

French National Contact Point
for the OECD for responsible business conduct
Indicative Template to refer a specific instance to the French NCP

Other reference documents:

- NCP Bylaws
- Factsheet on the specific instance processing procedure
- Factsheet on the admissibility of a referral/specific instance
- NCP decisions on specific instances

Summary of the procedure: To be admissible, the specific instance must comply with the criteria concerning form as set out in Article 16 of the NCP Bylaws. The referral must state the identity of the enterprise in question (exact name, address and contact details) as well as the complainant's identity and contact details. It must also provide details of the facts of which the enterprise is accused and list the recommendations of the OECD Guidelines for Multinational Enterprises which are alleged to have been incorrectly implemented. The NCP then examines admissibility by means of an initial assessment (refer to Articles 17 to 26). If the referral merits further examination, the NCP offers its good offices to the parties and examines the issues raised (refer to Articles 27 to 32). The NCP publishes both its decision with regards to admissibility and its final decision (refer to Articles 19, 20 and 33 to 37). It may follow up the case. The procedure is confidential (refer to Articles 38 to 40).

► 1. Identification of the complainant(s)	
Identity and contact details of the complainant(s):	Text
Represented stakeholders:	Text

► 2. Identification of the enterprise(s) subject to the specific instance on the grounds of failure to comply with the OECD Guidelines for Multinational Enterprises	
Exact name of the enterprise(s) in question:	Text
Address and contact details of the enterprise(s) in question:	Text

► **3. Identification of the other stakeholder(s) that the NCP may contact to obtain further information**

Text

► **4. Description of the specific instance referred to the French NCP: the referral must be precise, provide details of the facts of which the enterprise(s) is/are accused, state why the French NCP is competent, and explain how the Guidelines are alleged to have been incorrectly implemented.**

Text

► **5. Description of the connection with the OECD Guidelines**

Text

► **6. Chapters of the Guidelines covered by the referral**

- ☐ Chapter II – General Policies
- ☐ Chapter III – Disclosure
- ☐ Chapter IV – Human Rights
- ☐ Chapter V – Employment and Industrial Relations
- ☐ Chapter VI – Environment
- ☐ Chapter VII – Combating Bribery, Bribe Solicitation and Extortion
- ☐ Chapter VIII – Consumer Interests
- ☐ Chapter IX – Science and Technology
- ☐ Chapter X – Competition
- ☐ Chapter XI – Taxation

► **7. Existence of parallel proceedings to the referral to the NCP**

Has the matter that is the subject of the referral been referred to national, international, public or private, judicial or administrative authorities, or other NCPS, or are these bodies concerned by this matter?

- ☐ Yes
- ☐ No

Where applicable, state:

- The name of the other authority(ies): Text

- Whether the proceedings/procedure are/is ongoing: Text
- Whether decision(s) has/have already been handed down: Text
- What procedures have been carried out vis-à-vis an NCP or NCPs: Text

► **8. Confidentiality of the information and opinions provided during the referral to the French NCP (refer to Articles 38 to 40).**

Article 39: In order to facilitate resolution of the issues raised, the NCP shall take appropriate measures to protect sensitive business and other information and the interests of other stakeholders involved in the specific instance.

*Article 40: When closing the procedures, if the parties involved have not agreed on the resolution of the issues raised, they shall be free to communicate about and discuss these issues. **However, information and any opinion provided during the procedures by another party involved shall remain confidential**, unless that other party agrees to their disclosure or this would be contrary to the provisions of national law.*

If so required to receive certain exhibits, the NCP reserves the right to ask the parties to sign a non-disclosure agreement covering exchanges.

► **9. List of exhibits supporting the referral**

Text

Date:	
Signature:	
Institution's logo (if possible)	