



CONTENTS

1 OECD watch News

- 1 5 Years On
- 2 Dutch, British and Canadian MPs Debate Guidelines
- 3 OECD watch Briefing Paper: Transparency, and the Confidentiality Principle
- 4 Recent Developments in Cases
- 4 Norwegian NCP Criticises Human Rights Failures by Guantánamo Bay Company
- 5 Anvil Mining and the Kilwa Incident, Democratic Republic of the Congo
- 5 In Situ Visits – trial and error
- 6 Confusion over BTC Cases
- 6 Requests for Clarification Rejected
- 6 NCP holds separate meetings in Bayer case
- 7 NCP transparency in Australian GSL case
- 7 Little change in Brazil hydroelectric dam case
- 7 Belgian NCP Statement on the Forrest Group - Brussels 20 November 2005

8 Current case statistics

8 Quarterly Case Update

9 OECD Consultations

- 9 Trade Committee Considers Dutch Government Proposal

9 International Investment Agenda

11 OECD watch Workshops

- 11 Capacity Building in Ghana
- 11 Supply Chain Workshop – Berlin, December 2005
- 12 Companies in Conflict Zones – Paris, September 2005
- 12 Activities in the Americas

13 News from the OECD

- 13 OECD Appoints a New Secretary General

13 Arrivals and Departures

13 New OECD watch Members

- 13 Research Group for an Alternative Economic Strategy (GRESEA), Belgium
- 13 African Association for the defence of Human Rights (ASADHO/Katanga), DR Congo
- 14 Defensa y conservación ecológica de Intag (DECOIN), Ecuador
- 14 FinnWatch, Finland
- 14 Yokohama Action Research Center (YARC), Japan
- 14 Forum for Environment and Development (ForUM), Norway
- 14 The Social Support Foundation (SSF), Ghana

16 Calendar of Events

OECD watch News

5 Years On

Optimism blossomed at the OECD's cramped headquarters in Paris after the 2000 revision of the *Guidelines*, which had seen an unprecedented level of NGO participation. "If the MNE Guidelines succeed in winning the confidence of business, trade unions and NGOs, they could become one of the most important global initiatives for global corporate responsibility there is, bolstering such instruments as the UN Global Compact. The OECD, as home to most of the world's multinationals, can and must win that confidence."¹

But, NGO experience over the past five years has dampened this enthusiasm. In its report *Five Years On*, OECD watch noted that, despite the increasing visibility of the Guidelines, outcomes in the overwhelming majority of cases had been disappointing.² The nuanced report de-

tailed some positive impacts, but the NGOs criticised the lack of transparency and inconsistency in the way that the Guidelines are interpreted and applied by NCPs (the government officials who have the responsibility for interpreting the guidelines and overseeing complaints).

In a city that has witnessed centuries of barricades, street protests and tumbrels, a rumour spread that the NGOs were planning to storm the OECD's 16th *arrondissement* citadel. In a mood of crisis management, the NCPs from their basement meeting room scrambled to send the world a message to counter OECD watch's claims. But the best they could do was proffer the limp reassurance that governments were committed to making the Guidelines 'an even more useful tool for promoting corporate social responsibility among multinational enterprises'.³ OECD

watch wants governments “to introduce more stringent measures to curb corporate malpractice, particularly in developing countries”.

Privately, many NCPs feel that the Guidelines have given home governments a basis on which to challenge alleged corporate misconduct in developing countries. They argue that confidential and often informal exchanges are building greater awareness of the problems and pitfalls associated with globalisation among companies that care about their reputation. As a result, attitudes and practices are changing. NGOs, they add, have a misplaced belief in the effectiveness of binding regulation. The NCPs don't take issue with OECD watch's analysis, just its conclusions.

But where do the multinationals stand in this debate?

Over the past five years, remarkably few efforts have been made by the leading business bodies to disseminate the Guidelines to their members. MEDEF, the French business and industry association, is an exception. The Institute of Employers and the International Chamber of Commerce have begun to voice allegiance to the OECD Guidelines, less out of conviction than as a tool to fend off the UN Human Rights Norms for Business. Yet many individual companies are engaging in the Guidelines' procedures. They find the fragmentation and proliferation of codes and certification systems bewildering. In the USA there are 12 government agencies with over 50 federal programmes promoting corporate social responsibility activities. Leading extractive companies would welcome greater clarity from the OECD about acceptable conduct in conflict zones. After years of indifference, there are signs that the Business and Industry Advisory Committee (BIAC) may be re-engaging. BIAC has just announced a new, but not yet unveiled, 'positive agenda' towards the Guidelines and is backing the Investment Committee's work on weak governance zones.

OECD watch has sent governments a clear message that NGOs are frustrated by the perceived weakening of the Guidelines and NCPs' attempts to bypass the procedures. Reaching a shared view of the ethical dimension of global business can't be achieved through a closed-door process restricted to companies and government officials. To state that the *Guidelines* are not enough is hardly controversial. Governments taking positive action to make the Guidelines effective... now that really would be news.

Dutch, British and Canadian MPs Debate Guidelines

OECD watch's report and dismay about the mishandling by NCPs of numerous cases has encouraged members of the Dutch, British and Canadian parliaments (MPs) to challenge the way the Guidelines are being implemented. In

the Netherlands and the United Kingdom major reviews of the procedures are underway.

The Netherlands

During a general consultation on corporate social responsibility (CSR) last autumn, MP Corien Jonker from the ruling Christian Democrats (CDA) put down several questions about the Dutch Government's attitude to the Guidelines. In reply, Minister van Gennip (the Dutch Minister for Foreign Trade) confirmed that she was aware of OECD watch's report and acknowledged that the government is responsible for promoting the Guidelines. On the vexed issue about the scope of the Guidelines, the Minister referred to the Dutch Government's request to the OECD Trade Committee to conduct a study on CSR in trade and production chains. The Minister pronounced herself in favour of a peer-learning mechanism to improve the performance of EU NCPs. In a consultation on the Economic Ministry's 2006 budget, members of the opposition Green Left (GroenLinks) asked what the government was doing to make the Guidelines more binding. Minister van Gennip said she was opposed to making CSR instruments mandatory. In November 2005, two Dutch MPs, Ms. Corien Jonker (CDA) and Mr. Kris Douma (Labour Party -PvdA), attended a public debate on CSR and the tea industry organised by SOMO in Amsterdam. Mr. Douma called for the scope of the Guidelines to be broadened and for them to be made binding.

In September 2005, the Dutch Ministry of Economic Affairs began an evaluation of the work of the Dutch NCP and to assess the appropriateness of the present institutional arrangements. The evaluation was also prompted by the diminishing interest in the Guidelines. For the past 18 months, following the controversial decision about the *Chemie Pharmacie Holland* case, no new NGO complaints have been filed with the Dutch NCP. In the context of the evaluation, consultations have taken place with representatives of the different Ministries that are part of the NCP, as well as with business and union representatives and NGOs.

NGOs expressed their concern about the application of “the investment nexus” and the inability (or unwillingness) of the NCP to deal with trade cases. They discussed the lack of timeliness and transparency of the specific instance procedure, and how this made them question the NCP's impartiality. Even though a number of Ministries are officially part of the NCP, the secretariat is clearly led by the Ministry of Economic Affairs, whose primary task is to promote Dutch business interests. This has contributed to the lack of faith in the NCP's impartiality. The NGOs made a number of proposals for restoring confidence: these included establishing an ombudsman or independent commission, with investigative powers, to handle specific in-

stances. The reformed NCP could submit its advice to the Dutch Minister for Foreign Trade, who would ultimately be responsible for the outcome of a case. Other suggestions included transforming the NCP into a quadripartite body (with representatives from business, NGOs and trade unions). Other Ministries, such as the Ministry for Development Cooperation, Social Affairs and Environment should play a much more important role in the work of the NCP. Different Ministries could take the lead in different cases, depending on the characteristics of the case.

Options for improving the NCP will be the subject of further discussion. In April 2006, the Minister for Foreign Trade is expected to present the results of the evaluation.

United Kingdom

In October 2005, the British Government announced a consultation with stakeholders about 'possible improvements' to the UK NCP's promotion and implementation of the Guidelines. This decision was a result of a damning report in February 2005 by the All Party Parliamentary Group on the Great Lakes' Region (APPG) of the UK NCP's handling of RAID's complaints related to the UN Panel of Experts report on the Illegal Exploitation of the Natural Resources and Other forms of Wealth of the Democratic Republic of the Congo. RAID and The Corner House, who have filed most cases, jointly submitted a response.⁴ A striking feature of the UK consultation document is the narrowness of its scope. The Government is only asking questions on "issues on which it does not yet have a firm view". The consultation document sets out actions that the Government already proposes to take, some of which - such as involving other government departments more formally in the work of the NCP - are welcome. But apart from proposals for minor modifications, the document avoids any discussion about procedures. The NGOs' response pinpoints problem areas including *ad hoc* decision-making, the absence of provisions on disclosure, inconsistencies and bias in the interpretation and application of the Guidelines.

The consultation document also contains a number of assertions that the NGOs disagree with. For example, there is a statement that the UK NCP would forbear from handling a complaint where there are parallel criminal, civil or administrative proceedings. The NGOs object to a blanket rule that parallel proceedings should preclude the consideration of a complaint. But they acknowledge that the NCP should take instruction so as not to prejudice criminal proceedings. The NGOs recommend that the UK NCP office should be restructured and given the status of an independent ombudsman. Failing that, as an interim measure, the Department of Trade and Industry could, after appropriate training, continue to have a mediation role. If mediation was unsuccessful, the unresolved com-

plaint would then be referred to an inter-ministerial panel, chaired by a legally qualified person. According to the NGOs, if, in a reversal of its original position, the British Government insists that the UK NCP is not required to declare a breach then there is little to be gained from engaging with the Guidelines.

On 10 January 2006, the *Financial Times* covered the release by Amnesty International UK, Christian Aid and Friends of the Earth of a report, *Flagship or Failure?* (based on British NGO experience of filing complaints).⁵ The report criticizes the government for lacking the political will to enforce the Guidelines.

The UK Parliament's International Development Committee, which is to hold hearings devoted to Private Sector Development, has specifically asked for a submission on the work of the UK NCP. And the APPG has set up a multi-stakeholder working group specifically to assist the government in assessing the outcome of the consultation and agreeing new procedures.

Canada

The call by members of Canada's parliament for legally binding measures to govern the behaviour of Canadian mining companies around the world, and specifically to investigate the activities of TVI, a mining company operating in the Philippines,⁶ was rejected by the Minister of Foreign Affairs.⁷ The Ministry said that Canada prefers to maintain its adherence to voluntary codes such as the OECD Guidelines. In its response the Canadian Government stated that it was contemplating joining the voluntary principles on human rights and security. It claimed that the Canadian Government has "few mechanisms at its disposal with which to influence companies that are headquartered abroad and managed by non-residents but incorporated in Canada or listed on a Canadian stock exchange". Over the course of the year the Canadian Government will organize five roundtables across Canada to examine the issues raised in parliament's report; it has also committed itself to supporting financially and politically the work of the UN Secretary-General's Special Representative on the issue of human rights and transnational corporations and other business enterprises.

● OECD watch Briefing Paper: Transparency, and the Confidentiality Principle⁸

Since the first NGO complaint was submitted in 2001, the issues of confidentiality and transparency during the specific instance process have figured prominently in discussions and debates on how to promote effective implementation of the *Guidelines for Multinational Enterprises*. Often referred to as the Guidelines' 'confidentiality prin-

principle', the Procedural Guidance instructs all parties to a complaint to not reveal information learned or documentation received after a case has been accepted by the NCP, except if the parties agree the information can be made public. In what could also be coined the 'transparency principle', the Procedural Guidance also states NCPs should make public the results of complaints "unless preserving confidentiality would be in the best interests of effective implementation of the Guidelines".

However, in practice, many NCPs have typically placed greater emphasis on maintaining confidentiality in all aspects of the specific instance process, and in doing so, have sacrificed transparency with complainants. For example, very few NCPs issue statements when a case is concluded. There are also troubling signs that the Investment Committee could extend the scope of the confidentiality principle, yet there is very little evidence to suggest NCPs are striving for greater transparency when handling complaints.

A new paper by OECD watch explains the Guidelines' confidentiality principle, including what it is, when it is applicable, and when an interpretation of the principle is inconsistent with the Guidelines' Procedural Guidance. It also explains NCPs' obligations with respect to transparency and describes how the absence of administrative procedures for handling specific instances, including reporting the results of cases, continues to be the greatest obstacle in achieving functional equivalence. This paper also examines the key debates concerning confidentiality and transparency during the specific instance process and concludes with a number of recommendations to improve transparency.

Recent Developments in Cases

● Norwegian NCP Criticises Human Rights Failures by Guantánamo Bay Company

On 29 November 2005, the Norwegian National Contact Point (NCP) issued a final statement about Aker Kværner activities at Guantánamo Bay, Cuba. The Forum for Environment and Development, ForUM (a Norwegian network of more than 50 voluntary organisations working on environment and development) had filed a complaint five months earlier.

Aker Kværner ASA has, since 1991, through its 100%-owned subsidiary, Kværner Process Services Inc. (KPSI), been working for the American Department of Defence at Guantánamo Bay, Cuba. In 2001, the company was contracted to build and maintain facilities for the detention of combatants, many of whom had been captured during the war in Afghanistan. The prison facilities at Guantánamo Bay have been declared to be in violation of fundamental human rights by a number of international organizations, including the International Committee of the Red Cross, Human Rights Watch and Amnesty International.

In its complaint, ForUM alleged that Aker Kværner, through its subsidiary KPSI, had breached the OECD Guidelines Chapter 2, paragraph 2, which states that companies must "Respect the human rights of those affected by their activities consistent with the host government's international obligations and commitments." By contributing to a prison system that abuses international law and core human rights, ForUM argued that the activities of Aker Kværner ASA and KPSI had a damaging effect on the prisoners and was failing to respect their human rights.

ForUM's complaint was accepted, and the NCP held two meetings with both ForUM and Aker Kværner present. In the final statement, the NCP upheld the complainants' allegations. The NCP statement refers to the poor human rights record of the Guantánamo Bay detention facilities and finds that "the activities that the company has carried out can be said, at least partly, to have affected the prison inmates." The NCP criticised Aker Kværner for failing to disclose information during the confidential procedures, observing that it would have been possible to do so "without compromising customer confidentiality." Finally the NCP noted the company had no ethical guidelines and "strongly encouraged" Aker Kværner to draw up guidelines for all its future activities. The NCP's statement can be found at http://www.oecdwatch.org/docs/ForUM_Aker_Kvaerner_NCP_final_statement.pdf.

Aker Kværner has announced its decision to withdraw from Guantánamo Bay, allegedly because it failed to win a contract. All of Aker Kværner's operations in Guantánamo were to be halted by the end of 2005. The complainants have welcomed Aker Kværner's withdrawal and, despite the company's denials, believe that the complaint contributed to the decision. Following the publication of the NCP statement, Aker Kværner approached the ForUM for help in developing a new CSR policy.

● **Anvil Mining and the Kilwa Incident, Democratic Republic of the Congo**

In September 2004, the World Bank's Board approved a political risk guarantee for Anvil Mining's Dikulushi copper-silver mine in the Katanga region of the DR Congo. A few weeks later, a small-scale uprising occurred in the town of Kilwa, approximately 50 kilometers south of the Dikulushi project. Kilwa is crucial to Anvil's copper and silver mining operation, as it is a port on Lake Mweru from which the ore is shipped to Zambia for processing.

The Lubumbashi regional office of MONUC, the organization established by the United Nations Security Council to monitor and maintain the cease-fire in DR Congo, conducted an investigation soon after these events occurred. As many as 100 deaths were reported, and according to the UN, as many as 28 deaths appeared to be summary executions. According to eyewitness accounts gathered by human rights lawyers, the soldiers went on an indiscriminate rampage carrying out arbitrary arrests and summary killings of suspected rebels and their supporters, raping women, and subjecting those in detention to torture and beatings.

MONUC's report also revealed that Anvil Mining provided logistical support for the military operation. Anvil helped fly in the military in the planes that it leases to ferry people to and from the mine, and people who had been arbitrarily detained by the military were flown to Lubumbashi. Witnesses also informed human rights lawyers that Anvil provided the military with food and money, and Anvil vehicles, driven by Anvil employees, were used to bury those who had been killed.

As early as June 2004, Congolese and international civil society organizations raised concerns about World

Bank support for the Dikulushi project. NGOs questioned whether Multilateral Investment Guarantee Agency (MIGA) had sufficiently assessed the human rights and security implications of the project given the established links between human rights abuses and extractive industries-related conflict.

Following a June 2005 Australian Broadcast Documentary on the Kilwa incident, and a subsequent letter from RAID and other civil society organizations highlighting these issues, World Bank President Wolfowitz requested the Bank's Compliance Advisor Ombudsman to review MIGA's due diligence for the Dikulushi project in August 2005. The review was completed and submitted to President Wolfowitz last September. Its release has been inexplicably delayed.

In June, Canadian NGOs Rights and Democracy and L'Entraide Missionnaire filed a complaint with the Canadian NCP. A meeting between the company and NGOs was facilitated by the NCP in November 2005.

Anvil Mining, an Australian-owned and Canadian-listed company, is also being investigated by the Australian Federal Police to see whether there is evidence of the commission of crimes against humanity or war crimes under the *Australian Criminal Code Act 1995*, breaches to the *Criminal Code Amendment Act 1999* (Australia's law prohibiting bribery of foreign officials in accordance with the OECD Convention on Bribery) and/or the *Proceeds of Crime Act 2002 or 1987*. RAID, ACIDH, ASADHO/Katanga and the Human Rights Council of Australia are helping victims seek reparations from the company through the Australian law firm Slater & Gordon.

● **In Situ Visits – trial and error**

Recently, the British and Canadian NCPs have undertaken efforts to resolve two high-profile complaints by visiting the relevant host countries.

Last September, in the case involving BP's Baku-Tbilisi-Ceyhan oil pipeline project, the UK NCP organised an information-gathering trip to affected community members and NGOs in Azerbaijan, Georgia and Turkey. The NCP organised his visit in close collaboration with both the com-

plainants and BP to ensure all parties were satisfied with the terms of reference. On the basis of this positive experience with the UK NCP, OECD watch recommends that in the future, terms of reference should be agreed (and, if necessary, translated in local languages) first and made available to all interested parties.

Unfortunately, in the case involving Ascendant Copper Corporation, representatives from Canada's NCP failed to agree its terms of reference in advance with the complainants. In January, the NCP's attempt to facilitate a meeting with community leaders, NGOs and the company in Ecuador ended in acrimony. The NCP had insisted that the initial meeting between company executives and community representatives and NGOs should be confidential. This condition was not acceptable because as the NGOs explained "a tense environment rife with mistrust prevails in the Intag [area]". In December 2005, some members of the communities affected by Ascendant's activities had carried out an arson attack on the company's facilities. The NGOs feared that a confidential meeting might only exacerbate local conditions if representatives were debarred from reporting back to their communities. "Rather than alleviating tension and paving the way for mutual understanding, such a meeting is likely to heighten mistrust."⁹ The NGOs however agreed to respect any commercially sensitive information and asked the NCP to broach the issue of confidentiality with Ascendant. But their request was declined and the NGOs have withdrawn their complaint saying they have no confidence in the process. The press release communicating the withdraw of the complaint can be found at www.oecdwatch.org/docs/DECOIN_Ascendant_withdraw_press_release.pdf.

On 1 February 2006, in a response to the NGOs, Stephen de Boer, the Acting Chair of Canada's NCP, expressed surprise at their 'dramatic' decision to withdraw. Mr de Boer strongly disagreed with the NGOs' interpretation of the confidentiality issue, which he said was necessary to provide 'a non-confrontational forum for the parties to present their views and to facilitate an objective discussion'.¹⁰ The NCP will continue to monitor developments in relation to Ascendant's operations in Ecuador and 'remains open and willing to facilitate a dialogue consistent with the Guidelines'.

● Confusion over BTC Cases

Almost three years after NGOs in six countries submitted complaints against the BP-led Baku-Tbilisi-Ceyhan consortium, whose controversial BTC pipeline will transport oil from the Caspian to western markets, the national NCPs cannot decide who should handle the cases. Belgium's NCP insists that Britain agreed to assume overall respon-

sibility - a position also adopted by Italy's NCP. But the UK says that the national NCPs should handle the cases themselves, despite the UK being officially listed as the "lead NCP". As a result, the non-UK complainants are in limbo, their cases simply gathering dust whilst the NCPs pass the files back and forth. The NGOs are considering an official complaint to the Investment Committee.

● Requests for Clarification Rejected

In 2005, two requests for clarification were submitted to the Investment Committee on cases NGOs believe were mishandled by the French and Belgium NCPs concerning two hydro-electric projects in Laos. The first case concerned Electricité du France's Nam Theun 2 project; the second, Suez-Tractebel's Houay Ho project. In both cases, NGOs contend that the NCPs flouted the Guidelines' Procedural Guidance in their handling of the specific instances, particularly guidance on consultation with complainants.

The Investment Committee refused the NGOs' requests for clarification, because OECD watch, the NGO umbrella group, does not have 'advisory status'. When the OECD was created over 40 years ago, TUAC (the Trade Union Advisory Committee), BIAC (the Business and Industry Advisory Committee) and several agricultural organisations were given special advisory status by the OECD Council. Advisory status allows these bodies to participate extensively in the work of the OECD.

But the OECD has not modernised its rules to adequately recognize the emergence of global civil society over the past two decades. By refusing to hear clarification requests from NGOs, the Investment Committee is not only failing in one of its central tasks - that of ensuring the effective implementation of the Guidelines - but is also perpetuating an unfair and outdated system.

● NCP holds separate meetings in Bayer case

In a case filed in October, 2004, by several German NGOs, suppliers of the German company Bayer AG in India are alleged to have violated the OECD Guidelines chapter on employment and industrial relations by using child labour. The case is based on a 2003 study entitled "Child Labour and Transnational Seed Companies in Hybrid Cottonseed Production" and a follow up study from 2004, which found that around 2,000 children were working for suppliers of Proagro, a subsidiary of Bayer.

After having received comprehensive comments by both parties, the German NCP invited all parties involved to a meeting. However, Bayer objected to the participation of one of the NGO participants, and refused the offer. Never-

theless, Bayer has told the NCP and the public that it has already taken constructive and concrete steps to solve the problems raised. Instead of a joint meeting, the NCP held separate meetings. First there was a meeting between Bayer and the NCP in which the company explained its plan on how to face the problem. The company's presentation and the minutes of the meeting were communicated to the NGOs. Afterwards, the NCP held a subsequent meeting with the NGOs. The NGOs were concerned about the omission of some comments made during their meeting in the meeting minutes issued by the NCP, but after some arguing with the NCP, finally their points were taken up in a new version of the minutes. In general it was felt that having separate meetings with the complainant and the company can compromise the NCP's (supposed) independent/objective nature because it puts the NCP into the role of having to present the view and arguments of the company to the NGOs.

● NCP transparency in Australian GSL case

In the case involving Global Solutions Limited's illegal detention of children in its immigration detention centres, the Australian NCP has had written, telephone, and email communication with the complainants. The NCP has provided the complainants with extensive written material and documentation of correspondence between all parties. The NCP has been transparent and clear in its following of the procedural guidelines. This is particularly encouraging given the extreme sensitivity of this issue and the public spotlight on related issues.

● Little change in Brazil hydroelectric dam case

On June 6, 2005, two Brazilian NGOs filed a complaint with the Brazilian NCP concerning the activities of Alcoa Alumínios S.A. and a Brazilian consortium in the construction of a hydroelectric dam at Barra Grande in Brazil. The NCP held an initial meeting with the NGOs to solicit more information, but has since admitted that the current political situation in Brazil would make it difficult to resolve the case. The NGOs have heard from unofficial sources that the NCP plans to close the case due to a lack of evidence about the behaviour of the companies, but the NGOs believe that they do have sufficient evidence.

● Belgian NCP Statement on the Forrest Group¹¹ - Brussels 20 November 2005

The Belgian NCP Statement on the Forrest Group's mining activities in the D. R. Congo has, according to 11. 11. and the other NGO complainants, "made a mockery

of the very Guidelines that they are meant to defend and promote".¹² The Belgian NCP pointed out that it had convened five meetings over the course of a year to discuss the complaint, three of which were attended by the NGOs and M. Forrest and his legal representatives.

The NGOs accepted that the NCP, by recommending greater transparency, implicitly recognised the Forrest Group's non-compliance with the Guidelines. But this censure was offset by the NCP's assertion that the Forrest Group has "to the extent possible" respected the Guidelines. Notably absent from the statement was any reference to the key issue of the Forrest Group's mining contracts, the validity of which were queried both by the UN Panel and the Belgian Senate's Great Lakes Commission of Inquiry (2003). According to the OECD's Development Assistance Committee (DAC) the Belgian Senate's "investigations could have been more thorough; furthermore, the enquiry's recommendations have hardly been followed up assiduously."¹³

The NCP recommended that the Forrest Group provide periodically "reliable and relevant information" in respect of financial, social and environmental matters and to encourage its suppliers to adhere to the Guidelines. The NCP reminded the Forrest Group that they should do more for the communities living near their facilities. "These very general recommendations are welcome and we call upon the Forrest Group to put them into practice" said Marc-Olivier Herman, from the NGO Broederlijk Delen. The NGOs specific recommendations included a call for a full environmental audit and public health study in the residential areas surrounding the cobalt treatment plant in Lubumbashi (part of the Big Hill joint venture with the US OM Group). The NGOs had also called for an independent review of the Kamoto Mining contract. Kamoto, one of the most important concessions in Katanga, was awarded to the Forrest Group in July 2005, at a time when the World Bank had imposed a moratorium on new mining contracts.

The NGOs acknowledge that the issues raised in the complaint were given serious consideration for the most part by the NCP, but they questioned the independence and impartiality of some members, particularly representatives of the Walloon regional government. The DAC expressed concern, in respect of the export licence granted by the Walloon government to New Lachaussée (a Forrest Group company) for the construction of a production line for assault rifle ammunition in Tanzania, about "the lack of any hierarchy between federal and federated levels which makes it difficult to resolve conflicts of interests" or preserve policy coherence. The licence was eventually withdrawn.¹⁴

The need to reform the NCP and to make the OECD Guidelines binding is the principal lesson drawn by the

NGOs from the proceedings. Private bills to this effect have been tabled in Belgium's Lower House and the Senate.

In early February 2006, Karel De Gucht, the Belgian Minis-

ter of Foreign Affairs, is to pay an official visit to the DRC. It is to be hoped that he will bear in mind the DAC's recommendation that Belgium 'should continue to improve its monitoring of the behaviour of Belgian companies with interests in the DRC...'¹⁵

● Current case statistics

Current status of the 47 OECD Guidelines cases presented by NGOs

Status	No. cases
<i>Filed</i> : the NGO has sent the complaint to the NCP	0
<i>Pending</i> : the NCP has confirmed that it is admissible and the specific instance procedure is under way	16
<i>Concluded</i> : the NCP has reached a decision and issued a statement or the case was settled outside the NCP forum	13
<i>Closed</i> : the NCP has started the case but dropped it before issuing a statement	2
<i>Rejected</i> : the NCP has formally rejected the case presented by the NGO	8
<i>Withdrawn</i> : the complainants have decided to close the case	2
<i>Blocked</i> : the NCP is not clear about the status of the case (no formal rejection, but no intention of accepting it as specific instances either).	6

Number of NGO cases invoking specific chapters of the OECD Guidelines

Chapter of the OECD Guidelines	No. cases
Chapter I - Concepts and Principles	8
Chapter II - General Policies (incl. Human rights and the supply chain)	38
Chapter III - Disclosure	11
Chapter IV - Employment and Industrial Relations	17
Chapter V - Environment	20
Chapter VI - Combating Bribery	9
Chapter VII - Consumer Interests	2
Chapter VIII - Science and Technology	0
Chapter IX - Competition	7
Chapter X - Taxation	3

● Quarterly Case Update

OECD watch now publishes a Quarterly Case Update that provides an overview of developments in all OECD Guidelines cases filed by NGOs. To view Quarterly Case Update Volume I, Issue I, March 2006, please visit www.oecd-watch.org/docs/OW_Quarterly_Case_Update_Vol1_Iss1_March06.pdf

OECD Consultations

Trade Committee Considers Dutch Government Proposal

Last October, representatives from SOMO and Oxfam-Netherlands met with the OECD's Trade Committee to discuss a proposal put forward by the Dutch government to identify bottlenecks that obstruct, and best practices that advance, responsible corporate behaviour in trade. The objective of this stock-taking exercise would be to develop recommendations on how CSR initiatives can best be supported by OECD member governments. However, the Dutch government made clear that its proposal was not aimed at extending the scope of the Guidelines for Multinational Enterprises to trade activities.

At issue is whether companies should be held responsible for their suppliers' breaches to the Guidelines. Despite clear textual references to the applicability of the Guidelines to companies' supply chains, in 2003, the OECD Investment Committee announced that the Guidelines only apply to companies' investment and investment-like activities – not trade activities.

As a result, several NGO complaints that followed-up on the UN Expert Panel's findings concerning illegal exploitation of natural resources during the DR Congo's recent war were rejected. Indeed, the impetus behind the Dutch government's proposal was the case against coltan trader Chemie Pharmacy Holland (CPH), which was rejected due to an alleged lack of an investment nexus.

The Trade Committee is still considering the Dutch proposal.

International Investment Agenda

Investors Make the Most of International Agreements

A Symposium on International Investment Agreements, held in Paris at the end of 2005,¹⁶ was organised by the OECD, ICSID¹⁷ and UNCTAD¹⁸ - three organizations that play significant roles in this field. Both the OECD and UNCTAD monitor and analyze investment agreements, but whereas the OECD does so from the perspective of the richest countries, UNCTAD has attempted to inform and advise developing countries to help them participate effectively in international investment negotiations. ICSID is a World Bank-sponsored multilateral legal framework for the settlement of international investment disputes, the purpose of which is to protect the interests of foreign investors.

The Symposium brought together investment officials from around the world, including China, India, Egypt, Indonesia and the Russian Federation as well as corporate and academic lawyers who have participated in international arbitration panels. OECD watch sent two observers.

The Symposium addressed the recent developments in investment arbitration: jurisdictional issues, the risk of multiple and conflicting awards, the lack of transparency surrounding the proceedings and the awards, the high costs of international arbitration and the neglect of public interest issues.

Robert Danino, Secretary General of ICSID, pointed to the enormous increase in the volume of foreign private financing into developing countries over the past few years: "From some US\$ 75 billion in the early 1990s to over US\$ 400 billion by the end of 2004". There has been a corresponding rise in the number of bilateral investment treaties (BITs). According to UNCTAD, there are 2,400 BITs as well as multilateral and other regional investment treaties, free trade agreements such as NAFTA and the Energy Charter Treaty. But the legal status of these treaties is unclear as it is not known how many of them have been formally ratified. UNCTAD estimates that 30 percent of treaties are not yet in force. ICSID is the forum for the settlement of investment disputes for more than 1,500 BITs. ICSID's case load is now a problem: 10 years ago ICSID had a caseload of five pending cases amounting to US\$ 15 million in claims, but today it has 113 pending cases with claims worth over US\$ 30 billion. The overwhelming majority of the new cases have been brought to ICSID under the investor-State arbitration provision of investment treaties.

Investor-State dispute settlement mechanisms provide rights to foreign investors seeking redress for damages arising out of alleged breaches of investment-related obligations by host governments. Most disputes are brought by companies or foreign investors, and there is no requirement on them to exhaust local remedies. Most BITs define the concept of investment so widely that it is difficult to imagine a commercial transaction that is not covered. On the whole, "tribunals have been rather generous when it comes to the recognition of an investment. For instance, they have held that civil engineering contracts, the operation of a rubbish dump, pre-shipment inspection services, securities and debt instruments, energy purchase contracts and corporate governance rights all constituted investments".¹⁹

Of course, the investors are, in theory, subject to the host State's domestic law. However, at the same time, they have recourse to international law, that is, to the applicable treaties and to customary international law. International law is generally regarded as being supplementary to domestic law, but some arbitration tribunals have completely disregarded host States' domestic laws and courts.

Treaty claim/contract claim

The treaty claim/contract claim action is a problem that besets international investment arbitration. Many investment contracts have their own provisions that often nominate the host State's domestic courts or domestic arbitration as the forum for settling disputes. At the same time, however, these contracts are covered by an investment treaty providing for international protection and for international arbitration. When the investors start international arbitration on the basis of the treaty, the host States often argue that the case should be heard in the local courts, but these objections have frequently been overruled.

Expropriation

Protection from expropriation has been the mainspring of international investment regimes. The conditions for lawful expropriations are well established and set out in numerous treaties. They include: a public purpose, non discrimination, full prompt and effective compensation and due process of law. Foreign investors are currently less worried about outright takings rather than with what they call indirect or creeping expropriation. Arbitration panels have held that the revocation of an investment license, a construction license or an operating permit by host States amounts to indirect expropriations. Regulation in the public interest within the powers of the State does not constitute an expropriation and does not carry an obligation to compensation.

ICSID highlighted problems surrounding the perceived impartiality and neutrality of tribunal members. There are a relatively small number of arbitrators (corporate lawyers) who are involved in these cases. The same small groups of arbitrators is also often involved as counsel or experts in other cases. This exposes arbitrators to potential conflicts of interest arising from their roles as arbitrators and counsel in different cases and is tainting the credibility of the process.

Forum Shopping and Multiple Proceedings

The OECD points out that a foreign investor may engage in 'forum shopping' in combination with 'treaty shopping' to enlarge the choice of forum beyond the options provided by a specific BIT in order to bring the same facts into parallel or multiple proceedings. The most striking example of multiple proceedings deriving from a single set of events is the number of ICSID cases brought against the government of Argentina. There are currently about 40 IC-

SID proceedings against Argentina, most of which were initiated in the months following the devaluation of the Argentine peso in December, 2001.

The Symposium shed light on an arcane but important aspect of international investment law that is of concern not only to NGOs, but also to the governments of developing countries.

Policy Framework for Investment – MAI Mark 2?

For over a year, a task force of 60 government officials from OECD and non-OECD economies, convened by the Investment Committee, has been developing a Policy Framework for Investment. Now the work of the Task Force is entering its final phase. On March 1-2, 2006, at the OECD headquarters in Paris, delegates will discuss and finalize the revised draft text of the Policy Framework for Investment before transmission to the OECD Investment Committee for endorsement. If all goes according to plan, in May, 2006, the OECD Council of Ministers will adopt the Policy Framework for Investment.²⁰ The draft Policy Framework for Investment is supposed to provide "a non-prescriptive checklist of issues for consideration by any interested governments" if they are seeking ways of attracting domestic and foreign investors. In particular, the Framework should become a reference point for international organisations' capacity building programmes and for donors assisting developing country partners in improving the investment environment. The priority areas covered in the Framework are investment policy, investment promotion and facilitation, trade policy, competition policy, tax policy, corporate governance, policies for promoting responsible business conduct, human resource development, infrastructure development and financial services, and public governance.

NGOs and TUAC are concerned about the overall balance between the rights and responsibilities of investors, while BIAAC is anxious that the document should avoid encouraging debate on "the relationship of commercial issues on the one hand, and the social and environmental issues on the other".

The Framework invokes the Monterrey Consensus (2002), which identified private capital, including foreign direct investment, as a "vital complement to national and international development efforts" and emphasized the need "to create the necessary domestic and international conditions to facilitate direct investment flows".

NGOs had until February 10 to comment on the draft and make up their minds as to whether the Framework represents a new approach to investment or is merely a reworking of the discredited Multilateral Agreement on Investment (MAI). To see the NGOs' response, go to www.oecdwatch.org.

OECD watch Workshops

Capacity Building in Ghana

In November 2005, OECD watch member, Wassa Association of Communities Affected by Mining (WACAM), organised a two-day capacity-building seminar, which brought together OECD watch members, WACAM staff and over 40 Ghanaian civil society representatives, many of whom work in mining-impacted communities.

Participants explored how the *Guidelines for Multinational Enterprises (Guidelines)* and the *Universal Declaration of Human Rights* and *International Covenant on Economic, Social and Cultural Rights* can be applied by NGOs in their rights-based advocacy work to promote corporate social responsibility (CSR).

Workshops were held to explain the Guidelines, the UN conventions and tools developed by OECD watch for monitoring irresponsible corporate behaviour. Participants also discussed the level of protection and the limitations of the Guidelines and UN conventions. Strategies for networking in order to improve protection of impacted communities and the environment in a manner that is consistent with international standards were also explored.

Community representatives from the Prestea, Obuasi, Dumasi, Kenyasi and New Abirem Districts also gave presentations on the problems Ghanaians face and the issues that impinged on their livelihoods and freedoms. They charged that mining in Ghana has increased poverty in their communities and the promise of jobs has not been fulfilled. Some of the other problems cited include lack of potable water and destruction of aquatic life; damage to crops; air pollution; disease and health problems; human rights abuses; and harassment from the security agencies. The communities also feel their concerns fall on deaf ears when trying to seek redress with the government.

In addition, participants felt that mining companies from OECD countries have not adhered to the *Guidelines* in Ghana. They cited experiences with Bogoso Gold Ltd. (a US-Canadian company owned by Golden Star Resources) and Newmont Ghana Gold Ltd. (a subsidiary of the US-based Newmont Mining) as examples of companies repeatedly ignoring the principles and standards contained within the *Guidelines*. They also charge that AngloGold Ashanti, a signatory to the UN Global Compact, has violated the Compact's principles on respecting human and labour rights and protecting the environment.

At the conclusion of the seminar, a resolution was presented. In it, the participants expressed concern that even

though Ghana is a signatory to UN human rights conventions and the *African Charter on Human Rights*, the Ghanaian authorities have failed to protect the rights of marginalised people. Participants also re-affirmed their commitment to monitor the activities of multinational mining companies in Ghana and in particular, demand that these companies operate according to the same standards and regulations that they are required to follow in their home countries.

Following the seminar, Peter Pennartz of IRENE along with Hannah Owusu Koranteng and other WACAM staff visited the gold mining areas of Tarkwa, Prestea and Obuasi. The mission visited surface mining areas, local settlements and hospitals to interview people affected by gold mining. Confirming WACAM's forthcoming research on the impacts of gold mining in Ghana and views heard in the seminar, people complained of many problems. These included health problems such as an increase in malaria, stress, high blood pressure and lung problems; air pollution from blasting; damage to houses, including cracks in the foundation and roofs; and damage to crops and vegetation.

The communities have repeatedly protested, but the mining companies have refused to discuss their concerns. In one incident, the police shot over people's heads during a protest in the Prestea District. Communities have petitioned the government to be resettled, but the government has ignored their requests.

Supply Chain Workshop – Berlin, December 2005

In December 2005, an OECD watch workshop in Berlin brought a group of NGOs, consultants and experts, with experience in a wide range of sectors (clothing, electronics, supermarkets, fruit and vegetables, minerals and banking), together to discuss key criteria for defining supply chain responsibility. The workshop was prompted by changes in the NCPs' approach to supply chain complaints. In 2003, the Investment Committee, without adequate consultation, arbitrarily decided that for supply chain cases to be admissible there had to be an 'investment nexus'. But, the Investment Committee failed to set out criteria to help potential complainants determine the existence of an investment-nexus. The vague 'case by case approach' subsequently adopted by NCPs has led to many supply chain cases being automatically rejected, irrespective of their merits.

During the workshop, discussion focused on the complexity of the supply chain. It was pointed out that all those who play a role at different stages in bringing a multinational company's product to market - from the companies that supply raw materials, or manufacture, or assemble components, to those that deliver or sell the final product - are all part of the chain. The multinational company's relationship with and influence over each of these suppliers can vary greatly.

The participants noted the factors that have to be taken into consideration when determining the precise nature of the supply chain relationship. Is the product branded? Does a company source directly or through intermediaries? Is the sector characterised by vertical integration or by outsourcing?

Another important factor is the length of the supplier contracts: the longer the contract the greater the influence the multinational exerts on the supplier. The recent growth of 'no name' wholesalers can make it difficult to establish supply chain responsibility.

Participants agreed to continue working together to establish a clear and comprehensive definition of supply chain responsibility that would be applicable to all sectors.

● **Companies in Conflict Zones – Paris, September 2005**

OECD country companies operating abroad often find themselves close to the frontlines of instability and violent conflict. In these settings, company investments and operations may be vulnerable to violence, but may also exacerbate violence, whether directly or indirectly. With a view to supporting NCP efforts to effectively manage such cases, two NGOs specialised in promoting the potential of business to contribute to conflict prevention and peace, International Alert and Fafo AIS, together with OECD watch, organised a seminar in Paris, timed to coincide with the September 2005 Investment Committee meeting.

Jessie Banfield of International Alert noted that pressure is mounting on the OECD and on National Contact Points (NCPs) to be in a position to respond to such cases. The UK Africa Commission report (March 2005) called for OECD countries to 'promote the development and full implementation of clear and comprehensive guidelines for companies operating in areas at risk of violent conflict'.²¹

Issues discussed included the role of the OECD Guidelines in shaping the broader regulatory environment in conflict zones, other relevant sources of guidance, chal-

lenges faced, and strengthening NCP capacity in promoting and implementing the Guidelines in a way that may also respond to the felt needs of affected companies for clear guidance. Manfred Schekulin, Chair of the Investment Committee and Willem van der Leeuw, the Dutch NCP, took part in the workshop as did the NCPs from Canada, France, the UK and Switzerland. Representatives from leading European companies - BP, Shell and Total - entered into the debate about the ethical dilemmas of operating in conflict zones.

Manfred Schekulin described progress in drafting the OECD's "risk management tool for companies". The revised document will be presented to the Council of Ministers in June 2006. OECD watch members like RAID and NGOs such as Human Rights Watch, Global Witness, International Alert and NIZA have submitted detailed comments on the draft.

Karen Ballentine referred to FAFO's recent study on Business and International Crimes²² and Chris Camponovo, of the US State Department, discussed developments with the Voluntary Principles on Security and Human Rights.²³

OECD watch has learnt that agreement has just been reached to set up a three-person panel composed of representatives from government, NGOs and a companies to hear complaints about non compliance with the Voluntary Principles - a development that may give the specific instance procedures a run for its money.

There was agreement that given the dissemination/outreach function of the OECD there is value in ensuring that the present weak governance zones work be made as clear as possible within its terms of reference on conflict.

● **Activities in the Americas**

SOMO's Bart Slob spoke on the complementary roles of trade unions and NGOs in using the OECD Guidelines at the ICFTU/ORIT and UNI-Americas' regional conference in Buenos Aires in July. Slob and representatives from OECD watch's Brazilian member, IBASE, and Argentinean members, Fundación SES, FARN and Fundación El Otro, also met to develop common strategies for advancing CSR in Latin America.

In November, Juliana Ortiz of Fundación El Otro presented "Five Years On: A review of the OECD Guidelines and National Contact Points" at a seminar on social responsibility organised by Red Puentes in Mexico City. In her presentation, Ortiz also discussed Latin American experiences in filing cases under the Guidelines. Several OECD watch members attended the Red Puentes seminar.

News from the OECD

● OECD Appoints a New Secretary General

On 1 June 2006, the former Mexican Finance Secretary, José Ángel Gurría, will replace Donald Johnston as the OECD's Secretary-General. He is the first person from a middle-income country to lead the "rich man's club" of 30 nations.

In 1999 *Euromoney* named him Finance Minister of the Year but in Mexico he was dubbed 'Scissorhands' because of the drastic cuts in government spending that he introduced during an oil price crisis. According to the International Herald Tribune, Mr Gurría wants to turn the OECD into a kind of permanent advisory body for the G8 meetings.

One of the OECD's top priorities is to establish a strong "outreach" relationship with the four big econo-

mies outside the club: the so-called BRIC economies of Brazil, Russia, India and China (Russia has already applied to join the OECD). Another priority is to rationalize the activities of the OECD's 200 committees and working groups a move likely to please the US and Japan, who are the largest contributors to the OECD's budget. Insiders hope that Mr Gurría will increase the relevance and profile of the organization'.

OECD watch hopes that Mr Gurría will reveal an ability and willingness to work with NGOs and civil society. The OECD's approach to transparency and engagement with civil society, though improving, still leaves much to be desired. Managing globalisation to maximise its benefits and reduce its damaging social

and environmental consequences should be one of his key objectives. Creating a consensus to curb corporate malpractice should be another. OECD watch looks forward to forging a constructive relationship with him in order to meet these goals.

● Arrivals and Departures

German NCP

Joachim Steffens, Head of International Investments at the Federal Ministry for Economics and Labour, has replaced Dr Hans. G. Kausch.

UK NCP

Eleanor Reid has replaced Duncan Lawson at the Europe and World Trade Directorate, Department for Trade and Industry.

New OECD watch Members

Since March 2005, nine organisations have joined OECD watch, bringing the total number of members to 51 organisations representing 29 countries.

● Research Group for an Alternative Economic Strategy (GRESEA), Belgium

Founded in 1978 by developing country activists, trade unionists and academics, GRESEA has been active in CSR work for many years. GRESEA's recent work includes promoting the Belgian Social Label Act. GRESEA was also co-complainant in a November 2004 specific instance concerning four Belgian companies. The case concerned illegal exploitation of natural resources in the DR Congo. For more information, go to www.gresea.be.

● African Association for the defence of Human Rights (ASADHO/Katanga), DR Congo

ASADHO is a non-political NGO that defends and promotes human rights. ASADHO's recent work includes exposing the logistical role played by Anvil Mining, an Australian/Canadian company, in the October 2004 Kilwa incident in which at least 70 people died, many of whom were summarily executed by the Congolese Armed Forces. An OECD Guidelines complaint filed by Rights and Democracy concerning Anvil's role in the Kilwa incident is pending in Canada.

● **Defensa y conservación ecológica de Intag (DECOIN), Ecuador**

Founded in 1995, DECOIN is a regional, grassroots organization working to protect Ecuadorian forests from the impacts of mining. In May 2005, DECOIN, MiningWatch Canada and Friends of the Earth-Canada filed a complaint concerning Ascendant Copper Corporation's Junín mining project. The complainant's withdrew their case in mid January 2005 due to the Canadian NCP's failure to properly implement the Guidelines' procedures. For more information, go to www.decoin.org.

● **FinnWatch, Finland**

Founded in October 2002, FinnWatch is a network of organisations that collects, analyses and disseminates information on the social and environmental impacts of Finnish companies in the Global South and economies in transition in order to raise awareness and encourage responsible corporate behaviour. For more information, go to www.finnwatch.org.

● **Yokohama Action Research Center (YARC), Japan**

Founded in 2001, YARC carries out action-oriented research on various global economic issues to benefit social movements. YARC's research examines Japanese foreign direct investment; multinational corporations and

their CSR practices; the East Asia Community; and the Tobin Tax. YARC was involved in the March 2004 case concerning Toyota's anti-trade union practices in the Philippines, which was filed with the Japanese NCP. The case is pending.

● **Forum for Environment and Development (ForUM), Norway**

Founded after the Earth Summit in 1992, ForUM is a network of over 50 NGOs that promotes sustainable development by developing initiatives and strategies to influence policy-makers and facilitate the exchange of experiences and resources (especially people) between Norwegian and international organisations. ForUM filed a complaint in July 2005 concerning Aker Kværner ASA, a company that built and maintains prison facilities in Guantanamo Bay. For more information, go to www.forumfor.no.

● **The Social Support Foundation (SSF), Ghana**

SSF was created in August, 2000, as a cohort HIV/AIDS support committee in Obuasi of the Adansi West District, Ghana. Its activities include supporting people living with AIDS (reducing Stigmatization and Discrimination, providing psychosocial and Medicare) and AIDS orphans (re-enrolling school dropouts and counseling) and promoting safer sex practices among commercial sex workers (CSW) and their rehabilitation. For more information, go to www.ssfghana.org.

Endnotes

- 1 © OECD Observer No. 234, October 2002
- 2 OECD watch's report *Five Years On: A review of the OECD Guidelines and National Contact Points* can be downloaded from its website: www.oecdwatch.org
- 3 OECD press release 21 September 2005
- 4 RAID and The Corner House "Response to the Stakeholder Consultation", January 2006. Available at www.raid-uk.org
- 5 *Flagship or Failure?* can be downloaded at http://www.oecdwatch.org/docs/Flagship_or_Failure.pdf
- 6 Standing Committee on Foreign Affairs and International Trade *Mining in Developing Countries and Corporate Social Responsibility*.
- 7 SCAIT, "Mining in Developing Countries –Corporate Social Responsibility: The Canadian Government's Response to the Report of the Standing Committee on Foreign Affairs and International Trade", October 2005
- 8 The briefing paper can be downloaded at http://www.oecdwatch.org/docs/OECD_Watch_Transparency_Briefing_Paper.pdf
- 9 Letter from Decoin, Friends of the Earth and Mining Watch Canada to Stephen De Boer, Deputy Director, Investment Trade Policy Division, 16 January 2006, available at: http://www.oecdwatch.org/docs/DECOIN_v_Ascendant_withdraw_letter.pdf
- 10 Letter from Stephen de Boer to NGOs, 1 February 2006, available at: http://www.oecdwatch.org/docs/DECOIN_v_Ascendant_NCP_response_to_withdrawal.pdf
- 11 Communiqué du Point de Contact national belge chargé du suivi des Principes directeurs de l'OCDE à l'intention des entreprises multinationales, 20 novembre 2005
- 12 11.11.11 et al. "The Forrest Group's mining activities in the Congo: Belgium is flouting OECD rules for multinationals", press release Brussels, 20 November 2005
- 13 OECD Development Assistance Committee, "Peer Review-Belgium", Paris November 2005 p 45: http://www.oecd.org/document/37/0,2340,fr_2649_34603_35598117_1_1_1_1,00.html [henceforth OECD DAC 2005].
- 14 OECD DAC 2005 p 47.
- 15 OECD DAC 2005 p14.
- 16 *A Symposium on Making the Most of International Investment Agreements: A Common Agenda*, - OECD, Paris, December 2005.
- 17 International Centre for the Settlement of Investment Disputes.
- 18 United Nations Conference on Trade and Development.
- 19 Christoph Scheuer, Investment Arbitration – A Voyage of Discovery.
- 20 The latest draft of the Policy Framework on Investment is available on-line at: http://www.oecd.org/document/42/0,2340,en_2649_34529562_35725418_1_1_1_34529562,00.html.
- 21 see <http://www.dfid.gov.uk/news/files/commission-africa-report1.asp>
- 22 <http://www.fafo.no/liabilities/467.pdf>
- 23 <http://www.voluntaryprinciples.org/>



COLOPHON

OECD watch is an international network of 52 civil society organisations promoting corporate accountability. The purpose of OECD watch is to test the effectiveness of the OECD Guidelines for Multinational Enterprises and to inform the wider NGO community about policies and activities of the OECD's Investment Committee.

Editor: Patricia Feeney. Contributions from Jan Capelle, Colleen Freeman, Joris Oldenziel, Gunhild Ørstavik, Peter Pennartz, Bart Slob and Joseph Wilde.

The OECD watch Newsletter will be published periodically in English, and translated into Spanish and French. For more information, contact any of the coordinators of OECD watch below:

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This publication has been made possible through funding from the European Commission, DG Employment and Social Affairs, the Dutch Ministry of Foreign Affairs, Novib (Oxfam Netherlands), MISEREOR and EED (Germany)

 **OECD Watch**

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This project is coordinated by SOMO.

SOMO

CALENDAR OF EVENTS

March 3

Paris, France

● OECD

Investment Committee Infrastructure Consultation

March 16

Palais des Nations, Geneva, Switzerland

● 62nd Commission on Human Rights (CHR)

April 10 - 14

Paris, France

● OECD

Investment Committee meeting – Topic: Parallel
Legal Proceedings

April 24 - 25

Warsaw, Poland

● OECD watch

Training Seminar

May 4 - 7

Athens, Greece

● European Social Forum

May 22 - 23

Paris, France

● OECD

Annual Forum – Topic: “Rebalancing Globalisation”

May 23 - 24

Paris, France

● OECD

Ministerial Council meeting

June 19 - 23

Paris, France

● OECD

Annual Meeting of NCPs and Investment
Committee Roundtable – Topic: Mediation

July 3 - 7

Tarkwa, Ghana

● OECD watch

Interregional Seminar Africa