

NATIONAL CONTACT POINT REPORTING QUESTIONNAIRE (2016)

A. CONTACT INFORMATION	
<i>Please provide the contact information of the person filling in the questionnaire.</i>	
Name:	Nancy Bojanich
Job title:	Investment Specialist
Email:	nbojanich@proinversion.gob.pe
Telephone number:	(511) 2001200 ext 1330

B. INSTITUTIONAL ARRANGEMENTS	
(a) Location of the NCP	
1. Is the NCP located in a Ministry?	No
If yes, in which Ministry is the NCP located?	Click here to enter text.
If yes, in which department of the Ministry?	Click here to enter text.
2. Is the NCP located in an investment promotion agency?	Yes
3. Is the NCP an independent NCP?	No
4. Has the NCP been established through a legal, regulatory or administrative instrument (e.g. a decree)?	Yes
If yes, please provide the name and date of this instrument	PROINVERSION'S Steering Council Agreement N° 294-01-2009 dated July 1st 2009
<p><i>Additional comments on Location of the NCP:</i> The Peru's NCP is located in PROINVERSION, the Peruvian Investment Promotion Agency. The organization structure of PROINVERSIÓN, through its Steering Council, helps the interaction with other government agencies. Ministers that form part of the Steering Council are: Minister of Economy and Finance, Minister of Agriculture, Minister of Energy and Mining, Minister of Housing, and Minister of Transportation and Telecommunication.</p>	
(b) Composition of the NCP	
5. Who are the members of the NCP? <i>Please describe the functions of the members of the NCP (e.g. President, Secretariat, Independent expert, etc.). No names are required.</i>	The Steering Council of PROINVERSIÓN has the highest level of decision of the NCP. The Executive Director is in charge of the NCP Technical Secretariat through PROINVERSION's Investors Servicing División- DSI. The Head of the DSI, mainly supervise the activities carried out, considering the authorized budget provided for the NCP activities. The investment specialist is in charge of carrying out the activities in order to disseminate and promote the OECD Guidelines, working in coordination with various public and private sector agencies as well as with civil society organizations. Likewise, this specialist coordinate with several NCPs and participate in the OECD working party on Responsible Business Conduct. The legal specialist is in charge of carrying out activities related to the attention to specific

	instances related to the implementation of the OECD Guidelines.	
6. Does the NCP have dedicated full-time staff? <i>If yes, please indicate the number.</i>	No	Click here to enter text.
7. Does the NCP have dedicated part-time staff? <i>If yes, please indicate the number.</i>	Yes	2
8. Have any full-time or part-time staff members joined the NCP during the year? <i>If yes, please indicate how many.</i>	No	Click here to enter text.
9. Have any full-time or part-time staff members left the NCP during the year? <i>If yes, please indicate how many.</i>	No	Click here to enter text.
10. Are other Ministries part of the institutional arrangements of the NCP? <i>(e.g. represented on advisory or oversight bodies, participate in specific instances, etc.)</i>	No	
If yes, please list the Ministries (e.g. Social Affairs, Labour, Trade, Environment, Foreign Affairs, Justice, Finance, etc.)	Click here to enter text.	
11. Are social partners and other stakeholders (trade unions, business community, civil society and other non-governmental organisations) part of the institutional arrangements of the NCP? <i>(e.g. represented on advisory or oversight bodies, represented on the NCP, take part in specific instances)</i>		
NGOs	No	
Representatives of the business community	No	
Trade unions	No	
12. Does the NCP have an advisory body?	No	
If yes, please describe its functions	Click here to enter text.	
If yes, please list the names of organisations that are represented on the advisory body and the type of organisation, or provide a link to the list on the NCP website. <i>(e.g. government, NGO, trade union, business, business organisation, academic, consumer organisation, etc.)</i>	Click here to enter text.	
If yes, please indicate how often the NCP meets with the advisory body	Choose an item.	
13. Does the NCP have an oversight body?	No	
If yes, please describe its functions	Click here to enter text.	
If yes, please list the names of organisations that are represented on the oversight body and the type of organisation, or please provide a link to the list on the NCP website. <i>(e.g. government, NGO, trade union, business, business organisation, academic, consumer organisation, etc.)</i>	Click here to enter text.	
If yes, please indicate how often the oversight body meets	Choose an item.	
14. Does the NCP have a body for both advice and oversight?	No	
If yes, please describe its functions	Click here to enter text.	

<p>If yes, please list the names of organisations that are represented on the oversight body and the type of organisation, or provide a link to the list on the NCP website. (e.g. government, NGO, trade union, business, business organisation, academic, consumer organisation, etc.)</p>	<p>Click here to enter text.</p>
<p>If yes, please indicate how often this body meets</p>	<p>Choose an item.</p>
<p><i>Additional comments on Composition of the NCP:</i> The organization structure of PROINVERSIÓN, through its Steering Council, helps the interaction with other government agencies in order to promote the Guidelines. Ministers that form part of the Steering Council are: Minister of Economy and Finance, Minister of Agriculture, Minister of Energy and Mining, Minister of Housing, and Minister of Transportation and Telecommunication. Moreover, there is a permanent interaction with the Ministry of Labor the Ministry of Foreign Affairs and other public and private agencies.</p>	
<p>(c) Financial resources</p>	
<p>15. Did the NCP have a dedicated budget this year?</p>	<p>Yes</p>
<p>16. Did the NCP have a dedicated budget to conduct its promotional activities during the year?</p>	<p>Yes</p>
<p>If no, were financial resources for promotional activities allocated on an ad hoc basis when requested by the NCP?</p>	<p>Choose an item.</p>
<p>17. Did the NCP have a dedicated budget to conduct its activities related to specific instances during the year?</p>	<p>Yes</p>
<p>If no, were financial resources for specific instances allocated on an ad hoc basis when requested by the NCP?</p>	<p>Choose an item.</p>
<p>18. During the year, was the NCP able to access funds for the following activities:</p>	
<p>Organising promotional events</p>	<p>Yes</p>
<p>Attending NCP meetings at the OECD</p>	<p>Yes</p>
<p>Attending events organised by other NCPs</p>	<p>Yes</p>
<p>Attending events organised by other stakeholders</p>	<p>Yes</p>
<p>Professional mediator fees or in-house mediator fees</p>	<p>No</p>
<p>Fact-finding research into specific instances</p>	<p>No</p>
<p><i>Additional comments on Financial resources:</i> The Budget dedicated to NCP activities is part of the proinversion's investors service división budget.</p>	
<p>(d) Reporting</p>	

19. Does the NCP report to the government on its activities?	Yes
If yes, how often?	More than three times a year
20. Does the NCP report to parliament on its activities?	No
If yes, how often?	Choose an item.
<p><i>Additional comments on Reporting:</i> The NCP activities are reported to the Ministry of Economy and Finance, as part of reporting the institutional activities and operative annual Plan.</p>	

C. INFORMATION AND PROMOTION	
(a) NCP website²	
21. Was a new NCP website created this year? If yes, please provide the link.	No
22. Are the following items available on the NCP website:	
Information about the Guidelines and the role of the NCP	
The text of the Guidelines	Yes
A description of the Guidelines	No
Information on the NCP and its mandate	Yes
The 2015 NCP Annual Report submitted to the OECD	Yes
The NCP's own 2015 Annual Report	No
Information about specific instances	
Information on how to submit a specific instance	Yes
The NCP's rules of procedures	Yes
All final statements since 2011	No
Information on promotional activities	
Information on upcoming events promoting the Guidelines	No
Information on past events promoting the Guidelines	Yes
Contact information	
Information on how to make an enquiry to the NCP	Yes
A phone number to reach the NCP directly	Yes
An email address to reach the NCP directly	Yes
<p><i>Additional comments on NCP website:</i> The web site of PROINVERSION provides information about OECD guidelines, NCP activities and regarding the participation of Peru in the Investment Committee, both in Spanish and English languages : http://www.investinperu.pe/modulos/JER/PlantillaStandard.aspx?are=0&prf=0&jer=8006&sec=1</p>	
(b) Promotional activities³	

² This includes dedicated NCP webpages as part of the Ministry's website.

³ Attendance of NCP meetings held at the OECD and other OECD events such as the Global Forum on Responsible Business Conduct are not considered to be promotional activities.

23. Did the NCP organise or co-organise events to promote the Guidelines and/or the NCP during the year? <i>If yes, please provide details in table 1 in Annex 1.</i>	Yes
24. Did the NCP make a presentation to promote the Guidelines and/or the NCP in events organised by others? <i>If yes, please provide details in table 2 in Annex 1.</i>	Yes
25. Did the NCP make use of social media to communicate on NCP promotional activities during the year?	No
26. Did the NCP hold a stakeholder meeting during the year?	No
27. Did the NCP promote the Guidelines among the business community during the year?	Yes
28. Did the NCP carry out any training on the Guidelines aimed at businesses during the year?	Yes
29. Did the NCP promote the Guidelines among NGOs during the year?	No
30. Did the NCP promote the Guidelines among trade unions during the year?	No
31. Did the NCP promote the Guidelines among government agencies during the year?	Yes
32. Did the NCP promote the Guidelines among embassies abroad during the year?	No
33. Did the NCP promote the Guidelines to investment promotion agencies during the year?	No
34. Did the NCP refer to the following sector guidance reports in promotional activities during the year:	
OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas	Yes
OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector	Yes
OECD-FAO Guidance for Responsible Agricultural Supply Chains	No
<p><i>Additional comments on the section Promotional activities:</i></p> <p>As part of Proinversion's investment guidance services, Peru's adherence to the OECD Declaration and OECD Guidelines is being informed to foreign investors willing to explore the possibility of doing business in Peru.</p> <p>Besides, the NCP has developed and published a brochure titled : Peru strengthening an investment climate that promotes growth and guidelines of the OECD for multinational Enterprises. This brochure has been delivered to participants of several meetings and activities of investment promotion in 2016 year.</p>	

D. SPECIFIC INSTANCES	
(a) NCP rules of procedure for handling specific instances	
35. Does the NCP have rules of procedure describing the handling of specific instances?	Yes

36. Are the rules of procedure available online? <i>If yes, please provide link. If no, please attach a copy of the rules of procedure to this questionnaire</i>	Yes	Click here to enter text.
37. Were the NCP's rules of procedure modified this year?	No	
<i>Additional comments on the section Rules of procedure:</i> Click here to enter text.		
(b) Specific instance practicalities		
38. Does the NCP confirm receipt of a specific instance submission?	Yes	
39. Who has the final sign-off on accepting a specific instance? <i>Please provide the function of the relevant staff within the NCP. No names are required.</i>	the accepting of specific instance is coordinated by the legal specialist of the NCP and is signed by the head of investors servicing - DSI of PROINVERSION, who also is in charge of supervise the activities carried out, considering the authorized budget provided for the NCP activities.	
40. Who has the final sign-off on final statements? <i>Please provide the function of the relevant staff within the NCP. No names are required.</i>	the draft of the final statement is prepared by the NCP legal specialist, the last version is prepared with the comments of the head of DSI, the investment specialist and the feed back involved parties of te specific instances. The final statement will be signed by the head of investors servicing of PROINVERSION.	
41. Does the NCP request feedback from the parties on the procedure following the conclusion of a specific instance?	Yes	
42. Has the NCP staff undergone training in dispute resolution or problem-solving (e.g. mediation)?	No	
43. Did the NCP engage professional mediators during the year?	No	
<i>Additional comments on the section Specific instance practicalities:</i> Click here to enter text.		
(c) Reporting specific instances		
44. Did the NCP receive new specific instance submissions during the year? <i>If yes, please also provide details in Annex 2</i>	No	
45. Of the specific instances that were already in progress at the start of the year, are there any that are still ongoing at the end of the calendar year? <i>If yes, please also provide details in Annex 2</i>	No	

*Additional comments on the section **Reporting specific instances**:*
Click here to enter text.

E. PEER LEARNING	
46. Did the NCP take part in the following activities with other NCPs during the year:	
NCP-hosted peer learning activities	No
Co-operation with other NCPs in handling specific instances	No
Mentoring/capacity building of another NCP	No
47. Is the NCP interested in hosting an NCP learning/experience-sharing event in 2017?	No
48. Which topic would the NCP consider to be a priority to cover in a peer learning event?	workshops regarding the guidelines in due diligence in mining and extractive sectors in order to enhance the NCP knowledge with respect to these issues.
49. Is the NCP interested in participating in developing tools for use by NCPs?	Yes
<p><i>Additional comments on the section Peer-learning activities:</i> Click here to enter text.</p>	

F. POLICY COHERENCE⁴	
50. Have the Guidelines been referred to in relevant national legislation adopted during the year? (e.g. on responsible business conduct; non-financial reporting, export credits regulation, public procurement)	No
If yes, please provide a link to the legislation. If a link is not available, please attach a copy of the legislation to this questionnaire.	Click here to enter text.
51. Did the NCP communicate public statements on specific instances to public procurement officials?	No
52. Did the NCP communicate public statements on specific instances to officials responsible for trade missions?	No
53. Did the NCP communicate public statements on specific instances to officials responsible for foreign trade and investment incentives?	No

⁴ Paragraph 37 of the Commentary on the Implementation Procedures of the OECD Guidelines for Multinational Enterprises: "Statements and reports on the results of the proceedings made publicly available by the NCPs could be relevant to the administration of government programmes and policies. In order to foster policy coherence, NCPs are encouraged to inform these government agencies of their statements and reports when they are known by the NCP to be relevant to a specific agency's policies and programmes [...]."

54. Did your country adopt a National Action Plan (NAP) this year? <i>If yes, please indicate which type of NAP</i>	No	Choose an item.
If yes, does the NAP make reference to the Guidelines?	Choose an item.	
If yes, does the NAP make reference to the NCP?	Choose an item.	
55. Was a NAP in development this year? <i>If yes, please indicate which NAP.</i>	No	Choose an item.
If yes, did the NCP participate in the development of the National Action Plan?	Choose an item.	
56. Please indicate any other examples of policy coherence activities:	Peru has the policy to negotiate articles of Corporate Social Responsibility in its international investment treaties. Specifically, in the Investment Chapter of the Commercial Agreement negotiated with the countries members of the Pacific Alliance, we have included in the article of Social Responsibility Policy, a direct reference to the Guidelines.	
<p>Additional comments on Policy Coherence: In november 2016, the European Union delegation in Peru has invited the Peru's NCP to participate in the E.U. Project: Promoting Corporate Social Responsibility and Responsible Business Conduct in Latin American and Caribbean Countries - Pilot Phase. The objective of this project is to evaluate the possibility of developing National Plans in Business and Human Rights and Corporate Responsibility that contribute to responsible business conduct in this way by improving the competitiveness of companies in five countries in the region: Mexico, Costa Rica, Panama, Brazil and Peru.</p>		

G. IMPACT AND FUTURE WORK		
57. Does the NCP have a promotional plan for the coming year (2017)?	No	
58. Is the NCP interested in being a <u>reviewer</u> in a peer review planned in 2017 or 2018?	No	
59. Is the NCP interested in being an <u>observer</u> of a peer review planned in 2017 or 2018?	Yes	
60. Has the NCP faced any particular challenge(s) it would like to highlight this year?	During the 2017 year, the NCP is planning to promote the OECD guidelines with private sector, NGOs and the civil society.	
<p>Additional comments on the section Impact and future work: Click here to enter text.</p>		

Annex 1: NCP PROMOTIONAL ACTIVITIES

Please provide information on the events organised or co-organised by the NCP (Table 1), and events in which the NCP has participated to promote the Guidelines (Table 2).
Please select the event type, size and type of audience as well as the theme from the dropdown menus for each event.
Please add additional lines if needed.

Table 1

NCP-organised and co-organised events to promote the Guidelines and/or the NCP							
Title	Date (dd/mm/yyyy)	Location	Type of event	Size of audience	Organised or co-organised?	Targeted audience	Theme
Promoting Good Practices in Business Responsibility in Mining.	19- 20/ 09/ 16	Lima- Peru	Conference	50-100	Organised	e.g. Business representatives, NGOs, Trade unions, Academia, General public, Government representatives, etc.	e.g. the OECD Guidelines, the NCP activities on sector due diligence guidance documents, etc.
Workshop. Stakeholder engagement and due diligence in extractive sectors	20/09/ 16	Lima- Peru	Conference	10-50	Co-organised	Business representatives, Government representatives, academia, NGOs, Embassies, Bilateral Chambers of Commerce, representatives from NCPs from Chile and Mexico.	The OECD Guidelines, OECD Guidance to Mining sector, OECD PFI
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.

Total number= 2

Table 2

Presentations by the NCP to promote the Guidelines and/or the NCP in events organised by others

Title	Date (dd/mm/yyyy)	Location	Type of event	Size of audience	Targeted audience <i>e.g. Business representatives, NGOs, Trade unions, Academia, General public, Government representatives, etc</i>	Organiser(s)	Type of intervention	Theme of the intervention
Workshop "Towards the OECD: Promoting Responsible Business Conduct in Peru "	29/11/16	Lima, Peru	Meeting	50-100	Business representatives, Government representatives, academia, NGOs , Embassies, Bilateral Chambers of Commerce, representative from Mexico's NCP	Delegation of the European Union in Peru	A presentation was made on the experience and activities of the Peruvian NCP	The OECD guidelines and Responsible Business Conduct.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.

Total number= 1

Annex 2: SPECIFIC INSTANCES

Please provide details of the following in the table below:

1. Specific instances in **progress** during the year (specific instances received and found to merit further examination after the initial assessment, and under consideration by the NCP).
2. Specific instances **concluded** during the year (specific instances that the NCP found to merit further examination after the initial assessment and that have subsequently been closed).
3. Specific instances **not accepted** during the year (specific instances that the NCP found not to merit further examination).

Please add additional lines if needed.

We encourage all NCPs to inform the Secretariat on received specific instances and to provide a final statement as soon as it becomes available, in order to keep the OECD database updated at all times. For all specific instances that have not yet been reported to the Secretariat, please complete and send this [form](mailto:Alison.holm@oecd.org) to Alison.holm@oecd.org and Kathryn.dovey@oecd.org⁵.

For all specific instances that are currently IN PROGRESS:

Names of parties	Date received (dd/mm/yyyy)	Is the initial assessment publicly available?	Link to OECD database if available	Did the NCP co-operate with other NCPs during the handling of this specific instance? If yes, please describe.
Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.	Click here to enter text.

Total number= Click here to enter text.

⁵ According to paragraph 42 of the Commentary on the Implementation Procedures of the OECD Guidelines for Multinational Enterprises, "[...] NCPs will report to the Investment Committee in order to include in the Annual Report on the OECD Guidelines information on all specific instances that have been initiated by parties, including those that are in the process of an initial assessment, those for which offers of good offices have been extended and discussions are in progress, and those in which the NCP has decided not to extend an offer of good offices after an initial assessment".

For all specific instances that were CONCLUDED during the year:						
Title	Date received (dd/mm/yyyy)	Date concluded (dd/mm/yyyy)	Link to OECD database if available	Outcomes achieved	Follow-up by the NCP	Did the NCP co-operate with other NCPs during the handling of this specific instance? If yes, please describe.
Glencore/Perubar S.A. and Central Única de Trabajadores del Perú (CUT)	21/4/2009	16/5/2016	http://mneguidelines.oecd.org/database/instances/pe0004.htm	Choose an item.	N/A - no outcomes achieved	Due to the relationship between the Glencore-Perubar specific instance and the company Glencore of Switzerland, the NCP of Switzerland was interested in being informed of the progress of this instance, Peru's NCP informed the Swiss NCP about the progress and final statement.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Click here to enter text.

Total number= 1

For all specific instances that were NOT ACCEPTED during the year:

Title	Date received (dd/mm/yyyy)	Link to OECD database if available	Reasons for not accepting the specific instance	Did the NCP co-operate with other NCPs during the handling of this specific instance? If yes, please describe.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.

Total number= Click here to enter text.

END OF QUESTIONNAIRE