



Written Comments to the OECD Draft Guidance on Responsible Business Conduct and Development Co-operation (Module 1)

10 July 2026

- *Business at OECD* (BIAC) welcomes the opportunity to comment on the first module of the draft OECD Guidance on Responsible Business Conduct and Development Co-operation.

We strongly support the objective of helping development co-operation actors promote responsible business conduct (RBC) in line with the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct. Development co-operation has an important role to play in strengthening enabling environments, building institutional capacities, supporting businesses and governments as well as fostering greater policy coherence across jurisdictions.

Overall, we believe this Guidance has significant potential. We nevertheless encourage the OECD Secretariat to further clarify its unique contribution within the broader OECD RBC framework, strengthen its practical orientation, and ensure that it consistently reflects the risk-based, proportionate and outcomes-oriented approach that underpins the OECD MNE Guidelines.

General Comments

- **Clarify the Guidance's value added:** *Business at OECD* welcomes the development of dedicated guidance on RBC and development co-operation. However, the document would benefit from more clearly explaining its specific contribution alongside existing OECD RBC instruments, particularly the OECD Due Diligence Guidance for Responsible Business Conduct and the sectoral due diligence guidances.

Several sections reiterate concepts already covered in existing OECD instruments without always making clear how development co-operation actors should translate these principles into concrete action. More explicit positioning within the OECD RBC architecture would strengthen the Guidance's relevance and avoid unnecessary duplication.

- **Strengthen the practical orientation of the Guidance:** The Guidance provides a comprehensive overview of possible interventions. However, many recommendations remain relatively broad and descriptive.

Business at OECD encourages the OECD Secretariat to further strengthen its operational value by:

- distinguishing between enabling activities (such as awareness raising) and interventions most likely to improve RBC outcomes;

- introducing clearer prioritisation or sequencing of recommended actions;
- incorporating additional implementation examples and case studies;
- providing examples of measurable indicators to assess effectiveness.

Greater emphasis on practical implementation would significantly enhance the usefulness of the Guidance.

- **Better reflect governments' enabling role:** The Guidance appropriately recognises the role of businesses in implementing risk-based due diligence. However, it should place greater emphasis on the equally important responsibility of governments and development actors to create enabling environments that allow businesses to conduct effective due diligence.

Development co-operation can strengthen governance, legal certainty, institutional capacity and stakeholder capabilities, which are all essential conditions for effective RBC implementation.

- **Preserve the OECD's risk-based approach:** *Business at OECD* welcomes the continued reliance on the OECD risk-based due diligence framework.

As implementation expectations continue to evolve globally, the Guidance should consistently reinforce key principles of the OECD framework, including:

- proportionality;
- prioritisation based on risk severity and likelihood;
- continuous improvement;
- leverage rather than control;
- due diligence as an obligation of means rather than a guarantee of outcomes.

These principles remain among the greatest strengths of the OECD approach.

- **Better recognize market dynamics and unintended consequences:** The Guidance would benefit from more explicitly acknowledging implementation challenges businesses may face.

Additional discussion could be devoted to:

- supplier disengagement ("cut-and-run");
- de-risking from higher-risk markets;
- cost shifting;
- SME participation;
- implementation costs;
- unintended market distortions.

Recognising these trade-offs would strengthen the Guidance while remaining fully consistent with the OECD Guidelines.

- **Broaden the scope beyond supply chains**: While the focus on supply chains is understandable, important RBC risks also arise across broader value chains and business relationships, including own operations, service provision, labour intermediation and client relationships.

Where appropriate, *Business at OECD* encourages the Secretariat to align terminology more closely with the OECD MNE Guidelines.

- **Differentiate more clearly between audiences**: The Guidance currently addresses development agencies, governments, businesses and other stakeholders simultaneously.

Its practical value would be enhanced through clearer differentiation of:

- recommendations for development agencies;
- recommendations for governments;
- recommendations for businesses;
- recommendations for other stakeholders.

Specific Comments

- **Section 1.1. (pp. 5-8)**: *Business at OECD* welcomes the emphasis on promoting internationally recognised RBC standards.

We encourage the Secretariat to better explain how this Guidance complements existing OECD due diligence instruments and what additional value it provides specifically for development co-operation actors.

Throughout this section, references to "supply chains" could, where appropriate, be broadened to "value chains" or "business relationships" to better reflect the spirit of the OECD MNE Guidelines.

- **Section 1.2. (pp.9-13)**: We strongly welcome the emphasis on capacity-building across the different actors involved in due diligence.

The Guidance would benefit from more clearly distinguishing the respective responsibilities of businesses, governments, development agencies and other stakeholders.

This section could also better recognise that businesses' leverage varies significantly depending on their position within value chains and commercial relationships.

PARA 14: Development funding and assistance should also support tailored training for local public/private actors: education, curriculum development of labor inspectors, RBC course in local business schools, anti-corruption certification for business accreditation, ... Focusing only on training from a pure business perspective will not move the needle.

BOX 2.1.: fix language in "training through OUR Supervisory Skills".

PARA 17: the scope of this paragraph shall also include business associations and industry associations (like BUSINESSAfrica for instance). Not only Chambers of commerce. The title of this paragraph shall be updated accordingly.

PARA 18-20: a fundamental point is missing in that subsection on governments, i.e. the possibility to condition development assistance investment funds to the respect of RBC standards by the target country (e.g.: investments require certain reforms around rule of law, corruption or public procurement transparency). These investments during development assistance can have provisions to provide support for supply chain transparency, data collection or accountability in the target developing countries.

- **Section 1.3. (pp.14-15):** *Business at OECD* welcomes the strong focus on enabling environments.

We encourage greater emphasis on policy coherence across governments and donors.

Development co-operation should contribute to reducing fragmentation and promoting alignment around internationally recognised OECD standards.

The Guidance could also recognise that governments remain primarily responsible for creating the institutional conditions that enable effective RBC implementation.

- **Section 1.4. (pp.16-20):** *Business at OECD* strongly supports the development of practical implementation tools.

Future OECD work should prioritise concise, operational and business-oriented guidance.

Wherever possible, implementation tools should be co-developed with business practitioners and other stakeholders to ensure they respond to real implementation challenges.

PARA 39: harmonize font at "piloting of a tool".

PARA 42: this paragraph needs to add some developments on the adequacy of these reporting frameworks for SMEs.

- **Section 1.5. (pp.20-21):** We welcome the recognition that incentives complement regulatory approaches.

This section could further discuss implementation trade-offs, including supplier disengagement, de-risking, SME participation and investment incentives.

Recognising these realities would strengthen the Guidance's practical relevance.

- **Section 2. (pp.22-25):** *Business at OECD* welcomes the objective of integrating RBC throughout development programmes.

We encourage stronger recognition of businesses as implementation partners rather than solely beneficiaries (e.g. in PARA 53, there should be a mention of the need to partner with the private sector to identify sectors and industries that are critical to global supply chains and where needs are the most important).

Additional references to public-private partnerships and local business organisations would also strengthen this section.

- **Section 3.1. (pp.25-27):** *Business at OECD* strongly supports improving programme effectiveness.

The Guidance would benefit from introducing a clearer theory of change linking interventions to expected outcomes.

Greater emphasis should be placed on measuring outcomes and impacts rather than activities or outputs.