the NAP on Business and Human Rights make reference to: [The Guidelines?] 52. (Continued) Did the NAP on Business and Human Rights make reference to: [The NCP?] 52. (Continued) Did the NAP on Business and Human Rights make reference to: [The Recommendation on the Role of Government in Promoting RBC?] 53. Was a NAP in development this year? 53. (Continued) If yes, please indicate the scope of the NAP: [NAP on Business and Human Rights] 53. (Continued) If yes, please indicate the scope of the NAP: [NAP on Responsible Business Conduct] N/A 54. Does your national legislation or policy on public procurement refer to the Guidelines and/or OECD due diligence instruments and/or to the NCP process? No 54. (Continued) Please provide a link to the legislation. If a link is not available, please upload a copy of the legislation at the end of the questionnaire, on the "Additional materials" page. Additional comments on the section RBC policy landscape and the role of the NCP F. Support for government policies to promote RBC - (c) Engagement with relevant

officials

55. Did the NCP share statements, data and other insights with: [Officials responsible for public procurement]

55. Did the NCP share statements, data and other insights with: [Officials responsible for public procurement][Comment]

55. Did the NCP share statements, data and other insights with: [Officials responsible for trade and investment support (including trade missions)]

No

- 55. Did the NCP share statements, data and other insights with: [Officials responsible for trade and investment support (including trade missions)][Comment]
- 55. Did the NCP share statements, data and other insights with: [Officials responsible for SOEs]
- 55. Did the NCP share statements, data and other insights with: [Officials responsible for SOEs][Comment]
- 55. Did the NCP share statements, data and other insights with: [Officials in relevant government agencies]
- 55. Did the NCP share statements, data and other insights with: [Officials in relevant government agencies][Comment]
- 56. Did the NCP inform officials responsible for reviewing eligibility for government support and services* of companies' engagement in specific instances? *(e.g. such as trade advocacy, economic diplomacy, or other benefits)
- 57. To what extent has the NCP engaged or exchanged with public procurement officials/practitioners, trade and investment officials, or SOEs officials? [As part of a public procurement process]
- 57. To what extent has the NCP engaged or exchanged with public procurement officials/practitioners, trade and investment officials, or SOEs officials? [As part of a public procurement process][Comment]
- 57. To what extent has the NCP engaged or exchanged with public procurement officials/practitioners, trade and investment officials, or SOEs officials? [As part of dedicated events or training]
 Yes
- 57. To what extent has the NCP engaged or exchanged with public procurement officials/practitioners, trade and investment officials, or SOEs officials? [As part of dedicated events or training] [Comment]
- 57. To what extent has the NCP engaged or exchanged with public procurement officials/practitioners, trade and investment officials, or SOEs officials? [Other]

 No
- 57. To what extent has the NCP engaged or exchanged with public procurement officials/practitioners, trade and investment officials, or SOEs officials? [Other][Comment]
- 57. To what extent has the NCP engaged or exchanged with public procurement officials/practitioners, trade and investment officials, or SOEs officials? [N/A: the NCP has not engaged or exchanged with officials/practitioners in this context]

 No
- 57. To what extent has the NCP engaged or exchanged with public procurement officials/practitioners, trade and investment officials, or SOEs officials? [N/A: the NCP has not engaged or exchanged with officials/practitioners in this context][Comment]
- 58. Please identify any specific initiatives/good practices in your country, involving RBC and other policy areas like public procurement, trade and investment, and/or SOEs.
- 59. Please include any other examples of policy coherence activities:

Senior officials of the Federal Ministry of Labour and Economy are regularly informed about NCP activities and the developments regarding OECD documents and papers in the field of RBC (e.g. update of the OECD Guidelines). Similarly, the Austrian NCP regularly informs officials responsible for trade missions, the Austrian Export Credit Agency and the Austrian Development Bank, about NCP activities and specific instances. Moreover, the NCP's Steering Committee, being inter alia composed by representatives of different Austrian Federal Ministries, is regularly informed about NCP activities and specific instances. Furthermore, the Austrian NCP is actively involved in the negotiations on the CSDDD on EU-level.

Additional comments on Engagement with relevant officials

G. Challenges

60. Has the NCP faced any particular challenge(s) it would like to highlight this year?

The involvement in the CSDDD legislative process was very resource-intensive. On a positive note, there has been an increase in interest on the part of stakeholders and the public regarding the topics of RBC, due diligence and OECD Guidelines.

NATIONAL CONTACT POINT REPORTING QUESTIONNAIRE 2023

Annex

This document is to provide detailed information on NCP promotional activities (Part 1 below) and on specific instances (Part 2 below).

INSTRUCTIONS

This document should be completed and saved locally on a computer and uploaded from the same computer at the end of the online questionnaire in the section "Annex: NCP Promotional activities & Specific Instances" (after question 60).

Please note that only **Word files** (.doc or .docx) can be uploaded.

Guidance and instructions on how to complete the questionnaire (<u>here</u>) and the annex (<u>here</u>) are accessible on the NCP O.N.E Community Space.

HELP & ASSISTANCE

Please contact emily.halstead@oecd.org for any help or assistance to complete the questionnaire.

STRUCTURE

Part 1: NCP PROMOTIONAL ACTIVITIES

Part 2: SPECIFIC INSTANCES

PART 1: NCP PROMOTIONAL ACTIVITIES

Please provide information on the events organised or co-organised by the NCP (Table 1), and events in which the NCP has participated (Table 2) to promote the NCP itself, Guidelines and related due diligence guidance.

Please add the indicated information in the table below. Any links to recordings or announcements from events may be included in the comments box. They may also be uploaded as documents with the Annex.

Please add additional lines if needed. (Right click and select insert rows. The selection fields can be copied and pasted into the new rows)

TABLE 1

NCP-organised and co-organised events to promote the Guidelines and/or the NCP

Title	Date (dd/mm/yyyy)	Location	Type of event	Size of audience	Organised or co-organised? If co-organised, include details of the co- organiser in comments box	Targeted audience Select all that apply.	Theme/Comments e.g. the OECD Guidelines, the NCP activities on sector due diligence guidance documents, etc.
Webinar I: Due diligence in the finance sector and its impact on companies	27-Apr-2023	Online	Webinar	10-50	Organised	<pre> ⊠Business ⊠NGOs ⊠Trade Unions ⊠Academia ⊠Government □Other, please specify</pre>	Presentation and discussion on the environmental and social assessment procedure of the Oesterreichische Kontrollbank which is committed to the OECD Common Approaches, presentation of and discussion on the identification and assessment of risks as well as transparency and disclosure requirements, discussion on materiality and comparability of due diligence obligations and the role of auditors
Exchange meeting with civil society representatives (AG Globale Verantwortung, DKA)	26-Jun-2023	Federal Ministry of Labour and Economy	Meeting	<10	Organised	□Business ⊠NGOs □Trade Unions □Academia □Government □Other, please specify	Presentation of updated OECD Guidelines, discussion of ongoing and upcoming events and activities of the Austrian NCP, information on developments regarding RBC at OECD and EU level
Webinar II: Differences in dealing with due diligence obligations along the global supply chains - from the perspective of large and small enterprises	27-Jun-2023	Online	Webinar	50-100	Organised	⊠Business NGOs Trade Unions Academia Government □Other, please specify	Discussion on how the company size can affect the fulfilment of due diligence obligations with one representative from a tax firm focusing on the perspective of small enterprises and a representative from a large international enterprise

LAUS: meeting of the Steering Committee of the Austrian NCP	28-Jun-2023	Federal Ministry of Labour and Economy	Meeting	10-50	Organised	⊠Business ⊠NGOs ⊠Trade Unions ⊠Academia ⊠Government □Other, please specify	Presentation of updated OECD Guidelines, information on acceptance of specific instance for further proceedings and key points in the case, information on developments regarding RBC on OECD and EU level, discussion of amendments of internal rules of procedure of the Steering Committee
Exchange meeting with Austrian Federal Ministry of European and International Affairs	11-Jul-2023	Federal Ministry of European and International Affairs	Meeting	<10	Co-organised	□Business □NGOs □Trade Unions □Academia ⊠Government □Other, please specify	Discussion on updated OECD Guidelines and cooperation of the ministries on RBC topics
Exchange meeting with Wirtschaftskammer Österreich (Austrian Federal Economic Chamber)	19-Jul-2023	Federal Ministry of Labour and Economy	Meeting	<10	Organised	⊠Business □NGOs □Trade Unions □Academia ⊠Government □Other, please specify	Discussion on interdependencies of OECD Guidelines and EU-CSDDD, possible synergies in the context of implementation
Exchange meeting with civil society representatives (AG Globale Verantwortung, DKA)	16-Oct-2023	Federal Ministry of Labour and Economy	Meeting	<10	Organised	□Business ⊠NGOs □Trade Unions □Academia □Government □Other, please specify	Information on ongoing and upcoming activities of the Austrian NCP, translation of the updated OECD Guidelines, new information material; discussion on regulatory developments at EU level and interdependencies with OECD Guidelines; information on ongoing and upcoming events of civil society organisations and the meeting of NGOs with the Austrian Federal Minister of Labour and Economy in September
Webinar III: Implementation of due diligence in environmental and climate protection	17-Oct-2023	Online	Webinar	50-100	Organised	⊠Business NGOs ⊠Trade Unions △Academia ⊠Government □Other, please specify	Discussion on how companies can analyse their emissions along their value chains, define and categorise own environmental and climate protection targets based on scientific findings (e.g. IPCC)
Roundtable for employee representatives	24-Oct-2023	Federal Ministry of Labour and Economy	Meeting	10-50	Organised	□Business □NGOs ⊠Trade Unions □Academia □Government □Other, please specify	Presentation of updated OECD Guidelines, discussion on interdependencies of OECD Guidelines and EU regulatory initiatives, particular focus was placed on how employees can contribute to compliance with due diligence requirements
Multi-Stakeholder Forum for Responsible Business Conduct	14-Nov- 2023	Federal Ministry of Labour and Economy	Other	50-100	Organised	⊠Business ⊠NGOs ⊠Trade Unions ⊠Academia ⊠Government □Other, please specify	Presentation of updated OECD Guidelines with particular focus on amendments regarding environmental, climate and biodiversity protection; introduction to the subject by Christine Kaufmann; presentation of business perspective on how due diligence requirements are fulfilled; presentation of research study "Austrian Success Stories in Supply Chain Responsibility";

Total number of events:	10						
Additional comments:							
Click here to enter text.	Click here to enter a date.	Click here to enter text.	Choose an item.	Choose an item.	Choose an item.	□NGOs □Trade Unions □Academia □Government □Other, please specify	Click here to enter text.
						□Business	
							law and hard law with reference to the EU-CSDDD, the importance of coherence, the continuously increasing influence of social and environmental standards on investment decisions

Discussion on the interdependencies of soft

TABLE 2

Presentations by the NCP to promote the Guidelines and/or the NCP in events organised by others

Title	Date (dd/mm/yyyy)	Location	Type of event	Size of audience	Targeted audience Select all that apply.	Organiser(s)	Theme of the intervention
Supply Chain Act for a Raw Material Shift	16-Jun-2023	House of the EU	Other	50-100	<pre> ⊠Business ⊠NGOs ⊠Trade Unions ⊠Academia ⊠Government □Other, please specify</pre>	Liaison Office of European Parliament in Austria, Civil Alliance "AG Rohstoffe"	Updated OECD Guidelines as foundation for the position of the EU Parliament on the EU-CSDDD
UPR Follow-Up	De Descriptions Description Description		⊠NGOs □Trade Unions □Academia	Federal Ministry of European and International Affairs	Status of implementation of the recommendation addressed to Austria within the framework of the 3rd UNHRC Universal Periodic Review; NCP representative participated as expert in the field of RBC		
Due Diligence along the Supply Chain	11-Sep- 2023 - 13-Sept- 2023	University of Vienna	Conference	10-50	⊠Business ⊠NGOs ⊠Trade Unions ⊠Academia ⊠Government □Other, please specify	University of Vienna, Kyoto University	Presentations and discussion on environmental law, constitutional law, criminal law, corporate law and legal economics aspects of due diligence in the supply chain; interdependencies of OECD, UN and EU RBC requirements
Re-Sourcing Conference: Presentation of Study on Austrian Success Stories in Supply Chain Responsibility	22-Sep- 2023	Vienna University of Economics and Business	Conference	10-50	⊠Business NGOs Trade Unions Academia Government □Other, please specify	Vienna University of Economics and Business	Presentation of scientific study "Austrian Success Stories in Supply Chain Responsibility" which was financed by the Federal Ministry of Labour and Economy
Supply Chain Summit	12-Dec- 2023	Wirtschaftskammer Österreich	Conference	Choose an item.	⊠Business □NGOs □Trade Unions □Academia ⊠Government □Other, please specify	Wirtschaftskammer Österreich (Austrian Chamber of Commerce)	Discussion on how companies can fulfil requirements in the context of RBC, how practicable regulations look like, which legal or technical approaches can support companies in implementing RBC
Click here to enter text.	Click here to enter a date.	Click here to enter text.	Choose an item.	Choose an item.	□Business □NGOs □Trade Unions □Academia □Government □Other, please specify	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter a date.	Click here to enter text.	Choose an item.	Choose an item.	□Business □NGOs □Trade Unions □Academia	Click here to enter text.	Click here to enter text.

					□Government □Other, please specify		
Click here to enter text.	Click here to enter a date.	Click here to enter text.	Choose an item.	Choose an item.	□Business □NGOs □Trade Unions □Academia □Government □Other, please specify	Click here to enter text.	Click here to enter text.
Additional comments:							
Total number of events:	5						

PART 2: SPECIFIC INSTANCES

Please provide details of the following in the table below:

- 1. Specific instances **in progress** during the year (specific instances received and pending initial assessment, or found to merit further examination after the initial assessment and under consideration by the NCP).
- 2. Specific instances concluded during the year (specific instances that the NCP found to merit further examination after the initial assessment and that have subsequently been closed).
- 3. Specific instances not accepted during the year (specific instances that the NCP found not to merit further examination after initial assessment).
- 4. Specific instances for which **follow up** was performed during the year (the NCP monitored whether the agreement reached by the parties or its recommendations to the parties have been implemented)

Please add additional lines if needed.

We encourage all NCPs to inform the OECD Secretariat on received specific instances and to provide statements as soon as they become available, in order to keep the OECD database updated at all times. For all specific instances that have not yet been reported to the OECD Secretariat, please complete and send this form to ncp-specific-instances@oecd.org1.

According to paragraph 53 of the Commentaries on the Implementation Procedures of the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct, "[...] NCPs will submit their annual report to the WPRBC and the Investment Committee in order to include in the Annual Report on the OECD Guidelines information on all specific instances that have been initiated by parties. The WPRBC will provide the Committee with an analysis of NCP annual reports to include in the Annual Report on the Guidelines. NCP annual reports should include specific instances in Coordination, Initial Assessment, Good offices, Conclusion or Follow-up."

For all specific instances that are currently IN PROGRESS:

Names of parties ²	Date received (dd/mm/yyyy)	Submitter type (NGO, trade union,, etc—see list in reporting form)	Industry sector (Construction, manufacturing, etc—see list in reporting form)	Country/ies where the issues are taking place	Themes (MNE Guidelines chapters)	Date of initial assessment (leave blank if pre-IA)	Link to OECD database and/or public statement, if available	Did the NCP coordinate with other NCPs in the handling of this specific instance? If yes, which NCP(s).
Open Society Justice Initiative vs. Telekom Austria AG	16-Mar- 2022	NGO Click here to enter text.	Information and communication Click here to enter text.	Belarus	Concepts and Principles; General Policies; Disclosure; Human Rights; Science, Technology and Innovation	01-Aug-2023	http://mneguidelines.oe cd.org/database/instanc es/nl0038.htm	no
Click here to enter text.	Click here to enter a date.	Choose an item. Click here to enter text.	Choose an item. Click here to enter text.	Click here to enter text.	Click here to enter text.	Click or tap to enter a date.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter a date.	Choose an item. Click here to enter text.	Choose an item. Click here to enter text.	Click here to enter text.	Click here to enter text.	Click or tap to enter a date.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter a date.	Choose an item. Click here to enter text.	Choose an item. Click here to enter text.	Click here to enter text.	Click here to enter text.	Click or tap to enter a date.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter a date.	Choose an item. Click here to enter text.	Choose an item. Click here to enter text.	Click here to enter text.	Click here to enter text.	Click or tap to enter a date.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter a date.	Choose an item. Click here to enter text.	Choose an item. Click here to enter text.	Click here to enter text.	Click here to enter text.	Click or tap to enter a date.	Click here to enter text.	Click here to enter text.

Additional comments:	
Total number of specific instances in progress:	1

² If the NCP's case-handling procedures prevent disclosing such information while the case is pending, please include generic information such as 'a company active in such sector' or 'an environmental NGO'.

For all specific instances that were CONCLUDED during the year:

Names of parties	Date recei ved (dd/m m/yyyy	Date concl uded (dd/mm/ yyyy)	Submitter type (NGO, trade union,, etc—see list in reporting form)	Industry sector (Construction, manufacturing, etc—see list in reporting form)	Country/ies where the issues are taking place	Themes (MNE Guidelines chapters)	Link to OECD database if available	Outcomes achieved	Does the final statement plan for a follow up?	Did the NCP coordinate with other NCPs in the handling of this specific instance? If yes, which NCPs.	Were parallel proceedings involved while handling the specific instance? If yes, please select the type.
Click here to enter text.	Click here to enter a date.	Click here to enter a date.	Choose an item. Click here to enter text.	Choose an item. Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.	Choose an item. Click here to enter text.
Click here to enter text.	Click here to enter a date.	Click here to enter a date.	Choose an item. Click here to enter text.	Choose an item. Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.	Choose an item. Click here to enter text.
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For all specific instances that were NOT ACCEPTED during the year:

Names of parties	Date receive d (dd/mm/y yyy)	Date conclud ed (dd/mm/yyy y)	Submitter type (NGO, trade union,, etc—see list in reporting form)	Industry sector (Construction, manufacturing, etc—see list in reporting form)	Country/ie s where the issues are taking place	Themes (MNE Guidelines chapters)	Link to OECD database if available	Reasons for not accepting the specific instance:	Did the NCP coordinate with other NCPs during the handling of this specific instance If yes, which NCPs.	Were parallel proceedings involved while handling the specific instance? If yes, please select the type.
PITEE Consum er Protecti on Associat ion for Financia I Service s vs. Erste Group Bank AG and Raiffeis en Bank Internati onal AG	14-Apr- 2023	06-Jul- 2023	NGO Click here to enter text.	Financial and insurance activities Click here to enter text.	Hungary	Human Rights chapter IV.2; Consumer Interests chapter VIII.4	Click here to enter text.	Specific instance was transferred to another NCP	Belgian NCP, Italian NCP and Hungarian NCP	Other NCPs Click here to enter text.
Click here to enter text.	Click here to enter a date.	Click here to enter a date.	Choose an item. Click here to enter text.	Choose an item. Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.	Choose an item. Click here to enter text.
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Click here to	Click here to		Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.	Choose an item.

³ If, following an initial assessment, the NCP has decided not to disclose the name of one or several parties pursual to paragraph 40 of the Procedures, please include generic information for that/those party/ies such as 'a company active in such sector' or 'an environmental NGO'.

Additional comments:

A specific instance (PITEE Consumer Protection Association for Financial Services vs. Erste Group Bank AG and Raiffeisen Bank International AG) was submitted to the Austrian NCP on 14 April 2023. The complainant also submitted similar cases against financial institutions to the Belgian, Italian and Hungarian NCPs. After consultation between the NCPs concerned, the Austrian NCPs informed the complainant on 6 July 2023 that the Hungarian NCP is locally responsible for handling the case as the alleged violations of the OECD Guidelines occurred in Hungary. At the same time, the complainant was informed that the Belgian, Italian and Austrian NCPs will not open a separate specific instance, but will be of assistance to the Hungarian NCP. Also, the complainant was informed that this response was no prejudice to whether the case merits further examination by the Hungarian NCP.

Total number	of specific
instances not	accepted:

For all specific instances for which FOLLOW UP was performed during the year:

Names of parties	Date received (dd/mm/yyyy	Date concluded (dd/mm/yyyy)	Date of follow up (dd/mm/yyy y)	Submitter type (NGO, trade union,, etc—see list in reporting form)	Industry sector (Construction, manufacturing, etc— see list in reporting form)	Country/ies	Themes (MNE Guidelines chapters)	Was a public follow up statement issued?	Link to the follow up statement, if applicable
Click here to enter text.	Click here to enter a date.	Click here to enter a date.	Click here to enter a date.	Choose an item. Click here to enter text.	Choose an item. Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.
Click here to enter text.	Click here to enter a date.	Click here to enter a date.	Click here to enter a date.	Choose an item. Click here to enter text.	Choose an item. Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.
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Addition	nal comments:					
		-				

Total	number	of	follow
ups:			