Promoting Responsible Business Conduct through Trade and Investment in the Middle East, North Africa and Türkiye

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BETTER POLICIES FOR BETTER LIVES

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Foreword

Businesses are increasingly expected to address the adverse impacts on people, planet and society that may be associated with their operations, products and services, while contributing to sustainable development. As these expectations grow, there is also a greater recognition of the role governments play in promoting and enabling responsible business conduct (RBC). Several OECD instruments highlight this role. The OECD Recommendation on the Role of Government in Promoting Responsible Business Conduct [OECD/LEGAL/0486], in particular, lays out a set of policy recommendations to assist governments in their efforts to create enabling environments for RBC. The OECD Declaration on International Investment and Multinational Enterprises more specifically recommends that governments promote and enable RBC across relevant policy areas, including by promoting RBC through trade and investment policies.

Against this backdrop, this report aims to analyse how governments in Egypt, Jordan, Morocco, Tunisia and Türkiye are encouraging responsible business practices through trade and investment. It is part of the regional programme "Responsible business conduct for sustainable development: Middle East, North Africa and Türkiye" (MENA+T Programme), which seeks to assist policymakers, businesses, trade unions and civil society in implementing RBC principles and standards. The report draws on information gathered through desk-based research, annual questionnaires submitted by National Contact Points for Responsible Business Conduct (NCPs) to the OECD Secretariat, and two meetings with the NCPs of the countries under scope, the first one of which included a survey on RBC in trade and investment and the role played by NCPs. It builds on a previous regional report titled "Promoting Responsible Business Conduct in Trade and Investment: Latin America and the Caribbean", which was published in 2024 in the framework of the regional programme "Promoting Responsible Business Conduct in Latin America and the Caribbean".

The report was prepared by the OECD Centre for Responsible Business Conduct under the supervision of Tihana Bule, Head of Governance and Multilateral Relations and Nicolas Hachez, Head of Access to Remedy, with the overall Guidance of Allan Jørgensen, Head of the OECD Centre for Responsible Business Conduct. The team that drafted the report was led by Marie Bouchard and comprised of Mónica Garay, Daniel Torán and Dylan van de Ven. Comments and insights were received from Lena Diesing from the OECD Centre for Responsible Business Conduct, Alexandre de Crombrugghe and Joachim Pohl from the Investment Division of the Directorate for Financial and Enterprise Affairs and Julian Paisey from the Export Credits and Competition Division of the Trade and Agriculture Directorate. Editorial support was provided by Liv Gudmundson, Zara Kuruneri and Stephanie Walker.

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The information contained in the report is current as of December 2025.

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Abbreviations and acronyms

AfCFTA	African Continental Free Trade Area
AMDIE	Moroccan Agency for Investment and Export Development
APEC	Asia-Pacific Economic Co-operation
ASMEX	Moroccan Exporters' Association
BIT	Bilateral Investment Treaty
CCIA	COMESA Common Investment Area
CDC	Council for the Development of Cambodia
CEPEX	Export Promotion Center (Tunisia)
CGEM	General Confederation of Moroccan Enterprises
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
COMESA	Common Market for Eastern and Southern Africa
COTUNACE	Tunisian Foreign Trade Insurance Company
CPTPP	Comprehensive and Progressive Agreement for Trans-Pacific Partnership
CSR	Corporate Social Responsibility
ECA / ECAs	Export Credit Agency / Agencies
EFTA	European Free Trade Association
EGE	Export Credit Guarantee of Egypt
ESS	Environmental and Social Standards
EU	European Union
FDI	Foreign Direct Investment
FIPA	Foreign Investment Promotion Agency (Tunisia)
FTA	Free Trade Agreement
GAFI	General Authority for Investment and Free Zones (Egypt)
GIZ	German Agency for International Co-operation
GRI	Global Reporting Initiative
ICEX	Spanish Institute for Foreign Trade
IFAP	Investment Facilitation Action Plan (APEC)
IFC	International Finance Corporation
IFD Agreement	Investment Facilitation for Development Agreement (World Trade Organization)
ILO	International Labour Organization
IMO	International Maritime Organization
IPA / IPAs	Investment Promotion Agency / Agencies
IRBI	Inclusive and responsible business and investment
ISO	International Organization for Standardization
JEDCO	Jordan Enterprise Development Corporation
JLGC	Jordan Loan Guarantee Corporation
MENA+T	Middle East, North Africa and Türkiye
MENA+T Programme Countries	Five countries covered by the OECD Project "Responsible business conduct for sustainable development: Middle East, North Africa and Türkiye": Egypt, Jordan, Morocco, Tunisia and Türkiye
MNE Guidelines	OECD Guidelines for Multinational Enterprises on Responsible Business Conduct
NAP	National Action Plan on Responsible Business Conduct or Business and Human Rights
NCP / NCPs	National Contact Point(s) for Responsible Business Conduct

OECD	Organisation for Economic Co-operation and Development
OECD "Common Approaches"	OECD Recommendation of the Council on Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence
PFI	Policy Framework for Investment
PROCOMER	Trade Promotion Agency of Costa Rica
RBC	Responsible Business Conduct
SME / SMEs	Small and Medium-sized Enterprise(s)
SMAEX	Moroccan Export Insurance Company
SDGs	Sustainable Development Goals
TE (Türk Eximbank)	Export Credit Bank of Türkiye
TIA	Tunisian Investment Agency
TiM	Türkiye Exporters Assembly
TPA / TPAs	Trade Promotion Agency / Agencies
TSD (Chapter)	Trade and Sustainable Development (Chapter)
TÜRKONFED	Turkish Business Confederation
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNGPs	United Nations Guiding Principles on Business and Human Rights
US	United States
UTICA	Tunisian Confederation of Industry, Trade and Handicrafts
WBG	World Bank Group
WTO	World Trade Organization

Executive summary

Governments are key actors for the promotion of responsible business conduct (RBC). By taking action across different policy areas, they can encourage businesses to align their activities with the needs of people and the planet and provide an enabling environment for them to do so. Trade and investment are among these areas, as policies and agreements in these fields can reinforce legal and policy frameworks at the core of the enabling environment for RBC and directly orient companies towards responsible practices.

In Egypt, Jordan, Morocco, Tunisia and Türkiye (MENA+T Programme Countries), governments increasingly turn to their trade and investment policies and agreements as means for aligning business conduct with development objectives. This flows from the recognition that private sector involvement is essential to address some of the region's sustainability-related challenges. It is also linked to the fact that, in an evolving global trade and investment landscape, aligning business activities with social and environmental goals is often perceived as important to maintain and extend trade and investment relationships.

Trade and investment promotion and facilitation policies in MENA+T Programme Countries gradually support the promotion of RBC

In recent years, overarching strategies and laws on trade and investment promotion and facilitation adopted in the MENA+T region have begun incorporating considerations relevant for RBC, providing a basis to use government action in these fields to promote RBC. Drawing on this, all five countries have started using some of their tools and services for exporters and investors to encourage them to adopt responsible practices. The extent of this use, however, depends on countries and the type of support provided. Overall, MENA+T Programme Countries tend to resort more to the support granted to investors than to the one given to exporters to encourage RBC. While all of them offer some sort of financial support to exporters, only a few have processes to identify and address social and environmental adverse impacts linked to their activities. Similarly, most trade promotion agencies (TPAs) have yet to integrate RBC considerations in the non-financial support provided to exporters. By contrast, investment incentives are increasingly aligned with broader environmental or social objectives. Likewise, a majority of investment promotion agencies (IPAs) in the region incorporate some RBC considerations in their functioning through sector and project prioritisation. Efforts to promote RBC via direct services for investors, however, are still limited.

The use of trade and investment agreements by governments in MENA+T to promote and enable RBC is slowly rising

More than 30% of the over 500 agreements screened for this report integrate provisions that contribute to promote and enable RBC. These are provisions that enshrine the parties' commitments regarding key policy areas for RBC (human or labour rights, the environment, and anti-corruption) and that can reinforce legal and policy frameworks and intergovernmental collaboration in these areas. Around 80% of the agreements signed by MENA+T Programme Countries since 2010 include this type of provisions, with a clear acceleration in recent years. Provisions with environmental commitments have grown the fastest, followed by those on labour rights, and anti-corruption. Another type of clauses relevant for RBC promotion also appeared in a few agreements concluded by these countries in recent years: clauses that “speak” directly to businesses and encourage them to observe RBC principles and standards. Although their inclusion is still limited, they tend to have specific features, often going beyond merely encouraging the adoption of responsible business practices to establish binding obligations for investors. Their potential for the promotion of RBC will, however, depend on implementation, which remains untested in the region.

National Contact Points for Responsible Business Conduct (NCPs) in the region are making nascent efforts to promote policy coherence between RBC, trade and investment

Building on their location within ministries in charge of trade or investment and institutional arrangements that facilitate engagement with relevant government entities, MENA+T NCPs have taken initial action to reinforce policy coherence and promote RBC through trade and investment. In recent years, all of them have to some extent engaged and co-operated with, shared relevant information among, or been consulted by, trade and investment officials with a view to integrating RBC considerations in trade and investment policies and agreements. Their ability to support government efforts to enhance policy coherence is, however, restrained by a number of challenges, including low awareness and limited technical capacity regarding RBC among relevant government entities, weak co-ordination across government, as well as insufficient NCP resources.

Egypt, Jordan, Morocco, Tunisia and Türkiye could consider harnessing trade and investment policies and agreements further to incentivise responsible business practices

Following the initial efforts made by their NCPs, MENA+T Programme Countries could take actions to enhance the use of these policies and agreements as levers for RBC. This includes strengthening the awareness, understanding, and technical capacity of trade and investment officials on RBC and how they can promote responsible business practices through their areas of work. It also entails consolidating the engagement and co-operation among these officials and NCPs through more systematic information-sharing and co-ordination. Giving more visibility to the NCPs and reaffirming their role across government, alongside cross-regional dialogue and peer learning, would also support the implementation of existing measures and inform future approaches to promoting RBC through trade and investment.

1 Introduction and overview

As businesses face expectations to align their activities with society's needs, there is a greater recognition that governments have a role to play in supporting them in doing so, notably by taking action in policy areas that influence how they operate. Among these, trade and investment stand out as key levers, as the linkages with RBC are numerous and responsible trade and investment are crucial for development. This is especially relevant for the Middle East, North Africa, and Türkiye, where trade and investment are important drivers of growth that are increasingly considered also as vehicles for inclusive and sustainable development.

The concept of responsible business conduct (RBC) – which entails that businesses contribute to sustainable development whilst addressing the adverse impacts on people, planet and society that may be associated with their operations, products and services – has gained increased attention over the last decades. Nowadays, there is a wide recognition that businesses – regardless of their size, sector, operational context, ownership, and structure – should observe internationally recognised RBC principles and standards, such as those set out in the Decision of the Council on the OECD Guidelines for Multinational Enterprises [OECD/LEGAL/0307] (the MNE Guidelines). The MNE Guidelines are the most comprehensive set of recommendations jointly addressed by governments to businesses on a wide array of areas of potential business responsibility, such as human rights, labour rights, the environment, or corruption. They notably recommend that businesses undertake risk-based due diligence to identify, prevent, mitigate and account for how they address actual and potential adverse impacts on the matters they cover.

This growing expectation that businesses act responsibly has been accompanied by an increased acknowledgement that governments have a key role to play in promoting and enabling RBC. Governments adhering to the MNE Guidelines have an international legal obligation to establish a National Contact Point for Responsible Business Conduct (NCP) to promote awareness and uptake of their recommendations and contribute to the resolution of issues that arise in relation to their implementation as a non-judicial grievance mechanism. However, beyond the establishment of NCPs, governments have an essential part to play in creating an enabling environment to drive, support and promote responsible business practices. The OECD Declaration on Promoting and Enabling Responsible Business Conduct in the Global Economy [OECD/LEGAL/0489] – adopted by the Ministers and Representatives of 50 countries, including Egypt, Jordan, Morocco, Tunisia, and Türkiye, as well as the European Union (the EU) – emphasises the importance of governments creating an enabling policy environment for responsible business practices.

Several other OECD legal instruments acknowledge the role that governments play vis-à-vis RBC. The OECD Declaration on International Investment and Multinational Enterprises [OECD/LEGAL/0144] (the Declaration on International Investment and MNEs) – which encompasses the MNE Guidelines – recommends that governments promote and enable RBC across relevant policy areas. Similarly, the chapter on "Policies for enabling RBC" (Chapter 7) of the OECD Recommendation on the Policy Framework for Investment (PFI) [OECD/LEGAL/0412] recognises that governments have a role in providing an enabling environment for RBC. This role is the object of the OECD Recommendation of the Council on the Role of Government in Promoting Responsible Business Conduct (the OECD Recommendation on the Role of Government in Promoting RBC) adopted in 2022 [OECD/LEGAL/0486]. The Recommendation lays out a single comprehensive set of principles and policy recommendations to assist governments in their efforts to design and implement policies that enable and promote RBC, bringing together guidance on government policies and policy coherence for RBC from existing OECD standards on RBC or RBC-related policy areas [OECD/LEGAL/0486].

The United Nations Guiding Principles on Business and Human Rights (UNGPs) – the other international RBC instrument along with the MNE Guidelines and the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy of the International Labour Organization (ILO) – also recognise governments' role in the promotion of responsible business practices and the construction of an enabling environment for RBC. The first pillar of the UNGPs clearly affirms the States' duty to protect against human rights abuse within their territory and/or jurisdiction by third parties, including businesses. It lays out a series of guiding principles for governments on actions to be taken to promote and enable the respect of human rights by businesses, notably through policy areas that contribute to shape business conduct.[1]

Trade and investment are among these policy areas, as the linkages with RBC are numerous and responsible trade and investment are key for development. The Declaration on International Investment and MNEs provides that adherent countries should promote RBC through trade and investment policies and the MNE Guidelines are in fact intended to encourage responsible trade and investment. They seek to "multiply the benefits of trade and investment […] that are needed for societies to achieve sustainable development outcomes, including the creation of more and better jobs, skills development, provision of products and services that improve living standards, and access to finance and technology needed for the digital and green transitions" (OECD, 2023, p. 10[1]).

In the Middle East, North Africa and Türkiye (MENA+T), trade and investment are important drivers of growth and development. Between 2014 and 2024, trade in the region accounted for over 86% of gross domestic product and the foreign direct investment (FDI) stock grew from USD 383 billion in 2014 to USD 513.7 billion in 2024 (ITC, 2025[2]; UNCTAD, 2025[3]). MENA+T countries, however, operate in an evolving global landscape: shifts in trade patterns, disruptions, and growing expectations for businesses to adopt responsible practices are reshaping trade and investment flows. The EU – the largest export destination and investor for Egypt, Morocco, Tunisia and Türkiye, accounting for over two-thirds of exports in some cases and half FDI stock[2] – has notably adopted a growing body of legislation and regulations requiring companies to observe RBC principles and standards in their operations and supply chains (European Union, 2022[4]; 2024[5]; OECD, 2026[6]). Beyond the EU, other main trade and investment partners of the region have also recently signalled the importance of promoting legal and policy frameworks that underpin RBC through trade and investment. For example, the United States (US) – an important export destination for MENA+T[3] – has included commitments on environmental and labour standards in trade agreements recently signed with countries in Asia and Latin America and the Caribbean (Government of the United States, 2026, p. 4[7]). Promoting RBC is therefore paramount to sustain the region's competitiveness in global value chains and maintain its attractiveness for foreign investment. More broadly, it is also key to increase the contribution of the private sector in addressing some of the structural sustainability challenges it faces.

It is in this context that the OECD Centre for Responsible Business Conduct developed the present report as part of the Project "Responsible business conduct for sustainable development: Middle East, North Africa and Türkiye" (MENA+T Programme).[4] The report aims to analyse how governments are using trade and investment policies and agreements as a means to encourage responsible business practices. It also seeks to analyse how NCPs in the region play a role in this regard in light of their ability to promote policy coherence for RBC, underlined in the MNE Guidelines and the OECD Recommendation on the Role of Government in Promoting RBC. The report focusses on trade and investment promotion and facilitation policies, as well as trade and investment agreements.[5] It covers the five countries that are part of the MENA+T Programme, namely Egypt, Jordan, Morocco, Tunisia and Türkiye (MENA+T Programme Countries), as well as the NCPs that have been established by these countries (MENA+T Programme NCPs).

The report builds on a previous regional report titled "Promoting Responsible Business Conduct in Trade and Investment: Latin America and the Caribbean" and published in July 2024 in the framework of the Project "Promoting Responsible Business Conduct in Latin America and the Caribbean" (OECD, 2024[8]). Both reports are part of the same series of regional publications on the intersection between RBC, trade and investment, and how trade and investment policies and agreements can be used to promote responsible business practices. The present report is based on desk-based research carried out by the OECD Secretariat on the trade and investment policies and agreements of the five countries covered by the MENA+T Programme. It has also been informed by the inputs and points of view shared by MENA+T Programme Countries during the consultations organised in the course of its elaboration. In June 2025, the NCPs that are part of the Programme met to discuss the preparation of the report and share information and experiences on their engagement with trade and investment officials, as well as on their involvement in trade and investment policymaking and negotiations. During this occasion, they also responded to a survey on the topic of RBC in trade and investment, the results of which are reflected in this report. The MENA+T Programme NCPs met again in November 2025 to discuss a preliminary draft of the present report, after which further comments and additional inputs were provided by the governments of the five Programme Countries in early 2026.

The report is structured as follows: it first explains how trade and investment policies and agreements can be used, and have been used, by governments globally as a lever to encourage RBC, through the insertion of considerations related to the areas covered by the MNE Guidelines and relevant to promote RBC (hereinafter called RBC considerations) in such policies and agreements (Chapter 2). On this basis, it analyses how, and the extent to which, RBC considerations have been included in the trade and investment promotion and facilitation policies of the five countries covered by the MENA+T Programme (Chapter 3), as well as in their trade and investment agreements (Chapter 4). The report then focusses on the role that NCPs in general can play in the promotion of policy coherence for RBC, before examining how MENA+T Programme NCPs have been involved so far in trade and investment policymaking and negotiations and have contributed to the inclusion of RBC considerations in trade and investment policies and agreements (Chapter 0). Finally, it lays out policy considerations to further the inclusion and implementation of RBC considerations in trade and investment policies and agreements in the future (Chapter 6).

2 Trade and investment policies and agreements as levers to encourage responsible business conduct

Governments can promote RBC through a range of policy areas that contribute to shape businesses' practices, including trade and investment. Trade and investment policies and agreements can not only strengthen legal, regulatory and policy frameworks that enable RBC, but also directly encourage responsible practices among businesses. Governments across the world are increasingly integrating RBC considerations in their overarching trade and investment promotion and facilitation policies, as well as in the support services provided to exporters and investors, using them as tools to provide information, raise awareness, and create incentives for the adoption of responsible business practices. Trade and investment agreements are also becoming important components of an enabling environment for RBC. In addition to contributing to reinforce relevant legal, regulatory, and policy frameworks, they can support international collaboration on RBC, while also helping to promote RBC directly with businesses.

2.1. Promoting responsible business conduct through trade and investment promotion and facilitation policies

Trade and investment promotion and facilitation is a central part of trade and investment policies that governments can use to encourage RBC. The integration of RBC considerations in these policies can contribute to incentivise responsible business practices, both from exporting companies and investors.

2.1.1. Trade promotion policies

As part of their trade promotion policies, governments offer a wide array of support and services to exporting companies. These different types of support and services constitute avenues to promote access to information on RBC and incentivise exporters to observe RBC principles and standards (OECD, 2018, pp. 55-56[9]). This is the case of the financial support provided to national exporters competing in international markets through export credit agencies (ECAs). This is also true of the non-financial support to trade and exports. Trade missions, which allow representatives of exporting companies to travel overseas with government officials to promote their businesses, but also capacity building activities, or access to relevant information and networks granted through embassies to enhance export opportunities, are all means that can be used to promote RBC (OECD, 2018, pp. 55-56[9]).

The OECD Recommendation on the Role of Government in Promoting RBC contains several guiding principles regarding the use of trade promotion policies to encourage RBC. It notably recommends that governments support the implementation of RBC standards by promoting awareness of RBC among parties involved in applications for officially supported export credits. This is in line with the OECD Recommendation of the Council on Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence (the OECD “Common Approaches”), which encourages governments to promote the MNE Guidelines via their ECAs and consider the outcomes of NCP cases when undertaking project reviews (see Annex A) (OECD, n.d.[10]). In a similar vein, the OECD Recommendation on the Role of Government in Promoting RBC also recommends that governments, when reviewing eligibility for government support and services (such as trade advocacy and economic diplomacy), take into account the good faith engagement of companies in the context of NCP specific instances [OECD/LEGAL/0486, para. III(5)].

Over recent years, several adherent countries to the Declaration on International Investment and MNEs and the MNE Guidelines have sought to enhance policy coherence for RBC and use trade promotion as a lever to promote RBC. In 2025, 77% of NCPs (compared to 56% in 2024) reported to the OECD Secretariat promoting the MNE Guidelines with trade and investment promotion agencies.[6] Similarly, 50% reported having informed officials responsible for trade missions of their relevant statements and reports.[7] Going beyond information-sharing, some adherent countries have taken more specific measures to encourage the observance of RBC principles and standards among exporters. This includes giving a specific mandate to their trade promotion agencies (TPAs) to promote responsible business practices in the export offer or linking the access to their services to a commitment to observe RBC principles and standards by exporters, as done by some trade partners of the MENA+T Programme Countries (see Box 2.1).

Box 2.1. Examples of government measures to promote responsible business conduct through trade promotion

Spain’s capacity-building initiatives

Spain’s trade promotion agency – ICEX – organises, together with UN Global Compact Spain and the Spanish Official Credit Institute Foundation (*Fundación ICO*), a year-long training programme to support small and medium enterprises involved in the supply chains of large companies integrate sustainability in their operations. The programme consists of workshops and resources on the responsible management of supply chains and covers several areas of the MNE Guidelines (human and labour rights, the environment, and anti-corruption). Since its launch in 2023, more than 5 700 companies from 50 countries have participated in the programme, which was in its fourth edition at the time of writing. In addition, ICEX provides information to exporters on evolving legal requirements related to RBC. For example, in 2023, it held a webinar cycle on human rights and environmental due diligence and how to approach its implementation.

The Netherland's requirements for trade support

The Netherlands requires that exporters seeking financial or non-financial support from the government demonstrate their observance of the MNE Guidelines. The website of the one-stop-shop for local or foreign businesses looking to do business with the Netherlands sets the eligibility criteria and specifies that exporting companies can show that they observe the MNE Guidelines by:

- obtaining a certification, such as a quality label
- providing a performance comparison demonstrating the company's efforts with regards to RBC in its region or sector
- issuing a substantiated statement in which the company outlines its RBC commitments
- presenting a sustainability report detailing the company's RBC activities
- submitting documentation on the company's RBC activities.

Sources: UN Global Compact Spain (n.d.[11]), "Training program: sustainable suppliers", https://www.pactomundial.org/sustainablesuppliers/formacion-proveedores-sostenibles/en; UN Global Compact Spain (2024[12]), *Strengthening Sustainability in the Supply Chain: Results of the second edition of the "Training Programme: Sustainable Suppliers" 2023-2024*; Government of Spain (2024[13]), *ICEX – Memoria de Sostenibilidad 2023*, https://www.icex.es/es/sobre-nosotros/administracion-abierta/memorias; Government of the Netherlands (2025[14]), Responsible business conduct (RBC), https://business.gov.nl/regulation/responsible-business-conduct/.

2.1.2. Investment promotion and facilitation policies

Governments also grant support to investors through investment promotion and facilitation policies, which respectively aim to market a country as an investment destination and make it easier for investors to establish, operate, or expand their investments (OECD, 2018, p. 3[15]). As with exporters, the numerous services offered to investors can be used as conduits to encourage the adoption of responsible business practices (OECD, 2015, p. 18[16]). The inclusion of RBC considerations in the different image-building and investment generation activities carried out for investment promotion purposes can help build a country's positive image and attract responsible investors towards sustainable investment opportunities (OECD, 2015, p. 39[16]; 2018, p. 3[15]). Similarly for investment facilitation, all investor servicing and aftercare activities aimed at reducing the number of obstacles faced by investors can be used to promote RBC (OECD, 2015, p. 39[16]; 2018, p. 3[15]; 2022, p. 33[17]).

The PFI recognises that RBC is central to a good investment climate and should play a part in investment policies to ensure that investors act responsibly (OECD, 2015, pp. 18, 75[16]). It further indicates that "an investment climate that does not include respect for certain rules of responsible business conduct […] risks being shunned by international investors and by foreign customers" (OECD, 2015, p. 18[16]). The OECD Recommendation on the Role of Government in Promoting RBC also advises that governments encourage RBC through investment policies, with the expectation that businesses under the scope of these policies implement RBC standards [OECD/LEGAL/0486, para. III(2)]. Moreover, it recommends in broader terms applicable to investment promotion and facilitation, that governments support the effective implementation of RBC standards through the provision of reliable information, tools, and incentives, including, where feasible, aligning economic benefits and incentives for businesses with the implementation of RBC standards [OECD/LEGAL/0486, para. III(1)].

In recent years, various countries have resorted to their investment promotion and facilitation policies to encourage the adoption of responsible business practices (see Box 2.2). In this context, a number of investment promotion agencies (IPAs) have been given the mandate to attract, facilitate, and retain sustainable investments and, in particular, to promote RBC. More generally, some IPAs have integrated considerations relevant for the promotion of RBC in their investment promotion and facilitation activities and their support services for investors (see Box 2.2) (OECD, 2019, pp. 41-42[18]). Other IPAs have reported taking action when assisted investors do not observe RBC principles and standards (Volpe Martincus and Sztajerowska, 2019, pp. 50-51; 108-109[19]). In adherent countries, increased information sharing and co-operation between officials in charge of investment matters and NCPs have supported these actions. In 2025, 50% of NCPs (26 out of 52) reported to the OECD Secretariat having shared statements, data and other insights with officials responsible for trade and investment support.[8]

In recent years, various countries have resorted to their investment promotion and facilitation policies to encourage the adoption of responsible business practices (see Box 2.2). In this context, a number of investment promotion agencies (IPAs) have been given the mandate to attract, facilitate, and retain sustainable investments and, in particular, to promote RBC. More generally, some IPAs have integrated considerations relevant for the promotion of RBC in their investment promotion and facilitation activities and their support services for investors (see Box 2.2) (OECD, 2019, pp. 41-42[18]). Other IPAs have reported taking action when assisted investors do not observe RBC principles and standards (Volpe Martincus and Sztajerowska, 2019, pp. 50-51; 108-109[19]). In adherent countries, increased information sharing and co-operation between officials in charge of investment matters and NCPs have supported these actions. In 2025, 50% of NCPs (26 out of 52) reported to the OECD Secretariat having shared statements, data and other insights with officials responsible for trade and investment support.[9]

Box 2.2. Examples of government measures to promote responsible business conduct through investment promotion and facilitation

Asia-Pacific Economic Co-operation's Upgraded Investment Facilitation Action Plan: Principles and strategies

Asia-Pacific Economic Co-operation (APEC)'s Upgraded Investment Facilitation Action Plan (IFAP) underlines that APEC economies have implemented various investment facilitation measures aimed at maximising the developmental impact of FDI, including by promoting RBC among investors. The promotion of "sustainability and responsible business conduct in the investment environment" is one of the key principles and strategies enshrined in the IFAP. According to these principles and strategies, APEC economies should "encourage investors to adhere to international principles on responsible business conduct (RBC) and inclusive and responsible business and investment (IRBI), including by undertaking risk-based due diligence as an integral part of risk management systems in their supply chains". They specify that this "includes identifying actual and potential adverse impacts on their operations, products and services; and developing strategies to prevent, mitigate, and address such adverse impacts."

The "Suppliers Database with Sustainability Dimensions" of the Council for the Development of Cambodia

The Council for the Development of Cambodia is a government entity responsible, among others, for investment promotion and facilitation with the broader goal of modernising Cambodia's economy, increasing productivity, and strengthening integration into global value chains. The services it provides through its investment promotion arm – the Cambodian Investment Board – include a "Suppliers

Database with Sustainability Dimensions". The Database aims to attract and facilitate investments from responsible investors by simplifying the identification of domestic suppliers with responsible business practices. In addition to general information on potential local suppliers, it provides specific information on suppliers' performance across six areas relevant for RBC (quality standards and certifications, gender inclusion, responsible supply chains, environmental sustainability, employee capacity-building, and employee care).

Sources: APEC (2025[20]), *APEC Investment Facilitation Action Plan: Principles and Strategies*, https://www.apec.org/docs/default-source/groups/ieg/2025/25_cti2_027.pdf?sfvrsn=30da62f8_1; Government of Cambodia (n.d.[21]), "The Council for the Development of Cambodia (CDC)", https://cdc.gov.kh/; Government of Cambodia (n.d.[22]), "The Suppliers Database with Sustainability Dimensions (SD2)", https://sd2.cdc.gov.kh/.

2.2. Promoting responsible business conduct through trade and investment agreements

Trade and investment agreements are another important component of an enabling environment for RBC. As recommended by the OECD Recommendation on the Role of Government in Promoting RBC, they can be used by governments to encourage businesses to adopt responsible business practices [OECD/LEGAL/0486, para. III(2)]. This can be done through the inclusion of RBC considerations in diverse kinds of provisions (OECD, 2024, p. 13[8]).

The first kind are provisions that deal, directly or indirectly, with areas covered by the MNE Guidelines, such as the respect for human rights, the promotion of labour standards, the protection of the environment, or the fight against corruption, and which reflect the signatories' commitments in relation to these areas (hereinafter called sustainability provisions). The second kind are clauses through which the signatories commit to encourage businesses to observe RBC principles and standards (hereinafter called RBC clauses). These provisions and clauses can have various effects that contribute to enabling and promoting RBC.[10]

Sustainability provisions have the potential to support and reinforce governments' legal and policy frameworks in areas covered by the MNE Guidelines by buttressing the adoption, implementation and enforcement of domestic laws, regulations and policies in the human rights, labour, environmental or anti-corruption fields (Gaukrodger, 2021, pp. 10, 84, 86-94[23]; OECD, 2022, pp. 107-110; 171-173[17]). In this way, they contribute to reinforcing the legal and policy frameworks in these areas, which underpin RBC. This is notably the case of provisions through which the signatories commit to incorporating in their legal frameworks internationally recognised principles and standards in these different areas or to implement and enforce related laws and regulations. This is also the case of the provisions that seek to preserve the signatories' right to regulate in areas covered by the MNE Guidelines by allowing them to adopt new laws, regulations and policies aimed at pursuing public interest objectives in these areas without legal risks. Sustainability provisions are also those that prohibit signatories from lowering or weakening their laws and regulations in these same areas or through which they undertake to co-operate and exchange best practices on these topics (Gaukrodger, 2021, pp. 10, 84, 86-94[23]; OECD, 2022, pp. 107-110; 171-173[17]).

Sustainability provisions can also contribute to facilitate access to remedy for victims of business-related adverse impacts. By promoting regulatory co-operation and/or intergovernmental consultations on matters arising in areas covered by the MNE Guidelines, they can lead to the resolution of RBC issues and contribute to remedy such impacts. Likewise, the possibility that governments may have under some investment agreements to bring actions against investors, when the conditions to bring such counterclaims under the applicable rules are met, constitute another avenue through which remedies can be obtained in case of harm linked to investors' operations.

As to RBC clauses, they can directly promote the observance of RBC principles and standards by "speaking to businesses" (Gaukrodger, 2021, pp. 84; 102-108[23]). These clauses in general underline the importance of RBC and sometimes highlight the RBC instruments that should be observed by companies, for instance through express references to the MNE Guidelines, and in some cases even the need to conduct due diligence. By communicating and clarifying the governments' expectations on RBC, they encourage the adoption of responsible business practices.

In recent years, countries have increasingly sought to integrate sustainability provisions and RBC clauses in their trade and investment agreements. Canada, for instance, as well as the EU, tend to systematically include them in their new agreements (London School of Economics and Political Science, 2022[24]; Government of Canada, 2022[25]; European Commission, n.d.[26]; European Commission, 2022[27]). A concrete example of an agreement with sustainability provisions is the 2018 Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), which includes full chapters dedicated to various areas covered by the MNE Guidelines. The Bahrain-Hungary BIT is an investment agreement that incorporates an RBC clause through which the signatories commit to promote the uptake of RBC by businesses (see Box 2.3).

Box 2.3. Examples of sustainability provisions and RBC clauses in trade and investment agreements

Sustainability provisions in the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)

The CPTPP, signed in 2018, incorporates a number of sustainability provisions in various areas covered by the MNE Guidelines. It contains entire chapters dedicated to labour, the environment, as well as transparency and anti-corruption, each with detailed sustainability provisions. In the labour chapter, for instance, the signatories reaffirm their commitment to implement the ILO Declaration on Fundamental Principles and Rights at Work, and to maintain laws on minimum wages, working hours, and occupational health and safety. In addition, the chapter prohibits weakening labour protections to attract trade or investment and requires effective enforcement of labour laws. It also integrates procedural safeguards in labour matters and creates a mechanism allowing citizens to file public submissions on matters related to the labour chapter that governments must review and address. Similarly, the environment chapter includes sustainability provisions in which the signatories affirm their commitment to implement the multilateral environmental agreements they have ratified and to maintain high levels of environmental protection. Other provisions prohibit weakening or lowering environmental standards to attract trade or investment and reaffirm the signatories' right to regulate for environmental protection purposes. This chapter also includes procedural guarantees for environmental matters and allows citizens to file public submissions in case of concerns on the implementation or enforcement of environmental laws. In the transparency and anti-corruption chapter, the signatories commit to adopt, maintain and enforce measures to combat corruption. They also undertake to promote integrity among public officials, whistle-blowers' protection, and the participation of the private sector and civil society in the fight against corruption.

The RBC clause in the BIT between the Kingdom of Bahrain and Hungary

The BIT between Bahrain and Hungary, which entered into force in July 2025, contains a detailed RBC clause. In this clause, the signatories first "recognise the important contribution of corporate social responsibility [CSR] practices to strengthening the positive role of investment in sustainable growth". They then commit to promote the uptake of RBC by businesses in line with internationally recognised

CSR principles and guidelines. The signatories also undertake to exchange information and co-operate on promoting responsible business practices.

Sources: (2018[28]), Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), https://www.international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/cptpp-ptpgp/index.aspx?lang=eng; (2025[29]), Bahrain-Hungary BIT, Article 9 (Corporate Social Responsibility), available at: https://www.iareporter.com/articles/106859/.

The inclusion of sustainability provisions and RBC clauses in trade and investment agreements is also happening at the multilateral level. The Investment Facilitation for Development Agreement (IFD Agreement) of the World Trade Organisation (WTO), which has not yet been incorporated in the WTO framework despite support for doing so by 165 WTO members, includes a full section on sustainable investment (WTO, 2024[30]; WTO, 2026[31]). In addition to a provision dealing with measures against corruption, this section contains an RBC clause that seeks to promote the observance of RBC principles and standards by investors (see Box 2.4).

Box 2.4. The inclusion of a responsible business conduct clause in the WTO's Investment Facilitation for Development Agreement

The Investment Facilitation for Development (IFD) Agreement was negotiated at the WTO between 2020 and 2023 with the aim of strengthening the investment climate and promoting international co-operation to facilitate foreign direct investment for sustainable development. The goal of the IFD Agreement is thus to help WTO members attract not only more, but also higher quality, investment that contributes to sustainable development.

In the context of these negotiations, several countries advocated for the integration of RBC considerations in the text of the IFD Agreement. This ultimately resulted in the insertion of an RBC clause in section VI on sustainable investment, together with a provision dealing with measures against corruption. Through Article 37 of the IFD, the parties commit to encourage investors to observe internationally recognised RBC principles and standards, including to undertake meaningful engagement and dialogue with indigenous peoples and local communities. They also recognise the importance for investors to implement due diligence for RBC to identify and address adverse impacts in their operations, supply chains and other business relationships. In addition, they commit to exchanging best practices on RBC, notably on ways to facilitate the uptake by companies of responsible business practices and reporting.

The IFD Agreement is accompanied by an Investment Facilitation Self-Assessment Guide prepared with the support of international organisations, including the OECD. The Guide aims at helping WTO members and, particularly, developing and least developed countries, to self-assess their needs and priorities in relation to each provision of the Agreement, including the RBC clause, in order to facilitate their implementation. With this Guide, WTO members can identify implementation gaps in relation to RBC and determine their technical assistance and capacity-building needs.

Sources: WTO (2025[32]), Investment Facilitation for Development in the WTO, https://www.wto.org/english/tratop_e/invfac_public_e/2025_05_14_ifd_factsheet_english.pdf; (2024[30]), Joint Ministerial Declaration on the Investment Facilitation for Development Agreement, https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/WT/MIN24/17.pdf&Open=True; (2026[31]), Members participating in IFD Agreement issue joint ministerial declaration at end of MC14, https://www.wto.org/english/news_e/news26_e/infac_30mar26_353_e.htm.

3 State of play of the inclusion of responsible business conduct considerations in the trade and investment promotion and facilitation policies of MENA+T Programme Countries

MENA+T Programme Countries have taken initial steps to integrate RBC considerations in their trade and investment promotion and facilitation policies. Even if explicit references to RBC remain limited, overarching strategies and laws across the region tend to include considerations that lay the ground for using the support provided to exporters and investors as a lever to promote RBC. All Programme Countries have used some of the tools and services to assist exporting companies and attract and facilitate investments with a view to encouraging responsible business practices, although their potential for doing so is yet to be fully exploited.

3.1. Responsible business conduct in the trade promotion policies of MENA+T Programme Countries

Governments can encourage responsible business practices by integrating RBC considerations into trade promotion in different ways and at different levels, from overarching plans and strategies to specific programmes or activities aimed at supporting exporters.

Some MENA+T Programme Countries have started to integrate considerations underpinning RBC in their overarching trade promotion policies. For instance, the 2024-2028 Strategic Plan of Türkiye's Ministry of Trade includes among its objectives the contribution to sustainable economic growth through support to the green and digital transitions (Government of Türkiye, n.d., p. 16[33]). Certain high-level national development policies also underline the importance of trade for economic growth while referring to areas covered by the MNE Guidelines. One example is Jordan's Economic Modernisation Vision and the Executive Programme for the Implementation of the Vision in 2023-2025, which aim to position the country as a regional trade hub with an emphasis on environmentally sustainable growth (Government of Jordan, n.d., p. 65[34]; n.d., pp. 94-97[35]). Similarly, Morocco's New Development Model acknowledges the importance of exports to sustain economic growth and the need to support Moroccan exporters, while promoting a development pathway that creates shared value and protects the environment and natural resources (Government of Morocco, 2021, pp. 55, 82, 91[36]).

3.1.1. Responsible business conduct in financial trade support

Some MENA+T Programme Countries have begun to use the financial support provided to exporters as a lever to promote responsible business practices. This can notably be seen with the integration of RBC considerations in the support granted to exporting companies by Türkiye and Jordan through trade-related finance (notably officially supported export credits) as well as in their direct support programmes with a financing component (see Table 3.1).

Türkiye, as an Adherent to the OECD Common Approaches [OECD/LEGAL/0393] and the OECD Recommendation on Bribery and Officially Supported Export Credits [OECD/LEGAL/0447] (see Annex A), has put in place mechanisms to prevent adverse social and environmental impacts and bribery in projects that it supports through officially supported export credits. These mechanisms encompass the exclusion from financing of certain activities due to their social and environmental risks as well as processes to prevent and mitigate adverse impacts on the environment and human and labour rights of projects financed by the country's ECA, Turk Eximbank (see Box 3.1). Similarly, Jordan has put in place measures to detect and manage environmental and social risks in the context of the export credit guarantees subsidised by the Industrial Support and Development Fund, in co-operation with the Jordan Loan Guarantee Corporation (JLGC).[11] These include the screening of applications by JLGC to detect and manage such risks in a manner that is consistent with World Bank standards, in particular the World Bank's Environmental and Social Framework and Environmental and Social Standards (Jordan Loan Guarantee Corporation, n.d.[37]).[12]

Box 3.1. Integration of responsible business conduct considerations in Türk Eximbank's financial trade support

In Türkiye, export credit is provided by Türk Eximbank (TE), a company fully owned by the Turkish Treasury. Under its Sustainability Principles – which establish its high-level commitments related to sustainability and all the policies and procedures related to its Sustainability Management System – TE commits to consider the adverse impacts of its activities, and to assess, monitor, and report on the environmental and social risks of the applications for export support it receives. It also undertakes to integrate a climate change perspective in all its activities. Based on these commitments, TE has adopted various risk management mechanisms, as specified in its Environmental and Social Impact Policy:

- An exclusion list for the activities that cannot be financed by TE due to their adverse impacts on labour rights and the environment.[1]
- An Environmental and Social Risk Model according to which TE assesses social and environmental risks on an exporter and project basis, categorising them, and defining action plans to address identified risks. The Environmental and Social Risk Model is applied to projects seeking financing from TE if (i) TE's share in the activities is above USD 10 million or (ii) such activities are located in or near sensitive areas or where there is a high risk of adverse human rights impacts.[2]
- Environmental and Social Guidelines defining the screening process applicable to projects under the scope of the OECD Common Approaches[3] to prevent and mitigate adverse environmental, social, and human rights impacts. According to this process, TE reviews relevant applications, classifies them into risk groups, and then assesses them based on international standards.[4] When support is granted for projects entailing risks of adverse impacts, TE requests the applicant to take steps to prevent, mitigate, and compensate actual or potential impacts.

In addition to these risk management mechanisms, since 2021, TE discloses information on its sustainability initiatives, projects, and impacts through a dedicated sustainability report based on the Global Reporting Initiative (GRI) standards.

Notes: 1. For example, TE may not support projects related to the production and trading of wildlife products covered by the Convention on the International Trade in Endangered Species of Wild Flora and Fauna (CITES), cross-border waste management activities prohibited under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, or the shipping of dangerous items that do not comply with the standards of the International Maritime Organization (IMO).
2. The Environmental and Social Risk Model is only applied to activities and projects where TE's involvement is requested for two years of more.
3. The OECD Common Approaches apply to all types of officially supported export credits for exports of capital goods and/or services, except exports of military equipment or agricultural commodities, with a repayment term of two years or more.
4. According to TE, the standards and principles it considers when assessing the environmental and social and human rights impacts of the transactions it supports include the World Bank's Environmental and Social Framework, IFC Performance Standards, the World Bank Group's Environmental, Health and Safety Guidelines and the United Nations Guiding Principles on Business and Human Rights.
Source: Türk Eximbank (n.d.[38]), About Us – Türk Eximbank, https://www.eximbank.gov.tr/en/about-us/corporate/about-us; (n.d.[39]), Reports – Türk Eximbank, https://www.eximbank.gov.tr/en/sustainability/reports; (2019[40]), Türk Eximbank Sustainability Principles, https://www.eximbank.gov.tr/content/files/200ef9b4-9c83-45e7-9f7a-03aa686a3180/turk-eximbank-sustainabilty-principles; (n.d.[41]), Türk Eximbank Environmental and Social Guidelines, https://www.eximbank.gov.tr/en/sustainability/environmental-and-social-impact-assessment; (2022[42]), Türk Eximbank Environmental and Social Impact Policy, https://www.eximbank.gov.tr/en/sustainability/sustainability-policies.

Türkiye and Jordan also provide financial support to exporters through specific support programmes with a financing component that incorporate RBC considerations. In Türkiye, the "Responsible" programme, implemented by the Ministry of Trade, seeks to help exporters integrate an RBC approach in their business model and operations. Under this programme, companies can benefit from financial support to prepare and implement improvement plans pertaining to environmental, social, and governance aspects. The measures eligible for such support include several elements relevant for RBC, such as the establishment of environmental management systems, supply chain sustainability systems, or decarbonisation roadmaps. In addition, the programme gives exporting companies that have demonstrated enhanced sustainability performance the possibility of using the "Responsible" trademark granted by the Ministry of Trade to boost their sustainability profile (Government of Türkiye, 2025[43]).

In Jordan, the Jordan Enterprise Development Corporation (JEDCO) developed the "Start Business" programme, which aims to promote the creation of micro and small enterprises capable of competing in global markets and takes into account RBC considerations as part of its selection criteria (Government of Jordan, n.d.[44]). When applying to receive the technical and financial support granted under the programme, companies must answer, among others, questions on their project's impacts on the environment and local communities, and JEDCO prioritises those with a sustainability approach (Government of Jordan, n.d.[44]). Another JEDCO initiative – the "Tatweer" programme, which targets small and medium enterprises (SMEs) with export potential in the service sector – includes among the costs eligible for reimbursement expenses related to the improvement of environmental performance (for instance, installation of energy saving, waste treatment, or renewable energy systems, or other activities relevant for the green transition) (Government of Jordan, n.d.[45]).

Egypt, Morocco and Tunisia also provide export credits, but this financial support has not yet been used to promote responsible business practices. In all three countries, trade-related finance is provided by state-owned enterprises, namely the Export Credit Guarantee of Egypt (EGE), the Moroccan Export Insurance Company (*Société Marocaine d'Assurance à l'Exportation,* SMAEX) and the Tunisian Foreign Trade Insurance Company (*Compagnie Tunisienne pour l' Assurance du Commerce Extérieur,* COTUNACE) (EGE, n.d.[46]; n.d.[47]; COTUNACE, n.d.[48]; SMAEX, n.d.[49]; n.d.[50]). They all focus their decisions for granting export credits on financial considerations, and have yet to include non-financial aspects (including RBC-related ones) in their processes. Similarly, at the time of writing, none of these three countries had specific support programmes with a financing component for exporters integrating RBC considerations.

Beyond financial support programmes, the countries in scope also provide tax deductions and exemptions to exporters, frequently in conjunction with the establishment of free trade zones. For example, Tunisia awards "fully exporting companies" and "partially exporting companies" with a range of tax exemptions, such as exemption from professional training taxes and insurance taxes.[13] However, it appears that, at the time of writing, none of the MENA+T Programme Countries linked the granting of these deductions and exemptions to RBC considerations.

3.1.2. Responsible business conduct in non-financial trade support

MENA+T Programme Countries have also taken action to use the specific programmes and activities providing non-financial support to exporters as a means to promote responsible business practices. In some cases, this is underpinned by the objectives of their TPAs (see Table 3.1). For example, JEDCO – Jordan's TPA – has included a sustainability dimension in its two latest strategies. Its Strategic Plan for 2022 – 2025 aimed at helping projects observe international standards relating to environmentally sustainable production and quality and conformity, notably to improve export opportunities and expand access to non-traditional markets in Europe and Africa (Government of Jordan, n.d., pp. 7-8[51]). Its updated Strategic Plan for 2025 – 2027 seeks to boost competitiveness with a view to making progress towards sustainable development (Government of Jordan, n.d., p. 4[52]).

A first way in which TPAs may promote responsible business practices through their activities is by including references to RBC or RBC considerations in the information provided to exporters. TPAs in MENA+T Programme Countries generally provide such information through market access studies for specific jurisdictions or products. These often include information on commercial viability and compliance with technical specifications for given markets, which may be of relevance to RBC (for example information on the environmental aspects of product requirements). However, at the time of writing, they had not yet developed general export guides to provide broader information to exporters, including on RBC. TPAs may also disseminate information encouraging responsible business practices among exporters through their websites. Morocco's TPA – the Moroccan Investment and Export Development Agency (AMDIE) – includes on its webpage generic information on the MNE Guidelines and the OECD Due Diligence Guidance, as well as links to access OECD RBC instruments and publications on RBC, and information on the NCP and its role (Government of Morocco, n.d.[53]). The webpages of TPAs in other MENA+T Programme Countries have not yet incorporated information on RBC, the OECD RBC instruments, or NCPs (see Table 3.1).

In addition to information provision, other support services offered by TPAs to exporters such as technical assistance and capacity-building can also be used to promote RBC. Morocco has started doing so by incorporating a few RBC considerations in some of its technical support and capacity-building programmes for exporters (see Box 3.2). This complements initiatives supporting environmentally sustainable and energy transition industries, including the "Power Export" programme led by Morocco's SME agency, which delivers technical export support for companies active in the green or circular economy sectors (Government of Morocco, n.d.[54]). Other MENA+T Programme Countries do not yet seek to promote RBC through their technical assistance and capacity-building services for exporters.

Box 3.2. Responsible business conduct considerations in Morocco's non-financial export support programmes

Morocco has integrated some RBC considerations in two of its non-financial support programmes for companies with export potential.[1] The programmes – which are provided by the Moroccan Investment and Export Development Agency (AMDIE) – integrate sustainable development and gender among the selection criteria for participation:

- **Export Morocco Now**: to benefit from AMDIE's export support services – which include market monitoring and analysis, business development actions, market access support, and training opportunities – companies must participate in this programme. The selection criteria for participation include considerations relating to sustainable development, in addition to intended export volume, employment creation, value added and export-readiness.
- **Export Morocco Now Women**: this programme provides support to women-led companies through several services, such as trainings on the global trade context and the preparation of an export business plan, the adaptation of products to target market requirements, and business-to-business connection opportunities. The selection criteria for participation likewise include sustainable development and gender considerations.

In addition, one of the capacity-building sessions of the two programmes related to the operational aspects of exporting focusses on "quality and exporting". It covers topics such as certification and consumer protection, providing examples of specific tools that companies may use to reinforce their performance in areas relevant for RBC, such as the ISO 26 000 standard (on social responsibility) and the ISO 14 000 family of standards (on environmental management).

Note: This box focusses on AMDIE's non-financial export support programmes. Other programmes may be provided by different government entities, be it in co-operation with AMDIE or otherwise. For example, Morocco's Industry and Trade Ministry supports the internationalisation of companies through the programme "Go to Market", in co-operation with AMDIE and the Moroccan Exporters' Association (ASMEX). The ministry, AMDIE and ASMEX also provide support for newly-exporting companies and first-time exporters in co-operation with the General Confederation of Moroccan Enterprises (CGEM). However, as these programmes do not incorporate RBC considerations, they are not included in this box.

Source: Government of Morocco (n.d.[55]), Élargissement des bénéficiaires des deux programmes d'accompagnement à l'export de l'AMDIE à guichet ouvert, https://amdie.gov.ma/communique-presse-ami-2025/; (n.d.[56]), Élargissement des bénéficiaires du programme d'accompagnement à l'export « EXPORT MOROCCO NOW », https://www.morocconow.com/exportmorocconow/; (n.d.[57]), Programme Export Morocco Now – Règlement de participation, https://www.morocconow.com/wp-content/uploads/2025/04/2.-EMN-RDP-VF.pdf; (n.d.[58]), Export Morocco Now Women – Règlement de participation de la 2ème phase du programme, https://www.morocconow.com/wp-content/uploads/2025/02/7.-EMNW-RDP-VF.pdf.

Another type of service that can be used by TPAs to promote RBC among exporters is country brands, which may both emphasise a country's performance in areas related to RBC and require that companies fulfil certain conditions related to RBC to use the brand and access related services. This is an emerging practice in other regions such as Latin America, where some countries require companies wishing to use their country brands to fulfil specific requirements in areas covered by the MNE Guidelines (OECD, 2024, p. 23[8]). For example, Costa Rica has embedded RBC considerations in the values and licensing protocol of its brand "Essential Costa Rica" (see Box 3.3) (OECD, 2024, p. 23[8]).

Box 3.3. The use of country brands to encourage responsible business practices in other regions: The case of "Essential Costa Rica"

"Essential Costa Rica" is a country brand managed by PROCOMER – Costa Rica's TPA – which builds on the country's positive environmental reputation and includes RBC considerations among the requirements for its use. Exporters can apply to use the brand either at the corporate level or for a specific product, for which they must obtain a license through a licensing protocol based on the values of the brand, namely "Excellence", "Sustainability", "Social progress", "Innovation" and "Costa Rican Rooting":

- Under the "Sustainability" value, the licensing protocol evaluates whether applicant companies have taken environmental management measures to efficiently use energy, reduce emissions and water use, and adequately manage waste, as well as measures to engage with local communities and prevent bribery and corruption.
- Under the "Social Progress" value, the licensing protocol assesses aspects related to human and labour rights (for example, whether the company has adopted human rights policies, worker grievance mechanisms or practices against child labour), occupational safety and health (including risk identification and management activities), and equality of opportunity for vulnerable groups.

In addition to being featured on PROCOMER's website as a company using the country brand, benefits for licensed companies include non-financial export support (notably marketing and internationalisation trainings) and discounts on some of the other services provided by PROCOMER (such as participation in trade missions or international fairs).

Licenses may be revoked if false, incorrect or partial information is provided by the company, as well as if it fails to sustain the conditions that led to the license being obtained. At the time of writing, there were 786 companies with active "Essential Costa Rica" licenses.

Sources: Government of Costa Rica (2021[59]), Protocolo de evaluación para uso corporativo marca país *esencial* COSTA RICA: requisitos e indicadores de cumplimiento – Versión 2021, https://www.esencialcostarica.com/wp-content/uploads/2024/03/Protocolos-de-evaluacion_Anexo1_mar24.pdf; Essential Costa Rica (n.d.[60]), Essential Costa Rica – Our Licensing Program, https://www.esencialcostarica.com/en/the-program/.

No MENA+T Programme country had a branding initiative integrating RBC and being open to company participation at the time of writing. However, through its "Morocco Now" campaign, AMDIE has taken steps to integrate considerations that can contribute to underpin RBC in country branding initiatives. Although it is not open to company participation, the campaign – which aims to promote both exports and investments – highlights the country's sustainability performance, mainly in relation to low-carbon energy (Government of Morocco, 2022, p. 13[61]; n.d.[62]).

Table 3.1. Overview of the use of trade promotion as a lever to promote responsible business conduct in MENA+T Programme Countries

Country / Trade Promotion Agency (TPA)	Objective to promote sustainability / RBC	Promotion of RBC through financial support to exporters	Promotion of RBC through non-financial support to exporters	
			Inclusion of references to RBC in information provided to exporters	Integration of RBC in services for exporters
Egypt – Export Development Authority (EDA)	No	No	No	No
Jordan – Jordan Enterprise Development Corporation (JEDCO)	Yes	Yes	No	No
Morocco – Moroccan Agency for Investment and Export Development (AMDIE)	No	No	Yes	Yes
Tunisia – Export Promotion Center (CEPEX)	No	No	No	No
Türkiye – Türkiye Exporters Assembly (TiM)	No	Yes	No	No

Note: TiM is an umbrella association of exporters' associations established by Law 5910 on the Establishment and Duties of the Turkish Exporters Assembly and Exporters' Association with the mission of, among others, contributing to the development of foreign trade. Law 5910regulates the structure and internal functioning of TiM, which is under the administrative and financial supervision of the Ministry of Trade.
Source: Based on OECD analysis of the mandate, documentation, and services of relevant agencies in MENA+T Programme Countries.

In some MENA+T Programme Countries, government efforts to enable and encourage RBC through trade promotion have been complemented by private sector initiatives seeking to support the adoption of RBC standards by exporting companies. In Türkiye, the Turkish Business Confederation (TÜRKONFED) has established a “Responsible Business Conduct Helpdesk” in co-operation with German development co-operation agency GIZ, seeking to support local producers in complying with upcoming RBC-related requirements in important export markets (RBH Türkiye, n.d.[63]; TÜRKONFED, 2024[64]). A similar project has been established in Tunisia, hosted by the Tunisian Confederation of Industry, Trade and Handicrafts (*Union tunisienne de l'industrie, du commerce et de l'artisanat,* UTICA) (GIZ, n.d.[65]).

3.2. Responsible business conduct in the investment promotion and facilitation policies of MENA+T Programme Countries

Investment promotion and facilitation is another policy area that governments can leverage to encourage responsible business practices through the inclusion of RBC considerations at different levels. This ranges from the overarching legal and policy frameworks governing investment to the large array of tools deployed to attract and retain investments, such as investment incentives, or the support services provided by IPAs (OECD, 2024[66]; 2015[16]).

Most MENA+T Programme Countries include sustainable development among the objectives of their investment laws (see Table 3.2). Egypt and Jordan, for example, explicitly reference environmental protection and public health. In Tunisia, according to information provided by the government, the new investment law under development at the time of writing will also include references to sustainable development. This is in line with global trends that increasingly consider sustainability as a central element of investment policies and investment promotion and facilitation, and which lay the ground to encourage responsible business practices through policies and activities in the field (OECD, 2025[67]; 2024[68]).

Table 3.2. Inclusion of sustainability among investment laws' objectives in MENA+T Programme Countries

Country[1]	Law	Provision	Relevant extracts[2]
Egypt	Law No. 72 of 2017	Article 2	"Investment in the Arab Republic of Egypt aims to promote national economic growth rates and domestic production rates, create job opportunities, encourage exportation and increase competitiveness, in a way that would contribute to achieving comprehensive and sustainable development. […] Investment shall be governed by the following principles: […] 3. Due consideration shall be given to all socially relevant aspects, and to the protection of environment and public health […]. The aforementioned investment principles shall apply to Investor and the State, all within their scope of functions respectively."
Jordan	Law No. 21 of 2022	Article 3	"The general investment policy in the Kingdom is based on achieving economic and development visions that aims to provide job opportunities, increase economic growth, improve competitiveness and the business environment, and shall be based on the following principles: […] H- Protecting the environment and encourage transition to a green economy, safety and public health, according to social standards."
Morocco	Framework law No. 03 of 2022	Article 1	"[T]his framework law establishes, as follows, the fundamental objectives of the State's action in the development and promotion of investment: […] the achievement of sustainable development […]."
Tunisia	Law No 71 of 2016	Article 1	"This law aims to promote investment and encourage the creation and development of companies according to the priorities of the national economy, in particular through: […] the achievement of sustainable development."

Notes: 1. In Türkiye, Law No. 4 875 of 2013 governs the promotion of foreign direct investment and the protection of foreign investors' rights specifically. It does not incorporate sustainability elements in this context, nor does it address broader objectives and principles of investment policy. Therefore, it is not included in this table.
2. The extracts for Morocco and Tunisia are unofficial translations from the original French legal text, prepared by the OECD Secretariat. The extracts for Egypt and Jordan are translations made available by IPAs.
Source: Based on OECD analysis of relevant legislation in the five countries part of the MENA+T Programme.

In addition, some MENA+T Programme Countries have started integrating a sustainability dimension in their overarching investment strategies. In Türkiye, for instance, the 2024 - 2028 FDI Strategy, which aims to attract quality FDI projects, defines such projects as those that contribute to economic growth and sustainable development (Government of Türkiye, n.d., p. 60[69]). In Egypt, the forthcoming National FDI Strategy seeks to attract and retain high-quality FDI that is sustainable and aligned with development objectives, with a specific focus on strategic sectors that contribute to sustainable development, such as wind and solar energy or information and communication technologies (Government of Egypt, 2024[70]).

The inclusion of a sustainability dimension in investment laws or overarching investment strategies has provided overall direction for the incorporation, through the sustainability lens, of RBC considerations in the tools developed by MENA+T Programme Countries to attract and retain investments. Among these tools, investment incentives have been increasingly used by countries in the region to attract investors and investments that can support sustainable development through responsible business practices.

In Morocco, the general incentive programme for investment projects foresees higher incentives for projects that contribute to sustainable development and female employment (see Box 3.4). In Jordan, investment projects related to environmental protection and the green transition can benefit from greater incentives and specific incentives have also been developed to promote female employment (see Box 3.4).[14]

Box 3.4. Integration of responsible business conduct considerations in investment incentives in MENA+T: The case of Jordan and Morocco

To attract investors and investments that can support their efforts to make progress towards sustainable development, Jordan and Morocco have integrated RBC considerations into their investment frameworks, granting comparatively higher incentives for businesses with better environmental performance or creating enhanced employment opportunities for women.

Jordan

In Jordan, the Investment Environment Law and its implementing regulations establish different incentives based on criteria such as the size of the investment, the creation of employment, and the generation of local added value. The amount of these incentives may be increased for investment projects that contribute to protect the environment or the transition to a green economy. According to information shared by the government, this is determined based on information provided by the investor and in co-ordination with relevant competent authorities. In addition, one of the general criteria for receiving incentives in Jordan is female employment, with investments projects where at least 50% of the workforce is female being eligible for reduced rent on publicly owned land, electricity bill support, and reduced taxes and regulatory charges.

Morocco

In Morocco, an incentive programme is available for investment projects that meet minimum thresholds in terms of job creation and/or investment value. Incentives are disbursed in the form of direct grants, the amount of which – which is based on the amount invested – is increased for projects deemed to contribute to sustainable development. This corresponds to projects that use non-conventional water resources and have water management systems, and that meet at least two of the following four criteria:

- use of renewable energy
- energy efficiency systems
- waste management systems
- “social responsibility” programmes. Investment projects are considered to implement “social responsibility” programmes when they include concrete and measurable actions relating to improvements in occupational safety and health or the integration of environmental, ethical and transparency principles in the company’s governance processes, among others.

Projects in which salaries paid to female employees represent at least 30% of all salaries are also eligible for increased incentives. The investment agreement between the government and the investor includes monitoring and verification arrangements to assess compliance with the conditions required to benefit from these incentives.

Sources: Government of Jordan (2023[71]), Regulation No. 7 for the Year 2023 – Regulating the Investment Environment Regulation, https://www.moin.gov.jo/ebv4.0/root_storage/en/eb_list_page/investment_environment_regulation_no__(7)_for_the_year_2023-english_(2).pdf; Government of Morocco (2023[72]), Décret nº2-23-1 du 25 rejeb 1444 (16 février 2023) relatif à la mise en œuvre du dispositif de soutien principal à l’investissement et du dispositif de soutien spécifique applicable aux projets d’investissement à caractère stratégique, https://amdie.gov.ma/lois-decrets/; Government of Morocco (2023[73]), Arrêté du Chef du gouvernement n°3-12-23 du 8 chaabane 1444 (1er mars 2023) pris pour l’application des articles premier et 7 du décret n° 2-23-1, https://amdie.gov.ma/lois-decrets/; Government of Morocco (2023[74]), Arrêté du Chef du gouvernement n°3-13-23 pris pour l’application de l’Article 6 du décret n°2-23-1, https://amdie.gov.ma/lois-decrets/.

In Tunisia, according to information shared by the government, projects of national interest[15] may receive higher incentives if they meet RBC-related criteria. These include both environmental (measures supporting pollution reduction, green energy use, and water efficiency) and social considerations (measures in favour of employees and external stakeholders).[16] Additionally, investments in environmental remediation projects for pollution arising from a company's activities or in the adoption of non-polluting technologies benefit from specific incentives.[17] In Türkiye, investments for the cleaning or disposal of wastes – even where they are not the main activity of the enterprise – can benefit from incentives such as value added tax exemptions and corporate tax reductions, as well as interest support for the loans underpinning the investment (Government of Türkiye, 2025[75]). Similarly, Egypt's investment incentive regime includes measures such as tax deductions for investments generating or depending on renewable energy, as well as streamlined permits for national interest projects relating to renewable energy and electrification, alternatives to single-use plastic products, and integrated waste management (Government of Egypt, 2025[76]).

In addition to incentives, RBC can also be encouraged through the support services granted to investors by IPAs (OECD, 2015, p. 39[16]; 2018, pp. 3-4[15]). The integration of a sustainability dimension or the promotion of RBC into the formal mandate, the general objectives or overall strategy of an IPA provides a favourable context for doing so. This is the case in Egypt, where the IPA – the General Authority for Investment and Free Zones (GAFI) – has the mission of "boosting and encouraging sustainable investments […] in order to achieve sustainable economic development" (see Table 3.3) (Government of Egypt, n.d.[77]). IPAs in other MENA+T Programme Countries have yet to receive such an explicit mandate.

Even where mandates or objectives explicitly referring to sustainability or the promotion of RBC are not present, IPAs in MENA+T Programme Countries have taken initial steps to incorporate considerations underpinning RBC in the context of sector prioritisation. In Egypt, GAFI's investment targeting approach takes into account a sector's potential use of clean energy and key performance indicators related to the low-carbon transition (OECD, 2026, p. 70[78]). Moreover, according to information provided by the government, in the context of the preparation of the country's upcoming National FDI Strategy, GAFI has prioritised certain sectors based on both feasibility and desirability, including their contribution to long-term development goals such as sustainability. The Strategy's monitoring and evaluation framework will also reportedly include indicators on the contribution of facilitated investments to environmental sustainability. Similarly, in Morocco, AMDIE's sector prioritisation criteria include effects on employment and working conditions, as well as impacts on climate or the environment (OCDE, 2024, p. 158[79]). Alongside efforts to embed RBC considerations in sector selection, some MENA+T Programme Countries prioritise certain activities based on sustainability considerations. For example, according to information shared by the governments of Morocco and Türkiye, the sectors and activities currently prioritised by their IPAs include renewable energy.

In parallel, some MENA+T Programme IPAs have taken initial steps to integrate RBC in their project prioritisation by assessing investment projects' sustainability and other RBC considerations, expanding the traditional approach which until recently had been based on criteria such as size, job creation, or effects on exports (OECD, 2019, p. 57[18]). Türkiye's IPA offers a relevant example. Its Investor Management Model, used to evaluate and prioritise all projects in the IPA's portfolio, includes an assessment of investment projects' contribution to the UN Sustainable Development Goals (SDGs) through a pre-defined questionnaire seeking to determine whether they support the realisation of specific SDGs (OECD, 2024, p. 28[68]). According to information shared by the government, the IPA also takes into consideration factors such as investors' track records on environmental, social and governance matters, as well as their long-term commitment to RBC principles and standards.

Beyond prioritisation, initial efforts by MENA+T Programme IPAs to encourage RBC among investors have principally involved information provision activities. For example, GAFI's website contains a corporate social responsibility (CSR) section with documentation related to RBC. This includes Arabic-language explanations of international RBC instruments, notably the MNE Guidelines and the UNGPs, as well as relevant tools, such as ISO and GRI standards (Government of Egypt, n.d.[80]). GAFI's explanatory document on the MNE Guidelines also addresses the role of NCPs. Morocco's IPA similarly provides information on the OECD RBC instruments and the NCP on its website (Government of Morocco, n.d.[53]). In addition, the investor guides of the Moroccan, Tunisian and Turkish IPAs include information on their countries' legal framework in some of the areas covered by the MNE Guidelines, principally employment and industrial relations and, in the case of Türkiye, environment and competition (Government of Tunisia, n.d.[81]; Government of Morocco, 2022[82]; Government of Türkiye, 2024[83]).

At the time of writing, the use of other services supporting the establishment of investors and the continued operation of their projects, or the definition of preferential access to these services, to promote RBC was still limited among MENA+T Programme IPAs (see Table 3.3). A relevant example, however, is found in Egypt, where GAFI has been granting preferential access to its support services to investors that have received its Sustainable Development Excellence Award (see Box 3.5).

Box 3.5. GAFI's Sustainable Development Award

GAFI has established a Sustainable Development Excellence Award to select the ten investment projects that best support activities in the "areas of social responsibility", which are defined as, among others: waste recycling, water reuse, or renewable energy usage. Projects are chosen based on criteria related to corporate social responsibility and sustainable development.

The companies that receive the Sustainable Development Award can benefit from specific non-financial support by GAFI, including a mention on its website, priority access to sponsoring and participation in its conferences, and a dedicated contact person in its one-stop-shop for administrative procedures.

Source: Government of Egypt (n.d.[84]), Sustainable Development Excellence Award for the year 2023, https://www.gafi.gov.eg/English/Howcanwehelp/Pages/CSRSubCategoryPages/Sustainable-Development-Award.aspx

Outside the MENA+T region, some countries condition access to their IPAs' services on the observance of or commitment to observe RBC principles and standards such as the MNE Guidelines and related Due Diligence Guidance. For example, companies participating in activities related to trade and investment organised by Sweden's trade and investment promotion agency are required by its general conditions to strive to adhere to the MNE Guidelines and the UNGPs (Business Sweden, n.d.[85]). Similarly, investors seeking support from Brazil's trade and investment promotion agency are subject to its compliance programme, which requires the conduct of an integrity due diligence process to prevent corruption (OECD, 2024, p. 25[8]).

Table 3.3. Overview of the use of investment promotion and facilitation as a lever to promote responsible business conduct in MENA+T Programme Countries

Country / Investment Promotion Agency (IPA)	Mandate / objectives to promote sustainability / RBC	Sector / projects prioritisation related to sustainability / RBC	Promotion of RBC through support to investors	
			Inclusion of references to RBC in information provided to investors	Integration of RBC in services for investors
Egypt – General Authority for Investment and Free Zones (GAFI)	Yes	Yes: renewable energy	Yes	Yes
Jordan – Ministry of Investment (Invest Jordan)	No	No	No	No
Morocco – Moroccan Agency for Investment and Export Development (AMDIE)	No	Yes: renewable energy	Yes	No

Country / Investment Promotion Agency (IPA)	Mandate / objectives to promote sustainability / RBC	Sector / projects prioritisation related to sustainability / RBC	Promotion of RBC through support to investors	
			Inclusion of references to RBC in information provided to investors	Integration of RBC in services for investors
Tunisia – Foreign Investment Promotion Agency (FIPA) and Tunisian Investment Agency (TIA)	No	No	No	No
Türkiye – Investment and Finance Office of the Presidency of the Republic of Türkiye	No	Yes: general[1]	No	No

Note: In addition to prioritisation efforts through its Investor Management Model, Türkiye's sector prioritisation includes renewable energy.
Source: Based on an OECD analysis of the mandate, documentation, and services of relevant agencies in MENA+T Programme Countries.

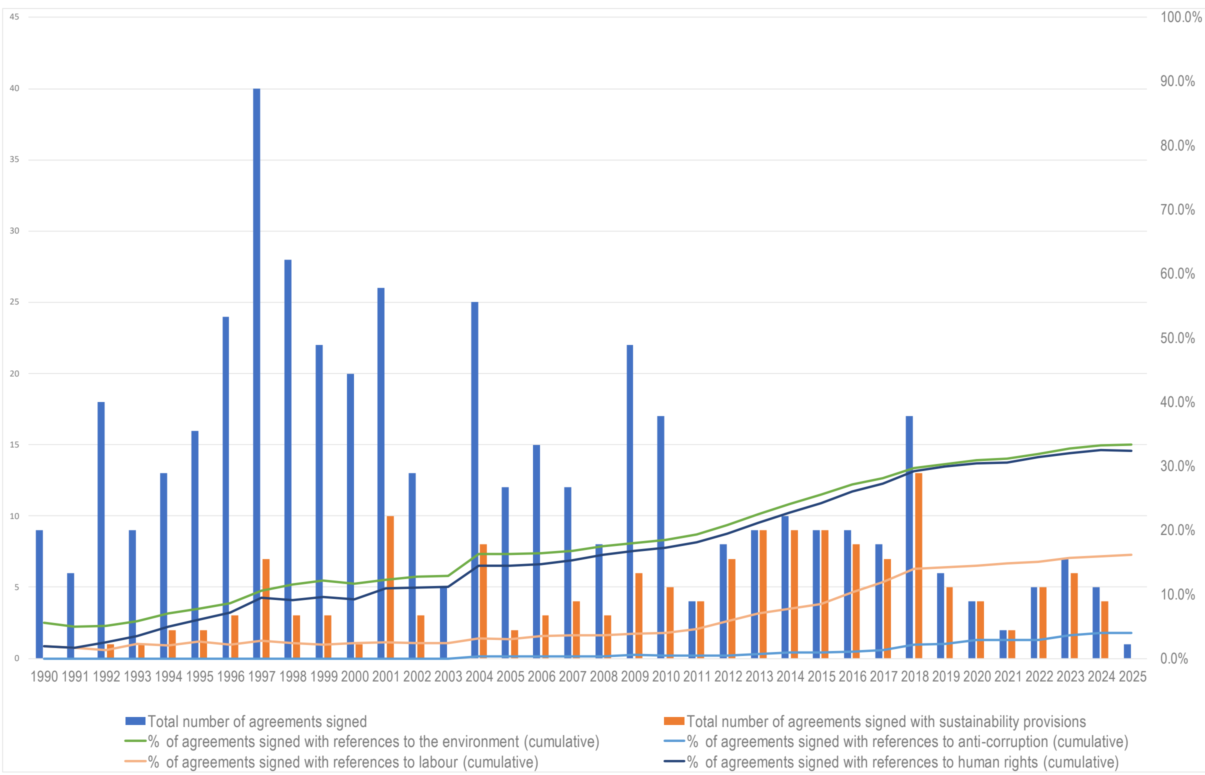
4 Stocktaking of the inclusion of responsible business conduct considerations in the trade and investment agreements of MENA+T Programme Countries

MENA+T Programme Countries have also started to use their trade and investment agreements as levers to encourage RBC. The analysis of around 500 trade and investment agreements signed by MENA+T Programme Countries between 1990 and 2025 shows that provisions related to the areas covered by the MNE Guidelines are increasingly being integrated. Clauses aimed to encourage companies to adopt responsible business practices are emerging more timidly, but with features specific to the region. This progressive inclusion can contribute to enable RBC by reinforcing relevant legal, regulatory, and policy frameworks, supporting international collaboration, and promoting RBC with businesses.

4.1. Sustainability provisions in trade and investment agreements concluded by MENA+T Programme Countries

The integration in trade and investment agreements of sustainability provisions – those addressing issues in areas covered by the MNE Guidelines such as human rights, labour rights, environmental protection and anti-corruption – has evolved progressively over the past three decades in the MENA+T region, reflecting global trends (Gaukrodger, 2021[23]). An analysis of approximately 500 trade and investment agreements signed by MENA+T Programme Countries between 1990 and 2025[18] shows that 33% include such provisions and indicates a recent shift towards a more systematic integration. The majority of agreements concluded over the last 14 years include some form of sustainability provision, with varying rates across policy areas (see Figure 4.1).

Figure 4.1. Evolution over time of the inclusion of sustainability provisions in MENA+T Programme Countries' trade and investment agreements



Source: Based on OECD analysis of the content of the trade and investment agreements concluded by the five countries part of the MENA+T Programme between 1990 and 2025.

Provisions related to the protection of the environment have experienced the most important growth. Present in less than 3% of the agreements concluded in 1990, their inclusion has increased by nearly ten-fold to appear in around 30% of agreements signed by MENA+T Programme Countries between 1990 and 2025. Provisions regarding the promotion of human rights have had a similar upward trajectory. The inclusion of labour-related provisions has shown a more gradual rise. Integrated in around 1% of agreements in the early 1990s, these provisions remained relatively uncommon until the 2010s, and they appeared only in around 15% of agreements by 2024. The less common sustainability provisions are those related to anti-corruption. They first appeared in 2004 and their integration over the subsequent two decades has been limited. As of 2025, anti-corruption clauses were present in less than 4% of agreements signed by MENA+T Programme Countries.

Certain agreements concluded by MENA+T Programme Countries include rather detailed sustainability provisions. For instance, three agreements contain a specific chapter on trade and sustainable development (TSD Chapter) with multiple sustainability provisions. One example is the TSD Chapter of the 2012 Korea-Türkiye FTA, which contains various sustainability provisions related notably to labour rights and environmental protection (see Box 4.1).[19] Three other trade agreements include standalone chapters dedicated to labour and/or environmental matters.[20]

Box 4.1. Detailed sustainability provisions in MENA+T Programme Countries' trade and investment agreements

The FTA concluded by Korea and Türkiye in 2012 integrates RBC considerations in various locations. In the preamble, the signatories declare their intention to strengthen the development and enforcement of labour and environmental laws and policies, guarantee basic workers' rights, and promote sustainable development. The main text then includes a full chapter dedicated to trade and sustainable development (TSD Chapter), with various sustainability provisions.

Through the sustainability provisions included in the TSD Chapter of the Korea-Türkiye FTA, the signatories undertake to (i) protect their right to regulate in labour and environmental matters; (ii) implement and enforce high levels of labour and environmental protection and (iii) co-operate in these areas.

Figure 4.2. Sustainability provisions in the Korea-Türkiye FTA

Reaffirm the right to regulate in labour and environmental matters

- **Recognise the right of each Party to establish its own levels of environmental and labour protection**
- **Recognise the right of each Party to adopt or modify its relevant laws and policies**
- **Seek to ensure that those laws and policies provide for and encourage high levels of environmental and labour protection**, consistent with internationally recognised standards or agreements, such as the ILO Declaration on Fundamental Principles and Rights at Work and the United Nations Framework Convention on Climate Change

Implement and enforce international labour and environmental standards and domestic legislation

- **Respect and promote in their laws and practices the principles concerning fundamental labour rights**
- **Implement the multilateral environmental agreements to which they are party**
- **Promote and facilitate trade in environmental goods and services that contribute to sustainable development**, including renewable energy, energy-efficient products and services and eco-labelled goods, as well as products certified under fair and ethical trade schemes and aligned with CSR principles
- **Effectively enforce their environmental and labour laws and not weaken or reduce the protections they afford to encourage trade or investment**

Co-operate on labour and environmental matters

- **Consult and co-operate on trade-related labour and environmental issues of mutual interest**
- **Initiate co-operation activities in various areas covered by the MNE Guidelines, including:**
  - Evaluating the FTA's impact on sustainable development and mitigating negative effects
  - Promoting ratification of ILO conventions and environmental agreements
  - Sharing best practices on CSR, eco-labeling, and ethical trade
  - Collaborating on climate change, carbon markets, and low-carbon technologies
  - Promoting sustainable fishing and combating illegal logging
  - Enhancing co-operation under multilateral environmental agreements
  - Advancing ILO's Decent Work Agenda and linking trade with employment and social protection, among others

Source: (2012[86]), Framework Agreement Establishing a Free Trade Area between the Republic of Korea and the Republic of Türkiye, Chapter 5, https://www.trade.gov.tr/free-trade-agreements/republic-of-korea.

The progressive integration of sustainability provisions in the trade and investment agreements concluded by MENA+T Programme Countries can contribute to promote and enable RBC in the region in several manners.

These provisions can help buttress the development and implementation of domestic laws, regulations, and policies in areas covered by the MNE Guidelines, thereby underpinning the consolidation of enabling environments for RBC. For instance, sustainability provisions related to women's rights included in the 1993 Common Market for Eastern and Southern Africa (COMESA) Treaty[21] have supported the development of national gender policies in member states and are now guiding the elaboration of a regional strategy on women's economic empowerment (COMESA, 2020[87]; COMESA, 2024[88]). The COMESA Treaty also includes provisions through which the signatories commit to integrating environmental considerations in all their policies and to promote co-ordinated environmental management through shared regulations, data exchange, and joint impact assessments.[22] The 2018 European Free Trade Association (EFTA)-Türkiye FTA is another example of how sustainability provisions can support the implementation of legal and policy frameworks in areas relevant for RBC. The FTA establishes a Joint Committee composed of senior officials from each party that convene biennially to monitor the implementation of the agreement, including its TSD Chapter. During the Joint Committee's first meeting in August 2023, each party raised concerns regarding the protection of labour rights and the environment, requiring signatories to respond to these concerns. By creating this institutional mechanism to monitor each signatory's implementation of the commitments set out in the TSD Chapter, the FTA promotes government action relevant for RBC (see Box 4.2).

Box 4.2. The Joint Committee of the EFTA-Türkiye FTA: A forum to advance fundamental labour rights and environmental protection

The Modernised FTA between the European Free Trade Association (EFTA) and Türkiye, in force since 2021, contains a chapter dedicated to trade and sustainable development (TSD Chapter). Under this Chapter, the signatories reaffirm their commitment to relevant multilateral environmental and labour agreements. They commit to maintain high levels of environmental and labour protection and recognise each signatory's right to regulate in these fields. The FTA also establishes a Joint Committee in charge of supervising and reviewing biennially the implementation of the agreement, including the TSD Chapter. During the first Joint Committee Meeting held in 2023, the parties discussed, among others, the implementation of the TSD Chapter commitments and raised several points in this regard:

- The EFTA states asked questions to Türkiye on the protection of the environment, with a focus on the implementation of the Paris Agreement, as well as wastewater pollution, and recycling practices. They also enquired about several labour rights matters, including: freedom of association (in light of ongoing cases under the ILO supervisory system); actions taken to address repression of strikes and harassment or arbitrary arrest of trade union leaders; efforts to combat child labour, particularly in the agriculture and garment sectors; and measures regarding the gender pay gap. Türkiye provided written responses in advance of the Joint Committee Meeting, which laid the ground for a follow-up discussion. During this subsequent exchange, the EFTA states urged Türkiye, among others, to co-operate with the ILO on freedom of association cases and to provide more detailed information on related measures. According to the Government of Türkiye, additional written information was provided to the EFTA states detailing measures to strengthen gender equality and protect union rights through constitutional provisions and labour laws.
- Türkiye, in turn, directed questions to the EFTA states and, in particular, to Iceland and Switzerland in relation to their approaches to the gender pay gap and with respect to Switzerland's implementation of the ILO Convention No. 98 on the Right to Organise and Collective Bargaining. Türkiye also sought clarification from Liechtenstein on the legal recognition of the right to strike and the prohibition of anti-union discrimination in the country. The respective EFTA delegations provided information during the Joint Committee Meeting and all parties agreed to continue the exchanges in writing.

Sources: (2018[89]), Modernised Free Trade Agreement between EFTA States and Türkiye, https://www.efta.int/trade-relations/free-trade-network/turkiye; EFTA (2023[90]), The EFTA States and Türkiye hold their first Joint Committee Meeting under the modernised Free Trade Agreement, https://www.efta.int/media-resources/news/efta-states-and-turkiye-hold-their-first-joint-committee-meeting-under.

Another type of sustainability provisions that can contribute to reinforcing the development and implementation of legal and policy frameworks in areas relevant for RBC are those designed to preserve the right to regulate, as they allow the signatories to adopt, modify or enforce laws, regulations or policies in these fields without legal risks. In other regions, this type of sustainability provisions has, for instance, allowed states to successfully avoid legal liability in investor-state dispute settlement cases brought by investors as a result of governmental measures taken to protect the environment (OECD, 2024, pp. 31-32[8]). In most trade and investment agreements signed by MENA+T Programme Countries such provisions take the form of "general exceptions" allowing signatories to justify adopting measures that would otherwise be contrary to the agreement. These exceptions usually cover areas such as the protection of the environment and human health, often through direct references to Article XX of the GATT or similar language and generally remain broad in scope. Some agreements, however, include more detailed provisions specifically aimed at preserving the right to regulate in areas covered by the MNE Guidelines. For example, in the 2024 Egypt-Saudi Arabia BIT, the signatories recognise each other's right to take appropriate measures to prevent and combat corruption in accordance with their national legislation and the international agreements to which they are a party.[23] The BIT also recognises the right for each signatory to determine its own policies to set appropriate levels of protection for the environment, public health, labour rights, and to adopt or amend legal and policy frameworks accordingly.[24] The Revised COMESA Investment Agreement is another example with a targeted provision designed to mitigate legal risks if the parties exercise their right to regulate. It provides that regulatory measures adopted by signatories, or decisions by their judicial bodies, aimed to protect or promote legitimate public welfare objectives, such as public health, safety, or environmental protection, shall not be considered an expropriation or measures equivalent to an expropriation.[25]

The inclusion of sustainability provisions in MENA+T Programme Countries' trade and investment agreements can also support the strengthening of intergovernmental collaboration in matters relevant for RBC. This type of sustainability provision has enabled countries in other regions to create forums to co-operate on RBC-related matters within the supervisory mechanisms overseeing the implementation of agreements, thereby supporting the development of policies that underpin RBC (OECD, 2024, pp. 32-33[8]). In the MENA+T region, the 1993 COMESA Treaty dedicates a full chapter to co-operation between the signatories on environmental issues.[26] The agreement creates a technical committee on "Natural Resources and Environment", composed of representatives of each member state, responsible for preparing and prioritising a programme on the management of natural resources and the environment, monitoring the implementation of co-operation programmes in this area and providing recommendations on the implementation of the agreement's relevant provisions.[27] It also encourages collective action by the signatories to conserve biodiversity and manage cross-border ecosystems with a view to ensuring long-term ecological sustainability and the protection of human health across the region. Another example is the 2012 Korea-Türkiye FTA, through which the signatories commit to collaborate in various areas covered by the MNE Guidelines, and in particular to exchange information and collaborate on CSR and accountability, including on the effective implementation of international agreed guidelines (see Box 4.1).

Finally, sustainability provisions can also play a role in relation to access to remedy, notably by creating new mechanisms that allow the filing of public submissions on matters related to areas covered by the MNE Guidelines with dedicated bodies. In other regions, citizens and civil society organisations have used these mechanisms to present public submissions regarding labour or environmental matters, which have contributed to the resolution of RBC-related issues (OECD, 2021, pp. 99-100[91]; 2024, pp. 33-34[8]). Sustainability provisions can also contribute to enhance the effectiveness of existing remedy mechanisms. For instance, the 2009 Canada-Jordan FTA includes provisions aimed at ensuring the availability of effective mechanisms to resolve claims related to the enforcement of domestic environmental laws. In its Side Agreement on the Environment, the signatories commit to guaranteeing that environmental law violations can be addressed before judicial, quasi-judicial or administrative proceedings ((n.a.), 2009[92]). The agreement also requires that the signatories ensure that any person with a legally recognised interest under environmental laws has appropriate access to these proceedings to seek enforcement and remedies in case of violations.[28]

4.2. Responsible business conduct clauses in trade and investment agreements concluded by MENA+T Programme Countries

RBC clauses – through which signatories commit to encourage businesses to observe internationally recognised RBC principles and standards – remain rather limited in trade and investment agreements signed by MENA+T Programme Countries. They appeared for the first time with the Canada-Jordan FTA signed in 2009. This RBC clause is included in the Side Agreement on the Environment and encourages the adoption of voluntary best practices of CSR by businesses to strengthen coherence between economic and environmental objectives.[29] Since then, 11 other publicly available[30] investment agreements signed by MENA+T Programme Countries have incorporated RBC clauses, including two agreements concluded in 2024 (see Annex B).[31] Of these 11 investment agreements with an RBC clause, five are BITs signed by Morocco, three by Türkiye, one by Egypt, and two are regional African investment agreements to which some MENA+T Programme Countries are parties.

The RBC clauses included to date in the MENA+T Programme Countries' trade and investment agreements vary significantly in scope and specificity. Some are broad and general in nature. For instance, the RBC clause of the 2022 Türkiye-Uruguay BIT (not yet in force) contains a general commitment by the signatories to encourage companies operating in their territory to voluntarily incorporate internationally recognised standards of CSR in their practices and internal policies.[32] Other provisions integrate detailed requirements for investors related to RBC, such as the 2022 Comoros-Morocco BIT, which replicates the RBC clause included in the 2019 Moroccan Model BIT,[33] and the Revised COMESA Investment Agreement (see Figure 4.3).

Figure 4.3. Examples of detailed responsible business conduct clauses included in MENA+T Programme Countries' trade and investment agreements

COMOROS-MOROCCO BIT

The 2022 Comoros-Morocco BIT follows the 2019 Moroccan Model BIT by including a clause titled "Social and Environmental Responsibility", which establishes that investors are expected to contribute to the sustainable development of the host State and local communities. This includes adhering to internationally recognised standards, expressly refering to the MNE Guidelines and the ILO's Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy.

In addition to this, in line with the Moroccan Model BIT, the Comoros-Morocco BIT devotes an entire section to investor obligations. Beyond requiring that investors and their investments comply with the laws and regulations of the host State, the chapter establishes a set of specific obligations applicable to investors, including:

- An obligation to manage and operate investments in accordance with the signatories' international commitments in the areas of environmental protection, labour standards, and human rights. RBC is explicitly recognised as part of these obligations. The section further provides that investors' failure to respect these international obligations must be considered by arbitral tribunals when determining compensation; and
- A prohibition against corruption, money laundering, or the financing of terrorism, with violations amounting to a breach of the domestic law of the host state concerning the establishment and operation of an investment and resulting in the loss of the right to access treaty-based settlement dispute mechanisms.

COMESA INVESTMENT AGREEMENT

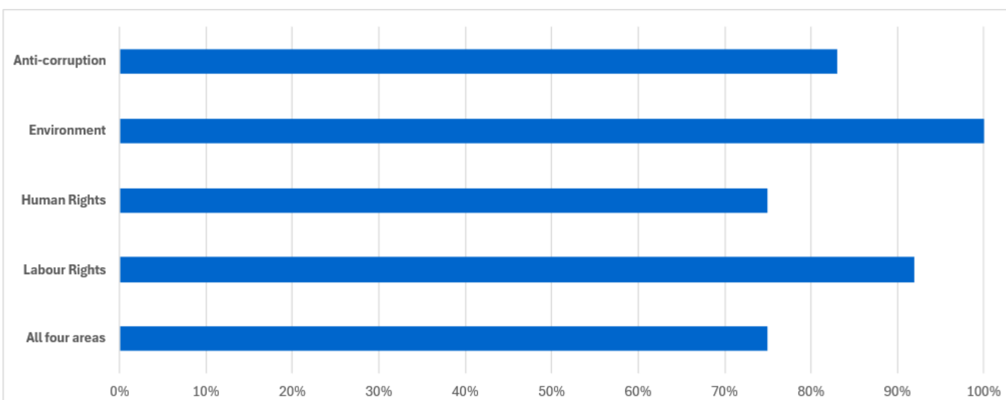
The Revised Investment Agreement for the COMESA Common Investment Area (CCIA) includes a clause titled "Business ethics and human rights", that requires investors and their investments to observe the UN Guiding Principles on Business and Human Rights, which are expressly mentioned. Investors shall also respect and protect internationally recognised human rights, ensure that they are not complicit in human rights abuses, uphold collective labour rights and eliminate all forms of forced and compulsory labour, and employment discrimination. In addition, the clause provides guidance on how to address adverse human rights impacts related to investment projects, indicating that, where prioritisation is necessary, investors should first seek to prevent and mitigate those impacts that are most severe or where delayed response would render them irremediable, in line with the recommendations of the OECD Due Diligence Guidance for RBC.

The Investment Agreement also features a clause titled "Corporate Social Responsibility" pursuant to which investors and their investments shall proceed in ways that do not conflict with the social and economic development of host countries. They should also adhere to fair business, marketing and advertising practices when dealing with consumers and ensure the safety and quality of the goods and services they provide.

Sources: (2022[93]), Comoros-Morocco BIT, Article 20.3, https://munganyo.km/decrees/531; (2019[94]), Moroccan Model BIT, https://investmentpolicy.unctad.org/international-investment-agreements/treaty-files/5895/download; (2017[95]), Revised COMESA Investment Agreement, https://www.comesa.int/wp-content/uploads/2020/10/English-Revised-Investment-agreement-for-the-CCIA-28.09.17-FINAL-after-Adoption-for-signing.pdf.

All the RBC clauses in MENA+T Programme Countries' trade and investment agreements reflect a shared commitment by the signatories to encourage companies to integrate internationally recognised RBC principles and standards in their internal policies and practices. While doing so, they refer to at least one of the areas of the MNE Guidelines. All agreements with RBC clauses refer to the environment, around 90% refer to labour, over 80% make reference to anti-corruption, and 75% mention human rights (see Figure 4.4). Overall, 75% of the agreements with RBC clauses cover all four areas of the MNE Guidelines. The 2023 Cabo Verde-Morocco BIT, for example, provides that investors shall strive to voluntarily adopt in their internal policies internationally recognised CSR standards, specifying that these cover areas such as labour, the environment, human rights, community relations and anti-corruption.[34]

Figure 4.4. Areas of the MNE Guidelines mentioned in responsible business conduct clauses included in MENA+T Programme Countries' trade and investment agreements



Source: Based on OECD analysis of the content of the trade and investment agreements concluded by MENA+T Programme Countries.

Despite often referring generally to internationally recognised standards in the field of RBC in their wording, only a few RBC clauses included in MENA+T Programme Countries' agreements actually identify the specific RBC principles and standards that companies should observe. One example is the 2022 Comoros-Morocco BIT, which expressly refers to the MNE Guidelines and the ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy, in line with Morocco's 2019 Model BIT (see Figure 4.5). The Revised COMESA Investment Agreement is another example, with an explicit reference to the UNGPs.[35]

The inclusion of RBC clauses in the trade and investment agreements concluded by MENA+T Programme Countries can have various effects that contribute to promote and enable RBC in the region. By "speaking to businesses" and signalling the parties' expectations on RBC, these clauses have the potential to shape business conduct and encourage the adoption of responsible business practices. That is particularly the case of some of the agreements signed by MENA+T Programme Countries that go beyond only communicating government expectations on RBC and establish concrete binding obligations for investors. Half of the agreements concluded by MENA+T Programme Countries containing an RBC clause impose such obligations on investors.[36]

A noteworthy example is the 2016 Morocco-Nigeria BIT, not yet into force, which is recognised as the first BIT to introduce binding obligations (Mallya, 2024[96]). In particular, it establishes various post-establishment obligations for investors, including to uphold human rights, act in accordance with core labour standards set out in the ILO Declaration on Fundamental Principles and Rights of Work, establish environmental management systems and, in general, abstain from managing or operating their investments in ways contrary to international environmental, labour and human rights instruments to which the host state is a party.[37] The BIT also includes a clause on corporate governance, pursuant to which investors must meet or exceed national and internationally accepted standards of corporate governance, and establish and maintain, where appropriate, engagement processes with local stakeholders.[38] Another recent example is the 2024 Egypt-Saudi Arabia BIT, which includes an RBC clause providing that investors are obligated to establish, operate, and manage their investments in accordance with the legislation of the host state regarding the protection of health and the environment, and in line with the objectives of mitigating and adapting to the effects of climate change.[39] Investors must also respect "the standards adopted by the host state regarding CSR or responsible business practices with the aim of contributing to sustainable development".[40] Regional African agreements to which some MENA+T Programme Countries are parties, such as the 2007 COMESA Investment Agreement or the Investment Protocol to the African Continental Free Trade Area (AfCFTA), also include RBC clauses with binding obligations for investors (see Box 4.3).

Box 4.3. Responsible business conduct clauses in MENA+T trade and investment agreements setting out investors' obligations: The example of the Investment Protocol to the AfCFTA

The 2023 Investment Protocol to the African Continental Free Trade Area (AfCFTA) contains a section specifically dedicated to investors obligations, which includes an RBC clause structured in three parts:[1]

- First, it provides that investors and their investments shall endeavour to achieve the highest possible level of contribution to the sustainable development of the host state and the local community, by adopting a high degree of socially responsible practices.
- It then lays out a series of non-binding corporate social responsibility (CSR) principles and standards that investors and their investments should strive to observe (such as stimulating economic, social and environmental progress; strengthening local capacities through close co-operation with the local community; and encouraging, when possible, business partners, including direct providers and subcontractors, to observe CSR principles and standards).
- Lastly, it reflects the signatories' commitment to encourage investors to integrate in their internal policies internationally recognised CSR principles and standards.

The section also contains clauses pursuant to which investors shall respect human and labour rights, the environment, Indigenous peoples' rights, and not engage in corrupt practices.

Figure 4.5. Investors' obligations under the Investment Protocol to the AfCFTA

HUMAN AND LABOUR RIGHTS

- Comply with high standards of business ethics and respect human rights and labour standards including by:
  - Supporting internationally recognised human rights;
  - Not being complicit of human rights abuses;
  - Complying with ILO standards (notably, the ILO Declaration on Fundamental Principles and Rights at Work) and domestic labour legislations;
  - Not using child labour or forced labour;
  - Eliminating workplace discrimination;
  - Protecting whistleblowers from retaliation; and
  - Following fair business, marketing, and advertising practices, and ensuring consumer safety and product/service quality.

ENVIRONMENTAL PROTECTION

- Respect and protect the environment in their business activities by:
  - Respecting the right to a clean, healthy, and sustainable environment;
  - Complying with the prevention and precautionary principles to avoid environmental harm;
  - Carrying out environmental impact assessments (EIA) following best practices and domestic laws;
  - Applying the precautionary principle to EIAs and to decisions related to investments; and
  - Mitigating and restoring any environmental harm caused by their activities.
- Not exploit or use natural resources to the detriment of the rights or interests of the host state or local communities.

INDIGENOUS PEOPLES AND LOCAL COMMUNITIES

- Respect the rights and dignity of indigenous peoples and local communities, including their right to free, prior, and informed consent where applicable under domestic and international law.
- Respect legitimate land, water, fisheries, and forest tenure rights in line with relevant laws and regulations.
- Submit environmental and social impact assessments to authorities and ensure accessibility for affected local communities, indigenous peoples and any other relevant stakeholder.

ANTI-CORRUPTION

- Not offer or give any unlawful or improper benefit to public officials of a signatory or related persons to gain influence or favors.
- Cooperate with states to prevent and eliminate corruption and avoid any involvement in corrupt acts, in line with relevant laws and international anti-corruption conventions, such as the African Union Convention on Preventing and Combatting Corruption, the United Nations Convention against Corruption and other applicable international legal instruments.

Note:1. (2023[97]), AfCFTA Investment Protocol, Article 38 (Corporate Social Responsibility).
Source: (2023[97]), AfCFTA Investment Protocol, Part V (Investors Obligations), https://au-afcfta.org/wp-content/uploads/2024/11/EN-AfCFTA-Protocol-on-Investment-clean-1.pdf.

RBC clauses may also constitute a basis to promote intergovernmental co-operation on RBC. In other regions, commitments to co-operate on RBC have translated into concrete initiatives to exchange best practices and promote RBC. For instance, in the context of the Pacific Alliance, such commitment led to the creation of a subgroup on RBC dedicated to promoting co-operation between the signatories (see Box 4.4). Similarly, the RBC clause of the Mercosur's Co-operation and Facilitation Investment Protocol triggered the adoption of a recommendation mandating co-operation in areas covered by the MNE Guidelines through various activities. This includes the development of RBC guidelines based on international instruments, which were in progress at the time of writing (MERCOSUR, 2025[98]). Although the Korea-Türkiye FTA mentions CSR as an area on which the signatories commit to initiate co-operation activities (see Box 4.1), RBC clauses included in MENA+T Programme countries' agreements have yet to include undertakings by the signatories to co-operate on RBC.

Box 4.4. Intergovernmental co-operation on responsible business conduct sparked by trade and investment agreements: The example of the Subgroup on RBC of the Pacific Alliance

The Additional Protocol to the Framework Agreement of the Pacific Alliance includes an RBC clause whereby the signatories, among other commitments, undertake to identify and share best practices for implementing the MNE Guidelines, with the aim of enhancing the contribution of multinational enterprises to sustainable development.

Building on this commitment, in 2023, Chile, Colombia, Mexico and Peru, established a Subgroup on RBC (SGCER) within the institutional framework of the Pacific Alliance. The Subgroup serves as a forum for exchanging experiences and best practices regarding the promotion of RBC. Over recent years, the SGCER, with the support of the National Contact Points for Responsible Business Conduct (NCPs), has organised several co-operation and peer-learning activities to advance the RBC agenda within the Pacific Alliance, across governments, and with stakeholders:

- In August 2024, the SGCER launched a series of discussions aimed at deepening the understanding of RBC and its relevance for different workstreams of the Pacific Alliance. The first session, held with the Technical Group on the Environment and Green Growth, focussed on key international RBC instruments, including the MNE Guidelines, with particular attention to the environmental and human rights dimensions. Additional sessions with other technical committees are planned to take place in the future.
- In February 2025, the SGCER organised an event to promote intergovernmental dialogue on the role of NCPs, focussing on stakeholder engagement and the strengthening of NCPs as non-judicial grievance mechanisms.
- In September 2025, the SGCER organised a technical meeting aimed at identifying best practices for implementing the MNE Guidelines in the environmental field. The meeting also included a dialogue with stakeholders on advancing the promotion of RBC within the Pacific Alliance.

Sources: Government of Chile (2024[99]), "Subgrupo de Conducta Empresarial Responsable inicia ciclo de conversaciones para difundir su trabajo con las otras instancias de la Alianza del Pacífico", https://www.subrei.gob.cl/sala-de-prensa/noticias/detalle-noticias/2024/08/20/subgrupo-de-conducta-empresarial-responsable-inicia-ciclo-de-conversaciones-para-difundir-su-trabajo-con-las-otras-instancias-de-la-alianza-del-pac%C3%ADfico; (2025[100]), "SUBREI lidera encuentro internacional sobre fortalecimiento de Puntos Nacional de Contacto (PNC) de la Alianza del Pacífico", https://www.subrei.gob.cl/sala-de-prensa/noticias/detalle-noticias/2025/02/28/subrei-lidera-encuentro-internacional-sobre-fortalecimiento-de-puntos-nacional-de-contacto-(pnc)-de-la-alianza-del-pac%C3%ADfico.

5 The role of National Contact Points in the promotion of responsible business conduct through trade and investment policies and agreements

In addition to promoting the MNE Guidelines and handling specific instances, NCPs around the world increasingly take action to promote policy coherence for RBC by building linkages with relevant policy communities. Over recent years, they have notably engaged with trade and investment officials to raise awareness and capacity, inform policy design, and overall support alignment and harmonisation. MENA+T Programme NCPs contribute to this trend. Building on their institutional arrangements, they have started playing a role in the promotion of policy coherence, seeking to integrate RBC considerations in trade and investment policymaking and negotiations. Some challenges, however, impede countries in the MENA+T region to fully leverage trade and investment policies and agreements to encourage RBC.

5.1. NCPs' role to promote policy coherence for responsible business conduct

NCPs have two main responsibilities: (i) promoting the awareness and uptake of the MNE Guidelines and (ii) contributing to the resolution of issues arising in relation to their implementation in their capacity as non-judicial grievance mechanisms. In addition, NCPs may also provide support to efforts by their governments to develop, implement and foster coherence of policies to promote RBC. In light of the increasing number of policy measures relevant to RBC, NCPs have a key role to play to enhance alignment and harmonisation. As experts in the field with in-depth knowledge of the MNE Guidelines and the related Due Diligence Guidance, they can train and build the capacity of public officials on the various aspects of RBC, the different OECD RBC instruments, and the relevance of integrating RBC considerations in their work areas. Most importantly, they can act as counsellor to the different ministries and government entities seeking to mainstream RBC in their respective laws, regulations, policies, and initiatives, and provide advice on their design, revision, and/or implementation.

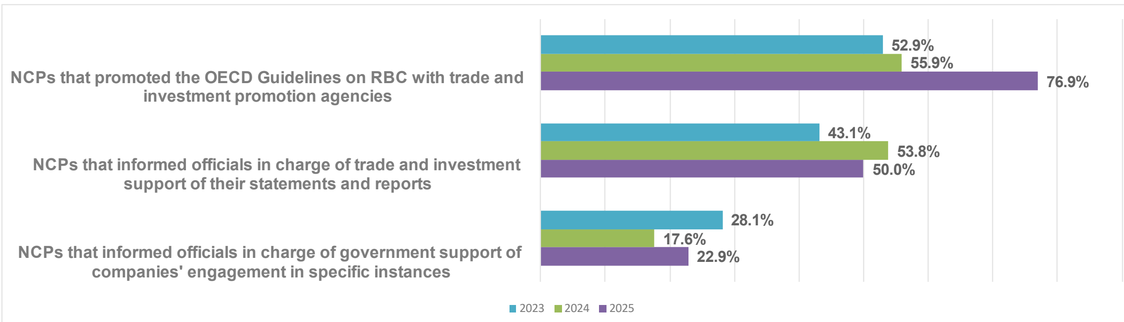
Following the 2023 update of the MNE Guidelines, the Implementation Procedures acknowledge the role that NCPs may play with respect to policy coherence, taking into account their capacities and priorities.[41] The OECD Recommendation on the Role of Government in Promoting RBC [OECD/LEGAL/0486] also contains several guiding principles on this role. On a general note, it recommends that governments periodically assess the adequacy of their NCPs' institutional arrangements and the human and financial resources available to them, with a view to enabling them to play an important role in promoting policy coherence for RBC [OECD/LEGAL/0486, para. II(3)]. More specifically, it recommends that governments support NCPs in fostering policy coherence, notably by informing government entities of their statements and reports related to specific instances relevant to their policies and programmes [OECD/LEGAL/0486].[42] In the same vein, it also encourages governments to take into account the good faith engagement of companies in the context of NCP specific instances when reviewing eligibility for government support and services, such as trade advocacy, economic diplomacy, or other benefits [OECD/LEGAL/0486, para. III(5)].

Over recent years, a growing number of NCPs have taken action to promote policy coherence for RBC at a general level. For instance, various NCPs have assisted their governments in the development of domestic legislation relevant for RBC or participated in the work related to the development of such legislation at the regional level. Some NCPs have also contributed to the formulation and the implementation of National Action Plans on Business and Human Rights or RBC (NAPs) (OECD, 2023, p. 17[101]; 2019, pp. 25-26[102]; 2023, pp. 46-47[103]). In 2024, 35% of NCPs (i.e. 18 out of 52) reported that their countries had adopted (4) or were developing (14) NAPs and in 78% of the countries in which a NAP was in place or under development the NCPs had been involved (OECD, 2024, p. 2[104]; OECD, 2025[105]). The NCPs' role in informing government policies on RBC was recognised by ministers and representatives from 50 adherent countries, and the European Union, in the Declaration on Promoting and Enabling Responsible Business Conduct in the Global Economy [OECD/LEGAL/0489] adopted at the 2023 OECD Ministerial Meeting on RBC.

These actions in favour of policy coherence for RBC are often facilitated by NCPs' institutional arrangements. A number of NCPs across the global network are set up as inter-governmental platforms comprised of representatives from various ministries and government entities. This promotes collaboration and synergies between different entities with competences relevant to RBC. In 2025, nearly half (25 out of 52) of the NCPs reported being established either as an inter-agency NCP or a multipartite NCP involving different government entities.[43] More generally, 81% of NCPs included more than one government entity in their structure in 2025 (OECD, 2026 (forthcoming)[106]).

Furthermore, NCPs are engaging more and more with specific policy communities and government entities with a view to mainstreaming RBC in policy areas that can influence business conduct. In 2025, 75% of NCPs (i.e. 39 out of 52) reported following and/or providing input, or being consulted, on policy and regulatory developments relevant to promote RBC.[44] Trade and investment are among these relevant areas, with NCPs gradually taking action to engage with trade and investment officials. Since 2023, a significant percentage of NCPs has reported having promoted the MNE Guidelines with their trade and investment promotion agencies. Around half of NCPs has also indicated having informed trade and investment officials of their relevant statements and reports, and approximately a fourth of them of companies' engagement in specific instances (see Figure 5.1).

Figure 5.1. NCP engagement with trade and investment officials (2023-2025)



Note: NCPs that informed officials in charge of government support of companies' engagement in specific instances excludes NCPs that have not yet received a specific instance (i.e. 19 out of 51 NCPs had not received a specific instance by 2023 and are excluded, 18/52 in 2024, and 15/52 in 2025).
Source: Based on the answers by 51 NCPs to the 2023 NCP Annual Questionnaire and by 52 NCPs to the 2024 and 2025 NCP Annual Questionnaires.

Beyond information sharing and awareness raising, NCPs across the world also increasingly seek to build coherence between trade and investment and RBC by building lasting linkages with trade and investment officials, developing co-ordination activities, or participating in trade and investment policymaking or negotiations (see Figure 5.2).

Figure 5.2. Examples of interactions between NCPs and trade and investment officials

BRAZIL	In Brazil, the NCP – located in the Undersecretariat for Foreign Investment – adopted its Action Plan for 2023-2026, titled "Integrar", which includes, among its three axes, one on RBC policies and practices aimed at promoting policy coherence for RBC. Several of the actions foreseen under this axis pertain to trade and investment policies. For example, one action involves negotiating, within the framework of the Working Subgroup 12 on Investment of the Mercosur (SGT No. 12), a recommendation aimed at developing and integrating RBC policies and practices at the regional level. The Recommendation on Cooperation and Promotion of RBC was adopted by the Common Market Group of the Mercosur in 2023. It aims to promote cooperation in areas covered by the MNE Guidelines through various activities. This includes the development of RBC guidelines based on international instruments, which were in progress at the time of writing.
COLOMBIA	In Colombia, the NCP – located in the Directorate of Foreign Investment that is responsible for the negotiation of investment agreements – has reported having been involved in the discussions regarding the revision of the country's investment agreements and having pushed for the inclusion of express references to RBC, due diligence and the MNE Guidelines in Colombia's new investment agreement model.
COSTA RICA	In Costa Rica, the NCP – located in COMEX, the government entity in charge of negotiating trade and investment agreements – has reported having adopted a strategy to promote policy coherence for RBC, which implies engaging closely with other COMEX officials. As a result, the NCP is regularly consulted by the teams in charge of negotiating trade and investment agreements and it can submit inputs with respect to any draft agreement in order to promote coherence with the MNE Guidelines. Moreover, the NCP may assist with the implementation of sustainability provisions and RBC clauses in trade and investment agreements, in particular by providing relevant information in the context of dispute settlement.
CZECHIA	The Czech NCP is consulted by officials of the Ministry of Industry and Trade, as well as other responsible Ministries, in the context of negotiations of instruments of relevance for RBC, such as the provisions on trade and sustainable development of free trade agreements.
PERU	In Peru, the NCP – which is located in Proinversión, the country's IPA – has reported that it has been involved in the discussions pertaining to the elaboration of Peru's model investment agreement and that this model includes an RBC clause that references the MNE Guidelines.
UNITED KINGDOM	The UK Office for Responsible Business Conduct – which hosts the country's NCP – sits within the Department of Business and Trade, and has been engaging and collaborating with the officials in charge of trade negotiations with a view to promoting policy coherence for RBC across government.

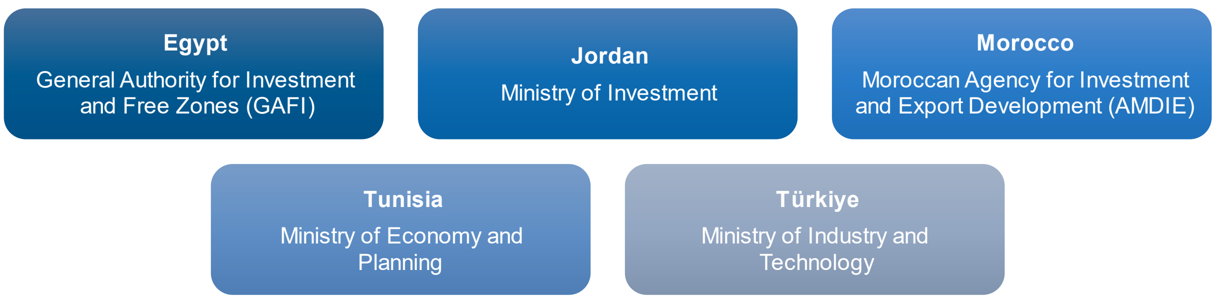
Sources: OECD (2024[8]), Promoting responsible business conduct in trade and investment: Latin America and the Caribbean, *OECD Business and Finance Policy Papers*, p. 34, No. 61, Paris, https://doi.org/10.1787/672fbe56-en; (2019[107]), Annual Report on the OECD Guidelines for Multinational Enterprises 2018, https://www.oecd.org/content/dam/oecd/en/networks/national-contact-points/2018-Annual-Report-MNE-Guidelines-EN.pdf; (2023[108]), OECD Guidelines for Multinational Enterprises National Contact Point Peer Reviews: Czechia, https://doi.org/10.1787/3f1c6f2e-en; Government of the United Kingdom (2019[109]), 2019 Annual Report on the United Kingdom's National Contact Point for the OECD Guidelines for Multinational Enterprises, https://www.gov.uk/government/publications/united-kingdoms-national-contact-point-2019-annual-report/annual-report-on-the-united-kingdoms-national-contact-point-for-the-oecd-guidelines-for-multinational-enterprises.

Some NCPs have gone even further with initiatives aiming to link access to, or continuity of, government support and services in the field of trade and investment to the observance of RBC principles and standards. An example is that of the Canadian NCP, which is entitled by its Specific Instance Procedures to recommend withdrawal of current and future trade support to Canadian companies that do not participate in the NCP process or that do not engage in good faith or constructively in such processes (Government of Canada, 2022[110]).[45] Similarly, the German NCP informs government entities in charge of trade and investment support of the conclusion of specific instances, and the constructive participation of companies in the process is taken into account when granting such support or allowing participation in trade missions (Government of Germany, 2024, pp. 2, 13[111]).

5.2. MENA+T Programme NCPs' involvement in trade and investment policymaking and negotiations

The five NCPs of the MENA region and Türkiye, which are part of the MENA+T Programme, are well placed to enhance policy coherence for RBC through the mainstreaming of RBC considerations in trade and investment policies and agreements. Provided that they can function autonomously and guarantee impartiality in the fulfilment of their mandate, their location constitutes an advantage in this regard, as they are all located within government entities that have competencies related to trade or investment (see Figure 5.3). The NCP of Egypt is part of the entity in charge of the negotiations of investment agreements, as well as trade and investment promotion and facilitation policies. Jordan's NCP is hosted by the entity responsible for investment agreements negotiations and investment promotion and facilitation policies. Morocco's NCP is located within the entity responsible for both export and investment promotion. Tunisia's NCP belongs to the entity responsible for investment agreement negotiations, while Türkiye's NCP is housed in the entity providing investment incentives.

Figure 5.3. Location of MENA+T Programme NCPs in government



Note: Egypt's NCP is housed within the GAFI, which is affiliated with the Ministry of Investment and Foreign Trade. Morocco's NCP is located in AMDIE under the administrative supervision of the Ministry of Investment, Convergence, and Evaluation of Public Policies.
Source: Based on publicly available information and answers to the 2025 NCP Annual Questionnaire by MENA+T Programme Countries.

The institutional arrangements of certain MENA+T Programme NCPs also represent an opportunity for the promotion of policy coherence for RBC. Three out of the five NCPs in the region have an inter-agency set-up (Morocco) or a government advisory body (Egypt and Jordan) involving representatives of several ministries and government entities. In addition, Tunisia's 2023 draft rules of procedure seek to bring together representatives of different government entities, as well as businesses and trade unions, in a tripartite NCP structure. As for Türkiye, it has indicated its intention to create an advisory body that would include government representatives (see Table 5.1 and Annex C for more details). Such arrangements are useful to ensure that NCPs have access to the required expertise to fulfil their mandate, as well as to support their role in enhancing alignment and harmonisation among actions taken across government to promote and enable RBC (OECD, 2022[112]). By facilitating NCPs' engagement and co-ordination with officials from ministries and government entities that have competences in policy areas relevant to RBC, government advisory bodies can support the mainstreaming of RBC principles and standards in relevant government policies and initiatives, including in the field of trade and investment.

Stakeholder advisory bodies can likewise support policy coherence for RBC by helping NCPs become aware of opportunities related to the integration of RBC in other policy areas, as well as inconsistencies in laws and policies that create barriers to the implementation of RBC principles and standards. Most of the MENA+T Programme NCPs have stakeholder advisory bodies that involve representatives from businesses (Egypt, Jordan and Morocco) or trade unions (Egypt and Morocco). Türkiye has indicated its intention to create a multistakeholder advisory body (see Table 5.1 and Annex C for more details).

Table 5.1. Characteristics of MENA+T Programme NCPs relevant for the promotion of responsible business conduct through trade and investment

Country	Located within an entity responsible for trade or investment promotion and facilitation	Located within an entity responsible for trade or investment agreement negotiations	NCP institutional arrangements[1]
Egypt	Yes	Yes	Single agency with government and stakeholder advisory body[2]
Jordan	Yes	Yes	Single agency with government and stakeholder advisory body[3]
Morocco	Yes	No	Inter-agency with stakeholder advisory body[4]
Tunisia	No	Yes	Single agency[5]
Türkiye	Yes	No	Single agency[6]

Notes:
1. NCP institutional arrangements refer to the structuring and operations of an NCP, including how they engage with or incorporate stakeholder participation. There are different models of institutional arrangements:
(i) "*single agency*": the NCP is composed of one official in a single ministry, or by a group of officials belonging to the same service in the same ministry, where only the NCP and its hosting entity have voting rights.
(ii) "*inter-agency*": the NCP is composed of a group of representatives from several ministries or government agencies, usually with a Secretariat located in one of these ministries, composed of one or more officials, where various government entities have voting rights.
(iii) "*multipartite*": the NCP is composed of a group of government officials and stakeholder representatives, usually with a Secretariat located in one of the government agencies represented in the NCP, where the NCP, other government entities, and stakeholders have voting rights.
(iv) "*expert-based*": the NCP is composed of experts who are appointed by, but external to, the government and have voting rights.
(v) "*hybrid NCPs*": composed of elements derived from different models listed here.
2. Egypt's NCP advisory body (the National Committee) is comprised of both government and stakeholders' representatives, including businesses and trade unions, with a civil society organisation yet to be identified.
3. Created in 2025, Jordan's NCP advisory body (the National Team) is comprised of both government and business representatives, with representatives from trade unions, civil society, and academia being considered for inclusion.
4. Morocco's NCP consists of government representatives and its advisory body includes stakeholders' representatives from business and trade unions.
5. According to its 2023 draft rules of procedure, the Tunisian NCP would have a tripartite structure bringing together representatives of the government, businesses, and trade unions. However, these institutional arrangements are yet to be put in place.
6. Türkiye is in the process of restructuring its NCP to incorporate an advisory body gathering government and stakeholder representatives.

Source: Based on publicly available information and information shared by MENA+T Programme Countries.

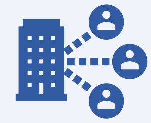
The NCPs of the region are, in general, aware of their role regarding the promotion of policy coherence for RBC and the possibility to advance responsible business practices through trade and investment. During the survey on RBC, trade, and investment conducted by the OECD Secretariat with officials from the five MENA+T Programme NCPs in the context of the preparation of this report, all seven respondents indicated that both export and investment promotion and facilitation activities are "very" or "extremely useful" to encourage RBC. They also agreed that their country could make greater use of support services provided to exporters and investors to incentivise them to observe RBC principles and standards.

Based on their institutional arrangements and this awareness, MENA+T Programme NCPs have undertaken initial actions that have contributed to some degree to reinforce policy coherence between RBC, trade and investment. In recent years, all of them have either engaged and co-operated with, shared relevant information among, or been consulted by, trade and investment officials in different ways, thereby supporting the promotion of RBC through trade and investment (see Figure 5.4).

Figure 5.4. MENA+T Programme NCPs' actions to enhance policy coherence and encourage responsible business conduct through trade and investment in 2025

100% of MENA+T NCPs have interacted or co-operated with government entities in charge of trade and investment.
[80% in 2024]

100% of MENA+T NCPs communicate RBC-related information to government entities in charge of trade and investment.
[60% in 2024]



60% of MENA+T NCPs have participated or been consulted on the design of trade and investment policies or the negotiation of trade and investment agreements.
[40% in 2024]

Source: Based on the responses to the 2024 and 2025 NCP Annual Questionnaires and information shared by MENA+T Programme Countries.

The five NCPs of the region have interacted or co-operated with officials responsible for trade and investment support, including trade missions. For instance, according to information provided by the Government of Morocco, in 2023, its NCP provided training on the MNE Guidelines, due diligence and the NCP for AMDIE staff involved in investor outreach, export promotion, and investment projects' management. AMDIE also organised in 2024 - 2025 a regional roadshow aimed at strengthening local exports and investment ecosystems, notably through the promotion of RBC among relevant officials, including those of the Regional Centres for Investment.

All MENA+T Programme NCPs have also shared statements, data and other insights with relevant trade and investment officials. According to information shared by MENA+T Programme Countries, the Egyptian, Moroccan and Tunisian NCPs have promoted the MNE Guidelines among officials in charge of trade and investment promotion. In 2024, Tunisia's NCP presented the MNE Guidelines to companies, investors, and government representatives during investment workshops aimed at driving growth, investment, and competitiveness in the textile and apparel sector. The Moroccan NCP regularly informs officials responsible for reviewing eligibility for government support and services, including in the field of trade and investment, of companies engaged in specific instances. Jordan's NCP also provides briefings and short policy notes on RBC trends and implications to relevant trade and investment officials.[46]

Moreover, almost all MENA+T Programme NCPs have been involved in trade and investment negotiations or policymaking, with a view to integrating RBC considerations in agreements or policies (see Figure 5.5).

Figure 5.5. Examples of MENA+T Programme NCPs' involvement in trade and investment negotiations or policymaking

JORDAN	According to information shared by the Government of Jordan, at the time of writing, the Jordanian NCP was involved in the negotiations of a Sustainable Investment Facilitation Agreement (SIFA) with the EU and mentioned the parties' intention to include an RBC clause which, if modelled on the EU-Angola SIFA, would promote the uptake of international RBC principles and standards by companies to promote sustainable investment. The Jordanian NCP also indicated having been involved in discussions to include references to RBC in the Unified Agreement for the Investment of Arab Capital in the Arab States.
MOROCCO	Benefiting from its inter-agency structure and location within AMDIE, Morocco's NCP has co-ordinated with other government entities to integrate RBC considerations in the 2019 Moroccan Model BIT, as well as in concrete investment agreements, such as the Investment Protocol to the African Continental Free Trade Area (AfCFTA) and the 2019 Brazil-Morocco Cooperation and Facilitation Investment Agreement (CFIA). AMDIE was also designated as the National Focal Point (Ombudsman) for investors under the CFIA. Within AMDIE, the NCP is the entity in charge of assuming the role of the Ombudsman, which consists in facilitating dispute resolution between investors, government entities, and other concerned parties.
TUNISIA	The Tunisian NCP has reported having been involved in discussions to include references to RBC in the Unified Agreement for the Investment of Arab Capital in the Arab States. It also indicated having taken part in the drafting of trade and investment legislation incorporating references to sustainable development and RBC, such as the new draft investment law or the 2026-2030 Development Plan (which had yet to be adopted at the time of writing).
TÜRKIYE	Türkiye's NCP has reported having participated in the negotiations of bilateral investment treaties (BITs) with a view to integrating clauses relevant for RBC, such as the RBC clauses in the BITs signed by Türkiye in 2022 with Lithuania, Serbia and Uruguay.

Sources: EU (2022[113]), https://ec.europa.eu/commission/presscorner/detail/en/ip_22_6136; OECD (2023[114]), National Contact Point Peer Reviews: Morocco 2023, https://doi.org/10.1787/1e29eba3-en; and based on analysis of the responses to the 2023, 2024 and 2025 NCP Annual Questionnaires and information shared by the five countries part of the MENA+T Programme.

These initial efforts by MENA+T Programme NCPs lay the ground for future action to further promote policy coherence between trade and investment and RBC. Taking into account their capacities and priorities, the NCPs of the region could seek to play a more active role in supporting the mainstreaming of RBC in trade and investment policies and agreements. In the context of the survey on RBC, trade and investment mentioned above, six out of the seven respondents recognised that their country's NCP could further support the promotion of RBC through trade and investment. They indicated that this could be done by enhancing RBC awareness among relevant government entities, increasing financial and/or human resources for the NCP, and enhancing inter-institutional co-operation and co-ordination. They, however, mentioned facing several challenges, the lack of technical capacity of relevant government entities and the lack of awareness of RBC among these entities being the two main ones, followed by insufficient financial and human resources for the NCP.

The challenges that MENA+T Programme NCPs reported facing in playing a greater role in the promotion of RBC through trade and investment and, more broadly, to support policy coherence for RBC have been underlined in the context of recent peer reviews. The peer reviews of the Moroccan and Turkish NCPs concluded that both NCPs could play a more significant role in the promotion of policy coherence for RBC. In particular, Morocco's peer review found that there were opportunities to further promote the NCP across government, given interest from other government entities for increased co-ordination, and recommended that the NCP enhance its contribution to policy coherence by strengthening co-ordination across the government (OECD, 2023, p. 8[114]). Türkiye's peer review highlighted that this role could be enhanced if the NCP continues to build relations with other government entities to facilitate co-ordination, to engage in exchanges on RBC-related matters, and to support the development and coherence of policies that promote RBC (OECD, 2024, pp. 42-43[115]).

6 Harnessing trade and investment policies and agreements to further promote responsible business conduct in MENA+T Programme Countries

Trade and investment policies and agreements are central to an enabling policy environment that drives, supports, and promotes responsible business practices. They can help raise-awareness on RBC and encourage companies engaged in trade and investment to adopt responsible practices. They can also contribute to the development, strengthening, and implementation of legal and policy frameworks in areas covered by the MNE Guidelines, such as human and labour rights, the environment, or anti-corruption, which are at the core of an enabling environment for RBC. As such, trade and investment policies and agreements constitute a lever to ensure that businesses' activities are aligned with the expectations and needs of people, planet, and society.

In the MENA+T region, governments have taken initial steps towards using their trade and investment policies and agreements to leverage responsible business practices. The analysis undertaken for this report reveals that MENA+T Programme Countries have recently started incorporating RBC considerations into these policies and agreements. Overarching trade and investment promotion strategies and laws in the region progressively include a sustainability angle, setting the ground for using government action in these fields to promote RBC. Most MENA+T TPAs and IPAs have begun integrating RBC considerations in some aspects of their functioning and a number of their services. Trade and investment agreements concluded by MENA+T Programme Countries also show a steady increase over time of the inclusion of provisions relevant for RBC, with a clear acceleration in recent years. The majority of newly signed agreements integrate some type of sustainability provisions, and RBC clauses are progressively becoming more common, often going beyond merely encouraging the adoption of responsible business practices to establish binding obligations for investors.

However, additional action could be taken to further mainstream RBC in trade and investment policies and agreements in the MENA+T region, as their potential for promoting RBC remains largely untapped. Although approaches vary, overall MENA+T Programme Countries do not have a structured strategy around the promotion of RBC by the government in general or by the entities responsible for trade and investment more specifically. When overarching trade and investment promotion and facilitation policies include a sustainability angle, they do so in a general fashion and seldom refer explicitly to RBC or the conduct of due diligence. Efforts to use the tools and support activities developed in the context of trade and investment promotion and facilitation to promote RBC among exporters and investors are still recent and limited. MENA+T TPAs and IPAs have yet to fully leverage their services to encourage responsible business practices. Likewise, the number of trade and investment agreements signed by MENA+T

Programme Countries including RBC considerations remains quite low in comparison with other regions and, at the time of writing, concrete examples of implementation of sustainability provisions and RBC clauses were rare.

Building on the initial steps taken this far, there is thus ample opportunity to further promote RBC through trade and investment policies and agreements in the MENA+T region. This is key to encourage local exporters to adopt an RBC approach as well as to attract responsible investors and thereby harness trade and investment not only as drivers for growth, but also vehicles for inclusive and sustainable development, in line with people and planet's needs and society's expectations.

MENA+T Programme NCPs are well positioned to support their governments in this endeavour. All located within government entities with competencies related to trade or investment, they can serve as a bridge between RBC expertise and trade and investment policymaking and negotiations. Their recent initiatives to share relevant information, engage, and co-operate with trade and investment officials constitute valuable efforts in this regard. Their potential is nevertheless constrained by structural challenges, including low awareness and limited technical capacity regarding RBC among relevant government entities, weak co-ordination across government, as well as insufficient NCP resources. Addressing progressively these challenges is important to unlock the possibility that the NCPs of the region have to support government efforts in promoting policy coherence for RBC. Moving ahead, the following actions could therefore be considered in order to further leverage trade and investment policies and agreements to encourage RBC in the MENA+T region:

- MENA+T Programme Countries could strengthen the awareness and understanding of RBC and the OECD RBC instruments of government officials in charge of trade and investment matters. Particular attention could be given to the OECD Recommendation on the Role of Government in Promoting RBC, and the principles pertaining to trade and investment, in order to raise the knowledge of relevant officials of the role they can play in promoting RBC.
- With the support of their NCPs, MENA+T Programme Countries could build the technical capacity of trade and investment officials on RBC. This could include general trainings on the different aspects of RBC, as well as more specific ones on risk-based due diligence in sectors of economic relevance. Capacity-building activities on the role of governments in promoting RBC and the manners in which responsible business practices can be encouraged through trade and investment policies and agreements could also be envisaged.
- Based on recent experience, MENA+T Programme Countries could consolidate the engagement, co-ordination and co-operation among officials responsible for trade and investment and their NCPs, while guaranteeing NCP autonomy and impartiality. Existing information-sharing initiatives could be systematised to further open channels of communication and promote exchanges on relevant issues. Additional actions could also be taken to create lasting co-operation mechanisms with a view to enhancing NCP consultation or participation in trade and investment policymaking and negotiations.
- MENA+T Programme Countries could reflect upon ways and means to allow their NCPs to play a greater role with respect to policy coherence for RBC so that NCPs can further support government efforts to develop, implement, and foster the coherence of relevant policies. This could imply, for instance, giving NCPs more visibility across government, reaffirming their role among other government entities, or inviting them to take part in relevant cross-government initiatives and mechanisms, in particular with respect to trade and investment.
- In light of relevant initiatives in other regions, MENA+T Programme Countries and NCPs could engage with peers to exchange information and experience and build on lessons learnt in promoting RBC through trade and investment policies and agreements across the world. Such a cross-regional dialogue and peer-learning could, in particular, support the implementation of

existing measures, but also inspire future action aimed at encouraging exporters and investors to adopt responsible business practices.

The OECD stands ready to support MENA+T Programme Countries in taking action in each of these directions. Future regional or country-specific activities could provide tailored assistance to further harnessing trade and investment policies and agreements to promote RBC in the MENA+T region.

Annex A. What is responsible business conduct?

The concept of RBC, which is aligned with related notions (see Box A A.1) has a two-fold objective. On the one hand, it encourages all enterprises – regardless of their legal status, size, ownership or sector – to make a positive contribution to economic, environmental and social progress in the countries in which they operate with a view to enhancing business contribution to sustainable development outcomes. On the other, it entails that enterprises avoid and address adverse impacts on people, the planet and society caused or contributed to by their own activities and/or seek to prevent and mitigate adverse impacts directly linked to their operations, products, or services by a business relationship. As these impacts can cover a range of substantive areas, the scope of RBC is broad and crosscutting. Risk-based due diligence is central to identifying, preventing, and mitigating actual and potential adverse impacts, and accounting how these impacts are addressed, and is thus a key element of RBC.

With growing demands for better management and integration of environmental and social considerations in supply chains, RBC has become increasingly relevant for the global agenda. It is key to ensuring a resilient, sustainable, and inclusive global economy. By operating responsibly, in line with international RBC principles and standards, businesses can operationalise the SDGs and ensure that they are not undermining them, either through their own operations or through their business relationships. This is particularly critical in today's interconnected markets, where supply chains can span multiple jurisdictions and business cultures (OECD, 2023[101]). RBC can also contribute to maximising the private sector's contribution to the SDGs and mobilising the resources necessary for financing the implementation of the 2030 Agenda (OECD, 2016[116]).

Box A A.1. Responsible business conduct, corporate social responsibility, and business and human rights: How are these concepts related?

Many businesses, governments and stakeholders are familiar with the term corporate social responsibility (CSR), which has historically been used to describe business interactions with society.

Over the last years, CSR has increasingly been used alongside responsible business conduct (RBC) and business and human rights (BHR), with some using the terms interchangeably (e.g. the European Union). All of these concepts reflect the expectation that businesses should consider the impact of their operations, supply chains, and business relationships on people, the planet, and society as part of their core business considerations and not as an add-on. This includes the need to avoid and address adverse environmental and social impacts.

A key characteristic of CSR, RBC and BHR is that they refer to corporate conduct beyond simply complying with domestic law and call on business to contribute positively to sustainable development while managing risks and impacts that may result from their activities. These concepts should not be understood to be equivalent to philanthropy.

Source: ILO/OECD/OHCHR (n.d.[117]), Responsible Business – Key Messages from International Instruments, https://www.oecd.org/content/dam/oecd/en/topics/policy-sub-issues/global-engagement-on-responsible-business-conduct/Brochure-responsible-business-key-messages-from-international-instruments-ENG.pdf

OECD instruments on responsible business conduct

To promote the adoption of responsible business practices by enterprises, as well as the development of enabling environments that drive, promote and support such practices by governments, the OECD has developed a series of instruments addressed both to businesses and policymakers.

The OECD Guidelines for Multinational Enterprises on Responsible Business Conduct and the National Contact Points for Responsible Business Conduct

The main instrument aimed at promoting the adoption of RBC practices by businesses developed by the OECD is the MNE Guidelines. These are recommendations jointly addressed by governments to businesses on how to act responsibly. They cover all key areas of potential business responsibility, including disclosure, human rights, employment and industrial relations, environment, bribery and other forms of corruption, consumer interests, science, technology and innovation, competition, and taxation.

The MNE Guidelines were first adopted in 1976 and last updated in 2023 to ensure that they remain fit for purpose in light of societal challenges and the evolving context for international business. The 2023 update reflects a decade of experience since the last review in 2011 and seeks to respond to urgent social, environmental and technological priorities facing societies and businesses, including climate change. To date, 52 countries (of which 38 OECD Members and 14 additional economies) – including Egypt, Jordan, Morocco, Tunisia and Türkiye – have adhered to the OECD Declaration on International Investment and MNEs [OECD/LEGAL/0144] that contains the MNE Guidelines, thereby committing to implement them and encourage their use by enterprises operating in or from their territories.

Adherents to the MNE Guidelines have the legal obligation to set up a NCP to further their effectiveness. NCPs have two main responsibilities. On the one hand, they promote the awareness and uptake of the MNE Guidelines, including by responding to enquiries to make them known among relevant stakeholders and across government entities. On the other hand, they contribute to the resolution of issues that arise in relation to the implementation of the MNE Guidelines in cases called “specific instances”, serving as a non-judicial grievance mechanism. In addition, NCPs may also provide support to efforts by their government to develop, implement and foster coherence of policies to promote RBC.

Up to now, the 52 existing NCPs have organised and participated in over 3 000 events with governments, businesses and other stakeholders and have dealt with more than 700 specific instances arising in over 110 countries, thereby playing a critical role in ensuring that the MNE Guidelines are implemented globally by businesses. They have also taken measures to support policy coherence across government for the promotion of RBC (OECD, 2025[118]; 2023, p. 17[101]).

The OECD Due Diligence Guidance

The MNE Guidelines recommend that enterprises carry out due diligence to identify, prevent and mitigate actual and potential adverse impacts on people, the planet and society, and to account for how those impacts are addressed. Based on this, the OECD has developed a range of instruments providing guidance on due diligence, with the aim of helping companies operating in different sectors understand and address RBC risks.

The general OECD Due Diligence Guidance for RBC (the OECD Due Diligence Guidance for RBC) [OECD/LEGAL/0443] aims to promote a common understanding among governments and stakeholders of risk-based due diligence for RBC. The Guidance defines a six-step process for due diligence (see Box A A.2), which is relevant for all types of enterprises operating in all countries and sectors of the economy. As such, it also serves to implement the due diligence recommendations contained in the other two main international instruments on RBC: the UNGPs and the ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy.

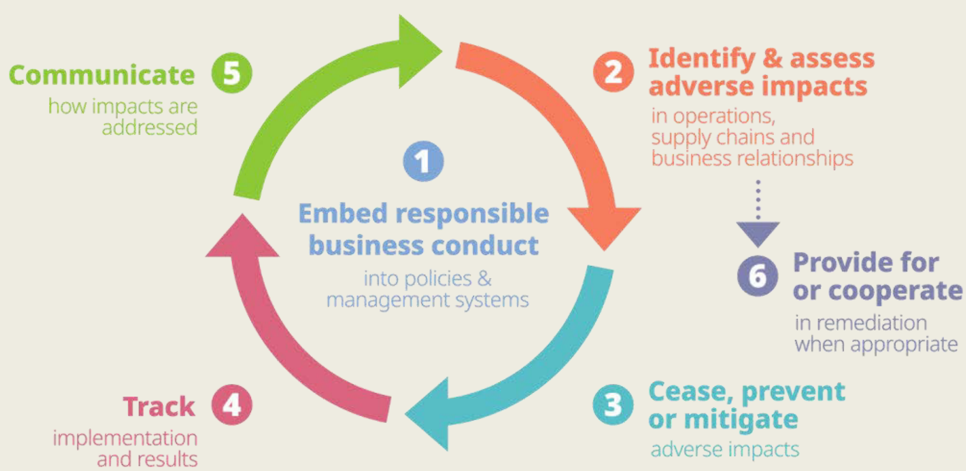
Box A A.2. The due diligence process and supporting measures

The OECD Due Diligence Guidance for Responsible Business Conduct (RBC) establishes a six-step process to conduct due diligence that can be used by any enterprise to understand and implement the due diligence recommendation of the MNE Guidelines, irrespective of the location or sector of its operations.

This process consists of the following six steps:

- Step 1*:* embedding RBC into the enterprise's policies and management systems
- Step 2: undertaking due diligence by identifying actual or potential adverse impacts on RBC issues
- Step 3: ceasing, preventing or mitigating such impacts
- Step 4: tracking implementation and results
- Step 5: communicating how impacts are addressed
- Step 6: enabling remediation when appropriate

Figure A A.1. The six-step due diligence process



Source: OECD (2018[119]), OECD Due Diligence Guidance for Responsible Business Conduct, https://doi.org/10.1787/15f5f4b3-en.

Within this general framework, the nature and extent of due diligence depend on the circumstances of a particular situation. Therefore, the measures taken by enterprises to conduct due diligence should be risk-based, commensurate with the severity and likelihood of adverse impacts, and appropriate and proportionate to the enterprises' circumstances and context.

Source: OECD (2018[119]), OECD Due Diligence Guidance for Responsible Business Conduct, https://doi.org/10.1787/15f5f4b3-en.

In addition to the general OECD Due Diligence Guidance for RBC, the OECD has developed sector-specific Due Diligence Guidance for the minerals, extractives, agriculture, garment and footwear, and financial sectors. This Guidance helps enterprises identify and address risks to people, the planet, and society that can be associated with business operations, products, or services in these specific sectors (see Box A A.3).

Box A A.3. OECD Sector-Specific Due Diligence Guidance

The OECD has developed Due Diligence Guidance for four specific sectors, all of which have been embedded into Recommendations of the OECD Council:

- OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict Affected and High-Risk Areas
- OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector
- OECD-FAO Guidance for Responsible Agricultural Supply Chains
- OECD Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector.

These Recommendations of the OECD Council encourage adhering governments and their NCPs to actively promote the use and observance of the sector-specific Guidance by enterprises operating in and from their territories, take measures to support the adoption of risk-based due diligence frameworks for responsible supply chains, and ensure their widest possible dissemination (including among relevant government entities) as well as their use as resources by stakeholders.

As part of its work on RBC in the financial sector, the OECD has also developed guidance on RBC for Institutional Investors; Due Diligence for Responsible Corporate Lending and Securities Underwriting; and RBC Due Diligence for Project and Asset Finance Transactions.

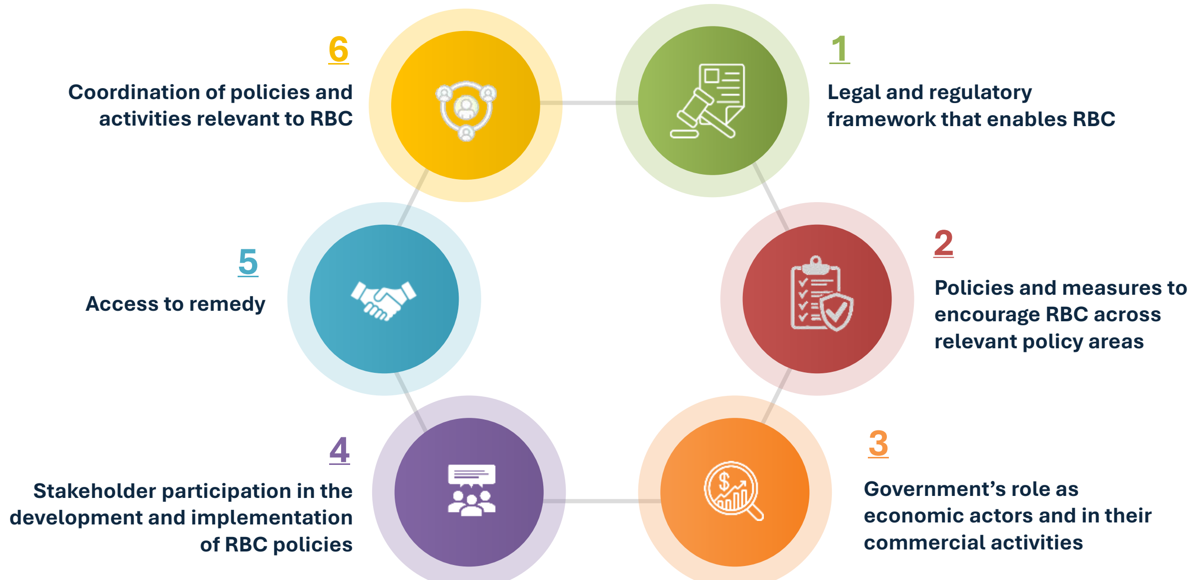
Sources: OECD (2016[120]), OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, https://doi.org/10.1787/9789264252479-en; (2017[121]), OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector https://doi.org/10.1787/9789264252462-en; OECD/FAO (2016[120]), OECD-FAO Guidance for Responsible Agricultural Supply Chains, https://doi.org/10.1787/9789264252479-en; OECD (2018[122]) Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector, https://doi.org/10.1787/9789264290587-en; OECD (2017[123]), Responsible Business Conduct for Institutional Investors: Key Considerations for Due Diligence under the OECD Guidelines for Multinational Enterprises, https://doi.org/10.1787/8b9e240a-en; (2019[124]), Due Diligence for Responsible Corporate Lending and Securities Underwriting, https://doi.org/10.1787/71fd2895-en; (2022[125]), Responsible business conduct due diligence for project and asset finance transactions, https://doi.org/10.1787/952805e9-en.

The OECD Recommendation on the Role of Government in Promoting Responsible Business Conduct

Building on the MNE Guidelines and other instruments and tools that include policy guidance on RBC in related areas (such as trade and investment, but also public procurement and state-owned enterprises), the OECD developed a new instrument to support governments in the creation of enabling environments for RBC: the OECD Recommendation on the Role of Government in Promoting RBC [OECD/LEGAL/0486].

This Recommendation, which was adopted in December 2022, contains a unique and comprehensive set of principles and policy recommendations intended to assist governments – as well as other public authorities and relevant stakeholders – in their efforts to design and implement policies that enable and promote RBC. It brings together guidance on the development and implementation of coherent government policies for RBC from existing OECD standards on RBC or related policy areas. The Recommendation gathers 21 guiding principles structured around six key axes (see Figure A A.2).

Figure A A.2. The axes of the OECD Recommendation on the Role of Government in Promoting RBC



Source: OECD Recommendation of the Council on the Role of Government in Promoting Responsible Business Conduct [OECD/LEGAL/0486].

Out of these six key axes, one pertains to the policies and measures that governments can develop and adopt to encourage RBC across relevant policy areas – among which trade and investment. The OECD Recommendation on the Role of Government in Promoting RBC provides in this regard that governments should promote RBC through their trade and investment policies, as well as their bilateral and multilateral agreements. It specifies that this should include the expectation that businesses under the scope of these policies and agreements implement RBC standards. The Recommendation also includes several additional specific guiding principles relevant for trade and investment.

Other OECD instruments on trade and investment relevant to responsible business conduct

In addition to the instruments specifically designed to promote and enable responsible business practices, the OECD has also developed trade and investment instruments that include recommendations relevant to responsible business conduct.

Table A A.1. OECD legal instruments on trade and investment relevant to responsible business conduct

The OECD Declaration on International Investment and Multinational Enterprises [OECD/LEGAL/0144], 1976	The OECD Declaration on International Investment and Multinational Enterprises [OECD/LEGAL/0144] was adopted by the OECD Council in 1976 and revised in 2023 to update its language and better reflect changes in international investment policymaking. The MNE Guidelines form Annex 1 to the Declaration. The Declaration recognises that RBC furthers the contribution of investment to sustainable development, and that RBC standards play an important role in creating a level playing field across global markets. It provides that adherents should promote and enable RBC across relevant policy areas, including trade and investment policies.
The OECD Recommendation of the Council on the Policy	The OECD Recommendation of the Council on the Policy Framework for Investment [OECD/LEGAL/0412] (PFI) was adopted by the OECD Council in 2006 to guide governments on how to create an enabling environment for all types of investment and enhance the development benefits of investment to society. The Framework was updated in 2015 to support the implementation of the sustainable development goals.

Framework for Investment [OECD/LEGAL/0412], 2006	It was the first OECD instrument to encourage governments to create an enabling environment for RBC. To this end, the PFI includes a dedicated chapter on policies for enabling RBC, which has been a reference for the design and implementation of policy frameworks supporting RBC, as well as for co-ordinating government efforts in this area. It emphasises that RBC is essential to a sound investment climate, noting that environments lacking responsible business standards risk being avoided by international investors and customers. The PFI identifies several ways in which governments can enable RBC. These include establishing and enforcing adequate legal frameworks; clearly communicating expectations on RBC and providing guidance with respect to specific practices and enabling enterprises to meet those expectations; co-operating with stakeholders, across government entities, as well as with other governments to create synergies and build coherence on RBC; promoting best practices on RBC; and exemplifying RBC in the context of the government's role as an economic actor.
The OECD Recommendation on Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence [OECD/LEGAL/0393], 2012	The OECD Recommendation on Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence [OECD/LEGAL/0393] (the "Common Approaches") was adopted by the OECD Council in 2012 and revised in 2 016 and in 2 024. It sets out a common framework for undertaking environmental and social due diligence to identify, consider and address the potential environmental and social impacts and risks relating to applications for officially supported export credits. The Common Approaches aim, among other objectives, to promote coherence between adherents' policies on official export supported credit, their international environmental, climate change, social and human rights policies, thereby contributing towards sustainable development, as well as to develop common procedures and processes relating to the environmental and social review of officially supported export credits. To achieve this, adherents are required, *inter alia*, to promote awareness of the MNE Guidelines among parties involved in export credit applications. Likewise, when undertaking the environmental and social review of projects, adherents should, where appropriate, consider any NCP statements and reports on specific instances. The Common Approaches further calls on adherents to consider the issue of human rights, notably by reviewing how project-related human rights impacts are addressed and ensuring policy coherence with the MNE Guidelines.
The OECD Recommendation on Bribery and Officially Supported Export Credits [OECD/LEGAL/0447], 2019	The OECD Recommendation on Bribery and Officially Supported Export Credits [OECD/LEGAL/0447], adopted by the OECD Council in 2019, outlines measures that export credit agencies might take to deter bribery in international business transactions benefiting from official export credit support. The Recommendation calls on adherents to promote RBC among parties involved in applications for official export credit support. It also encourages exporters and other relevant parties to implement appropriate management control systems to prevent and detect bribery. Adherents are expected to screen and undertake due diligence on all applications for export credit support, including enhanced due diligence where there are increased risks or suspicions of bribery.
The OECD Recommendation on Foreign Direct Investment Qualities for Sustainable Development and FDI Qualities Policy Toolkit [OECD/LEGAL/0476], 2022	The OECD Recommendation on Foreign Direct Investment Qualities for Sustainable Development [OECD/LEGAL/0476], adopted by the OECD Council in 2022, aims to support governments in maximising the contribution of foreign direct investment (FDI) to sustainable development. The Recommendation encourages adherents to take steps to ensure that their policy, legal and regulatory frameworks support the positive impacts of investment on sustainable development. This includes fostering an investment climate based on the promotion of RBC and aligning international investment and trade agreements with sustainable investment objectives. Adherents should also facilitate and promote investment for sustainable development by promoting RBC and due diligence and improving the links between investment promotion and facilitation and sustainable development objectives. To support the implementation of the Recommendation, as well as complement the PFI, the OECD developed an FDI Qualities Policy Toolkit, which is designed to help governments prioritise policies and reforms to strengthen FDI's contribution to areas relevant to sustainable development.

Annex B. References to responsible business conduct and related clauses in MENA+T Programme Countries' trade and investment agreements

Table A B.1. References to RBC and RBC clauses in trade agreements concluded by MENA+T Programme Countries

Agreement	Signature date and status	Areas of the MNE Guidelines covered by the clause	Ref. to international RBC instruments in the clause (Yes/No)	Ref. to due diligence in the clause (Yes/No)	Relevant extracts from the agreement	Clause subject to dispute settlement (Yes/No)
BILATERAL TRADE AGREEMENTS						
Canada-Jordan Free Trade Agreement	28 June 2009 In force	Labour Environment	**No**	**No**	**Preamble** […] Encourage enterprises operating within their territory or subject to their jurisdiction, to respect internationally recognised corporate social responsibility standards and principles and pursue best practices |…]. **Side Agreement on Environment** **Article 10: Corporate Social Responsibility** Recognising the substantial benefits brought by international trade and investment, the Parties should encourage voluntary best practices of corporate social responsibility by enterprises within their territories or jurisdictions, to strengthen coherence between economic and environment objectives. **Side agreement on Labour Co-operation** **Preamble** […] Recognising the importance of encouraging voluntary practices of corporate social responsibility within their territories or jurisdictions, to ensure coherence between labour and economic objectives |…].	**No**

Agreement	Signature date and status	Areas of the MNE Guidelines covered by the clause	Ref. to international RBC instruments in the clause (Yes/No)	Ref. to due diligence in the clause (Yes/No)	Relevant extracts from the agreement	Clause subject to dispute settlement (Yes/No)
			MULTILATERAL TRADE AGREEMENTS			
Free Trade Agreement between the EFTA States and the Republic of Türkiye	25 June 2018 In force	General clause	**Yes**	**No**	**Preamble** […] Acknowledging the importance of good corporate governance and corporate social responsibility for sustainable development and affirming their aim to encourage enterprises to observe internationally recognised guidelines and principles in this respect, such as the Organisation for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises, the OECD Principles of Corporate Governance and the UN Global Compact.	**No**

Table A B.2. References to RBC and RBC clauses in investment agreements concluded by MENA+T Programme Countries

Agreement	Signature date and status	Areas of the MNE Guidelines covered by the clause	Ref. to international RBC instruments in the clause (Yes/No)	Ref. to due diligence in the clause (Yes/No)	Relevant extracts from the agreement	Clause subject to dispute settlement (Yes/No)
			BILATERAL TRADE AGREEMENTS			
Agreement between the Government of the Republic of Cabo Verde and the Government of the Kingdom of Morocco for the	09 May 2023 In force	Labour Environment Human Rights Anti-corruption	**No**	**No**	**Preamble** […] Emphasising the importance of responsible business conduct, the promotion of the principles of transparency, and the fight against corruption; **Section III. Obligations and Responsibilities of Investors and Investments** **Article 18** **Compliance with Domestic Laws and International Obligations** 18.1 Investments are governed by the laws and regulations of the Host Party and investors and their investments must comply with these laws and regulations as long as they exist in the territory of the latter Party. 18.2 An investor must provide the Host Party with any information it may require regarding its investment for the purpose of making decisions related to such investment or for purely statistical purposes. The Host Party will protect any confidential business information from disclosure that would be prejudicial to the competitive	**No**

Agreement	Signature date and status	Areas of the MNE Guidelines covered by the clause	Ref. to international RBC instruments in the clause (Yes/No)	Ref. to due diligence in the clause (Yes/No)	Relevant extracts from the agreement	Clause subject to dispute settlement (Yes/No)
Reciprocal Promotion and Protection of Investments[1]					position of the investor or the investment. 18.3 An investor must not commit fraud or provide false information regarding its investment. 18.4 Investors and their investments must comply with the Host Party's tax legislation, including the timely payment of their tax and social security obligations. **Article 19** **Anti-corruption, Anti-Money Laundering and Anti-Terrorist Financing** 19.1 Before or after establishing an investment in the territory of the Host Party, investors and their investments shall not offer, promise or grant any undue pecuniary or other advantage, directly or through intermediaries, to a public official of the Host Party or to a member of his or her family, one of his or her associates or any other person closely related to him or her, for the benefit of that official or of a third party, in order for that official to act or refrain from acting in the performance of his or her official duties, with a view to obtaining any preference with respect to a proposed investment or to licenses, permits, contracts or any other rights related to an investment. 19.2 In carrying out their activities, investors and their investments admitted to the territory of the Host Party shall apply the principles recognised by the international community in the fight against money laundering and the financing of terrorism. **Article 20** **Social and Environmental Responsibility** 20.1 Investors and their investments shall strive to contribute to the sustainable development of the Host Party and the local community through responsible practices. 20.2 Investors and their investments operating in the territory of each Party shall strive to voluntarily incorporate internationally recognised standards of corporate social responsibility into their internal practices and policies, such as statements of principle that have been approved or supported by the Parties. These principles may address issues such as labour, the environment, human rights, and anti-corruption.	
Agreement between the Government of the Kingdom of Morocco and the Government of the Union	31 March 2022 In force	Labour Environment Human Rights Anti-corruption	**Yes**	**No**	**Preamble** […] Emphasising the importance of responsible business conduct, the promotion of the principles of transparency, and the fight against corruption; **Section III. Obligations and Responsibilities of Investors and Investments** **Article 18** **Compliance with Domestic Laws and International Obligations** 18.1 Investments are governed by the laws and regulations of the Host Party and investors and their investments must comply with these laws and regulations as long as they exist in the territory of the latter Party.	**No**

Agreement	Signature date and status	Areas of the MNE Guidelines covered by the clause	Ref. to international RBC instruments in the clause (Yes/No)	Ref. to due diligence in the clause (Yes/No)	Relevant extracts from the agreement	Clause subject to dispute settlement (Yes/No)
of the Comoros for the Reciprocal Promotion and Protection of Investments[2]					18.2 Investors and investments, after their admission, shall comply with the measures of the Host Party that prescribe the formalities relating to the establishment of an investment and accept the jurisdiction of that Party with respect to the investment. 18.3 An investor must provide the Host Party with any information it may require regarding its investment for the purpose of making decisions related to such investment or for purely statistical purposes. The Host Party will protect any confidential business information from disclosure that would be prejudicial to the competitive position of the investor or the investment. 18.4 Any processing of investors' personal data for the purposes of decision-making related to their investment, the preparation of statistics, or the resolution of disputes shall be carried out in compliance with the national legislation of the Host Party and/or the relevant international conventions to which both Parties are parties. 18.5 An investor shall not commit fraud or provide false information concerning its investment. A material breach of this paragraph by an investor shall constitute a violation of the Host Party's domestic law relating to the establishment of its investment. 18.6 Investors and their investments shall comply with the legislation of the Host Party relating to taxation, including the timely fulfilment of their tax and social security obligations. 18.7 Investors shall manage and operate their investments in compliance with the international obligations relating to the environment, labour, and human rights to which both Parties are parties. **Article 19** **Anti-corruption, Anti-Money Laundering and Anti-Terrorist Financing** 19.1 Before or after establishing an investment in the territory of the Host Party, investors and their investments shall not offer, promise or grant any undue pecuniary or other advantage, directly or through intermediaries, to a public official of the Host Party or to a member of his or her family, one of his or her associates or any other person closely related to him or her, for the benefit of that official or of a third party, in order for that official to act or refrain from acting in the performance of his or her official duties, with a view to obtaining any preference with respect to a proposed investment or to licenses, permits, contracts or any other rights related to an investment. 19.2 In carrying out their activities, investors and their investments admitted to the territory of the Host Party shall apply the principles recognised by the international community in the fight against money laundering and the financing of terrorism. 19.3 A violation of paragraphs 19.1 and 19.2 of this Article by an investor or an investment shall constitute a violation of the domestic law of the Host Party relating to the establishment and operation of an investment. 19.4 Where an investor or its investment has violated this Article, neither the investor nor the investment shall have the right to initiate dispute settlement proceedings under any provision of this Agreement. The Host Party	

Agreement	Signature date and status	Areas of the MNE Guidelines covered by the clause	Ref. to international RBC instruments in the clause (Yes/No)	Ref. to due diligence in the clause (Yes/No)	Relevant extracts from the agreement	Clause subject to dispute settlement (Yes/No)
					may raise this matter as an objection to jurisdiction in the context of any dispute arising under this Agreement or of any procedure provided for in section VI relating to the settlement of disputes between an investor and the Host Party. **Article 20** **Social and Environmental Responsibility** 20.1 Investors and their investments shall strive to contribute to the sustainable development of the Host Party and the local community through responsible practices. 20.2 Investors from one Party operating in the territory of the other Party shall strive to contribute to human capital development, job creation, and technology transfer. 20.3 Investors from one Party operating in the territory of the other Party shall strive to apply the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy of the International Labour Organization and the OECD Guidelines for Multinational Enterprises, as well as any specific or sectoral standards of responsible conduct of the Parties. 20.4 Investors shall manage or operate their investments in accordance with international obligations relating to human rights and labour, responsible business conduct, and the protection of health and the environment, in line with the objectives of mitigation of and adaptation to climate change. 20.5 Investors of one Contracting Party in the territory of the other Contracting Party shall, to the extent possible, encourage the development of human capital and the strengthening of local capacities through close co-operation with the local community, the creation of employment opportunities, the facilitation of training opportunities for employees, and the transfer of technology. 20.6 A tribunal established pursuant to section VI of this Agreement shall, when determining the amount of compensation, take into account the investor's failure to comply with the commitments referred to in paragraph 20.4 of this Article.	
Agreement between the Republic of Djibouti and the Kingdom of Morocco for the Reciprocal Promotion and	22 July 2022 In force	Labour Environment Human Rights Anti-corruption	**No**	**No**	**Preamble** […] Emphasising the importance of responsible business conduct, the promotion of the principles of transparency, and the fight against corruption; **Section III. Obligations and Responsibilities of Investors and Investments** **Article 18** **Compliance with Domestic Laws and International Obligations** 18.1 Investments are governed by the laws and regulations of the Host Party and investors and their investments must comply with these laws and regulations as long as they exist in the territory of the latter Party. 18.2 An investor must provide the Host Party with any information it may require regarding its investment for	**No**

Agreement	Signature date and status	Areas of the MNE Guidelines covered by the clause	Ref. to international RBC instruments in the clause (Yes/No)	Ref. to due diligence in the clause (Yes/No)	Relevant extracts from the agreement	Clause subject to dispute settlement (Yes/No)
Protection of Investments[3]					the purpose of making decisions related to such investment or for purely statistical purposes. The Host Party will protect any confidential business information from disclosure that would be prejudicial to the competitive position of the investor or the investment. 18.3 An investor must not commit fraud or provide false information regarding its investment. 18.4 Investors and their investments must comply with the Host Party's tax legislation, including the timely payment of their tax and social security obligations. **Article 19** **Anti-corruption, Anti-Money Laundering and Anti-Terrorist Financing** 19.1 Before or after establishing an investment in the territory of the Host Party, investors and their investments shall not offer, promise or grant any undue pecuniary or other advantage, directly or through intermediaries, to a public official of the Host Party or to a member of his or her family, one of his or her associates or any other person closely related to him or her, for the benefit of that official or of a third party, in order for that official to act or refrain from acting in the performance of his or her official duties, with a view to obtaining any preference with respect to a proposed investment or to licenses, permits, contracts or any other rights related to an investment. 19.2 In carrying out their activities, investors and their investments admitted to the territory of the Host Party shall apply the principles recognised by the international community in the fight against money laundering and the financing of terrorism. 19.3 A violation of paragraphs 19.1 and 19.2 of this Article by an investor or an investment shall constitute a violation of the domestic law of the Host Party concerning the establishment and operation of an investment. **Article 20** **Corporate Social Responsibility** The Parties reaffirm the importance for each Party to encourage investors operating in its territory to voluntarily integrate into their domestic policies internationally recognised standards, guidelines, and principles on corporate social responsibility. These standards, guidelines, and principles may cover areas such as labour, the environment, gender equality, human rights, and anti-corruption.	
Reciprocal Investment Promotion and Protection Agreement between the Government	03 December 2016 Signed (not in force)	Labour Environment Human Rights Anti-corruption	**Yes**	**No**	**Article 14. Impact Assessment** 1. Investors or the investment shall comply with environmental assessment screening and assessment processes applicable to their proposed investments prior to their establishment, as required by the laws of the host state for such an investment or the laws of the home state for such an investment, whichever is more rigorous in relation to the investment in question. 2. Investors or the investment shall conduct a social impact assessment of the potential investment. The Parties shall adopt standards for this purpose at the meeting of the Joint Committee. 3. Investors, their investment and host state authorities shall apply the precautionary principle to their	**No**

Agreement	Signature date and status	Areas of the MNE Guidelines covered by the clause	Ref. to international RBC instruments in the clause (Yes/No)	Ref. to due diligence in the clause (Yes/No)	Relevant extracts from the agreement	Clause subject to dispute settlement (Yes/No)
of the Kingdom of Morocco and the Government of the Federal Republic of Nigeria					environmental impact assessment and to decisions taken in relation to a proposed investment, including any necessary mitigation or alternative approaches of the precautionary principle by investors and investments shall be described in the environmental impact assessment they undertake. **Article 17** **Anti-corruption** 1. Each Contracting Party shall ensure that measures and efforts are undertaken to prevent and combat corruption regarding matters covered by this Agreement in accordance with its laws and regulations 2. Investors and their Investments shall not, prior to the establishment of an Investment or afterwards, offer, promise or give any undue pecuniary or other advantage, whether directly or through intermediaries, to a public official of the Host State, or a member of an official's family or business associate or other person in close proximity to an official, for that official or for a third party, in order that the official or third party act or refrain from acting in relation to the performance of official duties, in order to achieve any favour in relation to a proposed investment or any licences, permits, contracts or other rights in relations to an investment. 3. Investors and their Investments shall not be complicit in any act described in Paragraph 1 above, including incitement, aiding and abetting, and conspiracy to commit or authorisation of such acts. 4. A breach of this article by an investor or an investment is deemed to constitute a breach of the domestic law of the Host State Party concerning the establishment and operation of an investment. 5. The States Parties to this Agreement, consistent with their applicable law, shall prosecute and where convicted penalise persons that have breached the applicable law implementing this obligation. **Article 18** **Post-establishment obligations** 1) Investments shall, in keeping with good practice requirements relating to the size and nature of the investment, maintain an environmental management system. Companies in areas of resource exploitation and high-risk industrial enterprises shall maintain a current certification to ISO 14 001 or an equivalent environmental management standard. 2) Investments shall uphold human rights in the host state. 3) Investors and investments shall act in accordance with core labour standards as required by the ILO Declaration on Fundamental Principles and Rights of Work, 1998. 4) Investors and investments shall not manage or operate the investments in a manner that circumvents international environmental, labour and human rights obligations to which the host state and/or home state are Parties. **Article 19**	

Agreement	Signature date and status	Areas of the MNE Guidelines covered by the clause	Ref. to international RBC instruments in the clause (Yes/No)	Ref. to due diligence in the clause (Yes/No)	Relevant extracts from the agreement	Clause subject to dispute settlement (Yes/No)
					Corporate Governance and Practices 1) In accordance with the size and nature of an investment, a) Investments shall meet or exceed national and internationally accepted standards of corporate governance for the sector involved, in particular for transparency and accounting practices. b) Investments shall establish and maintain, where appropriate, local community liaison processes, in accordance with internationally accepted standards when available. c) Where relevant internationally accepted standards of the type described in this Article are not available or have been developed without the participation of developing countries, the Joint Committees may establish such standards. **Article 24** **Corporate Social Responsibility** 1. In addition to the obligation to comply with all applicable laws and regulations of the Host State and the obligations in this Agreement, and in accordance with the size, capacities and nature of an investments, and taking into account the development plans and priorities of the Host State and the Sustainable Development Goals of the United Nations, investors and their investments should strive to make the maximum feasible contributions to the sustainable development of the Host State and local community through high levels of socially responsible practices. 2. Investors should apply the ILO Tripartite Declaration on Multinational Investments and Social Policy as well as specific or sectorial standards of responsible practice where these exist. 3. Where standards of corporate social responsibility increase, investors should strive to apply and achieve the higher level standards.	
Investment Cooperation and Facilitation Agreement between the Federative Republic of Brazil and the Kingdom of Morocco [4]	13 June 2019 In force	Labour Environment Human Rights Anti-corruption	**No**	**No**	**Article 13** **Corporate Social Responsibility** 1. Investors and their investments shall endeavour to achieve the highest possible level of contribution to the sustainable development of the Host Party and the local community by adopting a high degree of socially responsible practices, based on the voluntary principles and standards set forth in this Article. 2. Investors and their investments shall make their best efforts to comply with the following voluntary principles and standards for responsible business conduct and in accordance with the laws adopted by the host Party receiving the investment: (a) Stimulate economic, social and environmental progress with a view to achieving sustainable development; (b) Respect the human rights of those involved in the business activities in accordance with the Host Party's international obligations and commitments;	**No**

Agreement	Signature date and status	Areas of the MNE Guidelines covered by the clause	Ref. to international RBC instruments in the clause (Yes/No)	Ref. to due diligence in the clause (Yes/No)	Relevant extracts from the agreement	Clause subject to dispute settlement (Yes/No)
					(c) Encourage local capacity building through close collaboration with the local community; (d) Encourage the development of human capital, in particular by creating employment opportunities and facilitating workers' access to vocational training; (e) Refrain from seeking or accepting exemptions not provided for in the Host Party's legislation relating to the environment, public health, safety, work, financial incentives or other areas; (f) Support and maintain the principles of good corporate governance, develop and implement good corporate governance practices; (g) Improve the transparency of its activities in the fight against corruption and extortion, and maintain accurate and reliable books, records and accounts which ensure that they cannot be used for the purposes of corruption and the concealment of acts of corruption; (h) Refrain from offering, promising, granting or directly or indirectly soliciting unlawful payments or other improper advantages with a view to obtaining or maintaining a business or other improper advantage; (i) Adopt internal control mechanisms and appropriate ethics and compliance programmes or measures to prevent and detect corruption; (j) Develop and implement effective self-discipline practices and management systems that foster a relationship of mutual trust between the companies and societies in which operations are performed; (k) Promote workers' knowledge of corporate policy, through the appropriate dissemination of this policy, including through professional training programmes; (l) Refrain from any discriminatory or disciplinary action against employees who report to the Board of Directors or, where appropriate, to competent public authorities, practices that violate the law or violate the corporate governance rules to which the company is subject; (m) Encourage, as far as possible, business partners, including suppliers and subcontractors, to apply the principles of business conduct consistent with the principles set out in this Article; (n) Respect local political activities and processes.	
Agreement between the Government of the Republic of Lithuania and the Government of the	28 August 2018 Not in force	Labour Environment	**No**	**No**	**Preamble** Recognising that these objectives should be achieved in a manner consistent with the protection of public health, environment, security, safety, and sustainable development as well as with the promotion of internationally recognised labour rights and principles of corporate social responsibility [...]. **Article 17. Environmental and Labor Rights and Other Standards** [...] 3. Investors and investments should apply national, and internationally accepted, standards of corporate governance for the sector involved, in particular for transparency and accounting practices. Investors and their investments should strive to make the maximum feasible contributions to the sustainable development of the	**No**

Agreement	Signature date and status	Areas of the MNE Guidelines covered by the clause	Ref. to international RBC instruments in the clause (Yes/No)	Ref. to due diligence in the clause (Yes/No)	Relevant extracts from the agreement	Clause subject to dispute settlement (Yes/No)
Republic of Türkiye on the Reciprocal Promotion and Protection of Investments					Host State and local community through appropriate levels of socially responsible practices.	
Agreement between the Government of the Republic of Türkiye and the Government of the Republic of Serbia concerning the Reciprocal Promotion and Protection of Investments	07 September 2022 Not in force	Labour Environment Human Rights Anti-corruption	**No**	**No**	**Article 11** **Corporate Social Responsibility** Each Contracting Party should encourage legal persons operating within the territory of its State or subject to its jurisdiction to voluntarily incorporate internationally recognised standards of corporate social responsibility in their practices and internal policies, such as statements of principle that have been endorsed or are supported by the Contracting Parties. These principles address issues such as labour, environment, human rights, community relations, and anti-corruption.	**No**
Agreement between the Government of the Republic of Türkiye and the	23 April 2022 Not in force	Labour Environment Human Rights Anti-corruption	**No**	**No**	**Article 13** **Corporate Social Responsibility** Investors operating within the territory of each Contracting Party shall endeavour to voluntarily incorporate internationally recognised standards of corporate social responsibility in their practices and internal policies, such as statements of principle that have been endorsed or are supported by the Contracting Parties. These principles may address issues such as labour, environment, human rights, community relations and anticorruption.	**No**

Agreement	Signature date and status	Areas of the MNE Guidelines covered by the clause	Ref. to international RBC instruments in the clause (Yes/No)	Ref. to due diligence in the clause (Yes/No)	Relevant extracts from the agreement	Clause subject to dispute settlement (Yes/No)
Government of the Oriental Republic of Uruguay on the Reciprocal Promotion and Protection of Investments						
Agreement on the Promotion and Protection of Mutual Investments between the Government of the Arab Republic of Egypt and the Government of the Kingdom of Saudi Arabia[5]	15 October 2024 In force	Environment Anti-corruption	**No**	**No**	**(Chapter Three)** **Obligations and Responsibilities of Investors)** **(Article Fourteen)** **Compliance with Legislation** 1 – The investor is obligated to establish, operate, and manage its investments in accordance with the legislation of the host Contracting Party, in particular the following: (a) To be consistent with the protection of health and the environment, and in line with the objectives of mitigating and adapting to the effects of climate change. (b) To respect the standards adopted by the host Contracting Party regarding corporate social responsibility or responsible business practices with the aim of contributing to sustainable development. (c) To comply with by the investor and its investments with the laws of the host Contracting Party, including any exemptions or privileges granted to government entities, bodies, or agencies, or to those exercising public authority. (d) To comply with the tax laws of the host Contracting Party, including the fulfillment of all tax obligations, (e) The investor shall not commit fraud or provide false information regarding its investments in violation of the host contracting party's laws. (f) Not engaging in corrupt practices or offering, promising, or granting any undue funds or other benefits, for the purpose of obtaining any advantage regarding the proposed investment, licenses, permits, contracts, or any other rights related to the investment. 2. In no case shall this Article be interpreted as conflicting with the obligations set forth in this Agreement.	**Yes**

Agreement	Signature date and status	Areas of the MNE Guidelines covered by the clause	Ref. to international RBC instruments in the clause (Yes/No)	Ref. to due diligence in the clause (Yes/No)	Relevant extracts from the agreement	Clause subject to dispute settlement (Yes/No)
			MULTILATERAL TRADE AGREEMENTS			
Protocol to the Agreement Establishing the African Continental Free Trade Area on Investment	19 February 2023 In force	Labour Environment Human Rights Anti-corruption	**No**	**No**	**Preamble** Affirming the desire to promote accountability, good governance and responsible business conduct in a fair, transparent and predictable investment environment […]. **Article 33** **Business Ethics, Human Rights and Labour Standards** Investors and their investments shall comply with high standards of business ethics, investment-related human rights and labour standards, and in particular shall: a. support and respect the protection of internationally recognised human rights; b. ensure that they are not complicit in human rights abuses; c. comply with the International Labour Organization (ILO) standards, including the ILO Declaration on Fundamental Principles and Rights at Work, and domestic labour legislations; do not use child labour or forced and compulsory labour; e. eliminate discrimination in respect of employment and occupation; f. refrain from discriminatory or disciplinary action against employees who submit reports to the company's board or to the competent public authorities about practices that violate domestic laws, this Protocol, or other standards of corporate governance to which the company is subject; and g. act in accordance with fair business, marketing and advertising practices when dealing with consumers and must ensure the safety and quality of goods and services they provide. **Article 34** **Environmental Protection** Investors and their investments shall, in carrying out their business activities, respect and protect the environment, and, in particular shall: a. respect the right to a clean, healthy and sustainable environment, as reflected in Article 24 of the African Charter of Human and Peoples' Rights and the Resolution of the United Nations General Assembly A/RES/76/300 ("The human right to a clean, healthy and sustainable environment"); b. comply with the principles of prevention and precaution when conducting their business activities to anticipate and prevent any risk of significant harm to the environment; c. carry out an environmental impact assessment, in accordance with the best international standards and practices and as required by domestic law; d. apply the precautionary principle to their environmental impact assessment and to decisions taken in relation to a proposed investment, including any necessary mitigating or alternative approaches to the investment, or	**Yes**

Agreement	Signature date and status	Areas of the MNE Guidelines covered by the clause	Ref. to international RBC instruments in the clause (Yes/No)	Ref. to due diligence in the clause (Yes/No)	Relevant extracts from the agreement	Clause subject to dispute settlement (Yes/No)
					precluding the investment if necessary; and e. where their business activities cause or may cause harm to the environment, take steps to mitigate the harm, to restore impacted sites and ensure a clean, healthy and sustainable environment. 2. Investors shall not exploit or use natural resources to the detriment of the rights and interests of the Host State and local communities. **Article 35** **Indigenous Peoples and Local Communities** 1. Investors and their investments shall respect the rights and dignity of indigenous peoples and local communities in accordance with relevant domestic laws and regulations, international law, norms and best practices, including the right of indigenous peoples and local communities where applicable, to free, prior and informed consent as well as to participate in the benefit of the investment. For greater certainty, the reference to the right to free, prior and informed consent of indigenous peoples, does not imply any obligation for investors and their investments to conclude agreements with those groups before conducting or operating their investment in the territory of State Parties which do not recognise indigenous peoples, taking into account applicable and relevant domestic laws and regulations. 2. Investors and their investments shall respect legitimate tenure rights to land, water, fisheries, and forests in accordance with relevant laws and regulations. 3. Investors, in accordance with relevant domestic law and regulations, shall submit their environmental and social impact assessments to the competent authorities and make them available and accessible to local communities and indigenous peoples and to any other stakeholder in the territory of the Host State. **Article 37** **Anti-Corruption** 1. Investors and their investments shall not offer, promise or give any unlawful or undue pecuniary or other advantage or present, whether directly or through intermediaries, to a public official of a State Party, or to a member of an official's family or business associate or other person in order to obtain a favour or for the official or other person to act or refrain from acting in relation to the performance of official duties 2. Investors shall co-operate with State Parties in preventing and eliminating corruption in public governance and shall not encourage, incite, aid, abet or conspire with any official or another person or any entity to commit or authorise the commission of an act of corruption, taking into account applicable and relevant domestic laws and regulations, the African Union Convention on Preventing and Combatting Corruption, the United Nations Convention against Corruption and other applicable international legal instruments. 3. Notwithstanding relevant international obligations of State Parties regarding anti-corruption, a breach of this Article by an investor is deemed to constitute a breach of the domestic laws and regulations of the Host State	

Agreement	Signature date and status	Areas of the MNE Guidelines covered by the clause	Ref. to international RBC instruments in the clause (Yes/No)	Ref. to due diligence in the clause (Yes/No)	Relevant extracts from the agreement	Clause subject to dispute settlement (Yes/No)
					concerning the establishment and operation of an investment. **Article 38** **Corporate Social Responsibility** 1. Investors and their investments shall endeavour to achieve the highest possible level of contribution to the sustainable development of the Host State and the local community, through the adoption of a high degree of socially responsible practices, in accordance with the principles and standards set out in paragraph 2 of this Article. 2. Investors and their investments shall endeavour to: a. stimulate economic, social and environmental progress, aiming at achieving sustainable development; b. encourage the strengthening of local capacities through close co-operation with the local community; c. encourage the development of human capital, especially by creating employment opportunities and facilitating access of workers to professional training; d. promote gender equality and inclusiveness in their activities; e. refrain from seeking exemptions that are not established in the legislation of the Host State, relating to environment, health, security, work or financial incentives, or other issues; f. develop and apply effective self-regulatory practices and management systems that foster a relationship of mutual trust between the companies and the community in which the operations are conducted; g. promote the knowledge of workers about corporate policies, through appropriate dissemination of these policies, including programmes for professional training; h. encourage, whenever possible, the business associates, including service providers and sub-contractors, to apply the principles of corporate social responsibility provided for in this Article; and i. foster the benefit sharing arising from an investment with the local communities concerned based on mutually agreed terms to facilitate access to an adequate standard of living. 3. State Parties undertake to encourage investors operating within their territories or subject to their jurisdiction to incorporate into their internal policies internationally recognised standards, guidelines and principles of corporate social responsibility including those set out in paragraph 2 of this Article.	
Revised Investment Agreement for the COMESA Common	November 2017 In force	Labour Environment Human Rights Anti-corruption	**Yes**	**No**	**Article 28** **Bribery and Corruption** 1. COMESA Investors and their investments shall not offer, promise or give any undue pecuniary or other advantage, whether directly or through intermediaries, to a public official of a Member State, or to an official's relative or business associate or other person in close proximity to an official, for that official or for a third party, in order that the official or third party act or refrain from acting in relation to the performance of official duties, in	**No**

Agreement	Signature date and status	Areas of the MNE Guidelines covered by the clause	Ref. to international RBC instruments in the clause (Yes/No)	Ref. to due diligence in the clause (Yes/No)	Relevant extracts from the agreement	Clause subject to dispute settlement (Yes/No)
Investment Area (CCIA)					order to achieve any favour in relation to a proposed investment or any other rights in relation to an investment. 2. COMESA Investors and their investments shall also not be complicit in any act described in paragraph 1 of this Article, including through incitement, aiding and abetting or conspiracy to commit or authorise such acts. 3. Member States shall adopt such legislative and other measures as may be necessary to establish jurisdiction and enforce laws and procedures against any criminal offence committed in whole or in part in their territory by a national, or a COMESA investor and investment or its agent, or by any other person acting in relation to an investment in a Member State. 4. A breach of this article by a COMESA investor or its investment is deemed to constitute a breach of the domestic law of the Host State concerning the establishment and operation of an investment. **Article 29** **Business Ethics and Human Rights** COMESA investors and their investments shall observe the United Nations Guiding Principles on Business and Human Rights with modifications necessary for local circumstances. 2. COMESA investors and investments shall among others: (a) support and respect the protection of internationally proclaimed human rights; (b) ensure that they are not complicit in human rights abuses; (c) uphold the freedom of association and the effective recognition of the right to collective bargaining; (d) eliminate all forms of forced and compulsory labour, including the effective abolition of child labour; and (e) eliminate discrimination in respect of employment and occupation. Where it is necessary to prioritise actions to address actual and potential adverse human rights impacts, COMESA investors should first seek to prevent and mitigate those that are most severe or where delayed response would make them irremediable. **Article 30** **Corporate Social Responsibility** 1. In pursuit of their economic objectives, COMESA investors and their investments shall proceed in ways that do not conflict with the social and economic development of host countries. Investors shall be sensitive to changes in the social and economic goals of the host countries. 2. Investors and their investments should act in accordance with fair business, marketing and advertising practices when dealing with consumers and should ensure the safety and quality of goods and services they provide. **Article 31** **Environmental Protection and Social Impact Assessment** 1. COMESA Investors and their investments shall, in performing their activities, protect the environment and	

Agreement	Signature date and status	Areas of the MNE Guidelines covered by the clause	Ref. to international RBC instruments in the clause (Yes/No)	Ref. to due diligence in the clause (Yes/No)	Relevant extracts from the agreement	Clause subject to dispute settlement (Yes/No)
					where such activity causes damages to the environment; take reasonable steps to restore it as far as possible, and to ensure fair compensation is paid to those impacted by the environmental damages. 2. COMESA Investors or their investments shall comply with environmental and social assessment screening criteria and assessment processes applicable to their proposed investments prior to their establishment, as required by the laws of the host state for such an investment. 3. The impact assessments required under paragraph 2 shall include assessments of the impacts on the human rights of the persons in the areas potentially impacted by the investment. 4. COMESA Investors or their investments shall make the environmental and social impact assessments: (a) public; and (b) accessible to the local communities, or other areas with potentially affected interests, in an effective and sufficiently timely manner so as to allow comments to be made to the investor, investment and/or government prior to the completion of the host state processes for establishing an investment. 5. COMESA Investors, their investments and the host state authorities shall apply the precautionary principle to their environmental impact assessment and to decisions taken in relation to a proposed investment, including any necessary mitigating or alternative approaches to the investment, or precluding the investment if necessary. The application of the precautionary principle by investors and investments shall be described in the environmental impact assessment.	

Notes:

1. 2023 Cabo Verde-Morocco BIT. Original text of the agreement in French and Portuguese, English translation done by the OECD Secretariat.
2. 2022 Comoros-Morocco BIT. Original text of the agreement in French, English translation done by the OECD Secretariat.
3. 2022 Djibouti-Morocco BIT. Original text of the agreement in French, English translation done by the OECD Secretariat.
4. 2019 Morocco-Brazil BIT. Original text of the agreement in French, English translation done by the OECD Secretariat.
5. 2024 Egypt-Saudi Arabia BIT. Original text of the agreement in Arabic, English translation done by the OECD Secretariat.

Annex C. MENA+T Programme NCPs' main characteristics and links to trade and investment matters

Table A C.1. MENA+T Programme NCPs' main characteristics and links to trade and investment matters

Country	Location of NCP in government	Links between the NCP location and trade and investment matters	NCP Structure	Involvement of other government entities and stakeholders in the NCP structure that supports policy coherence for RBC	Staff composition of the NCP
Egypt	Ministry of Investment and Foreign Trade[1] General Authority for Investments and Free Zones (GAFI)[2]	GAFI Is the principal governmental authority concerned with regulating and facilitating investment in Egypt (Government of Egypt, n.d.[77]).	Single agency with government and stakeholder advisory body.[3] GAFI hosts the NCP secretariat.[4] The head of GAFI is the head of the NCP.[5]	The NCP's multistakeholder advisory body, the "National Committee", includes representatives from:[6] Government: Ministry of Investment and Foreign Trade General Authority for Investment and Free Zones Ministry of Foreign Affair Minister of Justice Ministry of Planning and Economic Development Ministry of International Co-operation Ministry of Environment Ministry of Communications and Information Technology Ministry of Trade and Industry Ministry of Labour Financial Regulatory Authority The Egyptian Exchange National Council for Human Right The Egyptian Competition Authority Business: Federation of Egyptian Industries	Head of the NCP (CEO of GAFI).[7] Four part-time staff in GAFI (each 50%).[8]

Country	Location of NCP in government	Links between the NCP location and trade and investment matters	NCP Structure	Involvement of other government entities and stakeholders in the NCP structure that supports policy coherence for RBC	Staff composition of the NCP
				Egyptian Businessmen's Association Egyptian Junior Business Association Egyptian Federation of Investors Association Alexandria Business Association <u>Trade unions:</u> Egyptian Trade Union Federation Representatives from trade unions <u>Civil society:</u> To be identified	
Jordan	Ministry of Investment[9]	The Ministry of Investment is the main authority for Investment in Jordan, aiming to attract, encourage and promote domestic and foreign investment (Government of Jordan, n.d.[126]).	Single agency.[11]	None.[12]	One part-time staff (10%) (OECD, 2025, p. 40[105]).
Morocco	Ministry of Investment, Convergence and Evaluation of Public Policies[13] Moroccan Agency for the Development of Investment and Exports (OECD, 2023[114])	AMDIE is Morocco's Investment and Export Promotion Agency (Government of Morocco, n.d.[127]).	Inter-agency with stakeholder advisory body. The NCP is composed of three entities: an interagency body, the Chair and the Secretariat. The chair and secretariat are located within AMDIE (OECD, 2023, p. 6[114]). The NCP Chair is the AMDIE representative in the interagency body.[14] The secretariat duties are carried out by AMDIE's Co-operation and Partnerships Department within AMDIE's Legal Department.[15] The NCP Secretariat keeps the NCP's member ministerial departments informed of RBC developments as shared by the OECD RBC Secretariat, as well as of events organised by the NCP.[16] The NCP consists of 11 representatives from government:[17]	The NCP's multistakeholder Advisory Body includes representatives from:[18] <u>Business</u>: Confédération Générale des Entreprises du Maroc <u>Trade unions</u>*:* *Union Générale des Travailleurs du Maroc* *Confédération Démocratique du Travail* *Union Marocaine du Travail*	Four part-time staff (30%, 30%, 20%, and 10%) (OECD, 2025, p. 41[105]). NCP Chair (Director of Co-operation and Partnerships in AMDIE) and two within AMDIE's legal department (OECD, 2023, p. 6[114]).[19]

Country	Location of NCP in government	Links between the NCP location and trade and investment matters	NCP Structure	Involvement of other government entities and stakeholders in the NCP structure that supports policy coherence for RBC	Staff composition of the NCP
			Government: Investment and Export Development Agency (AMDIE); Ministry of Foreign Affairs, African Co-operation and Moroccan Expatriates Ministry of Economy and Finance Ministry of Economic Inclusion, Small Business, Jobs and Skills Ministry of Industry and Trade Ministry of Higher Education, Scientific Research and Professional Training Ministry of Energy Transition and Sustainable Development Ministry of Investment, Convergence and Evaluation of Public Policies Independent authorities: National Council of Human Rights Council of Competition National Authority of Integrity, Prevention and Anti-Corruption		
Tunisia	Ministry of Economy and Planning[20]	The NCP is located in the Ministry of Economy and Planning, with an economic focus, including finance and treasury, and aiming to attract, encourage, and promote domestic and foreign investment.[21]	Single agency with government and stakeholder advisory body.[22]	No advisory body.[23]	Head of the NCP (Director General of International Investment Agreements and Disputes). One part time staff (20%) (OECD, 2025[105]).
Türkiye	Ministry of Industry and Technology General Directorate of Incentive Implementation and	The NCP is located within the Ministry of Industry and Technology's General Directorate of Incentive Implementation and	Single agency.[24]	No advisory body.[25]	Head of the NCP (Director General) (OECD, 2024[115]). One full time and two part time staff (25%

Country	Location of NCP in government	Links between the NCP location and trade and investment matters	NCP Structure	Involvement of other government entities and stakeholders in the NCP structure that supports policy coherence for RBC	Staff composition of the NCP
	Foreign Investment (OECD, 2024[115])	Foreign Investment, providing investment incentives (OECD, 2024, p. 6[115]).			and 25%).[26]

Notes:

1. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
2. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
3. Information shared by the Government of Türkiye during the preparation of this report.
5. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
6. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
7. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
8. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
9. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
10. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
11. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
12. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
13. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
14. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
15. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
16. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
17. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
18. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
19. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
20. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
21. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
22. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
23. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
24. Information retrieved from the answers to the 2025 NCP Annual Questionnaire. Türkiye's NCP has indicated that it is in the process of restructuring its NCP to incorporate an advisory body gathering government and stakeholder representatives.
25. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.
26. Information retrieved from the answers to the 2025 NCP Annual Questionnaire.

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Notes

[1] See United Nations (2011[154]), United Nations Guiding Principles on Business and Human Rights, Part I. The State duty to protect human rights.

[2] Collectively considered, EU countries received 67.7% of Morocco's exports, 67.2% of Tunisia's, 41.4% of Türkiye's, and 26.5% of Egypt's in 2024. They also accounted for over half of FDI inflows to Türkiye between 2003 and 2024 and 21.7-43.5% of Egypt's FDI inflows between 2019 and 2023, as well as over half of FDI stock in Morocco and Tunisia in 2024 (European Commission, 2026[130]; 2026[132]; 2025[131]; Government of Türkiye, 2026[133]; Central Bank of Egypt, 2026[134]; European Union, 2026[135]).

[3] In 2024, the United States was Jordan's main export destination (32% of exports), Türkiye's third export destination (6.13%), Egypt's fourth (5.5%), Tunisia's fifth (4.67%); and Morocco's sixth (3.64%) (OEC, n.d.[136]). Moreover, it is also an important investment partner to some MENA+T Programme Countries. For example, it was the third largest source of FDI inflows in Egypt in 2024, and the second one in Türkiye between 2003-2025 (Government of Türkiye, n.d.[137]; Government of the United States, 2025[138]).

[4] The Programme "Responsible business conduct for sustainable development: Middle East, North Africa and Türkiye" (MENA+T Programme)", which is funded by Germany and Switzerland, is implemented by the OECD Centre for Responsible Business Conduct in collaboration with the OECD Istanbul Centre. It aims to promote smart, sustainable, and inclusive economic growth in the MENA+T region by supporting policymakers, businesses and stakeholders to advance and adopt responsible business practices in line with the OECD instruments on RBC.

[5] The analysis in the present report covers trade and investment agreements signed by MENA+T Programme Countries at the time the background analysis was carried out (i.e. until December 2025). The expression "trade and investment agreements" in the report refers to a wide range of bilateral, regional and plurilateral agreements relating to trade and foreign investment and related issues. The term "investment agreements" covers bilateral investment treaties (BITs) and investment chapters contained in free trade agreements (FTAs).

[6] Compiled by the OECD Secretariat based on the answers by 52 NCPs to the 2024 NCP Annual Questionnaire.

[7] Compiled by the OECD Secretariat based on the answers by 52 NCPs to the 2024 NCP Annual Questionnaire.

[8] Compiled by the OECD Secretariat based on the answers by 52 NCPs to the 2025 NCP Annual Questionnaire.

[9] Compiled by the OECD Secretariat based on the answers by 52 NCPs to the 2025 NCP Annual Questionnaire.

[10] It should be noted that, as far as investment agreements are concerned, other kinds of provisions can also potentially have a bearing on RBC. This is, in particular, the case of provisions requiring that investments be made in accordance with domestic law in order to benefit from the coverage of the agreement. General protections, such as provisions on granting "fair and equitable treatment" to covered foreign investors, can affect policy space to regulate business activities. However, as these provisions do not expressly refer to sustainability issues, such as respect for human rights, the promotion of labour standards, the protection of the environment, or the fight against corruption, or contain an express mention of RBC or CSR, they are not included in the present analysis. For a discussion of these provisions, see Gaukrodger, D. (Gaukrodger, 2021[23]), "Business responsibilities and investment treaties"; Gaukrodger, D. (2017[149]), "Addressing the balance of interests in investment treaties: The limitation of fair and equitable treatment provisions to the minimum standard of treatment under customary international law". See also Pohl, J. (2018[148]), "Societal benefits and costs of International Investment Agreements: A critical review of aspects and available empirical evidence"; Dolzer, R. (2005[140]), "The Impact of International Investment Treaties on Domestic Administrative Law".

[11] At the time of writing, Jordan's Central Bank held 45% of JLGC's shares (Jordan Loan Guarantee Corporation, 2026[129]).

[12] The World Bank Environmental and Social Framework establishes a series of policies and procedures to strengthen the integration of environmental and social sustainability in the Bank's activities, as well as related safeguards in the projects it supports through investment project financing. The Environmental and Social Framework includes the World Bank's Environmental and Social Standards (ESS), which set out requirements related to the identification and assessment of environmental and social actual and potential impacts in financed projects (either directly by the Bank or through intermediaries). The Environmental and Social Framework does not require projects to implement all the ESS requirements: only the requirements relevant to the reasons for which a project's risk profile is increased need to be implemented (World Bank, n.d.[147]).

[13] Government of Tunisia (2017[150]), Tax Incentives Law n° 2017-8, Articles 8 and 12.

[14] Government of Jordan (2023[71]), Regulation No. (7) for the Year 2023 Regulating the Investment Environment Regulation, Article 30.

[15] According to Article 16 of Decree No. 389, on financial incentives for investments made under the Investment Law, investment projects may be considered of national interest if they contribute to one of the objectives of investment as established by the Investment Law, and invest at least 50mn Tunisian Dinar (approximately USD 17.2mn at the time of writing) or create at least 500 jobs (Government of Tunisia, 2017[151]).

[16] Response of the Government of Tunisia to the 2024 NCP Annual Questionnaire and information provided by the Government of Tunisia.

[17] Government of Tunisia (2017[153]), Decree No. 389 on financial incentives for investments made under the Investment Law, Article 3.

[18] The analysis in the present report covers publicly available trade and investment agreements signed by MENA+T Programme Countries at the time the background analysis was carried out (i.e. until end of 2025). The expression "trade and investment agreements" in the report refers to a wide range of bilateral, regional and plurilateral agreements relating to trade and foreign investment and related issues. The term "investment agreements" covers bilateral investment treaties (BITs) and investment chapters contained in free trade agreements (FTAs).

[19] See also (2023[97]) Protocol to the Agreement Establishing the African Continental Free Trade Area on Investment (Part IV: Sustainable Development related issues); (2018[89]) EFTA-Türkiye FTA (Chapter 7: Trade and Sustainable Development).

[20] See (2009[141]) Canada-Jordan FTA (Chapter 10: Environment and Chapter 11: Labour); (2004[146]) Morocco-USA FTA (Chapter 16: Labor and Chapter 17: Environment); (1993[142]) Treaty Establishing Common Market for Eastern and Southern Africa (COMESA) (Chapter 16: Co-operation in the development of natural resources, environment and wildlife).

[21] (1993[142]) Treaty Establishing Common Market for Eastern and Southern Africa (COMESA) (Chapter 24: Women in development and business).

[22] (1993[142]) Treaty Establishing Common Market for Eastern and Southern Africa (COMESA) (Chapter 16: Co-operation in the development of natural resources, environment and wildlife).

[23] (2024[154]) Egypt-Saudi Arabia BIT, Article XV.

[24] (2024[154]) Egypt-Saudi Arabia BIT, Article XV.

[25] (2017[95]) Revised Investment Agreement for the COMESA Common Investment Area, Article 20.

[26] (1993[142]) Treaty Establishing Common Market for Eastern and Southern Africa (COMESA) (Chapter 16: Co-operation in the development of natural resources, environment and wildlife).

[27] (1993[142]) Treaty Establishing Common Market for Eastern and Southern Africa (COMESA), Article 15 (Technical Committees Composition and Functions) and Article 16 (Functions of the Technical Committees).

[28] (2009[92]) Canada-Jordan FTA, Agreement on the Environment, Article 8.

[29] (2009[92]) Canada-Jordan FTA, Agreement on the Environment, Article 10.

[30] According to information shared by the Government of Morocco, the BITs recently signed by Morocco with Saint Martin and Sierra Leone also include RBC clauses though they are not publicly available.

[31] Other provisions found in trade and investment agreements signed by MENA+T Programme Countries may be relevant for the promotion of RBC but they do not include a specific clause in the text of the agreement reflecting the parties' commitment to encourage businesses to observe RBC principles and standards. That is the case of the (2018[89]) EFTA-Türkiye FTA in which the signatories affirm the importance of CSR and the MNE Guidelines but only in the preamble and not in the main text of the agreement. That is also the case of the (2012[86]) Korea-Türkiye FTA, which includes a provision according

to which the signatories shall strive to facilitate and promote trade in goods subject to schemes involving CSR and accountability.

[32] (2022[145]) Türkiye-Uruguay BIT, Article 13.

[33] (2019[94]) Moroccan Model BIT, Article 20 (Social and Environmental Responsibility).

[34] (2023[144]) Cabo Verde-Morocco BIT, Article 20 (Social and Environmental Responsibility).

[35] (2017[95]) Revised Investment Agreement for the COMESA Common Investment Area, Article 29.

[36] See (2023[144]) Cabo Verde-Morocco BIT Article 18 (Compliance with Domestic Laws and International Obligations), Article 19 (Anti-corruption, Anti-Money Laundering and Anti-Terrorist Financing), Article 20 (Social and Environmental Responsibility); (2016[143]) Morocco-Nigeria BIT, Article 18 (Post-establishment obligations), Article 19 (Corporate Governance and Practices); (2024[154]) Egypt-Saudi Arabia BIT, Article 14 (Compliance with Legislation); (2023[97]) AfCFTA Investment Protocol, Article 33 (Business Ethics, Human Rights and Labour Standards), Article 34 (Environmental Protection), Article 35 (Indigenous Peoples and Local Communities), Article 37 (Anti-Corruption), Article 38 (Corporate Social Responsibility); (2017[95]) Revised Investment Agreement for the CCIA, Article 29 (Business Ethics and Human rights), Article 30 (Corporate Social Responsibility).

[37] (2016[143]) Morocco-Nigeria BIT, Article 18.

[38] (2016[143]) Morocco-Nigeria BIT, Article 19.

[39] (2024[154]) Egypt-Saudi Arabia BIT, Article 14 (Compliance with Legislation).

[40] (2024[154]) Egypt-Saudi Arabia BIT, Article 14 (Compliance with Legislation).

[41] According to section D of the Procedures part of the 2023 version of the MNE Guidelines, "[i]n furthering the effectiveness of the Guidelines, NCPs may, where appropriate and in co-ordination with relevant government agencies, support efforts by their government to develop, implement, and foster coherence of policies aimed at promoting RBC." The Commentary on the Procedures for NCPs specifies in its paragraph 55 that "the support provided by or requested from the NCP should take into account their capacities and priorities" (OECD, 2023[152]).

[42] The MNE Guidelines also underline, in the *Commentaries on the Implementation Procedures*, that "where appropriate, the NCP may inform relevant government agencies of the good faith engagement, or absence thereof, of the parties, and should communicate in a transparent manner with the parties about intended or actual steps in this regard" (OECD (2023[152]), para. 44).

[43] Compiled by the OECD Secretariat based on the answers by 52 NCPs to the 2025 NCP Annual Questionnaire.

[44] Compiled by the OECD Secretariat based on the answers by 52 NCPs to the 2025 NCP Annual Questionnaire.

[45] See Government of Canada (2022[128]), Specific Instance Procedures, para. 9.5: "If Canadian companies do not participate in the NCP process, or if the NCP determines that they do not engage in good faith or constructively in the course of or follow-up to the review process, the NCP can recommend the withdrawal

of all Trade Commissioner Service support and that Export Development Canada and the Canadian Commercial Corporation also withdraw future support."

[46] Responses of the Government of Jordan to the 2024 and 2025 NCP Annual Questionnaires.

Promoting Responsible Business Conduct through Trade and Investment in the Middle East, North Africa and Türkiye

This report provides a regional analysis of how governments in the Middle East, North Africa and Türkiye leverage trade and investment policies and agreements to promote responsible business conduct (RBC). It builds on a screening of around 500 trade and investment agreements, takes stock of relevant policies and practices in five countries, and examines the role National Contact Points for Responsible Business Conduct play in this regard. The report identifies key trends, challenges and opportunities and sets out policy considerations to enhance the uptake of RBC through trade and investment.

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