



Peer Review of the German NCP

Recommendation	Implementation	Comments
<p>1. <u>Institutional Arrangements</u></p> <p>1.1. NCP role in trade promotion</p> <p>[The German NAP states that “the NCP will become the central complaint mechanism for foreign trade and investment promotion projects”.]</p> <p>The NCP should, together with the Inter-Ministerial Steering Group and potentially the Working Group and its wider stakeholders, clarify the scope and functioning of this measure with respect to foreign trade and investment promotion projects and communicate it in order to ensure clarity.</p>	<p>✓</p> <ul style="list-style-type: none">• Clarification of the role of the NCP in the process of foreign trade promotion, captured in new explanatory language• Participation in NCP specific instances can be taken into account for the approval of trade promotion applications• Non-participation can lead to refusal of assistance• Exchange of information between NCP and trade promotion agencies• Agreed by consensus and published on NCP web-site	



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<p>1.2. Internal handover procedures</p> <p>The NCP should create a handover process and record institutional memory to preserve good practices. This could include internal written procedures to guide the work of the NCP, in order to maintain the recent progress made in the functioning of the NCP.</p>	<p>✓</p> <ul style="list-style-type: none">• Collection of relevant basic texts and documentation• New electronic filing system• Templates for specific instance submission and inquiries published on NCP web-site• Internal checklist for handling specific instances• New internal template for final statements	



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<p>1.3. Roles and responsibilities of internal and external stakeholders</p> <p>The NCP should discuss with the Inter-Ministerial Steering Group and Working Group the respective roles and responsibilities and then clearly define and communicate those roles and responsibilities, internally and externally, in order to ensure that stakeholders understand both, especially in relation to the handling of specific instances.</p>	<p>✓</p> <p>1. Interministerial Steering Group:</p> <ul style="list-style-type: none">• Internal regulations on functioning and decision making• ISG upgraded to Interministerial Committee• Adopted by consensus <p>2. Stakeholder Working Group</p> <ul style="list-style-type: none">• Internal regulations (membership, role, functioning)• Advisory role with new right of initiative• Adopted by consensus	<ul style="list-style-type: none">• expanded membership• Agenda setting• Recommendations to NCP



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<p>2. <u>Promotional Activities</u></p> <p>2.1. Target groups (1)</p> <p>As the NCP expands its promotional strategy and strengthens its existing relationships with groups, it should also give increased focus to diversifying and building relationships directly with companies and trade unions, particularly to highlight the recent changes to the NCP.</p>	<p>✓</p> <ul style="list-style-type: none">• maintain focus on promotion to companies facilitated by and in cooperation with business associations• Increase dialogue with individual companies on approaches, experiences, challenges, best practices, success stories• Presentation to trade union staff	<ul style="list-style-type: none">• 500-600 companies reached (2017/8)• New tools: webinars• Develop positive narrative on RBC and foster cooperations between businesses and organisations



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<p>2.2. Target groups (2)</p> <p>As the NCP expands its promotional strategy and continues its engagement with embassy officers, it should give particular consideration to providing trainings on RBC for officers in non-adhering countries where German companies operate.</p>	<p>✓</p> <ul style="list-style-type: none">• Intensification and institutionalisation of promotion with embassy staff (pre-posting seminars)• Link promotion of NAP BHR and OECD-Guidelines/RBC abroad• Include HoD level	<p>!</p> <ul style="list-style-type: none">• No limitation to non-adhering countries



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<p>3. <u>Specific Instances</u></p> <p>3.1. Update Procedural Notes ...</p> <p>The NCP should consider updating its Procedural Notes to make certain provisions clearer. In particular, the NCP should clarify and consolidate the provisions on confidentiality. Recognising that the provisions on campaigning and confidentiality may be acting as a deterrent to submitting specific instances, the NCP should consider discussing these provisions with stakeholders, ensuring that the provisions are equitable and ensure transparency wherever possible.</p>	<p>✓</p> <ul style="list-style-type: none">• Main issue: new balance between transparency and confidentiality• Consolidation of the confidentiality requirements• Transparency as rule – within limits• Parties are responsible for success and failure• Case by case assessment	



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<p>... Update Procedural Notes (contd.)</p>	<ul style="list-style-type: none">• reduction of redundancies• streamlining of terminology• Opening for external mediators• Opening for follow-up• Iterative consultation process with stakeholders and interministerial committee	<p>!</p> <ul style="list-style-type: none">• No promotion of financial assistance• Substantiation requirements



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<p>3.2. Final Statements</p> <p>The NCP should continue to publish clear and meaningful final statements and may consider developing a clear template for final statements to ensure quality and consistency. ...</p> <p>... [Stakeholders] also suggested that the NCP could include plain language summaries in its final statements to better communicate outcomes of the specific instance process to the broader public.</p>	<p>✓</p> <p>Updated internal template structure for final statements, incl. new layout and plain language executive summary of findings used in recent statements</p>	





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<p>4) <u>Other issues</u></p> <p>4.1. Website</p> <p>While quite comprehensive, the visibility and navigation of the website could be improved.</p> <p>4.2. Inquiries</p> <p>Clear indication of how to submit inquiries about the Guidelines on the NCP's website could help to better promote this function.</p>	<p>✓</p> <ul style="list-style-type: none">• Indirect pathway to NCP website via „Menu“ on Ministry's opening page• Recent developments etc.• Online search improved• English version in progress• Next update after Peer Review <p>✓</p> <p>New template available on website</p>	<p>=> „OECD-Guidelines“</p>



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4.3. Promotion to Ambassadors Undertake trainings with Ambassadors	 First implementation at annual HoD conference 2018	
4.4. External mediation Some parties indicated that they would have liked to be given the option of more traditional mediation and/or the option of having an external mediator.	 Possibility to use external mediators foreseen; operational details to be developed.	



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<p>4.5. Follow Up</p> <p>The NCP may consider reporting on follow up actions to enable parties and stakeholders to better track the outcomes of specific instances.</p>	<p>✓</p> <p>foreseen as a possibility in the new rules of procedure. Modalities to be developed.</p>	
<p>4.6. Feedback</p> <p>The NCP may consider options for obtaining feedback from parties to the specific instance process to aid in understanding what worked well and what could be improved in handling specific instances.</p>	<p>✓</p> <p>Implemented in recent cases</p>	