



Rules of Procedure of the Interministerial Committee on the OECD Guidelines for Multinational Enterprises

[Courtesy translation of the original German version, the latter being the sole basis for any interpretation that might become necessary.]

Section 1 Working basis

(1) ¹The ministries named in Section 2 paragraph 1 and previously represented in the “Interministerial Steering Group on the OECD Guidelines for Multinational Enterprises” have decided to transform this steering group into an “Interministerial Committee on the OECD Guidelines for Multinational Enterprises” (IMC). ²The execution of this decision was announced to the participating ministries in a letter from the Federal Ministry for Economic Affairs and Energy (BMWi) dated 6 February 2019.

(2) The IMC is chaired and led by the Federal Ministry of Economic Affairs and Climate Action (BMWK) and at the BMWK by the National Contact Point for the OECD Guidelines for Multinational Enterprises (NCP).

Section 2 Members

(1) The members of the IMC are the following ministries, in addition to the BMWK: Federal Ministry of Finance (BMF), Federal Foreign Office (AA), Federal Ministry of Justice (BMJ), Federal Ministry of Labour and Social Affairs (BMAS), Federal Ministry of Food and Agriculture (BMEL), Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection (BMUV), Federal Ministry for Economic Cooperation and Development (BMZ) and Federal Ministry for Digital and Transport (BMDV).

(2) The IMC shall decide on changes to the membership subject to the professional necessities of the fulfillment of the mandate of the NCP.

(3) ¹Where necessary, the IMC shall decide at the suggestion of the BMWK or another member whether to include additional professionally relevant ministries on a case-by-case basis. ²These ministries shall participate in the decision-making process pursuant to Section 6 regarding the case in question.

Section 3 Mandate

(1) ¹The IMC shall be tasked with the promotion of a coherent and effective application of the OECD Guidelines for Multinational Enterprises (OECD Guidelines). ²To this end, it shall support the NCP in fulfilling its mandate.

(2) ¹The IMC shall discuss issues relating to the application of the OECD Guidelines, shall feed in the expertise of its members, and shall take the necessary decisions in response to a proposal by the BMWK. ²This shall particularly apply to complaints submitted to the NCP regarding possible violations of the OECD Guidelines. ³Moreover, the IMC shall support the NCP in its promotional activities and the dissemination of the OECD Guidelines.

Section 4 Cooperation with the Working Group on the OECD Guidelines

¹The IMC shall be in regular exchange with the stakeholder groups from economic and societal communities (stakeholders) represented in the Working Group on the OECD Guidelines for Multinational Enterprises (Working Group). ²To this end, the members of the IMC shall also be members of the Working Group and shall attend its meetings. ³The IMC shall aim to take a common position in the discussions of the Working Group.

Section 5 Meetings

(1) ¹The IMC shall hold ordinary meetings twice a year. ²Where necessary, additional extraordinary meetings can be convened; this shall particularly apply to the handling of complaints procedures.

(2) As a rule, the BMWK shall convene ordinary meetings at the latest 10 working days before the date of the meeting and shall send the members an agenda.

(3) ¹In individual cases, the IMC can decide to invite other discussion partners at the suggestion of the BMWK or another member. ²They shall not participate in the decision-making process pursuant to Section 6.

(4) The BMWK shall produce minutes of each ordinary meeting which must be coordinated with the members of the IMC.

Section 6 Decision-making

¹The IMC shall take unanimous decisions. ²Abstentions, absences and silence shall not obstruct unanimity.

Section 7 Amendments to the Rules of Procedure

¹The BMWK can make editorial changes to these Rules of Procedure autonomously. ²Section 6 shall apply to more extensive amendments.

Section 8 Entry into force

These Rules of Procedure were adopted in the meeting of the IMC on 25 February 2019 and thereby entered into force.