Presentation of the German National Contact Point

at the Seminar of the Slovak NCP

Bratislava, 23 October 2017

Dr. Björn Beutler, LL.M.
I. Location and Staff

Berlin, Germany

Federal Ministry for Economic Affairs and Energy

1 secretary
3 lawyers (incl. head of division)
1 clerical assistant
1 secretary
II. Restructuring of the German NCP
III. The NCP in its Context

NCP “in a broader sense”

NCP “in a stricter sense”
IV.1 One Task: Handling of Specific Instances

“The National Contact Point will contribute to the resolution of issues that arise relating to implementation of the Guidelines in specific instances… The NCP will offer a forum for discussion and assist the business community, worker organisations, other non-governmental organisations, and other interested parties concerned to deal with the issues raised in an efficient and timely manner and in accordance with applicable law.”

Excerpt from the Procedural Guidance
IV.2 Underlying Rules of Procedure

- Procedural Guidance of the OECD
- Procedural Notes of the German NCP
IV.3 Different Stages of the Process

- Filing of complaint
- Opportunity to respond to allegations
- Initial assessment by NCP
- Acceptance
- Non-acceptance
- Mediation
- Conclusion of Procedure
V.1 Case Study

Germany

Turkey
V.2 Object of Complaint

- Which NCP has jurisdiction?

- Initially
  Allegations related to the specific project in Turkey

- Subsequently
  General risk-based due diligence as supplier of wind turbines
V.3 Conciliation Procedure

- Complainant
- Respondent
- German NCP
V.4 Outcome

Final Statement by the German NCP

- Respondent agreed to improve its due-diligence process as supplier of wind turbines
- Relevant permits and agreements on land-rights
- Assessment of environmental & social impacts
- Handling of cases of doubts
Thank you for your attention

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