# ANALYTICAL BRIEF

## on the Practice of the Netherlands NCP in Cases Concerning Responsible Business Conduct

*Stellantis | Perfetti Van Melle | Pluspetrol | Uber*

This analytical brief examines several cases considered by the Netherlands National Contact Point for the OECD Guidelines for Multinational Enterprises (hereinafter referred to as the “Netherlands NCP”). The focus is placed not only on the factual background of each dispute, but also on the legal and practical function performed by the NCP: how it determines the relevance of a complaint, how it offers its good offices, how it responds to a refusal to engage in dialogue, and how it formulates recommendations for companies.

For each case, the brief first examines the submission or complaint itself: the company against which it was filed, the facts to which it related, and the geographical context in which the dispute arose. It then analyses the procedural aspects of the case’s consideration by the Netherlands NCP: whether the case was accepted, whether good offices were offered, whether dialogue between the parties took place, and whether a further examination of the merits was conducted. This is followed by an assessment of the broader significance of each case: what it demonstrates about the contemporary standard of responsible business conduct (hereinafter referred to as “RBC”) and the role of the NCP as a non-judicial mechanism.

The cases examined demonstrate that the Netherlands NCP operates neither as a court nor as an enforcement authority, but rather as a procedural and analytical soft-law mechanism. Its strength lies in translating the OECD’s general standards into specific expectations for companies, including due diligence, meaningful stakeholder engagement, transparency, risk management, and remediation. Its limitation lies in its lack of authority to award compensation or compel the parties to participate in mediation. Accordingly, the practical value of the NCP lies not in imposing sanctions, but in shaping the standard of responsible business conduct and providing a public assessment of the quality of corporate responsibility.

## 1. What Is an NCP and Why Its Findings Matter

The OECD Guidelines are a soft-law instrument, but their practical significance is not limited to declarations of principle. The analytical source by Sander van ’t Foort and Joseph Wilde-Ramsing emphasises that the Guidelines are the only international corporate responsibility instrument with an integrated grievance mechanism—National Contact Points (NCPs). NCPs are government-established but non-judicial mechanisms that help resolve issues in a non-adversarial manner, primarily through mediation, conciliation, and dialogue.

The Netherlands NCP has traditionally been regarded as one of the stronger NCPs because its procedure is relatively well structured and focused on the public disclosure of outcomes. According to the analytical article, the standard procedure for handling a specific instance consists of three stages: the initial assessment, the provision of good offices, and the conclusion of the procedure through a final statement. At the initial assessment stage, the NCP does not determine whether a substantive breach has occurred. Instead, it decides whether the issues raised merit further consideration: whether the complaint is bona fide and substantiated, whether it is relevant to the Guidelines, whether there is a link between the enterprise’s activities and the issues raised, and whether consideration of the matter could contribute to the purposes and effectiveness of the Guidelines.

This is fundamentally important for the correct interpretation of the cases. An initial assessment does not constitute a “victory” for the complainant, nor does it amount to a finding of a breach. It is a procedural filter. However, where a complaint passes this filter, the NCP acknowledges that the issues raised are sufficiently serious and connected to the application of the OECD standards. The NCP then either facilitates dialogue between the parties or, where dialogue is not possible, may prepare a final statement containing its analysis and recommendations.

This is precisely why an NCP remains important even in the absence of enforcement powers. In its final statements concerning Uber, Pluspetrol, and Stellantis, the NCP expressly notes that specific instances are not judicial proceedings, that NCPs are not judicial bodies, and that they cannot directly award compensation or compel the parties to participate in mediation. However, the absence of legally binding force does not mean the absence of legal and reputational significance. A public final statement records the expectations placed on the company and may serve as a reference point for corporate policies, stakeholder engagement, internal controls, disclosure practices, and risk assessment.

## 2. Comparative Overview of the Cases

| Case | Sector / Geography | Complainant | Key Issues | Procedural Outcome | Significance of the Case |
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| IAATW v. Uber | Platform-based employment; multiple countries | International Alliance of App-Based Transport Workers (IAATW) | Earnings, working hours, safety, account deactivation, COVID-19, and stakeholder engagement | The parties accepted the NCP's good offices but were unable to agree on the terms of the procedure; the NCP conducted a further examination of the merits and issued recommendations | Demonstrates that due diligence applies to the platform business model regardless of disputes concerning the employment status of drivers |
| Indigenous Federations et al. v. Pluspetrol | Oil and gas sector; Peruvian Amazon | Four Indigenous federations and four NGOs | Environment, Indigenous Peoples' rights, disclosure of information, taxation, health, and remediation | The complainants accepted the NCP's good offices, while the company declined them; the NCP conducted a further examination of the merits and issued detailed findings | The strongest example of a substantive assessment conducted by an NCP without the company's consent to mediation |

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| IUF v. Perfetti Van Melle – Bangladesh | Food industry; Bangladesh | International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) | Child labour, freedom of association, and collective bargaining | A partial meeting concerning child labour took place; the NCP published a final statement containing recommendations | Demonstrates the responsibility of a parent company to oversee compliance with labour standards within its subsidiaries |
| IUF v. Perfetti Van Melle – Türkiye | Food industry; Türkiye | IUF / Tekgıda-İş | Trade union organisation, collective bargaining, and due diligence at headquarters level | The initial assessment was not published; good offices were not commenced because the parties reached an agreement outside the NCP procedure | Demonstrates the preventive effect of the procedure: the very existence of an NCP process may encourage an out-of-court settlement |
| Italian NGOs v. Stellantis / FCA Italy | Automotive industry; cobalt supply chain originating in the Democratic Republic of the | Twenty-two Italian associations and NGOs | Disclosure of information, traceability, risk assessment, and due diligence concerning mineral resources | Mediation did not result in an agreement; the NCP did not find non-compliance with the 2011 OECD Guidelines but issued recommendations for the future | Demonstrates the transition from formal disclosure to enhanced due diligence in situations involving systemic risks |

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| | Congo (hereinafter referred to as the “DRC”) | | | | |

## 3. The IAATW v. Uber Case: Due Diligence in the Platform Economy

### 3.1. Background to the Case

On 6 April 2021, the International Alliance of App-Based Transport Workers (IAATW) filed a submission against Uber Technologies, Inc. The submission concerned Uber’s alleged failure to conduct adequate due diligence with respect to drivers’ health and safety, earnings and working hours, as well as its account deactivation and suspension practices. It also raised the issue of the impact of the COVID-19 pandemic on drivers and the extent to which Uber engaged transparently with drivers themselves and their representatives.

The case had an international scope: the complainant referred to Uber’s operations in Costa Rica, India, Nigeria, Panama, South Africa, the United Kingdom and Uruguay. The Netherlands NCP accepted the case for consideration because it established a nexus with the Netherlands: a Dutch affiliate of Uber acted as the contractual counterparty for drivers in several of the countries referred to in the submission. At the same time, the NCP acknowledged the supporting role of the United States NCP, as Uber’s global headquarters are located in the United States.

### 3.2. Procedural Developments

The NCP determined that the submission merited further consideration and offered its good offices to the parties. Both parties formally accepted the offer; however, mediation did not commence in practice because they were unable to agree on the Terms of Reference governing the procedure. The NCP subsequently terminated the good offices process and proceeded to a further examination of the merits. This procedural development is significant: rather than merely noting the failure of mediation, the NCP used its final statement to conduct a substantive assessment of the issues raised by the complainant.

### 3.3. Key Findings and Recommendations

The central analytical issue in the case was whether due diligence responsibilities apply to a platform company where the employment status of its drivers is disputed. The NCP expressly stated that its mandate did not include determining whether Uber drivers were independent contractors or employees. However, this did not release Uber from its due diligence responsibilities: both the 2023 edition of the OECD Guidelines and the commentary to the 2011 OECD Guidelines confirm that Uber must take risks to drivers into account irrespective of how they are classified.

With regard to earnings, the NCP concluded that there was a significant risk of a gap between drivers’ actual earnings and a living wage or its equivalent. It therefore recommended that Uber select a reliable calculation methodology, adapt it to the context of platform work, establish a roadmap with milestones and deadlines, and report regularly on its progress. Regarding deactivation, the NCP acknowledged that suspending an account may be necessary, while also recognising that it can have serious consequences for a driver’s income and livelihood. The risks associated with deactivation should therefore form part of the company’s due diligence process. The NCP paid particular attention to the use of artificial intelligence in deactivation procedures as a material risk, including the risk of discrimination.

In relation to stakeholder engagement, the NCP emphasised that meaningful engagement requires two-way communication. Providing drivers with individual information through an application or other one-way communication channels is not equivalent to meaningful engagement with workers and their representatives. The NCP therefore recommended that Uber develop systematic engagement with a broad range of stakeholders, including independent trade unions and driver representatives at the local, national, regional and international levels.

### 3.4. Significance and Importance of the Case

The significance of the Uber case lies in the NCP’s application of due diligence standards to the context of the new economy of work. A company cannot neutralise risks by referring to its technology-based business model or to the disputed status of its workers. For the purposes of the OECD Guidelines, what matters is not only the formal classification of the relationship, but also the actual existence of an ongoing contractual and economic relationship between the platform and the people affected by its business model. The Uber case therefore establishes an important principle: a platform company must assess the impacts of its algorithms, account deactivation practices, earnings policies and communication channels as elements of responsible business conduct.

## 4. The Indigenous Federations et al. v. Pluspetrol Case: A Multi-Layered Standard of Responsibility in the Extractive Sector

### 4.1. Background to the Case

On 9 March 2020, four Indigenous federations in Peru—FEDIQUEP, FECONACOR, OPIKAFPE and ACODECOSPAT—together with four NGOs, filed a submission against Pluspetrol Resources Corporation B.V., a company registered in Amsterdam. The complainants alleged that, while operating the Lot 1AB oil block in Peru between 2000 and 2015, Pluspetrol failed to conduct adequate environmental and human rights due diligence, failed to remedy the harm caused, failed to disclose material information concerning its corporate structure and operations, and used corporate and tax structures that raised concerns from the perspective of tax transparency.

By its nature, this was not merely an environmental dispute. It encompassed several dimensions: the rights of Indigenous Peoples, environmental pollution, the right to health, access to remedy, transparency of the corporate structure, and responsible tax conduct. The Pluspetrol case is therefore the most complex of the cases examined.

### 4.2. Procedural Developments

The NCP determined that the submission merited further consideration. The complainants accepted the NCP’s good offices, but the company declined to participate. Pluspetrol nevertheless provided information to the NCP and corresponded with it, but did not agree to engage in dialogue with the complainants and generally refused to share with them the information it had provided. The NCP ultimately conducted a further examination of the merits and issued a detailed final statement.

This case provides a particularly clear illustration of the institutional strength of the NCP. The company’s refusal to participate in mediation did not bring the procedure to an end or deprive the mechanism of its purpose. Although the NCP could not compel the company to engage in dialogue or award compensation, it was able to conduct a substantive assessment and formulate detailed recommendations. This makes the Pluspetrol case a key example of the NCP acting not only as a mediator, but also as a public interpreter of responsible business conduct standards.

### 4.3. Main Findings of the NCP

With regard to disclosure, the NCP assessed that the company had not made basic information concerning its corporate structure, operations, annual reporting and ownership structure available through freely accessible public sources, either at the level of the parent company or at the level of its Peruvian and Dutch subsidiaries. The NCP therefore concluded that the company had not acted in accordance with the expectations set out in the chapter on disclosure.

With regard to taxation, the NCP stated that the company had been unable to demonstrate—either through publicly available information or to the NCP during the proceedings—that it operated in accordance with the spirit of tax laws and regulations. The NCP specifically highlighted the insufficiency of publicly available tax information and recommended that the company disclose its tax policy and tax payments by corporate entity and by country, including through country-by-country reporting.

With regard to the rights of Indigenous Peoples and meaningful stakeholder engagement, the NCP concluded that the company had not fully acted in accordance with the expectations concerning the establishment of relationships of trust with communities and respect for human rights. An important element of the analysis was the need to take into account Free, Prior and Informed Consent (FPIC), the right to self-determination, and the effective participation of representatives selected by the Indigenous Peoples themselves.

With regard to the environment and the right to health, the NCP assessed that the company had not done enough to prevent and address adverse environmental impacts. In relation to remediation, the NCP, relying on information from the United Nations Development Programme (UNDP), pointed to the partial inadequacy of the remediation techniques used and the incomplete removal of contamination. The NCP also recommended that the company assess which sites had been inadequately remediated, which impacts had been inherited from its predecessor but continued to be sustained through the company’s activities, and how the fullest possible remediation could be ensured with the participation of the affected communities.

### 4.4. Significance and Importance of the Case

The Pluspetrol case is the strongest example of a substantive assessment of the merits conducted in the absence of the company’s consent to dialogue. Its significance lies in the NCP's integration of disclosure, taxation, the rights of Indigenous Peoples, the environment, health and remediation into a single due diligence framework. This demonstrates that, in the extractive sector, corporate responsibility is not limited to technical compliance with local permits. A company must ensure transparency, take into account the rights of Indigenous Peoples, prevent environmental harm, respect the right to health, and participate in the effective remediation of adverse impacts.

The central conclusion from this case may be formulated as follows: in high-risk sectors, due diligence is not merely a document or a policy, but an ongoing responsibility to identify, prevent, disclose, engage and remedy. A company's refusal to participate in dialogue does not release it from the expectations established under the Guidelines; on the contrary, a refusal to engage meaningfully itself becomes part of the assessment of the company's conduct.

## 5. The IUF v. Perfetti Van Melle Cases: Labour Rights in Subsidiaries

### 5.1. The Bangladesh Case: Child Labour, Freedom of Association and Collective Bargaining

The first case brought by the IUF against Perfetti Van Melle was filed on 9 August 2019 and concerned the operations of the company's subsidiary in Gazipur, Bangladesh. The IUF alleged that the company had failed to respect workers' rights to collective bargaining and freedom of association and had permitted the use of child labour through a labour supplier. Perfetti Van Melle denied the allegations and stated that it supported the establishment of a local trade union and had mechanisms in place to monitor workers' minimum age.

The NCP determined that the submission merited further consideration because the issues raised were material, prima facie substantiated and linked to the company's activities. However, the procedure did not follow the conventional course of full mediation. PVM did not accept the NCP's good offices in relation to freedom of association and collective bargaining, but expressed its willingness to discuss the issue of child labour, provided that supporting evidence was submitted. The NCP organised a meeting between the parties on the issue of child labour. Following the meeting, the parties agreed that no child labour was present at the factory at that time, while maintaining differing views regarding the circumstances in the past.

In its recommendations, the NCP emphasised that companies operating in complex and high-risk contexts must exercise particular care in conducting human rights due diligence. The NCP further stated that the parent company in the Netherlands was responsible for ensuring that relevant policies were implemented at factory level and that their implementation was effectively monitored.

### 5.2. The Türkiye Case: Trade Union Rights and the Effect of the Procedure in the Absence of Formal Mediation

The second case against Perfetti Van Melle was filed by the IUF on 13 August 2024 and concerned the operations of PVM Türkiye. The complainant alleged that the company's operations in Türkiye had systematically obstructed workers from freely joining a trade union and participating in collective bargaining through their union. The case concerned the chapters of the OECD Guidelines relating to general policies, human rights, employment, and industrial relations.

The NCP initially concluded that the submission merited further consideration on the merits. However, the initial assessment dated 21 March 2025 was not published because the parties agreed that publication could affect the ongoing negotiations between the Turkish Tekgıda-İş Union and the company. The NCP paused the process before offering its good offices because the parties had already entered into dialogue outside the NCP procedure. The parties subsequently reached an agreement on the issues raised in the submission, and the NCP did not proceed to examine whether the company had complied with the OECD Guidelines.

### 5.3. Significance and Importance of the PVM Cases

The significance of the Perfetti Van Melle cases lies in demonstrating that labour rights within subsidiaries and at local factory level remain matters of responsibility for the parent company. The NCP does not treat such issues as being limited to local management. Where a parent company is registered in the Netherlands and exercises control over the corporate group, it is expected to manage due diligence across the entire corporate structure.

At the same time, the Bangladesh and Türkiye cases illustrate different effects of the NCP procedure. In the first case, the NCP helped establish the factual position regarding child labour and formulated recommendations concerning oversight at the global level. In the second case, the procedure itself had a facilitating effect: formal good offices were not required because the parties reached an agreement outside the NCP process. This does not diminish the significance of the case; on the contrary, it demonstrates the NCP’s preventive function as a forum capable of accelerating direct dialogue between the parties.

## 6. The Italian NGOs v. Stellantis/FCA Italy Case: Disclosure, Traceability and Systemic Risks in the Cobalt Supply Chain

### 6.1. Background to the Case

On 21 July 2022, lawyers Veronica Dini and Luca Saltalamacchia, acting on behalf of 22 Italian associations and NGOs, filed a submission against Stellantis N.V. and FCA Italy S.p.A. The complainants alleged that the companies did not disclose sufficiently transparent and detailed information concerning the activities of suppliers operating cobalt and other mineral mines in the Democratic Republic of the Congo (hereinafter referred to as the “DRC”). They further alleged that the companies did not explain with sufficient clarity how risk assessments were conducted or how the traceability of critical materials was ensured.

In response, Stellantis argued that it had no direct operations in the DRC and that any possible link arose through indirect suppliers at several tiers of the supply chain. The company also referred to its information disclosures, due diligence practices, compliance with conflict minerals regulations, participation in industry initiatives, and partnership with RCS Global to map the battery value chain down to the mine level.

### 6.2. Procedural Developments

The submission was initially filed with the Italian NCP. However, the Italian NCP indicated that, given Stellantis’s registration in the Netherlands, the case should be handled by the Netherlands NCP. The Netherlands and Italian NCPs agreed that the Netherlands NCP would act as the lead NCP and the Italian NCP as the supporting NCP.

The NCP determined that the submission merited further consideration and offered its good offices. Mediation took place in 2023–2024, including an expert session on disclosure under the OECD Guidelines, but the parties did not reach an agreement. In May 2025, the NCP terminated the good offices process and proceeded to a further examination of the merits.

### 6.3. Findings and Recommendations

The NCP's conclusion in the Stellantis case was more nuanced than a simple finding of "non-compliance" or "compliance." On the basis of the information provided and publicly available, the NCP concluded that Stellantis had acted in accordance with the requirements of the Disclosure chapter of the 2011 edition of the OECD Guidelines, which was applicable at the time the submission was filed. The NCP also noted that the additional disclosure requirements set out in the OECD Due Diligence Guidance and the OECD Minerals Guidance were covered by Stellantis's disclosures.

However, the analysis did not end there. The NCP separately determined that a systemic problem existed in cobalt mines in the DRC, increasing the risks of human rights abuses, including child labour. The existence of such a systemic risk does not automatically mean that a company has failed to comply with the Guidelines, but it increases the expected scope and depth of its due diligence.

The NCP therefore issued forward-looking recommendations. It recommended that Stellantis continue improving its policies and practices; update its human rights policy annually; place particular emphasis on tracking the effectiveness of its measures; conduct extended due diligence through cross-sectoral cooperation and relevant initiatives; strengthen stakeholder engagement; include local stakeholders from the DRC in its dialogue; and examine whether its supply chain included mines where human rights abuses had been suspected.

### 6.4. Significance and Importance of the Case

The Stellantis case is important precisely because the NCP did not replace a legal assessment with a political accusation. It recognised the company's compliance with the disclosure requirements of the applicable 2011 edition of the OECD Guidelines, while at the same time identifying a higher standard of conduct in circumstances involving systemic risk. This demonstrates the maturity of the NCP's approach: a company may formally comply with one set of requirements while still needing to conduct more in-depth due diligence where its supply chain is connected to a high-risk sector and region.

The practical conclusion is that, in complex mineral supply chains, disclosure should not consist solely of periodic public reporting, but should form part of a broader system of continuous due diligence. The gap between what a company discloses as a matter of policy and what stakeholders seek to understand about actual conditions on the ground should be addressed through meaningful stakeholder engagement and verification of the effectiveness of the measures taken.

## 7. General Analytical Conclusions

### 7.1. The Netherlands NCP as a Mechanism Combining Procedure with Substantive Examination

The cases examined demonstrate that the strength of the Netherlands NCP lies not only in mediation. Under the conventional model, an NCP is expected to help the parties reach an agreement. In practice, however, many cases do not result in a comprehensive settlement: in the Uber case, because the parties were unable to agree on the terms of the procedure; in the Pluspetrol case, because the company declined the NCP’s good offices; in the Stellantis case, because mediation was unsuccessful; and in the Bangladesh PVM case, because the company agreed to discuss only one of the issues raised. Nevertheless, the NCP retains its significance when it publishes a structured final statement containing findings and recommendations.

### 7.2. Due Diligence Is Becoming a Cross-Cutting Standard

Across all the cases, due diligence is treated not as a formal compliance process, but as a practical responsibility to identify and address risks. In the Uber case, these included risks associated with platform work, algorithmic deactivation, earnings and grievance mechanisms. In the Pluspetrol case, they involved environmental and human rights risks, including inherited and ongoing harm. In the PVM cases, they concerned labour rights within subsidiaries. In the Stellantis case, they related to a high-risk cobalt supply chain in which systemic risks require extended due diligence.

### 7.3. Stakeholders Are Not External Noise, but an Integral Part of the Standard

The issue of meaningful stakeholder engagement is particularly prominent across all the cases. The NCP effectively demonstrates that a company cannot regard its due diligence as complete if it does not listen to those affected by its activities: drivers and their representatives, Indigenous communities, factory workers, local NGOs, rights holders and affected persons in extractive regions. Stakeholder engagement must be two-way, meaningful and capable of influencing the company’s decisions.

### 7.4. Transparency Is Becoming an Independent Element of Corporate Responsibility

Disclosure takes different forms in the cases examined. In Pluspetrol, it concerned the disclosure of the corporate structure, operations, ownership structure, reporting and tax information. In Stellantis, it concerned information on suppliers, traceability, risk assessment and due diligence in the cobalt supply chain. In Uber, it concerned the transparency of deactivation rules, communication with drivers and grievance mechanisms. In all cases, transparency is important not merely for reporting purposes, but because, without access to information, stakeholders cannot assess risks, seek remediation or participate effectively in dialogue.

### 7.5. Remediation Is Both a Weak Point and a Key Benchmark

The NCP cannot award compensation, which constitutes a structural limitation of the mechanism. However, the Pluspetrol and Uber cases in particular demonstrate that the NCP regards access to remedy and remediation as an integral part of due diligence. For platform drivers, this involves grievance mechanisms in cases of account deactivation. For Indigenous communities, it involves the remediation of contaminated areas and community participation in the design of remedial measures. Accordingly, in NCP practice, remediation is not a judicial outcome, but an expectation that companies establish legitimate, accessible, predictable, equitable and transparent remediation mechanisms.

## 8. The Experience of the Netherlands NCP: Relevance for Kazakhstan

The experience of the Netherlands NCP is useful for Kazakhstan primarily as a set of practical reference points for future cases. Each of the Dutch cases examined illustrates a distinct standard of corporate conduct and a possible procedural outcome: Uber demonstrates how to assess risks related to platform work, algorithmic deactivation and dialogue with workers; Pluspetrol shows how environmental, human rights, tax and reputational risks in the extractive sector may be addressed; Perfetti Van Melle illustrates how a parent company should oversee labour standards within its subsidiaries and how the NCP procedure itself may encourage the parties to reach an agreement; and Stellantis demonstrates how information disclosure and traceability should be organised in strategic raw material supply chains.

For Kazakhstan, this experience is important not merely as foreign practice, but as an established analytical framework. Future submissions may be assessed not only from a formal perspective, but also by examining whether adequate due diligence has been conducted, whether there has been genuine engagement with affected stakeholders, whether sufficient transparency has been ensured, and whether effective remediation mechanisms are in place.

The public nature of the Netherlands NCP's final statements also creates greater predictability for businesses. Companies can understand in advance which actions the NCP considers appropriate, which shortcomings may lead to reputational consequences, and what outcome may result from the consideration of a submission even in the absence of a judicial decision. This strengthens the NCP's preventive function: companies begin improving their processes before disputes arise, investors receive a clearer assessment of non-financial risks, and the state demonstrates the existence of a functioning responsible business conduct mechanism.

For Kazakhstan, such an approach could have a positive impact on the investment climate. Transparent NCP practice reduces uncertainty for foreign investors, strengthens confidence in institutions, and demonstrates that disputes concerning labour rights, the environment, disclosure and supply chains can be addressed in a constructive and professional manner.

## 9. Current Status of the Implementation of Responsible Business Conduct Principles in Kazakhstan and Key Challenges

Kazakhstan has already established a basic institutional framework for promoting responsible business conduct. The country has adhered to the OECD Declaration on International Investment and Multinational Enterprises, an NCP is operational, and awareness-raising activities, consultations and training for businesses are being conducted, alongside work to support the handling of submissions. According to the latest available data, the practice of the Kazakhstan NCP encompasses nine registered submissions.

The subject matter of the submissions filed in Kazakhstan demonstrates that the mechanism is beginning to serve as a practical forum for addressing issues related to employment relations, workers' rights, consumer disputes, disclosure, cross-border situations and alleged non-compliance with OECD standards. Kazakhstan is therefore transitioning from an NCP model focused primarily on information and awareness-raising towards the development of its own body of case-handling practice.

Compared with the Netherlands, Kazakhstan’s practice remains at an earlier stage of development. The Netherlands NCP has already established a strong practice of publishing final statements, conducting detailed substantive assessments and formulating recommendations for companies, including in cases where mediation did not take place. Kazakhstan has also begun handling cases; however, the key challenges remain concentrated in three areas: increasing awareness of the NCP among businesses, workers and NGOs; strengthening the quality of procedures and the public availability of final documents; and developing a clear and consistent practice concerning the outcomes of submissions, so that complainants and companies can see not only that a submission has been closed, but also the practical results of its consideration.

## 10. Final Conclusions and Recommendations

The experience of the Netherlands NCP demonstrates that the value of an NCP lies not only in mediation, but also in establishing clear standards of conduct for companies. Even though the mechanism is not a court and does not award compensation, its final statements may have significant reputational, investment-related and managerial effects. This is particularly relevant for Kazakhstan, as the country attracts foreign investment, develops its extractive and infrastructure sectors, and seeks to strengthen its alignment with OECD standards. The body of practice emerging from the nine registered submissions already provides a foundation for the further development of the NCP. However, the next stage should focus on enhancing transparency, the quality of analysis, and the practical usefulness of case-handling outcomes.

### 10.1. Recommendations for Businesses

Kazakhstani businesses, particularly companies operating in the extractive sector, logistics, infrastructure, digital platforms and supply chains, should regard the NCP not as a formal risk, but as a signal to establish a responsible business conduct system in advance.

In practical terms, this means incorporating due diligence into internal policies and supplier contracts; regularly identifying labour, environmental and human rights risks; documenting the measures taken; establishing clear grievance channels for workers, contractors and local communities; and disclosing material information concerning risks and response measures. The Dutch experience demonstrates that, in the event of a dispute, a company is assessed not by the existence of a well-drafted code of conduct, but by its ability to demonstrate that it is genuinely addressing risks and is prepared to engage in dialogue.

### 10.2. Recommendations for Government Authorities

Government authorities should strengthen their practical cooperation with the Secretariat of the Kazakhstan NCP, as the effective functioning of the mechanism depends not only on the activities of the NCP itself, but also on timely support from the relevant government bodies.

In particular, it is important to ensure the prompt provision of information in response to NCP requests, facilitate the dissemination of methodological and informational materials among businesses, industry associations and stakeholders, and participate in awareness-raising activities concerning responsible business conduct.

Such support would increase awareness of the NCP, improve companies' understanding of its role and procedures, and gradually contribute to the development of a clearer practice for applying responsible business conduct principles in Kazakhstan. It would also help strengthen confidence in the NCP mechanism, improve Kazakhstan's investment reputation, and demonstrate to OECD partners that the country not only formally supports responsible business conduct principles, but is also gradually implementing them in practice.

## 11. Sources


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