

**DIRECTORATE FOR FINANCIAL AND ENTERPRISE AFFAIRS  
INVESTMENT COMMITTEE**

**Working Party on Responsible Business Conduct**

**BELGIUM**

**NATIONAL CONTACT POINT FOR THE OECD GUIDELINES FOR MULTINATIONAL  
ENTERPRISES 2016 REPORT TO THE OECD**

*This document is available in pdf format only.*

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DAF/INV/RBC/RD(2017)4

**BELGIUM NATIONAL CONTACT POINT  
FOR THE OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES**

**2016 REPORT TO THE OECD**

## **COMMON FRAMEWORK FOR ANNUAL REPORTING BY NATIONAL CONTACT POINTS FOR THE OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES**

1 January - 31 December 2016

The role of National Contact Points is to further the effectiveness of the OECD Guidelines for Multinational Enterprises (the Guidelines) by undertaking promotional activities, handling enquiries and contributing to the resolution of issues that arise from the alleged non-observance of the Guidelines in specific instances by individual companies. NCPs will operate in accordance with core criteria of visibility, accessibility, transparency and accountability to further the objective of functional equivalence.

National Contact Points must regularly report to the OECD Investment Committee on the nature and results of their activities to further the effectiveness of the Guidelines including implementation activities in specific instances.

This Common Reporting Framework, based on the Implementation Procedures of the Guidelines, assists NCPs in the preparation of these reports. The information provided by NCPs is the basis for the Annual Report to the OECD Council on the Guidelines for Multinational Enterprises. It is also used to produce Annual reports of individual NCPs (NCP Annual reports).

# **COMMON REPORTING FRAMEWORK**

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## NATIONAL CONTACT POINT REPORTING QUESTIONNAIRE (2016)

### A. CONTACT INFORMATION

Please provide the contact information of the person filling in the questionnaire.

Name:	Cyril Liance
Job title:	Head of the Belgian NCP
Email:	Cyril.liance@economie.fgov.be
Telephone number:	+3222778163

### B. INSTITUTIONAL ARRANGEMENTS

#### (a) Location of the NCP

1. Is the NCP located in a Ministry?	Yes
If yes, in which Ministry is the NCP located?	Ministry of Economy
If yes, in which department of the Ministry?	International Economy
2. Is the NCP located in an investment promotion agency?	No
3. Is the NCP an independent NCP?	No
4. Has the NCP been established through a legal, regulatory or administrative instrument (e.g. a decree)?	Yes
If yes, please provide the name and date of this instrument	Décision du Comité Ministériel de Coordination économique et sociale du 7 juin 1979

*Additional comments on Location of the NCP:*  
Click here to enter text.

#### (b) Composition of the NCP

5. Who are the members of the NCP? <i>Please describe the functions of the members of the NCP (e.g. President, Secretariat, Independent expert, etc.). No names are required.</i>	President and Secretariat	
6. Does the NCP have dedicated full-time staff? <i>If yes, please indicate the number.</i>	Yes	1
7. Does the NCP have dedicated part-time staff? <i>If yes, please indicate the number.</i>	Yes	2
8. Have any full-time or part-time staff members joined the NCP during the year? <i>If yes, please indicate how many.</i>	No	0
9. Have any full-time or part-time staff members left the NCP during the year? <i>If yes, please indicate how many.</i>	No	0

10. Are other Ministries part of the institutional arrangements of the NCP? <i>(e.g. represented on advisory or oversight bodies, participate in specific instances, etc.)</i>	Yes
If yes, please list the Ministries (e.g. Social Affairs, Labour, Trade, Environment, Foreign Affairs, Justice, Finance, etc.)	Foreign Affairs, Justice, Health & Environment, Labour, Finance and Economic Affairs
11. Are social partners and other stakeholders (trade unions, business community, civil society and other non-governmental organisations) part of the institutional arrangements of the NCP? <i>(e.g. represented on advisory or oversight bodies, represented on the NCP, take part in specific instances)</i>	
NGOs	No
Representatives of the business community	Yes
Trade unions	Yes
12. Does the NCP have an advisory body?	Yes
If yes, please describe its functions	In late 2014, an expert network has been created with 20 members from various field of competencies. They are available to provide expertise for our roundtables and events but also when we have to deal with specific instances.
If yes, please list the names of organisations that are represented on the advisory body and the type of organisation, or provide a link to the list on the NCP website. <i>(e.g. government, NGO, trade union, business, business organisation, academic, consumer organisation, etc.)</i>	Members are from other ministries, NGOs and businesses, here is the full list : <a href="http://economie.fgov.be/fr/entreprises/vie_entreprise/responsabilite_sociale_des_entreprises/Principes_directeurs_OCDE_entreprises_multinationales/Point_de_contact_national_OCDE_Belgique/Reseau_d_experts/#.WE7DKWdzPcs">http://economie.fgov.be/fr/entreprises/vie_entreprise/responsabilite_sociale_des_entreprises/Principes_directeurs_OCDE_entreprises_multinationales/Point_de_contact_national_OCDE_Belgique/Reseau_d_experts/#.WE7DKWdzPcs</a>
If yes, please indicate how often the NCP meets with the advisory body	Once a year
13. Does the NCP have an oversight body?	No
If yes, please describe its functions	<a href="#">Click here to enter text.</a>
If yes, please list the names of organisations that are represented on the oversight body and the type of organisation, or please provide a link to the list on the NCP website. <i>(e.g. government, NGO, trade union, business, business organisation, academic, consumer organisation, etc.)</i>	<a href="#">Click here to enter text.</a>
If yes, please indicate how often the oversight body meets	<a href="#">Choose an item.</a>
14. Does the NCP have a body for both advice and oversight?	No
If yes, please describe its functions	<a href="#">Click here to enter text.</a>
If yes, please list the names of organisations that are represented on the oversight body and the type of organisation, or provide a link to the list on the NCP website. <i>(e.g. government, NGO, trade union, business, business organisation, academic, consumer organisation, etc.)</i>	<a href="#">Click here to enter text.</a>
If yes, please indicate how often this body meets	<a href="#">Choose an item.</a>
<i>Additional comments on <b>Composition of the NCP:</b></i> <b>As Belgium is a federal State, the three Belgian regions (Flanders, Wallonia and Brussels Capital-City) are also full members of the NCP</b>	

<b>(c) Financial resources</b>	
15. Did the NCP have a dedicated budget this year?	No
16. Did the NCP have a dedicated budget to conduct its promotional activities during the year?	Yes
If no, were financial resources for promotional activities allocated on an ad hoc basis when requested by the NCP?	Yes
17. Did the NCP have a dedicated budget to conduct its activities related to specific instances during the year?	No
If no, were financial resources for specific instances allocated on an ad hoc basis when requested by the NCP?	Yes
18. During the year, was the NCP able to access funds for the following activities:	
Organising promotional events	Yes
Attending NCP meetings at the OECD	Yes
Attending events organised by other NCPs	Yes
Attending events organised by other stakeholders	Yes
Professional mediator fees or in-house mediator fees	No
Fact-finding research into specific instances	No
<i>Additional comments on <b>Financial resources</b>:</i> Click here to enter text.	
<b>(d) Reporting</b>	
19. Does the NCP report to the government on its activities?	Yes
If yes, how often?	Once a year
20. Does the NCP report to parliament on its activities?	Yes
If yes, how often?	Once a year
<i>Additional comments on <b>Reporting</b>:</i> Click here to enter text.	

<b>C. INFORMATION AND PROMOTION</b>	
<b>(a) NCP website<sup>1</sup></b>	
21. Was a new NCP website created this year? If yes, please provide the link.	No <span style="float: right;">Click here to enter text.</span>
22. Are the following items available on the NCP website:	
<b>Information about the Guidelines and the role of the NCP</b>	
The text of the Guidelines	Yes

<sup>1</sup> This includes dedicated NCP webpages as part of the Ministry's website.



A description of the Guidelines	Yes
Information on the NCP and its mandate	Yes
The 2015 NCP Annual Report submitted to the OECD	Yes
The NCP's own 2015 Annual Report	No
<b>Information about specific instances</b>	
Information on how to submit a specific instance	No
The NCP's rules of procedures	Yes
All final statements since 2011	Yes
<b>Information on promotional activities</b>	
Information on upcoming events promoting the Guidelines	No
Information on past events promoting the Guidelines	No
<b>Contact information</b>	
Information on how to make an enquiry to the NCP	No
A phone number to reach the NCP directly	Yes
An email address to reach the NCP directly	Yes
<i>Additional comments on NCP website:</i> <b>A new website is planned for 2017</b>	
<b>(b) Promotional activities<sup>2</sup></b>	
23. Did the NCP organise or co-organise events to promote the Guidelines and/or the NCP during the year? <i>If yes, please provide details in table 1 in Annex 1.</i>	Yes
24. Did the NCP make a presentation to promote the Guidelines and/or the NCP in events organised by others? <i>If yes, please provide details in table 2 in Annex 1.</i>	Yes
25. Did the NCP make use of social media to communicate on NCP promotional activities during the year?	Yes
26. Did the NCP hold a stakeholder meeting during the year?	No
27. Did the NCP promote the Guidelines among the business community during the year?	Yes
28. Did the NCP carry out any training on the Guidelines aimed at businesses during the year?	No
29. Did the NCP promote the Guidelines among NGOs during the year?	Yes
30. Did the NCP promote the Guidelines among trade unions during the year?	Yes
31. Did the NCP promote the Guidelines among government agencies during the year?	Yes
32. Did the NCP promote the Guidelines among embassies abroad during the year?	No
33. Did the NCP promote the Guidelines to investment promotion agencies during the year?	No

<sup>2</sup> Attendance of NCP meetings held at the OECD and other OECD events such as the Global Forum on Responsible Business Conduct are not considered to be promotional activities.

34. Did the NCP refer to the following sector guidance reports in promotional activities during the year:	
OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas	Yes
OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector	No
OECD-FAO Guidance for Responsible Agricultural Supply Chains	Yes
<i>Additional comments on the section <b>Promotional activities:</b> The Belgian NCP organised two roundtables on sector guidance this year, one in May 2016 on Agricultural Supply Chains and one in October 2016 on Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas.</i>	

D. SPECIFIC INSTANCES	
(a) NCP rules of procedure for handling specific instances	
35. Does the NCP have rules of procedure describing the handling of specific instances?	Yes
36. Are the rules of procedure available online? <i>If yes, please provide link. If no, please attach a copy of the rules of procedure to this questionnaire</i>	Yes <a href="http://economie.fgov.be/fr/binaries/R%C3%A9glement%20d%27Ordre%20Int%C3%A9rieur_tcm326-274129.pdf">http://economie.fgov.be/fr/binaries/R%C3%A9glement%20d%27Ordre%20Int%C3%A9rieur_tcm326-274129.pdf</a>
37. Were the NCP's rules of procedure modified this year?	No
<i>Additional comments on the section <b>Rules of procedure:</b> Following the Belgian Peer Review the NCP's procedures will be modified in 2017</i>	
(b) Specific instance practicalities	
38. Does the NCP confirm receipt of a specific instance submission?	Yes
39. Who has the final sign-off on accepting a specific instance? <i>Please provide the function of the relevant staff within the NCP. No names are required.</i>	The members of the NCP and the president
40. Who has the final sign-off on final statements? <i>Please provide the function of the relevant staff within the NCP. No names are required.</i>	The members of the NCP and the president
41. Does the NCP request feedback from the parties on the procedure following the conclusion of a specific instance?	No

42. Has the NCP staff undergone training in dispute resolution or problem-solving (e.g. mediation)?	No
43. Did the NCP engage professional mediators during the year?	No
<i>Additional comments on the section <b>Specific instance practicalities</b>: Click here to enter text.</i>	
<b>(c) Reporting specific instances</b>	
44. Did the NCP receive new specific instance submissions during the year? <i>If yes, please also provide details in Annex 2</i>	Yes
45. 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 calendar year? <i>If yes, please also provide details in Annex 2</i>	Yes
<i>Additional comments on the section <b>Reporting specific instances</b>: Click here to enter text.</i>	

<b>E. PEER LEARNING</b>	
46. Did the NCP take part in the following activities with other NCPs during the year:	
NCP-hosted peer learning activities	Yes
Co-operation with other NCPs in handling specific instances	Yes
Mentoring/capacity building of another NCP	No
47. Is the NCP interested in hosting an NCP learning/experience-sharing event in 2017?	No
48. Which topic would the NCP consider to be a priority to cover in a peer learning event?	Mediation training, drafting terms of reference before entering in mediation
49. Is the NCP interested in participating in developing tools for use by NCPs?	Yes
<i>Additional comments on the section <b>Peer-learning activities</b>: Click here to enter text.</i>	

F. POLICY COHERENCE <sup>3</sup>		
50. Have the Guidelines been referred to in relevant national legislation adopted during the year? <i>(e.g. on responsible business conduct; non-financial reporting, export credits regulation, public procurement)</i>	No	
If yes, please provide a link to the legislation. <i>If a link is not available, please attach a copy of the legislation to this questionnaire.</i>	Click here to enter text.	
51. Did the NCP communicate public statements on specific instances to public procurement officials?	No	
52. Did the NCP communicate public statements on specific instances to officials responsible for trade missions?	No	
53. Did the NCP communicate public statements on specific instances to officials responsible for foreign trade and investment incentives?	Yes	
54. Did your country adopt a National Action Plan (NAP) this year? <i>If yes, please indicate which type of NAP</i>	No	Choose an item.
If yes, does the NAP make reference to the Guidelines?	Choose an item.	
If yes, does the NAP make reference to the NCP?	Choose an item.	
55. Was a NAP in development this year? <i>If yes, please indicate which NAP.</i>	Yes	NAP on Business and Human Rights
If yes, did the NCP participate in the development of the National Action Plan?	Yes	
56. Please indicate any other examples of policy coherence activities:	Click here to enter text.	
Additional comments on <b>Policy Coherence</b> : Click here to enter text.		

G. IMPACT AND FUTURE WORK	
57. Does the NCP have a promotional plan for the coming year (2017)?	Yes
58. Is the NCP interested in being a <u>reviewer</u> in a peer review planned in 2017 or 2018?	Yes
59. Is the NCP interested in being an <u>observer</u> of a peer review planned in 2017 or 2018?	Yes
60. Has the NCP faced any particular challenge(s) it would like to highlight this year?	Click here to enter text.

<sup>3</sup> Paragraph 37 of the Commentary on the Implementation Procedures of the OECD Guidelines for Multinational Enterprises: "Statements and reports on the results of the proceedings made publicly available by the NCPs could be relevant to the administration of government programmes and policies. In order to foster policy coherence, NCPs are encouraged to inform these government agencies of their statements and reports when they are known by the NCP to be relevant to a specific agency's policies and programmes [...]."

*Additional comments on the section **Impact and future work**:*  
Click here to enter text.

## Annex 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 to promote the Guidelines (Table 2).**  
 Please select the event type, size and type of audience as well as the theme from the dropdown menus for each event.  
 Please add additional lines if needed.

**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?	Targeted audience <i>e.g. Business representatives, NGOs, Trade unions, Academia, General public, Government representatives, etc.</i>	Theme <i>e.g. the OECD Guidelines, the NCP activities on sector due diligence guidance documents, etc.</i>
Roundtable on agricultural supply chains	26/05/2016	Brussels	<b>Meeting</b>	<b>10-50</b>	<b>Organised</b>	Businesses, NGOs, Trade Unions, Government representatives and Academia	Presentation of the new due diligence guidance by the OECD
Roundtable on Responsible Supply Chain of Minerals from Conflict and High-Risk areas	20/10/2016	Brussels	<b>Meeting</b>	<b>10-50</b>	<b>Organised</b>	Businesses, NGOs, Trade Unions, Government representatives and Academia	Presentation of the due diligence guidance by the OECD, presentation by the European Commission of the upcoming European Regulation, presentation by Umicore and Intel of their best practices
Seminar on anti-corruption for Belgian companies overseas	9/12/2016	Brussels	<b>Conference</b>	<b>50-100</b>	<b>Organised</b>	Businesses, NGOs, Trade Unions, Government representatives, Academia and General Public	Presentation of a guidance made by both public and private representatives in Belgium for Belgian companies. The event gathered the Ministers of Justice and Economy, representatives from Transparency International,

							a magistrate from the Federal prosecutor's office, the OECD and the United Nations.
Annual meeting with the expert network	04/02/2016	Brussels	<b>Meeting</b>	<b>10-50</b>	<b>Organised</b>	Businesses, NGOs, Trade Unions, Government representatives and Academia	Annual meeting gathering NCP's members and experts to discuss action plan and priorities of the NCP and experts
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	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.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.

Total number=

4

**Table 2**

Presentations by the NCP to promote the Guidelines and/or the NCP in events organised by others								
<b>Title</b>	<b>Date</b> <i>(dd/mm/yyyy)</i>	<b>Location</b>	<b>Type of event</b>	<b>Size of audience</b>	<b>Targeted audience</b> <i>e.g. Business representatives, NGOs, Trade unions, Academia, General public, Government representatives, etc</i>	<b>Organiser(s)</b>	<b>Type of intervention</b>	<b>Theme of the intervention</b>
Working Group on the National Action for Business and Human Rights	17/02/2016	Brussels	<b>Meeting</b>	<b>&lt;10</b>	Government Representatives	Federal Institute for Sustainable Development	Oral explanation	Presentation of the NCP to new comers in the Working Group
Presentation of the Sustainable Development goals	17/06/2016	Brussels	<b>Meeting</b>	<b>10-50</b>	Businesses, NGOs and Government Representatives	The SHIFT	Oral explanation	Presentation of the NCP and its role

to Belgian stakeholders								
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Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.

<b>Total number=</b>	2
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## Annex 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 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).

Please add additional lines if needed.

We encourage all NCPs to inform the Secretariat on received specific instances and to provide a final statement as soon as it becomes available, in order to keep the OECD database updated at all times. For all specific instances that have not yet been reported to the Secretariat, please complete and send this [form](#) to [Alison.holm@oecd.org](mailto:Alison.holm@oecd.org) and [Kathryn.dovey@oecd.org](mailto:Kathryn.dovey@oecd.org)<sup>4</sup>.

**For all specific instances that are currently IN PROGRESS:**

Names of parties	Date received <i>(dd/mm/yyyy)</i>	Is the initial assessment publicly available?	Link to OECD database if available	Did the NCP co-operate with other NCPs during the handling of this specific instance? If yes, please describe.
Etex, Building and Wood Workers' International (BWI) and Ceramic Workers' Union of the Republic of Argentina (FOCRA)	29/02/2016	Yes	<a href="http://mneguidelines.oecd.org/database/instances/be0016.htm">http://mneguidelines.oecd.org/database/instances/be0016.htm</a>	Yes, at first, we tried to cooperate with the Argentinian NCP but we got no response until the OECD secretariat directly supported our request to get in touch. Since a new team is in position at the Argentinian NCP we have regular contacts to keep them in the loop.
BOLLORE SA (France), Financière du Champ de Mars (Belgium), SOCFINAL, now SOCFIN, (Luxembourg) and	03/12/2010	Yes	<a href="http://mneguidelines.oecd.org/database/instances/fr0014.htm">http://mneguidelines.oecd.org/database/instances/fr0014.htm</a>	Yes, since the last quarter of 2016, the Belgian NCP took the lead on this specific instance in accordance with the French and Luxembourg NCPs. A meeting with all the stakeholders has been organised in Brussels on the 29/09/2016 to validate the transfer. Previously the Belgian NCP communicated twice about this specific instance : <a href="http://economie.fgov.be/fr/binaries/Communiqu%C3%A9%20Socapalm-Socfin-Socfinaf_tcm326-274097.pdf">http://economie.fgov.be/fr/binaries/Communiqu%C3%A9%20Socapalm-Socfin-Socfinaf_tcm326-274097.pdf</a> and <a href="http://economie.fgov.be/fr/binaries/Suivi%20Communique%20SOCAPALM%2020160204_tcm326-276923.pdf">http://economie.fgov.be/fr/binaries/Suivi%20Communique%20SOCAPALM%2020160204_tcm326-276923.pdf</a>

<sup>4</sup> According to paragraph 42 of the Commentary on the Implementation Procedures of the OECD Guidelines for Multinational Enterprises, “[...] NCPs will report to 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, including those that are in the process of an initial assessment, those for which offers of good offices have been extended and discussions are in progress, and those in which the NCP has decided not to extend an offer of good offices after an initial assessment”.

INTERCULTURES, now SOCFINAF SA, (Luxembourg), Centre pour le Développement (Cameroon), Fondation Camerounaise d'Actions Rationalisées et Formation sur l'Environnement, SHERPA (France), and MISEREOR (Germany)				
Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.	Click here to enter text.

**Total number=** 2

For all specific instances that were CONCLUDED during the year:						
Title	Date received (dd/mm/yyyy)	Date concluded (dd/mm/yyyy)	Link to OECD database if available	Outcomes achieved	Follow-up by the NCP	Did the NCP co-operate with other NCPs during the handling of this specific instance? If yes, please describe.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	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.	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.	Choose an item.	Click here to enter text.

**Total number=** 0

**For all specific instances that were NOT ACCEPTED during the year:**

<b>Title</b>	<b>Date received</b> <i>(dd/mm/yyyy)</i>	<b>Link to OECD database if available</b>	<b>Reasons for not accepting the specific instance</b>	<b>Did the NCP co-operate with other NCPs during the handling of this specific instance? If yes, please describe.</b>
Brussels Airlines and M. Edouard Teumagnie	23/05/2016	<a href="http://mneguidelines.oecd.org/database/instances/be0017.htm">http://mneguidelines.oecd.org/database/instances/be0017.htm</a>	Other	No
Banro Corporation and group of former employees	26/02/2016	<a href="http://mneguidelines.oecd.org/database/instances/ca0015.htm">http://mneguidelines.oecd.org/database/instances/ca0015.htm</a>	Specific instance was transferred to another NCP	Yes, we decided that the leadership should be taken by Canada and notified our decision to the OECD secretariat and others involved NCPs (email 21/04/2016)
Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Choose an item.

<b>Total number=</b>	2
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**END OF QUESTIONNAIRE**