

Title

Ms

Name

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Position

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1. In your view, what makes a National Contact Point (NCP) successful?

A successful NCP is one which can credibly bring parties together, to facilitate meaningful resolution of specific instances, and to afford the power of a voice to communities which otherwise lack a place at the negotiating table with companies adversely impacting their lives.

The elements of success include an appropriate mandate, adequate resourcing (funds and expertise), and sufficient degree of independence from government.

(see submissions of RMIT and HRLC for more detail on these points)

2. Are there any aspects of the Australian NCP's (ANCP) current structure or location you consider problematic?

The current structure does not have an adequate degree of independence from government to be able to do its job properly. This is evidenced by its failure to properly assess complaints which touch on questions of government policy, as explicitly stated in decisions of the ANCP.

Treasury also lacks expertise in the subject matter dealt with by the NCP, and lacks appropriate resources.

3. In the future, what administrative structure do you think will work best for the ANCP?

The ANCP should be located in an independent agency with appropriate expertise, such as the Australian Human Rights Commission or the Fair Work Ombudsman. The ANCP could be a new agency or body. The ANCP should be resourced with adequate funds and staff with expertise in the ANCP's subject

matter.

4. How can the ANCP engage most effectively with non-government organisations, including business, unions, industry groups, academia and civil society?

The core of the NCP's role should be to effectively assess specific instances of conduct inconsistent with the OECD Guidelines.
While important, external engagement, for example, awareness raising, should be a secondary function of the NCP.

5. To what extent has your organisation engaged with the OECD Guidelines for Multinational Enterprises or the ANCP?

My organisations -- and communities which we serve -- have been reluctant to engage with the ANCP in recent years given its lack of credibility in carrying out its mandate.

6. What support should the ANCP provide to complainants and MNEs when handling complaints under the OECD Guidelines?

There are a range of measures that the ANCP could take to assist in rebalancing power between complainants and MNEs. In particular, the ANCP should ensure that communities overseas are adequately resourced to engage with its process. The ANCP should consider how it can undertake investigations via field missions to complainant communities facing resourcing shortages.

7. Do you have any other views for the ANCP Review to consider?

No.

8. (BUSINESS ONLY) What international guidance or multi-stakeholder initiatives do you use when designing corporate responsibility/sustainability programs and policies for your organisation?

n/a

9. (BUSINESS ONLY) How accessible is that guidance? Has it been straight-forward to apply in the Australian context?

n/a