



**National Contact Point for
Responsible Business Conduct
Peer Reviews
TÜRKIYE**



National Contact Point for Responsible Business Conduct Peer Reviews: Türkiye

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Foreword

The OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (the Guidelines) are recommendations addressed by governments to multinational enterprises operating in or from adhering countries. They provide non-binding principles and standards for responsible business conduct in a global context consistent with applicable laws and internationally recognised standards. The Guidelines are the only multilaterally agreed and comprehensive code of responsible business conduct that governments have committed to promoting.

Adhering governments to the Guidelines are required to set up a National Contact Point for Responsible Business Conduct (NCP) that operates in a manner that is visible, accessible, transparent, accountable, impartial and equitable, predictable, and compatible with the Guidelines. During the 2011 update of the Guidelines, NCPs agreed to reinforce their joint peer learning activities, in particular with respect to conducting voluntary peer reviews. The 2023 update of the Guidelines reinforced peer reviews of NCPs by making them mandatory and periodic, subject to modalities to be approved by the Working Party on Responsible Business Conduct (WPRBC). The commitment to undergo this peer review was made by Türkiye while the 2011 version of the Procedures was in effect. The basis for this peer review is the 2011 version of the Guidelines (including the Implementation Procedures).

The peer reviews are led by representatives of 2 to 4 other NCPs who assess the NCP under review and provide recommendations. The reviews give NCPs a mapping of their strengths and accomplishments, while also identifying opportunities for improvement. More information can be found online at <https://mneguidelines.oecd.org/ncppeerreviews.htm>.

This document is the peer review report of the Turkish NCP. This report was prepared by a peer review team made up of reviewers from the NCPs of Luxembourg and Peru, and with the support of the OECD Secretariat. The NCP of Peru was represented by Lisbeth Loja. The NCP of Luxembourg was represented by Başak Bağlayan. The OECD Centre for Responsible Business Conduct was represented by Nicolas Hachez and Inma Valencia. The report was informed by dialogue between the peer review team, the NCP of Türkiye, and relevant stakeholders during an in-person mission on 21-23 November 2023. The peer review team wishes to acknowledge the NCP for the preparation of the peer review. The NCP of Türkiye was represented by Onur Ataoğlu and Nilay Camci. This report also benefited from comments by delegates to the WPRBC and institutional stakeholders (BIAC, OECD Watch, TUAC). It was discussed by the WPRBC at its 6-7 March 2024 meeting and declassified by the Investment Committee on 15 April 2024.

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1 Key findings and recommendations

Institutional arrangements

The Türkiye NCP (the NCP or the TNCP) has a single agency structure with no advisory or oversight body. The NCP Secretariat is located in the General Directorate of Incentive Implementation and Foreign Investment within the Ministry of Industry and Technology. The NCP has direct access to senior leadership within the Ministry, notably the Director General (NCP Head) and the Deputy Director General (NCP Deputy Head). At the time of the on-site visit, the Secretariat included two part-time staff dedicating 15% of their working time to the NCP function. Although the NCP's staff decreased in the past five years, one of the current members has been part of the team for eight years. The Head of the Department on Investment Climate Reform within the General Directorate is also available to support the NCP function on an ad-hoc basis and has been part of the team for five years. Since its establishment, the NCP has undergone several restructurings that have affected its functioning to fulfil its double mandate, resulting in a decrease in promotional activities and delays in the process of specific instances. There is no formal decree nor official document establishing the NCP's function and rules, such as on decision-making.

The single agency structure and the location of the NCP in a General Directorate dedicated to business investment incentives have raised concerns among stakeholders overall. Comments suggested that the single-agency structure may negatively impact the NCP's accessibility, accountability and impartiality. Stakeholders particularly noted that decision-making by government officials alone limits the perceived impartiality of the NCP and its access to expertise. In this respect, stakeholders recall the 2023 version of the Guidelines, which encourages governments to establish multi-stakeholder advisory or oversight bodies to assist NCPs in their tasks. The NCP acknowledges that its current structure and location may affect the perception of impartiality of the NCP. According to the NCP, however, being located in a Ministry provides easy access to governmental expertise and the location of the NCP in the General Directorate of Incentive Implementation and Foreign Investment is strategic as it ensures proximity to companies. The NCP asserts that the impartiality of the NCP is ensured by not granting the NCP team direct competence to provide investment incentives. This, according to the NCP, safeguards the NCP from potential conflicts of interest related to trade and investment activities.

Stakeholders also agree on the need for the NCP to engage more structurally with representatives from all stakeholder groups. This is deemed essential to access specialised expertise on specific aspects of the updated Guidelines and to increase the visibility of the NCP. In this regard, the NCP is willing to explore the possibility of establishing an advisory body comprised of diverse stakeholders.

	Findings	Recommendations
1.1	The NCP lacks a legal instrument or official document outlining its mandate, functions, decision-making processes and reporting lines. This absence has raised concerns of a lack of clarity and transparency over the NCP's activities, which could potentially impact its impartiality and predictability.	The NCP should develop, publish and communicate a founding document that clearly establishes the NCP to foster its impartiality and predictability. The NCP could also make reference to its decision-making process regarding specific instances in its case-handling procedures to enhance transparency around the structure and function of the NCP.
1.2	The NCP's location within a directorate that grants investment incentives to business, the closer relationship of the directorate with companies compared to other stakeholders and the absence of a clear separation between the NCP team and the incentives team have raised concerns among stakeholders regarding the perception of impartiality. This can also create potential conflict of interest.	The Turkish government should establish the NCP as an independent unit within the Ministry of Industry and Technology to ensure operational autonomy, address the perception of impartiality, and prevent potential conflict of interest. The NCP could take additional measures in this regard, such as developing a conflict-of-interest policy for its members to address these concerns.
1.3	The NCP's single-agency structure hampers its ability to establish structural relations with stakeholders and other government departments, limiting visibility and access to expertise, hindering stakeholder engagement and confidence and affecting the perception of impartiality.	The NCP should create an inter-governmental platform including key ministries and an advisory body for stakeholder engagement, to strengthen its visibility and access to expertise and to enhance collaboration and integrate input from diverse perspectives in the NCP's functioning. The NCP should ensure diversity in the advisory body, with equitable representation from government, business, trade unions, civil society and academia.

Promotional activities

The TNCP has made recent efforts to enhance its promotional activities, drawing on its experience in promoting responsible business conduct (RBC) among Turkish businesses. However, the NCP has not adopted a promotional plan since 2020. Past promotional plans were developed for internal guidance in planning the promotional activities for the year, but they were neither consulted with stakeholders, archived, nor published. Nonetheless, during the on-site visit, the TNCP conveyed its intention to create a promotional plan in collaboration with stakeholders and to make it available on its webpage.

Overall, awareness of the Guidelines and the NCP mechanism is relatively limited in Türkiye. The garment and minerals due diligence guidances are more known in their respective sectors, primarily due to third-party translations into Turkish. Stakeholder feedback suggested the need for the NCP to intensify its promotional efforts to raise awareness of the Guidelines, related guidance, and the NCP mechanism. Specifically, there is a call for increased awareness among small and medium-sized enterprises and in areas beyond the main cities. Stakeholders indicated that the NCP should make its webpage more user-friendly and consider developing and using additional communication tools to increase visibility and reach a more comprehensive audience.

The NCP has produced a limited number of information and promotional material. Stakeholders suggest that the NCP's webpage should include explanatory material on the OECD Due Diligence Guidance for RBC and on due diligence in general. Additionally, they propose translating OECD RBC material into Turkish to ensure consistency of the terminology in use. They also recommend considering the development and use of additional communication tools, such as social media, to increase its visibility and reach out to a wider range of stakeholders.

During the on-site meetings with diverse stakeholder groups, a strong interest was observed in learning more about RBC, especially in light of the recent and forthcoming regulatory developments on RBC and mandatory supply chain due diligence, such as the EU's draft Corporate Sustainability Due Diligence Directive. The NCP could leverage this interest as an

opportunity for future promotional activities, extending outreach beyond business to include representatives from the government, trade unions, civil society and academia.

	Findings	Recommendations
2.1	While the NCP has recently increased its promotional efforts, the visibility of the NCP and the Guidelines remains low due to low levels of promotion in the past.	<p>The NCP should develop and publish a promotional plan. As an initial step, the NCP could conduct a stakeholder mapping exercise to establish and identify a community around the NCP. The Turkish government should allocate the necessary human and financial resources to ensure the effective implementation of this plan.</p> <p>The plan could focus on the following key issues, sectors and regions:</p> <ul style="list-style-type: none"> • Issues: Child labour, migrant workers, green transition (energy generation), assisting companies in adjusting to legislation, and combating corruption. • Sectors: mining, garment, automotive and manufacturing, chemicals, and agriculture. • Regions: promotion beyond Ankara and Istanbul to reach SMEs, in collaboration with local offices of development agencies, ministries, and the National Human Rights Institution of Türkiye, among others.
2.2	Most OECD RBC documents are only available in English or have been translated by third parties, limiting their dissemination and use. In this regard, stakeholders expressed concerns about the inconsistency in terminology.	The NPC should undertake translations for untranslated documents, including the OECD Due Diligence Guidance for RBC, and review third-party translations to ensure coherence and accuracy.
2.3	The webpage was noted as not easily discoverable and user-friendly, thereby limiting the accessibility and visibility of the NCP.	The NCP should enhance its website to improve the user experience. To the extent possible, it is recommended to create different pages for Turkish and English text, making a clearer differentiation between documents provided in both languages, to improve overall accessibility and usability.

Specific instances

Since its establishment in 2001, the TNCP has received seven specific instances, six of which were received from 2011 onwards. Among these, three have been concluded and four were not accepted as of the date of the on-site visit. None of the cases has resulted in an agreement facilitated by the NCP. Notably, among the concluded cases, two were closed without agreement and recommendation after the parties did not accept good offices, and one concluded with agreement outside the NCP process. In the two cases where initial assessments and final statements were conducted, neither was completed within the indicative one-year timeframe. For those cases with initial assessments, all exceeded the indicative three-month timeframe from receipt to conclusion. Additionally, the published statements lack details regarding the development of the specific instances. The TNCP has been effective in acting as a supporting NCP to other NCPs in the context of specific instances.

The NCP's case-handling procedures are available on the NCP's webpage in both Turkish and English. The NCP expressed its intention to review and update its procedures to align them with the 2023 version of the Guidelines. In this regard, the NCP acknowledged stakeholders' concerns regarding issues such as impartiality and conflict of interest, transparency, confidentiality and timeliness of the process. The forthcoming review of the procedures presents an opportunity for the NCP to increase its visibility, transparency and accessibility. This is particularly important considering the current low awareness among stakeholders of the NCP mechanism in Türkiye and the strong interest from stakeholders, particularly trade unions, in using the mechanism.

In light of stakeholders' concerns regarding delays in specific instances as well as insufficient communication and transparency with the parties involved, the NCP could make additional efforts to adhere to indicative timelines and to enhance the level of detail provided in its statements, including a comprehensive rationale behind the NCP's decisions.

Parties to concluded specific instances expressed the importance of consistent engagement by the NCP with the parties and follow-up on cases, especially when the parties are unwilling to participate in good offices or when parallel proceedings are underway. To address these concerns and foster trust among potential submitters, the NCP should issue detailed final statements that include findings and recommendations.

	Findings	Recommendations
3.1	<p>The NCP's case-handling procedures currently lack clarity and are not fully aligned with the 2023 version of the Guidelines. Stakeholders highlighted the need for greater clarity on certain issues to enhance trust and strengthen the predictability of the specific instance process.</p> <p>In addition, the process for case submission is unclear, not easily identifiable, and lacks user-friendliness, thereby limiting accessibility and predictability. The NCP has expressed plans to review its case-handling procedures.</p>	<p>The NCP should review and update its case-handling procedures in consultation with relevant stakeholders to align with the 2023 version of the Guidelines. The revised procedures should be clear and accessible and encompass the following key elements:</p> <ul style="list-style-type: none"> • Consultations with parties on draft statements. • A dedicated section addressing impartiality and conflict of interest, including transparency in the decision-making process. • Notification of relevant government agencies of the good faith engagement, or absence thereof, of the parties. • Implementation of appropriate steps to address risks of reprisals against parties to a specific instance. • Indicative timeframes for initial assessments, conclusion, and follow-up in specific instances. • Publication of statements, including those related to non-accepted specific instances, as well as follow-up statements. • Provision for the possibility of following-up on agreements or recommendations, where relevant. • NCP's ability to make recommendations and, to the extent possible, determinations. • Clarity in the section on confidentiality and transparency. • Information on parallel proceedings. <p>In addition, the NCP should also increase the accessibility of the grievance mechanism, e.g., by creating an online form for the submission of specific instances and improving the information related to case submission on its webpage.</p>
3.2	<p>Parties to specific instances raised concerns regarding delays, lack of communication and insufficient transparency in the NCP's decisions in specific instances, impacting the confidence of the parties in the process.</p>	<p>The NCP should improve proactive communication with parties, offering more detailed information on the progress of cases and following indicative timelines.</p> <p>In addition, the NCP should provide additional details in its statements, ensuring transparency on the steps taken and offering clarity on the issues and reasons underlying the NCP's decisions. In doing so, the NCP could follow the templates developed by the OECD for initial assessments and final statements as a guide.</p>
3.3	<p>The NCP has closed cases when companies refused good offices without examining the issues. This represents a missed opportunity to analyse issues and make recommendations to further the effectiveness of the Guidelines and follow up on these recommendations.</p>	<p>The NCP should continue examining cases even if companies are unwilling to engage, issuing detailed final statements with findings and recommendations. Additionally, the NCP should follow up on cases and consider issuing follow-up statements, where relevant.</p>

Support for government policies to promote RBC

In general, the NCP currently lacks visibility within the government. It has developed structural relationships with a limited number of government authorities and most contacts have been established on an ad-hoc basis, according to the NCP's needs in handling specific instances. However, government agencies participating in the on-site meetings expressed strong interest in RBC and a willingness to collaborate with the NCP.

The NCP's support to its government on RBC policy efforts has been limited thus far. Nevertheless, the NCP was invited to contribute to the 2021 version of the Action Plan on Human Rights and to participate in the preliminary meetings for a potential National Action Plan on Business and Human Rights for the country. The Government plans to launch a new version of the Action Plan on Human Rights in 2024, incorporating a dedicated subsection on business and human rights. The NCP should therefore seek to contribute to the development and implementation of such a Plan, particularly in areas relating to its mandate, such as access to remedy and the promotion of RBC and due diligence.

The NCP should continue to build relations with other government departments to provide support for the development, implementation and coherence of policies to promote RBC. Given the clear connections between RBC and the remit of other departments within the government, the NCP could work towards increasing references and awareness of the Guidelines, related guidances, and the NCP in existing and future government initiatives. For example, the NCP could explore opportunities for collaboration with the Turkish Public Procurement Authority in developing a new public procurement law, or with the Export Credit Bank of Türkiye, which actively engages in sustainable and green finance activities.

	Findings	Recommendations
4.1	The NCP has developed structural relationships with a limited number of government agencies, resulting in limited knowledge and understanding of the NCP and the Guidelines within the government as a whole. Nonetheless, there is a strong overall interest from the government in developing and maintaining collaborative relations and cooperation with the NCP.	To support the development, implementation and coherence of policies to promote RBC, the NCP should establish and maintain continuous communication with other relevant parts of the government. In line with the Recommendation on the role of government in promoting RBC, the NCP should facilitate coordination within government, provide updates on its activities and specific instances, engage in exchanges on RBC-related matters, and advocate for stakeholder participation in the implementation, monitoring and promotion of RBC.

2 Introduction

The Türkiye NCP at a glance

Established: 2001

Structure: Single agency

Location: Ministry of Industry and Technology

Staffing: One Head of Department and two part-time staff members

Webpage: <https://www.sanayi.gov.tr/anlasmalar/utn-ncp> [Turkish and English]

Specific instances received as of the dates of the on-site visit: three concluded and four non-accepted.

The Implementation Procedures of the Guidelines require NCPs to operate in a manner that is visible, accessible, transparent, accountable, impartial and equitable, predictable, and compatible with the Guidelines. This report assesses conformity of the Türkiye NCP with the core effectiveness criteria of NCPs and with the Implementation Procedures.

Türkiye adhered to the OECD Declaration on International Investment and Multinational Enterprises (Investment Declaration) in 1976. The OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (the Guidelines) are part of the Investment Declaration. The Guidelines are recommendations on responsible business conduct (RBC) addressed by governments to multinational enterprises operating in or from adhering countries. The Guidelines have been updated six times since 1976; the most recent revision took place in 2023.

Countries that adhere to the Investment Declaration are required to establish National Contact Points for Responsible Business Conduct (NCPs). NCPs are set up to further the effectiveness of the Guidelines and Adherents are required to make human and financial resources available to their NCPs so they can effectively fulfil their responsibilities in a way that fully meets the core effectiveness criteria, taking into account internal budget capacity and practices¹.

NCPs are agencies established by adhering governments to “promote the Guidelines and act as a forum for discussion of all matters relating to the Guidelines”.² The OECD Council Decision on the Guidelines states that “NCPs shall have the following responsibilities:

- a) Promote awareness and uptake of the Guidelines, including by responding to enquiries;
- b) Contribute to the resolution of issues that arise in relation to the implementation of the Guidelines in specific instances.

¹ Decision of the Council on the OECD Guidelines on Responsible Business Conduct, Para I.4.

² OECD Guidelines for Multinational Enterprises on Responsible Business Conduct, Chapter I. Concepts and Principles, Para. 11

In addition, where appropriate and in coordination with relevant government agencies, NCPs may also provide support to efforts by their government to develop, implement, and foster coherence of policies to promote responsible business conduct.³

The Procedures cover the role and functions of NCPs in six parts: institutional arrangements, information and promotion, specific instances, support for government efforts to promote responsible business conduct, reporting, and peer reviews. In 2023, the Procedures were updated. In particular, a new part on peer reviews was added providing for periodic mandatory peer reviews of NCPs, subject to modalities being approved by the Working Party on Responsible Business Conduct (WPRBC).⁴ The commitment to undergo this peer review was received by Türkiye while the 2011 version of the Procedures was still in effect and provided for a voluntary system of peer reviews.

The objectives of peer reviews as set out in the “Revised core template for voluntary peer reviews of NCPs”⁵ are to assess that the NCP is functioning and operating in accordance with the core effectiveness criteria set out in the implementation procedures; to identify the NCP’s strengths and possibilities for improvement; to make recommendations for improvement; and to serve as a learning tool for all NCPs involved.

This report was prepared based on information provided by the NCP and in particular, its responses to the NCP questionnaire set out in the revised core template⁶ as well as responses to requests for additional information. The report also draws on responses to the stakeholder questionnaire which was completed by six organisations representing enterprises and civil society (see Annex A. List of organisations submitting responses to the NCP peer review questionnaire) and information provided during the on-site visit.

The peer review of the NCP was conducted by a peer review team made up of reviewers from the NCPs of Luxembourg and Peru, along with representatives of the OECD Secretariat. An on-site visit took place on 21-23 November 2023. This visit included interviews with the NCP, other relevant government representatives and stakeholders. A list of organisations that participated in the interviews is set out in 7Annex B. The peer review team wishes to acknowledge the NCP for the quality of the preparation of the peer review and successful efforts to ensure broad participation in the visit.

The basis for this peer review is the 2011 version of the Guidelines (including the Implementation Procedures) for any activity that took place before 8 June 2023, and the 2023 version of the Guidelines for any activity that took place thereafter. Recommendations for the future are generally be made in reference to the 2023 version of the Guidelines. The methodology for the peer review is that set out in the core template.⁷

³ Decision of the Council on the OECD Guidelines on Responsible Business Conduct, Para. I.1.

⁴ OECD Guidelines for Multinational Enterprises on Responsible Business Conduct, Procedures I.F.

⁵ OECD, Revised Core Template for Voluntary Peer Reviews of National Contact Points (2019), [DAF/INV/RBC(2019)4/FINAL]

⁶ *Ibid.*

⁷ *Ibid.*

Economic context⁸

Türkiye's economy is dominated by the services sector, representing 59% of GDP.⁹ Regarding foreign direct investment (FDI), the inward stock of FDI, which represents the accumulated value of FDI in the Türkiye economy over time, was USD 139 billion in 2021, equivalent to 17 percent of Türkiye's GDP. The outward stock of FDI was USD 51 billion in 2021 representing 6 percent of Türkiye's GDP. In 2022, Türkiye's exports of goods were USD 253 billion and exports of services were USD 90 billion while imports of goods were USD 343 billion and imports of services were USD 40 billion.

The main investors in Türkiye are the Netherlands, Germany, Qatar, United States and United Kingdom, and the main inward investment sectors are manufacturing, followed by wholesale and retail trade and financial and insurance services. The main destinations for outward investment from Türkiye are the Netherlands, United Kingdom, Germany, United States and Austria, and the most important sectors are financial and insurance services. The most important partner countries for exports of goods are Germany, United State, Iraq, United Kingdom and Italy, while the most important source countries for imports of goods are Russia, China, Germany, Switzerland and United States.

According to the data provided by Türkiye, the most important destinations for exports of services are Germany, United States and United Kingdom, and the most important sources for imports of services are Ireland, USA and Germany.

⁸ Data retrieved from OECD database: <http://dotstat.oecd.org/>

⁹ OECD (2023), OECD Economic Surveys: Türkiye 2023, OECD Publishing, Paris, <https://doi.org/10.1787/864ab2ba-en>.

3 Institutional arrangements

Legal basis

Türkiye adhered to the OECD Investment Declaration in 1976. The Türkiye NCP (the NCP or the TNCP) was formally established in 2001.

The NCP is not established through a separate legal instrument. Instead, the General Directorate of Incentive Implementation and Foreign Investment holds responsibility for the OECD Investment Committee and automatically assumes the function of the NCP. The Presidential Decree No. 1, effective from July 2018, authorises the aforementioned General Directorate to participate, follow and contribute to investment-related committees and agreements at multilateral organisations. Other responsibilities of the General Directorate include implementing investment incentive schemes and coordinating improvements in the investment climate.

The absence of a legal basis for the NCP outlining its mandate, functions, decision-making processes and reporting lines was raised by stakeholders, in particular representatives of academia, as worrisome as it negatively affects transparency and predictability.

NCP Structure

The TNCP operates under a single agency structure meaning that the NCP is composed of representatives of a single ministry. The NCP does not have an advisory body or an oversight body. In 2011, the General Directorate hosting the NCP, then under the General Directorate of Foreign Investments, had planned to convert its structure from a single government agency to a multi-government agency. This involved establishing a stakeholder advisory body including trade unions, business associations, NGOs and academia. A first meeting was held to inform stakeholders about the upcoming changes. However, after the 2011 elections, the then General Directorate was merged with another entity and became affiliated with a different Ministry. As a result, the planned changes were not ultimately approved.

Civil society stakeholders express concerns regarding the absence of stakeholder inclusion within the NCP's single agency structure. They argued that such inclusion would better align with the updated Commentary on the Procedures for NCPs contributing to improved accessibility, accountability and visibility. In this respect, civil society representatives underlined that incorporating a stakeholder platform into the NCP structure would grant the NCP access to expertise and integrate stakeholder perspectives into the decision-making process. In addition, a representative from trade unions emphasised that although they see the TNCP as a potential vehicle for social dialogue, the current structure falls short in ensuring such a dialogue. Therefore, they stressed the importance of establishing a structural relationship with stakeholders, in particular with trade unions. This would also help with the perception of impartiality due to the current structure of the NCP.

Civil society stakeholders indicated that the public information regarding the structure of the NCP lacks clarity, and notably they recommend presenting this information more distinctly on the NCP's webpage in both Turkish and English (see below Webpage).

Composition

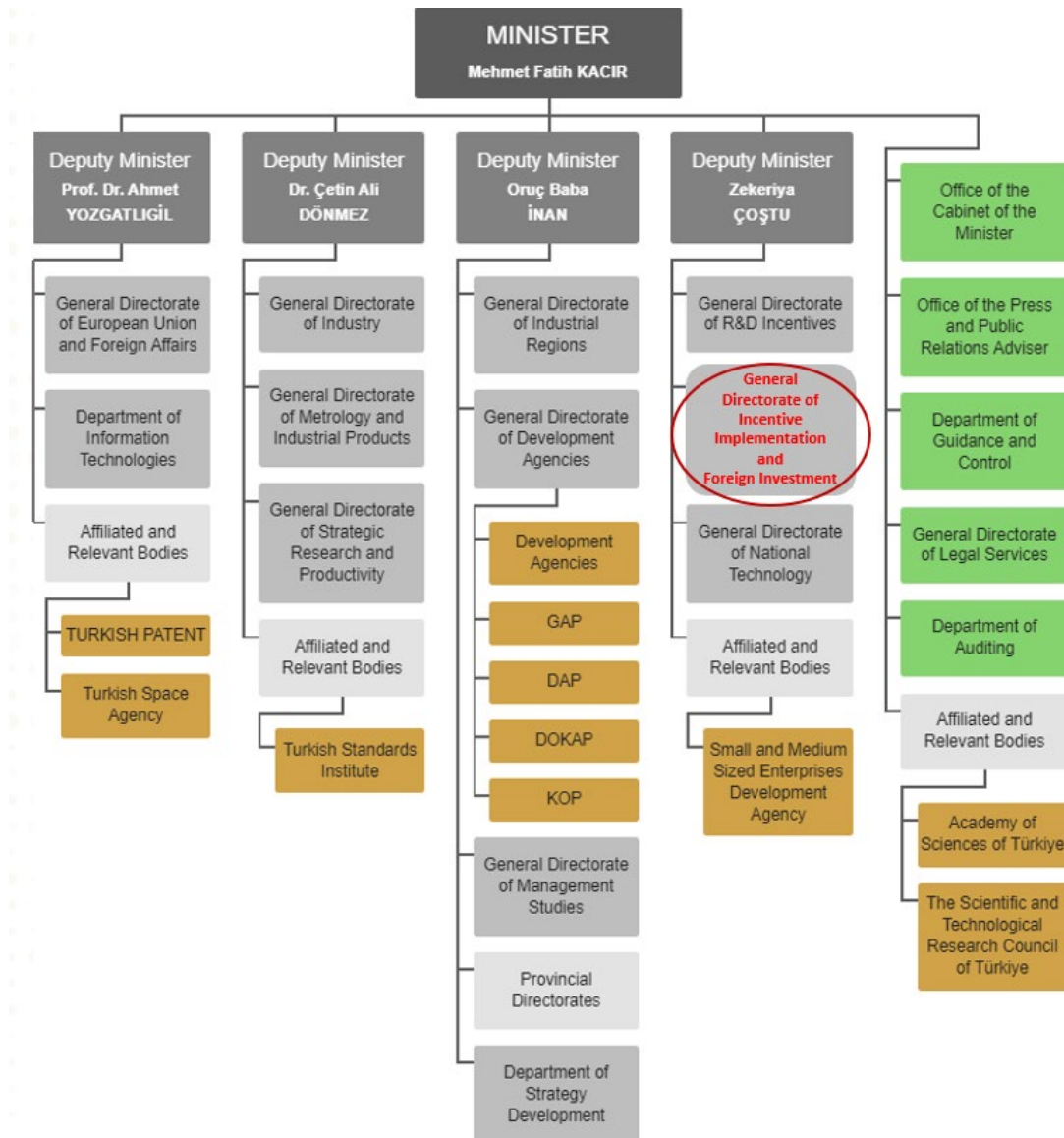
Since 2018, the TNCP Secretariat has been located within the General Directorate of Incentive Implementation and Foreign Investment within the Ministry of Industry and Technology (see Figure 3.1). Prior to that, it was hosted by the Ministry of Economy within the same General Directorate (2012-2017), and previously by the Prime Ministry, Undersecretariat of Treasury, General Directorate of Foreign Investments (2001-2012). Following the Türkiye general elections in 2018, the hosting General Directorate underwent restructuring. The NCP highlighted that while these various restructurings did not impact the NCP's structure, they affected the NCP's work, resulting in a lower level of promotional activities and delays in handling specific instances while the restructuring process was in place. Likewise, challenges emerged as the NCP faced difficulties in explaining its role as a non-judicial grievance mechanism and seeking support from the highest authority in the Ministry hosting the NCP at the time. This was primarily attributed to the fact that non-judicial grievance mechanisms are a relatively new concept in Türkiye's judicial system.

The TNCP Head is a high-level public official appointed by the President through a Decree. The current NCP Head is the Director General of Incentive Implementation and Foreign Investment at the Ministry of Industry and Technology. In addition to the role of NCP Head, the Director General is responsible for designing and implementing the investment incentive system, handling foreign investment-related issues, including bilateral investment treaties, and overseeing investment-related matters at relevant multinational organisations, such as the OECD Investment Committee.

The TNCP Deputy Head holds the position of Deputy Director General of Incentive Implementation and Foreign Investment at the Ministry of Industry and Technology. Besides the NCP-related responsibilities, the Deputy Head oversees the Department on Investment Climate Reform and the Department on International Relations, which manages the work related to the OECD Investment Committee.

The TNCP Secretariat is currently composed of the Head of the Department on Investment Climate Reform and two part-time members. The duties of the part-time members extend beyond the NCP issues, as they dedicate 15% of their working time to the NCP function. Additionally, they are responsible for the secretariat of the Coordination Council on Improvement of Investment Environment (YOIKK) and other similar strategy and policy implementations. The Head of Department supports the NCP function on an ad-hoc basis.

Figure 3.1. Organisation chart of the Ministry of Industry and Technology of Türkiye



Note: the TNCP is located in the General Directorate of Incentive Implementation and Foreign Investment within the Ministry of Industry and Technology.

Source: <https://www.sanayi.gov.tr/en/corporate/organization-diagram>

Functions and operations

The functions and operations of the TNCP are not defined in an official documentation. The TNCP home webpage contains a brief general description of what NCPs are and specifies the following responsibilities for NCPs, in collaboration with relevant public institutions and non-governmental organisations: *promote the Guidelines; evaluate specific instance applications regarding the principles and standards in the Guidelines; and contribute to the solution of problems that may arise*. This description is not aligned with the 2023 version of the Guidelines as it does not include the support that NCPs may provide to their governments to develop, implement, and foster coherence of policies to promote responsible business conduct.

The section specifies that the Government's responsibilities under the Guidelines are carried out by the dedicated NCP, noting that "the Ministry of Industry and Technology is designated as the NCP of Türkiye".

The NCP highlights that its single-agency structure allows it to operate in a *visible* and *accessible* manner, as it can be easily found directly from the Ministry's website or through a quick internet search, and formal complaints can easily be submitted through the Ministry's formal application channels (see Filing a complaint). However, the NCP acknowledges that its structure, which currently lacks an advisory or oversight body, could better align with the Implementation Procedures of the Guidelines, which encourage NCPs to establish such bodies for assistance in their tasks.¹⁰

The NCP reports having sufficient *access to expertise* on the issues covered by the Guidelines due to its long-standing presence within the same Ministry and the considerable experience of its permanent staff in handling these matters. In addition, according to the TNCP, being located in a Ministry is an advantage as the NCP can always access support from governmental experts on specific issues. The NCP indicated that, in instances where the NCP has reached out to other colleagues across the government for technical support, it has always received full cooperation. In this regard, the NCP reported having a focal point for its enquires in several relevant ministries or public institutions, which has proven to be an efficient practice to date when dealing with specific instances.

The NCP seeks to ensure *transparency* by publishing information on its webpage regarding case-handling procedures and the list of specific instances with initial assessments and final statements.

The NCP underscores that being housed within the Ministry of Industry and Technology guarantees *impartiality* and shields it from potential conflicts of interest related to trade and investment activities, but it acknowledges that the Ministry maintains closer ties with the business sector than with other stakeholders. In addition, the NCP indicated that the perception of conflict of interest by stakeholders was more pronounced in the past, when the hosting General Directorate held the role of the current national investment promotion agency (Presidency of Türkiye Investment Office). In this regard, civil society stakeholders have stressed that being housed in a government ministry related to trade and investment may negatively impact the NCP's accessibility, accountability and impartiality. Civil society stakeholders stressed therefore that it would be crucial to avoid real or perceived conflicts of interest. Trade union representatives perceive the TNCP as more attuned to business interests, asserting that it tends to accept their position in specific instances without consistently seeking the other party's point of view. Some parties to specific instances highlighted the lack of communication between the complainant and the NCP, thereby diminishing the transparency of the process and their perception of the NCP's impartiality.

The TNCP recognises the importance of maintaining *meaningful relations with stakeholders* due to its single structure and lack of expertise in certain matters covered by the Guidelines. Overall, stakeholders expressed their interest in building meaningful structural relations with the TNCP. In this regard, the TNCP underlined that while it does not engage with stakeholders on a regular basis, it is willing to promptly initiate collaboration, building on contacts made during

¹⁰ OECD Guidelines for Multinational Enterprises on Responsible Business Conduct, Procedures for NCPs, I. A.

the peer review, to edge closer to the recommendation made in the 2023 version of the Guidelines to maintain relations and have meaningful engagement with stakeholders.¹¹

The TNCP has an individualised single ministry decision-making framework where decisions regarding the promotional events and complaints are handled by government officials. In this structure, the NCP Secretariat conducts general work and reporting, and the final decision is made by the NCP Head (Director General). For example, decisions related to the organisation of promotional activities are primarily made by the NCP Deputy Head and the NCP Secretariat, and approved by the NCP Head. In certain cases, the NCP may inform the Deputy Minister, who generally has no objections. When the NCP handles specific instances, decisions are made jointly by the NCP Head, Deputy Head and the NCP Secretariat. Only when specific instances require complex decision-making, the issue may need to be elevated to a higher level within the Ministry. However, as of now, no specific instance has been escalated to this level.

Civil society stakeholders emphasise that decision-making, notably on case-handling, by government officials alone significantly limits the NCP's perceived impartiality and access to expertise. Therefore, civil society stakeholders recommend that the TNCP considers incorporating various relevant government departments, adopting a multipartite structure, or establishing an independent expert body to address such concerns.

Resources

The human resources available to the NCP Secretariat have decreased in the past five years. The Secretariat consists of two part-time staff since 2020. Between 2017 and 2018, the NCP Secretariat staff decreased from six full-time to four part-time members. In 2019, during the move of the NCP from the Ministry of Economy to the current Ministry, the staff further decreased by two part-time staff, although this decrease was not due to budgetary issues in the Ministry but to the personal decision of the two staff members that decided to stay in the Ministry of Economy. The NCP considers its current resources sufficient given the light workload (e.g., in terms of specific instances received) in comparison with other NCPs.

One of the two NCP staff members has been working at the NCP for the last eight years. This continuity ensures the preservation of institutional memory, facilitated by the storage of records on the servers of the Ministry where the TNCP is located, including regular data backups. The NCP's electronic filing system is available to all NCP staff. Among other information, this system contains notes explaining what RBC is, how the NCP works, summary records of meetings, etc. The NCP has also indicated that it generally implemented a transition period to help with the on-boarding of new staff, during which the existing staff remains available to provide support.

The NCP does not have a dedicated budget and benefits from the general budget of the Ministry. The NCP has the flexibility to use funds as needed for its day-to-day activities. Since 2017, the NCP has consistently reported that its financial resources were sufficient to cover its activities. However, since 2020, the NCP has not made use of the budget to cover costs related to promotional events. It also did not use budget to hire professional mediators as there have been no specific instances requiring such assistance.

¹¹ OECD Guidelines for Multinational Enterprises on Responsible Business Conduct, Procedures for NCPs, I. A.

Reporting

The TNCP reports annually to the OECD in line with the Procedures (Section I.E.) but it does not make its annual reports publicly available on its webpage. Instead, the NCP's webpage provides an external link to the OECD webpage where the annual reports on NCP activity can be accessed.

Between 2017 and 2019, the TNCP would report to the hosting Ministry more than three times a year. However, since 2020, the TNCP has reduced its reporting frequency to twice a year. These reports consist of briefings on the discussions held at the WPRBC and NCP meetings, including recent developments and activities of the TNCP when relevant. It is worth noting that these reports are not required by legislation. The TNCP does not report to Parliament.

	Findings	Recommendations
1.1	The NCP lacks a legal instrument or official document outlining its mandate, functions, decision-making processes and reporting lines. This absence has raised concerns of a lack of clarity and transparency over the NCP's activities, which could potentially impact its impartiality and predictability.	The NCP should develop, publish and communicate a founding document that clearly establishes the NCP to foster its impartiality and predictability. The NCP could also make reference to its decision-making process regarding specific instances in its case-handling procedures to enhance transparency around the structure and function of the NCP.
1.2	The NCP's location within a directorate that grants investment incentives to business, the closer relationship of the directorate with companies compared to other stakeholders and the absence of a clear separation between the NCP team and the incentives team have raised concerns among stakeholders regarding the perception of impartiality. This can also create potential conflict of interest.	The Turkish government should establish the NCP as an independent unit within the Ministry of Industry and Technology to ensure operational autonomy, address the perception of impartiality, and prevent potential conflict of interest. The NCP could take additional measures in this regard, such as developing a conflict-of-interest policy for its members to address these concerns.
1.3	The NCP's single-agency structure hampers its ability to establish structural relations with stakeholders and other government departments, limiting visibility and access to expertise, hindering stakeholder engagement and confidence and affecting the perception of impartiality.	The NCP should create an inter-governmental platform including key ministries and an advisory body for stakeholder engagement, to strengthen its visibility and access to expertise and to enhance collaboration and integrate input from diverse perspectives in the NCP's functioning. The NCP should ensure diversity in the advisory body, with equitable representation from government, business, trade unions, civil society and academia.

4 Promotion of the Guidelines

Promotional plan

The TNCP has not adopted a promotional plan since 2020. From 2017 to 2019, the TNCP reported having a promotional plan that was not archived nor published at the time and was subsequently lost during the different relocations of the NCP. Promotional plans for those years were developed without consulting stakeholders.

Overall, the NCP and stakeholders recognised the need to enhance the NCP's visibility. The TNCP does not monitor or measure the actual awareness or use of the Guidelines and Due Diligence Guidance by business in the country. Business and civil society stakeholders agreed that the level of awareness of the Guidelines and due diligence standards among companies in Türkiye is low. They mentioned in this respect that the NCP should raise awareness of the Guidelines and due diligence guidances among stakeholders, especially among small and medium-sized enterprises (SMEs) in key areas and in other cities and regions besides the capital and major cities like Istanbul, notably in the agricultural, mining, garment, manufacturing and automotive sectors. In doing this, civil society stakeholders indicated that the TNCP could consider the use of different amplifiers. This could include collaboration with other branches of the Ministry hosting the NCP, chambers of commerce and local development agencies in other regions, as well as with the Provincial and District Human Rights Boards. Collaboration with associations of SMEs, the International Investors Association YASED, the Turkish Industry and Business Association TUSIAD, and the Human Rights and Equality Institution of Türkiye¹² were also mentioned as possible channels that the NCP could use for awareness-raising activities. In addition, civil society stakeholders underscored that a more participatory structure of the NCP, including stakeholders from other regions, could provide a valuable tool for reaching remote and small areas of the country.

Stakeholders overall expressed the need for increased promotional efforts to reach a wider audience to fulfil the NCP's responsibilities. This could be achieved by developing and publishing a promotional plan that would ensure the upcoming activities and events are visible and accessible to all stakeholders. This would also ensure a more strategic planning of promotional activities in light of resource constraints (e.g., as all the promotion needs to be done by the NCP itself in the absence of a government or stakeholder advisory body). Business representatives acknowledged that the NCP effectively communicated and explained the Guidelines during the TNCP's events they attended, reporting that the NCP provided information verbally and documented it clearly. Civil society feedback noted that while the TNCP correctly promotes the Guidelines during promotional events, it should also raise awareness about its role as a non-judicial grievance mechanism to increase the NCP's visibility, enhance stakeholders' understanding of the NCP's processes, and consequently boost the use of the grievance mechanism, and encourage participation by companies. Furthermore, civil society and business representatives generally suggested that the NCP should be more active in

¹² The Human Rights and Equality Institution is the national human rights institution of Türkiye.

promoting and raise awareness of the Guidelines and due diligence guidances and act as a source of advice and assistance to stakeholders, especially businesses. This was mentioned as particularly important considering the recent and forthcoming regulatory developments on RBC and mandatory supply chain due diligence, such as the EU's draft Corporate Sustainability Due Diligence Directive.

During the on-site meetings with stakeholders, most of the participants indicated having little or no knowledge of the TNCP and its functions. However, they expressed great interest in engaging or increasing collaboration with the TNCP, including organising awareness-raising events such as conferences, webinars, informative sessions, etc. In particular, trade unions indicated a need for more training activities within their members to better understand how the NCP's role as a non-grievance mechanism operates. In doing so, they emphasised the importance of using plain language for better comprehension.

Information and promotional materials

The TNCP has produced and published a three-page document to promote and raise awareness of the Guidelines and the NCP.¹³ This brief material includes basic information on RBC, the 2011 version of the Guidelines and related due diligence guidance, an explanation of the NCP mechanism, including the NCPs' annual reports and a general description of the specific instance process. It also provides external links to OECD RBC standards and instruments. The material is only available in English and it has been updated for the last time in October 2020.

The NCP does not appear to have published promotional material in Turkish on the NCP or the Guidelines. However, the Turkish version of the OECD due diligence guidances for the minerals¹⁴ and the garment¹⁵ sectors are available on the NCP's webpage. Both guidances were translated by third parties, namely the Istanbul Stock Exchange (Borsa İstanbul) for the minerals sector and the Istanbul Apparel Exporters' Association (İHKİB) for the garment sector. During the on-site visit, civil society stakeholders expressed concerns regarding the lack of consistency in the terminology used in the Turkish translation of RBC standards. They emphasised the importance of the NCP's involvement to ensure uniformity and prevent any inconsistencies.

Civil society stakeholders suggest that the NCP's webpage should include explanatory material on the OECD Due Diligence Guidance for RBC and on due diligence in general. This would help increase understanding of business and other stakeholders regarding the expectations of the Guidelines and the responsibilities of businesses operating in or from Türkiye. Both civil society and business representatives expressed that in addition to the NCP's webpage and promotional events, the TNCP should consider the development and use of additional communication tools (e.g., print material and social media) to increase its visibility, as they are effective means to reach a higher number of stakeholders, including especially public institutions and businesses.

¹³ <https://www.sanayi.gov.tr/anlasmalar/utn-ncp/a11607>

¹⁴ Turkish version of the *OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas*, <https://www.sanayi.gov.tr/anlasmalar/utn-ncp/a11613>

¹⁵ Turkish version of the *OECD Due Diligence Guidance in the Garment and Footwear Sector*, <https://www.sanayi.gov.tr/anlasmalar/utn-ncp/a11615>

Promotional events

Between 2018 and 2021, the NCP did not organise or co-organise any promotional events. In October 2023, the NCP organised one event, providing an opportunity to initiate relationships with diverse participants for the first time. In 2022, the NCP co-organised three events (one virtual and two in person), and in 2017, it organised two in-person events. Participants included different groups of stakeholders, including representatives from businesses, CSOs, government and academia. During these events, the TNCP provided an introduction to the Guidelines, the NCP's role and activities, and the specific instance process.

The TNCP has not participated in events organised by others since 2020. The NCP reported its involvement in such events in 2018 and 2019. The TCNP gave a presentation at two similar events organised by the Ministry of Industry and Technology, which targeted foreign government representatives. An overview of promotional activities undertaken from 2017-2022, as reported to the OECD in the related annual reports, can be found in Annex C. Promotional events. Past and upcoming events are not made available on the NCP's webpage.

Box 4.1. Information meeting on the OECD Guidelines for Multinational Enterprises co-organised by the TNCP

On 16 March 2022, the TNCP co-organised a meeting in collaboration with YASED, the International Investors Association in Türkiye. The meeting took place in a virtual format and gathered approximately 150 business and CSOs representatives. During the meeting, the TNCP delivered a comprehensive presentation on the OECD's work on RBC, the Guidelines, sectoral guidances, and the TNCP's activities and functions, including a general overview of some concluded cases. Speakers included the NCP Deputy Head and the Head of Department, acting as members of the NCP, as well as the NCP Secretariat. The meeting recording was then uploaded into the YASED's YouTube account.¹⁶

Source: Türkiye NCP Annual Report (2022).

Webpage

The NCP has a dedicated webpage on the Ministry of Industry and Technology's website,¹⁷ available in Turkish and English. Before 2018, the webpage was hosted on the Ministry of Economy's website. The webpage lacks user-friendly features and design elements, which may pose challenges to users. Specifically, the webpage displays both the Turkish and English text on the same page, one following the other, in the same font and colour, which makes it difficult to distinguish between the two versions (see Figure 4.1). Consequently, the Turkish version is more accessible since the English is located at the bottom of the page. Furthermore, documents in both languages are listed in the same location without clear differentiation between those available in English and Turkish, which can hinder navigation and information access. It is worth noting that the webpage has been recently updated to make reference to the 2023 version of the OECD Guidelines.

¹⁶ https://youtu.be/_YzS323LiMw?si=fUbg6_yTIJg_6E7b

¹⁷ <https://www.sanayi.gov.tr/anlasmalar/utn-ncp>

Figure 4.1. Excerpts of Turkish and English text on the TNCP's home page

<p>• OECD Ulusal Temas Noktası (UTN/NCP)</p> <p>Ülkemizin üyesi olduğu İktisadi İşbirliği ve Gelişme Örgütü (OECD) tarafından 27 Haziran 2000 tarihinde çok uluslu şirketlere yönelik yürürlükte mevzuat çerçevesinde sorumlu iş yapma prensiplerini ve standartlarını içeren Çok Uluslu Şirketler Rehberin (Rehber) kabulüne ilişkin bir Konsey Kararı alınmıştır.</p> <p>Hâlihazırda aralarında ülkemizin de bulunduğu 38 OECD üyesi ülke ile 13 OECD üyesi olmayan katılımcı ülke tarafından gönüllülük esasına göre taraf olunan Rehber ve "Uluslararası Yatırımlar ve Çok Uluslu Şirketler Deklarasyonu" ile üye devletlerce uluslararası yatırımlara ve bu yatırımların gerçekleştirilmesine yönelik yapılabilecek işbirliğine dayalı bir tutum benimseme kararı kabul edilmiştir.</p> <p>OECD Çok Uluslu Şirketler Rehberi, Rehberin güncellenmesi 2011 yılından bu yana ticaret ve yatırımlar alanında ortaya çıkan gelişmelerin kapsama alınması ve diğer alan sorumlu iş idareci kavramının Rehberde yer alan Bölümlere yansıtılması amacıyla, uzun bir süreçte işbirliği sürecinin ardından İnsan hakları, çalışan hakları, çevre, rüşvet ve yolsuzluk, tüketici hakları, kamuoyunu bilgilendirme, bilim ve teknoloji, rekabet ve vergilendirme gibi işletmelerin temel sorumluluk alanlarıyla ilgili tavsiyeleri kapsayacak şekilde güncellenmiştir. Güncellenmiş Rehber 2023 yılında İngilizce ve Fransızca olarak OECD Internet Sitesinde yayımlanmıştır. Rehberin farklı dillere çevrilmesine yönelik çalışmalar devam etmektedir.</p> <p>OECD Sekreteryası tarafından Rehberle ilgili İngilizce çevirisi bilgilendirme toplantıları gerçekleştirilmektedir. Toplantı programı ve kayıtlarına etkinlik için tıklayınız.</p> <p>Öte yandan, Rehber'in tanıtım faaliyetlerini gerçekleştirmek, Rehber'deki prensiplere ve standartlara ilişkin başvuruları değerlendirmek ve ortaya çıkabilecek sorunların çözümüne katkıda bulunmak üzere, diğer kamu kurumları ve sivil toplum kuruluşları ile birlikte etkin bir şekilde çalışacak bir Ulusal Temas Noktası (UTN) oluşturmak yükümlülüğünü taşımaktadır.</p> <p>Ulusal Temas Noktasının, Rehberin tanıtılmasına yönelik bilgilendirme faaliyetleri yürütmesi ve ülkesinde Rehberin uygulanmasına ilişkin ortaya çıkan ihlal başvurularını tarafsız, objektif ve adil ve Rehberde yer alan prensip ve standartlarla uyumlu bir şekilde sonuçlandırması öngörülmektedir. Ulusal Temas Noktası bu katkıyı, Rehberde yer alan prensiplerin ve standartların ihali konusunda kendisine iletilen başvurulara ilişkin gerekli tespitleri yaparak ve taraflar arasında uzlaşma arayışına yönelik görüşmeler için uygun ortamı oluşturarak sağlamaktadır.</p> <p>Ülkemizde Rehber'i tanıtmak, şikâyetleri incelemek ve karara bağlamak üzere, Sanayi ve Teknoloji Bakanlığı, Tepeik Uygulama ve Yabancı Sermaye Genel Müdürlüğü Türkiye UTN'si olarak görevlendirilmiştir.</p> <p>İletişim Bilgileri</p> <ul style="list-style-type: none"> - Hüseyin Cahit BÜYÜKBAŞ - Genel Müdür - T.C. Sanayi ve Teknoloji Bakanlığı Tepeik Uygulama ve Yabancı Sermaye Genel Müdürlüğü - turkeyncp@sanayi.gov.tr - Tel: +90 312 201 6702 	<p>• OECD National Contact Point (NCP)</p> <p>On June 27, 2000, a Council Decision was taken by the Economic Cooperation and Development Organization (OECD), of which Türkiye is a member, regarding the adoption of the Guidelines for Multinational Enterprises (Guidelines). The Guideline includes the principles and standards for responsible business conduct for multinational companies within the framework of the legislation in force.</p> <p>A constructive and cooperative attitude will be adopted towards international investments and investors compatible with the Guidelines and the "Declaration of International Investments and Multinational Companies", which is currently adopted by 38 OECD member countries, including Türkiye, and 13 non-OECD participating countries on voluntary basis.</p> <p>The OECD Guidelines for Multinational Enterprises was updated after a thorough stakeholder consultation process, in order to address the developments in the field of trade and investments emerged since 2011, and to reflect the responsible business conduct concept in the principles of the Guidelines, and has been updated to cover all key areas of business responsibility, including human rights, labour rights, environment, bribery and corruption, consumer interests, disclosure, science and technology, competition, and taxation. The updated Guidelines was published in English and French on the OECD Website in 2023. Translation into different languages has been in progress. Click here to access the webinar programs on the updated Guidelines.</p> <p>On the other hand, these countries are obliged to establish a National Contact Point (NCP) that will work effectively with relevant public institutions and non-governmental organizations in order to carry out the promotional activities of the Guidelines, to evaluate the specific instance applications regarding the principles and standards in the Guidelines and to contribute to the solution of problems that may arise.</p> <p>NCPs are expected to carry out informative activities for the introduction of the Guidelines and finalize the applications of alleged violations regarding the implementation of the Guidelines in an impartial, predictable and fair manner and in accordance with the principles and standards included in the Guidelines. NCPs make this contribution by conducting necessary studies on the applications submitted to them regarding the violation of the principles and standards in the Guidelines and by creating a suitable environment for negotiations to seek consensus between the parties.</p> <p>In Türkiye, Ministry of Industry and Technology - General Directorate of Incentive Implementation and Foreign Investments is designated as the NCP of Türkiye to promote the Guideline, to examine and resolve complaints.</p> <p>Contact Information</p> <ul style="list-style-type: none"> - Hüseyin Cahit BÜYÜKBAŞ - Director General Ministry of Industry and Technology - General Directorate of Incentive Implementation and Foreign Investment - turkeyncp@sanayi.gov.tr - Tel: +90 312 201 6702
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Source: TNCP webpage.

According to the TNCP, the webpage is easily discoverable through online search engines and complaints can be readily submitted through the Ministry's formal application channels, with all applications receiving timely responses.

The information available on the NCP's webpage includes:

- Several paragraphs in Turkish and English providing general information on the Guidelines and the NCP grievance mechanism, including its role and responsibilities. The text does not mention the support that NCPs can provide to their governments in their efforts to develop, implement and foster coherence of policies to promote responsible business conduct, as provided for in Paragraph I.D of the Procedures to the OECD Guidelines. The text includes links to the OECD Declaration on International Investment and Multinational Enterprises, the 2023 version of the Guidelines and to the OECD webpage featuring the recording of the webinars carried out by the OECD Centre for Responsible Business Conduct to promote the Guidelines.
- Contact information, including the name of the NCP Head and the institutional e-mail address and phone number of the TNCP.
- Links to several documents in Turkish, notably:
 - The 2011 version of the Guidelines;
 - The NCP's case-handling procedures and a flow chart¹⁸ illustrating the process (see Figure 4.2);
 - The list of the specific instances handled by the TNCP from 2008 to 2020, with links to their initial assessments and final statements in some cases;
 - A promotional brochure of *Borsa İstanbul*, the Istanbul Stock Exchange. The brochure is a guide designed to raise awareness and provide information to Turkish State entities about sustainability and ESG reporting;
 - The Turkish translation of the minerals and garment due diligence guidances.
- Links to several documents in English, notably:

¹⁸ Available at: <https://www.sanayi.gov.tr/anlasmalar/utn-ncp/a11605>

- A three-pager designed to promote and raise awareness of the Guidelines, related due diligence guidances, and the NCP. This document also contains contact information of the TNCP, with an NCP Head different from the one listed on the home page. Since the NCP Head has been newly appointed, this document should also be updated to reflect the changes.
- The TNCP case-handling procedure, which is also included in the aforementioned three-pager.
- External links to OECD RBC standards and instruments, including the 2023 version of the Guidelines, the general due diligence guidance and sector-specific guidances (agriculture, minerals and garment).
- A link to the OECD webpage containing annual reports on NCP activity is also featured.

The webpage does not include the OECD Due Diligence Guidance for RBC in Turkish.

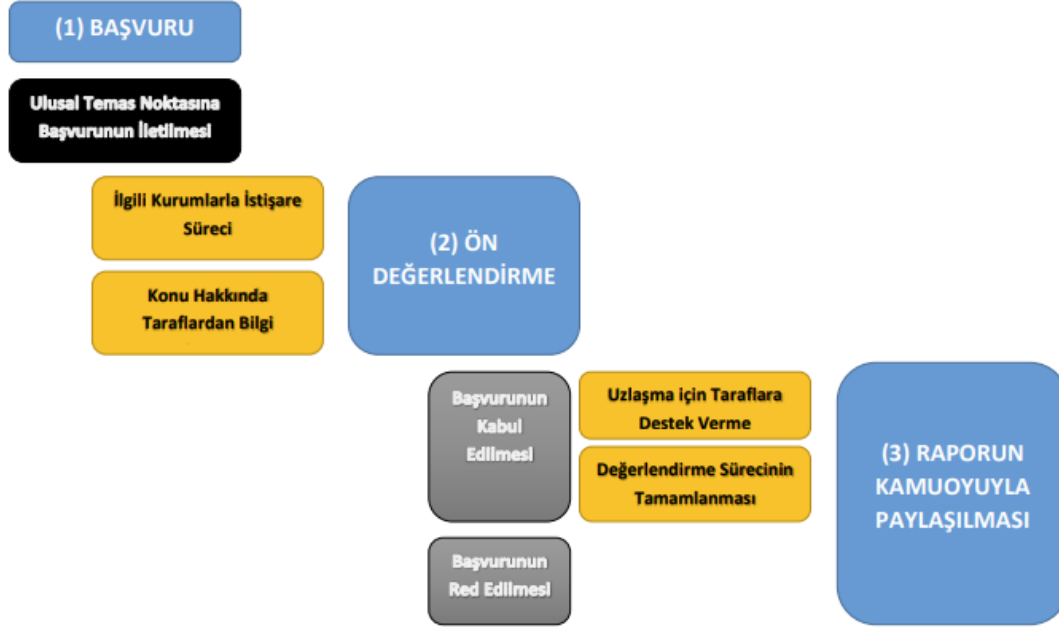
The NCP does not promote its work through social media but it has indicated the existence of a non-official X account (formerly Twitter) for the NCP. Activation of this account would require permissions from the other parts of the Ministry.

A representative from civil society indicated that, over time, the NCP has increased the quantity of information provided through its webpage. Business stakeholders also acknowledged that the content on the NCP's webpage today is sufficient and very descriptive.

A comment from civil society stakeholders suggests that the TNCP should have a specific webpage dedicated to the submission of specific instances, in addition to the contact details already included in the home page. Furthermore, feedback also points out that considering the high number of Syrian migrants in Türkiye, it might be recommendable to include explanations and a webpage for specific instances submission in Arabic. Civil society stakeholders also suggest increasing awareness about the existence of the webpage.

Figure 4.2. Flowchart of the TNCP's case-handling procedure available for download on the webpage

ULUSAL TEMAS NOKTASI | Başvuru Değerlendirme Süreci



Source: TNCP webpage.

Responding to enquiries

The NCP has its contact details listed on the webpage (name of the TNCP Head, institutional e-mail and phone number), but it does not invite users to contact the NCP for enquiries. The NCP reported being contacted via e-mail and phone in the past but the details of those enquiries were not archived.

Cooperation with other NCPs

The NCP engages with other NCPs through multilateral and bilateral meetings. Specifically, the NCP actively takes part in the meetings of the WPRBC and the Regional Network of NCPs for RBC of Middle East and North Africa, recently established. It has recently participated as peer reviewer in the peer review of the Morocco NCP, which took place in 2022, and has co-operated with other NCPs in handling specific cases in the past years (see Section 5. Specific instances).

	Findings	Recommendations
2.1	While the NCP has recently increased its promotional efforts, the visibility of the NCP and the Guidelines remains low due to low levels of promotion in the past.	<p>The NCP should develop and publish a promotional plan. As an initial step, the NCP could conduct a stakeholder mapping exercise to establish and identify a community around the NCP. The Turkish government should allocate the necessary human and financial resources to ensure the effective implementation of this plan.</p> <p>The plan could focus on the following key issues, sectors and regions:</p> <ul style="list-style-type: none"> • Issues: Child labour, migrant workers, green transition (energy generation), assisting companies in adjusting to legislation, and combating corruption. • Sectors: mining, garment, automotive and manufacturing, chemicals, and agriculture. • Regions: promotion beyond Ankara and Istanbul to reach SMEs, in collaboration with local offices of development agencies, ministries, and the National Human Rights Institution of Türkiye, among others.
2.2	Most OECD RBC documents are only available in English or have been translated by third parties, limiting their dissemination and use. In this regard, stakeholders expressed concerns about the inconsistency in terminology.	The NPC should undertake translations for untranslated documents, including the OECD Due Diligence Guidance for RBC, and review third-party translations to ensure coherence and accuracy.
2.3	The webpage was noted as not easily discoverable and user-friendly, thereby limiting the accessibility and visibility of the NCP.	The NCP should enhance its website to improve the user experience. To the extent possible, it is recommended to create different pages for Turkish and English text, making a clearer differentiation between documents provided in both languages, to improve overall accessibility and usability.

5 Specific instances

Box 5.1. Terminology for the status of specific instances

- Specific instances concluded are those that the NCP found to merit further examination after the initial assessment and that have subsequently been closed. For such specific instances, the NCP will have offered its “good offices” (e.g., mediation/conciliation) to both parties.
- Specific instances not accepted are those that the NCP found not to merit further examination, or cases that have been withdrawn prior to the completion of the initial assessment and that have therefore been closed.
- Specific instances closed include both specific instances that have been concluded and those that were not accepted.
- Specific instances that are ongoing are those that are not yet closed. These include submissions received by the NCP, both those awaiting initial assessment, as well as those accepted by the NCP.

Source: OECD (2023) [Annual Report on the activity of National Contact Points for Responsible Business Conduct in 2022](#)

Overview

As of the date of the on-site visit, the NCP had received seven specific instances in total (six since 2011). Three specific instances have been concluded and four were not accepted.

Two of the concluded cases were closed without agreement and without recommendation after the parties did not accept the NCP’s offer of good offices. The third concluded case was closed with an agreement by the parties outside of the NCP process.

The main sectors concerned by specific instances handled by the NCP are manufacturing (three cases), electricity, gas, steam and air conditioning supply (one case), transportation and storage (one case), financial and insurance activities (one case), and other service activities (one case). In terms of submitters, trade unions have submitted four out of the seven cases. The other three cases have been submitted by two NGOs (one case), one company (one case) and a group of individuals (one case).

The most frequently raised chapters of the Guidelines in cases handled by the NCP are the chapters on Employment and Industrial Relations (Chapter V) (four cases), followed by Environment (Chapter VI) (two cases), Concepts and Principles (Chapter I) (one case), General Policies (Chapter II) (one case), Human Rights (Chapter IV) (one case), Combating Bribery, Bribe Solicitation and Extortion (Chapter VII) (one case), and Consumer Interests (Chapter VIII) (one case). An overview of all cases handled by the NCP is available in Annex D.

The NCP has identified a general challenge in handling specific instances, namely the lack of cooperation and reluctance of the parties to share information. To address this issue, the TNCP has reached out to other ministries and public agencies to obtain the necessary information. The TNCP notes that this challenge is particularly pronounced in non-adhering countries, where reaching a party, finding relevant contacts and obtaining accurate information and updates can be difficult.

Stakeholders from civil society highlighted the new updates introduced with the 2023 version of the Guidelines as a significant challenge for the NCP to handle specific instances. This challenge arises from the fact that the NCP would need to build or access specialised technical knowledge and expertise on the highly complex new issues addressed by the Guidelines. Stakeholders therefore recommend seeking support from external experts and a diverse range of stakeholders for an informed case-handling process and to also insure inclusivity and accountability.

Civil society stakeholders also suggested that the low number of specific instances may be partially explained by the existence of other avenues for grievances, including sometimes stronger enforcement mechanisms, such as internal complaint processes, tribunals, or courts. In this regard, feedback also indicated submitters may be deterred from coming forward due to fears of reprisals from the multinational enterprise and a perceived lack of effectiveness in the NCP process, as well as the complexity of the procedures. Other reasons for the low number of specific instances were also pointed out, including the lack of general awareness of the NCP's existence and the limited accessibility to the submission process for specific instances. These issues may result from insufficient outreach and promotional efforts by the NCP. Trade union stakeholders also pointed to the lack of awareness regarding the process to file a complaint as a factor contributing to the low number of cases presented before the TNCP. In addition, the absence of analysis, recommendations and follow up in specific instance statements contributes to this challenge.

Business and trade unions representatives identified two key challenges by the NCP, namely the occasional lack of constructive engagement from the parties involved in specific instances and the NCP's absence of sanctioning power.

During the on-site meetings, representatives from business and trade unions acknowledged that while mediation is a relatively new concept in Türkiye and is not fully functional at the moment, they recognise the added value of mediation and the NCP's role in providing a platform for dialogue between the parties. Academia stakeholders expressed that, given the relatively recent introduction of this new voluntary grievance mechanism in the country, it is crucial for the NCP to ensure transparency and impartiality to gain the confidence of stakeholders and to attract the interest of both complainants and businesses toward NCP mechanism.

Case-handling procedures

Overview

The case-handling procedures of the NCP are available on the NCP's webpage in both Turkish¹⁹ and English.²⁰ They were last updated in 2018, when the NCP was located in the Ministry of Economy, and are based on the 2011 version of the Guidelines' Procedures. The NCP has not yet brought them in line with the 2023 version of the Guidelines but anticipates

¹⁹ <https://www.sanayi.gov.tr/anlasmalar/utn-ncp/a11604>

²⁰ <https://www.sanayi.gov.tr/anlasmalar/utn-ncp/a11614>

updating them in 2024-2025. The NCP acknowledged that involving stakeholders in this process, as provided for in the 2023 version of the Guidelines,²¹ would require approval at a higher level, given the current structure of the NCP.

The two language versions are slightly different. While the Turkish version provides more detailed information about the case-handling phases, the English version includes references to other elements not found in the Turkish version, such as follow-up where relevant once the specific instance has closed. Neither of the versions provides for the possibility of making determinations or recommendations by the NCP to the parties involved in specific instances on the implementation of the Guidelines. The English version of the case-handling procedures consists of the following sections: (1) Submission of the specific instance; (2) Initial assessment; (3) Good offices; (4) Conclusion of assessment; (5) Follow-up; (6) Confidentiality. Furthermore, the case-handling procedures are also presented on the webpage in the form of a flow chart in Turkish,²² which highlights the main steps for a visual representation of the process (see Figure 4.2). The analysis below is based on the English version of the case-handling procedures.

Filing a complaint

According to the section on specific instance submission, specific instances must be submitted to the *General Directorate of Incentives and Foreign Investment* within the *Ministry of Economy*, either in written or electronic form. There is no online submission form. Submitters are required to provide:

- Their name, contact information, and interest in the matter;
- Chapters and specific parts of the Guidelines alleged to be breached;
- Relevant facts and evidence.

After receiving a request, the NCP notifies:

- the requesting party that their request is under review;
- the company alleged to breach the Guidelines about the request;
- relevant Turkish authorities to seek their official comments on the alleged claim;
- the parties that the entire review process will be conducted in confidentiality.

Coordination with other NCPs on specific instances

The procedures do not refer to co-ordination with other NCPs in specific instances.

Initial assessment

Following the submission of a request, the NCP conducts research and may request supporting information to determine if the issue is *bona fide*, aligns with the Guidelines and merits further examination.

During the initial assessment process, the NCP will take into account:

- the identity of the complainant and his/her interest in the matter;

²¹ OECD Guidelines for Multinational Enterprises on Responsible Business Conduct, Procedures for NCPs, I. C.

²² <https://www.sanayi.gov.tr/anlasmalar/utn-ncp/a11605>

- the availability of documented information on whether the issue is material and substantiated;
- the existence of a link between the company's activities and the raised issue, and the relevance in relation to the Guidelines;
- the relevance of applicable law and procedures, including court rulings.

The evaluation criteria mentioned above encompass four of the six provided in the 2011 version of the Guidelines (para. 25 of the Commentary to the 2011 Procedural Guidance) and in the 2023 version of the Guidelines (para. 33 of the Commentary to the Implementation Procedures). Notably, the procedures do not include the evaluation of the significance of other domestic or international proceedings addressing similar issues in parallel, nor do they consider whether the specific issue's consideration would contribute to the purposes and effectiveness of the Guidelines. Additionally, whether the issues are relevant to the implementation of the Guidelines seems to be addressed by both the second and the third bullet above.

Based on its research, the NCP either accepts or rejects the submission and informs the parties involved of the decision regarding the initial assessment. According to the procedures, the parties involved are not consulted on the draft initial assessment before decision is made, contrary to para. 45 of the Commentary to the Implementation Procedures. However, the NCP indicated that while the procedures do not provide for this, the NCP does share the draft statement with the parties before publication. The procedures do not provide information on the publication of initial assessments, but in some cases these reports can be found in the TNCP's webpage.

Good offices

As per the case-handling procedures, if the NCP determines that the issue warrants further examination and that offering good offices would contribute to its resolution, the NCP informs the parties about its decision to offer good offices.

The procedures note the voluntary nature of the process, emphasising that both parties must provide their consent to participate. If both parties agree to participate in the process, the NCP offers a forum for discussion as well as its conciliation or mediation services at no cost.

The procedures do not provide for informing relevant government agencies of the good faith engagement, or absence thereof, of the parties, as provided for in Para. 44 of the Commentary to the Implementation Procedures.

Conclusion of the specific instance

At the conclusion of the process, the NCP prepares a final statement. The draft statement is shared with parties for their feedback. After receiving their input, it is then finalised and published on the NCP webpage. It is also shared with the OECD Secretariat for inclusion in the OECD case database.

The NCP has not previously made recommendations or issued determinations regarding the observance of the Guidelines by an enterprise in a specific instance. The NCP webpage does not mention recommendations nor determinations in the section on handling specific instances. However, the NCP reported that while its case-handling procedures do not explicitly reference recommendations, the NCP can make recommendations on the issues raised in specific instances.

Civil society stakeholders raise concerns that the TNCP's case-handling procedures do not explicitly mention that the NCP may set out its views in its final statement on whether the

enterprise has observed the Guidelines, as outlined in the 2023 version of the Guidelines (para. C.4 of the Implementation Procedures). They emphasise that determinations can be valuable for helping enterprises understand and comply with the Guidelines.

In this regard, the TNCP indicated that there might be a reference to recommendations in an updated version of its procedures, however, this might not be preferred as it would require high-level decisions.

Case follow-up

According to the English version of the case-handling procedures, the NCP may approach each party to request an update “after a considerable amount of time” following the final statement report, but it does not explicitly include deadlines to do so.

The case-handling procedures are based on the 2011 version of the Guidelines (para. 36 of the Commentary to the Procedural Guidance). However, they are not yet fully aligned with the 2023 version (para. 46 of the Commentary to the Implementation Procedures), which provides for publication of follow-up statements in addition to the possibility of following up on agreements or recommendations where relevant.

The TNCP notes that since 2019 it requests feedback from the specific instance parties following the conclusion of a specific instance. This feedback is received through either e-mail or telephone, but it is not documented.

Indicative timeframes

The case-handling procedures do not set indicative timeframes for the overall process and the different phases of the process. In this respect, the TNCP indicates that this is not provided as each case contains unique and diverse characteristics.

The TNCP notes that one of the primary obstacles to efficient and timely case resolution is the unwillingness of the parties to engage with the NCP and, in some cases, the decision of a party to await the conclusion of a court process. The NCP acknowledges that putting such specific instances on hold while waiting for the resolution of the legal parallel proceedings has a detrimental impact on the NCP process.

Confidentiality and transparency

The case-handling procedures include a brief section on confidentiality in the specific instance process. In particular, the procedures note that the NCP would create conditions for dialogue by enabling the parties to jointly decide on the confidentiality of the procedure and the extent of information disclosure to the public. Moreover, the procedures underscore the NCP’s commitment to maintaining the confidentiality of sensitive information during the process. In this respect, civil society stakeholders expressed the need for the procedures to clarify what qualifies as sensitive business information.

In addition, the NCP reports that transparency regarding specific instances is ensured by publishing related initial assessments and final statements on its webpage. However, it is worth noting that this is not consistently followed, as, at the time of writing, information currently available on the website does not include the most recent specific instance submitted to the NCP in 2021. Civil society stakeholders indicated that while the TNCP is making praiseworthy efforts to resolve issues that arise related to the implementation of the Guidelines, it should foster transparency in the case-handling process by sharing more detailed information about concluded cases and their outcomes.

Civil society stakeholders express that the TNCP's procedures' section on confidentiality lacks clarity and should be more comprehensive and transparent in a revised version of the procedures. They refer the TNCP to the 2023 version of the Guidelines (para. C.6. of the Implementation Procedures) which considers transparency as a general principle, making parties to a specific instance aware of all relevant facts and arguments, except for reasonable requests by a party to keep certain information confidential from the other parties.

Impartiality and avoidance of conflict of interest in the handling of specific instances

The case-handling procedures do not explicitly address impartiality and conflict of interest that the TNCP members may face in specific instances. Moreover, there are no rules in place on this matter. The TNCP acknowledges that, while its members do not have personal conflicts of interest, its status as a government body may create prejudice for certain parties. To address this concern, the NCP strives to approach all parties equally and transparently. In addition, the case-handling procedures do not offer insights into the decision-making process of the NCP, potentially impacting perceived impartiality and independence, especially within the context of the single ministry structure (see Functions and operations).

Parallel proceedings

The case-handling procedures do not contain information regarding parallel proceedings.

Specific Instances in Practice

Coordination with other NCPs on specific instances

To date, the TNCP has coordinated with other NCPs in 11 cases (see Table 5.1).

Two NCPs provided feedback on their cooperation with the TNCP. The NCPs had cooperated with the NCP in the context of specific instances as lead NCPs. The feedback received from both NCPs highlighted the TNCP's helpfulness, responsiveness and professionalism in promptly addressing requests. According to the TNCP, its support to other NCPs includes assistance with understanding relevant legislation, interpreting court decisions, and providing translations when necessary. Additionally, the TNCP reports that it has not encountered any difficulties in receiving support from other NCPs.

Table 5.1. Specific instances where the Türkiye NCP has coordinated with other NCPs

Specific instances	Lead NCP	Supporting NCP(s)
Edgeworth & Vakifbank (2019)	Türkiye	Brazil, Netherlands
Putzmeister Makina San ve Tic. A.Ş and Turkish Metal Union (Türk Metal) (2017)	Türkiye	Germany
Wind energy project in Turkey (2014)	Türkiye	Germany
Turkish Metal Workers Union, BİRLEŞİK METAL-İŞ & Systemair AB (2021)	Sweden	Türkiye
International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied	United States	Türkiye

Workers' Associations (IUF) & Cargill Incorporated (2018)		
DIAM International & Birlesik Metal-Is (2017)	France	Türkiye
FIVAS, the Initiative to Keep Hasankeyf Alive and Hasankeyf Matters & Bresser (2017)	Netherlands	Türkiye
USW and Birleşik Metal-İŞ & subsidiaries of Crown Holdings, Inc. (2014)	United States	Türkiye
Nordex SE and individuals (2014)	Germany	Türkiye
Alleged human rights violations in various countries (2012)	Germany	Colombia, Türkiye
Oil infrastructure project in Azerbaijan, Georgia, and Turkey (2003)	United Kingdom	France, Germany, Italy, Türkiye, United States

Source: OECD NCP Database (2023)

Non-accepted cases

Four out of seven specific instances received have not been accepted by the TNCP. Reasons for not accepting cases were:

- in one specific instance, the NCP did not find a link between the company's activities and the Guidelines;²³
- in one specific instance, the NCP found that the allegations were made against a domestic company which does not qualify as a multinational enterprise;²⁴
- in one specific instance, parallel proceedings were already being pursued;²⁵
- in one specific instance, the NCP concluded that the parties did not show interest in continuing the process, and that therefore it could not contribute to a solution for the issues raised.²⁶

The NCP has published a final statement in two of the four non-accepted specific instances on its webpage,²⁷ which is not compatible with the Implementation Procedures, Commentary para. 40, that mandates such publication in all non-accepted cases.

Accepted cases

In the three concluded cases, the NCP offered its good offices to the parties. Outcomes in these cases include the following:

- One case was concluded without agreement and without recommendation since the company declined mediation due to ongoing parallel legal proceedings.²⁸ The NCP decided to close the case and indicated its intention to follow up after six months to inquire about the results of the legal proceedings. However, this follow-up was not conducted (see Box 5.2).

²³ Specific instance 5 – [Edgeworth vs Vakifbank](#)

²⁴ Specific instance 2 – [Wind energy project in Turkey](#)

²⁵ Specific instance 1 – [Transportation sector in Turkey](#)

²⁶ Specific instance 7 – [FESTU, ITUC, ITF vs Favori LLC](#)

²⁷ Specific instance 5 – [Edgeworth vs Vakifbank](#)

²⁸ Specific instance 4 – [Putzmeister Makina San ve Tic. A.Ş. vs Turkish Metal Union](#)

- One case²⁹ was concluded after the NCP learned of an ongoing dialogue and a mutually agreed solution between the company and the complainant NGOs, outside the NCP process (see Box 5.3).
- One case was concluded without agreement and without recommendation.³⁰ The company declined to participate in the proceedings, alleging that the complaint was unfounded and that the OECD Guidelines had not been violated. Consequently, the NCP decided to close the case.

Box 5.2. Putzmeister Makina San ve Tic. A.Ş and Turkish Metal Union (Türk Metal)

On 29 May 2017, the Turkish Metal Union (Türk Metal) submitted a specific instance to the TNCP alleging that Putzmeister Makina San ve Tic. A.Ş., a subsidiary of a German company specialised in concrete pump manufacturing, had not observed the Employment and Industrial Relations (Chapter V) provisions of the OECD Guidelines. Specifically, issues related to unfair dismissals linked to an anti-union campaign organised within the company. In their response, the company informed that the dismissals were related to the downsizing of the company for economic grounds and that they had compensated workers who were laid off and who had quit voluntarily. The trade union further informed the TNCP that 25 lawsuits had been filed against the company.

Following consideration of the claims, on 13 May 2019, the TNCP accepted the specific instance for further examination and offered its good offices to the parties. The trade union accepted the mediation offer, whereas the company declined it, citing ongoing parallel legal proceedings.

As a result, the Turkish NCP decided to conclude the case without any further examination and issued its final statement on 23 December 2019 with no recommendations on the implementation of the Guidelines. The NCP further indicated its intention to follow up after six months to inquire about the results from the legal proceedings, but this follow-up was not carried out.

Source: <https://mneguidelines.oecd.org/database/instances/tr0004.htm>

So far, the TNCP has not used the services of external mediators in providing good offices, and indicated that the hire of such services would be difficult as this would involve activating complex administrative procurement processes and would put a strain on the financial resources available to the NCP. Nevertheless, to date, the TNCP has not encountered a specific instance in which a decision had to be made on whether to involve external mediators or not. In cases where the TNCP members need external support or expertise, the TNCP contacts relevant government experts to access their knowledge and assistance.

In the concluded cases, the NCP has published its initial assessment in two cases and its final statement in three cases. None of the final statements include recommendations on the implementation of the Guidelines in relation to the issues raised, which is encouraged by the 2023 version of the Guidelines.³¹ During the on-site visit, the NCP noted that both initial assessments and final statements are shared with the parties prior to publication, even though comments were not always taken into account.

²⁹ Specific instance 6 – [LSD and Association of Women Fish Processors of Bargny Guedj vs Tosyali](#)

³⁰ Specific instance 3 – [Viessmann vs Turkish Metal Union](#)

³¹ OECD Guidelines for Multinational Enterprises on Responsible Business Conduct, Commentary on the Procedures for NCPs, Para. 43.

In one of the cases,³² the NCP shared the draft statement with the parties and requested feedback within a one-month turnaround period. The final statement presents a chronological account of the issue. It starts with an overview of why the NCP determined that the case warranted further examination. It also outlines the NCP's offer of good offices to the parties and the unwillingness of one of the parties to participate in the proceedings. The statement then follows by providing concise information about the parties, a summary of the case and the procedure followed, including the parties' respective position, and the reasons for the NCP's decision. The final statement does not include NCP's recommendations on the implementation of the Guidelines nor determinations on whether the company observed the Guidelines.

In the case received in 2020,³³ the TNCP issued a final statement that was shared with the parties before publication, although the statement does not explicitly mention this. The statement begins with an overview of the NCP and its role, followed by a summary of the case and the procedures followed. This section provides a step-by-step narrative of the events and a detailed examination of the chapters and recommendations in the 2011 version of the Guidelines referred to in the case. The statement concludes with a brief assessment by the TNCP regarding the reasons for closing the case. The final statement does not mention any follow-up actions to be undertaken by the NCP regarding the agreements reached by the parties outside the NCP process.

Follow-up

The TNCP has not conducted follow-up in concluded specific instances so far.

The final statement of the specific instance that was concluded in 2019 notes that the TNCP will engage in follow-up with the parties on the results of the parallel legal proceedings in the following six months after the closing of the specific instance.³⁴ However, this follow-up was not conducted.

Civil society stakeholders recall the 2023 version of the Guidelines (para. C.5) on the importance of NCPs follow-up of relevant recommendations and agreements and the publication of follow-up statements, and stress that the TNCP should undertake follow-up in its concluded cases.

Timeliness

At the time of writing, the average overall duration of the concluded and non-accepted cases could not be calculated due to the lack of statements in five out of the seven specific instances handled by the NCP, which is contrary to the 2023 version of the Guidelines (para. C.4 and para. 40 of the Commentary of the Implementation Procedures).

In the two cases where initial assessments and final statements were available,³⁵ neither was completed within the indicative one-year timeframe: the most recent case took 722 days and the one concluded in 2019 took 938 days.

Among the three cases for which initial assessments were published, all exceeded the indicative three-month timeframe from receipt to the conclusion of their initial assessment.

³² Specific instance 4 – [Putzmeister Makina San ve Tic. A.Ş. vs Turkish Metal Union](#)

³³ Specific instance 6 – [LSD and Association of Women Fish Processors of Bargny Guedj vs Tosyali](#)

³⁴ Specific instance 4 – [Putzmeister Makina San ve Tic. A.Ş. vs Turkish Metal Union](#)

³⁵ Specific instance 6 – [LSD and Association of Women Fish Processors of Bargny Guedj vs Tosyali, and specific instance 4 – \[Putzmeister Makina San ve Tic. A.Ş. vs Turkish Metal Union\]\(#\)](#)

Trade union representatives and parties to specific instances pointed to timeliness of the NCP process as a concern, particularly given the impact delays in the NCP process can have on victims of issues raised in the process. They indicated that the company's unwillingness to engage in good offices or the existence of ongoing parallel proceedings should not be a reason for delays or for concluding cases. They recommended that the NCP continues to follow up with the company in this regard as this conduct negatively affects complainants' trust and confidence in the NCP mechanism.

Box 5.3. Example of a specific instance where communication issues were raised by the parties

Lumière Synergie pour le Développement (LSD) and Association of Women Fish Processors of Bargny Guedj & Tosyali Holding Senegal (Tosyali)

On 27 August 2020, Lumière Synergie pour le Développement (LSD) and Association des femmes transformatrices de poissons de Bargny Guèdj « Khelcom » (Association of Women Fish Processors of Bargny Guedj), an NGO, submitted a specific instance to the TNCP alleging that Tosyali Holding Senegal, the local subsidiary of a Turkish global steel manufacturer, had not observed the General Policies (Chapter II), Human Rights (Chapter IV), and Environment (Chapter VI) provisions of the OECD Guidelines. Specifically, the issues related to an agreement signed between the company and the Senegalese government for the manufacturing of iron and steel products on the site where the submitting parties had conducted their business for generations.

In the course of its initial assessment, the company informed the TNCP that it was conducting public consultations for an Economic and Social Impact Assessment, in which the views of the submitters and the general public in the area were being sought. Further contact with the parties indicated that a meeting had been held.

The TNCP contacted the submitters on 5 October 2020 and 29 March 2021 but indicated not receiving a response.

On 26 April 2021, Tosyali responded to a request of the TNCP for an update on the case. The company stated that the fish processors of Bargny and the population living nearby the Special Economic Zone of Bargny-Sendou were optimistic about Tosyali's project after an awareness program that APIX, the Senegalese Agency for the Promotion of Investments and Major Constructions, had launched to facilitate the social acceptance of the project.

On 2 July 2021, the TNCP contacted the Turkish Office the Commercial Counsellor at Dakar and asked for their assistance. The Office relayed the e-mail from the complainant NGO, covering the latest developments on the case. It stated that (1) the environmental and social impact studies as well as the Environmental and Social Management Plan were underway; (2) the Ministry of Fisheries, representatives of Tosyali and APIX had met several times with the fish processing women of Khelcom to try to find common ground, however, there were still disagreements over the location of the new site and accompanying measures.

On 7 August 2023, the company provided the NCP with an update noting that APIX had reserved 13 hectares for the resettlement of the workers involved in the submission, to be financed by Tosyali. The Rufisque district in Senegal, together with the Ministry of Fisheries and APIX, conducted meetings with leaders of the fishermen and women, where they consented to the implementation of the project.

As a result, the TNCP determined that, given the ongoing dialogue and a mutually agreed solution between the parties, offering good offices was unnecessary. Consequently, the TNCP decided to close the case. The TNCP shared the draft final statement with the parties before publication and published it on 16 August 2023.

During the on-site visit, the parties to the specific instance disagreed with the content of the final statement, claiming that they provided comments on the draft statement, but that they were not reflected in the final version, and that no agreement had been reached yet. In addition, concerns about timeliness and sufficient communication between the parties and the NCP were raised in the handling of the specific instance.

Source: <https://mneguidelines.oecd.org/database/instances/tr006.htm>

Confidentiality and transparency

The TNCP reports that it consistently maintains a balance between transparency and confidentiality to foster confidence in the specific instance process. This balance is achieved by being transparent regarding the dissemination of information, especially sensitive business information and ongoing legal cases. The TNCP reports that while the procedures do not provide specific information on the NCP's confidentiality rules, the NCP has never experienced a breach of its confidentiality policy by one of the parties involved in a specific instance.

Impartiality and avoidance of conflict of interest in the handling of specific instances

The TNCP reports that while handling specific instances, impartiality is ensured by providing good offices and striving for consensus, rather than focusing on determinations regarding whether the enterprise observed the Guidelines.

One business representative involved in a specific instance praised the NCP for its constructive and impartial approach in the case-handling process. Feedback indicated that the NCP played the role of a mediator between the two parties, actively seeking a resolution that would mutually benefit both parties. However, trade unions alleged that the NCP appeared too deferential to business.

Parallel proceedings

The TNCP reports that parallel proceedings are not an obstacle to accepting a specific instance with the NCP. However, in practice and in most cases, the parties choose to wait for the outcome of legal proceedings. For instance, in a specific instance submitted in 2017, the NCP offered good offices to the parties but the company declined to participate due to ongoing parallel legal proceedings. As a result, the NCP decided to conclude the case.³⁶ However, in a specific instance submitted in 2008, the NCP decided to conclude the case as the issue was already following parallel legal proceedings. In this regard, civil society stakeholders urge the NCP not to reject cases solely due to ongoing parallel proceedings.

Civil society feedback has indicated concerns about the TNCP's general tendency to reject complaints when there are parallel proceedings before courts. This renders the NCP's process rather redundant and inefficient for claimants. Additionally, other feedback noted that the non-binding nature of the specific instance process often leads parties to choose to apply for national courts rather than the NCP itself.

	Findings	Recommendations
3.1	The NCP's case-handling procedures currently lack clarity and are not fully aligned with the 2023 version of the Guidelines. Stakeholders highlighted the need for greater clarity on certain issues to enhance trust and strengthen the predictability of the specific instance process. In addition, the process for case submission is unclear, not easily identifiable, and lacks user-friendliness, thereby limiting accessibility and predictability. The NCP	The NCP should review and update its case-handling procedures in consultation with relevant stakeholders to align with the 2023 version of the Guidelines. The revised procedures should be clear and accessible and encompass the following key elements: <ul style="list-style-type: none"> • Consultations with parties on draft statements. • A dedicated section addressing impartiality and conflict of interest, including transparency in the

³⁶ Specific instance 4 – [Putzmeister Makina San ve Tic. A.Ş. vs Turkish Metal Union](#)

	has expressed plans to review its case-handling procedures.	<p>decision-making process.</p> <ul style="list-style-type: none"> • Notification of relevant government agencies of the good faith engagement, or absence thereof, of the parties. • Implementation of appropriate steps to address risks of reprisals against parties to a specific instance. • Indicative timeframes for initial assessments, conclusion, and follow-up in specific instances. • Publication of statements, including those related to non-accepted specific instances, as well as follow-up statements. • Provision for the possibility of following-up on agreements or recommendations, where relevant. • NCP's ability to make recommendations and, to the extent possible, determinations. • Clarity in the section on confidentiality and transparency. • Information on parallel proceedings. <p>In addition, the NCP should also increase the accessibility of the grievance mechanism, e.g., by creating an online form for the submission of specific instances and improving the information related to case submission on its webpage.</p>
3.2	Parties to specific instances raised concerns regarding delays, lack of communication and insufficient transparency in the NCP's decisions in specific instances, impacting the confidence of the parties in the process.	<p>The NCP should improve proactive communication with parties, offering more detailed information on the progress of cases and following indicative timelines.</p> <p>In addition, the NCP should provide additional details in its statements, ensuring transparency on the steps taken and offering clarity on the issues and reasons underlying the NCP's decisions. In doing so, the NCP could follow the templates developed by the OECD for initial assessments and final statements as a guide.</p>
3.3	The NCP has closed cases when companies refused good offices without examining the issues. This represents a missed opportunity to analyse issues and make recommendations to further the effectiveness of the Guidelines and follow up on these recommendations.	<p>The NCP should continue examining cases even if companies are unwilling to engage, issuing detailed final statements with findings and recommendations. Additionally, the NCP should follow up on cases and consider issuing follow-up statements, where relevant.</p>

6 Support for government policies to promote RBC

In line with the Implementation Procedures,³⁷ NCPs may support efforts by their government to develop, implement, and foster coherence of policies aimed at promoting RBC. NCPs may thus assist the implementation of the Recommendation on the Role of Government in Promoting Responsible Business Conduct [OECD/LEGAL/0486] (the Recommendation). The Recommendation recognises the important role of NCPs in ensuring policy coherence for RBC, notably by facilitating coordination within government, disseminating information on the NCP's activities and specific instances, engaging or exchanging with other public authorities on RBC-related issues (e.g., public procurement officers, state-owned enterprise officials, trade and investment officials), and promoting stakeholder participation in the implementation, monitoring and promotion of RBC.

The TNCP Secretariat is composed of members from one single ministry, which could potentially impede coordination efforts by the NCP to support policy coherence for RBC across the government. Notably, since 2017, the TNCP has not communicated its relevant statements and reports to public officials responsible for trade missions, foreign trade and investment incentives and public.

Civil society feedback recommends that the TNCP should explore opportunities to expand its resources and capabilities, effectively balancing its role in promoting responsible business conduct with its support for government policies, all the while safeguarding its independence and impartiality.

As part of its efforts to supporting governmental RBC policies, the NCP could collaborate with other units in the General Directorate to explore the possibility of taking into account the good faith engagement of companies in specific instances in reviewing applications for investment incentives, e.g. as laid out in the Recommendation (para. III.5.), and in the 2023 version of the Procedures (Commentary, para. 44).

Recent governmental policies enabling and promoting RBC

While Türkiye does not have a national policy focusing on RBC, the country has recently taken steps towards sustainable development, by developing national policies and strategies that support RBC principles. However, the Guidelines, due diligence instruments and the NCP's process are not referenced in relevant national legislation.

In 2019, the National Assembly of Türkiye approved the Eleventh National Development Plan (NDP) for the country, covering the period from 2019 to 2023.³⁸ This plan emphasises the

³⁷ Decision I.1; Procedures I.D.

³⁸ Government of Türkiye (2019), Eleventh Development Plan", https://www.sbb.gov.tr/wp-content/uploads/2022/07/Eleventh_Development_Plan_2019-2023.pdf

integration of Sustainable Development Goals (SDGs) into the development of institutional strategic plans, sectoral policies and thematic documents. Furthermore, it commits to the establishment of an investment and business environment that aligns with international standards. The General Directorate hosting the NCP was involved in the preparations and follow-up of the NDP.

Türkiye's commitment to sustainable development can also be noted in the submission of its second voluntary national review (VNR)³⁹ to the High-Level Political Forum on Sustainable Development in 2019, being one of the few countries that have conducted a second VNR. This review focuses on Türkiye's status of progress towards the SDGs.

The Türkiye Action Plan on Human Rights was initially introduced by the Ministry of Justice in 2014. A second version of the draft was developed in 2021.⁴⁰ Both versions included a reference to business and human rights. One of the 2021 Plan's goals includes the preparation of a national set of guiding principles and awareness-raising activities with regard to business and work life, in alignment with the UN Guiding Principles on Business and Human Rights. The Plan is the result of an inclusive participatory process, which included representatives of public institutions, businesses, trade unions, CSOs, academia and non-governmental organisations. Notably, the TNCP was not invited to participate in the consultation meetings of the 2021 version of the Plan but provided comments during its preparation. As part of the Plan, the Ministry of Labour and Social Security published the *National Guidance Principles regarding Work Life*, which mentions OECD's work on employment, social and environmental standards.⁴¹ The Plan is currently under review by the Human Rights Department within the Ministry of Justice. The draft has been shared with various stakeholders, including the NCP, and envisions incorporating a subsection on business and human rights under the section on protection of property rights, along with references to the OECD RBC standards. The new Plan is anticipated to be released in Q3 2024.

Türkiye has a variety of human rights institutions and organisations, namely the Ombudsman Institution, the Personal Data Protection Authority and the Human Rights and Equality Institution of Turkey, all three acting as non-judicial grievance mechanisms with the capacity of receiving complaints.

National Action Plan on Business and Human Rights

Türkiye does not have a National Action Plan on Business and Human Rights (NAP). However, the NCP notes that it has been actively involved in the preparatory discussions around a new NAP for the country. In 2022, the TNCP was invited by the UNDP Türkiye Office to take part in the B+HR Project which aims to develop a preliminary national baseline assessment on business and human rights. The Deputy Director General had a speaker role in the launch event of the NAP process and the NCP participated in a series of meetings and workshops, actively sharing insights about the NCP's role with the different stakeholders. As per the information obtained during the on-site visit, the NAP will no longer be developed as initially planned.

³⁹ Government of Türkiye (2019), Presidency of Strategy and Budget, "Turkey's Second VNR 2019, Sustainable Development Goals: Strong Ground towards Common Goals", https://sustainabledevelopment.un.org/content/documents/23862Turkey_VNR_110719.pdf

⁴⁰ Government of Türkiye (2021), *Action Plan on Human Rights, Free Individual, Strong Society; More Democratic Turkey*, https://inhak.adalet.gov.tr/Resimler/SayfaDokuman/1262021081047Action_Plan_On_Human_Rights.pdf

⁴¹ Government of Türkiye, *National Guidance Principles regarding Work Life*, Principle 1, https://www.csqb.gov.tr/media/90131/rehber_ilkeler.pdf

Instead, the envisioned actions will be limited to incorporating the aforementioned subsection on business and human rights in the 2024 version of the Action Plan on Human Rights.

The role of the NCP

Based on the information received during the on-site visit, the NCP has developed structural relationships with a limited number of government authorities. Most of the contacts that the TNCP has established within the government have been on an ad-hoc basis, to respond to the TNCP's specific needs while managing specific instances. The NCP indicated that it consistently contacts the same individual in the relevant ministry and emphasised that this working approach has proven to be highly efficient thus far.

Borsa Istanbul, the Istanbul Stock Exchange, has been actively collaborating with the TNCP since 2010. In 2018, Borsa Istanbul translated the *OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas* into Turkish. This guidance was then shared among their members and made available on both the Borsa Istanbul and the TNCP's websites. In 2021, the Ministry of Treasury and Finance introduced new provisions into two regulations⁴² defining terms such as *Independent Assurance Report*, *Internal Control and Supply Chain Due-Diligence Officer*, *Supply Chain Due-Diligence Report*, and *Authorized Independent Audit Firm*. These additions were made to ensure responsible supply chain in minerals. Borsa Istanbul amended four regulations⁴³ for minerals supply chains to include references to the OECD due diligence guidance for minerals and has been actively promoting them since then. During the revision process, Borsa Istanbul considered the framework for risk-based due diligence set out in the OECD Due Diligence Guidance for RBC. Through regulations of the Ministry of Treasury and Finance, Borsa Istanbul requires its members to report on their due diligence and has the capacity to issue sanctions to its members should they not comply with these regulations. In 2021, Borsa Istanbul developed and translated into English the *Due Diligence Guideline on Responsible Supply Chain of Precious Metals*⁴⁴, which takes into account the OECD minerals due diligence guidance. Borsa Istanbul also offers training to its members.

In addition to the NCP's assistance with the 2024 version of the Türkiye Action Plan on Human Rights, other specific areas for collaboration between the NCP and public authorities were also identified. These include NCP's support to the Türkiye Public Procurement Authority in developing a new public procurement law that foresees the inclusion of more sustainable criteria. Additionally, there is potential support to the Export Credit Bank of Türkiye, which follows the OECD Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence, and actively engages in sustainable and green finance activities. The Bank categorises export credit applicants based on compliance with sustainability criteria, including human rights and environmental considerations. Furthermore, the NCP could

⁴² Principles of Precious Metals Exchange Intermediary Institutions and the Establishment of Precious Metals Intermediary Institutions; Communiqué on Precious Metals Standards and Refineries (No: 2006/1).

⁴³ These regulations were put into effect on 1 July 2021:

- Directive on Internal Control System and Due Diligence Principles of Precious Metals Intermediary Institutions and Refineries
- Directive on the Responsible Supply Chain Assurance Engagement
- Due Diligence Directive on Responsible Supply Chain of Precious Metals
- Due Diligence Guideline on Responsible Supply Chain of Precious Metals

⁴⁴ Bosra Istanbul (2021), *Due Diligence Guideline on Responsible Supply Chain of Precious Metals*, <https://www.borsaistanbul.com/files/due-diligence-guideline-on-responsible-supply-chain-of-precious-metals.pdf>

consider supporting the General Directorate when providing inputs to relevant draft legislations received by other ministries, aligning them with the Guidelines and related guidance, in compliance with the Recommendation.

Overall, while the majority of government authorities expressed that they have little or no knowledge about the existence of the TNCP and its functions, all showed interest in initiating collaboration with the NCP. In this respect, the NCP expressed its willingness and intention to establish or reinforce interactions with the different ministries and public agencies to inform them about its activities, enhance mutual collaboration, and support the development and implementation of policies and programmes that enable and promote RBC.

	Findings	Recommendations
4.1	The NCP has developed structural relationships with a limited number of government agencies, resulting in limited knowledge and understanding of the NCP and the Guidelines within the government as a whole. Nonetheless, there is a strong overall interest from the government in developing and maintaining collaborative relations and cooperation with the NCP.	To support the development, implementation and coherence of policies to promote RBC, the NCP should establish and maintain continuous communication with other relevant parts of the government. In line with the Recommendation on the role of government in promoting RBC, the NCP should facilitate coordination within government, provide updates on its activities and specific instances, engage in exchanges on RBC-related matters, and advocate for stakeholder participation in the implementation, monitoring and promotion of RBC.

7 Annex Documents

Annex A. List of organisations submitting responses to the NCP peer review questionnaire

Annex B. List of organisations that participated in the NCP peer review on-site visit

Annex C. Promotional events

Annex D. Overview of specific instances handled by the Türkiye NCP as the leading NCP

Annex E. Government policies to promote RBC discussed during the NCP peer review

Annex A. List of organisations submitting responses to the NCP peer review questionnaire

Business
ITKIB (Istanbul Textile and Apparel Exporter Associations)
Putzmeister
CSOs
OECD Watch
Minerva BHR
Transparency International Türkiye
HREIT (Human Rights and Equality Institution of Türkiye)
ERTA (Integrated Reporting Association Türkiye)
NCPs
The Netherlands
Sweden

Annex B. List of organisations that participated in the NCP peer review on-site visit

Academia
Boğaziçi University
Koc University
Orta Dogu Teknik Universitesi (Middle East Technical University)
Sabancı University- Corporate Governance Forum of Turkey
TOBB University of Economics and Technology
Business
DEİK (Foreign Economic Relations Board)
IHKIB (Istanbul Textile and Apparel Exporter Associations)
Putzmeister
TISK
TOBB
Tosyali Iron and Steel
TURKONFED
TUSIAD
UN Global Compact Türkiye
YASED
CSOs
Minerva BHR
HREIT (Human Rights and Equality Institution of Türkiye)
LSD
Transparency International Türkiye
Government
BDDK (Banking Regulation and Supervision Agency)
Borsa İstanbul AŞ
Capital Markets Board
Export Credit Bank of Türkiye
Kamu İhale Kurumu (Public Procurement Authority)
Ministry of Agriculture and Forestry
Ministry of Industry and Technology
Ministry of Energy and Natural Resources
Ministry of Justice- Human Rights Department
Ministry of Labour and Social Security
Ministry of Foreign Affairs
Ministry of Transportation and Infrastructure
Ministry of Treasury and Finance
Presidency of Türkiye Human Resources Office
Presidency of Türkiye Investment Office
Trade Unions
Birleşik Metal İş (United Metal Workers' Union)

HAK-İŞ (Confederation of Workers' Unions)
TÜRK-İŞ (Confederation of Turkish Trade Unions)
Trade Union Advisory Committee to the OECD (TUAC)
Türk Metal

Annex C. Promotional events

Table A C.1. Promotional activities in 2023 organised or co-organised by the TNCP

Title	Date	Location	Size of Audience	Organised or co-organised	Targeted Audience
OECD Türkiye National Contact Point's Activities	26 October 2023	Virtual	50-100	Organised	Business representatives, CSOs, Government

Source: NCP questionnaire and on-site visit.

Table A C.2. Promotional activities in 2022 organised or co-organised by the TNCP

Title	Date	Location	Size of Audience	Organised or co-organised	Targeted Audience
YASED (International Investors Association) OECD Guidelines for Multinational Enterprises -Information Meeting	16 Mar 2022	Virtual	>100	Co-organised	Business representatives, CSOs
Business and Human Rights: Stakeholder Interviews for Promoting Responsible Business Conduct in Türkiye	30 Sep 2022	Ankara	10-50	Co-organised	Government
Inaugural Meeting: Business and Human Rights: Stakeholder Interviews for Promoting Responsible Business Conduct in Türkiye	27 Jun 2022	Ankara	50-100	Co-organised	Business representatives, CSOs, academia, Government

Source: NCP Annual Report (2022)

Table A C.3. Events in 2019 participated in by the TNCP

Title	Date	Location	Size of Audience	Organiser(s)	Target audience
Experience Sharing Program	10 Dec 2019	Ankara	10-50	Ministry of Industry and Technology	Foreign government representatives

Source: NCP Annual Report (2019)

Table A C.4. Events in 2018 participated in by the TNCP

Title	Date	Location	Size of Audience	Organiser(s)	Target audience
Experience Sharing Program	26-30 Nov 2018	Istanbul	10-50	Ministry of Industry and Technology	Foreign government representatives

Source: NCP Annual Report (2018)

Table A C.5. Promotional activities in 2017 organised or co-organised by the TNCP

Title	Date	Location	Size of Audience	Organised or co-organised	Targeted Audience
Contact Meeting on NCP activities with YASED (International Investors Association)	20 Oct 2017	Ankara	<10	Organised	Business
Meeting with the German Embassy in Ankara (Federal Ministry of Labour and Social Affairs)	13 Nov 2017	Ankara	<10	Organised	Government

Source: NCP Annual Report (2017)

Annex D. Overview of specific instances handled by the Türkiye NCP as the leading NCP

Enterprise	Submitter	Host Country	Chapter (s) of the Guidelines	Date of submission	Date of initial assessment	Date of conclusion	Outcome	Description	Follow-up
Specific instance 7 – FAVORI LLC (Subsidiary of Kozuva Group)	Federation of Somali Trade Unions (FESTU), the International Trade Union Confederation (ITUC), the International Transport Workers Federation (ITF)	Somalia	Concepts and Principles (Chapter I), Employment and Industrial Relations (Chapter V)	22/09/2021	3/11/2023	n/a	Not accepted	The NCP concluded that neither party showed interest in continuing the process, and therefore decided not to accept the case as its assessment was that it could not contribute to a solution for the issues raised.	n/a
Specific instance 6 – Tosyalı Holding Senega (Turkish steel manufacturer)	Lumière Synergie pour le Développement (LSD) and Association of Women Fish Processors of Bargny Guedj	Senegal	General Policies (Chapter II), Human Rights (Chapter IV), Environment (Chapter VI)	27/08/2020	27/08/2021	16/08/2023	Concluded	The NCP alleged that the parties reached an agreement during the initial assessment phase, outside of the NCP process. However, the parties do not all agree with the	n/a

								content of the statement.	
Specific instance 5 – Vakifbank (Türkiye financial institution)	Edgeworth (Brazilian company)	Türkiye	Consumer Interests (Chapter VIII)	04/10/2019	31/08/2020	n/a	Not accepted	The NCP found that the issues raised did not merit further examination as they related to issues pertaining to a purely commercial dispute and would not contribute to the purposes of the Guidelines.	n/a
Specific instance 4 – Putzmeister Makina San ve Tic. A.Ş.	Türk Metal (Türkiye trade union)	Türkiye	Employment and Industrial Relations (Chapter V)	29/05/2017	13/05/2019	23/12/2019	Concluded, without agreement	The NCP offered good offices to the parties. The company declined mediation because of the ongoing parallel legal proceedings and the NCP decided to conclude the case.	n/a
Specific instance 3 – Viessmann (German manufacturer)	Türk Metal (Türkiye trade union)	Türkiye	Employment and Industrial Relations (Chapter V)	10/11/2014	n/a	2/11/2016	Concluded, without agreement	The NCP offered good offices to the parties. The company declined mediation alleging that the complaint was unfounded and that the OECD Guidelines had	n/a

								not been violated. The NCP decided to conclude the case.	
Specific instance 2 – German company	Individuals	Türkiye	Environment (Chapter VI)	04/08/2014	unknown	n/a	Not accepted	The NCP found that the allegations were made against a domestic company which does not qualify as a multinational enterprise and decided to conclude the case.	n/a
Specific instance 1 – Dutch/UK-owned company	Trade union	Türkiye	Combating Bribery, Bribe Solicitation and Extortion (Chapter VII), Employment and Industrial Relations (Chapter V)	03/11/2008	unknown	n/a	Not accepted	The NCP decided to conclude the case as the issue was already following parallel legal proceedings.	n/a

Source: OECD NCP Case Database (2023) and official NCP documentation.

Annex E. Government policies to promote RBC discussed during the NCP peer review

Name of policy/act/initiative	Competent authority	Role of the NCP	Contains reference to the NCP and/or the Guidelines?	Link
Action Plan on Human Rights	Ministry of Justice - Human Rights Department	NCP provided comments on the 2021 version of the draft Plan and has been invited to provide comments on the draft of the 2024 version.	No.	https://inhak.adalet.gov.tr/Resimler/SayfaDokuman/1262021081047Action_Plan_On_Human_Rights.pdf (2021 version)

National Contact Point on Responsible Business Conduct Peer Reviews: Türkiye

This document is the peer review report of the National Contact Point (NCP) of Türkiye. The objectives of NCP peer reviews are to assess that the NCP is functioning and operating in accordance with the core effectiveness criteria set out in the implementation procedures; to identify the NCP's strengths and possibilities for improvement; to make recommendations for improvement; and to serve as a learning tool for all NCPs involved. The peer review of the NCP of Türkiye was conducted by a team of reviewers from the NCPs of Luxembourg and Peru, along with representatives of the OECD Secretariat.

