

RESPONSIBLE BUSINESS CONDUCT 2022

ECONOMIC
RESEARCH
INSTITUTE
QAZAQSTAN

SUMMARY CHECKLIST: OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES



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This checklist has been prepared by the NCP of Kazakhstan for the purpose of distribution and promotion, as well as to summarize the key elements of the OECD Guidelines for Multinational Enterprises (hereinafter - the Guidelines, Enterprises).

The checklist is not an official publication of OECD.



I. CONCEPTS AND PRINCIPLES

1. The Guidelines are addressed by Governments to multinational enterprises and are consistent with international good practice. Keeping to the parts of the Guidelines that are not regulated by law or international commitments is voluntary.

2. Enterprises should seek to apply the standards and principles of the Guidelines in ways that do not contravene domestic law.

3. Enterprises are encouraged to observe the Guidelines in whichever country they operate.

4. Regardless of its ownership or structure, all entities within an enterprise should observe the Guidelines and assist one another to do this.

5. The Guidelines reflect good practice for both domestic and multinational enterprises.

6. Small and medium enterprises are encouraged to follow the Guidelines to the fullest extent possible.



OECD **GUIDELINES**
FOR MULTINATIONAL
ENTERPRISES

II. GENERAL POLICY

ENTERPRISES SHOULD:

1. Work towards sustainable development by contributing to economic, environmental and social progress.
2. Respect the internationally-recognized human rights of those affected by the enterprise's activities.
3. Cooperate with communities they operate in to build local capacity.
4. Create workplaces and facilitate training opportunities for employees.
5. Seek or accept no unusual exceptions to regulatory frameworks.
6. Uphold good corporate governance principles throughout the whole enterprise.
7. Develop and apply self-regulatory practices and management systems that foster mutual trust in host societies.
8. Make sure that workers know about and comply with enterprise policies.
9. Protect workers, who legitimately «blow the whistle» on breaches of the Guidelines, laws, or enterprise policies.
10. Carry out risk-based due diligence to identify, prevent and mitigate real and potential adverse impacts of the enterprise's activities along the length of its supply chain.
11. Avoid causing or contributing to adverse impacts in areas covered by the Guidelines, and fix them when they occur.
12. Mitigate or prevent adverse impacts directly linked to enterprise activities through a business relationship.
13. Encourage business partners including suppliers to apply the principles of the Guidelines.



14. Ensure that local communities have a voice in projects or decisions that will impact their community.

15. Avoid improper involvement in local political activities.

WHERE POSSIBLE, ENTERPRISES SHOULD:

1. Support Internet freedom, as appropriate to their circumstances.

2. Engage in or support dialogue on responsible supply chain management, taking into account the effect this may have on developing countries and international standards.





III. INFORMATION DISCLOSURE

ENTERPRISES SHOULD:

1. Ensure accurate and timely disclosure of all material matters across the whole enterprise.
2. Have disclosure policies that include information on:
financial and operating results; objectives;
structures of groups of enterprises and control mechanisms;
remuneration policy; related part transactions;
risk factors;
worker and stakeholder issues; governance structures and policies.
3. Disclose:
value statements;
how well they perform to those values;
audit systems and performance against them;
quality of stakeholder relationships.
4. Have high-quality accounting and financial disclosure standards.

IV. HUMAN RIGHTS

ENTERPRISES SHOULD:

1. Respect, avoid infringing upon and address impacts on human rights.
2. Avoid causing or contributing to adverse human rights impacts.
3. Mitigate adverse effects on human rights linked to enterprise activities or business relationships.
4. Have a policy commitment to human rights.
5. Carry out human rights due diligence.
6. Cooperate in remediation of rights breaches caused or contributed to by the enterprise.





V. LABOR AND INDUSTRIAL RELATIONS

ENTERPRISES SHOULD:

1. Respect workers' rights to organise, allow collective bargaining, contribute to the abolition of child and forced labor and provide equal opportunities and treatment to all workers.
2. Provide facilities and information to workers to enable fair collective bargaining.
3. Promote consultation and cooperation between workers, employers, and worker representatives.
4. Provide no worse working conditions or employment relations than comparable employers, provide wages that will satisfy at least the basic needs of workers and keep them safe at work.
5. Use local workers (to the extent possible) and provide training to up-skill them.
6. Provide fair notice or warning before making lay-offs.
7. Use no economic threats such as moving operations to influence collective negotiations.
8. Enable worker representatives to negotiate on collective bargaining or labour-management relations.

VI. ENVIRONMENTAL PROTECTION

ENTERPRISES SHOULD:

1. Establish and maintain robust environmental management systems and environmental performance objectives or targets, and monitor them.
2. Be open with the public and workers about the environmental, health and safety effects of the enterprise's activities, and undertake appropriate consultation with communities affected by the enterprise's environmental, health and safety policies and their implementation.
3. Take into account the environmental, health and safety effects of products and services over their life cycle and prepare environmental impact assessments when effects might be significant.
4. Make cost-effective investment to reduce environmental damage from products even if there is not scientific certainty about the risks.
5. Maintain contingency plans for preventing, mitigating, controlling, and reporting environmental and health damage.
6. Continually seek to improve environmental performance, and apply to supply chains too, where appropriate.
7. Provide environmental and safety training to workers in environmental health and safety, and general environmental management areas.
8. Contribute to enhancing environmental awareness and protection in public policy.



VII. COMBATING BRIBERY, OFFERING AND EXTORTION OF BRIBES

ENTERPRISES SHOULD:

1. Do not offer bribes to public officials or employees of business partners, or accept such offers from them, either directly or through intermediaries.
2. Develop and maintain adequate internal mechanisms for preventing and detecting bribery.
3. Prohibit or discourage facilitation payments, and accurately record any payments made.
4. Apply bribery risk due diligence to ensure agents are paid only for legitimate services, and are overseen appropriately.
5. Be transparent in anti-bribery activities.
6. Train and inform workers of anti-bribery policies.
7. All political contributions should comply with public disclosure requirements and be reported to senior management.



VIII. CONSUMER INTERESTS

ENTERPRISES SHOULD:

1. Ensure that goods and services meet agreed or legally-required consumer health and safety standards, including labelling requirements.
2. Provide accurate, verifiable and clear information that enables consumers to compare products and make informed decisions about them.
3. Provide consumers with an effective, inexpensive and easy-to-use way of resolving complaints or disputes.
4. Ensure that products are not misrepresented, in ways such as giving false information or omitting information that consumers would want to know.
5. Support consumer education about products, including the areas of: sustainable consumption; social, economic and environmental impacts; and how to make informed decisions about complex issues.
6. Respect and protect consumer privacy.
7. Work with authorities to prevent deceptive marketing, and reduce threats to public health, safety and the environment from the enterprise's goods and services.
8. Consider the needs of vulnerable and disadvantaged consumers and the challenges of e-commerce for consumers.

IX. SCIENCE AND TECHNOLOGY

ENTERPRISES SHOULD:

1. Seek to ensure that enterprise activities are compatible with the science and technology policies of host countries and contribute to local and national innovation.
2. Adopt practices that will encourage the transfer and diffusion of technologies while respecting intellectual property rights.
3. Seek to address science and technology needs of host countries.
4. Ensure that intellectual property rights licence agreements are fair and contribute to the long-term development of host countries.
5. Get involved with local research institutions and participate in joint research with them.

X. COMPETITION

ENTERPRISES SHOULD:

1. Carry out activities in line with competition laws and regulations, considering the effects or potential effects on competition in any relevant jurisdiction.
2. Avoid participating in anti-competitive agreements such as price fixing, collusion, output restrictions and market division.
3. Cooperate with competition investigators promptly and completely.
4. Educate senior management and employees on the importance of complying with competition laws.



XI. TAXATION

ENTERPRISES SHOULD:

1. Pay taxes on time and comply with the letter and spirit of tax laws of host countries.
2. Treat tax governance and compliance as important parts of oversight and risk- management systems.





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Information about the NCP, the procedure for considering applications
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