



## The investigative role of the Danish NCP



Public Procurement Principle: **Accountability**



Procurement Stage: **Tendering, Post-award**



Audience: **Policy makers, Procuring entity**

### Description

The mandate of the National Contact Point for Responsible Business Conduct (NCP) of Denmark includes the possibility to launch specific investigations related to responsible business conduct at the NCP's own initiative. In 2018, the NCP initiated an investigation of the Danish Ministry of Defence's procurement process after allegations of forced labour in relation to the procurement and construction of an inspection vessel. The investigation was focused on whether the Ministry had performed due diligence in accordance with the OECD Guidelines for Multinational Enterprises (MNE Guidelines) during their procurement process.

The enquiry concluded that the Ministry had not imposed requirements that respected human rights in connection with the monitoring of the contract. It also concluded that the Ministry did not systematically assess the potential for adverse impacts on human rights, labour rights and the environment nor the potential for corruption. On that basis, the NCP drafted a number of recommendations to the Ministry with a view to be utilised in future when procuring goods and services.

As part of the follow-up procedure, the Ministry provided a report to the NCP. The report showed a significant increase in focus on due diligence. The Ministry had made substantial efforts to strengthen their work on responsibility in order to comply with the MNE Guidelines. The initiatives included the incorporation of risk-based due diligence processes into procurement processes, including the establishment of standard procedures for managing actual or potential adverse impacts. It also set up a CSR Governance Board. The Ministry of Defence are now currently informing other public authorities about their work on due diligence and RBC, thereby securing focus on the topic. As a result, the visibility of the Danish NCP and, more importantly, focus on RBC for the public authorities has expanded.

Source: OECD (2020), [Integrating Responsible Business Conduct in Public Procurement](#), OECD Publishing, Paris

