

*The monograph has been translated into English for the purpose of familiarization
The original text of the monograph is available in Russian*

Ministry of National Economy of the Republic of Kazakhstan
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**NATIONAL CONTACT
POINT
OF KAZAKHSTAN:
EXPERIENCE AND
DEVELOPMENT
PROSPECTS**

MONOGRAPH

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National Contact Point of Kazakhstan: experience and development prospects / monograph

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The monograph considers conceptual foundations of functioning of National Contact Points (NCP), implementation of Guidelines of Organization for Economic Cooperation and Development for Multinational Enterprises, as well as prospects for development of Kazakhstan's NCP to implement principles of responsible business conduct.

Authors analyze mediation institute as a key tool for NCP activities, which can be used as alternative way to resolve disputes, including in work of NCP between multinational enterprises and public, providing solid foundation for compliance with standards of responsible business in Kazakhstan.

Publication of the monograph is not only a summary of interim results of activities, but also allows fixing further strategic objectives for development of this structure in the Republic of Kazakhstan.

Publication is intended for civil servants working in the field of investment policy and OECD, civil society, non-governmental organizations, multinational enterprises, expert and scientific community, as well as for students, undergraduates and specialists in international relations, international law, economics and political science.

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LIST OF ABBREVIATIONS

OECD	Organization for Economic Cooperation and Development
NCP	National Contact Point
MNC	Multinational corporation
MNE	Multinational enterprise
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
RBC	Responsible business conduct
NGO	Non-governmental organizations
OECD Watch	Global network of civil society organizations
ILO	International Labour Organization
IUF	International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco, and Allied Workers Associations
TCCC	The Coca-Cola Company
CCAI	Coca-Cola Amatil Indonesia
FIN-FSA	Finland Financial Supervisory Authority
RAM	Royal Air Maroc
ECP	Eurasian Competitiveness Program
CAI	Central Asian Initiative
FDI	Foreign direct investment
SMEs	Small and medium-sized enterprises
EECCA	Eastern Europe, Caucasus and Central Asia
PMR	Product market regulation
SEEA	System for integrated Environmental and Economic Accounting
STRI	Services Trade Restrictiveness Index
AIFC	Astana International Financial Center
G20	Group of Twenty
GEC	Green Economy Concept
ESG	Environmental, social and corporate governance
ALE	Association of legal entities

PREFACE

Kazakhstan's National Contact Point (hereinafter – NCP) is a functioning structure designed to consider complaints regarding violations of Guidelines of Organization for Economic Cooperation and Development for Multinational Enterprises represented at the territory of the Republic of Kazakhstan (hereinafter – OECD Guidelines).

This tool is an essential prerequisite for member countries of OECD Investment Committee, which is designed to ensure compliance with standards of responsible business conduct.

Importance of NCP's activities has been repeatedly confirmed by international practice. So, possibility of submitting applications against multinational enterprises allows civil society, legal entities and individuals to control activities of multinational companies in 11 areas.

Principles of transparency, accessibility and accountability of NCP activities also meet best practices of democratic societies. Possibility of monitoring decisions taken by NCP in relation to multinational companies ensures integrity of enterprises and compliance with OECD Guidelines.

Despite short history of functioning, Kazakhstan's NCP has come a long way in formation and development of this structure in Kazakhstan.

Institutional framework for functioning has been established, information and explanatory work is being carried out to promote OECD Guidelines, interaction with country's non-governmental organizations, scientific and business community has been established.

In addition, international relations are expanding through establishment of permanent and partner contacts with foreign NCP in order to create Network of young NCP to share experience, provide consulting support to developing structures in other countries, as well as promoting image of Kazakhstan's NCP as one of the most proactive and committed to OECD values.

Monograph summarizes and analyzes both international experience of NCP and experience of Kazakhstan's one.

The first chapter of monograph describes goal setting of NCP activities, prerequisites for its creation, including those related to globalization in the second half of the 20th century. The principles and objectives of OECD Guidelines, which serve as the basis for bona fide operation of multinational enterprises, are explained in detail.

The second chapter of the monograph is dedicated to activities of Kazakhstan's NCP. The history and prerequisites of Kazakhstan's interaction with OECD are analyzed, chronological base of forming regulatory framework for functioning of Kazakhstan's NCP, as well as basic and key areas of its activity are presented.

The third chapter is analysis of prospects for development of Kazakhstan's NCP. Despite achieved results, further development is needed, taking into account global trends in digitalization, values of civil society, national objectives to attract investment, use of mediation practices, and so on.

The authors analyze mediation institute as a key tool for functioning of Kazakhstan's NCP. It is worth believing that development and full use of mediation as an alternative method of dispute resolution, also in work of NCP between multinational enterprises and the public, will become a solid basis for compliance with responsible business conduct standards.

The monograph was prepared by a team of authors – employees of "Economic Research Institute" JSC - Secretariat of Kazakhstan's NCP and is an initiative study in order to further promote OECD Guidelines.

Besides, publication of the monograph is not only a summary of interim results of activities, but also allows fixing further strategic objectives for development of this structure in the Republic of Kazakhstan.

1. FORMATION AND DEVELOPMENT OF NCP MECHANISM

1.1. Prerequisites for establishment of National Contact Points within the framework of Organization for Economic Cooperation and Development (OECD)

Today, international investments have spearheaded globalization, strengthening and deepening ties between regions of the world. Multinational enterprises (or multinational corporations) are one of the main channels through which investments move rapidly, and their evolution reflects broader changes in global economy.

Advances in technology and organizational structure have increased diversity of business forms, as well as complexity and speed of economic transactions. This has made it possible to erase boundaries between enterprises and increase value of transparency in business activities.

The political environment for international investment has generally become more favorable, and now countries are actively competing to attract investment. Today, multinational enterprises are an integral part of international economy, acting as agents of profitable investment flows and technology diffusion, as well as an important source of tax revenue.

We should also focus on the concept of multinational enterprise. Currently, there is no approved definition for multinational enterprises, but there are several interpretations of these terms.

For the first time, term "multinational enterprise" appeared in 1974 in connection with regulating activities of monopolies in the markets of third world countries.

According to definition of United Nations Conference on Trade and Development (hereinafter – UNCTAD), a multinational enterprise is an enterprise that unites legal entities of any organizational and legal forms and types of activities in two or more

countries, pursues a single policy and common strategy through one or more decision-making centers. Also, according to UNCTAD, multinational enterprises include enterprises with assets exceeding \$10 billion USD [1].

Another attempt by United Nations to consolidate the concept of a multinational enterprise was draft Code of Conduct for multinational Corporations of 1978 (hereinafter referred to as draft Code) [2]. According to draft Code, transnational corporation is an enterprise, whether public, private or mixed, with branches in two or more countries, regardless of legal form and activity of these branches, which operates in accordance with certain decision-making system that allows conducting coordinated policy and common strategy through one or more decision-making centers, within the framework of which branches are interconnected, whether by ownership or other relationships, and one or more of them can produce (or produce) significant impact on activities of others and, in particular, share common knowledge and resources, as well as share responsibility with others.

However, due to fundamental differences regarding nature and content of draft Code, as well as due to irrelevance in the international political and economic environment that had changed by the 1990s, the draft Code was never adopted.

In accordance with paragraph 4 of Guidelines of Organization for Economic Cooperation and Development for Multinational Enterprises (1976), these enterprises:

1. carry out their activities in all sectors of economy;
2. carry out their activities at territory of two or more countries;
3. can coordinate their activities in various ways;
4. have private, state or mixed form of ownership [3].

Within the framework of Commonwealth of Independent States (hereinafter referred to as CIS), there was also an attempt to consolidate concept of multinational enterprise, which manifested itself in CIS Convention On Transnational Corporations dated March 6, 1998 (hereinafter referred to as Convention) [4].

Convention establishes general framework for cooperation between the Parties in creation and activities of transnational corporations. Regulation of application of this Convention is carried out by authorized state body of the Party carrying out registration of the corporation.

Term "transnational corporation" means legal entity (set of legal entities):

1. which owns, manages or operates separate property at territories of two or more Parties;
2. formed by legal entities of two or more Parties;
3. registered as a corporation in accordance with said Convention [4].

In turn, the concept of transnational corporation includes various transnational structures, financial and industrial groups, companies, concerns, holdings, joint ventures, joint-stock companies with foreign participation, etc. Legal entities of any organizational and legal form, including those from third countries, can be members of a transnational corporation. State, municipal and unitary enterprises may be members of corporation in the manner and on terms determined by owner of their property [4].

Republic of Kazakhstan is not a party to this Convention.

Initially, historical origins of multinational enterprises can be traced back to large colonization and imperialist enterprises from Western Europe, especially England and Holland, which started in the 16th century and continued for the next few hundred years.

It is generally believed that the first multinational enterprise in the world was English East India Company, which was established on December 31, 1600 by decree of Elizabeth I and received extensive privileges for trading operations in India.

However, the concept and types of multinational enterprises that are currently represented differ from old definitions and were clearly structured only in the 19th century, when industrial capitalism appeared and its consequences arose: development of factory system; larger and capital-intensive production processes; better storage methods; faster means of transportation. During the 19th and early 20th centuries, search for resources, including minerals, oil and food, as well as desire to protect or increase markets led to transnational expansion of enterprises, almost exclusively from the United States of America (hereinafter referred to as USA) and several Western European countries [5].

Fueled by numerous mergers and acquisitions, monopolistic and oligopolistic concentration of large multinational enterprises in key sectors such as petrochemicals and food industry also originates during this period.

Also, science highlights certain criteria for classifying enterprises as multinational:

1. number of countries in which a company operates (from 2 to 6);

2. minimum number of countries in which company's production facilities are located;
3. minimum share of foreign operations in company's revenue (sales) (10-25%);
4. ownership of at least 25% voting shares in three or more countries;
5. multinational staff [6; p. 68].

Multinational enterprises mainly belong to monopolistic enterprises in developed capitalist countries that establish branches or subsidiaries around the world through foreign direct investment and participate in international production and commercial activities. Such enterprises also pursue large-scale long-term goals and have highly centralized, unified management.

Thus, the following can be emphasized:

1. strategic goal of multinational enterprises is focused on international market, and the goal is to maximize global profits.
2. Multinational enterprises exercise control over foreign enterprises by holding shares.
3. Multinational enterprises carry out operations with capital, goods, technology, management and information in various fields around the world, and this "set" of activities should correspond to overall strategy of the enterprise, goals and be under control of parent company; subsidiaries are also involved in the process of local reproduction, as well as foreign companies.

Traditionally, theories of for definition of multinational enterprises distinguish between horizontal and vertical multinational enterprises [7].

Horizontal multinational enterprises are enterprises whose task is to locate production closer to customers and avoid trade costs, realizing economies of scale. These are enterprises with several factories manufacturing similar products, both in the country of origin and in host country, thereby saving on export costs (market-oriented enterprises) [7].

Vertical multinational enterprises are enterprises whose production consists of several stages, and which have become significant after reducing cross-border costs of coordinating/transactions for production (enterprises seeking to increase efficiency). Production in one country serves as feedstock for production activities in other countries, and location of various stages depends on where the factors of production that they intensively use, are relatively less costly (cost advantage is often

achieved through economies of scale or access to knowledge) [7].

Thus, it is worth noting that today, despite certain types and separation of multinational enterprises, reality shows that in fact everything is more complicated. Most multinational enterprises are engaged in both horizontal and vertical investments abroad, and most branches of such enterprises have both horizontal and vertical characteristics.

Despite favorable conditions created by countries for attracting multinational enterprises (tax breaks, various preferences, access to natural resources, access to large and growing consumer markets, etc.), as well as benefits received from such enterprises (investments, access to specific technologies/knowledge, infrastructure development, etc.), activities of these enterprises have a negative effect.

For example, in the world, most multinational enterprises are focused on mining, industries that negatively affect environment, human and animal life, use of harmful technologies, etc. Accordingly, the public is concerned about such actions by multinational enterprises.

Negative consequences of the activities of multinational enterprises have given rise to a number of public initiatives aimed at solving these problems with involvement of governments, international organizations and non-governmental sector. That is, these initiatives are aimed at creating responsible behavior on the part of multinational enterprises which should respect human rights, protect environment, and comply with interests of all parties involved in activities of a multinational enterprise.

One of international organizations that has standardized activities of multinational enterprises is Organization for Economic Cooperation and Development (hereinafter – OECD).

OECD is an international organization working to create more effective policies to improve living standards. Main objective of OECD is to create policies that will promote development, prosperity, equality, opportunity and well-being for all. OECD was founded in 1961 and is headquartered in Paris, France, with the aim of stimulating economic progress and growth of world trade [8].

OECD currently includes 38 member countries: Australia, Austria, Belgium, Great Britain, Hungary, Germany, Greece, Denmark, Israel, Ireland, Iceland, Spain, Italy, Canada, Colombia, Costa Rica, Latvia, Lithuania, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, Slovakia,

Slovenia, USA, Turkey, Finland, France, Czech Republic, Chile, Switzerland, Sweden, Estonia, Republic of Korea, Japan [8].

In partnership with governments, politicians and citizens, OECD is engaged in development and consolidation of international standards in various fields. Since the establishment of OECD in 1961, organization has developed about 460 standards expressed in legal documents. These include OECD acts (i.e. decisions and recommendations adopted by OECD Council in accordance with OECD Convention) and other legal documents developed within the framework of OECD (for example, declarations, international agreements, etc.) [9].

OECD often argues in its reports that multinational enterprises play a major role and are a key driver of international fragmentation of production within global value chains. With growing role of multinational enterprises in economy, need to regulate activities of multinational enterprises with strengthening and development of globalization, as well as with more responsible approach by multinational enterprises in their activities and taking into account interests of all stakeholders, OECD developed OECD Standard Declaration on International Investment and Multinational Enterprises in 1976 (hereinafter – Declaration), part of which are OECD Guidelines for Multinational Enterprises (hereinafter referred to as OECD Guidelines).

In general, Declaration promotes a comprehensive, interconnected and balanced approach by Governments to foreign direct investment and enterprise activities in acceding countries. OECD Instruments on International Investment and Multinational Enterprises are one of the main means by which OECD helps acceding countries in their efforts to create a liberal regime for foreign direct investment, With that ensuring that multinational enterprises are coordinated with the countries in which they are located.

Declaration includes four instruments of international cooperation:

- OECD Guidelines, which are a non-binding code of corporate conduct addressed to multinational enterprises;
- In accordance with Instrument on National Treatment, acceding countries undertake to treat enterprises controlled by foreign companies operating on their territory no less favorably than domestic enterprises in similar situations;
- Conflicting Requirements Document calls acceding countries to

avoid or minimize conflicting requirements imposed on multinational enterprises by governments of different countries;
– instrument for stimulating and deterring international investment provides for efforts of affiliated countries to improve cooperation on measures affecting international direct investment [10].

It should be noted that since 1976, when OECD Guidelines were initially adopted as part of the Declaration, OECD has promoted cooperation in this area through a balanced system of non-binding principles and standards addressed to governments and enterprises. Other elements of Declaration include commitments by Governments to provide national treatment to enterprises under foreign control, avoid conflicting requirements for enterprises, and cooperate on investment incentives and restrictions.

Currently, in addition to OECD members, 13 non-OECD countries have joined the Declaration [10].

Despite other available tools of the Declaration, OECD Guidelines are of the greatest interest for this work.

OECD Guidelines are recommendations from Governments to multinational enterprises on responsible business conduct. They reflect expectations of governments for enterprises to align their activities and supply chains with sustainable development results for people, planet and society [11].

OECD Guidelines set standards for responsible business conduct in 11 areas:

- 1) Concepts and Principles section sets out principles underlying OECD Guidelines, such as their voluntary nature, worldwide application, and the fact that they reflect best practices for all enterprises;
- 2) General Rules section contains recommendations aimed at taking into account established policy measures in countries in which they operate, as well as taking into account opinions of other stakeholders, promoting creation of potential opportunities at local market, maintaining and observing appropriate corporate governance principles;
- 3) "Disclosure of Information" section recommends disclosure of information on all material issues related to the enterprise, such as its activities and ownership, and encourages communication in areas where reporting standards are still being formed.
- 4) Section "Human rights" calls on businesses to protect and respect human rights;

5) Section "Labor and industrial relations" examines the main aspects of corporate behavior in this area, including child and forced labor, non-discrimination and right to fair representation of employees and constructive negotiations;

6) Environmental Protection section encourages enterprises to improve their effectiveness in protecting the environment, including impact on human health and safety. Specifics of this chapter include recommendations regarding environmental management systems and desirability of taking precautions in case of serious environmental damage.

7) Anti-Bribery section covers bribery, both public and private, and opposes passive and active corruption.;

8) Consumer Interests section recommends that enterprises, when working with consumers, act in accordance with principles of good business practice, marketing and advertising, respect privacy of consumers and take all reasonable measures to ensure safety and quality of goods or services provided;

9) Science and Technology section aims to facilitate dissemination of research and development results by multinational enterprises in countries where they operate, thereby contributing to innovative potential of host countries.

10) Competition section highlights importance of open and competitive business climate;

11) Taxation section calls on businesses to respect letter and spirit of tax legislation and cooperate with tax authorities of host countries.

Like any document, OECD Guidelines have been revised since their adoption, in order to comply with established world order and new rules in economy. Compared to earlier versions in 1979, 1983 and 1991, changes introduced in 2000 were far-reaching and reinforced the main elements - economic, social and environmental and sustainable development.

The first version of OECD Guidelines was short and did not include any mention of "human rights". However, it covered such areas as social progress, environmental protection, labor and industrial relations, finance, taxation, competition and information disclosure [12].

In 2000, OECD Guidelines were revised and supplemented with a reference to human rights. New chapters on anti-corruption and consumer interests have also been added.

After United Nations adopted international standard "Guiding

Principles of Business in the aspect of human Rights" in 2011, OECD Guidelines, among other things, were revised and amended in order to comply with UN Guidelines.

Changes made to OECD Guidelines in 2011:

- new chapter on human rights has been added, which is consistent with UN Guidelines on Business and Human Rights;
- new comprehensive approach to due diligence and responsible supply chain management has been developed, reflecting significant progress in relation to previously used approaches;
- Important changes have been included in many specialized chapters, in particular in labor and industrial relations, combating bribery, incitement, bribery and extortion of bribes, environmental protection, consumer interests, information disclosure, and taxation;
- clearer and more detailed Procedural Guidance is included, aimed at strengthening role of NCP, improving their activities and summarizing functional equality;
- recommendation on a proactive action plan has been developed, which should help enterprises fulfill their obligations as new difficulties arise [3].

It is noteworthy that OECD Guidelines are non-binding recommendations, however, OECD member countries and countries that have joined principles have committed themselves to implement and comply with them.

Provisions of OECD Guidelines on National Contact Point deserve special mention.

OECD Guidelines mention that acceding countries create unique, government-supported international mechanism for reviewing complaints between enterprises covered by OECD Guidelines and individuals who believe that they are negatively affected by activities of these enterprises. Consideration of applications is carried out by NCP, which are created in each country.

It is worth noting that NCP was first mentioned in OECD Guidelines in 1983, and since 2000, NCP has been entrusted with authority to receive and review applications related to activities of multinational enterprises.

2011 edition of OECD Guidelines provided more detailed structure and information on functioning of NCPs and their powers, as well as a minimum set of tools that national governments should provide for their activities. Activities of NCPs, their impact, and promotion of compliance with OECD Guidelines will be discussed in more detail in subsequent chapters.

Thus, it is worth noting that to date, OECD Guidelines are the only comprehensive, multilaterally approved code of conduct for multinational enterprises, which establish principles covering a wide range of business ethics issues in various fields of multinational enterprises, as well as regulating activities and functioning of NCP.

OECD Guidelines are not binding on enterprises. Nevertheless, governments have committed themselves to promoting compliance with them and effective implementation. Also, OECD Guidelines are not aimed at introducing differences in treatment between multinational enterprises and domestic enterprises, but reflect best practices for all. With that, if domestic enterprises comply with and follow recommendations contained in OECD Guidelines, then this is welcomed and approved by both Governments and OECD.

OECD Guidelines are designed to prevent misunderstandings and create atmosphere of trust and predictability between businesses, labor collectives, governments and public, including through NCP mechanism. It is worth noting that activities of multinational enterprises at international arena served as starting point in development of OECD Guidelines, as well as creation of the first NCP in the world.

It is also worth noting that OECD is currently working on updating and revising OECD Guidelines. So already in 2023, we can witness new provisions and recommendations that will correspond to trends and realities of XIX century.

Currently, there are 51 NCPs in the world, which promote peaceful settlement of disputes between society and multinational enterprises, promotion of OECD Guidelines, as well as call for their compliance by multinational enterprises.

1.2. Main principles and objectives of National Contact Points

As noted in previous chapter, 51 countries have joined OECD Guidelines to date. These countries represent one of the largest markets in the world and cover most of the world's trade and investment activities. Like all adherents of Declaration, these countries have established NCP at their territory. NCPs are offices set up by Governments to address pending requests and complaints against multinational enterprises that have violated OECD Guidelines. NCPs help enterprises and their stakeholders to take appropriate measures for further implementation of OECD

Guidelines. They also provide a platform for mediation and reconciliation to address practical issues that may arise.

It is worth noting that forming and functioning of such centers began taking shape since adoption of OECD Guidelines. In this regard, in order to form organizational structure and functioning of NCP in Kazakhstan, it seems necessary to analyze approaches and experience of organizing NCP in OECD and non-OECD member countries.

OECD Guidelines provide freedom for states to choose organizational structure for their NCPs, while selected organizational structure must cope with a wide range of issues. Also, states can create multilateral advisory or supervisory bodies that will assist NCP in realization of its tasks.

In addition, NCP can use various forms of organization. NCP may consist of representatives of one or more departments, including public sector, as well as government officials. Also, NCP may be an interdepartmental group or consist of independent experts. It may include representatives of business community, trade unions and other non-governmental organizations. OECD defines four main categories of NCP organizational structures [13, p. 26]:

- 1) Mono-organizational: consist of one or more representatives from the same Ministry
- 2) Interdepartmental: consists of representatives from two or more Ministries
- 3) Multilateral: consists of representatives from state, business associations, trade unions (tripartite) and in some countries, non-governmental organizations (hereinafter referred to as NGOs, quadrilateral)
- 4) Independent body: consists of independent members.

Also, governments of countries have the right to independently determine location of their NCP. In 2020, no NCP reported change in its location or structure as part of its annual reports to OECD. So:

-33 NCPs were located in ministries with economic profile (i.e. ministries of economy, trade, industry, investment, business, etc.);

-10 NCPs were located in Ministries of Foreign Affairs;

-3 NCPs were located in investment promotion agencies [13, p 29]. Regardless of location and structure of selected country, all NCPs face many challenges. The key criterion for success is trust of stakeholders. If NCP is based in one department and does not include other departments or representatives of interested organizations, then fulfilling the role of NCP can be a very difficult

task. This creates risk of isolation, as well as inability to address wide range of issues arising in accordance with OECD Guidelines.

As stated in OECD Guidelines, although affiliated Governments can flexibly structure their NCPs, they are required to provide human and financial resources to national NCPs for effective performance of their responsibilities. Key responsibilities include:

- search for active support from social partners;
- Considering wide range of issues covered by OECD Guidelines;
- impartiality of actions;
- developing and maintaining relationships with stakeholders.

In 2020, according to NCP reports from countries regarding financial resources, the following should be noted:

- 20 NCP had access to allocated budget for their activities;
- 6 NCPs reported that their available financial resources were insufficient to carry out activities aimed at promoting NCPs and OECD Guidelines;
- 4 NCP reported that available resources are insufficient to handle cases in a timely and effective manner;
- 47 NCPs noted availability of funds to participate in NCP meetings at OECD [13, p 32].

All NCPs must act in accordance with basic criteria of visibility, accessibility, transparency and accountability. This means that their functions should be widely promoted. Interested parties should be able to easily send requests or submit applications to NCP. NCP must publicly report on its activities and how it considers applications. NCP should report annually on its activities and participate in regular meetings at which effectiveness of NCP's activities can be assessed [14].

All NCPs are positioned as government agencies, however, they are all different in structure or internal organization. NCP must have full-time (core) and reputable (expert) staff. Some of them may be located in the same agency or ministry. Some NCPs are interdepartmental bodies, while others have tripartite or quadrilateral structures in which representatives of trade unions or business or civil society participate.

In general, OECD Guidelines help member governments and affiliated organizations to clearly structure their NCPs in any way that suits their internal situation.

However, all NCPs should be "functionally equivalent" in their ability to perform primary task of promoting compliance with OECD Guidelines.

The main task of any functioning NCP is to resolve disputes in a neutral, impartial, predictable, fair manner, consistent with OECD Guidelines.

All NCPs have a common goal – to be impartial and equal to each other in their ability to address a wide range of issues covered by OECD Guidelines. Nevertheless, according to research by OECD Watch over the years of working with appeals review system, the organization, structure and location of NCP can influence how NCP processes and reviews appeals.

According to recommendations of OECD Watch, in order to avoid conflicts of interest with objectives of the Guidelines, NCPs should be independent in nature and have supervisory body such as an ombudsman, governing council or multi-stakeholder group that can advise on issues raised in appeals or on general procedures for reviewing appeals.

With regard to NCP Secretariat, the situation also depends on selected structure of NCP itself and at discretion of its Government. Some NCP decide to separate their secretariats, which are located in other departments, and provide organizational and technical measures, while NCP itself focuses on making decisions on appeals.

These statements are most indicative in analysis of international experience on formation and establishment of NCP (Table 1).

Argentina's NCP was established according to Decree of the Ministry of Foreign Affairs, International Trade and Culture No. 1567 dated July 31, 2006. According to OECD classification, Argentina's NCP belongs to the interdepartmental format [15]

Permanent members of Advisory Council of Argentina's NCP include:

- Ministry of Finance
- Ministry of Production and Labor;
- Ministry of Justice and Human Rights;
- Environment and Sustainable Development Secretariat;
- Energy and Mining Industry Secretariat;
- Science, Technology and Innovation Secretariat;
- Anti-Corruption Office.

Non-permanent members of Advisory Council of Argentina's NCP include:

-representatives of other government agencies that Argentina's NCP may invite to participate if there is a need for consultation based on nature of received claims. The invitation is sent taking into account functions and competence of a given state body.

-Industry representatives of Advisory Council of Argentina's NCP include:

-representatives of business sector, trade unions, academic and civil society organizations.

-Regulations of Argentina's NCP was approved on March 7, 2019 by Resolution No. 138/2019.

-Further, Table 1 shows examples of 10 country NCP with form, legal documents approving their activities and regulating appeal review process, as well as responsible authorities in charge of a particular NCP.

Table 1. Forms and structures of NCP in 10 countries of the world that established NCP

No	Country	Form of NCP	Legal document establishing NCP and its structure	Legislative acts regulating appeal review procedure (if any)	Responsible body in charge of NCP
1	Argentina	Interdepartmental	Resolution of the Ministry of Foreign Affairs, International Trade and Culture No. 1567 dated July 31, 2006	Rules on NCP procedures for dealing with specific cases dated November 2018	Ministry of Foreign Affairs, International Trade and Culture
2	Austria	Mono organizational	Resolution of the Ministry of Science, Research and Economics (Administrative decree on change of organizational structure dated March 2012)	No	Federal Ministry of Digital Technologies and Economics
3	Canada	Interdepartmental	Resolution of the Ministry of Foreign Affairs and International Trade dated 1991	Oder of Council of Canada dated 2000	Office of International Affairs of Canada, Department of Trade Planning, Coordination and Responsible Business Conduct of the Trade Commissioner's Office (TCO)

4	Czech	Tri-partite	Government Resolution No. 779 dated October 16, 2013	Formed on the basis of Article II (2) of Directive 2014/65/EC 1	Ministry of Industry and Trade
5	the Netherlands	Interdepartmental	Resolution of the Ministry of International Trade and Cooperation No. 1904/2014 dated July 14, 2014	Resolution of the Ministry of International Trade and Cooperation No. 1904/2014 dated July 14, 2014	Ministry of International Trade and Cooperation
6	Latvia	Tri-partite	Resolution of the Ministry of Economy No. 4-537 dated August 8, 2014	NCP Procedures Manual dated November 30, 2017	Ministry of Economy
7	South Korea	Interdepartmental	Resolution of the Ministry of Labor, Industry and Energy dated May 20, 2000	No	Ministry of Labor, Industry and Energy
8	Poland	Monoorganizational	Resolution of the Ministry of Economic Development and Trade No. 1301 dated August 1, 2017	NCP Procedures Manual dated September 18, 2017	Ministry of Economic Development and Trade
9	Morocco	Interdepartmental	Government Resolution No. 9/2014 dated September 5, 2014	Government Resolution No. 9/2014 dated September 5, 2014	Ministry of Development and Investments
10	Hungary	Interdepartmental	Government Resolution No. 245/2017 dated of May 25, 2017	Government Resolution 245/2017 (VIII.29.)	Ministry of Finance

Source: compiled by the authors

Decision-making process:

- opinion of Advisory Board is not mandatory for decision of NCP;

- Argentina's NCP is authorized to prescribe procedure and formal requirements for Advisory Board, as well as to submit incoming claims for consideration.

Appeal review process of Argentina's NCP is as follows:

1. Filing complaints about violations of OECD Guidelines:
- request is sent in writing in English or Spanish, it contains contact information (individual - full name, contact phone number, e-mail address; legal entity - contact phone number, e-mail address and a document confirming the right to apply on behalf of the company);

2. Admission or rejection of application for violation of OECD Guidelines:

- maximum period for considering application is 90 calendar days from the date of its receipt. During consideration period, issue of acceptance or rejection of the appeal is determined. In case application is rejected, the applicant receives notifications explaining reason for rejection, and it is possible to submit a second application with new additional information;

- in case of appeal is admitted (formal admissibility), claim materials are formed on the basis of received appeal and sent to defendant (30 calendar days), and introduction of additional materials to the claim by the applicant is prohibited;

Defendant has the right to conduct 2 meetings with representatives of NCP for consultations. Process of resolving situation goes on for 12 months. With that, confidentiality of the parties is respected during consideration of appeal.

Austria's NCP was founded under Federal Ministry of Science, Research and Economics, and since 2019 the Ministry has been reorganized into Ministry of Digital Technologies and Economics of Austria [16].

To support the work of Austria's NCP, Steering Committee has been established, whose activities are regulated by a separate regulation.

Steering Committee consists of the following representatives [17]:

- Federal Office of the Chancellor;
- Federal Ministry for Europe, Integration and Foreign Affairs;
- Federal Ministry of Finance;
- Austrian Federal Chamber of Labor,
- Austrian Chamber of Agriculture;
- Austrian Federation of Trade Unions, the Federation of Austrian Industry;
- Austrian Federal Economic Chamber.

Submitting complaints about violations of OECD Guidelines to Austrian NCP is informal and is free service. Communication is conducted via NCP's e-mail in German, French and English. NCP

confirms receipt of request and informs Steering Committee about it. After receiving request, NCP checks it for compliance with the following criteria:

- 1) applicant's name, address, e-mail address and phone number;
- 2) defendant's name, address, e-mail address and phone number;
- 3) definition of OECD Guideline that has been violated in applicant's opinion;
- 4) statement of facts through which violation of OECD Guidelines was discovered;
- 5) If the defendant's liability is asserted within supply chain, data on defendant's relationship with the company is also provided.

It should be noted that if Austrian NCP considers itself not a competent authority, it immediately sends this notification to the applicant indicating another NCP that will have "presumed competence". This mechanism reflects process of cooperation between NCPs of the countries participating in OECD Guidelines.

In general, the process of reviewing applications is consistent with established practice and recommendations of OECD. So, within 3 months from request receipt date, NCP must decide whether to accept received request for further procedures (initial assessment). In addition, time spent on mediation or mediation procedures, as well as on making a final decision, is determined privately. With regard to procedural aspects, Austrian NCP is guided by principle of efficiency.

Costs of procedures are mainly borne by the involved parties. With that, it should be noted that Austria's NCP is not a quasi-governmental body, and therefore it does not have any administrative authority or coercive force.

At the end of all procedures, NCP must collect feedback from the parties on sequence of procedures.

OECD Guidelines form an important part of Canada's overall corporate social responsibility policy. Canada joined OECD Guidelines in 1976, and in 1991 formed NCP at its territory [18].

In addition to Secretariat, Canada's NCP is an Interagency Committee consisting of federal government departments. NCP has an option to change its composition. This decision is considered accepted if change is approved by all permanent members of NCP. Also, Canada's NCP may create special working groups to carry out certain actions in accordance with mandate of NCP.

Each permanent member of NCP must appoint one of its employees to work as main contact person. Main contact person is responsible for communicating between NCP and informing Secretariat of changes in representation or membership, as well as exchanging information and coordinating views internally between the relevant departments. Main contact person for each department or their proxy represent views of relevant department at the meetings of Canada's NCP.

The main members of the Interdepartmental Committee are:

- Ministry of Environment;
- Ministry of Human Resources and Social Development;
- Ministry of Foreign Affairs;
- Ministry of Indigenous Relations and Northern Affairs;
- Ministry of Industry;
- Ministry of Natural Resources;

New members of NCP are accepted on the basis of consensus.

NCP is headed by a Chairman - Head of Ministry of Canada. Canada's NCP meets at least twice a year or as required by decision of the Chairman.

Canada's NCP is a platform for constructive dialogue between the parties aimed at helping to discuss the problem and work to achieve mutual agreement to resolve specific issues. The working languages of Canada's NCP are English and French. Documents submitted in other languages are not considered by Canada's NCP.

When submitting an appeal about violation of OECD Guidelines, the following information must be provided: notifier's identity, including contact person, name of organization and contact details; reason for considering the case; justifications confirming violation of OECD Guidelines. Additional information may also be requested by the Secretariat.

appeal review process consists of three stages:

- Stage 1 - Initial assessment (3 months);
- Stage 2 - Provision of services to support dispute resolution process (6 months);
- Stage 3 - Preparation and publication of final report (3 months).

Interestingly, when Canadian multinational companies violate OECD Guidelines, consequences of such violations are manifested in termination of support provided by the Government of Canada in the field of foreign trade protection. In addition, non-participation or unfair participation in proceedings is also taken into account in assessment of corporate social responsibility and due diligence

conducted by financing Canadian Crown Corporation when considering financing or providing other support.

NCP of Czech Republic was established by Government Decree No. 779 dated October 16, 2013 as a permanent working group under the Ministry of Industry and Trade [19].

Czech NCP is a collective body consisting of representatives from:

- Ministry of Industry and Trade;
- Ministry of Foreign Affairs;
- Ministry of Finance;
- Ministry of Labor and Social Protection;
- Ministry of Justice;
- Ministry of Environment;
- Czech National Bank.

It should be noted that with Secretariat approval, range of participants can be expanded.

When considering specific cases of violation of OECD Guidelines, Czech NCP acts impartially, transparently, fairly and in accordance with the principles and standards contained in OECD Guidelines in order to quickly resolve the dispute. Czech NCP accepts applications only in Czech and English.

With that, it is allowed to receive applications in electronic form. Such requests must be signed with electronic digital signature. In case of submitting an appeal that is not digitally signed, the sender must send the application in writing within 5 working days. Otherwise, appeal without a digital signature will not be accepted by NCP.

Application must contain the following elements: applicant's identification data; data of multinational company that is suspected of violating OECD Guidelines; facts of violation of OECD Guidelines. With that, the Secretariat may require provision of additional documents necessary for consideration of the case.

Appeal review process at Czech NCP:

- Conducting initial assessment (3 months);
- Provision of dispute resolution services (6 months);
- Preparation and publication of final report (3 months)[20].

NCP of the Netherlands was established on the basis of a Decree of the Ministry of International Trade and Development Cooperation in 2000 and consisted of interdepartmental state committees. In December 2006, following assessment of NCP's work, it was decided to reorganize it. After reorganization, NCP became more

independent.

Organizational structure of NCP is defined as interdepartmental body. In 2013, upon request of the House of Representatives, a study was conducted to improve functioning of NCP. New Articles of Association of NCP was adopted on July 1, 2014 and signed by the Minister of International Trade and Development Cooperation. It consists of 12 articles dealing with role and responsibilities of NCP, its tasks, composition, working methods and reporting [21].

NCP consists of no more than 5 independent members who are not in civil service, as well as Advisory Council consisting of civil servants from among representatives of Ministry of Foreign Affairs, Ministry of Economy, Ministry of Social Affairs and Employment, Ministry of Infrastructure and Environment. Members of the Advisory Board provide recommendations to independent members of NCP on their work regarding interpretation and promotion of OECD Guidelines. If independent members and/or members of Advisory Board deem it necessary, they can seek advice from representatives of other ministries. Members of Advisory Board are appointed by the Minister of International Trade and Development Cooperation on the basis of proposals from minister of department to which they belong.

The procedure for reviewing complaints on violations of OECD guidelines is as follows:

- upon receipt of appeal, NCP sends a notification to the author of appeal within seven working days from the date of its receipt and notifies interested company about received appeal. The notifications to the parties contain a description of the procedure for reviewing the application.

- initial assessment (within 3 months after receiving request). First of all, NCP evaluates the appeal to determine justification for further consideration of the case by NCP;

- further investigation (within 6 months after completion of initial assessment). NCP appoints two practitioners from among its members who carry out further procedures to resolve situation through consultations (mediation) with interested parties. NCP may also appoint external mediator or mediator in agreement with the parties. Based on the results of consultations, NCP draws up its own summary report on results of discussions.

- Completion of procedure (within 3 months after completion of further investigation stage). NCP completes case review procedure by publishing results in the final report. Confidential information

provided by parties to NCP during consideration of the case is not used in the final report.

Also, NCP may include recommendations for multinational companies in the final report.

NCP of Latvia was established on the basis of Decree of Ministry of Economy No. 4-537 dated August 8, 2014 [22]. The structure of NCP is defined as tripartite body and consists of Secretariat, independent experts and Advisory Board. NCP is headed by a chairman.

The Secretariat is Ministry of Economy of Latvia. The independent experts and Chairman are persons who do not work in public sector.

Advisory Board consists of:

- Ministry of Environmental Protection;
- Ministry of Foreign Affairs;
- Ministry of Judicial Affairs;
- Ministry of Social Protection and Labor;
- Ministry of Finance.

Functional responsibilities of independent experts include:

- addressing issues related to implementation of OECD Guidelines in compliance with the rules for consideration of specific cases;
- participation in activities aimed at raising awareness about OECD Guidelines;
- providing recommendations on implementation of responsible business conditions;
- providing the Secretariat with information on annual action plan and annual report on NCP activities.

The functional responsibilities of the Advisory Board include:

- providing advice and information to independent experts when considering specific cases;
- participation in events aimed at promoting OECD Guidelines;
- ensuring compliance with the conditions of responsible business conduct in an institution, body or organization within its competence;
- providing the Secretariat with information on the annual action plan and the annual report on the activities of NCP.

The functional responsibilities of the Secretariat include:

- assistance to independent experts in reviewing specific cases;
- organization of events aimed at promoting OECD Guidelines;
- participation in the activities of OECD Working Group on

Responsible Business;

- preparation of the annual action plan and annual report on the activities of NCP;

- participation in meetings of independent experts.

The Chairman is elected from among independent members. The procedure for filing a complaint about violation of OECD guidelines [23]:

1) Application is submitted to NCP of Latvia by sending it to the Ministry of Economy of Latvia in person or by e-mail. The appeal must be written in Lithuanian or English.

2) Appeal must contain the following information:

- name of organization or first and last name, address, phone number, e-mail;

- name and registration address of company against which the appeal was filed;

- actual circumstances of events that led to the appeal;

- description of interests of person who filed the appeal, that is, how the event in question affected rights and legitimate interests of the plaintiff;

- reference to a specific chapter of the Manual, which, according to the appeal, was not followed.

The procedure for reviewing complaints of violations of OECD Guidelines:

- initial assessment of the appeal (approximate period - 3 months);

- mediation or consideration of an appeal (approximate duration - 6 months);

- final assessment (estimated time - 3 months).

If agreement has been reached between the parties during mediation, independent experts of Latvia NCP monitor or assess degree of execution of agreement reached (up to 12 months).

In addition, it should be noted that the Secretariat provides technical and organizational assistance (organizes office space for meetings, sends invitations and reminders, records meetings) during consideration of appeals.

South Korea NCP was established on May 20, 2000 on the basis of a Decree of Cabinet of the Ministry of Labor, Industry and Energy [24]. According to the Resolution, structure of NCP is defined as an interdepartmental body.

NCP consists of eight commissioners: Chairman (Director General for Foreign Investment of the Ministry of Trade, Industry and Energy), three representatives of various ministries and four

representatives of external institutions (Industrial Policy Research Institute, Korea Standards Association and professors). The secretariat of NCP is Korean Commercial Arbitration Council.

NCP secretariat is responsible for general issues related to promotion of OECD Guidelines, preliminary studies for mediation/arbitration in individual cases, as well as reporting of NCP Commissioners to OECD on their activities and decisions.

NCP Commissioners are responsible for planning the promotion of OECD Guidelines, their interpretation and decision-making by NCP on individual cases.

A request for violation of OECD Guidelines is sent in writing in English or Korean, which indicates contact information (an individual - full name, contact phone number, e-mail; a legal entity - contact phone number, e-mail and a document confirming the right to apply on behalf of the company). NCP, within 30 days from the date of receipt of the appeal, considers and decides whether to accept it or not, and also notifies the author of the appeal of the decision taken, indicating the relevant reasons.

After accepting the appeal, NCP makes every effort to resolve the dispute, including through consultations, mediation and mediation. If the parties reach an agreement on the dispute through mediation, NCP must make publicly available detailed information about the complaint, mediation procedures, content and duration of the agreement.

If the parties cannot come to an agreement on the issues, the National Contact Point should make publicly available detailed information about the complaint, mediation procedures and details of each party's arguments regarding the implementation of the Guidelines, and, where necessary, can make recommendations to the parties by voting at NCP meeting. This procedure can take up to 6 months.

Poland's NCP was established by Resolution No. 1301 of the Ministry of Economic Development and Trade dated August 1, 2017, its structure is defined as a mono-organizational body [25].

At the moment, NCP is under jurisdiction of the Ministry of Economic Development and Trade of Poland. NCP is headed by a chairman, who is an appointed senior official, and is engaged in other official duties besides NCP.

Procedure for filing complaints about violations of OECD Guidelines:

- request is sent in writing in English or Polish, in which contact

information is indicated (individual - full name, contact phone number, e-mail; legal entity - contact phone number, e-mail and document confirming the right to apply on behalf of the company);

- maximum period for considering appeal is 60 calendar days from the date of its receipt, during which the issue of acceptance or rejection of the application is determined. In case of rejection of the application, the applicant receives a notification explaining the reason, while there is a possibility of submitting a repeat application with new additional information;

- in case of admission of appeal (formal admissibility), claim materials are formed on the basis of the received appeal, and sent to the defendant (30 calendar days), and it is prohibited to add additional materials to the claim by the plaintiff;

- The process of resolving the situation has been going on for 12 months. NCP of Morocco was established by Government Decree No. 9/2014 of September 5, 2012, the structure of which is defined as an interdepartmental body [26].

Organizational structure of NCP includes:

- Expert staff: experts not affiliated with the government;
- Multi-stakeholder composition: groups of civil servants and representatives of stakeholders;
- NCP Secretariat: Civil servants acting as the permanent office of NCP.

All decisions of NCP are formed by the Secretariat, discussed and adopted by simple majority vote. Secretariat is responsible for preparation of meetings, annual action plans for promotion of OECD Guidelines and annual reports on activities of NCP. The secretariat also reviews individual cases of violations of OECD Guidelines through preparation of initial conclusions and preliminary versions of final statements. The role of NCP members is to provide expertise and technical analysis of individual cases of violations of OECD Guidelines considered in NCP.

The procedure for filing complaints about violations of OECD Guidelines is as follows [27]:

- when submitting a complaint about alleged violation of OECD Guidelines, NCP helps the applicant and relevant enterprise, defendant, to find a common solution to the situation;

- After completing all the review procedures and finding a solution, NCP draws up a final statement of compliance with OECD Guidelines and, if necessary, develops recommendations.

- 1) Initial assessment (3 months).

The three-month period begins from the moment of receipt of the application (online request) filled out by the applicant and sent to NCP online, by e-mail or by any other method. If necessary, NCP may request other necessary information. The validity period of three months begins upon receipt of all documents and necessary information. At this stage, NCP initially assesses acceptability of this issue for further consideration at NCP. Also, NCP considers any appeal, even though parallel proceedings (judicial or extrajudicial) are underway/conducted for interested parties.

2) Offer of NCP services (6 months).

If NCP decides that issue deserves further consideration at NCP, it offers its services in order to assist interested parties in resolving their problem.

NCP, after consultation with interested parties, may propose agreed and non-adversarial procedures such as conciliation and mediation.

In addition, confidentiality of the process is ensured at this stage.

3) Final assessment (3 months).

The three-month period begins from the end of the mediation services offered by NCP, regardless of whether the parties have reached an agreement or not. Upon completion of the process and consultation with interested parties, NCP publishes the results of the proceedings, respecting the confidentiality of some information.

NCP of Hungary was established by Decree of the Government of Hungary No. 245/2017 dated May 25, 2017 [28] and is under the jurisdiction of the Department for EU Affairs and International Finance of the Ministry of Finance, which generates all the necessary materials for NCP. NCP does not have a formal structure of an advisory body among other external stakeholders.

Hungary has formed National Council for OECD Affairs to deal with all internal issues related to OECD, including the Hungarian NCP. This supervisory body consists of representatives of all ministries, the National Bank of Hungary and meets three times a year.

The procedure for filing and reviewing complaints of violations of OECD guidelines:

1. The application is submitted to NCP in writing and must contain the following information:

- plaintiff's name, address and email address;
- the name and address of a multinational company that allegedly violated OECD Guidelines;

- place, time and date, description of the alleged violation;
- clarification of the provisions of OECD Guidelines justifying the specific instance of the applicant;
- a description of the applicant's expectations regarding changes or goals to be achieved.

2. After the official submission of the appeal, NCP is exploring the possibility of further consideration of this issue at NCP site. In this case, it is determined whether the treatment is in good faith and relevant to the application of OECD Guidelines.

3. NCP strives to complete the procedure for reviewing and making a decision on it within 12 months from the date of receipt of the appeal. With that, it is possible to extend the specified period, depending on the circumstances when considering the application.

Thus, it should be noted that OECD Guidelines do not provide clear directions on what the structure, composition and position of NCP should be, what parts it should consist of and what it should include. In this case, OECD grants the right to choose the establishment of regulatory frameworks based on the internal legal framework of the acceding country in accordance with its national legislation.

In addition, it is worth noting that OECD Guidelines also do not clarify or delineate clear methodologies for NCPs to work with individual/specific cases, but they provide basic criteria, principles and stages of work that NCPs should adhere to.

Thus, each individual case should be considered in the country in which the alleged violation of OECD Guidelines occurred. If an enterprise operates in several states at once, then NCP of these states should consult with each other and determine which of them will take over the leadership in the process of reviewing the received application.

With that, when considering individual cases, NCP should adhere to the following criteria:

- impartiality - should be ensured by NCP when making decisions on individual cases;
- predictability is ensured by providing clear and publicly available information about their role in resolving, stages of consideration of cases, as well as their potential role in monitoring the implementation of agreements reached by the parties in the case;
- fairness - NCP ensures fair and equal conditions for the parties to the process, for example, by providing access to sources relevant to the procedure of information;

-compliance with OECD Guidelines - NCPs operate in accordance with the principles and standards contained in OECD Guidelines.

-OECD Guidelines identify the following stages in the process of dealing with individual cases:

1) Initial assessment. At this stage, the NCPs should determine whether the issue raised falls within the scope of OECD Guidelines. With that, the parties should assist NCP by providing them with the necessary information on these proceedings.

2) Providing assistance to the parties. If, after the initial assessment, NCP decides to further study the issue, then it proceeds to the stage of providing assistance to the parties. Here, NCP should discuss the issue with the parties involved and offer mediation in order to informally resolve issues. If necessary, NCPs may seek advice from relevant government authorities, representatives of the business community, workers' associations, NGOs and experts, as well as OECD Investment Committee, if they have any opinions on the interpretation of OECD Guidelines.

As part of mediation, NCP provides access to peaceful dispute resolution methods, such as conciliation or mediation. These procedures are used by agreement of all interested parties and subject to their obligation to participate in this procedure in good faith.

NCPs may take measures to protect the confidentiality of data obtained during the consideration of the parties involved in the case, if there are serious grounds that disclosure of such data may cause harm to one or all parties.

3) Completion of procedures. NCP is obliged to publish the results of the consideration of cases in the public domain, taking into account the need to preserve the confidentiality of data or classified information of interested parties. NCP also notifies OECD Investment Committee of the results of the case review.

As a general principle, it is noted that NCP should make every effort to complete the procedures within 12 months after receiving the request. If necessary, this period may be changed/extended if required by the case review procedures.

4) Follow-up procedures. If NCP has developed and/or provided recommendations to the parties involved in the issue, then NCP needs to continue further work with the parties on implementation or monitoring of implementation of recommendations by the parties. In this case, certain deadlines should be set for implementation of

further procedures, which should be reflected in NCP's published report on completion of procedures.

Thus, it can be noted that the analysis of the selected NCP showed the presence of different organizational structures in NCP, which include both representatives of government agencies and the non-governmental sector.

It is also worth paying attention to the functioning of NCP secretariats. Given that the term "Secretariat" itself is not represented in any way in OECD Guidelines, nevertheless, it is used in the practice of NCP to refer to the office of NCP.

The functions of the Secretariats of the selected NCP are also different. Some countries have established a special formal office for the full functioning of NCP, while some countries have combined the office under which NCP is located with the functions of the secretariat or have engaged an external contractor to perform the functions of the secretariat (Korea).

It is worth noting that NCP has significant potential with a unique mandate and truly global reach, that allow them to perform their functions with the lowest administrative procedures and barriers.

1.3. Assistance of National Contact Points for compliance with OECD Guidelines by multinational enterprises: overview of international cases

Countries that comply with OECD Guidelines should establish NCPs tasked with improving effectiveness of OECD Guidelines. Within the framework of their powers, NCPs provide platform for mediation and reconciliation in order to help resolve cases (referred to as "specific cases") of alleged non-compliance with OECD Guidelines.

NCPs are focused on problem solving – they offer good offices and facilitate access to consensual and non-conflict procedures (for example, reconciliation or mediation). The appeals considered by NCP are not court cases, and NCP are not judicial bodies. Nevertheless, within the framework of their powers, NCPs are effective alternative mechanism for reviewing appeals and settling disputes, as well as actively contributing to implementation, compliance and dissemination of OECD Guidelines.

NCP is very accessible and is free. Numerous applicants, ranging

from trade unions, civil society organizations, indigenous communities, to individuals and businesses, use NCP mechanism. NCP also actively promotes specific remedies for affected individuals, including financial or in-kind compensation, changes in policies and activities of companies.

In OECD terminology, cases related to consideration of appeals are called specific cases, but as such there is no official definition of "specific cases". However, this term is used to describe situations where multinational enterprises do not comply with OECD Guidelines [29; p. 4].

Since 2000, NCP has been authorized to act as non-judicial mechanisms for reviewing appeals. Two decades later, NCP was established in 51 countries, which collectively reviewed more than 500 cases related to responsible business conduct in more than 100 countries and territories around the world. With that, most cases were considered by such countries as: Great Britain (80), the Netherlands (50), Brazil (39), the USA (28), France (25), Chile, Korea (19), Australia (18), Argentina (17), Switzerland (16), Germany (15), etc. It is also possible to note 3 main directions in which appeals are most often submitted:

- 1) General policy;
- 2) Human rights;
- 3) Labor relations.

During period of operation, NCPs have developed certain rules and procedures, and to this day they are improving processes for reviewing specific cases to improve results. The case-by-case procedure is designed to provide a coherent and impartial platform for discussing issues arising from implementation or non-implementation of OECD Guidelines.

Identifying the various ways that NCPs can use informal problem-solving techniques in specific cases and improving mediation skills have been identified as priorities for NCPs since OECD Guidelines were updated in 2011. NCPs of the Netherlands, Norway and the United Kingdom sponsored Mediation Guide prepared by Consensus Building Institute, which explains whether, when and how NCPs can use mediation and other informal problem-solving methods to resolve disputes in specific cases.

An important way in which NCPs contribute to increasing access to legal remedies is to keep barriers to participation in specific processes as low as possible.

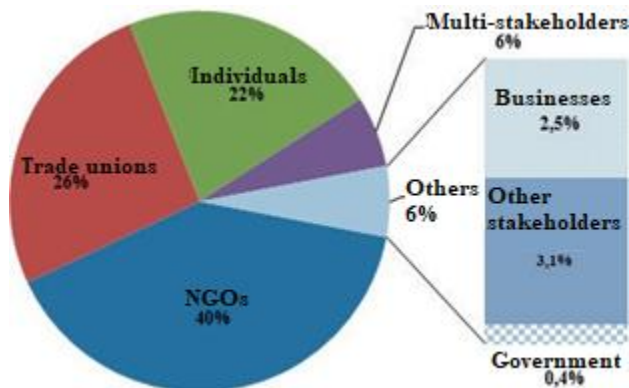
OECD Guidelines do not set clear limits on who can apply to

NCP. It is worth noting that applicants do not necessarily have to be directly affected parties in issues under consideration.

OECD Guidelines simply instruct NCP to verify identity of concerned party and its interest in the matter, as well as to ensure integrity of all parties. Therefore, any party with legitimate interest in providing information on issues related to implementation of OECD Guidelines can provide relevant information and submit an application to NCP.

Since 2011, NGOs and trade unions have submitted more than 2/3 of the total number of cases to NCP. Other applicants were indigenous communities, individuals, elected officials such as members of national Parliament or mayors of cities, industry associations and companies [30]. These facts are also confirmed by the cases of NCP from different countries considered in the analysis.

Figure 1. Percentage of cases submitted by stakeholders to NCP for the period from 2011-2019



Note:

Multistakeholders are several applicants united in one appeal (for example, NGOs and trade unions, etc.).

Other stakeholders are representations of the appeal by parties that do not fall into other categories, for example, an indigenous group, etc.

Source: <https://mneguidelines.oecd.org/database/>

Thus, we note that NGOs and trade unions are the "driving force" in considering and finding fair mechanisms for resolving controversial issues.

OECD Guidelines are also addressed to countries that have joined them, their enterprises operating in their territory or in another territory, which allows NCP to consider cases involving companies

with headquarters:

- in the country where NCP is located, operating in it;
- in any other country and operating in the country where NCP is located;
- in the country where NCP is located, operating in any other country [30].

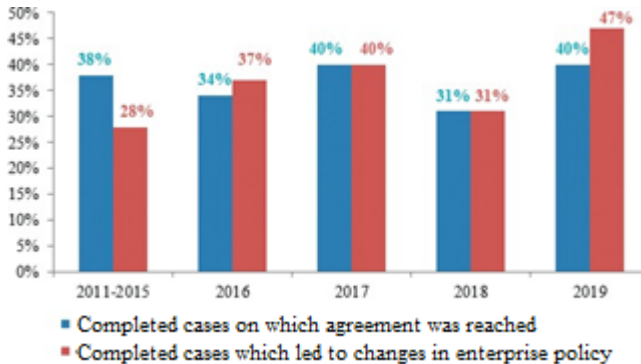
Since countries adhering to OECD Guidelines accounted for 50% of global GDP, 71% of global FDI inflows and 77% of total external investment in 2018, the NCPs covered issues related to most of the global economic activity.

This broad coverage has allowed NCP to fill in the gaps that have arisen as a result of the adoption of stricter jurisdictional measures by others. Unlike court proceedings, which are often accompanied by detailed rules on venue and jurisdiction, OECD Guidelines contain minimal language on how NCPs should address issues arising in different legal systems. This allows NCP to act as an appeal mechanism for issues related to complex corporate structures and various jurisdictions. The flexibility of NCP mechanism also allows it to find non-standard solutions in cases where other mechanisms of legal protection, dispute settlement or social dialogue do not cope with their task.

When applying to NCP, applicants usually expect a certain result. However, NCP cannot prescribe any remedial measures or force the MNE to participate in a particular case. Their main mandate is to facilitate the resolution of issues through non-conflict procedures.

In their activities, NCP used dialogue-based tools, including good offices, reconciliation and mediation to facilitate reparations. It is worth noting that in any given year, up to 40% of cases when NCP provided good offices led to an agreement between the parties, and up to 47% of cases led to a change in the company's policy in order to avoid similar consequences in the future. In some cases, agreements concluded with the assistance of NCP included financial compensation or compensation for damages to interested parties.

Figure 2. The results achieved by NCP for the period from 2011-2019



Source: <https://mneguidelines.oecd.org/database/>

The issue of coordination between NCPs is an ongoing problem when considering specific cases. The nature of specific cases is getting more complicated every year. Development of global business operations and corporate structures today shows that identifying a leading NCP can be a difficult task. For example, a multinational corporation may be legally registered in a jurisdiction other than its headquarters. A multinational company may also have subsidiaries and other operations spanning multiple jurisdictions.

Since 2011, the scope of OECD Guidelines has expanded to include business relationships, not just the direct activities of a company, expanding the range of issues that can be considered and businesses that can be associated with exposure. Differences between NCPs in terms of their level of functionality, as well as differences in procedural rules for handling specific cases, mean that there was no single approach to coordination. There have been situations where the lack of clarity and/or information about which NCP should lead a particular case has led to delays and confusion. Sometimes NCPs do not inform each other systematically about specific cases under consideration concerning companies or parties from the jurisdiction of another participant, or mention the other in a public statement without prior notice. Nevertheless, these issues and the difficulties faced by NCPs are being addressed comprehensively by OECD and other NCPs. In addition, there is a special Guide for NCP on coordination when dealing with specific cases [29; p. 4].

Further, for illustrative example, 7 specific cases considered by

different NCPs are presented, which include violations in several areas of OECD Guidelines.

1) Environmental Protection Council of Southeastern Alaska v. Imperial Metals Corporation [31].

This particular case was reviewed by Canada's NCP regarding an application against Imperial Metals Corporation from the Environmental Protection Council of Southeast Alaska. This appeal concerns violations of OECD Guidelines: environmental protection, human rights violations, information disclosure and general policy.

According to chronology of this case, on December 23, 2016, the Environmental Protection Council of Southeast Alaska (non-profit organization) sent an appeal to Canada's NCP regarding Imperial Metals Corporation (mining company) regarding Red Chris mine in British Columbia.

The Council in its appeal claimed that Corporation did not comply with OECD Guidelines for development and operation of Red Chris mine.

According to the Council, the Company did not conduct due diligence of environmental and human rights impacts, especially with regard to impacts on ecosystems and fishing in Alaska downstream. According to the appeal, Council's concerns arose in connection with the following:

(a) Estimated potential risk of acidic rock leakage and leaching of metals, in particular aluminum, cadmium and selenium, from mine tailings into Stikine River transboundary watershed used by Alaska communities for salmon fishing and recreation;

b) Estimated risk of environmental disaster as a result of possible failure of tailings dam at Mount Polly mine in 2014.

Based on the appeal, the Council came to the following conclusions regarding this case:

- Non-consideration of certain factors in design of tailings dam;
- failure to assess risk of potential landslide and provide risk analysis for scenarios of flood and dam breach;

- lack of demonstrated commitment to preventing and minimizing human rights risks related to clean water and traditional use of natural resources;

- inability to interact and disclose information to representatives of Southeastern Alaska tribes and other communities in Alaska;

- failure to properly assess concentration of pollutants in local streams, as well as to properly manage and control runoff and sediment during construction and operation of the mine.

Based on the results of considering appeal, consultations with parties and authorized bodies and experts, NCP came to the following conclusions during initial assessment:

1) As for allegations regarding comprehensive environmental assessment: extensive environmental assessment was carried out at the mine within framework of necessary permits from regulatory authorities, both federal and local governments. Regulatory analysis of potential negative impacts and development of measures to mitigate such impacts are a component of environmental assessment processes, as required by law. NCP concluded that all potential negative impacts have been studied in both processes and mitigation measures have been identified. It is important to clarify that NCP does not review decisions of other state regulatory bodies.

2) Allegations regarding human rights due diligence: Red Chris mine is jointly managed by Tahltan Nation under Impact, Benefit and Joint Management Agreement. NCP believes that the project takes into account interests of the Tahltan people related to human rights.

Thus, NCP concluded that issues of due diligence in relation to the environment and human rights noted by the Council would not yield results from the dialogue between the parties with the assistance of NCP.

3) Regarding the allegations of disclosure and stakeholder engagement, NCP has not received information indicating that the company consulted or communicated with the Alaska communities located in the Stikine River Basin or disclosed any information related to the project to them. Taking into account OECD's due diligence regarding constructive stakeholder participation in the extractive sector, which confirms that communication with communities on the part of the company should be continuous throughout the duration of the project, NCP considered that a dialogue between the enterprise and Applicant would be useful. The aim was to discuss stakeholder participation and disclosure of information about the project, defining action plan to address raised issues. Thus, preliminary assessment showed that Canadian NCP decided to proceed with the case in the framework of information disclosure.

For its part, NCP offered to mediate between the parties.

The parties met at one-day mediation session on November 19, 2018 at the office of Consulate General of Canada in Seattle, USA. Although the parties did not come to an agreement on issues raised

by the Applicant, NCP noted with satisfaction that there was informal agreement between the parties to begin information exchange, in particular between the Corporation and the Council.

In the opinion of NCP, this process has led to important and useful discussion of OECD Guidelines and expectations of the Corporation's due diligence in relation to consultations and interaction with stakeholders.

Thus, through communication between the parties, NCP called on Corporation to continue open and transparent exchange of information with the Council and inform NCP about its efforts in this direction.

In addition, NCP made certain recommendations for the parties:

For the Corporation:

- Recommend that consideration be given to comprehensive stakeholder consultation strategy, which includes identifying communities that could potentially be affected by Corporation's activities. It should also provide adequate advice and information to these communities throughout duration of projects. In this regard, NCP suggests that the Corporation conduct comprehensive audit of OECD for meaningful interaction with stakeholders in mining sector in accordance with OECD Guidelines and Due Diligence Guidelines.

- Recommends that measures taken in response to the above recommendation be publicly reported and that information be included on the processes and results of consultations with stakeholders in accordance with OECD Guidelines.

For the Council:

- If the Council has stakeholder engagement strategy, NCP recommends that it include wording explaining how organization will identify interested communities to inform, advise and/or involve them in filing any future complaints with the dispute resolution mechanism to ensure that their respective interests and objectives are clearly defined, properly communicated and they are essential for complaints mechanism.

2) Südwind Institute, Sedane Workforce Center and Clean Clothes Campaign vs Adidas [32].

This particular case was presented to NCP of Germany in 2018 from representatives of the Südwind Institute, the Sedane Workforce Center and the Campaign for Clean Clothes (non-governmental organizations) and concerned the Adidas enterprise (manufacturer of sportswear, shoes and accessories).

The applicants alleged that Adidas had inadequately used its

leverage as a buyer in connection with alleged anti-union behavior, layoffs and wage problems that took place in January 2012 at a factory that worked as a subcontractor for the defendant's main shoe manufacturing partner in Indonesia.

According to the appeal, in 2012, 2000 employees of Panarub Dwikarya Factory (part of Panarub group, subcontractor of Adidas) in Indonesia went on strike in protest against several human rights violations by the factory. In response, the factory laid off 1,300 workers, 327 of whom did not receive severance pay until 2018. In October 2016, the International Labour Organization (ILO) Committee on Freedom of Association declared dismissals a violation of the right to freedom of association, that triggered several rounds of negotiations between the Government, trade union and Panarub Industry. The appeal claimed that these negotiations were conducted in bad faith, ended in vain and, thus, left employees without legal remedies for the damage they suffered and continue to suffer.

It is important to note that the appeal stated that before, during and after the strike and associated events, Adidas supplied goods to Panarub Group, supported Panarub Group as important business partner and did not take adequate actions to prevent or mitigate impact on human rights.

So, the appeal specifically addressed alleged non-compliance with OECD Guidelines in areas of General Policy and Human Rights.

In turn, Adidas rejected these allegations, pointing, in particular, to the actions that the company took to help resolve the situation, as well as to relatively small volume of its orders, which limited its leverage over the subcontractor.

Both sides provided NCP with their own reports on the facts underlying the said appeal.

NCP completed its initial assessment and considered the case worthy of further consideration. NCP invited the parties to conduct a mediation procedure.

On March 14, 2019, the first meeting of the parties took place at German Federal Ministry of Economy and Energy in Berlin. Additionally, representatives of both sides took part in a conference call. This meeting served to clarify the rules and principles underlying mediation in order to provide both sides with an opportunity to express a common opinion on the case and collectively confirm scope of mediation based on the aspects

adopted for further study by NCP during the initial assessment.

Based on this, both sides agreed to NCP's proposal to hold a meaningful mediation meeting on May 10, 2019. In preparation for this meeting, NCP conducted thorough bilateral exchange of views with the parties. During this mediation session, issues related to wages were resolved, but it was not possible to reach agreement on allegations regarding alleged violations of freedom of association.

In autumn of 2019, NCP again proposed to exchange views with the parties on their intentions and further steps. However, since positions of the parties have not changed, NCP concluded that there is no real prospect of reaching agreement between the parties. Accordingly, NCP informed the parties of its intention to terminate mediation and proceed with preparation of final statement concluding the complaint. Summarizing specific case, NCP issued final statement on April 24, 2020, recommending that Adidas review its reporting and complaint channels in the context of freedom of association.

3) Representatives of trade union and NGOs vs Suzuki Motor Corporation and Suzuki Motor (Thailand) Co., Ltd [33].

On May 10, 2016, an appeal was filed on behalf of trade unions to NCP of Japan, in which it was alleged that Suzuki Motor Corporation and Suzuki Motor (Thailand) Co., Ltd. (manufacturer of cars and spare parts) demoted some employees, and soon suspended them from work and banned them from entering the factory.

In general, it is worth explaining the situation that caused some employees to be fired. In December 2013, Suzuki Motor (Thailand) Co., Ltd. employees submitted a request to the company regarding working conditions, wages and bonuses, and on the basis of Thai Labor Law of 1975, they appealed to Thai authorities to form a trade union.

As part of negotiations, with assistance of arbitrator from the Department of Labor Protection and Social Security of Rayong Province of Thailand, representatives of workers and company reached certain agreement (regarding bonuses, maintaining current working conditions and recognizing that actions carried out during negotiations were not a violation of workplace rules). However, a month later, employees who participated in negotiation-related activities, such as filing requests, were fired by Suzuki Motor (Thailand) Co., Ltd. for alleged theft, dereliction of duty, violation of workplace rules, defamation and incitement.

Due to loss of job, one of these workers committed suicide. Thus,

the applicants' appeal contained the following statements:

- unfairly dismissed employees should be immediately reinstated to their former jobs, on the same terms, and compensation should be paid for non-material damage that the dismissed employees and their families received as a result of unfair dismissal;

- The family of employee who committed suicide should be paid fair compensation;

- President of Suzuki Motor (Thailand) Co., Ltd should make an official apology for calling workers and chairman of union criminals;

- Suzuki Motor (Thailand) Co., Ltd and Suzuki Motor Corporation should pursue targeted policy of supporting freedom of association and collective bargaining, and create atmosphere of mutual trust by actively involving trade unions and employee representatives.

In this regard, the applicants alleged violations of the Guidelines in the following sections: general policy, human rights, labor and industrial relations.

After reviewing arguments and documentation, as well as on the basis of interviews conducted with representatives of Suzuki Motor (Thailand) Co. Ltd of Thailand and with Suzuki Motor Corporation in Japan, NCP of Japan accepted this particular case into further production.

With that, it is worth noting that in Thailand at that time there were judicial procedures in relation to the issues raised in appeal.

As part of its mandate, NCP offered the parties a mediation procedure to resolve issues. However, both sides indicated that they intend to continue complying with judicial procedures in Thailand and seek to resolve the situation in accordance with judicial procedures.

The provision of mediation by NCP should be based on agreement between involved parties. Due to absence of such an agreement in this case, NCP of Japan decided to terminate its participation in this particular case. In turn, NCP of Japan recommended Suzuki Motor Corporation and Suzuki Motor (Thailand) Co., Ltd. to carry out its activities in compliance with OECD Guidelines.

4) International Union of Food, Agriculture, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (hereinafter – IUF) vs Coca-Cola Company and independent bottle manufacturer in Indonesia, Coca-Cola Amatil Indonesia [34].

On March 24, 2017, NCP of the USA received an appeal from IUF (non-governmental organization) about inappropriate behavior on the part of the Coca-Cola Company (manufacturer of soft drinks) and an independent bottling company in Indonesia Coca-Cola Amatil Indonesia, owned by Coca-Cola Amatil.

The IUF alleged that Coca-Cola Amatil's Indonesian subsidiaries, Coca-Cola Distribution Indonesia and Coca-Cola Bottling Indonesia, participated in and continued efforts to undermine workers' rights regarding freedom of association and collective bargaining. IUF claimed that since March 2015, the management of Coca-Cola Amatil:

- prevented employees from exercising their rights to freedom of association and collective bargaining by selectively disciplining and firing union employees;

- refused to meet with elected union officials;

- refused to participate in meaningful negotiations;

- refused to provide information necessary for constructive negotiations;

- refused to provide information about salary structure. Thus, it is alleged that OECD Guidelines are violated in the following areas: general policy, human rights, labor and industrial disputes.

The IUF argued that Coca-Cola Amatil, which is headquartered in Australia and is one of the largest independent bottle manufacturers in the Coca-Cola Company system, should influence its subsidiaries to prevent alleged violations of OECD Guidelines. According to the IUF, Coca-Cola Company owns 29.2% of Coca-Cola Amatil shares, licenses Amatil brands and supplies patented concentrate. Thus, the Coca-Cola Company invests directly in Coca-Cola's operations in Indonesia, and its leverage is undeniable through investments, equity ownership, brand licensing and concentrate sales. In this regard, according to the IUF, Coca-Cola Company did not properly conduct a comprehensive audit, and also did not try to correct the situation, even despite the information received in both official and unofficial communications.

After analyzing all the provided materials, the US NCP decided to take the specific case into further production and determined that the issues raised in the appeal deserved further consideration in accordance with OECD Guidelines. The US NCP offered mediation services to assist the parties in conducting a dialogue to find a mutually agreed solution to the issues raised by the IUF regarding the Coca-Cola Company and Coca-Cola Amatil's operations in Indonesia.

After the mediation proposal and subsequent discussions with both parties, the IUF and the Coca-Cola Company accepted NCP's offer of mediation. The parties held a number of preliminary

discussions with the US NCP and its professional mediators from Consensus Building Institute (CBI), and mediation took place at State Department in Washington, DC, from February 27 to March 1, 2018. Coca-Cola Amatil was also involved in the mediation process.

Despite the work done by NCP, the parties ultimately did not reach an agreement on raised issues. In view of this circumstance, the US NCP, in its final statement, made the following recommendations to the parties:

- The Parties, as well as Coca-Cola Amatil, will continue to work together on an ongoing basis to coordinate if/when problems arise related to implementation of OECD Guidelines;

- The Coca-Cola Company and Coca-Cola Amatil should consider incorporating OECD Guidelines into company Human Rights Policies. The US NCP recommends that both sides consider updating their human rights policies, including a direct reference to OECD Guidelines.;

- The Coca-Cola Company will continue its engagement with Coca-Cola Amatil to analyze operations and identify ways to work together to prevent and mitigate potential adverse impacts, and the Coca-Cola Company and Coca-Cola Amatil will continue to work with the IUF in an effort to address the concerns raised in a particular case.

5) Individuals against Nokia [35].

On August 5, 2019, two persons from Argentina filed an appeal with NCP of Finland alleging that Nokia, manufacturer of information and communication technologies, did not comply with the following chapters of OECD Guidelines: general policy, disclosure of information, labor and employment relations and taxation. The applicants claimed that the company did not comply with reporting obligations, taxes and social security payments, and also raised issues related to labor relations.

Also in their appeal, applicants demanded that NCP recommend Nokia:

- submit its agreements for evaluation during independent tax audit;

- submit its agreements for evaluation by Argentine tax authorities;

- submit its agreements for evaluation by Argentine employment authorities;

- to pay its obligations if the above-mentioned body considers that the issue concerns evasion of legislation;

- provide true data to Argentine Antimonopoly Agency;

- to prevent reprisals against Applicants or, if this is not possible, to compensate for such actions;

- implement internal appeal mechanism, put in place by a third party;
- to request opinion of independent expert on alleged violation of labor laws in relation to Applicants and other employees;
- comply with the above-mentioned expert opinion;
- participate in good faith in ongoing conciliation process. The reason for submitting an application to NCP was the following situation.

Comptel Corporation, which had an office in Argentina, was engaged in the sale of software licenses in Latin America. The employees of this office were not registered and worked under subcontract agreement.

The above-mentioned scheme was used to evade taxes and social security legislation. Nokia became aware of this agreement when it acquired Comptel. In turn, Nokia did not disclose this information to Nasdaq, Finnish Financial Supervisory Authority (FIN-FSA), Argentine Antitrust Agency and the U.S. Securities and Exchange Commission.

According to the appeal, Nokia continued to benefit from the current situation for about a year, after that it had transferred most of subcontractors' personnel to its Argentine subsidiary.

The appeal claimed that Nokia offered to continue performing duties to some former Comptel employees on condition that they sign a document in which they agree to take responsibility for arrangements. When the employees refused to sign the document, Nokia fired them from their jobs.

In turn, Nokia indicated that it had complied with all the provisions of OECD Guidelines.

For example, Nokia acquired Comptel in 2017 and, after the acquisition, integrated Comptel's operations into its own organization. Comptel had two local contractors in Argentina: Segen Services SA (hereinafter – Segen) and Relval Trade SA (hereinafter – Relval). During a comprehensive audit, Nokia found that Relval and Segen did not register their employees with Argentine tax authorities, did not pay the tax withheld from remuneration of their employees, and did not pay social security contributions.

Nokia conducted an investigation to find out if there were any subcontracting arrangements similar to those used in South America in other Comptel operations. Nokia made job offers to employees of contracting companies, with the exception of two applicants, due to the fact that they could not properly explain compliance with

Nokia's ethical standards and due to the fact that these companies no longer provided services to Comptel during the acquisition period.

Thus, Nokia indicated that it had complied with the recommendations of OECD Guidelines, and that the appeal provided was the personal claims of two individuals.

Based on the results of analysis, assessment and comparison of all the facts, documentation and information provided by the parties, NCP did not identify any circumstances that would allow it to conclude that Nokia violated OECD Guidelines.

Thus, NCP should not provide Nokia with any recommendations on compliance with OECD Guidelines. Based on this statement, the specific case was closed.

6) Eduard Teumanyi v. Royal Air Maroc Company [36].

On March 4, 2019, an individual Mr. E. Teumanyi (Cameroonian citizen) filed an appeal with NCP of France, claiming that Royal Air Maroc (Morocco's national civil aviation carrier) did not comply with "consumer interests" of OECD Guidelines and provided him with false information, withheld information, as a result of that he missed a connecting flight and stayed at the airport for 24 hours. As a result, the Applicant demanded compensation for the damage caused.

In addition, Applicant provided the following documents to Moroccan NCP:

- Respondent's email and Applicant's response to the specified email;
- email from Gotogate (portal for sale of air tickets) informing Applicant about presence of failures that may affect his return trip;
- email from Defendant warning the Applicant that departure of flight AT 788 on April 1, 2017 on Casablanca – Paris route was postponed by 15 minutes;
- boarding passes.

So, as part of studying case materials, NCP established the following:

1. The applicant was a passenger of Royal Air Maroc Company who traveled from Paris to Douala on Casablanca in April 2017.

2. The applicant received e-mail notification from Gotogate informing him that Royal Air Maroc Company had changed some parameters of his return flight, with instructions to contact Royal Air Maroc Company for more information.

3. According to the Applicant, provided information is false,

since parameters of his return journey have already been changed by the Royal Air Maroc Company in database.

4. In April 2017, upon arrival in Casablanca, Morocco, the Applicant was informed by border police that his return flight (Casablanca – Douala), which he was supposed to board, had already departed. According to the Applicant, this departure was postponed, as Royal Air Maroc Company later confirmed in its email.

5. The applicant found himself at the airport in Casablanca, Morocco in "terrible" conditions for 24 hours.

In turn, Royal Air Maroc Company provided NCP with its version of the facts on this issue. Royal Air Maroc Company explained that the schedule change was due to closure of Douala airport (Cameroon), which was an extraordinary circumstance beyond its control.

As a commercial gesture to resolve the dispute, the Royal Air Maroc Company offered the Applicant travel voucher in amount of 100 euros. The applicant accepted the offer of compensation.

Since parties reached an agreement before the end of initial assessment phase, NCP accepted case without offering its good services to the parties.

Thus, upon completion of procedures, NCP issued a final statement closing review process.

Also, NCP decided to formulate recommendations for the Royal Air Maroc Company on further improvement of some aspects of its activities. In particular, I has recommended continuing efforts to improve company's customer communication policy in accordance with best international standards, in particular OECD Guidelines, in order to ensure effective communication, understandable and accessible to users.

7) International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco, and Allied Workers Associations (hereinafter – IUF), representing a local trade union in India vs AB InBev, Belgian-Brazilian brewing company [37].

In 2019, the IUF, representing a local trade union in India, submitted an appeal to Belgian NCP against multinational enterprise Anheuser- Busch InBev (hereinafter – AB InBev).

According to the appeal, AB InBev violated a number of chapters of OECD Guidelines, in particular, human rights, labor and industrial relations.

In its appeal, the applicant indicates that AB InBev acquired beer

production facility in Sonapat, India, in October 2016, and that after this action, there has been a systematic violation of OECD Guidelines. AB InBev was constantly informed about violations, but company's management did not respond to communication data in any way. The company also undermined the role of democratically elected leadership of the local trade union by unilaterally selecting 9 workers to committee created by the management, signing collective agreement with this committee.

In addition, the Applicant claims that attempts to enter into a dialogue with management of the enterprise to resolve and eliminate violations were also unsuccessful. Local trade union has repeatedly sent letters to the company's management demanding a meeting for discussion. In response to one of the letters, the company's management replied that it refused to recognize the president of the local trade union as an elected representative. So applicant claimed that AB InBev's anti-union practices and intimidation led to company suspending trade union activists and workers from work, which is still being considered in parallel proceedings in an Indian court.

In addition, the main requirement of the Applicant was the reinstatement of four employees dismissed by the factory in 2017. These four people were actively involved in the former trade union, which was changed in 2017 after new internal elections. Since then, 81 workers have split into two groups: 59 of them actively supported four dismissed workers and the previous representation of the local trade union, and 22 approved newly elected trade union.

In turn, AB InBev provided its position on the case, in which it outlined company's understanding of the facts and its disagreement with Applicant's allegations.

AB InBev noted that dismissal of the four workers was based on a number of reasons, which included alleged inappropriate and dangerous behavior, interference with factory equipment and forgery of educational diplomas. AB InBev claimed that it had negotiated collective agreement in good faith with current elected leadership of trade union, also expressing its disagreement with the allegation that the company had used discipline to prevent negotiators from participating in trade union activities.

With that, current official leadership of the trade union is a point of disagreement between Applicant and the enterprise. AB InBev believes that Applicant is initiating this case on behalf of a group of employees who lost their senior positions during trade union

elections to general body of the trade union.

In addition, AB InBev described the actions it is taking to facilitate potential resolution of the conflict, in particular, it:

- created Register of complaints at brewery for employees to submit appeals with obligation of management to respond to them within 24 hours from the moment of filing;
- maintains "hotline" that was available to report suspected problems in compliance with the company's policy;
- organized breakfast meetings with management and employees of the brewery to ensure more direct interaction on issues of interest;
- formed reward platforms to recognize achievements of brewery employees;
- distributed notices confirming rights and obligations of workers, including mention that the company supports rights of its employees to form and join legitimate trade unions and other organizations of their choice, as well as to conduct collective bargaining for mutual interests.

However, according to AB InBev, street protests and pickets have been organized for two years, which led to temporary disruptions in the operation of production lines, low productivity in an unfavorable working atmosphere.

In its initial assessment, Belgian NCP took the case into production and offered the parties its good services in the form of mediation under guidance of a professional mediator.

So, in the framework of negotiations, main points of discussion were:

- exercise of trade union rights;
- possibility of reintegrating four employees;
- elimination of ambiguity regarding status of official representatives of the trade union.

Following the negotiations, the parties reached a mutual agreement, but expressed a desire to keep contents of agreement confidential. However, in view of the need to notify NCP of the consensus reached on this issue, NCP of Belgium published results of considering specific case:

- 1) Applicant agreed to stop protests and picketing that interfere with the production;
- 2) AB InBev has committed to establish interim local advisory committee consisting of representatives from local leadership and four former employees who will be reintegrated. Four employees will be reintegrated into the factory, depending on availability of

positions corresponding to their skills, education and successful fulfillment of standard enterprise requirements and background checks.

In its final assessment, Belgian NCP also formulated recommendations for both parties regarding continuation of dialogue and mutual respect between the parties, independence of outside observer and dialogue between companies and trade unions.

As part of implementing functions of Belgian NCP for follow-up monitoring in 2021, NCP issued a statement noting that, given the terrible and devastating consequences of COVID-19 pandemic in India in the first half of 2021, it was not possible to fulfill mutual obligations in the initial timeframe.

In this regard, given the very difficult situation, both parties asked to set additional deadlines for reporting to NCP in order to carry out the work started most effectively.

In the second statement of Belgian NCP monitoring the case, NCP notes that of the four former employees, two employees completed the reintegration process, and one voluntarily abandoned the process.

With that, the entire reintegration process was transparent and there were no significant disagreements between the parties throughout the process. Both sides went through the process of collective bargaining and signed a tripartite collective agreement in accordance with the union's charter. As a result of the work, the factory's management and employees are satisfied with current situation in the field of labor relations and the process that has been carried out in connection with reintegration process.

Thus, the company fulfilled terms of the agreement reached between the parties and recommendations of NCP.

It is worth noting that NCP facilitated beginning of a dialogue between the parties in a constructive, serious and positive atmosphere, which helped the parties find a mutually acceptable solution and strengthen the social dialogue.

In this regard, it is possible to see specific cases considered by different NCPs, including violations in various areas of OECD Guidelines. Some came to an agreement and accepted the offer of NCP to jointly resolve the dispute, and some could not come to an agreement, or even completely refused the services of NCP. Nevertheless, the difficulties encountered by NCPs during dispute resolution are solved comprehensively by OECD and other NCPs, but this requires coordinated work by NCPs within the framework

of specific cases.

Also, it is worth noting that receiving appeal by NCP is a signal to investors that their enterprises are operating non-transparently and violate standards of responsible business conduct. In this regard, regardless of the outcome of considering specific cases in NCP, multinational enterprises, after receiving notifications about the start review procedure by NCP, try to eliminate identified violations, as well as change their policies in accordance with OECD Guidelines.

2. ACTIVITIES OF KAZAKHSTAN'S NATIONAL CONTACT POINT

2.1. Kazakhstan's interaction with OECD

Currently, we live in the era of globalization, which is the result of many socio-economic processes associated with widespread use of information technologies and new means of communication. But, unfortunately, the way modern globalization is going poses a great danger to sustainable future of mankind. World leaders raised the question of changing vector of globalization.

Based on this, in order to achieve and maintain balance of sustainable development, 193 UN member States, as well as non-UN member countries, have committed themselves to promote sustainable development. National strategies, programmes and action plans have been developed in these countries specifically for key sectors affecting the economy and the environment.

Kazakhstan is no exception. In order to promote sustainable development, the country has been working with OECD since the early 1990s. Kazakhstan's most active and fruitful cooperation with OECD began after 2008, largely due to its involvement in OECD's Eurasia Competitiveness Program, hereinafter referred to as ECP, which includes 13 countries of Central Asia, the Caucasus and Eastern Europe [38].

ECP program was developed with the aim of attracting investments, increasing competitiveness and developing private entrepreneurship in Eurasia, which, in turn, is intended to assist region's countries in developing policies to improve business climate based on OECD standards and tools.

The main objectives of Kazakhstan's interaction with OECD were:

- ensuring economic development of Kazakhstan by attracting the expert potential of OECD;
- improving its competitiveness through implementation of ECP;
- Kazakhstan's level up to OECD standards.

Since the early 1990s, Kazakhstan has made significant progress in the process of deepening cooperation with OECD.

In 2011, a ministerial meeting was held, during which OECD adopted Common Vision Concept, emphasizing the need to "develop new forms of partnership and cooperation in order to improve the well-being of all our citizens." The Concept particularly welcomes "cooperation with all countries interested in sharing knowledge and experience, supporting reform, and adhering to OECD standards" [39].

So, in 2011, Kazakhstan was invited by OECD to participate in Steering Committee of Central Asian Initiative of OECD ECP (CAI), provided that the country becomes a donor to the Program.

As a result, in order to finance the activities of ECP Program in 2011, an agreement was signed between the Ministry of Economic Development and Trade of the Republic of Kazakhstan and OECD on financing Program budget for 2011-2012 in amount of 800 thousand euros [40].

Moreover, in the period from 2012 to 2016, Kazakhstan acted as a co-chair of the Central Asian Countries Initiative within the framework of the Program.

6 projects were implemented within the framework of ECP:

1. "Diversification of Kazakhstan's resources for foreign direct investment and strengthening sectoral competitiveness" (2009-2013);

2. "Improving regional competitiveness" (2011-2016);

3. "Improving Kazakhstan's competitiveness through public sector reform" (2012-2014);

4. "Improving Kazakhstan's competitiveness through implementation of innovation policy" (2014-2016);

5. "Strategy for increasing Kazakhstan's sectoral competitiveness. Support in implementing recommendations proposed in Guidelines on Public Policy" (2014-2016);

6. "Sectoral competitiveness of Kazakhstan: Increasing competitiveness and attracting FDI in subsurface use industry, taking into account development of junior companies market in the Republic of Kazakhstan" (2014-2018) [40].

Since the Republic of Kazakhstan is a developing country, it is interested in cooperation with OECD, using the organization's tools as a means of supporting government reforms. In light of the above, on April 18, 2014, OECD decided to invite Kazakhstan to sign a Country Program, within which both Parties agreed to promote Kazakhstan's country reforms in such areas as development of sustainable economic growth taking into account social integration, strengthening

competitiveness and diversification of domestic economy, improving efficiency of state institutions, as well as achieving better environmental results [39].

In January 2015, in Davos, Prime Minister of the Republic of Kazakhstan and Secretary General of OECD signed a two-year Country Cooperation Program (first phase) [41], which was developed in order to contribute to ambitious Strategy "Kazakhstan 2050" [39].

The program is unique OECD tool that allows non-member countries to adopt the experience and standards of OECD. Thus, Kazakhstan became one of the four countries in the world with which OECD Country Cooperation Program was signed.

This Program is designed to support long-term national reforms in the Republic of Kazakhstan, including the reform of the civil service, the judicial system, social policy, as well as economic transformations aimed at ensuring diversification and sustainable growth. It offers a structured plan of interaction, including analysis, capacity-building and dialogue between the political leadership of Kazakhstan, responsible for shaping economic and social policy, and experts from OECD countries.

According to the Program, cooperation between the Parties developed in 19 main areas:

- 1) public administration and anti-corruption;
- 2) environmental protection and green economy policy;
- 3) fiscal policy;
- 4) health, employment and social integration;
- 5) education and professional development;
- 6) competitiveness, investment and business climate;
- 7) development of Kazakhstan's official development assistance system (hereinafter – ODA);
- 8) issues of competition, state property and privatization;
- 9) trade;
- 10) agro-industrial complex;
- 11) natural resource management (water, land and forest resources, wildlife);
- 12) food safety, veterinary and phytosanitary control;
- 13) science, technology and innovation;
- 14) SMEs and entrepreneurship;
- 15) regional development policy;
- 16) economic research and statistics;
- 17) effectiveness of international assistance;
- 18) transport;
- 19) Sustainable Development Goals [42].

Kazakhstan's cooperation with OECD within the framework of the Country Program involves work in three areas:

1. conducting industry reviews and peer reviews;
2. country's active participation in committees and working bodies;
3. accession to legal instruments [43].

Also, in order to maintain a regional dialogue, conduct expert assessment by colleagues from other countries, identify priority reforms and provide support in development and implementation of government reforms, OECD Eurasia Week is held on an annual basis.

In 2017, from October 23 to October 25, Almaty hosted the first visiting OECD Eurasia Week, which was attended by more than 400 people from 13 countries of the Eurasian region.

The purpose of this three-day event was to create conditions for further strengthening relations between the Eurasian states and OECD member countries and to draw attention of the world community to strengthening cooperation in a number of areas directly related to the competitiveness of the region.

In total, 16 meetings and round tables were held within the framework of OECD Eurasia Week 2017, main of them are Opening Ceremony, Ministerial Meeting, Meeting of Governing committees, interactive discussion on Central Asia and Eastern Europe, Business forum and session on OECD Country Program for Kazakhstan.

Following the results of Eurasia Week, 6 thematic reviews of eight countries were presented in such areas as improving competitiveness of SMEs, attracting investment, optimizing export policy, improving access to finance, and others.

Business Forum was attended by representatives of 40 Kazakhstani and more than 30 foreign companies.

The key event within the framework of OECD Eurasia Week 2017 was the session on OECD Country Programme for Kazakhstan, at which five sectoral ministers spoke and discussed the main results of Program's implementation, as well as reform process in Kazakhstan, taking into account recommendations given under the Country Program.

OECD Eurasia Week 2017 was held at the highest level. A constructive dialogue and exchange of experience between the countries was held [40].

Following the successful implementation of the Program in 2017, it was decided to approve extension of Country Program until the end of 2018 (second phase) [44]. With that, in the second phase of the

Program, much attention was paid to development of "green economy" in Kazakhstan.

In general, within the framework of the first phase of the Country Program in 2015-2017, 13 reviews were conducted by OECD, which contain conclusions on compliance/non-compliance with OECD standards, as well as recommendations for improving Kazakhstan's policy [40]:

1. Review of policies governing the management of small and medium-sized enterprises, as well as entrepreneurship issues [45];

2. To study the progress of the Kazakhstan reform program aimed at unifying Kazakhstan's economic reforms with OECD standards and best practices in the field of private sector development and competitiveness, with special attention to the contribution of the Country Program to the economic reform program of Kazakhstan [46];

3. Comprehensive country review [47];

4. Additional review leading to complete review of public administration (functional review) [48];

5. Conducting study of integrity systems in Kazakhstan "IntegrityScan" [49];

6. Review of urban development policy [50];

7. The second review of investment policy [51];

8. Follow-up Review of higher education policy [52];

9. Review of innovation policy [53];

10. Review of policies targeting three groups: youth, older workers and protection of vulnerable groups [54];

11. OECD Review of National Health Accounts for Kazakhstan and OECD Health System Review for Kazakhstan [55];

12. Economic aspects of water resources management in EECCA countries: support for implementation of water resources management program [56];

13. Promoting development of "green growth" and low carbon emissions strategy in Eastern Europe, Caucasus and Central Asia (EECCA): analysis and support of political dialogue on key elements of managing Concept of transition to "green economy" [57].

As part of the second phase of the Country Programme, 15 reviews were conducted in the period 2017-2018:

1. Review on the development of public-private partnerships [58];

2. Overview of the public procurement system in Kazakhstan [59];

3. Risk management [60];

4. Review of the budget system of the Republic of Kazakhstan:

Strategy for the implementation of best international practices in budget regulation (Optimization of budget policy) [61];

5. Support for the implementation of the Functional Review [62];
6. Improving regional competitiveness (second stage) [63];
7. OECD Tax Policy Review: Kazakhstan [64];
8. Stimulating diversification and establishing links between foreign direct investment and small and medium-sized businesses [65];
9. Overview of product markets regulation (PMR) [66];
10. Optimization of local value chains [67];
11. Stimulating development of agricultural cooperation in the Republic of Kazakhstan [68];
12. Reforming environmental payment system. Analysis of compliance with "polluter pays" principle in Kazakhstan [69];
13. Implementation of Environmental and Economic Accounting System 2012 (EEAS) [70];
14. Project on implementation of green growth indicators and preparation of report on green growth in Kazakhstan [71];
15. Calculation of Services Trade Restrictivity Index for the Republic of Kazakhstan [72].

It should be noted that implementation of the above-mentioned reviews was carried out at the expense of Kazakhstan's own funds.

As a result of two stage implementation, the program allowed for significant structural and institutional reforms based on OECD best practices and standards.

Over the entire period of Kazakhstan's cooperation with OECD, to date, Kazakhstan has joined 40 OECD legal instruments (22 recommendations, 10 declarations, 4 decisions, 3 conventions and 1 protocol) [73]. The accession of Republic of Kazakhstan to legal instruments has been confirmed by OECD.

It is worth noting that OECD's legal instruments are the very standards that establish best practices and policies. These standards are developed on various dialogue platforms, called OECD working bodies, when discussed by all interested parties, both OECD member countries and countries that cooperate with OECD.

Given that Kazakhstan is a young developing country, it is of great importance to join the legal instruments of OECD and the successful implementation of their provisions, which are one of the criteria for increasing the status of participation in the working bodies of OECD, along with conducting expert reviews and active participation in the work of OECD, which will allow Kazakhstan to adopt the experience of more developed countries.

To enhance its status, Kazakhstan participates in the committees and working bodies of OECD.

The highest political governing bodies of OECD are OECD Committees, one of the subspecies of OECD working bodies, consisting of representatives of the organization's member countries and countries with observer status.

OECD structure consists of more than 300 committees, working groups and expert groups. Each committee consists of representatives from 38 participating countries. They meet to develop new ideas and assess progress made in narrower areas, such as trade, public sector enterprise management, development assistance, financial markets, etc.

Non-OECD member countries may be invited to participate in the work of committees and other major OECD bodies. The status of such partner countries.

Each committee is required to develop an International Relations Strategy to identify the countries that will be invited. Three-stage participation is provided: invited, participant and associate member. During the period of cooperation with OECD, Kazakhstan participates in 36 OECD working bodies: in 17 committees and working bodies, Kazakhstan has the status of an "invited", in 10 – the status of a "participant", in 2 committees the status of an "associate member" and in 7 structures in the status of a "partner".

The meaning of statuses:

- Invited – may be invited at the discretion of OECD body to participate in individual meetings of subsidiary bodies, provided they are included in the Participation Plan. They contribute to the implementation of the committee's mandate and work programme by attending meetings and participating in discussions. There are no membership fees.

- Participant– invited to all meetings of subsidiary body for the unlimited period, unless indicated otherwise. This invitation is subject to review every two years by the inviting body. Membership fee: 11,200 euros per year for participation in work of the Committee, 3,700 euros in the Working Group, if not participating in the relevant committee.

- Associate Member – participate in the work of the Committee on equal terms (rights and obligations), as well as members of OECD. However, they cannot participate in the discussion on the admission of a new member to OECD. Membership fee: 21,000 or 53,000 euros per year [40].

Due to the completion of the Country Program in December 2018, Kazakhstan's cooperation with OECD continued within the framework

of the Memorandum of Understanding between the Government of Kazakhstan and OECD for 2019-2022, which was signed in November 2018 [74].

The main goal is to continue structural reforms based on recommendations of OECD, strengthen cooperation with OECD in form of joint research, Kazakhstan's participation in the work of OECD structures, and accession to various legal instruments.

Within the framework of the Memorandum, cooperation was focused on a number of key areas, which include, but are not limited to the following areas:

1. public administration and anti-corruption;
2. environmental protection and green economy policy;
3. fiscal policy;
4. health, employment and social integration;
5. education and professional development;
6. competitiveness, investment and business climate;
7. development of Kazakhstan's official development assistance system;
8. issues of competition, state property and privatization;
9. trade;
10. agro-industrial complex;
11. natural resource management (water, land and forest resources, wildlife);
12. food safety, veterinary and phytosanitary control;
13. science, technology and innovation;
14. SMEs and entrepreneurship;
15. regional development policy;
16. economic research and statistics;
17. effectiveness of international assistance;
18. transport; and
19. Sustainable Development Goals.

In order to intensify work in the medium term on cooperation with OECD in 2019, a Program of cooperation between Kazakhstan and OECD until 2025 was developed and approved at a meeting of the Council for Cooperation with OECD under the President of the Republic of Kazakhstan, which was updated in 2022 taking into account new realities and changes in the composition of the Government of the Republic of Kazakhstan.

This document is a working document of the Government, which lays down the key areas of cooperation with OECD and defines the role of each state body in the chain of cooperation, and is also aimed at

maintaining the national priorities of the National Development Plan of Kazakhstan until 2025. Unfortunately, this document is not subject to publication.

In recent years, Kazakhstan's cooperation with OECD has been actively developing and every year covers more and more areas for interaction.

In February 2020, the 56th Munich Conference was held, at which the President of the Republic of Kazakhstan held a meeting with the Secretary General of OECD. During the meeting, the participants discussed the current state of affairs and prospects for further development of cooperation. The President of Kazakhstan noted that the country attaches great importance to the implementation of OECD standards and plans to actively cooperate with the Organization in conducting reforms in the field of politics and economics.

The implementation of OECD standards and best practices in the field of public policy is reflected in the National Plan "100 Concrete Steps" and a number of Presidential Messages to the people. Thus, many provisions of the President's speech at the expanded meeting of the Government of Kazakhstan on January 24, 2020 were prepared taking into account the practical proposals and recommendations of OECD. In addition, the President of Kazakhstan stressed the need to improve legislation and increase the effectiveness of regulation based on world practices, especially in OECD member countries [75]. In addition, Kazakhstan plans to join the Organization in 2025. In this regard, the National Development Plan of Kazakhstan until 2025 provides for bringing Kazakhstan to OECD standards and preparing an application for membership in the Organization.

It is worth noting that the issue of submitting an application to join the Organization has been repeatedly discussed at all levels of the Kazakh establishment. In this regard, the management decided that in order to give a new impetus to a long-term partnership, a new format of cooperation is needed - ActionPlan, in which there will be specific areas of interaction. In addition, areas of further cooperation were announced, namely: cooperation in the field of national statistics, the fight against corruption, the development of the business environment, attracting investment, effective public administration and ensuring the rule of law [76]. In 2022, the draft Action Plan for 2022-2025 was launched, which was initiated by OECD.

Action Plan includes: conducting a number of thematic reviews (analyzing the current state of the country's economic system for compliance with OECD standards, upon completion of which

recommendations are submitted), joining three legal instruments (OECD normative documents, including decisions, recommendations and codes) and working on analytical tools.

In April 2022, the Prime Minister of Kazakhstan held a meeting of the Council for Cooperation with OECD, during which the need was noted to extend Memorandum of Understanding between the Government of Kazakhstan and OECD for 2023-2026. This document is currently the main document on OECD line defining priority areas of cooperation.

It can definitely be noted that relations between Kazakhstan and OECD continue to develop. With that, interaction between Kazakhstan and various OECD industry units is becoming increasingly decentralized, as working relationships have already been established. Kazakhstan's participation in the work of many OECD bodies is becoming increasingly noticeable.

It is also worth noting that the Government has been actively working on implementation of OECD recommendations since 2015. For example, on January 2, 2021, new Environmental Code of the Republic of Kazakhstan was adopted, which contains OECD standards aimed at maintaining ecology, environmental protection, as well as introduction of "green" technologies and economy.

Structural transformations achieved within the framework of Kazakhstan's cooperation with OECD make it possible to bring Kazakhstan to a new stage of economic development and bring it closer to developed countries. However, this is not a rapid, but a step-by-step process, which requires continued work to expand the scope of cooperation with OECD and further enhance it.

2.2. Regulatory framework for functioning of Kazakhstan's National Contact Point

In 2017, the second review of Kazakhstan's investment policy aimed at qualitative improvement of the business environment in the country was presented within the framework of the X Astana Economic Forum. During the session devoted to improving the country's investment attractiveness, it also became known about Kazakhstan's accession to OECD Declaration on International Investment and Multinational Enterprises. Thus, our country has become the 48th state in a row to declare its desire to create the most transparent and comfortable environment for foreign investors. By joining the Declaration,

Kazakhstan began participating in the work of OECD Investment Committee, the leading government forum for cooperation in international investment issues, and actively discussing policies with OECD countries.

After joining the said Declaration, OECD Council awarded the Republic of Kazakhstan the status of "associate member". Membership in OECD Investment Committee allows Kazakhstan to consistently adopt advanced standards of OECD countries, attract large investors and multinational companies, and also has a positive impact on country's rating and investment opportunities. It is also an indicator of the high level of business environment, competition and protection of investors' rights. One of key criteria for membership in the Committee is the creation and functioning of NCP.

Accordingly, in order to create and ensure the effective operation of any structure being created in the country, a regulatory legal framework is necessary.

To date, current regulatory legal framework of NCP in Kazakhstan is the Decree of the Government of Kazakhstan dated November 16, 2012 No. 1453 [77] (hereinafter referred to as Resolution No. 1453). According to this resolution, the Ministry of National Economy of the Republic of Kazakhstan has been designated responsible for functions of National Contact Point in accordance with practice of OECD countries.

Judging by history of changes in this document, three changes were made to this resolution. In general, going into chronology of changes in the document, it is necessary to note the following.

On November 22, 2011, Prime Minister of the Republic of Kazakhstan Masimov K.K. addressed the members of OECD Council, officially requesting observer status for the country in four OECD committees: Committee on Education Policy, Committee on Industry, Innovation and Entrepreneurship, Committee on Agriculture and Committee on Investments.

As part of considering application of the Republic of Kazakhstan, OECD Investment Committee conducted the first investment review in 2012, which concluded that Kazakhstan had made some progress in developing legal framework for attracting foreign direct investment. But at that time, there were still many problems with the implementation of investment policy, which affected both domestic and foreign investors, and did not allow the country to diversify its economy.

Following the results of October 11, 2012, OECD Investment

Committee recommended that OECD Council invite the Republic of Kazakhstan to join OECD Declaration on International Investment and Multinational companies, and the Republic of Kazakhstan to begin work on implementing provisions of the declaration.

So, in order to implement recommendation of OECD Investment Committee, Resolution No. 1453 was adopted. According to the first edition of this document, Investment Committee of Ministry of Industry and New Technologies of the Republic of Kazakhstan was identified as responsible for performing functions of NCP in Kazakhstan.

Due to delineation of functions and administrative reforms in the field of public service, Decree of the Government of the Republic of Kazakhstan dated May 31, 2018 No. 306 [78] amended Resolution No. 1453, according to which the Ministry of Investment and Development of the Republic of Kazakhstan became responsible for functions of NCP.

Due to similar reasons and transfer of functions for forming investment policy to the Ministry of National Economy of the Republic of Kazakhstan, Resolution of the Government of the Republic of Kazakhstan dated September 9, 2019 No. 667 [79] made a corresponding change to Resolution No. 1453, under which the Ministry of National Economy of the Republic of Kazakhstan became responsible for NCP functions.

Further, in order to bring into line all documents regulating activities of NCP, the Ministry of National Economy of the Republic of Kazakhstan adopted Order No. 124 of the Minister of National Economy of the Republic of Kazakhstan dated June 18, 2020 "On the establishment of National Contact Point" (hereinafter – Order No. 124).

According to this order, official composition of NCP and Regulations on NCP were determined.

By Order of the Minister of National Economy of the Republic of Kazakhstan dated September 24, 2020 No. 177 "On Amendments to the Order of the Minister of National Economy of the Republic of Kazakhstan dated June 18, 2020 No. 124 "On establishment of a National Contact Point" (hereinafter – Order No. 177), the following changes were made to Order No. 124.

Taking into account international practice, official staff of NCP was divided into principal and expert staff, with division of their powers. And Regulation on NCP was supplemented by the basic principles of the functioning of NCP.

Thus, as of today, Resolution No. 1453 and Order No. 124 (taking

into account the changes introduced by Order No. 177) constitute the current regulatory legal framework of NCP

However, it is worth noting that Orders No. 124 and 177 are acts of local application, that is, they are distributed only within the Ministry of National Economy of the Republic of Kazakhstan.

Considering that NCP is a collegial body and its composition includes representatives of various structures, ranging from government to non-governmental organizations, accordingly, level of document defining functions, tasks, powers of NCP members, its Secretariat and NCP itself should be a level higher than act of local application, namely, they should be of a regulatory nature.

In 2021, the Ministry of National Economy of the Republic of Kazakhstan began working on transformation and bringing regulatory framework into line with the established procedure in the Republic of Kazakhstan. Currently, this work is ongoing.

It is worth noting that for OECD, it is important how NCP mechanism is fixed in the legal system of each country.

OECD does not set clear boundaries or indicate to countries which government-level or administrative-level documents should include NCP in country's legal system. However, this criterion is one of the main points of OECD when conducting expert assessments of NCP activities.

IN 2022, three expert assessments of NCP of Australia, Ireland and Sweden were completed. All three countries were recommended to register NCP by official document, due to absence of such in their legal acts.

Specifically, Sweden was recommended to consider ways to ensure greater visibility, accessibility and transparency of NCP by formalizing its structure, location, mandate and membership, as well as clarifying the role of NCP Chairman and secretariat in an official document.

Australia is recommended to consider ways to ensure greater stability and authority of NCP by formalizing its structure in a legal or administrative document, Ireland is recommended to consider ways to increase authority of NCP by formalizing its role and structure in an official document.

Thus, it is worth noting that ensuring activities of NCP through adoption of regulatory legal document is an important stage in consolidating NCP mechanism in country's legal system, as well as giving it greater authority and significance in considering appeals for violations of OECD Guidelines.

2.3. Areas of work of the national contact point today

In accordance with the Regulation on NCP approved by Order No. 124 (as amended by Order No. 177), the main tasks of NCP are:

1) Raising public and business community awareness of OECD Guidelines (through media, seminars, round tables);

2) Consideration of requests and complaints from applicants arising from alleged non-compliance by enterprises with OECD Guidelines;

3) cooperation and interaction with NCP of OECD member countries when considering complaints of violations of the provisions of OECD Guidelines (if necessary).

To implement assigned tasks, NCP performs the following functions:

1) carries out an objective, comprehensive and timely review of complaints about violations of the provisions of OECD Guidelines;

2) interacts with all stakeholders (the business community, trade unions and other representatives of civil society, authorized government agencies) when considering complaints about violations of the provisions of OECD Guidelines and making an objective decision on them;

3) makes decisions based on the results of consideration of complaints about violations of the provisions of OECD Guidelines;

4) ensures the availability of relevant materials on the activities of NCP on NCP Internet resource;

5) prepares and publishes annual reports on the activities of NCP;

6) NCP develops a Work Plan annually.

The main document defining the directions of NCP's work is NCP's Action Plan (work plan) being developed annually. Since transfer of NCP to Ministry of National Economy of the Republic of Kazakhstan, NCP has agreed with interested government agencies and other organizations on Action Plans for 2020, 2021, 2022 (Appendices 1-3).

The following main vectors of work can be distinguished within the framework of implementing these Plans:

1) Organizational support;

2) Information promotion;

3) Consideration of specific cases.

With that, it is worth noting that in Action Plan for 2022, organizational issues were transformed into issues of ensuring regulatory framework and institutional activities of NCP. In addition, in 2022, section "Expert assessment" was included, providing for preparation to next, 2023, assessment of NCP activities by OECD.

The overall results of implementing three Action Plans:

1. The Rules for Dealing with Complaints on Violations of OECD Guidelines were developed and approved at the first meeting of NCP on August 25, 2020 by decision No. 1. In general, procedure for submitting applications and considering them is as follows (Figure 3).

Figure 3. The procedure for dealing with complaints of violations of OECD Guidelines



Source: compiled by IEI

It is noteworthy that according to the approved Rules for consideration of appeals, when resolving disputes through mediation, NCP can provide its own mediators. This service is provided free of charge by NCP Secretariat.

2. NCP information resource has been created and is functioning on the official page of the Institute of Economic Research JSC (ncp.economy.kz), which contains all the necessary useful information about the activities of NCP and OECD Guidelines. In addition, this resource provides online submission of an application to NCP if there is a violation of OECD Guidelines.

3. On an ongoing basis, OECD Guidelines and the activities of NCP are being promoted through webinars, seminars and the participation of Secretariat staff in events organized by third parties.

As of November 1, 2022, the following events were held:

- in 2020 - 2 webinars/seminars;
- in 2021 – 4 webinars/seminars, 3 meetings, 3 conferences (round tables);
- in 2022 – 4 seminars, 10 meetings, 5 conferences (round tables). The target audience is representatives of central government agencies,

representatives of business associations, Kazakhstani multinational enterprises, non-governmental organizations, academic circles, students of higher educational institutions, etc.

The main purpose of these events is to raise public awareness of the activities of NCP and OECD guidelines.

4. Informational videos and booklets on NCP activities, the methods of submitting applications and OECD Guidelines have been developed and posted on the official page of NCP.

Also, in order to disseminate and popularize OECD Guidelines among Kazakhstani multinational enterprises, a checklist and a code of conduct for Kazakhstani multinational enterprises have been developed and posted on the Internet resource. These information brochures make it possible to assess the company's policy on adherence to and compliance with OECD standards in the field of responsible business conduct, as well as to prevent risks of their violation or eliminate the negative impact of the company's activities.

An illustrative list of possible violations of OECD Guidelines has been formed, which is also aimed at raising awareness among Kazakhstani multinational enterprises and the country's population.

5. A call center and a question-and-answer system of NCP have been created and provided in the form of a chatbot in the Telegram application, which can also receive requests and consult on OECD Guidelines and the main aspects of NCP's activities in Kazakhstan.

6. In order to expand the partnership relations of NCP, work is underway to conclude memoranda (joint action plans) with various sectors of society.

So, today NCP has 4 concluded documents:

-Memorandum of Understanding and cooperation between NCP Secretariat and Coordinating Council for modernization of social partnership institute and wage system in the Republic of Kazakhstan "YNTYMAQ", uniting 16 organizations from among republican associations of trade unions and employers, branch trade unions and other organizations of the Republic of Kazakhstan, dated February 11, 2021;

-A joint action plan to promote and comply with OECD and NCP Guidelines between NCP Secretariat and the Benelux Chamber of Commerce dated March 17, 2022. The plan is aimed at developing and strengthening cooperation in the field of promoting the activities of the National Contact Point in the territory of the Republic of Kazakhstan and dissemination of OECD Guidelines.

The direct interest of Benelux and NCP Secretariat provides an opportunity to discuss real problems and ways to eliminate them through mutual consultations, seminars, conferences, as well as the formation of analytical materials;

Joint Action Plan for promotion and compliance with OECD and NCP Guidelines between NCP Secretariat and association of legal entities "Civil Alliance of Kazakhstan" dated March 31, 2022. Cooperation between Civil Alliance of Kazakhstan and NCP Secretariat makes it possible to disseminate OECD Guidelines to civil society, as well as to develop joint proposals to amend legislation on the activities of non-governmental non-profit organizations and trade unions;

Joint Action Plan for the promotion and observance of OECD Guidelines on Human Rights, development and strengthening of cooperation in the field of promotion of NCP activities in Kazakhstan between NCP Secretariat and the Commissioner for Human Rights of the Republic of Kazakhstan dated September 20, 2022. Cooperation between the Commissioner for Human Rights in the Republic of Kazakhstan and NCP Secretariat will bring the activities of Kazakhstan's NCP to a new qualitative level and switch to the mode of "implementation and implementation" of OECD standards on responsible business conduct.

It is also worth noting that in November 2022, signing a Memorandum of Cooperation between NCP Secretariat and AIFC International Arbitration Center of the AIFC is planned.

7. Consideration of appeals is a separate independent and main stage in activities of NCP. In the period from 2012 to 2022, Kazakhstan's NCP reviewed 3 received applications.

It is noteworthy that all three applications were received in the period from 2020 to 2022, when functions of NCP were transferred to the Ministry of National Economy of the Republic of Kazakhstan. This circumstance shows how effective is the policy pursued by it and NCP Secretariat regarding dissemination of OECD Guidelines and popularization of NCP's activities, and that the country's population is gradually beginning to use NCP mechanism in disputes involving multinational enterprises.

The work on reviewing appeals for such a relatively young Kazakhstan's NCP is also useful from the point of view of working on errors. At this stage, Kazakhstan's NCP can test appeal review system developed by it and, if there are any inconsistencies, make appropriate changes.

For reference: On June 10, 2021, the first appeal was received from a citizen of Kazakhstan in relation to a multinational enterprise registered in Russia and having a branch in Kazakhstan. The subject of appeal is an alleged violation by "International Institute of Integrated Preventive and Anti-Aging Medicine "PreventAge" of terms for provision of educational services. After initial assessment, NCP rejected the appeal due to absence of violation of OECD Guidelines.

On December 6, 2021, an appeal was received to Kazakhstan's NCP from Azerbaijani citizen regarding a multinational enterprise registered and operating in Azerbaijan. The subject of appeal was alleged commission by Telia Company AB (fd Telia-Sonera), Telia Company ABFintur Holdings BV of corruption operations, money laundering, discrimination, and human rights violations. Due to the fact that the company is Azerbaijani and the alleged violation of OECD Guidelines was committed at the territory of Azerbaijan, NCP rejected the appeal and recommended that the author contact NCP of Sweden, where the company's head office is located. In 2022, the third appeal was received from a citizen of Kazakhstan in relation to a multinational enterprise operating in Kazakhstan. The subject of the appeal is the alleged violation of consumer rights by Danish jewelry company Pandora, represented in Kazakhstan by AMADEO Central Asia LLP. However, during consideration of the appeal, the author withdrew the appeal, and therefore, further proceedings on the appeal were terminated.

It is also worth noting that a novelty in the activities of NCP in 2022 is development and approval of the Roadmap (hereinafter referred to as the Roadmap) at the meeting of Council for Cooperation with OECD on April 27, 2022 (Annex 4).

In general, the Roadmap is aimed at institutionalizing NCP mechanism as one of the instruments for the peaceful settlement of disputes in the legal system of Kazakhstan and the dissemination of the principles of responsible business conduct in the form of "soft law".

The Roadmap provides for work in the following areas:

- cooperation with the MNE in the fields of NCP activities;
- interaction with SMEs in Kazakhstan on dissemination and popularization of responsible business conduct;
- collaboration with civil society, focused on solving problems in the areas of human rights, labor, corruption and others;
- international cooperation, namely, conducting a joint study with OECD on the application of OECD Guidelines and on NCP issues.

In this regard, implementation of these measures will allow

Kazakhstan's NCP to consult in more detail with MNEs themselves, as well as to call for and disseminate standards of responsible business conduct of OECD.

Another important fact in the work of NCP is international cooperation through unification of NCP of all countries.

In 2022, the 30th anniversary of diplomatic relations between Kazakhstan and South Korea is celebrated. In this regard, Kazakhstan's NCP initiated online meeting with National Contact Point of South Korea, which gave another serious impetus to development of bilateral relations.

In South Korea, NCP operates as an organization in which the Government and civilians jointly participate. The secretariat of NCP of Korea is Commercial Arbitration Council, which consists of 8 commissioners:

- Chairman (Director General for Foreign Investment of the Ministry of Trade, Industry and Energy);
- three representatives of various ministries and four representatives of external institutions (Industrial Policy Research Institute, Korea Standards Association and professors).

The meeting took place on September 2, 2022, being a fruitful platform for exchange of views and knowledge on many topical issues and problems of further development.

During the meeting, staff of NCP of South Korea noted that during their 20-year activity they had difficulties in selecting expert staff and were interested in the experience of Kazakhstan's NCP on this matter. According to Song-Ho Ahn, Director of Foreign Investment Department of Ministry of Trade, Industry and Energy of South Korea, the division of responsibilities of the Ministry of National Economy and the Secretariat of Kazakhstan's NCP is a "unique situation"[80].

Currently, representatives of South-Korean NCP are interested in promoting OECD Guidelines and work of NCP among citizens and businesses.

Additionally, it is worth noting that NCP Secretariat is currently working on organizing Club of young NCP in order to share experiences and discuss problematic issues faced by young NCP. The invitation was sent to 19 young NCPs, of which only 3 NCPs (Peru, Latvia and Estonia) have confirmed their interest in this event so far.

Thus, in case of lack of interest from other NCPs, work will continue until the end of November 2022 to discuss mutually acceptable dates with specified NCPs to organize an online meeting.

Also on today's agenda, the issue of signing Media Plan for 2022-

2023 to promote NCP (hereinafter referred to as Media Plan) is being worked out with the Ministry of Information and Public Development of the Republic of Kazakhstan.

It is worth noting that the Media Plan consists of two sections: organizational and preparatory activities and information work.

Within the framework of the first section, it is planned to provide information and explanatory work and monitoring of media materials on NCP issues on an ongoing basis.

The second section implies direct work on dissemination of information about NCP through media channels, information support and coverage, as well as the involvement of representatives of NCP Secretariat in various television programs.

Thus, joint work on the coverage of the activities of NCP through traditional media will contribute to the further promotion of NCP mechanism among the population with the involvement of remote corners of the country.

The world in which NCP was first established has changed, and with it great difficulties have arisen both in the cases that NCP considers and in how they interact.

Exactly 10 years ago, the Government established National Contact Point of Kazakhstan as the first and still the only state non-judicial complaints mechanism built into leading standard of responsible business conduct. In order to keep up with today's challenges and respond to the increased calls for responsible business conduct, it is extremely important that the government continues to strengthen Kazakhstan's NCP. Thus, all the work carried out by the Secretariat of Kazakhstan's NCP will fully support the work of NCP at the proper level, as well as represent Kazakhstan as a responsible participant in compliance with its obligations in the eyes of the international community.

3. PROSPECTS FOR DEVELOPMENT OF NATIONAL CONTACT POINT IN KAZAKHSTAN

3.1 Importance and role of Kazakhstan's NATIONAL CONTACT POINT in dissemination and implementation of standards of responsible business conduct

Standards of Responsible Business Conduct (RBC) are a set of recommendations on proper behavior of enterprises in the market, which consists in honest behavior, compliance with ethics in interaction with state, business and society, as well as dealing with consequences (including liquidation) of their activities on environment and other areas.

As previously described, OECD standards include standards in various areas: human rights, labor and corporate relations, information disclosure, environmental protection, anti-corruption, tax and competition policy, science and technology, consumer protection and others.

In addition to general RBC standards, OECD has also developed industry standards for the following areas:

1. Agricultural industry;
2. Textiles and shoes;
3. Mining industry;
4. Mining of precious metals;
5. Financial markets.

The RBC standards are a methodology for proper conduct of multinational enterprises in carrying out their activities, regardless of geographical location of the enterprise.

RBC is based on the standards of five major and influential international organizations, including United Nations, International Labour Organization, International Organization for Standardization, Global Reporting Initiative, G20, as well as OECD standards on

corporate governance, anti-corruption and other priority areas.

It is important to note that OECD standards do not contradict, but only contribute to strengthening compliance with industry recommendations on good business practices in the participating countries, as well as countries that have joined OECD legal instruments, based on best practices.

RBC plays a key role in OECD value system and is the foundation for open international investment climate. Often, functioning and activities of multinational enterprises cover several states and, accordingly, different regulatory conditions and level of development of the local population.

These factors, combined with extremely competitive nature of international business, pose a number of challenges for multinational enterprises and their investors.

Given that the proportion of multinational enterprises are interested in complying with internal security standards, there is still a risk of ignoring relevant principles and standards of good behavior, with attempts to obtain "special conditions" or competitive advantage. This is especially true in developing economies, where legal, regulatory and institutional environments are either insufficiently formed or unstable.

However, investors are taking retaliatory actions, preferring multinational enterprises that actively implement responsible business practices. Solving social problems of society at the location of multinational enterprises and promoting business interests can be complementary.

One of RBC tools is introduction and implementation of corporate social responsibility programs, in addition to its core activities, which ensures loyalty of the entire local community. The introduction of corporate social responsibility in MNE is a voluntary action undertaken by MNE in excess of requirements of national legislation to ensure economic, social and environmental sustainability.

It is important for the Republic of Kazakhstan to strengthen its commitments to enhance ability of existing MNEs to integrate corporate social responsibility into their daily activities. The more MNEs in Kazakhstan take a responsible approach to this issue, the more significantly living standards of local population will increase, safety and environmental conservation will be ensured.

MNEs around the world have publicly pledged to comply with standards and take responsible approach to conducting their activities. This indicates growing recognition of need for MNEs to simultaneously protect interests of their shareholders, employees,

customers and communities in which they operate.

Today it remains generally accepted that social responsibility is not just charity work or compliance with legislation, but a concept according to which enterprises integrate social and environmental issues into their business policies and activities in order to have a beneficial impact on society.

It is worth noting that the Republic of Kazakhstan has also followed the path of legislative consolidation of social responsibility of business by establishing general provisions of social responsibility of entrepreneurship in the Entrepreneurial Code.

According to the legislation, the following conclusion can be formed: state identifies social responsibility with business charity, identifies priority areas in the form of labor relations (including employment) and environmental protection, and also determines that social responsibility is voluntary.

State policy of Kazakhstan in the field of business social responsibility, in accordance with best international practice, leaves businesses free to choose to establish their own unique policy on internal security based on the internal values of the company.

Nevertheless, certain issues related to social responsibility of business are related to RBC, as well as OECD Guidelines for Multinational Companies, and may be subject to regulation of national law and/or the fulfillment of obligations of a country or enterprise within the framework of international agreements.

The current system, within which the promotion and application of RBC is carried out in accordance with OECD Guidelines for Multinational Companies, testifies that acceding States attach to creating an atmosphere of mutual trust between all stakeholders to solve global problems in the field of corporate responsibility.

Multinational enterprises are expected to implement the recommendations contained in the Guidelines, and countries that have acceded to the Guidelines will commit to their practical implementation.

It is important to note that the mechanism developed by OECD on RBC is very effective for supranational organization and flexible for implementation within specifics of each individual country.

Each country determines for itself to what extent and in what way OECD Guidelines for Multinational Enterprises, including the RBC standards will be implemented, however, the practice of NCP functioning in OECD countries indicates that non-compliance with the RBC standards declared by MNE, as a rule, is punishable by decrease

in investment attractiveness of the enterprise, decrease in investor and buyer confidence, and loss of business reputation.

In this regard, it is worth believing that NCP in developing countries should take the initiative to integrate RBC standards into everyday life not only for MNEs operating in the country, but also for those enterprises that will become MNEs in medium term, as well as for enterprises that are counterparties to MNEs.

Thus, the role of NCP in dissemination and implementation of standards for responsible business conduct is as follows:

1. Proactive work with local MNEs to comply with RBC standards and create conditions for compliance.

2. Familiarization of domestic enterprises with OECD Guidelines and RBC standards of five large and influential international organizations to determine growth prospects and global trends in the development of similar enterprises.

3. Joint activities with government agencies to create conditions for compliance with RBC standards and development of an incentive system for domestic enterprises that have implemented and comply with RBC standards.

4. Strengthening institution of compliance in Kazakhstan through inclusion of international standards for responsible business conduct.

5. Inclusion of NCP into national system of alternative dispute resolution in relation to multinational enterprises.

In this regard, for Kazakhstan, as an active participant in international processes and a follower of democratic values and OECD standards, potential of NCP's work is important.

This is not only a condition for our membership in OECD Investment Committee, but also a guarantee of integrity and transparency of multinational enterprises in Kazakhstan.

The dissemination of OECD Guidelines within framework of the activities of Kazakhstan's NCP makes it possible to raise awareness not only of multinational enterprises operating in our country, but also to activate potential of civil society, which is an indicator of democratic processes.

3.2 Kazakhstan's NCP as a platform for conciliation and mediation procedures in resolution of disputes related to multinational enterprises

Disagreements and disputes can arise in any situation, they divide disputants into communities and groups, prevent them from finding a solution to the problem and create a cycle of negative situations, limiting access to implementation of projects or activities of MNEs. Unresolved disputes with stakeholders can affect business as costly project delays, damage to reputation, high conflict management costs, investor uncertainty and, in some cases, loss of investment capital, in this regard, MNEs are always interested in a quick and effective dispute resolution.

Tools and mechanisms to facilitate dialogue and out-of-court dispute resolution, which facilitate parties' search for mutually acceptable and beneficial solutions, are key to long-term success of multinational enterprises.

Kazakhstan provides various dispute resolution mechanisms, from litigation to alternative conflict resolution methods including mediation (Law of the Republic of Kazakhstan "On Mediation"), as well as unique tools such as Court of Astana International Financial Center with International Arbitration Center and National Contact Point of Kazakhstan.

Peaceful resolution of conflicts is a principle of international public law relations. When resolving a dispute, it is necessary to take into account all the factors and elements of emergence of relations between the parties, as well as external factors affecting positions of the parties.

Mediation is widely used by business organizations, as, compared with court proceedings, it allows for more effective dispute resolution with confidentiality at lower cost.

In addition, mediation allows the parties to find constructive, cost-effective solutions that allow them to maintain business ties.

It is important to distinguish between "mediation" and other methods of out-of-court conflict resolution. Conceptual framework of the definition of "mediation" in legal literature and scientific texts and publications is very different and reflects only minimum standard of requirements for the mediation process and is more focused on personality of the mediator within the relevant national legal system.

Having analyzed the main content of definitions, mediation can be characterized as a voluntary process, the purpose of which is to conclude a mutually acceptable solution for the parties to the conflict.

Key role in this process is assigned to the mediator, that is, a specialist who sets up a dialogue between conflicting parties, allowing them to take responsibility for finding a solution to the conflict that has arisen between them.

The basis of mediation procedure is confidentiality, neutrality and impartiality of the mediator, and then mediator determines methods and models of dispute settlement by mediation.

In this regard, in normative legal acts, term "mediator" can be characterized as follows: "impartial third party who conducts conflict settlement procedure" and further, based on national and regional level of the legal act, necessary legal requirements are established, which must be met by a person applying for "mediator" title.

If we talk about Kazakhstan, our legislation is structured in a similar way. It contains all the necessary requirements for mediator and regulates its activities in conflict resolution. However, there are no concepts of sites and infrastructure for mediation in national legislation. That is, today, in order to use mediator's service (except in some cases when court appoints mediation), the parties themselves need to look for and verify level of mediator's professional training, since today each organization of mediators has a register with information about a particular mediator.

However, based on mentality of population and national characteristics of conflict resolution, most of the population does not use mediator services due to low level of trust in this institution.

It should be assumed that if there is a platform similar to judicial one, that is, when applicant comes and is provided with the necessary assistance in exercising constitutional right to protect his/her own interests, then mediation process would be much preferable for civil society.

With that, it is worth considering various specialized platforms in the context of conflict areas: family and marriage relations, labor disputes, administrative, in the field of exercising social rights and others. NCP, in turn, may become the first platform specializing in dispute resolution between multinational enterprises and civil society represented by legal entities and individuals.

As part of appeals at this platform, assistance should be based on the following elements:

1. "Counseling" – counseling-informing in mediation process should be distinguished from counseling in resolving disputes concerning personal relationships. Within the framework of activities of Kazakhstan's NCP, this paragraph will mean classification of appeal

and its belonging to violation of OECD Guidelines. That is, as practice of NCP, including Kazakhstan, shows, there are appeals that do not fall under category of violations of OECD principles on responsible business conduct. In this regard, further work on appeal is not carried out due to absence of grounds for conducting mediation procedure.

2. "Reconciliation" is a dispute resolution mechanism in which a neutral third party assumes active, decision-making role in order to help the parties find an agreed solution to their dispute, while mediation can be proactive, but not prescriptive.

In this case, a special role will be played by expert community, which directly specializes in dispute issues.

3. Early independent legal examination, in which the parties receive from an independent expert an assessment of their situation and the legal substance of the case, which is not legally binding, after which they can discuss and agree on their own decision

4. Mutual assistance law, in which the parties are assisted by "cooperation-oriented" third parties who use methods of extrajudicial conflict resolution and negotiation techniques aimed at satisfying the interests of the conflicting parties.

The secretariat of Kazakhstan's NCP, as a structure proficient in mediation techniques, can ensure the use of this mechanism in dispute resolution through its active and expert participation.

5. Direct or indirect mediation. When using the term "direct mediation", we mean mediation, during which both parties directly and simultaneously participate in sessions together with the mediator, either personally attending the meeting, or contacting each other through video or teleconferences, or using the Internet.

6. "Closed meetings", during which the mediator meets with each party separately. In this format, the outcome of the appeal and claims can be resolved at this stage by reaching mutually acceptable agreements.

This tool will also be effective within the framework of the work of Kazakhstan's NCP, since often, as international experience shows, large companies do not want publicity, which carries reputational risks, making every effort to resolve the dispute at the initial stage.

The result and form of mediation procedure is mediation agreement, that is agreed decision reached by the parties during mediation, satisfying requests of both parties.

Prerequisite for mediation is monitoring implementation of agreements reached.

If an agreement cannot be reached, mediators are excluded from

further representation of the parties.

Mediators and organizations offering mediation services in relation to multinational enterprises should work closely with government authorities at the organizational level to ensure a speedy and effective resolution of these conflicts.

Conciliation and mediation services on this platform should be as transparent as possible, and With that ensure the confidentiality of the procedure.

The dispute resolution process through NCP platform has proven international experience in bringing parties together to work on mutually acceptable dispute resolution. NCP of the Republic of Kazakhstan, established in 2012, can facilitate access to agreed and non-conflicting procedures such as reconciliation and mediation to help MNEs and society resolve issues related to the implementation of OECD Guidelines.

Thus, within the framework of this approach, work will be established to coordinate the functions of facilitating dialogue. It should be noted that this mechanism does not exclude the use of national judicial systems.

Steps will also be taken to form guidelines for interacting with stakeholders in order to prevent disputes, identify them early and resolve them.

3.3. Recommendations for improving effectiveness and strengthening status of Kazakhstan's National Contact Point

OECD defines the key criteria in the activities of NCP:

- Visibility. Establishment and operation of NCP in the country, as well as providing high-quality information to business community, associations of workers and other interested parties, including non-governmental organizations.

- Accessibility. Easy access for applicants to address alleged violations of OECD Guidelines.

- Transparency. This criterion assumes that NCP has appropriate tools when considering and making decisions on confidentiality requests.

In the authors' understanding, this criterion should also imply the applicant's ability to freely access information on application under consideration, monitor progress of appeal review and other procedures.

- Accountability. It implies preparation and publication of annual

reports on NCP activities over past period at the platform of OECD Investment Committee in order to share experiences and improve methods and tools for the dissemination of OECD Guidelines.

In general, the Kazakh practice of NCP functioning complies with international requirements and rules. To date, the institutional conditions for the functioning of NCP have been created, the Secretariat of Kazakhstan's NCP conducts an information and explanatory campaign on the dissemination of OECD Guidelines on a regular basis, three appeals against multinational enterprises have been considered, Memoranda and other agreements on cooperation with civil society and business in Kazakhstan have been concluded.

With that, there are some problems in determining the status of Kazakhstan's NCP in the hierarchy of normative legal acts of national legislation.

There is a conflict of interest within the framework of the activities of NCP, where the Chairman of NCP has the right to approve the legal acts of NCP, which regulate the procedure for considering appeals and making decisions regarding multinational enterprises. However, the Minister of National Economy, who is also the Chairman of NCP, within the framework of its political position, is limited in making objective decision regarding investors according to its functional duties in terms of forming a state policy to attract investments.

In this regard, there is a need to consolidate "rules of the game" of Kazakhstan's NCP at the level of the first Head of the Government of the Republic of Kazakhstan. By raising status of regulatory legal acts of Kazakhstan's NCP (Regulations, Rules for consideration of appeals, criteria for forming composition of NCP, deadlines and other procedures) to the level of a Government decision, Kazakhstan guarantees a better and more transparent functioning of such an NCP structure.

In addition, high level of decision-making will ensure that it is impossible to make changes to the above-mentioned documents for the interests of certain business entities represented by investors and multinational companies, which will obviously help to offset potential risks.

Despite the active awareness-raising campaign conducted by the Secretariat of Kazakhstan's NCP and the Ministry of National Economy of the Republic of Kazakhstan, there is insufficient involvement of state bodies of the Republic of Kazakhstan responsible for public development in informing population and civil society of the country about the mechanism for protecting their interests represented by

Kazakhstan's NCP.

Within the framework of the appeals and international cases reviewed by NCP Kazakhstan, it was noted that there are cases when the parties came to an agreement at the stage of consulting or evaluation. As a result, there is no need and obligation to further monitor the activities of the company that was contacted, that does not allow us to assess the level of compliance with standards of responsible business conduct.

On an annual basis, Kazakhstan's NCP, along with other NCP, participates in reporting meeting within the framework of OECD Investment Committee. This practice makes it possible to monitor the progress of the work of national NCPs, and adopt the best practices in the activities of other countries. With that, it is worth believing that the application of such practices in relation to civil society and the population of the country will also ensure an increase in the level of consciousness in Kazakhstan and will allow a wider use of NCP tool for the dissemination of Guidelines.

Taking into account above-mentioned directions of development of the activities of Kazakhstan's NCP, the authors have developed recommendations aimed at improving the efficiency and strengthening the status of the National Contact Point of Kazakhstan.

Firstly, it is necessary to carry out work on consolidating functions, regulations, activities and so on at the level of the government document of the Republic of Kazakhstan.

Secondly, it is necessary to consider the possibility of conducting a large-scale advertising campaign by including this task in government information and social orders. This will require consolidated efforts on the part of authorized state bodies and other interested and responsible organizations.

As part of ensuring compliance with the HIA by multinational companies, it is possible to consider the introduction of such a mechanism as further monitoring and studying the proper behavior of a multinational enterprise, which came to the attention of Kazakhstan's NCP as an alleged violator by analogy with OECD Watch.

In addition, it is worth believing that an effective tool for promoting OECD standards in relation to MNEs may be the inclusion in the annual investment report of a section on compliance with OECD Guidelines and compliance of Kazakhstani and other MNEs operating in the territory of the Republic of Kazakhstan with standards of responsible business conduct.

This will, among other things, motivate MNEs and investors in the

territory of the Republic of Kazakhstan to comply with the standards of responsible business conduct.

Also, for the successful functioning of Kazakhstan's NCP, it is necessary to train the staff of the Secretariat for advanced training in the field of mediation.

CONCLUSION

Of course, Kazakhstan has made significant progress in regulating investment processes. Implementation of initiatives to develop effective mechanisms for attracting foreign investment, protecting rights of investors, and creating one-stop shop service center allowed Kazakhstan to institutionally integrate into global economy, approaching OECD standards in compliance with the principle of national treatment.

The Government of Kazakhstan is implementing many reforms to eliminate administrative and legislative barriers that hinder development of investment climate. This is confirmed by investor surveys, which indicate that there has been some progress in these areas over the past few years.

According to analysts, Kazakhstan has a number of advantages compared to other CIS countries. This is a relatively high level of political stability, the relatively serious attention that the government pays to creating and maintaining a favorable climate for investors, as well as the natural resources available in the country.

With that, in order to fully ensure the investment climate in accordance with OECD standards, Kazakhstan needs the functioning of National Contact Point. This is a criterion for country's quality country in international arena, and also serves as a guarantee of compliance with OECD Guidelines for MNEs.

In general, we see that civil society plays a huge role in this process, which signals potential violations of OVB standards by multinational enterprises, and also has the opportunity to participate in the framework of appeals to NCP in consideration of these violations.

Over the years of operation, Kazakhstan's NCP has come a long way from institutional formation to full-fledged functioning today.

The experience of functioning of National Contact Point of Kazakhstan is regularly noted on OECD platforms as proactive and modern. The activities carried out by Kazakhstan's NCP within the framework of OECD Investment Committee are highly appreciated.

It is safe to say that Kazakhstan's NCP is currently one of the most successful NCP among young and novice structures in other countries. Thus, innovative solutions have been repeatedly noted in approaches to conducting an awareness campaign to promote OECD Guidelines.

Through social networks, Internet page at official website of Economic Research Institute, Telegram chatbot, activities of NCP, tasks,

functions, goals and international experience are widely covered.

Kazakhstan NCP regularly holds various events with the business community, civil society, and academia to discuss the importance and importance of complying with the standards of responsible business in Kazakhstan.

In conclusion, it is worth noting that the policy of the Republic of Kazakhstan aimed at prosperity and improving welfare of society combines both national interests of the country and the best practices of OECD countries, use of such NCP tools allows the country to reach a qualitatively new level in international and internal processes of civil society formation and ensuring status of a country with attractive investment climate.

Action plan of National Contact Point for 2020

№	Events	Responsible authorities	Outcome	Period
1. Organizational issues				
1.1	Meeting of NCP members	MNE RK, NCP Secretariat	Minutes	2020 as needed
1.2	Creation of NCP call center and Internet bot for accepting appeals and advising on OECD Guidelines	MNE RK, NCP Secretariat	Call center, Internet bot	July 2020
2. Information promotion				
2.1	Regional webinar on explanation of OECD Guidelines for Multinational Enterprises and NCP activities. Participants: central government agencies, local executive bodies, NCE "Atameken", business entities, public associations, trade unions and other stakeholders.	MNE RK, NCP Secretariat	Webinar	June 2020
2.2	Creation of informational video explaining OECD Guidelines and procedure for submitting appeals	NCP Secretariat	Video clip	2020
2.3	Publication of information on activities of NCP and OECD Guidelines at the website of MNE RK	MNE, NCP Secretariat	Information at website	On a regular basis
2.4	Work to promote Guidelines in order to raise awareness among the public and stakeholders.	MNE RK, NCP Secretariat, NCE "Atameken", NC "KAZAKH INVEST" JSC	Articles, interviews in the media	2020
2.5	Informing Kazakh diplomatic missions abroad about functioning of NCP and promoting OECD Guidelines.	MFA RK, MNE RK, NCP Secretariat	Information to MNE	2020

2.6	Regional webinar on explanation of OECD Guidelines for Multinational Enterprises and NCP activities. Participants: central government agencies, local executive bodies, NCE "Atameken", business entities, public associations, trade unions and other stakeholders.	MNE RK, NCP Secretariat	Webinar	2020 IV quarter
2.7	Informing employees (through trade unions) about NCP and opportunity to resolve various issues.	MLSPP RK	Information to MNE	During the year
2.8	Publication of information on activities of NCP and OECD Guidelines at websites of government agencies, akimats, NCE "Atameken" and other interested bodies	Government agencies, akimats of cities and regions, NCE "Atameken", stakeholders	Information to MNE	During the year
3. Specific cases				
3.1	Meeting of NCP members to consider specific cases (if any)	MNE, NCP Secretariat	Minutes	As needed
3.2	Publication of information on the results of considering specific cases (if any)	MNE RK, NCP Secretariat	Conclusion	As needed

Acronyms and abbreviations

OECD Guidelines – OECD Guidelines for Multinational Enterprises

OECD – Organization for Economic Cooperation and Development NCP – National Contact Point

MNE RK – Ministry of National Economy of the Republic of Kazakhstan MFA RK – Ministry of Foreign Affairs of the Republic of Kazakhstan

MLSPP – Ministry of Labor and Social Protection of the Population of the Republic of Kazakhstan;

NCE "Atameken" – National Chamber of Entrepreneurs

Source: Official tab of Kazakhstan's NCP, electronic resource:

https://economy.kz/documents/OECD/NKC/Plans_events/Plan_meropriyatii_NKC.pdf

Action plan of National Contact Point for 2021

№	Events	Responsible authorities	Outcome	Period
1. Organizational issues				
1.1	Submission of report on activities of NCP to the Government of the Republic of Kazakhstan	MNE, NCP Secretariat	Report	May
1.2	Publication of the final report on activities of Kazakhstan's NCP in OECD at NCP website	NCP Secretariat	Report	March
1.3	Creation of information memo on mechanism for submitting and reviewing applications to NCP	NCP Secretariat	Information to MNE	June
1.4	Development of rules for definition of multinational companies in the Republic of Kazakhstan.	MNE, NCP Secretariat	Rules	August
1.5	Meeting of NCP members on the issues of organizing NCP activities	MNE, NCP Secretariat	Minutes	as needed
1.6	Organization of experience sharing meeting with NCP from other countries (Asia/Europe)	MNE, NCP Secretariat	Meeting	August, September
2. Information promotion				
2.1	Webinar on explanation of OECD Guidelines for Multinational Enterprises and NCP activities.	Government agencies, LEB of cities and regions, NCE "Atameken", stakeholders	Seminar, Presentation	February, September
2.2	Meeting with Commissioner for Human Rights in the Republic of Kazakhstan	MNE, NCP Secretariat	Webinar, Presentation	May

2.3	Work to promote Guidelines in order to raise awareness among the public and stakeholders.	MNE RK, NCP Secretariat, NCE "Atameken" (as agreed), NC "KAZAKH INVEST" JSC (as agreed), Government agencies, LEB of cities and regions, stakeholders	Articles, interviews in the media publishing information at official websites, posting videos	during the year
2.4	Informing employees of multinational companies (through trade unions) about NCP and its capabilities	MLSPP RK	Information to MNE	during the year
2.5	Informing Kazakh diplomatic missions abroad about functioning of NCP and promoting OECD Guidelines.	MFA RK, MNE RK, NCP Secretariat (as agreed)	Information to MNE	during the year
2.6	Informing participants in foreign economic activity about activities of NCP and OECD Guidelines	MTI RK, KazakhExport Export Insurance Company JSC (as agreed), QazTrade Trade Policy Development Center JSC (as agreed)	Information to MNE	during the year

3. Consideration of specific cases				
3.1	Meeting of NCP members to consider specific cases (if any)	MNE, NCP Secretariat	Minutes	as needed
3.2	Publication of information on the results of considering specific cases (if any)	MNE, NCP Secretariat	Conclusion	as needed
3.3	Interaction with other NCP to review specific cases	MNE, NCP Secretariat	Letter	as needed

Acronyms and abbreviations

OECD Guidelines – OECD Guidelines for Multinational Enterprises

OECD – Organization for Economic Cooperation and Development NCP – National Contact Point

MNE RK – Ministry of National Economy of the Republic of Kazakhstan MFA RK – Ministry of Foreign Affairs of the Republic of Kazakhstan

MTI RK – Ministry of Trade and Integration of the Republic of Kazakhstan

MLSPP – Ministry of Labor and Social Protection of the Population of the Republic of

Kazakhstan;

NCE "Atameken" – National Chamber of Entrepreneurs

Source: Official tab of Kazakhstan's NCP, electronic resource:

https://economy.kz/documents/OECD/NKC/Plans_events/Plan_meropriyatii_NKC.pdf

Action plan of National Contact Point in the Republic of Kazakhstan (NCC) for 2022

№	Event	Outcome	Execution deadline	Responsible performers
1. Organizational issues				
1	Approval of criteria for multinational enterprises at the territory of the Republic of Kazakhstan in accordance with OECD Guidelines for Multinational Enterprises. Approval of Regulations on NCP and Secretariat.	Resolution of the Government of the Republic of Kazakhstan	July	MNE, NCP Secretariat
2	Forming methodology for conducting surveys in target groups covered by NCP	NCP decision	August	MNE, NCP Secretariat
3	Review of the Procedure for considering specific cases	Procedure	As needed	MNE, NCP Secretariat
2. Institutional support for NCP activities				
4	Forming a report on NCP activities	Report to OECD Report to PMO RK	January June	
5	Participation in meetings of OECD Investment Committee on NCP activities	Report	Ongoing	
6	Organization of interaction with trade unions of the Republic of Kazakhstan on responsible business conduct and implementing OECD recommendations on corporate governance, as well as on interaction with NCP	Meeting	half-annually	
7	Organization of interaction with multinational enterprises of the Republic of Kazakhstan on responsible business conduct and implementation of OECD corporate governance recommendations, as well as on interaction with NCP	Meeting	half-annually	

8	Organization of interaction with Commissioner for Human Rights of the Republic of Kazakhstan on responsible business conduct and implementing OECD recommendations on corporate governance, as well as on interaction with NCP	Meeting	half-annually	
9	Organization of interaction with non-governmental organizations of the Republic of Kazakhstan on responsible business conduct and implementing OECD recommendations on corporate governance, as well as on interaction with NCP	Meeting	half-annually	
10	Organization of interaction with NCE "Atameken" of the Republic of Kazakhstan on responsible business conduct and implementing OECD recommendations on corporate governance, as well as on interaction with NCP	Meeting	half-annually	
3. Promotion and popularization of NCP				
11	Work to promote NCP and OECD Guidelines for Multinational Enterprises in order to raise awareness among the public and stakeholders	Seminar (webinar), participation in events held by other interested government agencies and organizations	Ongoing	NCP Secretariat, MNE
12	Informing Kazakh diplomatic missions abroad about functioning of NCP and promoting OECD Guidelines for Multinational Enterprises.	Report to MNE	Ongoing	MFA, NCP Secretariat
13	Informing participants in foreign economic activity about the activities of NCP and OECD Guidelines for Multinational Enterprises	Report to MNE	Ongoing	MTI, NCP Secretariat, KazakhExport JSC (as agreed), QazTrade CTPD JSC (as agreed)

14	Conducting a survey in selected target groups covered by NCP in order to identify violations of OECD Guidelines by multinational enterprises	Report to MNE	September	NCP Secretariat
15	Holding an annual conference on NCP issues	Conference	August	NCP Secretariat, MNE
16	Involvement of NCP Secretariat in conferences, round tables, seminars on areas covering NCP activities	Report	Ongoing	MNE, MFA, MJ, MF, MEGNR, MTI, MLSPP, MES, MDDIAI, MISD, APK (as agreed), NCE (as agreed), NC "KAZAKH INVEST" JSC (as agreed)
17	Organizational and methodological support for Kazakhstan's multinational enterprises on implementation of OECD standards of responsible business conduct, determining their readiness to master and implement OECD standards	Consultations	As needed	NCP Secretariat
18	Developing adapted OECD standards on responsible business conduct for Kazakhstani multinational enterprises	Recommendations	June	MNE, NCP Secretariat
19	Formation of information brochures on NCP activities	Brochures	As needed	NCP Secretariat
20	Adoption of information and explanatory media plan with the Ministry of Information and Public Development of the Republic of Kazakhstan for 2022-2023 to promote and popularize NCP Guidelines among the target audience	Media plan	August	MNE, MISD, NCP Secretariat
21	Redesign of NCP's official website	Updated NCP website	As needed	MNE, NCP Secretariat
22	Creation of Kazakhstan's NCP accounts in popular social networks for broad and proactive explanation of NCP's functioning, goals and objectives (Twitter, Instagram, Facebook, etc.);	Accounts in popular social networks	As needed	MNE, NCP Secretariat

4. Consideration of specific cases in NCP				
23	Meeting of NCP members to consider specific cases (if any)	Minutes	As needed	MNE, MFA, MJ, NCP Secretariat
24	Publication of information on the results of considering specific cases (if any)	Conclusion	As needed	MNE, NCP Secretariat
25	Interaction with other NCP to review specific cases	Letter	As needed	MNE, NCP Secretariat
5. Expert assessment of NCP				
26	Organization of training program, preparation of training materials with experienced National Contact Points of OECD	Training, exchange of experience	As needed	NCP Secretariat, MNE

Expansion of abbreviations:

1. MNE – Ministry of National Economy of the Republic of Kazakhstan;
2. NCP Secretariat - "Economic Research Institute" JSC
3. MF – Ministry of Finance of the Republic of Kazakhstan;
4. MFA – Ministry of Foreign Affairs of the Republic of Kazakhstan;
5. MJ – Ministry of Justice of the Republic of Kazakhstan;
6. MEGNR - Ministry of Ecology, Geology and Natural Resources of the Republic of Kazakhstan
7. MIT – Ministry of Trade and Integration of the Republic of Kazakhstan;
8. MLSPP – Ministry of Labor and Social Protection of the Population of the Republic of Kazakhstan;
9. MES - Ministry of Education and Science of the Republic of Kazakhstan;
10. MIPD – Ministry of Information and Public Development of the Republic of Kazakhstan;
11. MDDIA – Ministry of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan;
12. ACA - Anti-Corruption Agency of the Republic of Kazakhstan;
13. NCE – National Chamber of Entrepreneurs of the Republic of Kazakhstan "Atameken"
14. KAZAKH INVEST JSC – National Company KAZAKH INVEST JSC;
15. KazakhExport JSC – KazakhExport Export Insurance Company JSC;
16. "CTPD" JSC – Joint Stock Company "Center for Trade Policy Development «QazTrade».

Source: Official tab of Kazakhstan's NCP, electronic resource: https://economy.kz/documents/OECD/NKC/Plan_2022_rus.pdf

Roadmap for promotion and popularization of National Contact Point (NCP), as well as OECD Guidelines for Multinational Enterprises in the Republic of Kazakhstan

№	Event	Outcome	Executi on deadline	Responsible performer	Note
I. Responsible business conduct					
Working with multinational enterprises (MNEs)					
1.	Forming Long list of MNEs operating at the territory of the Republic of Kazakhstan	Long List of MNEs	June 2022	NCP Secretariat	
2.	Development with MNEs and approval by NCP "Concept of Corporate Social Responsibility of MNE"	NGO	October 2022	NCP Secretariat, MNE	
3.	Detailed development of common standards for responsible business conduct (behavior) for "individual" economy sectors	Code of Conduct /industry agreements	July 2022	NCP Secretariat	
4.	Working out possibility of providing benefits to MNE which comply with RBC	Proposals to MNE	October 2022	NCP Secretariat, MNE, MIID, MTL, MF	
5.	Disseminating and raising awareness of ESG principles	Seminar/ webinar	As needed	NCP Secretariat	
Working with small and medium-sized businesses (SMBs)					
6.	Analysis and systematization of responsible business conduct standard by "growth" industries	Checklist of recommendations,	August 2022	NCP Secretariat	
7.	Developing "Program for achieving responsible entrepreneurship in SMEs" in cooperation with ALE in the field of SME	Program	September 2022	NCP Secretariat	
8.	Developing a possibility of providing package of state support measures to medium-sized businesses that comply with standards of responsible business	Proposals to MNE	October 2022	NCP Secretariat, APDC, MNE, MIID, MTL, MF	

	conduct				
II. LATTE* (work with civil society)					
9.	Forming a registry on possible violations of OECD Guidelines by MNEs	Registry	June 2022	NCP Secretariat	
10.	Informal meetings with MNE on possible violations	Meeting/discussion	As needed	NCP Secretariat, MNE	
11.	Developing joint action plan to establish a dialogue between civil society and MNE	Joint action plan	June 2022	NCP Secretariat, MNE	
III. Consolidation of NCP in the legal system. "Soft" tool for coercion to exemplary behavior					
12.	Developing transition from "soft law" principle to obligatory application of responsible business conduct standards	Proposals to MJ	July 2022	NCP Secretariat, MNE	
13.	Inclusion of NCP into national mediation system	Offers to MISD	August 2022	NCP Secretariat, MISD, MNE	
14.	Improving compliance system with responsible business conduct and NCP	Proposals to MNE	July 2022	NCP Secretariat, MNE	
IV. International cooperation					
15.	Exploring possibility of conducting a joint study with OECD on application of OECD Guidelines and NCP issues	Offers	September 2022	MNE, MFA, NCP Secretariat	
16.	Exploring the possibility of holding meetings with South Korea NCP in order to share experiences	Meeting/discussion	December 2022	MNE, NCP Secretariat, MISD	

*LATTE method: Listen; Acknowledge; Take action; Thank; Encourage.

Expansion of abbreviations:

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3. MF – Ministry of Finance of the Republic of Kazakhstan;
4. MFA – Ministry of Foreign Affairs of the Republic of Kazakhstan;
5. MIPD – Ministry of Information and Public Development of the Republic of Kazakhstan;
6. MTI – Ministry of Trade and Integration of the Republic of Kazakhstan;
7. MIID – Ministry of Industry and Infrastructure Development of the Republic of Kazakhstan;
8. APDC – Agency for Protection and Development of Competition of the Republic of Kazakhstan;

Source: Official tab of Kazakhstan's NCP, electronic resource:

https://economy.kz/documents/OECD/NKC/Doroznaja_karta_po_razvitiju_NKC/DK_rus.pdf

BIBLIOGRAPHY

- 1) Transnational corporations and world development. United Nations Conference on Trade and Development. Division on Transnational Corporations and Investment. London: Published by Routledge on behalf of the UNCTAD. – 1996. – 581 c.
- 2) Economic and Social Council: Official records, 61st session. Suppl. № 5. Commission on Transnational Corporations: Report on the 2nd session, 1-12 March 1976. New York: United Nations, 1976. III, 41 p. U.N. doc.
- 3) OECD Guidelines for Multinational Enterprises, 2011 edition, electronic resource: <http://mneguidelines.oecd.org/guidelines/MNEGuidelinesRussian.pdf>
- 4) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Commonwealth of Independent States, Convention dated March 6, 1998 "On Transnational Corporations".
- 5) Electronic website: Jed, Greer and Kavaljit A Brief History of Transnational Corporations / Greer and Kavaljit Jed.// electronic resource:<https://archive.globalpolicy.org/component/content/article/221-transnational-corporations/47068-a-brief-history-of-transnational-corporations.html>
- 6) Smagina V.I. Concept and essence of TNC // Bulletin of Tambov University. Series: Humanities. 2007. № 8 (52). Pp. 66-71.
- 7) OECD Official website: OECD Science, Technology and Industry Working Papers "Multinational enterprises and global value chains: New Insights on the trade investment nexus" 2018/05// electronic resource:
- 8) https://www.oecd-ilibrary.org/industry-and-services/multinational-enterprises-and-global-value-chains_194ddb63-en. Accessed on: [16.09.2022]
- 9) OECD Official website // electronic resource: <https://www.oecd.org/about/>. Accessed on: [9.09.2022]
- 10) OECD Official website // electronic resource: <https://legalinstruments.oecd.org/en/about>
- 11) OECD Official website // electronic resource: <https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0144#backgroundInformation>

- 12) OECD Official website // electronic resource: <http://mneguidelines.oecd.org/>. Accessed on: [16.09.2022]
- 13) Bernaz N. 2017. Business and human rights: history, law and policy: bridging the accountability gap. Abington, Oxon; New York, NY: Routledge. Page 313
- 14) Annual Report on OECD Guidelines for Multinational Enterprises 2020
- 15) OECD Official website // electronic resource: <https://mneguidelines.oecd.org/OECD-Guidelines-for-MNEs-NCP-FAQ.pdf> . Accessed on: [19.09.2022]
- 16) Electronic resource: <https://cancilleria.gob.ar/en/initiatives/ancp/about-us>
- 17) Terms of Reference of the Austrian National Contact Point for the OECD Guidelines for Multinational Enterprises
- 18) NATIONAL CONTACT POINT 2018 REPORT TO THE OECD:
- 19) AUSTRIA, 4 February 2019
- 20) OECD Guidelines for Multinational Enterprises. National Contact Points Peer Reviews: Canada
- 21) Electronic resource: <https://www.mpo.cz/dokument75865.html>
- 22) Rules of Procedure of the National Contact Point for OECD Guidelines for Multinational Enterprises of Czech Republic
- 23) Electronic resource: [file:///C:/Users/adminka/Downloads/stcrt-2014-19014%20\(3\).pdf](file:///C:/Users/adminka/Downloads/stcrt-2014-19014%20(3).pdf)
- 24) OECD official website// electronic resource: <https://nkc.lrv.lt/uploads/nkc/documents/files/English/NCP%20Regulations.pdf>
- 25) OECD official website// electronic resource: <https://www.oesorichtlijnen.nl/ncp/documenten/jaarverslag/2020/05/07/ncp-jaarverslag-2019>
- 26) OECD official website// electronic resource: http://www.ncp.or.kr/servlet/kcab_encp/info/2000
- 27) Electronic resource: file:///C:/Users/adminka/Downloads/Report_2015.pdf
- 28) OECD official website// electronic resource: <https://pcnmaroc.ma/wp-content/uploads/2020/10/Rapport-Annuel-PCN-Maroc-2018.pdf>
- 29) OECD official website// electronic resource: <https://pcnmaroc.ma/wp-content/uploads/2020/10/Rapport-annuel-PCN-Marocain-2019-3.pdf>
- 30) OECD official website// electronic resource: <https://oecd.kormany.hu/a-magyar-nemzeti-kapcsolattartopont>

- 31) OECD official website// electronic resource: [https://mneguidelines.oecd.org/Guide-for-NCPs-on-Coordination-when-handling - Specific-Instances.pdf](https://mneguidelines.oecd.org/Guide-for-NCPs-on-Coordination-when-handling-Specific-Instances.pdf). Accessed on: [16.09.2022]
- 32) National Contact Points for Responsible business conduct, Providing access to remedy: 20 years and the road ahead, OECD, 2020
- 33) <https://www.international.gc.ca/trade-agreements-accords-commerciaux/ncp-pcn/2020-05-07-ncp-pcn.aspx?lang=eng>
- 34) OECD Official website// electronic resource: <http://mneguidelines.oecd.org/database/instances/de0030.htm>. Accessed on: [20.09.2022]
- 35) OECD Official website// electronic resource: <http://mneguidelines.oecd.org/database/instances/jp0006.htm> . Accessed on: [21.09.2022]
- 36) Specific Instance Between the International Union of Food, Agriculture, Hotel, Restaurant, Catering, Tobacco, and Allied Workers Associations' and The Coca-Cola Company Related to Alleged Conduct in Indonesia // electronic resource: <https://www.state.gov/u-s-national-contact-point-for-the-oecd-guidelines-for-multinational-enterprises/specific-instance-final-statements/specific-instance-between-the-international-union-of-food-agriculture-hotel-restaurant-catering-tobacco-and-allied-workers-associations-and-the-coca-cola-company-related-to-alleged-conduct-in/>. Accessed on: [21.09.2022]
- 37) OECD Official website// electronic resource: <http://mneguidelines.oecd.org/database/instances/fi0006.htm>. Accessed on: [21.09.2022]
- 38) OECD Official website// electronic resource: <http://mneguidelines.oecd.org/database/instances/ma0004.htm> \. Accessed on: [22.09.2022]
- 39) OECD Official website// electronic resource: <https://economie.fgov.be/fr/themes/entreprises/developper-et-gerer-une-conduite-responsable-des-principes-directeurs-ocde-pour-point-de-contact-national-en/documents-point-de-contact>
- 40) Reforms in Kazakhstan: Progress, Challenges and Opportunities // electronic resource: [https://www.oecd.org/eurasia/countries/Eurasia-Reforming - Kazakhstan-Progress-Challenges-Option.pdf](https://www.oecd.org/eurasia/countries/Eurasia-Reforming-Kazakhstan-Progress-Challenges-Option.pdf). Accessed on: [07.10.2022]
- 41) Official website Учет.kz . Regulatory and legal framework // electronic resource: <https://zakon.uchet.kz/rus/docs/P1500000010> . Accessed on: [07.10.2022]

42) Official website of QazTrade Center for Trade Policy Development Joint-Stock Company // electronic resource: <https://qaztrade.org.kz/rus/spravochnaya-informacziya-3/>. Accessed on: [07.10.2022]

43) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated January 20, 2015 No. 10 "On signing a Memorandum of Understanding between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of draft Country Program for Cooperation

44) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet" // electronic resource: <https://adilet.zan.kz/rus/docs/P1800000763>. Accessed on: [10.10.2022]

45) Official website of "Economic Research Institute" JSC Kazakhstan and OECD // electronic resource: https://economy.kz/ru/OESR/Kazahstan_i_OESR/. Accessed on: [11.10.2022]

46) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated August 7, 2017 No. 473 "On signing Protocol - exchange of letters between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on extending Memorandum of Understanding between the Government of the Republic of Kazakhstan and the Organization for Economic Cooperation and Development on the implementation of draft Country Program for cooperation between Kazakhstan and Organization for Economic Cooperation and Development". Source: <https://adilet.zan.kz/rus/docs/P1700000473>

47) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated April 27, 2015 No. 361 "On signing Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Review of Policies Governing management of small and medium-sized enterprises, as well as entrepreneurship issues". Source: <https://adilet.zan.kz/rus/docs/P1500000361>

48) Legal information system of Regulatory Legal Acts of the

Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated August 29, 2015 No. 686 "On signing grant agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Studying progress of the reform program in Kazakhstan aimed at unifying Kazakhstan's economic reforms with standards and best practices of Organization for Economic Cooperation and Development in the field of private sector development and competitiveness, paying special attention to the contribution of Country Program to economic reform program of Kazakhstan." Source: <https://adilet.zan.kz/rus/docs/P1500000686>

49) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated December 10, 2014 No. 1296 "On signing an Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on the project "Comprehensive Country Review of the Republic of Kazakhstan". Source: <https://adilet.zan.kz/rus/docs/P1400001296>

50) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated April 27, 2015 No. 356 "On signing Grant Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Additional review leading to a full review of public administration (functional review)". Source: <https://adilet.zan.kz/rus/docs/P1500000356>

51) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated December 24, 2014 No. 1371 "On signing Agreement between Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Conducting study of integrity systems in Kazakhstan". Source: <https://adilet.zan.kz/rus/docs/P1400001371>

52) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated April 25, 2015 No. 300 "On signing Agreement between Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Review of Urban Development Policy".

Source: <https://adilet.zan.kz/rus/docs/P1500000300>

53) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated April 22, 2015 No. 249 "On signing Agreement between Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Second Review of Investment Policy". Source: <https://adilet.zan.kz/rus/docs/P1500000249>

54) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated April 27, 2015 No. 338 "On signing Grant Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on project "Follow-up Review of Higher Education Policy". Source: <https://adilet.zan.kz/rus/docs/P1500000249>

55) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated April 27, 2015 No. 341 "On signing Grant agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Innovation Policy Review". Source: <https://adilet.zan.kz/rus/docs/P1500000341>

56) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated April 9, 2015 No. 206 "On signing Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on project "Review of policies aimed at three groups: youth, senior workers and protection of vulnerable groups". Source: <https://adilet.zan.kz/rus/docs/P1500000206>

57) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated April 27, 2015 No. 350 "On signing Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on projects "Review of Healthcare System by Organization for Economic Cooperation and Development for Kazakhstan" and "Review of National Healthcare Accounts by Organization for Economic Cooperation and Development for Kazakhstan". Source: <https://adilet.zan.kz/rus/docs/P1500000350>

zan.kz/rus/docs/P1500000350

58) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated April 27, 2015 No. 365 "On signing Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on project "Economic Aspects of Water Resources Management in EECCA countries: Support for implementation of water resources management program". Source: <https://adilet.zan.kz/rus/docs/P1500000206>

59) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated April 25, 2015 No. 324 "On signing Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on project "Promoting Development of Green Growth and Low Carbon Emissions Strategy in Eastern Europe, Caucasus and Central Asia (EECCA): analysis and support of political dialogue on key control elements in the Concept for transition to "green economy" (GEC)". Source: <https://adilet.zan.kz/rus/docs/P1500000324>

60) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated August 31, 2017 No. 525 "On signing Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Review on public-private partnership development". Source: <https://adilet.zan.kz/rus/docs/P1500000324>

61) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated October 20, 2017 No. 656 "On signing Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on project "Review of Public Procurement System of Kazakhstan". Source: <https://adilet.zan.kz/rus/docs/P1700000656>

62) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated September 28, 2017 No. 596 "On signing Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Risk Management". Source:

<https://adilet.zan.kz/rus/docs/P1700000596>

63) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated September 15, 2017 No. 563 "On signing Grant agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Review of Budget System of the Republic of Kazakhstan: Strategy for implementation of best international practices in budget regulation (optimization of budget policy)". Source: <https://adilet.zan.kz/rus/docs/P1700000563>

64) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated September 26, 2017 No. 589 "On signing Grant agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Support for implementation of Functional Review". Source: <https://adilet.zan.kz/rus/docs/P1700000563>

65) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated October 19, 2017 No. 654 "On signing Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of project "Improving Regional Competitiveness (second stage)". Source: <https://adilet.zan.kz/rus/docs/P1700000654>

66) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated November 16, 2018 No. 750 "On signing Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "OECD Tax Policy Review: Kazakhstan". Source: <https://adilet.zan.kz/rus/docs/P1800000750>

67) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated November 16, 2018 No. 771 "On signing Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Stimulating Diversification and establishing links between foreign direct investment and small and

medium-sized businesses". Source: <https://adilet.zan.kz/rus/docs/P1800000771>

68) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated September 28, 2017 No. 597 "On signing Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Review on regulation of goods and services markets". Source: <https://adilet.zan.kz/rus/docs/P1700000597>

69) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated December 14, 2017 No. 832 "On signing Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Optimization of local value chains". Source: <https://adilet.zan.kz/rus/docs/P1700000832>

70) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated December 14, 2017 No. 835 "On signing Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Stimulating development of agricultural cooperation in the Republic of Kazakhstan" of Country Program of the Republic of Kazakhstan for 2017-2018". Source: <https://adilet.zan.kz/rus/docs/P1700000835>

71) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated June 4, 2018 No. 314 "On signing Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Reforming pollution charge system. Analysis of compliance with "polluter pays" principle in Kazakhstan "for 2018-2019". Source: <https://adilet.zan.kz/rus/docs/P1800000314>

72) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated July 30, 2018 No. 474 "On signing Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Implementation of ecological and

economic accounting system 2012 (EEAS)". Source:
<https://adilet.zan.kz/rus/docs/P1800000474>

73) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated July 30, 2018 No. 472 "On signing an Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Introduction of green growth indicators and preparation of green growth report in Kazakhstan". Source:
<https://adilet.zan.kz/rus/docs/P1800000472>

74) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated November 16, 2018 No. 764 "On signing Agreement between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development on implementation of the project "Calculation of service trade restrictiveness index for the Republic of Kazakhstan". Source:
<https://adilet.zan.kz/rus/docs/P1800000764>

75) OECD Information System "The Compendium of OECD Legal Instruments". Source: <https://legalinstruments.oecd.org/en/adherences>

76) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". Resolution of the Government of the Republic of Kazakhstan dated November 16, 2018 No. 763 "On signing Memorandum of Understanding between the Government of the Republic of Kazakhstan and Organization for Economic Cooperation and Development". Source: <https://adilet.zan.kz/rus/docs/P1800000763>

77) Official website of National Research Institute "Higher School of Economics" // electronic resource: <https://globalcentre.hse.ru/news/343686207.html>. Accessed on: [12.10.2022]

78) Official information resource of the Prime Minister of the Republic of Kazakhstan, electronic resource:
<https://primeminister.kz/ru/news/v-pravitelstve-obsudili-voprosy-sotrudnichestva-kazahstana-s-oesr-1292511>. Accessed on: [12.10.2022]

79) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". On determining body responsible for executing functions of National Contact Point in accordance with practice in the countries of Organization for Economic Cooperation and Development. Source: <https://adilet.zan.kz/rus/docs/P1200001453>

80) Legal information system of Regulatory Legal Acts of the

Republic of Kazakhstan "Adilet". On Amendments to the Resolution of the Government of the Republic of Kazakhstan dated November 16, 2012 No. 1453 "On determining body responsible for executing functions of National Contact Point in accordance with practice in the countries of Organization for Economic Cooperation and Development". Source: <https://adilet.zan.kz / rus/docs/P1800000306#z3>

81) Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan "Adilet". On Amendments to the Resolution of the Government of the Republic of Kazakhstan dated November 16, 2012 No. 1453 "On determining body responsible for executing functions of National Contact Point in accordance with practice in the countries of Organization for Economic Cooperation and Development". Source: <https://adilet.zan.kz / rus/docs/P1900000667#z5>

82) Official website of "Economic Research Institute" JSC // electronic resource: https://economy.kz/ru/Institut_segodnja/about/. Accessed on: [11.10.2022]