



## FAQs : Roster of mediators for National Contact Points for Responsible Business Conduct

### What are National Contact Points for Responsible Business Conduct and the OECD Guidelines for Multinational Enterprises?

The [OECD Guidelines for Multinational Enterprises](#) (the Guidelines) are the oldest and most comprehensive international **standard for Responsible Business Conduct**. They were adopted by the OECD in 1976 and revised five times since. They are recommendations from governments to companies regarding conduct across nine themes: disclosure, human rights, employment and industrial relations, environment, consumer relations, corruption, science and technology, competition, and taxation. In addition, the Guidelines contain a general recommendation that companies perform **due diligence** to identify and address negative impacts across all these themes.

All 50 governments adhering to the Guidelines have the legal obligation to set up 'implementation agencies' for the Guidelines: the **National Contact Points for Responsible Business Conduct** (NCPs). The mandate of NCPs is twofold: to promote the Guidelines and related [due diligence guidance](#), and to handle cases (referred to as "specific instances") as a non-judicial grievance mechanism. Today, NCPs make up a network and a **community of practitioners**, dealing with a wide array of impacts involving companies either through their operations or their supply chains.

Find out more about NCPs [here](#).

### What are specific instances?

NCPs provide a **mediation and conciliation platform** for helping to resolve cases (referred to as "specific instances") relating to non-observance of the Guidelines by companies. Any individual or organisation with an interest in the matter can submit a case to an NCP regarding a company operating in or from the country of the NCP.

NCPs have **jurisdictional flexibility**, which means they can consider issues that arise outside of the country they are based in and can also make decisions on which NCP should lead on a case.

**Specific instances are not legal cases and NCPs are not judicial bodies.** NCPs cannot impose sanctions, directly provide compensation nor compel parties to participate in a conciliation or mediation process. Dispute resolution through NCPs is intended to be consensual and focused on identifying constructive solutions and mutual agreement between parties.

To date NCPs have received over **600 specific instances** regarding issues arising in over 100 countries and territories. More information about specific instances (including the public database of all specific instances) is available [here](#).

## Why are NCPs creating a roster of mediators?

NCPs may either conduct mediation of specific instances in-house, or **hire external professionals** to handle this part of the process. NCPs' caseload has been steadily growing over the last few years, so that it has become increasingly difficult for NCPs to identify and contact professionals active in the RBC area to help mediate specific instances.

To facilitate this process, the Network of NCPs has therefore decided to create a **roster** where mediators interested in helping NCPs resolve specific instances can request to be listed.

## How does the roster work?

Dispute resolution professionals with experience of RBC who wish to be included in the roster are invited to provide **information about their mediation practice** by filling out [this form](#) and returning it to the OECD Secretariat at [rbc@oecd.org](mailto:rbc@oecd.org). The information to be provided includes:

- Name and contact details
- Professional certifications & qualifications
- Affiliated organisation and/or professional occupation
- Adherence to applicable standards of conduct
- Mobility
- Languages spoken
- Training and/or experience with online mediation
- Mediation fees (indicative rates and calculation methods) [optional]
- Experience mediating specific instances or similar cases
- Relevant RBC experience

Upon receipt of the form, the OECD will include the mediator and the information provided in the roster.

The roster will **not be a public document** and will only be available to NCPs and the OECD Secretariat. It will not be shared with parties to specific instances, other mediators or otherwise made public.

NCPs will use the roster to identify potentially suitable professionals that could provide mediation services in specific instances they are handling. Note that inclusion in the roster **does not mean that a mediator is 'pre-approved'** for hiring by NCPs. When contacting mediators, even if listed in the roster, NCPs will conduct a proper selection and hiring process according to their own internal rules and regulations. They may also choose to select mediators outside of the roster.

The **personal information** shared by mediators will be handled according to the OECD's rules on [personal data protection](#). Mediators can access at all times their personal information contained in the roster, and can request at all times to be removed from the roster. Every two years, the OECD will contact mediators listed in the roster to confirm inclusion in the roster.

## Any questions?

Please contact the OECD Secretariat at [rbc@oecd.org](mailto:rbc@oecd.org) or the NCP of your country.