



## OECD Guidelines for Multinational Enterprises: National Contact Point of Switzerland (NCP)

### Treatment of specific instances: role and mandate of the ad hoc working groups

The Swiss NCP treats specific instances according to its "[Information on Specific Instance Procedure](#)" (published on the NCP website). The procedure follows five steps:

- Step 1: Confirmation and Information
- Step 2: Initial Assessment
- Step 3: Providing a platform for dialogue to the parties
- Step 4: Conclusion of the procedures
- Step 5: Feedback to the NCP

Each step includes several actions and different actors, including the ad hoc working groups. Ad hoc working groups are led by a representative of the NCP Secretariat and include experts from the federal administration. Their composition depends on the topics of the submission. For each chapter of the OECD Guidelines, a federal office is designated as a specialist unit (see Annex A).

**As each submission faces specific challenges, the actions can be adapted allowing for a pragmatic and solution-oriented approach.**

Step/Action	Who NCP Secretariat: S; Ad hoc working group: WG; Mediator: M; Parties: P
<b>Step 1: Confirmation and Information</b>	
Written confirmation acknowledging receipt of the submission	S
Notification of the responding party and providing information on the NCP procedures	S
Upon receipt of the submission, the NCP Secretariat convenes an ad hoc working group. <ul style="list-style-type: none"> <li>• Invitation to concerned federal offices</li> <li>• Constituting meeting of the ad hoc working group</li> </ul>	S WG
Bilateral meetings with parties upon request (information about NCP procedures) <ul style="list-style-type: none"> <li>• Invitation, organization</li> <li>• Participation at the meeting(s)</li> </ul>	S WG, P
Information of the Swiss Embassy in the host country	S

Step/Action	Who NCP Secretariat: S; Ad hoc working group: WG; Mediator: M; Parties: P
Initial discussion of the submission followed by further meetings during the drafting of the Initial Assessment report if needed (on request of the NCP Secretariat or any member of the WG)	WG
<b>Step 2: Initial Assessment</b>	
Elaboration of Initial Assessment report <ul style="list-style-type: none"> <li>• Preparation of a draft</li> <li>• Discussion of the draft (meetings and/or written procedure)</li> <li>• Consultation of the draft with both parties (comments limited to factual errors)</li> <li>• Approval of the draft</li> <li>• Publication on the website of the NCP</li> </ul>	S WG S WG S
<b>Step 3: Providing a platform for dialogue to the parties</b>	
Selection of mediator <ul style="list-style-type: none"> <li>• Selection according to the internal list of criteria</li> <li>• Suggestion to parties</li> <li>• Approval</li> <li>• Information</li> </ul>	S S P WG
Elaboration of Terms of References (TOR) for Mediation <ul style="list-style-type: none"> <li>• Draft</li> <li>• Consultation with parties</li> <li>• Approval</li> <li>• Information</li> </ul>	S, M P P WG
Mediation Meetings <ul style="list-style-type: none"> <li>• Leading the mediation</li> <li>• Providing information on NCP procedures and OECD Guidelines on request</li> <li>• Regular information</li> </ul>	M S WG
<b>Step 4: Conclusion of the procedures</b>	
Elaboration of Final Statement <ul style="list-style-type: none"> <li>• Preparation of a draft</li> <li>• Discussion of a draft (meetings and/or written procedure)</li> <li>• Consultation with both parties (comments limited to factual errors)</li> <li>• Approval</li> <li>• Publication</li> </ul>	S WG S, P WG S
<b>Step 5: Feedback to the NCP</b>	
<ul style="list-style-type: none"> <li>• Providing questionnaire for feedback to the parties</li> <li>• Evaluation of questionnaire</li> </ul>	S S

**Annex A: Members of the ad hoc working groups - designated federal offices for each chapter of the OECD Guidelines**

<b>Chapter of the OECD Guidelines</b>	<b>Competent federal office</b>
Not related to a specific chapter	Country specific expertise: State Secretariat for Economic Affairs (SECO): Bilateral Economic Relations Division or Economic Cooperation and Development Federal Department of Foreign Affairs (FDFA): Sectoral Foreign Policies Division or Development and Cooperation
Disclosure of information	SECO: International Economic Law Division
Human Rights	FDFA: Human Security Division
Employment / Social partners	SECO: International Labour Affairs
Environment	Federal Department of the Environment, Transport, Energy and Communications (DETEC): Federal Office for the Environment
Combatting bribery	Federal Department of Justice and Police: Federal Office of Justice; SECO: International Investments and Multinational Enterprises Division
Consumer interests	Federal Consumer Affairs Bureau; SECO/Legal Affairs Division
Science and technology	State Secretariat for Education, Research and Innovation
Competition	Federal Competition Commission
Taxation	Federal Department of Finance / State Secretariat for International Financial Matters