

REPORT OF THE GERMAN NATIONAL CONTACT POINT TO THE INVESTMENT COMMITTEE

Common Framework for Annual Reporting by National Contact Points for the period 1 July 2010-30 June 2011

The Common Reporting Framework is designed to assist NCPs in reporting on their activities to the Investment Committee.¹ These reports provide the basis for preparing the Chair's Annual Report to Council on the Activities on the NCPs.

*The 2011 Chair's Annual Report will be discussed at the next NCP meeting which is scheduled to take place on **Monday 27 June and Tuesday 28 June 2011**. This meeting will be the first to be held since what is expected to be the adoption of the updated Guidelines on the occasion of the OECD Ministerial Meeting of 25-26 May 2011. The 2011 Annual Corporate Responsibility Roundtable will be held on 29 June 2011.*

A. Institutional Arrangements

- Annexes 1 and 2 to this questionnaire show, respectively, the "Structure of the National Contact Points" from the 2010 NCP Chair's Summary and the list of National Contact Points (providing contact details) that is available on the OECD Guidelines website. NCPs are asked to update these tables if necessary.
- NCPs may wish to provide additional information regarding institutional arrangements (e.g. regarding the composition of the National Contact Point, including multi-stakeholder advisory or oversight bodies established to assist NCPs in their tasks).

Antwort DEU:

The Procedural Guidance is published on the German National Contact Point's web page.

Although being composed as a 'Single department'-NCP (attached to the Federal Ministry for Economics and Technology), all Federal Ministries concerned are actively participating in the decisions and the work of the German National Contact Point, especially in specific instances procedures. This encompasses support of the National Contact Point in the assessment of complaints, participation in consultation with parties, involvement in the preparation of decisions and recommendations, which then are agreed upon by the Federal Ministries represented in the 'Ministerial Group on the OECD Guidelines' (current composition see Annex 1). The Federal Ministries were also closely consulted during the updating process of the OECD Guidelines.

In addition, the National Contact Point holds regular meetings with the 'Ministerial Group on the OECD Guidelines' as well as the 'Working Party on the OECD Guidelines', composed of representatives of these Federal Ministries as well as business organisations, trade unions and civil society NGOs to discuss (a) current issues relating to the OECD Guidelines, (b) how to

¹ In accordance with Section D of the Procedural Guidance adopted by Council Decision C(2000)96/FINAL, NCPs must report annually to the Investment Committee on the nature and results of their activities, including implementation activities in specific instances. The present Common Integrating Reporting Framework attempts to take into account where relevant changes to the Procedural Guidance contemplated in the context of the ongoing update of the Guidelines [for reference see DAF/INV/WP/WD(2011)1/REV2.]

improve the dissemination of these Guidelines and (c) the working methods of the National Contact Point.

The 'Working Party on the OECD Guidelines' meets usually once a year under the chairmanship of a senior official of the Federal Ministry of Economics and Technology to discuss all Guidelines-related issues.

Given the upcoming update of the OECD Guidelines, more frequent consultations were necessary. Therefore, during the reporting period, additional meetings of the 'Working Party' were held.

- How does the NCP relate to other government agencies?

Antwort DEU:

The National Contact Point consults other Federal Ministries including the Federal Foreign Office, Federal Ministry for Labour and Social Affairs, the Federal Ministry of Justice, the Federal Ministry of Finance, the Federal Ministry for Economic Cooperation and Development, the Federal Ministry for Environment, Nature Conservation and Nuclear Safety as well as the Federal Ministry for Food, Agriculture and Consumer Protection and closely involves them into the implementation of the Guidelines. Furthermore, these Ministries cooperate and participate in conciliation or mediation proceedings. Along with the regular meetings mentioned above, each of the participating ministries may convene meetings as needed. If necessary, additional ministries may be called upon to provide specific expertise.

- How does the NCP relate to social partners (business and labour organisations) involved in the functioning of the National Contact Point?

Antwort DEU:

Within the context of the "Working Party on the OECD Guidelines", the National Contact Point offers representatives of business organisations and social partners the opportunity to participate in Guidelines-related activities, as was the case several times during the period of this report concerning the updating process of the OECD Guidelines. The National Contact Point may consult and include them on an ad-hoc basis in conciliation or mediation proceedings with the agreement of the parties involved.

- How does the NCP relate to other non-governmental organisations (NGOs) and other interested parties involved in the functioning of the NCP?

Antwort DEU:

In its efforts to promote the Guidelines, the National Contact Point also cooperates with other non-governmental organisations within the context of the "Working Party on the OECD Guidelines". In this framework, they were also closely consulted concerning the updating process of the OECD Guidelines. Furthermore, the National Contact Point may consult and include them on an ad-hoc basis in conciliation or mediation proceedings with the agreement of the parties involved.

- How does the NCP relate to other leading corporate responsibility instruments, such as the ILO Tripartite Declaration on Multinational Enterprises and Social Policy, the UN Global Compact and its local networks?

Antwort DEU:

The instruments should be seen as mutually reinforcing. The Federal Government emphasizes the importance of all three international, government-backed instruments (OECD Guidelines, ILO Tripartite Declaration and UN Global Compact) wherever suitable, e.g. in the context of G8/G20. Promotion efforts by the respective agencies often comprise promotion of the other instruments. ILO standards can become relevant in the interpretation and updating of the OECD Guidelines. Other instruments, like the Global Reporting Initiative, can help companies to implement the OECD Guidelines' expectations, especially after the update.

Information on the interrelation between the instruments and on important tools available should be provided to companies in a more transparent way. The German National Contact Point therefore plans to include such information in its handbook on the *Guidelines*, which is to be finalized in accordance with the update of the *Guidelines*.

The German Global Compact Network (DGCN) is a member of the National Contact Point's working party. Regular meetings take place between the DGCN and the National Contact Point. The NCP is also available to provide advisory support on potential future complaints addressed by the DGCN. Companies and NGOs may approach the German National Contact Point to report about a breach of the ten Global Compact principles which constitute a violation of the Guidelines at the same time. The National Contact Point can therefore function as a means to verify the principles of the UN Global Compact. The DGCN continuously refers to the Guidelines at events and as part of their PR activities. The National Contact Point participates in events organized by the DGCN whenever available.

B. Information and Promotion

- How have the Guidelines been made available in your country (translation, brochures, creation of a webpage or website, etc.)?

Antwort DEU:

A German translation of the Guidelines is available on the Internet sites of the Federal Ministry of Economics and Technology, other Federal Ministries and the OECD BERLIN CENTRE. A German translation of the revised Guidelines should be made available as soon as possible. Furthermore, a leaflet ("Merkblatt OECD-Leitsätze") about the Guidelines is posted on the website of the Federal Ministry of Economics and Technology and has also been made available in a print version.

Kommentar: Vielleicht besser "web/internet presence"?

- How is co-operation with the business community, trade unions, other non-governmental organisations and the interested public carried out, with respect to information on, and promotion and use of, the *Guidelines* (consultations, distribution of the Guidelines, etc.)?

Antwort DEU:

The leaflet and additional information on the Guidelines are available at all 80 Chambers of Industry and Commerce in Germany (IHK), at the 61 German bilateral Chambers of Industry and Commerce abroad, at the 19 Offices of the Delegates/Representatives of German Industry and Commerce and their 39 subsidiary offices worldwide (AHK). As the first point of contact for German companies on foreign markets, the AHK network is a part of the official German Foreign Trade Promotion Programme supported by the Federal Ministry of Economics and Technology (BMWi). Furthermore, information on the Guidelines is available at the Association of German Chambers of Industry and Commerce (DIHK), which functions as the umbrella organization for the chambers. The information is displayed at DIHK and IHK events and all other chamber activities at the regional and federal level related to investments in non-adhering countries. An introduction to the Guidelines with contact addresses and a download of the leaflet is integrated on the DIHK and other IHK and AHK websites. In addition, companies with a concrete investment interest in non-adhering countries are informed by IHK and AHK foreign trade officials when being involved by individual contacts. The Guidelines are also mentioned in major chamber publications on foreign investment topics.

German business promotes the Guidelines within its various activities to mainstream CSR. The Guidelines are promoted by the BDI/BDA internet portal “CSR Germany”.

The German Confederation of Trade Unions (DGB) promotes the OECD Guidelines within the context of CSR on the DGB website.

Furthermore, the OECD Guidelines serve as a reference point for the work of the CSR Forum established in January 2009 by the Federal Ministry of Labour and Social Affairs. This Forum is advising the German government regarding the formulation of a national CSR strategy and will subsequently assist and support the implementation of this strategy. Accordingly, the “Common Understanding of CSR in Germany”, which was compiled by the Forum, mentions the OECD Guidelines as an important frame of reference for encouraging companies to take responsibility for social issues.

- How is co-operation with state owned agencies (export credits agency, state owned enterprises and others) in matters concerning information and implementation of the Guidelines?

Antwort DEU:

The Guidelines are promoted by the German government’s main website for foreign trade and investment (iXPOS). The leaflet has been distributed by the economic sections of all German embassies abroad as well as other institutions, e.g. the Federal Foreign Office and the Federal Ministry for Economic Cooperation and Development as well as the UN Global Compact Germany represented by the Gesellschaft für Internationale Zusammenarbeit (GIZ).

- Have other information and promotion activities been held or planned (seminars and/or conferences on the Guidelines in general or on specific subjects, informative publications or guides, co-operation with investment promotion agencies, departments of education, business schools, etc.)?

Antwort DEU:

The German NCP has promoted the *Guidelines* during this reporting period by presentations, lectures, preparation of speeches and active participation in CSR-related events organized by stakeholders and multistakeholder initiatives, governments, universities etc.

These include:

Workshop “Corporate Accountability – Corporate Social Responsibility”, Evangelic Academy Berlin, 1 April 2011

Other publications include an informative section on the *Guidelines* in the 2010 Annual Report on Foreign Investment Guarantees published by PriceWaterhouseCoopers AG, a leading partner of the federal government in managing these guarantees, underlining the importance the Ministry attaches to the *Guidelines*.

Furthermore, the *Guidelines* are also highlighted in the context of the German Governmental Reports on Human Rights and, with specific reference to the *Risk Awareness Tool*, in the Governmental Report on Crisis Prevention.

The national CSR-Forum, Working Group 4, developed recommendations of "strengthening CSR in an international and developmental context", calling on the Government to proactively promote the *Guidelines* and support the updating-process.

Most specifically, work has begun on a handbook for German companies, which shall help to further promote the *Guidelines* and give orientation especially to small and medium sizes enterprises in the understanding of the *Guidelines* and their implementation in their commercial activities abroad. Given the update of the *Guidelines*, finalization and publication of the handbook shall follow accordingly.

In the framework of a number of Committee hearings in the Bundestag (German Parliament) the role of the OECD *Guidelines* and the updating process have been highlighted.

- Has the OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones been disseminated or otherwise referred to in the context of interactions with enterprises and stakeholders?

Antwort DEU:

The *Risk Awareness Tool* is published on the German National Contact Point's web page. It has been referred to vis-à-vis enterprises, stakeholders and academia on numerous occasions (see sections above on promotional activities).

- Annex 3 to this questionnaire presents Table 1 from the NCP Chair's Summary of the 2010 NCP Meeting (“The OECD *Guidelines* and Export Credit, Overseas Investment Guarantee and Inward Investment Promotion Programmes”). NCPs are asked to update this table. If no update is necessary, please indicate this. If the OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones is referred to in these programmes, please indicate this separately.

Antwort DEU:

No update is necessary.

- Have enquiries been received from (a) other NCPs; (b) the business community, labour organisations, other non-governmental organisations, or the public; or (c) governments of non-adhering countries?

Antwort DEU:

Enquiries from other National Contact Points on promotional activities or development of tools such as a procedural guidance have been received and information was exchanged in good cooperative spirit.

Information was also closely exchanged on individual cases in the same field involving several National Contact Points.

A number of requests for general information have been received and answered, inter alia questions from media, students, researchers, citizens and companies.

The main area of interest during the period of this report was the updating process of the OECD Guidelines.

In this framework, the German National Contact Point also hosted a round of consultations with the members of the Working Party for updating the OECD Guidelines in April 2011.

C. Implementation in specific instances

NCPs might want to provide the following information on specific instances that were raised and/or concluded during the June 2010-2011 cycle. Please ensure that the information submitted is suitable for dissemination. Subject to respecting adhering countries' commitments to operate in accordance with the core criteria of visibility, accessibility, transparency and accountability, NCPs may provide any information they want

Antwort DEU:

1.) At the beginning of the reporting period, the complaint submitted by the NGOs Wake up and Fight for Your Rights Madudu Group and FIAN Deutschland e.V. against Neumann Gruppe GmbH, a German company producing coffee, on 15 June 2009, regarding business activities in Uganda (a non-adhering country), was still pending. Since, after a number of inquiries, including fact-finding by the German Embassy, and mediation activities initiated by the German National Contact Point, including a meeting with both parties together, the parties did not reach an agreement on the issues raised, the proceedings were concluded on 30 March 2011 with a Final Declaration by the German National Contact Point, which has been published on its website.

2.) On 22 October 2010, the NGOs European Center for Constitutional and Human Rights (ECCHR) and Uzbek-German Forum for Human Rights e.V. submitted with the German National Contact Point a complaint against Otto Stadlander GmbH, a German company dealing with cotton, regarding business activities in Uzbekistan (a non-adhering country). This complaint is still pending. Similar instances have been raised with the British, French and Swiss National Contact Points, with which the German National Contact Point is closely consulting.

Kommentar: eher: "to"?

Hinweis: Die nachfolgenden Fragen wurden vorstehend jeweils im Zusammenhang soweit wie möglich beantwortet.

- Date request to consider specific instance was received.
- Who raised the specific instance (e.g. business, trade union, NGO)?
- Which chapters of the Guidelines are cited in the specific instance? If possible, please also cite the specific recommendation(s) covered by the request.
- Has the specific instance involved business activities in a non-adhering country? Was the specific instance a multi-jurisdictional instance and involved other NCPs? Has the home NCP liaise with the parent company of the enterprise party to the specific instance?
- Sector of activity: extractive industry (which industry?); agriculture; other primary sectors; manufacturing (which sub-sector?); financial services; retail distribution; transport; other services.
- Was the request to consider the specific instance accepted or rejected? Has the NCP issued a public statement on its decision that the issues raised merit further examination or not? Please elaborate on the content of the statement?
- Were the issues raised in the specific instance also been addressed in parallel proceedings? If so, what was the nature of the latter proceedings? Were both parties involved in these proceedings? How the latter procedure affected the specific instance procedure? Did the NCP consult the institutions conducting the parallel proceedings?
- In what form has the NCP provided good its offices?
- Did the parties reached agreement on the issues raised? If an agreement was reached, did the NCP issue a report on the results?
- Where the parties failed to reach agreement, did the NCP statement concluding the specific instance contained recommendations on the implementation of the Guidelines? Did the statement contained provisions on monitoring the implementation of the recommendations?
- What was the duration of the specific instance procedure? More specifically, what were the respective lengths of the three intermediate phases (1. initial assessment; 2. assistance to the parties and 3. conclusion of the procedures)?
- Would the NCP care to contribute additional information about this specific instance -- e.g. how was the information on the specific instance gathered? Was accessibility to reliable information or the protection of confidentiality or the identity of the parties an issue? Did all parties agree with the final statement issued by the NCP?

Specific instances considered by NCPs to date

Annex 4 presents a summary table intended to provide basic information about specific instances that have been accepted for consideration by NCPs up to June 2011. NCPs are asked to verify and update this table if necessary.

D. Other

- How have the core criteria for the operation of NCPs (visibility, accessibility, transparency, and accountability) and, if the updated Guidelines are adopted, the additional guiding principles for specific instances (impartiality, predictability, equitability and compatibility with the Guidelines)

been applied by your NCP to further the effectiveness of Guidelines implementation? Please provide examples that illustrate this.

Antwort DEU:

Application of the core criteria have been strengthened, inter alia, by

- **meetings of both the ‘Ministerial Group on the OECD Guidelines’ and the ‘Working Party on the OECD Guidelines’**
 - **improvement of the National Contact Point’s web page, including new, easily accessible internet- and e-mail-addresses**
 - **promotional activities of the National Contact Point**
 - **publication of Procedural Guidance on the National Contact Point’s web page**
 - **publication of information on concluded instances, including summarized reasoning for rejection of cases, on the National Contact Point’s web page**
 - **active cooperation with other National Contact Points**
 - **active, frequent and transparent information of parties to specific instances on state of the play and further considerations**
 - **handbook to be finalized in autumn**
- Do you wish to provide any other information on the nature and results of NCP activities during this implementation cycle of the Guidelines, including on any useful experiences and/or difficulties encountered in carrying out the duties of the NCP?

Antwort DEU:

Not at this stage.

- If the NCP has surveys or statistics documenting companies’ awareness of the Guidelines, do you wish to make this information available in your report?

Antwort DEU:

No.

- What issues might deserve particular attention during the 2011-2012 implementation cycle of the OECD Guidelines? Please elaborate as appropriate.

Antwort DEU:

This will be discussed at the annual meeting of the National Contact Points.

RAPPORT DES POINTS DE CONTACT NATIONAUX AU COMITE DE L'INVESTISSEMENT

Modèle de notification pour les Rapports annuels des PCN au titre de la période du 1er juillet 2010 au 30 juin 2011

Ce Modèle de notification est destiné à guider les Points de contact nationaux (PCN) dans l'établissement de leurs rapports annuels au Comité de l'Investissement.² Ces rapports servent à préparer le rapport annuel que le Président doit soumettre chaque année au Conseil sur les activités des PCN.

*Le rapport annuel du Président pour l'année 2011 sera examiné à la prochaine réunion annuelle des PCN, qui aura lieu le **lundi 27 juin et le mardi 28 juin 2011**. Cette réunion des PCN devrait être la première qui se tiendra après l'adoption attendue des résultats de l'actualisation des Principes directeurs lors de la Réunion Ministérielle de l'OCDE des 25 et 26 mai 2011. La Table ronde annuelle 2011 sur la responsabilité des entreprises se tiendra pour sa part le mercredi 29 juin 2011.*

*Il est essentiel pour la bonne préparation de cette réunion que les rapports annuels des PCN parviennent au Secrétariat dans les délais requis. Les PCN sont donc invités à envoyer leurs rapports au Secrétariat avant 18h00 le **vendredi 13 mai 2011** [marie-france.houde@oecd.org et belinda.sutton@oecd.org].*

A. Organisation institutionnelle

- Les Annexes 1 et 2 contiennent respectivement une description de la « Structure des Point de contact nationaux » tirée de la Synthèse 2010 du Président et la liste PCN (avec leurs coordonnées) qui figure sur le site Internet des Principes directeurs. Les PCN sont priés de mettre ces informations à jour si nécessaire.
- Les PCN souhaiteront peut-être fournir des informations supplémentaires concernant l'organisation institutionnelle du PCN (par exemple la composition du PCN, notamment les organismes consultatifs ou de supervision impliquant plusieurs parties prenantes et constitués pour assister les PCN dans leurs tâches...).
- Quel est le lien entre le PCN et d'autres organismes publics ?
- Quel est le lien entre le PCN et les partenaires sociaux (milieux d'affaires et organisations syndicales) impliqués dans le fonctionnement du PCN ?
- Quel est le lien entre le PCN et d'autres organisations non-gouvernementales (ONG) et autres parties concernées impliquées dans le fonctionnement du PCN ?
- Quel est le lien entre le PCN et d'autres grandes initiatives en matière de responsabilité des entreprises, par exemple la Déclaration des principes tripartite de l'OIT sur les entreprises

² Conformément à la Section D des Lignes directrices de procédure adoptées par Décision du Conseil (voir C(2000)96/FINAL), les PCN doivent chaque année rendre compte au Comité de l'investissement de la nature et du résultat de leurs activités, y compris des activités de mise en œuvre dans des circonstances spécifiques. Le présent modèle de notification essaie de prendre en compte les modifications des lignes directrices qui sont envisagées dans le cadre de l'actualisation en cours des Principes directeurs [pour référence, voir DAF/INV/WP/WD(2011)1/REV2]

multinationales et la politique sociale, le Pacte Mondial des Nations unies et ses réseaux locaux ?

B. Information et promotion

- Comment les Principes directeurs ont-ils été diffusés dans votre pays (traduction, création d'une page ou d'un site Internet, etc.) ?
- Comment la coopération avec les milieux d'affaires, les syndicats, les autres organisations non-gouvernementales et les divers publics concernés a-t-elle été organisée pour assurer la publicité des Principes directeurs et pour en assurer la promotion et l'utilisation (consultations, diffusion des Principes directeurs, etc.)
- Comment la coopération avec les organismes appartenant à l'État (agences de crédit à l'exportation, entreprises appartenant à l'État ou autres) est-elle organisée s'agissant de la diffusion d'informations et de la mise en œuvre des Principes directeurs ?
- D'autres activités d'information et de promotion ont-elles été organisées ou sont-elles prévues (séminaires et/ou conférences sur les Principes directeurs en général ou sur des thèmes spécifiques, publications ou guides à visées informatives, coopération avec des agences de promotion de l'investissement, des universités, des écoles de commerce, etc...) ?
- Est-ce que l'Outil de sensibilisation au risque destiné aux entreprises opérant dans les zones à déficit de gouvernance élaboré par l'OCDE a été diffusé ou cité par ailleurs dans le cadre d'actions menées auprès d'entreprises ou d'autres parties prenantes ?
- L'annexe 3 au présent questionnaire reproduit le tableau 1 extrait de la Synthèse du Président sur la réunion 2011 des PCN (« Liens entre les Principes directeurs de l'OCDE et les programmes de crédit à l'exportation, de garantie des investissements à l'étranger et de promotion des investissements de l'étranger »). Les PCN sont priés de procéder à la mise à jour de ce tableau. Si aucune mise à jour n'est nécessaire, veuillez l'indiquer. Si l'Outil de sensibilisation au risque destiné aux entreprises opérant dans les zones à déficit de gouvernance élaboré par l'OCDE est également utilisé dans ces programmes, merci de bien vouloir le mentionner à part.
- Des demandes d'information ont-elles été reçues de la part a) d'autres PCN ; b) des milieux d'affaires, des organisations syndicales, d'autres organisations non gouvernementales, du public ; c) de gouvernements de pays n'ayant pas adhéré aux Principes directeurs ?

C. Mise en œuvre dans des circonstances spécifiques

Les PCN souhaiteront peut-être communiquer les informations suivantes sur les dossiers concernant des circonstances spécifiques déposés et/ou réglés durant l'exercice compris entre juin 2010 et juin 2011 (Merci de veiller à ne soumettre que des informations susceptibles d'être publiées. Sous réserve de respecter l'engagement des pays signataires d'agir conformément aux critères fondamentaux de visibilité, d'accessibilité, de transparence et de reddition de compte, les PCN peuvent communiquer toutes les informations qu'ils souhaitent) :

- Date de réception de la requête d'examen de circonstances spécifiques.
- Auteur de la requête (entreprise, organisation syndicale, ONG).

- Chapitres des Principes directeurs cités dans le dossier relatif aux circonstances spécifiques. Si possible, mentionner également les éventuelles recommandations particulières visées par la requête.
- Les circonstances spécifiques invoquées ont-elles trait à des activités commerciales menées dans un pays non signataire ? Les circonstances spécifiques ont-elles impliqué plusieurs pays ou territoires et d'autres PCN ? Est-ce que le PCN du pays d'origine de l'entreprise impliquée dans une circonstance spécifique a pris contact avec la maison-mère de cette entreprise ?
- Secteur d'activité : industries extractives (laquelle?) ; agriculture ; autres branches du secteur primaire ; secteur manufacturier (quelle branche ?) ; services financiers ; commerce de détail ; transports ; autres services.
- La demande d'examen des circonstances spécifiques a-t-elle été acceptée ou rejetée ? Après avoir établi qu'une question méritait ou non un examen approfondi, le PCN a-t-il justifié sa décision dans une déclaration publique ? Merci de donner des détails sur cette déclaration.
- Est-ce les questions soulevées dans les circonstances spécifiques ont fait l'objet de procédures parallèles ? Si oui, de quelle nature étaient ces procédures ? Est-ce que les deux parties ont été impliquées dans ces procédures parallèles ? Est-ce que ces procédures ont eu un impact sur les circonstances spécifiques ? Est-ce que le PCN a consulté les institutions chargées des procédures parallèles ?
- Sous quelle forme le PCN a-t-il proposé ses bons offices ?
- Est-ce que les parties sont arrivées à un accord sur les questions soulevées ? Dans l'affirmative, est-ce que le PCN a publié un rapport sur ce résultat ?
- Dans le cas où les parties impliquées ne sont pas arrivées à un accord, est-ce que le communiqué publié par le PCN à l'issue de la procédure des circonstances spécifiques contenait des recommandations concernant la mise en œuvre des Principes directeurs ? Est-ce qu'il faisait mention de dispositions permettant de suivre la mise en œuvre de ces recommandations ?
- Quelle a été la durée complète de la procédure ? Plus précisément, combien de temps ont respectivement duré les trois étapes (1. première évaluation ; 2. assistance aux parties, et 3. conclusion de la procédure) ?
- Le PCN pourrait-il fournir des informations complémentaires sur les dossiers relevant de circonstances spécifiques, notamment sur la façon dont les données relatives aux circonstances spécifiques ont été recueillies ? L'accès à des informations fiables, la confidentialité de ces informations ou l'identité des parties ont-ils posé des problèmes ? Est-ce que toutes les parties impliquées dans des circonstances spécifiques ont été d'accord avec le contenu du communiqué final du PCN ?

Circonstances spécifiques examinées à ce jour par les Points de contact nationaux

L'annexe 4 présente un tableau récapitulatif, jusqu'en juin 2011, des circonstances spécifiques dont les PCN ont accepté de se saisir. Les PCN sont priés de vérifier ces informations et de les mettre à jour si nécessaire.

D. Divers

- Comment les critères fondamentaux de fonctionnement des PCN prévus par les Principes directeurs (visibilité, accessibilité, transparence et reddition de compte) et, si la mise à jour des Principes directeurs est adoptée, par les principes complémentaires relatifs aux circonstances spécifiques (impartialité, prévisibilité, équité et compatibilité avec les Principes

directeurs) ont-ils été appliqués dans votre pays pour rendre la mise en œuvre des Principes directeurs encore plus efficace ? Veuillez fournir des exemples pour illustrer ces différents points.

- Souhaitez-vous fournir d'autres informations sur la nature et les résultats de l'activité du PCN au cours de ce cycle de mise en œuvre des Principes directeurs, y compris d'éventuelles expériences utiles et/ou des difficultés rencontrées dans l'exercice de la mission du PCN ?
- Si le PCN a en sa possession des études ou des statistiques permettant d'apprécier le degré de sensibilisation des sociétés aux Principes directeurs, souhaiteriez-vous inclure ces informations dans votre rapport ?
- Quelles sont les questions qui pourraient mériter une attention particulière durant le cycle 2011-2012 de mise en œuvre des Principes directeurs de l'OCDE ? Merci de bien vouloir préciser.