

**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: SWITZERLAND

This document is available in PDF format only.

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

JT03542399

NCP Annual Reporting Questionnaire 2023

Survey response 1

A. Contact information

Please indicate your country:
Switzerland
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:
Alex Kunze alex.kunze@seco.admin.ch Nadja Meier nadja.meier@seco.admin.ch Olivier Bovet olivier.bovet@seco.admin.ch Lukas Siegenthaler lukas.siegenthaler@seco.admin.ch

B. Institutional arrangements - (a) Structure, location and composition of the NCP

1. What is the structure of the NCP?
Multipartite
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.
NCP Secretariat: Alex Kunze Nadja Meier Olivier Bovet Lukas Siegenthaler
3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Business]
N/A
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]
N/A
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]
N/A

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]
Members of different government agencies as part of the ad hoc working groups (related to specific instances)

3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Other NCP members]
N/A

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?
State Secretariat for Economic Affairs (SECO), is part of the Federal Department of Economic Affairs, Education and Research

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]
Ordinance on the Organisation of the National Contact Point for the OECD Guidelines for Multinational Enterprises and on its Advisory Board of 1 May 2013 (SR 946.15),
see: <https://www.admin.ch/opc/fr/classified-compilation/20130820/index.html>

Additional comments on the section Structure, location and composition of the NCP:
In addition to the NCP secretariat and the advisory body, for each specific instance a ad hoc working group is constituted:

Whenever a specific instance is raised with the NCP, an ad hoc working group with representatives of the Federal Administration is formed (e.g. Federal Office of Environment, Federal Department for Foreign Affairs etc.). The members are selected for their expertise based on the issues raised in the submission. The ad hoc working groups meets generally 1-2 times during the phase of the initial assessment, 2-3 times during the mediation phase and once before closing a specific instance. The ad hoc working groups take decisions with respect to all important procedural steps of the specific instance, such as the decision during the Initial Assessment whether to accept a specific instance for further examination and the decision on the wording of the Final Statement.

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.
No

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.)
Advisory Board (AB): The AB has 14 members including the Director of the State Secretariat of Economic Affairs (co chair) and 3 further members of the Federal Administration, 2 representatives from employers' federations, trade unions, business associations, non governmental organisations and academia. The members are appointed by the Federal Council of Switzerland. The AB advises the NCP on its strategic orientation (e.g. dealing with parallel proceedings) and specific questions such as the role of the NCP regarding national development on due diligence legislation. The AB also promotes the dialogue between stakeholder groups and contributes to the effective implementation of the OECD Guidelines. The advisory body is informed about ongoing specific instances and can ask procedural questions. In case of a decision by the ad working group to reject a specific instance, the advisory body is consulted before the final decision. The AB discloses summary minutes of each meeting.

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]

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]

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]

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]
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. [Government][Comment]

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.
Three times

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:

Some activities of the Advisory Board (AB) have characteristics of the functions of an oversight body. E.g. if the ad hoc working group decides to reject a specific instance, the advisory body is consulted on the decision.

The AB is informed regarding ongoing specific instances and can ask procedural questions. Furthermore the AB is closely involved in the update of the NCP's written procedural guidance and requestes specific amendments. The AB is also giving advice to the secretariat regarding topics like possible sanctions or making determinations of non compliance of the OECD Guidelines.

Therefore, to a certain extent the AB is considered to be both, an advisory and an oversight body.

Additional comments on the section Advisory body(ies):

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:

3

9. (Continued) Please indicate the percentage of time spent on NCP matters for each part-time staff member:

30%/20%/10%

10.1 Have any full-time staff members joined the NCP during the year?

No

10.2 Have any part-time staff members joined the NCP during the year?

No

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

No

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

No

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

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). [Handle specific instances in an efficient and timely manner]

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). [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]

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 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]

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). [Conduct fact-finding research into specific instances]

Yes

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

Additional comments on the section Human and financial resources:

B. Institutional arrangements - (d) Reporting

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

Yes

14. (Continued) If yes, how often?

Once a year

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:

The NCP provides an overview on its activities to the Parliament in a specific chapter of the annual Foreign Economic Report. The full report is available in French, German and Italian, the executive summary in English.

see:

https://www.seco.admin.ch/seco/en/home/Publikationen_Dienstleistungen/Publikationen_und_Formulare/Aussenwirtschafts/Berichte_zur_Aussenwirtschaftspolitik.html

The NCP reports on an annual basis to the OECD Investment Committee in accordance with the Procedural Guidance. These reports are also published on the NCP website which includes annual reports from the year 2007 onwards.

Additionally, activities of the NCP included in the updated CSR-Action Plan 2020–2023 of the Federal Council as well the National Action Plan on Business and Human Rights will be reported to the Federal Council in early 2024

Additional comments on the section Reporting:

The activities of the NCP as well the NCP advisory body of 2023 will be published in a report for the public and disclosed on the website of the NCP here: https://www.seco.admin.ch/seco/en/home/Aussenwirtschaftspolitik_Wirtschaftliche_Zusammenarbeit/Wirtschaftsbeziehungen/nachhaltigkeit_unternehmen/nkp.html

C. Information and promotion - (a) Website

17. Does the NCP have a website?
Yes
17. (Continued) If yes, please provide the link:
www.seco.admin.ch/ncp
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)]
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 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]
No
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]

Yes

Additional comments on the section NCP website:

Regarding 18.2.: Instead of an online form to submit cases, there is a checklist with items to include in a submission. In our view this allows for more flexibility than a rigid online form.

Measures to promote the OECD Guidelines are part of the updated CSR-action plan 2020-2023 adopted by the Federal Council on 15. January 2020: the published here www.csr.admin.ch

Promotional events are reported on www.csr.admin.ch There is no separate promotional plan of the NCP.
Information on the NCP activities including promotional events are reported on its social media account on linkedIn:
<https://www.linkedin.com/company/37545525/admin/>

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.

Yes

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]

Measures to promote the OECD Guidelines are part of the updated CSR-action plan 2020-2023 adopted by the Federal Council on 15. January 2020: see www.csr.admin.ch

Promotional events are reported on www.csr.admin.ch There is no separate promotional plan of the NCP.

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.

Yes

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.

Yes

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.

Information on the NCP activities including promotional events are reported on its social media account on linkedIn:
<https://www.linkedin.com/company/37545525/admin/>

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]
Yes

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]
Yes

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]
Yes

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

Additional comments on the section Promotional activities:
In terms of effective public relations, the NCP uses a mix of instruments. These include social media, presentations and workshops, publications and participation in dialogue events.

The NCP is working closely with the promotional activities of the National Action Plan on Business and Human Rights as well of the Global Compact Network Switzerland. In events of both platforms, the OECD instruments are regularly presented. Joint brochures with both platforms were elaborated and are distributed. A member of the NCP secretariat is member of the Programm Committee of the Global Compact Network.

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?
Yes

30. (Continued) If yes, please provide a link in the text box.
www.seco.admin.ch/dam/seco/en/dokumente/Aussenwirtschaft/Wirtschaftsbeziehungen/NKP/NKP-Verfahrensanleitung.pdf.download.pdf/Verfahrensanleitung_NKP_2014_E.pdf

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.

Q1 2024

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 case handling procedures are in the process of being updated due to the updates OECD Guidelines. They will be published in the first quarter of 2024.

Additional comments on the section Case-handling procedures:

The Swiss NCP publishes its Initial Assessments in addition to the Final Statements on its webpage here:

https://www.seco.admin.ch/seco/en/home/Aussenwirtschaftspolitik_Wirtschaftliche_Zusammenarbeit/Wirtschaftsbeziehungen/na_chhaltigkeit_unternehmen/nkp/Statements_zu_konkreten_Faellen.html

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?

Within the last year

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)?

Yes

35. Did the NCP conduct mediation this year?

Yes

35. (continued) If yes, who conducted the mediation?

Mediation was conducted by a professional mediator.

Additional comments on the section Specific instances in practice:

Each mediation is conducted by a mediator (external or internal) and a staff member of the NCP secretariat with a clear role division. The mediator is responsible to conduct the mediation. The NCP secretariat staff member supports the mediator with expertise of the OECD Guidelines, procedural issues of the NCP as well as logistical issues.

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.

Yes

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.

No

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:

Swiss NCP publishes Initial Assessments, Final Statements and on a case by case basis follow up statements.
Specific instances are reported to the OECD data base after receipt (before publishing the report of the Initial Assessment).

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]

Yes

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]

Yes

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?

No

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

Deep dive on the updated provision on climate change / environmental due diligence

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?

Yes

45. (continued) If yes, indicate how many.

1

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:

2

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:

Regarding Q. 44: WE are interested in participating in developing tools, but it depends on availability and resources. Small inputs would be preferred. E.g. last year we gave a speech on an online tool

Regarding Q. 47: Peer Reviews: the Swiss NCP participated in the peer reviews of Belgium, USA, UK, Korea, Luxembourg, Hungary and has undergone its own Peer Review.

The Swiss NCP is able to support other NCP in several languages (German, French, English, Spanish)

Participating in Peer Reviews depends on availability and well-timed planning.

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]

Yes

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 recommendation was a topic in the RBC federal working group as well in the NCP advisory body.

Additional comments on the section Promotional work for policy coherence:

The NCP has continuously contributed its expertise to the adaptation of Swiss legislation on sustainability reporting to the EU CSRD Directive. For example, the Swiss Federal Council has decided to propose in addition to the EU ERSR standard, similar standards, e.g. from the OECD, to companies as a basis for the adaptation of the respective Swiss legislation.

The NCP has continued to contribute its expertise, particularly on due diligence, to the analysis of the impact of the EU Due Diligence Directive for Swiss companies. Based on this analysis, the Swiss Government will decide if and how the Swiss legislation on Due Diligence from 2022 could be adapted to the new EU Directive.

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)

Yes

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.
The Federal Council has adopted the Ordinance implementing the new obligations set out in the Code of Obligations which entered into force on 1 January 2022 and will be applied for the first time to the business year 2023: 1. an obligation to report incl. on due diligence about environmental and labour issues, human rights and the fight against corruption for large public companies and financial institutions in a way similar to EU Directive 2014/95/EU. If the report is based on national, European or international standards such as the OECD Guidelines for Multinational Enterprises, these must be mentioned in the report. 2. an obligation to exercise due diligence and to report for companies that import minerals or metals consisting of tin, tantalum, tungsten or gold from conflict and high risk areas into Switzerland or process them here, similar to EU Regulation (EU)2017/821. The provisions are based on the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas. A due diligence obligation shall also apply to companies that offer products or services for which there are reasonable grounds to suspect that they were manufactured or provided using child labour. The OECD Due Diligence for Responsible Business Conduct is mentioned as a tool which companies should use to exercise their due diligence. see: https://www.fedlex.admin.ch/eli/oc/2021/846/fr
51. (continued) Was the NCP involved in and/or consulted during the development of the legislation/regulation/policies/economic agreement?
Yes
51. (continued) Does the legislation/regulation/policy/economic agreement make reference to the NCP/give a role to the NCP in its implementation?
No
52. Did your country adopt a National Action Plan (NAP) on Business and Human Rights or Responsible Business Conduct this year?
Yes
52. (Continued) Please indicate the scope of the National Action Plan: [NAP on Business and Human Rights]
Yes
52. (Continued) Please indicate the scope of the National Action Plan: [NAP on Responsible Business Conduct]
Yes
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.
www.csr.admin.ch and https://www.seco.admin.ch/dam/seco/fr/dokumente/Aussenwirtschaft/Wirtschaftsbeziehungen/CSR/csr-aktionsplan_2020_2023_bundesrats.pdf.download.pdf/Plan_d_action_RSE_2020-2023_du_Conseil_f%C3%A9d%C3%A9ral.pdf
52. (Continued) Did the NAP on Responsible Business Conduct make reference to: [The Guidelines?]
Yes
52. (Continued) Did the NAP on Responsible Business Conduct make reference to: [The NCP?]
Yes
52. (Continued) Did the NAP on Responsible Business Conduct make reference to: [The Recommendation on the Role of Government in Promoting RBC?]
No
52. (Continued) Was the NCP involved and/or consulted in the development of the NAP on Responsible Business Conduct? If yes, please specify the role of the NCP in the comments at the end of this section.
Yes
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.
https://www.nap-bhr.admin.ch/napbhr/de/home/nap/nationaler_aktionsplan1.html
52. (Continued) Did the NAP on Business and Human Rights make reference to: [The Guidelines?]
Yes
52. (Continued) Did the NAP on Business and Human Rights make reference to: [The NCP?]
Yes

52. (Continued) Did the NAP on Business and Human Rights make reference to: [The Recommendation on the Role of Government in Promoting RBC?]
No
52. (Continued) Was the NCP involved and/or consulted in the development of the NAP on Business and Human Rights? If yes, please specify the role of the NCP in the comments at the end of this section.
Yes
53. (Continued) If yes, please indicate the scope of the NAP: [NAP on Business and Human Rights]
N/A
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
The Sustainable Procurement Knowledge Platform ("Plateforme de connaissances sur les achats publics responsables PAP" https://www.woeb.swiss/) assists government procurement agencies in implementing the revised procurement law by providing buyers at all federal levels with information and tools for sustainable procurement.

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]
N/A
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)]
Yes
55. Did the NCP share statements, data and other insights with: [Officials responsible for trade and investment support (including trade missions)] [Comment]
For trade mission, a file with background information on the OECD Guidelines and NCP as well as Q & A are provided.
55. Did the NCP share statements, data and other insights with: [Officials responsible for SOEs]
N/A
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]
Yes
55. Did the NCP share statements, data and other insights with: [Officials in relevant government agencies] [Comment]
The OECD Guidelines are discussed at every meeting of the RBC Federal working group.
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)
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 a public procurement process]
N/A
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]
N/A
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]
Yes
57. To what extent has the NCP engaged or exchanged with public procurement officials/practitioners, trade and investment officials, or SOEs officials? [Other][Comment]
The Swiss Export Risk Insurance SERV relies on statements of the NCP for its rating.
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]
N/A
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.
The Sustainable Procurement Knowledge Platform ("Plateforme de connaissances sur les achats publics responsables PAP" https://www.woeb.swiss/) assists government procurement agencies in implementing the revised procurement law by providing buyers at all federal levels with information and tools for sustainable procurement.
59. Please include any other examples of policy coherence activities:
A member of the NCP secretariat coordinates the RBC working group within the public administration. This group involves all relevant units (around 15-20 units) dealing with RBC and meets 3-4 times a year. At every meeting a topic related with the OECD Guidelines is on the agenda (e.g. in 2022 the update of the OECD GL, due diligence instruments etc.). Other topics discussed in this group were: National Legislation on sustainability reporting and due diligence (see answer to questions 50/51), new TCFD obligations, SDG etc.
Additional comments on Engagement with relevant officials
The OECD Guidelines are regularly mentioned answering requests from parliament. The OECD Guidelines are regularly mentioned in responses to requests from Parliament. In 2023, for example, an interpellation was submitted by National Councillor Flach exclusively on the updated OECD Guidelines. This concerned questions on the updated implementation in the climate area, on human rights defenders and on the implementation of the OECD recommendation on the role of the government. The Interpellation and answer can be found here: https://www.parlament.ch/de/ratsbetrieb/suche-curia-vista/geschaefte?AffairId=20233870

G. Challenges

60. Has the NCP faced any particular challenge(s) it would like to highlight this year?
With 5 new submissions in 2023, the resources of the NCP were heavily burdened. In addition, many resources were deployed in the area of policy coherence in connection with the adaptation of Swiss legislation on sustainability reporting and on the analysis of the EU directive on due diligence for Swiss companies. As a result, fewer resources were available for promotional activities.

CSR 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 ([here](#)) and the annex ([here](#)) 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

Please enter country name of NCP: Switzerland

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 <i>Select all that apply.</i>	Theme/Comments <i>e.g. the OECD Guidelines, the NCP activities on sector due diligence guidance documents, etc.</i>
NCP event on updated Guidelines	30-Nov-2023	Berne	Conference	>100	Organised	<input checked="" type="checkbox"/> Business <input checked="" type="checkbox"/> NGOs <input checked="" type="checkbox"/> Trade Unions <input checked="" type="checkbox"/> Academia <input checked="" type="checkbox"/> Government <input type="checkbox"/> Other, please specify	Speeches by State Secretary and Chair of RBC Working Party, Panels with representatives of Stakeholders; Topics: updates OECD Guidelines, Due Diligence
CSR/RBC for future Swiss Diplomats	15-May-2023	Berne	Conference	10-50	Co-organised	<input type="checkbox"/> Business <input type="checkbox"/> NGOs <input type="checkbox"/> Trade Unions <input type="checkbox"/> Academia <input checked="" type="checkbox"/> Government <input type="checkbox"/> Other, please specify	CSR Policy Government, OECD Guidelines, NCP

Additional comments:

Total number of events:

2

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 <i>Select all that apply.</i>	Organiser(s)	Theme of the intervention
CSR/RBC policy of Federal Council and implementation instruments	29-Mar-2023	Virtual	Conference	10-50	<input checked="" type="checkbox"/> Business <input type="checkbox"/> NGOs <input type="checkbox"/> Trade Unions <input checked="" type="checkbox"/> Academia <input type="checkbox"/> Government <input type="checkbox"/> Other, please specify	Fachhochschule Graubünden	Present CSR/RBC policy of Federal Council and implementation instruments ation
CSR/RBC policy of government, OECD-GL, NCP	30-Sep-2023	virtual	Conference	10-50	<input checked="" type="checkbox"/> Business <input type="checkbox"/> NGOs <input type="checkbox"/> Trade Unions <input type="checkbox"/> Academia <input type="checkbox"/> Government <input checked="" type="checkbox"/> Other, adult students, employees of enterprises	Fernfachhochschule Schweiz	Pres CSR/RBC policy of government, OECD-GL, NCP entation
CSR/RBC policy of government, OECD-GL, NCP	23-Oct-2023	virtual	Conference	10-50	<input checked="" type="checkbox"/> Business <input type="checkbox"/> NGOs <input type="checkbox"/> Trade Unions <input type="checkbox"/> Academia <input type="checkbox"/> Government <input checked="" type="checkbox"/> Other, adult students, employees of enterprises	Fernfachhochschule Schweiz	Presentatio CSR/RBC policy of government, OECD-GL, NCP n
Human Rights Due Diligence	31-Dec-2023	Different locates Switzerland	Conference	10-50	<input checked="" type="checkbox"/> Business <input checked="" type="checkbox"/> NGOs <input checked="" type="checkbox"/> Trade Unions <input checked="" type="checkbox"/> Academia <input checked="" type="checkbox"/> Government <input checked="" type="checkbox"/> Other, please specify	SECO and Federal Department of Foreign Affairs	At 18 events regarding human rights due diligence, the OECD Instruments on due diligence were in addition to the UNGP presented
Click here to enter text.	Click here to enter a date.	Click here to enter text.	Choose an item.	Choose an item.	<input type="checkbox"/> Business <input type="checkbox"/> NGOs <input type="checkbox"/> Trade Unions <input type="checkbox"/> Academia <input type="checkbox"/> Government <input type="checkbox"/> Other, please specify	Click here to enter text.	Click here to enter text.

Additional comments:

Total number of events:

4

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.

¹ 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 parties²	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).
Lombard Odier - IUF	05-Apr-2023	Trade Union	Financial and insurance activities	Cambodia	General Policies, Human Rights	12-Jul-2023	Instances - Organisation for Economic Co-operation and Development (oecd.org)	No
		Click here to enter text.	Click here to enter text.					
Glencore – CNV International, Solifonds, Swiss Trade Union Confederation	26-May-2023	Trade Union	Mining and quarrying	Peru	General Policies, Human Rights, Employment and industrial relations	Click or tap to enter a date.	Instances - Organisation for Economic Co-operation and Development (oecd.org)	Peru
		Click here to enter text.	Click here to enter text.					
Holcim – Twerwaneho Listeners' Club and Clouds Fm	03-Aug-2023	NGO	Construction	Uganda	General Policies, Disclosure, Human Rights, Environment, Taxation	Click or tap to enter a date.	Instances - Organisation for Economic Co-operation and Development (oecd.org)	No
		Click here to enter text.	Click here to enter text.					
UBS – A.M. Trust	10-Aug-2023	Other interested parties	Financial and insurance activities	Indonesia	Human Rights, Consumer issues	Click or tap to enter a date.	Instances - Organisation for Economic Co-operation and Development (oecd.org)	No
		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.	Click here to enter text.					

Additional comments:

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'.

Total number of specific instances in progress:

4

For all specific instances that were CONCLUDED during the year:

Names of parties	Date received (dd/mm/yyyy)	Date concluded (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.	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.	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.

Additional comments:

Total number of specific instances concluded:

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

Names of parties ³	Date received (dd/mm/yyyy)	Date concluded (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	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.
World Bank – Edouard Teumagnie	01-Mar-2023	11-May-2023	Individual(s)	Electricity, gas, steam and air conditioning supply	Cameroon	Employment and industrial relations	Instances - Organisation for Economic Co-operation and Development (oecd.org)	Other	USA	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.						Click here to enter text.

Additional comments:

Total number of specific instances not accepted:

1

³ If, following an initial assessment, the NCP has decided not to disclose the name of one or several parties pursuant 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’.

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/yyyy)	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.	Choose an item.	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 text.				
				Click here to enter text.	Click here to enter text.				

Additional comments:

Total number of follow ups: