

RENGO-TUAC
Symposium on the OECD Guidelines for Multinational Enterprises
Tokyo, 25 February, 2008

“Increasing the Role of the Guidelines in South East Asia”

CONCLUSIONS

1. The OECD Guidelines for Multinational Enterprises together with the relevant ILO instruments provide an authoritative body of normative standards for the activities of multinational enterprises. Given the multiplication of corporate codes in Asia and elsewhere as well as the development in some cases of national standards it was particularly important to reinforce the awareness of the Guidelines and the ILO Tripartite Declaration on Multinational Enterprises as a reference point for such standards.
2. The meeting noted the rapid rise in the number of cases raised under the OECD Guidelines from the Asian region in 2007 continuing into 2008. The large majority of these have concerned alleged violation of trade union rights. There was a need to improve the effectiveness and speed with which these cases are being treated by National Contact Points otherwise a sense of disillusionment with the Guidelines will arise in the region.
3. Achieving observance of the Guidelines will also be a contribution to maintaining open investment in the region given the appearance of outward investment from countries such as China and the growth of sovereign wealth funds. Observance of the Guidelines by such new investors together with increased transparency would go a long way to meeting some of the concerns raised about such investment.
4. The G8 meetings taking place in Japan with the Hokkaido Summit in July and the Niigata Labour Ministers' Conference in May need to build on the progress made at the G8 meetings in Heiligendamm and Dresden in 2007 where important commitments were made to improving enforcement of the OECD Guidelines. The meeting was concerned that the Heiligendamm Process is not basing its investment work on the Guidelines. This needs to be corrected and the meeting called for consultation between the Heiligendamm Process unions and governments on this.
5. There were important challenges in the Asian region posed by the need to apply the OECD Guidelines in China which again made it urgent to reinforce the application of the Guidelines. The meeting hoped that the postponed OECD Seminar on Responsible Business Conduct in China would now take place.
6. In Japan, none of the cases raised with the Japanese National Contact Point have been effectively dealt with so far. The structure of the National Contact Point should be reconsidered with a view to introducing tripartite consultation. The issue of parallel legal proceedings should not be allowed to block the treatment of cases and the NCP should seek to play a conciliation role in treating cases drawing on the experience of the mediation role that some NCPs were providing.

7. Through the Global Unions, consideration should be given to more regional exchange of information on the type of cases being dealt with and the effectiveness of different mechanisms in Asia. This could be coordinated through the Global Unions Federations, ITUC Asia Pacific and TUAC.

8. The ILO, OECD High-level Round Table on Responsible Business Conduct in June in Paris will represent an important occasion to take the application of the Guidelines and ILO Declaration forward. One follow-up could be for the OECD and ILO to organise an Asian regional Round Table on the Guidelines and ILO Declaration.