

# A Users' Guide for Trade Unionists to the OECD Guidelines to Multinational Enterprises

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# Overview

This Users' Guide is intended to help trade unions worldwide in using the newly revised OECD Guidelines for Multinational Enterprises in order to secure and protect workers' rights.

The text of the Guidelines was agreed by all parties involved - governments, trade unions, business and some NGOs - after long and sometimes difficult discussions within the context of the Organisation for Economic Co-operation and Development (OECD).

An optimum outcome for trade union aspirations has not occurred on all issues. But The Trade Union Advisory Committee to the OECD (TUAC) believes that much progress has been achieved, especially when the new Guidelines are viewed in the light of earlier phases in this debate.

Trade unions are therefore urged to make maximum use of this new instrument, in order to show governments and business that the labour movement means business in securing further respect for workers' rights.

The Guidelines can also be used in trade union campaigns involving key global

corporations on issues such as human rights, the supply chain, the environment, information disclosure, and combating bribery.

They can be useful in efforts to solve specific problems and to create a favourable environment for social dialogue and agreement with corporations.

The strengthened implementation procedures adopted by the signatories can be used to influence company compliance with the provisions of the Guidelines, including workers' rights protection.

Other major revisions to the instrument include global applicability, the coverage of all core labour standards, and the encouragement to suppliers and sub-contractors to apply the Guidelines.

It must be noted, however, that instruments such as the Guidelines complement, but do not replace a binding regulatory framework to govern corporate activity and global markets more generally at the national and international levels.

This Guide is primarily intended for national centres in OECD and non-OECD countries, International Trade Secretariats (ITSs) and their affiliates. It may also be of use to NGOs wishing to campaign jointly with trade unions in these areas.



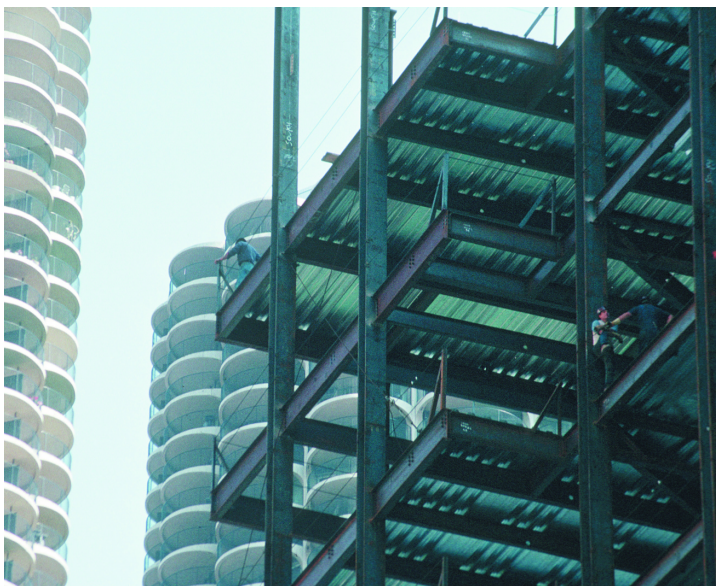
# Chapter one

## Introducing the OECD Guidelines for Multinational Enterprises

The Guidelines are recommendations for good corporate behaviour primarily addressed to enterprises based in those countries that adhere to them.

These include the 30 OECD countries (see below), plus Argentina, Brazil and Chile. But the Guidelines also apply to business operations worldwide. More countries are now in the process of adhering to the Guidelines.

To do so governments must meet their responsibilities over, for example, setting up a functioning and effective National Contact Point (see chapter three), and must work constructively with trade unions.



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TUAC strongly urges trade unions, where appropriate, to ask governments meeting those conditions to adhere to the Guidelines.

The Guidelines chapters cover the following aspects: preface, concepts and principles, general policies, disclosure (of information), employment and industrial relations, environment, combating bribery, consumer interests, science and technology, competition and taxation.

Though not binding in a legal sense, they are not optional for corporations. They cannot pick and choose among the provisions of the Guidelines nor subject them to their own interpretations.

Their application does not depend on endorsement by companies. They are the only multilaterally endorsed and comprehensive rules that governments have negotiated, in which they commit themselves to help solve problems arising in corporations.

They express the shared view of what major governments believe to be good corporate behaviour, and corporations are expected to abide by their contents in their business operations worldwide.

Most importantly, the Guidelines are backed by an improved implementation procedure, where the ultimate responsibility for their enforcement lies with governments.

This is a fundamental difference between the Guidelines and, for example, unilateral company codes of conduct. It makes the Guidelines more than just a public relations exercise.

The Guidelines are part of a wider OECD Declaration on International Investment and Multinational Enterprises package of investment-related provisions which also covers the National Treatment of foreign-owned corporations, measures to avoid or minimise the imposition of Conflicting Requirements on them, and transparency regarding the provision of official Incentives and Disincentives.

▲ *Austria, Belgium, Canada, Denmark, France, Germany, Greece, Iceland, Ireland, Italy, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, the United Kingdom, the United States, Japan, Finland, Australia, New Zealand, Mexico, the Czech Republic, Hungary, Poland, Korea and the Slovak Republic.*



## Chapter two

### The latest review of the Guidelines

The Guidelines were first adopted in 1976 following public concern that multinational enterprises were becoming too powerful.

Of particular concern was the behaviour of some OECD-based multinationals in developing countries, for example the involvement of US-based corporations in the Chilean coup d'état. In response, governments initiated negotiations at the UN over what was expected to be a binding Code of Conduct on Transnational Corporations.

The International Labour Organisation (ILO) meanwhile began to negotiate the labour element of that code. The changing political landscape resulted in the binding UN code being effectively shelved in the 1980s.

However, the ILO Tripartite Declaration of Principles on Multinational Enterprises and Social Policy, which covered employment issues, training, working conditions and industrial relations, and which had been agreed in 1977, survived as a non-binding instrument.

Simultaneously, the OECD negotiated and agreed in 1976 its Guidelines for Multinational Enterprises. The OECD and ILO instruments are parallel, consistent with each other and complementary.

The Tripartite Declaration has more detailed recommendations on labour issues, while the Guidelines cover a broader range of corporate activities.

In terms of the relevance and usefulness of the Guidelines for trade unions, there have been three distinct phases. The initial phase, which could be termed the "active" phase, ran from their inception through to the mid-1980s.

During that period trade unions, often with the active support of governments, raised a number of important Guidelines' cases concerning unacceptable corporate behaviour. Several governments took unilateral action.

Many of these cases led to outcomes which were useful to trade unions. Notable examples

include the Electrolux case regarding union busting by one of its US-subsiidiaries, which was resolved in the Swedish National Contact Point. Many cases brought forward have shown that multinational enterprises and their subsidiaries must adopt a positive attitude towards trade unions.

The second phase, from the mid-1980s through most of the 1990s, could be called the "dormant" phase. Other than the introduction of a fairly weak chapter on the environment coming from the review process, the Guidelines fell into disuse.

A handful of trade union organisations and active governments alone kept them alive. Governments increasingly preferred to focus on measures to attract and compete for investment rather than questions of improving corporate conduct.

Awareness of the Guidelines by individual companies was never very high and parts of the business community were happy to leave it that way.

In the 1990's, there was greater public awareness of the use of child labour and other abuses associated with extensive shifts of production and the development of supply chains.

Specific companies gained notoriety because of negative labour, human rights or environmental practices.

Corporate conduct was, once again, on the agenda even though it had never gone away for trade unions. In the context of the OECD, the "re-awakening" of the Guidelines, the third phase, was largely a response to the attacks on the OECD and the associated loss of credibility of the governments that had been negotiating the failed Multilateral Agreement on Investment (MAI).

Needing to regain some of that lost credibility, the OECD in 1998 launched a review of the Guidelines. In June 2000, the 30 OECD member governments, plus Argentina, Brazil and Chile adopted the new set of Guidelines together with enhanced implementation procedures.

These three periods reflect a common feature. The degree to which the Guidelines are implemented and enforced is determined by the political will of governments.

Few enterprises will take the Guidelines seriously unless governments take them seriously. In return, these attitudes have affected the level of interest of trade unions in using this instrument.

As a reflection of trade union experience with the Guidelines, particularly during the "dormant" phase, some TUAC affiliates were sceptical as to whether the latest review would make a difference.

However, the overall results of the review were important and can potentially make the Guidelines more relevant and useful. The new language makes it clear that the Guidelines are intended to apply to corporations regardless of where they do business, including in countries whose governments do not adhere to them.

For the first time, there is an opening to use the Guidelines in relation to abuses in the supply chain. Human rights are covered and the remaining core labour standards were added

The revised chapters on disclosure, bribery and the environment also improve the instrument. The strengthening of the implementation system is the most important development. The new Procedural Guidance for the National Contact Points (NCPs) puts the onus firmly on governments at the national level to make sure that companies observe the Guidelines.



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beyond trade union rights (all core labour standards are now covered; freedom of association and collective bargaining, abolition of child and forced labour, and affirmation of non-discrimination in employment).

The role of the OECD in monitoring the performance of NCPs has also been enhanced. There are signs that many governments are taking their responsibilities to implement the revised Guidelines seriously. Many NCPs that were previously dormant or non-existent have been reactivated.

Increased efforts are being seen in some countries to resolve the initial cases being brought forward, while efforts to promote the Guidelines among trade unions, business and NGOs have been undertaken by many NCPs.

While the role of governments will be central in putting pressure on corporations to respect the Guidelines, other avenues will also be useful. The role of the media will be important. Global companies are vulnerable to adverse publicity that brings their brand name into disrepute, for example, over allegations of sweat shop labour conditions for their workers, especially by suppliers, or charges of corruption, or environmental pollution.

Such campaigns may be effective in encouraging companies to comply with the Guidelines. Conversely, it is also true that good practice can improve company image.

## Chapter three

### The Guidelines' implementation procedures

The OECD negotiated a special Procedural Guidance, which stipulates the obligations of the countries adhering to the Guidelines. It also maps out a course of action for governments to follow where a case involving a breach of the Guidelines occurs.

For instance, if workers' rights are being violated or if there is any other breach of the Guidelines, trade unions can raise this as a case through the system of National Contact Points (NCPs). Their role, among others, is to help the parties, for example, labour and business, to solve a specific problem.

### National Contact Points

Governments adhering to the Guidelines must set up National Contact Points (NCPs) within their administration. These are responsible for undertaking promotional activities, handling inquiries and contributing to the solution of problems that may arise.

They may be organised in different ways. Some involve a single government agency, while others are multi-agency (involving several ministries). Some are tripartite (government, labour and business), but governments are ultimately responsible.

Whatever the form, representatives of labour, business and other interested parties (NGOs) must be informed of the availability of the NCP. It is also expected to develop and maintain relations with these groups. In a few countries, NGOs are formally involved in the NCP structure, while in others involvement is more informal.

In some cases, NGOs are invited, depending on the questions to be discussed. For example, environmental NGOs are invited when environmental issues arise.

The Procedural Guidance states that NCPs should operate according to the "core criteria

of: visibility, accessibility, transparency, and accountability." That requires that the NCP, among other things, take an active role in:

- ▲ promoting the Guidelines, including translating them into different languages,
- ▲ making the Guidelines known and available, through holding seminars and meetings, as well as responding to enquiries from all sources, including trade unions, and
- ▲ informing both inward and outward investors and potential investors about the instrument.

To increase the accountability of NCPs, it is suggested that national parliaments be involved. In addition, the NCPs must prepare a report on their activities for the OECD Committee on International Investment and Multinational Enterprises (CIME) and meet annually to share their experiences with their counterparts. The first such meeting was held in June 2001.



## Problem solving

When a company is believed to be in violation of the Guidelines, a trade union or other party can raise the case with the NCP (the OECD refers to a Guidelines case as a "specific instance").

The onus is then on the NCP to try to resolve the issue. A range of options is available, including offering a forum for discussion for the affected parties, conciliation or mediation. In deciding what course of action to take, the NCP is required to:

■ Make an initial assessment as to whether the case merits "further examination". It must then respond to the party that raised the case. If the NCP decides that the issue does not merit further consideration, it must give reasons for its decision.

The OECD commentaries provide some guidance on how to interpret the wording "merits further examination". Accordingly, the NCP should determine whether the issue is "bona fide" and relevant to the implementation of the Guidelines.

In this context, it will, among other things, take into account the identity of the party concerned and its interest in the matter, whether the issue is material and substantiated and how similar issues have been, or are being, treated in other domestic or international fora.

There is nothing to prevent a trade union from raising a case that is being handled elsewhere. For example, the French trade union centres CFDT, CGT-FO and UNSA raised the closure of Marks and Spencer's French stores as a case with their NCP in spring 2001, which was also being dealt with in French courts.

However, in the event of difficulties, the trade union should discuss the matter with the TUAC Secretariat.

■ When going ahead with a case, the NCP should help the parties resolve the problem. In doing so, it can:

- (a) seek advice from relevant authorities, trade unions, business, NGOs and experts;
- (b) consult the NCP in the other country or countries concerned;

- (c) seek the guidance of the CIME where there is doubt about the interpretation of the Guidelines;
- (d) offer conciliation or mediation to assist in dealing with the issues.

■ Having followed one or all of these avenues, and if the parties are still unable to agree on how to solve a problem, the NCP is normally required to issue a public statement on the case.

If appropriate, it should make recommendations to the parties on how the Guidelines apply to the case. NCPs may, therefore, inform a company that its activities breach the Guidelines.

Whilst the Guidelines are not legally binding, the mere fact that the conclusions of NCPs should be in the public domain can have an impact and affect company behaviour.

■ A framework was negotiated to guide these activities. The Procedural Guidance recognises that each NCP should strive for maximum transparency over its operations, but there will be times where confidentiality will be important.

The NCP should protect sensitive business information, and other information, such as the identity of those individuals involved.

This may be useful for trade unions in those cases, particularly in non-OECD countries, where workers and trade unions are often in physical danger.

Also, while the "proceedings" are under way, the facts and arguments of the case raised in the NCP will remain confidential.

However, parties will be able to comment publicly on how the case is progressing.

Afterwards, and if the parties involved do not agree on a resolution of the problem raised, they are free to comment publicly on the case, though they cannot disclose the information and views provided by another party during proceedings, unless that other party agrees to their disclosure.

Finally, the NCP should make public the outcome of the case. Recognising that there can be times where it is better not to go public, the NCP can keep the outcome confidential.



■ Where problems arise in non-adhering countries, the NCP should follow the above procedure to the greatest extent possible.

As a further acknowledgement that there may be practical problems in solving cases in non-adhering countries, the Procedural Guidance allows for these matters to be discussed by the annual NCP meetings. Because of their links with affiliates in non-adhering countries, familiarity with many of the issues on the ground, and links with the rest of the international trade union movement, the International Trade Secretariats have a particularly important role to play in bringing and developing cases.

■ The NCPs hold annual meetings to discuss matters related to the Guidelines. Prior to these meetings, they must produce annual reports on their activities, including on cases raised. As a reality check TUAC surveys the views of trade unions on their experiences with the Guidelines and communicates them to the annual meetings.

### The role of the OECD Committee on International Investment and Multinational Enterprises (CIME)

Consisting of government representatives, the CIME is the OECD body that is responsible for the Guidelines.

It meets regularly in Paris and holds regular consultations with TUAC, BIAC (Business and Industry Advisory Committee to the OECD) and interested NGOs on Guidelines questions, and other international investment issues.

In addition, the CIME has a Working Party on the OECD Declaration that manages more directly Guidelines issues.

The Procedural Guidance covers the CIME as well as the NCPs. Trade unions should see it as a backstop when things go wrong at the national level or as a forum to discuss issues that warrant a government reaction beyond individual NCPs.

One example of such concerns is the TUAC request (June 2001) for the CIME to issue guidance on the implications of the Guidelines

for those multinationals operating in Burma, where forced labour is widespread, sanctioned and practised by the regime.

The CIME will consider requests for assistance from NCPs about how to carry out their activities, including handling specific cases.

This includes how to interpret the Guidelines when a problem arises. TUAC, along with BIAC, or a government that has adhered to the Guidelines, also has the right to take a case to the CIME where it believes that an NCP has not fulfilled its "procedural" responsibilities over a specific case.

The CIME will also be able to clarify the meaning of the Guidelines where TUAC, BIAC or an adhering country believes that an NCP has misinterpreted them over a specific case. When issuing a clarification, CIME does not name companies (although in practice, the company identity is known).

However, where those findings differ from those of an NCP, they will be of use in pressing the government to take remedial action or re-open the case and in putting pressure on the company to observe the Guidelines.

The CIME will also be able to call on experts to "address and report on broader issues or individual issues, or to improve the effectiveness of procedures". In addition to in-house experts, CIME may call on outside experts, including, specifically, trade unions, the ILO and other relevant international bodies, NGOs and others.



## Chapter four

### How to proceed if a company violates the Guidelines

The new Implementation Procedures to help enforce the Guidelines set out clearer guidance for users. However, specific application of the Guidelines procedures is still being developed at national level.

To help trade unions better prepare cases to be taken to the NCPs, and where necessary to the CIME, measures to be taken when a company is violating the Guidelines are outlined below.

These steps deal solely with problem solving, but it should be remembered that the Guidelines can be used in a positive way to help establish relations with multinationals and for other purposes.

In the event of a problem arising relevant to the Guidelines, the following approach should be followed:

- If a Guidelines-related problem cannot be resolved directly with the company, the trade union should contact its national centre and International Trade Secretariat (ITS) to discuss whatever action under the Guidelines procedures might be necessary and useful.

Co-ordinated action will get better results and irrelevant or poorly prepared requests to the NCP or the OECD are likely to be counterproductive. All relevant trade union organisations should be involved.

TUAC is ready to provide informal advice on the use of the Guidelines and to take part in any discussion on how to best use them.

- The national centre or ITS should always inform the TUAC of a case. In addition, it will be desirable to inform the ICFTU Secretariat, particularly in cases arising in a non-OECD country.

Such contact is most useful if it takes place prior to the submission of a case.

A case can be submitted by a trade union directly, an ITS or by a national centre. In certain circumstances, for example when the case comes from a non-adhering country, the ITS may be the most appropriate body to handle it.

Circumstances will vary according to the trade union situation and the approach of the NCP in countries where the latter exists.

Contact between unions and national centres in the country where the problem has arisen and their counterparts in the enterprise's home country should also take place. The appropriate ITS and the TUAC and ICFTU Secretariats will assist in ensuring such contact.

- The trade union organisation should then formally approach the NCP in the country where the violation is taking place.

If it is in a non-adhering country, it would be the NCP in the country where the company is headquartered. So, for example, if a US based company operating in Malaysia breaches the Guidelines, the Malaysian trade union should contact its ITS and national centre.

The ITS and the MTUC should make sure that the TUAC and the ICFTU are informed as well as the national centre in the home country, the AFL-CIO. The AFL-CIO should be asked to raise the issue with the US NCP. NCPs are obliged to follow the same procedures as with adhering countries "where relevant and applicable".

The case must be thoroughly prepared. It requires accurate background information on the exact nature of the Guidelines violation, the name of the parent company, its subsidiary or supplier, and where it is located.

Supportive evidence substantiating the allegations should be presented. In that way, the risk that the NCP will conclude that the case should not proceed is reduced.

The trade union organisation should also request that the NCP, where one exists, in the country where the violation has taken place, discuss the case with the NCP in the country where the corporation is headquartered. Trade union organisations in the home country may also wish to discuss the case with their NCP. Such actions can lead to a speedier resolution of the problem.

- Upon receipt of the trade union organisation's request for action, the NCP must examine the case. It should follow the procedure outlined on pages 6 and 7.

If the NCP decides that the issue does not merit further consideration, it should respond to the organisation raising the case and give reasons for its decision.

Should the trade union organisation involved disagree with this outcome, it should contact the TUAC secretariat to determine whether the issue should be raised at the CIME.

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If, on the other hand, the NCP decides that the case is well founded, it is to follow the procedures outlined on pages 6 and 7.

Where no resolution can be reached, the NCP should make a statement identifying the company. It should also give recommendations on how to implement the Guidelines in that case. They can then be used to encourage compliance with the Guidelines.

- If the NCP has mishandled the case or has made a questionable interpretation of the Guidelines, TUAC can make a submission to CIME, and if founded the Committee can clarify how the Guidelines should be interpreted and implemented, and make that publicly known. CIME can also make recommendations to improve the functioning of NCPs.

- If the procedures have been followed and the company still refuses to change its behaviour then the involved trade union organisation(s) should return to the NCP and request intervention. TUAC may also request that the CIME discuss such a development as well. The refusal to comply with the Guidelines can be an effective argument as part of a larger campaign. Again, a strong co-ordinated trade union approach would be necessary.

## Chapter five

### The Guidelines and other instruments and measures

There are a variety of instruments and measures related to the conduct of multinational enterprises. The Guidelines and the ILO Tripartite Declaration, which are based on universal standards, were designed with the participation of trade unions and employer organisations firmly included, and have a role for governments.

The ILO Tripartite Declaration has been less frequently used by trade unions than the OECD Guidelines, in part because the follow-up procedures do not tend to contribute to problem-solving and because of restrictive receivability requirements for consideration of cases.

The UN Global Compact is a vehicle to promote global dialogue built around nine principles that include the core labour standards as well as fundamental standards for human rights and the environment.

The dialogue involves global employers and global unions. It also encourages individual enterprises to endorse the Compact.

Although its role is quite different from both the ILO Tripartite Declaration and the OECD Guidelines, it is consistent with both instruments. It can facilitate discussions between ITSs and companies and can help create a climate conducive to the negotiation of framework agreements.

Although Guidelines implementation is based on national procedures, they can also contribute to social dialogue, particularly if such dialogue is encouraged by NCPs. This also has the potential to encourage global social dialogue and agreement.

There are other, non-governmental, but multilateral, activities in the area of corporate conduct. The Global Reporting Initiative (GRI), a private effort with support from the United Nations Environment Programme (UNEP), is working to establish common international standards to be followed by corporations in reporting on social and environmental sustainability. Efforts are being made to ensure that the common standards are consistent with international labour standards and the OECD Guidelines.

If it develops adequate standards and procedures, GRI could become a benchmark for investors. Social Accountability (SA) 8000 has

been one of the pioneers in multilateral, private initiatives, and trade unions have been involved in the development of its code, which is based on international labour standards. It also has mechanisms for verification and certification. The Ethical Trading Initiative (ETI), although based in one country, the UK, deals with the conduct of UK-based enterprises overseas. It is governed by a board composed of three representatives each of companies, unions, and NGOs. ETI runs pilot programmes related to the implementation of company codes of conduct that are consistent with the ETI code.

## Framework agreements and workers' capital

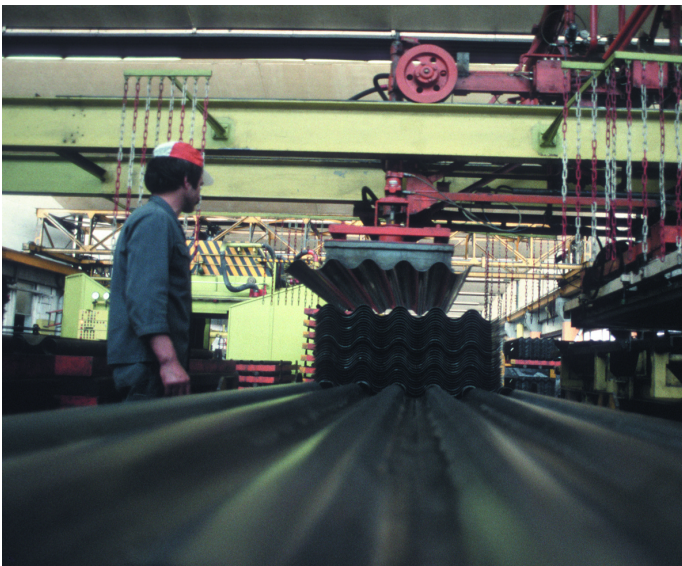
ITSs are negotiating 'framework agreements' with multinationals. The number of such agreements has grown rapidly in recent years. These agreements include trade union and other workers' rights. In some cases, they cover other issues as well, including those concerned with suppliers. They establish a relationship with a company that makes it possible to resolve problems, often before conflicts become serious.

European Works Councils (EWCs), based on a binding directive at European level, also provide a means to communicate with major companies and can help generate global relationships with ITSs.

Pension funds and other institutional investors have an increasing influence on capital markets and some exercise considerable influence over companies. Issues of corporate behaviour are being increasingly discussed by such funds.

In some cases, workers, often through their trade unions, serve among the "stewards" of funds and have some influence over the trillions of dollars of workers' capital that is locked up in the global financial markets. These institutional investors have the potential to change negative corporate behaviour through their market strategies.

Trade unions are becoming increasingly active in this area and are beginning to co-operate at the international level. The ICFTU, ITSs and TUAC have created a joint working



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group on workers' capital in the interest of the security of retirement income of their members based on responsible and accountable corporate behaviour.

## Unilateral codes of conduct

A plethora of unilateral codes of conduct have been adopted by companies in recent years in some cases as a response to adverse publicity at their activities, or that of their suppliers, predominantly in developing countries. Such codes are of varying quality and usefulness.

They are not established in relation with trade unions or interlocutors nor are they "enforceable" through the use of any government-based process, and key international standards are, more often than not, missing, such as freedom of association and the right to collective bargaining.

With this growth of activity in the area of corporate conduct, it is important to appreciate the differences in the nature of the various instruments and measures that are being taken. Many unilateral codes of conduct are little more than public relations exercises.

However, some multilateral approaches, while purely private, offer opportunities for exchanges of information and the development of experience and expertise, such as for example, the Ethical Trading Initiative.

Framework agreements are binding in the sense that they are negotiated between legitimate partners and workers are represented at the table.

The Global Compact, in itself, produces little. Its impact must be measured through its effect on global social dialogue, including framework agreements and the encouragement of companies to engage other parties based on international standards.

The ILO Tripartite Declaration and the OECD Guidelines are anchored in international bodies and to a greater or lesser degree implicate national governments in their implementation.

The ILO standards and supervisory machinery underpin all of the instruments and



other measures that are based on international labour standards.

These instruments or measures are not, however, legally binding at the international level, unlike many protections of property that are emerging.

However, there are opportunities to make the Guidelines more binding and, therefore, more relevant to the decision-making processes of enterprises.

## Linkages

TUAC affiliates are increasingly discussing with their governments ways in which to link the Guidelines to publicly-backed overseas investment and trade supporting measures such as export credits.

The public has a right to expect that taxpayer money is not used to support corporate behaviour that abuses workers' rights, fuels bribery and corruption, or pollutes the environment. Some governments are coming to share that view.

Those companies that see themselves as leading the field in corporate social accountability should fear nothing from this. Indeed, it should help them maintain standards without being undercut by unscrupulous competitors. Other enterprises may object.

They should be reminded that no enterprise is forced to apply for government subsidies or guarantees. They are benefits, not entitlements.

The Guidelines therefore have a complementary role in this new area of corporate social responsibility and accountability, in that they can help shape the environment as to what constitutes acceptable and non-acceptable corporate behaviour at home and abroad.

So for example, they could be used to condition the behaviour of companies receiving public funds, as elements or standards to be incorporated in ITS-MNE framework agreements (some of which already include OECD jurisprudence), and as a benchmark for other instruments or measures.

For example, they could form the basis for the social element of the GRI and be used as part of regional activities, including EWCs, as well as being related to regional or global intergovernmental agreements.

Ultimately, it is up to employees and their trade unions, whether national centres, ITSs, or their affiliates to decide upon which approach or set of approaches can be most effective in their relations with a multinational. What can be dealt with at the local/national level and

what must be done at the international level? In some cases the Guidelines might be effective, while in other cases other instruments might be better. Such strategies need to be further developed and will depend on the circumstances of specific cases.

The Guidelines have often been used in conjunction with other measures. In some cases, it makes sense to use only one instrument and in others it makes sense to use a multiple approach.

The important element is to have a strategy and to understand the relationships between the different tools that are available. In developing effective strategies for the use of the Guidelines and other international instruments, the best results have come following early consultation by trade unions and national centres with their respective international organisations.

■ For a more detailed review of codes of conduct by trade union authors see *"The international trade union movement and the new codes of conduct"* by Dwight Justice, ICFTU or *"The New Codes of Conduct - Some questions and answers for trade unionists"* by Neil Kearney, ITGLWF and Dwight Justice.



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## Appendices one to three



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# Appendix one

## The OECD Guidelines for Multinational Enterprises

### Preface

1. The OECD Guidelines for Multinational Enterprises\* (the Guidelines) are recommendations addressed by governments to multinational enterprises.

They provide voluntary principles and standards for responsible business conduct consistent with applicable laws.

The Guidelines aim to ensure that the operations of these enterprises are in harmony with government policies, to strengthen the basis of mutual confidence between enterprises and the societies in which they operate, to help improve the foreign investment climate and to enhance the contribution to sustainable development made by multinational enterprises.

The Guidelines are part of the OECD Declaration on International Investment and Multinational Enterprises, the other elements of which relate to national treatment, conflicting requirements on enterprises, and international investment incentives and disincentives.

2. International business has experienced far-reaching structural change and the Guidelines themselves have evolved to reflect these changes. With the rise of service and knowledge-intensive industries, service and technology enterprises have entered the international marketplace.

Large enterprises still account for a major share of international investment, and there is a trend towards large-scale international mergers.

At the same time, foreign investment by small and medium-sized enterprises has also increased and these enterprises now play a significant role on the international scene.

Multinational enterprises, like their domestic counterparts, have evolved to encompass a

broader range of business arrangements and organisational forms. Strategic alliances and closer relations with suppliers and contractors tend to blur the boundaries of the enterprise.

3. The rapid evolution in the structure of multinational enterprises is also reflected in their operations in the developing world, where foreign direct investment has grown rapidly.

In developing countries, multinational enterprises have diversified beyond primary production and extractive industries into manufacturing, assembly, domestic market development and services.

4. The activities of multinational enterprises, through international trade and investment, have strengthened and deepened the ties that join OECD economies to each other and to the rest of the world.

These activities bring substantial benefits to home and host countries. These benefits accrue when multinational enterprises supply the products and services that consumers want to buy at competitive prices and when they provide fair returns to suppliers of capital.

Their trade and investment activities contribute to the efficient use of capital, technology and human and natural resources.

They facilitate the transfer of technology among the regions of the world and the development of technologies that reflect local conditions.

Through both formal training and on-the-job learning enterprises also promote the development of human capital in host countries.

5. The nature, scope and speed of economic changes have presented new strategic challenges for enterprises and their stakeholders. Multinational enterprises have the opportunity to implement best practice policies for sustainable development that seek to ensure coherence between social, economic and environmental objectives.

The ability of multinational enterprises to promote sustainable development is greatly enhanced when trade and investment are conducted in a context of open, competitive and appropriately regulated markets.

\*The Guidelines together with the OECD Council Decision, the Procedural Guidance and the Commentaries are available at the OECD website: [www.oecd.org/daf/investment/guidelines/index.htm](http://www.oecd.org/daf/investment/guidelines/index.htm)



6. Many multinational enterprises have demonstrated that respect for high standards of business conduct can enhance growth.

Today's competitive forces are intense and multinational enterprises face a variety of legal, social and regulatory settings.

In this context, some enterprises may be tempted to neglect appropriate standards and principles of conduct in an attempt to gain undue competitive advantage.

Such practices by the few may call into question the reputation of the many and may give rise to public concerns.

7. Many enterprises have responded to these public concerns by developing internal programmes, guidance and management systems that underpin their commitment to good corporate citizenship, good practices and good business and employee conduct.

Some of them have called upon consulting, auditing and certification services, contributing to the accumulation of expertise in these areas.

These efforts have also promoted social dialogue on what constitutes good business conduct.

The Guidelines clarify the shared expectations for business conduct of the governments adhering to them and provide a point of reference for enterprises.

Thus, the Guidelines both complement and reinforce private efforts to define and implement responsible business conduct.

8. Governments are co-operating with each other and with other actors to strengthen the international legal and policy framework in which business is conducted.

The post-war period has seen the development of this framework, starting with the adoption in 1948 of the Universal Declaration of Human Rights.

Recent instruments include the ILO Declaration on Fundamental Principles and Rights at Work, the Rio Declaration on Environment and

Development and Agenda 21 and the Copenhagen Declaration for Social Development.

9. The OECD has also been contributing to the international policy framework. Recent developments include the adoption of the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions and of the OECD Principles of Corporate Governance, the OECD Guidelines for Consumer Protection in the Context of Electronic Commerce, and ongoing work on the OECD Guidelines on Transfer Pricing for Multinational Enterprises and Tax Administrations.

10. The common aim of the governments adhering to the Guidelines is to encourage the positive contributions that multinational enterprises can make to economic, environmental and social progress and to minimise the difficulties to which their various operations may give rise.

In working towards this goal, governments find themselves in partnership with the many businesses, trade unions and other non-governmental organisations that are working in their own ways towards the same end.

Governments can help by providing effective domestic policy frameworks that include stable macroeconomic policy, non-discriminatory treatment of firms, appropriate regulation and prudential supervision, an impartial system of courts and law enforcement and efficient and honest public administration.

Governments can also help by maintaining and promoting appropriate standards and policies in support of sustainable development and by engaging in ongoing reforms to ensure that public sector activity is efficient and effective.

Governments adhering to the Guidelines are committed to continual improvement of both domestic and international policies with a view to improving the welfare and living standards of all people.

## I Concepts and principles

1. The Guidelines are recommendations jointly addressed by governments to multinational enterprises.

They provide principles and standards of good practice consistent with applicable laws. Observance of the Guidelines by enterprises is voluntary and not legally enforceable.

2. Since the operations of multinational enterprises extend throughout the world, international co-operation in this field should extend to all countries.

Governments adhering to the Guidelines encourage the enterprises operating on their territories to observe the Guidelines wherever they operate, while taking into account the particular circumstances of each host country.

3. A precise definition of multinational enterprises is not required for the purposes of the Guidelines.

These usually comprise companies or other entities established in more than one country and so linked that they may co-ordinate their operations in various ways.

While one or more of these entities may be able to exercise a significant influence over the activities of others, their degree of autonomy within the enterprise may vary widely from one multinational enterprise to another.

Ownership may be private, state or mixed. The Guidelines are addressed to all the entities within the multinational enterprise (parent companies and/or local entities).

According to the actual distribution of responsibilities among them, the different entities are expected to co-operate and to assist one another to facilitate observance of the Guidelines.

4. The Guidelines are not aimed at introducing differences of treatment between multinational and domestic enterprises; they reflect good practice for all. Accordingly, multinational and domestic enterprises are subject to the same expectations in respect of their conduct wherever the Guidelines are relevant to both.

5. Governments wish to encourage the widest possible observance of the Guidelines. While it is acknowledged that small and medium-sized enterprises may not have the same capacities as larger enterprises, governments adhering to the Guidelines nevertheless encourage them to observe the Guidelines recommendations to the fullest extent possible.

6. Governments adhering to the Guidelines should not use them for protectionist purposes nor use them in a way that calls into question the comparative advantage of any country where multinational enterprises invest.

7. Governments have the right to prescribe the conditions under which multinational enterprises operate within their jurisdictions, subject to international law.

The entities of a multinational enterprise located in various countries are subject to the laws applicable in these countries.

When multinational enterprises are subject to conflicting requirements by adhering countries, the governments concerned will co-operate in good faith with a view to resolving problems that may arise.

8. Governments adhering to the Guidelines set them forth with the understanding that they will fulfil their responsibilities to treat enterprises equitably and in accordance with international law and with their contractual obligations.

9. The use of appropriate international dispute settlement mechanisms, including arbitration, is encouraged as a means of facilitating the resolution of legal problems arising between enterprises and host country governments.

10. Governments adhering to the Guidelines will promote them and encourage their use.

They will establish National Contact Points that promote the Guidelines and act as a forum for discussion of all matters relating to the Guidelines.

The adhering Governments will also participate in appropriate review and consultation procedures to address issues concerning interpretation of the Guidelines in a changing world.

## II General policies

Enterprises should take fully into account established policies in the countries in which they operate, and consider the views of other stakeholders. In this regard, enterprises should:

1. Contribute to economic, social and environmental progress with a view to achieving sustainable development.
2. Respect the human rights of those affected by their activities consistent with the host government's international obligations and commitments.
3. Encourage local capacity building through close co-operation with the local community, including business interests, as well as developing the enterprise's activities in domestic and foreign markets, consistent with the need for sound commercial practice.
4. Encourage human capital formation, in particular by creating employment opportunities and facilitating training opportunities for employees.
5. Refrain from seeking or accepting exemptions not contemplated in the statutory or regulatory framework related to environmental, health, safety, labour, taxation, financial incentives, or other issues.
6. Support and uphold good corporate governance principles and develop and apply good corporate governance practices.
7. Develop and apply effective self-regulatory practices and management systems that foster a relationship of confidence and mutual trust between enterprises and the societies in which they operate.
8. Promote employee awareness of, and compliance with, company policies through appropriate dissemination of these policies, including through training programmes.
9. Refrain from discriminatory or disciplinary action against employees who make bona fide reports to management or, as appropriate, to the competent public authorities, on practices that contravene the law, the Guidelines or the enterprise's policies.
10. Encourage, where practicable, business partners, including suppliers and sub-contractors, to apply principles of corporate conduct

compatible with the Guidelines.

11. Abstain from any improper involvement in local political activities.

## III Disclosure

1. Enterprises should ensure that timely, regular, reliable and relevant information is disclosed regarding their activities, structure, financial situation and performance.

This information should be disclosed for the enterprise as a whole and, where appropriate, along business lines or geographic areas. Disclosure policies of enterprises should be tailored to the nature, size and location of the enterprise, with due regard taken of costs, business confidentiality and other competitive concerns.

2. Enterprises should apply high quality standards for disclosure, accounting, and audit. Enterprises are also encouraged to apply high quality standards for non-financial information including environmental and social reporting where they exist. The standards or policies under which both financial and non-financial information are compiled and published should be reported.

3. Enterprises should disclose basic information showing their name, location, and structure, the name, address and telephone number of the parent enterprise and its main affiliates, its percentage ownership, direct and indirect in these affiliates, including shareholdings between them.

4. Enterprises should also disclose material information on:

- a) The financial and operating results of the company;
- b) Company objectives;
- c) Major share ownership and voting rights;
- d) Members of the board and key executives, and their remuneration;
- e) Material foreseeable risk factors;
- f) Material issues regarding employees and other stakeholders;
- g) Governance structures and policies.

5. Enterprises are encouraged to communicate additional information that could include:

- a) Value statements or statements of business conduct intended for public disclosure including information on the social, ethical and environmental policies of the enterprise and other codes of conduct to which the company subscribes. In addition, the date of adoption, the countries and entities to which such statements apply and its performance in relation to these statements may be communicated;
- b) Information on systems for managing risks and complying with laws, and on statements or codes of business conduct;
- c) Information on relationships with employees and other stakeholders.

## IV Employment and industrial relations

Enterprises should, within the framework of applicable law, regulations and prevailing labour relations and employment practices:

- 1. a) Respect the right of their employees to be represented by trade unions and other bona fide representatives of employees, and engage in constructive negotiations, either individually or through employers' associations, with such representatives with a view to reaching agreements on employment conditions;
- b) Contribute to the effective abolition of child labour;
- c) Contribute to the elimination of all forms of forced or compulsory labour;
- d) Not discriminate against their employees with respect to employment or occupation on such grounds as race, colour, sex, religion, political opinion, national extraction or social origin, unless selectivity concerning employee characteristics furthers established governmental policies which specifically promote greater equality of employment opportunity or relates to the inherent requirements of a job.
- 2. a) Provide facilities to employee representatives as may be necessary to assist in the development of effective collective agreements;
- b) Provide information to employee representatives which is needed for meaningful negotiations on conditions of employment;
- c) Promote consultation and co-operation between employers and employees and their representatives on matters of mutual concern.
- 3. Provide information to employees and their representatives which enables them to obtain a true and fair view of the performance of the entity or, where appropriate, the enterprise as a whole.
- 4. a) Observe standards of employment and industrial relations not less favourable than those observed by comparable employers in the host country;
- b) Take adequate steps to ensure occupational health and safety in their operations.
- 5. In their operations, to the greatest extent practicable, employ local personnel and provide training with a view to improving skill levels, in co-operation with employee representatives and, where appropriate, relevant governmental authorities.
- 6. In considering changes in their operations which would have major effects upon the livelihood of their employees, in particular in the case of the closure of an entity involving collective lay-offs or dismissals, provide reasonable notice of such changes to representatives of their employees, and, where appropriate, to the relevant governmental authorities, and co-operate with the employee representatives and appropriate governmental authorities so as to mitigate to the maximum extent practicable adverse effects.

In light of the specific circumstances of each case, it would be appropriate if management were able to give such notice prior to the final decision being taken.

Other means may also be employed to provide meaningful co-operation to mitigate the effects of such decisions.

- 7. In the context of bona fide negotiations with representatives of employees on conditions of



employment, or while employees are exercising a right to organise, not threaten to transfer the whole or part of an operating unit from the country concerned nor transfer employees from the enterprises' component entities in other countries in order to influence unfairly those negotiations or to hinder the exercise of a right to organise.

8. Enable authorised representatives of their employees to negotiate on collective bargaining or labour-management relations issues and allow the parties to consult on matters of mutual concern with representatives of management who are authorised to take decisions on these matters.

## V Environment

Enterprises should, within the framework of laws, regulations and administrative practices in the countries in which they operate, and in consideration of relevant international agreements, principles, objectives, and standards, take due account of the need to protect the environment, public health and safety, and generally to conduct their activities in a manner contributing to the wider goal of sustainable development. In particular, enterprises should:

1. Establish and maintain a system of environmental management appropriate to the enterprise, including:

- a) Collection and evaluation of adequate and timely information regarding the environmental, health, and safety impacts of their activities;
- b) Establishment of measurable objectives and, where appropriate, targets for improved environmental performance, including periodically reviewing the continuing relevance of these objectives; and
- c) Regular monitoring and verification of progress towards environmental, health, and safety objectives or targets.

2. Taking into account concerns about cost, business confidentiality, and the protection of intellectual property rights:

- a) Provide the public and employees with adequate and timely information on the

potential environment, health and safety impacts of the activities of the enterprise, which could include reporting on progress in improving environmental performance; and

- b) Engage in adequate and timely communication and consultation with the communities directly affected by the environmental, health and safety policies of the enterprise and by their implementation.

3. Assess, and address in decision-making, the foreseeable environmental, health, and safety-related impacts associated with the processes, goods and services of the enterprise over their full life cycle.

Where these proposed activities may have significant environmental, health, or safety impacts, and where they are subject to a decision of a competent authority, prepare an appropriate environmental impact assessment.

4. Consistent with the scientific and technical understanding of the risks, where there are threats of serious damage to the environment, taking also into account human health and safety, not use the lack of full scientific certainty as a reason for postponing cost-effective measures to prevent or minimise such damage.

5. Maintain contingency plans for preventing, mitigating, and controlling serious environmental and health damage from their operations, including accidents and emergencies; and mechanisms for immediate reporting to the competent authorities.

6. Continually seek to improve corporate environmental performance, by encouraging, where appropriate, such activities as:

- a) Adoption of technologies and operating procedures in all parts of the enterprise that reflect standards concerning environmental performance in the best performing part of the enterprise;
- b) Development and provision of products or services that have no undue environmental impacts; are safe in their intended use; are efficient in their consumption of energy and natural resources; can be reused, recycled, or disposed of safely;

c) Promoting higher levels of awareness among customers of the environmental implications of using the products and services of the enterprise; and

d) Research on ways of improving the environmental performance of the enterprise over the longer term.

7. Provide adequate education and training to employees in environmental health and safety matters, including the handling of hazardous materials and the prevention of environmental accidents, as well as more general environmental management areas, such as environmental impact assessment procedures, public relations, and environmental technologies.

8. Contribute to the development of environmentally meaningful and economically efficient public policy, for example, by means of partnerships or initiatives that will enhance environmental awareness and protection.

## VI Combating bribery

Enterprises should not, directly or indirectly, offer, promise, give, or demand a bribe or other undue advantage to obtain or retain business or other improper advantage.

Nor should enterprises be solicited or expected to render a bribe or other undue advantage. In particular, enterprises should:

1. Not offer, nor give in to demands, to pay public officials or the employees of business partners any portion of a contract payment. They should not use subcontracts, purchase orders or consulting agreements as means of channelling payments to public officials, to employees of business partners or to their relatives or business associates.
2. Ensure that remuneration of agents is appropriate and for legitimate services only. Where relevant, a list of agents employed in connection with transactions with public bodies and state-owned enterprises should be kept and made available to competent authorities.
3. Enhance the transparency of their activities in the fight against bribery and extortion. Measures could include making public commitments against bribery and extortion and disclosing the management

systems the company has adopted in order to honour these commitments. The enterprise should also foster openness and dialogue with the public so as to promote its awareness of and co-operation with the fight against bribery and extortion.

4. Promote employee awareness of and compliance with company policies against bribery and extortion through appropriate dissemination of these policies and through training programmes and disciplinary procedures.

5. Adopt management control systems that discourage bribery and corrupt practices, and adopt financial and tax accounting and auditing practices that prevent the establishment of "off the books" or secret accounts or the creation of documents which do not properly and fairly record the transactions to which they relate.

6. Not make illegal contributions to candidates for public office or to political parties or to other political organisations. Contributions should fully comply with public disclosure requirements and should be reported to senior management.

## VII Consumer interests

When dealing with consumers, enterprises should act in accordance with fair business, marketing and advertising practices and should take all reasonable steps to ensure the safety and quality of the goods or services they provide. In particular, they should:

1. Ensure that the goods or services they provide meet all agreed or legally required standards for consumer health and safety, including health warnings and product safety and information labels.
2. As appropriate to the goods or services, provide accurate and clear information regarding their content, safe use, maintenance, storage, and disposal sufficient to enable consumers to make informed decisions.
3. Provide transparent and effective procedures that address consumer complaints and contribute to fair and timely resolution of consumer disputes without undue cost or burden.

4. Not make representations or omissions, nor engage in any other practices, that are deceptive, misleading, fraudulent, or unfair.

5. Respect consumer privacy and provide protection for personal data.

6. Co-operate fully and in a transparent manner with public authorities in the prevention or removal of serious threats to public health and safety deriving from the consumption or use of their products.

## VIII Science and technology

Enterprises should:

1. Endeavour to ensure that their activities are compatible with the science and technology (S&T) policies and plans of the countries in which they operate and as appropriate contribute to the development of local and national innovative capacity.

2. Adopt, where practicable in the course of their business activities, practices that permit the transfer and rapid diffusion of technologies and know-how, with due regard to the protection of intellectual property rights.

3. When appropriate, perform science and technology development work in host countries to address local market needs, as well as employ host country personnel in an S&T capacity and encourage their training, taking into account commercial needs.

4. When granting licenses for the use of intellectual property rights or when otherwise transferring technology, do so on reasonable terms and conditions and in a manner that contributes to the long term development prospects of the host country.

5. Where relevant to commercial objectives, develop ties with local universities, public research institutions, and participate in co-operative research projects with local industry or industry associations.

## IX Competition

Enterprises should, within the framework of applicable laws and regulations, conduct their activities in a competitive manner. In particular,

enterprises should:

1. Refrain from entering into or carrying out anti-competitive agreements among competitors:

- a) To fix prices;
- b) To make rigged bids (collusive tenders);
- c) To establish output restrictions or quotas; or
- d) To share or divide markets by allocating customers, suppliers, territories or lines of commerce.

2. Conduct all of their activities in a manner consistent with all applicable competition laws, taking into account the applicability of the competition laws of jurisdictions whose economies would be likely to be harmed by anti-competitive activity on their part.

3. Co-operate with the competition authorities of such jurisdictions by, among other things and subject to applicable law and appropriate safeguards, providing as prompt and complete responses as practicable to requests for information.

4. Promote employee awareness of the importance of compliance with all applicable competition laws and policies.

## X Taxation

It is important that enterprises contribute to the public finances of host countries by making timely payment of their tax liabilities.

In particular, enterprises should comply with the tax laws and regulations in all countries in which they operate and should exert every effort to act in accordance with both the letter and spirit of those laws and regulations.

This would include such measures as providing to the relevant authorities the information necessary for the correct determination of taxes to be assessed in connection with their operations and conforming transfer pricing practices to the arm's length principle.

## Appendix two

### Trade union and OECD contacts:

#### Trade Union Advisory Committee to the OECD (TUAC)

26 Avenue de la Grande Armée  
F-75017 Paris, France  
Tel: +33 (0)1 55 37 37 37  
Fax: +33 (0)1 47 54 98 28  
[www.tuac.org](http://www.tuac.org)

#### International Confederation of Free Trade Unions (ICFTU)

5 Bd du Roi Albert II, Bte 1  
B-1210 Brussels, Belgium  
Tel: +32 (0)2 224 02 11  
Fax: +32 (0)2 201 58 15  
[www.icftu.org](http://www.icftu.org)

#### World Confederation of Labour (WCL)

33 Rue de Trèves  
B-1040 Brussels, Belgium  
Tel: +32 (0)2 285 47 00  
Fax: +32 (0)2 230 87 22  
[www.cmt-wcl.org](http://www.cmt-wcl.org)

#### European Trade Union Confederation (ETUC)

5 Boulevard Roi Albert II  
B-1210 Brussels, Belgium  
Tel: +32 (0)2 224 04 11  
Fax: +32 (0)2 224 04 54  
[www.etuc.org](http://www.etuc.org)

#### Education International (EI)

5 bd du Roi Albert II (8th)  
1210 Brussels, Belgium  
Tel: +32 (0)2 224 06 11  
Fax: +32 (0)2 224 06 06  
[www.ei-ie.org](http://www.ei-ie.org)

#### International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM)

109 Avenue Emile de Béco  
B-1050 Brussels, Belgium  
Tel: +32 (0)2 626 20 20  
Fax: +32 (0)2 648 43 16  
[www.icem.org](http://www.icem.org)

#### International Federation of Building and Wood Workers (IFBWW)

54 Route des Acacias  
CH-1227 Carouge, Switzerland  
Tel: +41 22 827 37 77  
Fax: +41 22 827 37 70  
[www.ifbww.org](http://www.ifbww.org)

#### International Federation of Journalists (IFJ)

IPC-Residence Palace  
155 rue de la Loi

To find the address of a national centre, please look on the ICFTU website [www.icftu.org](http://www.icftu.org) and/or the WCL website [www.cmt-wcl.org](http://www.cmt-wcl.org)

#### B-1040 Brussels, Belgium

Tel: +32 (0)2 235 22 00  
Fax: +32 (0)2 235 22 19  
[www.ifj.org](http://www.ifj.org)

#### International Metalworkers' Federation (IMF)

54bis Route des Acacias  
Case Postale 1516  
CH-1227 Geneva, Switzerland  
Tel: +41 22 308 50 50  
Fax: +41 22 308 50 55  
[www.imfmetal.org](http://www.imfmetal.org)

#### International Textile, Garment and Leather Workers' Federation (ITGLWF)

8 rue Joseph Stevens  
B-1000 Brussels, Belgium  
Tel: +32 (0)2 512 26 06  
Fax: +32 (0)2 511 09 04  
[www.itglwf.org](http://www.itglwf.org)

#### International Transport Workers' Federation (ITF)

49-60 Borough Road  
London SE1 1DS, Great Britain  
Tel: +44 (020) 7403 2733  
Fax: +44 (020) 7357 7871  
[www.itf.org.uk](http://www.itf.org.uk)

#### International Union of Food and Allied Workers (IUF)

8 Rampe du Pont-Rouge  
CH-1213 Petit-Lancy, Switzerland  
Tel: +41 22 793 22 33  
Fax: +41 22 793 22 38  
[www.iuf.org](http://www.iuf.org)

#### Public Services International (PSI)

BP 9, F-01211 Ferney-Voltaire Cedex, France  
Tel: +33 (0)4 50 40 64 64  
Fax: +33 (0)4 50 40 73 20  
[www.world-psi.org](http://www.world-psi.org)

#### Union Network International (UNI)

8-10 Avenue Reverdil  
CH-1260 Nyon, Switzerland  
Tel: +41 22 365 21 00  
Fax: +41 22 365 21 21  
[www.union-network.org](http://www.union-network.org)

#### Organisation for Economic Co-operation and Development (OECD)

2, rue André Pascal  
F-75775 Paris Cedex 16, France  
Tel: +33 (0)1 45 24 82 00  
[www.oecd.org/daf/investment/guidelines/index.htm](http://www.oecd.org/daf/investment/guidelines/index.htm)



## Appendix three

### List of National Contact Points

<b>Argentina</b>	Ministry of External Relations National Directorate of International Economic Negotiations Esmeralda 1212 – 9 piso, 1007 Buenos Aires	Tel: (54-11) 4819 7020/7207 Fax: (54-11) 4819 7566 Email: ggt@mrecic.gov.ar
<b>Australia</b>	Executive Member Foreign Investment Review Board c/o The Treasury Parkes Place Parkes ACT 2600, Canberra	Tel: (61-6) 263 3795 Fax: (61-6) 263 2940 Email: ancp@treasury.gov.au Web: www.ausncp.gov.au
<b>Austria</b>	Director Export and Investment Policy Division Federal Ministry of Economic Affairs and Labour Abteilung II/5 Stubenring 1, 1011 Vienna	Tel: (43-1) 711 00 5180/5792 Fax: (43-1) 715 9651 Email: post@II5.bmwa.gv.at Web: www.bmwa.gv.at/positionen/pos1_fs.htm
<b>Belgium</b>	Directeur général honoraire - Président Ministère des Affaires Économiques Administration des Relations Économiques rue Général Leman 60, 1040 Bruxelles	Tel: (32-2) 2065 873 Fax: (32-2) 5140 389 Email: colette.vanstraelen@mineco.fgov.be
<b>Brazil</b>	Finance Policy and Development Division Ministry of Foreign Affairs Anexo 1, sala 724, Esplanada dos Ministérios 70170-900 Brasília	Tel: (55-61) 411 6925/6935/6945 Fax: (55-61) 322 8245
	Foreign Capital Department Central Bank of Brazil SBS Quadra 3, Bloco B Edifício Sed, 70074-900 Brasília	Tel: (55-61) 414 1380 Fax: (55-61) 225 1965
<b>Canada</b>	Canada's National Contact Point Room C6-273 125 Sussex Drive Ottawa, Ontario K1A 0G2	Tel: (1-613) 996 3324 Fax: (1-613) 944 0679 Email: ncp.pcn@dfait-maeci.gc.ca Web: www.ncp-pcn.gc.ca
<b>Chile</b>	Have not been provided	
<b>Czech Republic</b>	Director of Department 31 Ministry of Finance Letenská 15 11810 Prague 1	Tel: (420-2) 2454 2255 Fax: (420-2) 2454 2386 Web: www.mfcr.cz/scripts/HP/default.asp

<b>Denmark</b>	Deputy Permanent Secretary of State Division for Labour Law and Industrial Relations Ministry of Labour Holmens Kanal 20 DK-1060 Copenhagen K	Tel: (45) 33 92 59 00 Fax: (45) 33 12 13 78 Email: eed@am.dk Web: www.am.dk/
<b>Finland</b>	Senior Government Secretary Advisory Committee on International Investment & Multinational Enterprises of Finland (MONIKA), Ministry of Trade and Industry PO Box 32, 0023 Valtioneuvosto Helsinki	Tel: (358-9) 160 4689 Fax: (358-9) 160 2622 Email: jorma.mmonen@ktm.vn.fi Web: www.ktm.fi/monika/
<b>France</b>	Sous-directrice Europe et Affaires monétaires internationales Direction du Trésor - télédéc 579 Ministère de l'économie, des finances et de l'industrie 139, rue de Bercy 75572 Paris Cedex 12	Tel: (33) 01 44 87 73 70 Fax: (33) 01 453 18 36 29 www.minefi.gouv.fr/minefi/ europe/multinationale /index.htm
<b>Germany</b>	Bundesministerium für Wirtschaft und Technologie Scharnhorststraße 34-37 10115 Berlin	Tel: (49-30) 20 14 71 79 Fax: (49-30) 20 14 54 931 Email: buero-vc- f2@bmwi.bund.de
<b>Greece</b>	Director - Directorate for International Organisations & Policies General Directorate for Policy Planning & Implementation General Secretariat for International Relations Ministry of National Economy Ermou & Kornarou 1 Athens 10563	Tel: (301) 328 6307 or 328 6231 Fax: (301) 328 6309 E-mail: sdoaa@dos.gr Web: www.elke.gr/bloecd.htm
<b>Hungary</b>	Investment Incentives and Investment Promotion Department Ministry of Economic Affairs V., Honvéd u. 13-1 H-1055 Budapest	Tel: (36-1) 374-2877 Fax: (36-1) 269-3478 E-mail: tibor.tejnora@gmv.gov.hu www.gm.hu/fomenu/kereskedele m/htm/oecd/index.htm
<b>Iceland</b>	Director for Financial Markets and Economic Affairs Ministry of Industry and Commerce Arnarhvoli 150 Reykjavik	Tel: (354-1) 609 070 Fax: (354-1) 621 289
<b>Ireland</b>	National Contact Point Outward Direct Investment Unit Department of Enterprise, Trade & Employment Kildare Street Dublin 2	Tel: (353-1) 631 2471 Fax: (353-1) 631 2822 E-mail: Gerard_Monks @entemp.ie Web: www.entemp.ie/epst/fdi2.htm

<b>Italy</b>	Ministère du Trésor du Budget et de la Programmation Economique Département du Trésor - Direction III Via XX Settembre 00187 Rome	Tel: (39-06) 4761 3929 Fax: (39-06) 4761 3932 <a href="http://www.minindustria.it/Novita.htm">www.minindustria.it/Novita.htm</a>
<b>Japan</b>	Director Second International Organisations Division Economic Affairs Bureau Ministry of Foreign Affairs 2-2-1 Kasumigaseki Chiyoda-ku Tokyo	Tel: (81-3) 3581-0018 Fax: (81-3) 3581-9470
<b>Korea</b>	Vice-Minister Ministry of Commerce, Industry & Energy (MOCIE) 1 Chungang-dong Kwachon-si Kyongki Province	Tel: 507-2152/500-2568 Fax: 504-4816/822-503-9655 Email: <a href="mailto:fdikorea@mocie.go.kr">fdikorea@mocie.go.kr</a> Web: <a href="http://www.mocie.go.kr">www.mocie.go.kr</a>
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