

Final Statement by the Norwegian NCP

**Norwegian Society for the Conservation of Nature/Friends of the Earth Norway¹
and Forum for Environment and Development**

vs

Cermaq ASA (Mainstream Canada and Mainstream Chile)

The Norwegian NCP's conclusions

Following the successful conclusion of the mediation process by the Norwegian NCP and the joint statement by the parties, the Norwegian NCP will close the complaint in respect of Mainstream Canada and Mainstream Chile. No further examination of the allegations in the complaint will be made by the Norwegian NCP.

The Norwegian NCP congratulates all parties on reaching a mutually acceptable outcome and for constructively engaging in discussions to reach this agreement. In particular, the involvement of the respective parties' boards and CEOs was positive for the process.

The joint statement was reached and signed on 1 July 2011 following mediation by the head of the Norwegian NCP, Dean and Professor Hans Petter Graver, and officially signed on 10 August 2011. The full text of the agreement is attached as an annex to this statement.

All parties have agreed that the full text of the agreement can be published. Since the Guidelines are not legally binding, the agreement between the parties is not appropriate for litigation purposes.

The Norwegian NCP strongly recommends that the parties to the complaint continue the dialogue established during the mediation process. All three parties are invited to meet with the NCP in April 2012, to give an update on the implementation of the joint statement.

¹ Hereinafter Friends of the Earth Norway

The Norwegian NCP process in this specific instance

As a consequence of the Government's decision to reform the Norwegian NCP to follow up on the white paper on corporate social responsibility (Report No.10 (2008–2009) to the Storting), this specific instance was handled by two Norwegian NCPs. The former NCP handled the specific instance from 19 May 2009 to 28 February 2011. On 1 March 2011 the Norwegian NCP was reorganised, with a new independent panel of experts forming the main body and a secretariat organised administratively under the Ministry of Foreign Affairs. The new NCP had its constituent meeting and formally agreed to handle the specific instance on 30 March 2011. The new NCP met all three parties on 13 April 2011. The meeting was concluded with a renewed offer of good offices to all parties to mediate with the goal achieving a joint statement. The NCP conducted the mediation itself, without any expenses accrued for any party involved. The new NCP requested further clarifications from the parties, including a list of remaining questions to the company. The NCP requested the complainants to analyse the company's forthcoming Sustainability Report in the light of the complaint. Both Cermaq ASA and the complainants provided the NCP with the requested documentation by 9 May. All parties agreed to mediation by 30 May. Mediation took place between 20 and 29 June. A consultant was hired to support the Secretariat in providing guidance to parties involved in the mediation process in line with Norwegian Public Administration Act Section 11 on the general duty of public offices to provide guidance to parties. All three parties participated constructively. In particular the NCP appreciates the involvement of the Secretary General of Friends of the Earth Norway, Jan Thomas Odegard, Board Director of Cermaq ASA Baard Mikkelsen, CEO of Cermaq ASA Geir Isaksen and after 1 March 2011 the Director General of Forum for Environment and Development Elin Enge. Agreement on a joint statement was successfully reached on 1 July 2011 and officially signed on 10 August 2011. For details of the Norwegian NCP process in this specific instance please see Annex 2.

List of annexes:

1. Join Statement between Cermaq ASA, the Norwegian Society for the Conservation of Nature/Friends of the Earth Norway and ForUM
2. Summary of the specific instance before the Norwegian NCP (including summary of the complaint, the company's response and the Norwegian NCP process)
3. Procedures according to the OECD Guidelines

Annex 1: MEDIATION OUTCOME: JOINT STATEMENT

July 1st, 2011

Joint Statement by Cermaq ASA, Norwegian Society for the Conservation of Nature/Friends of the Earth Norway² and Forum for Environment and Development (ForUM)

Based on the complaint of 19 May 2009 and the OECD Guidelines for Multinational Enterprises, the National Contact Point for Responsible Business arranged for mediation between the parties. Friends of the Earth Norway, The Forum for Environment and Development (ForUM) and Cermaq ASA are in agreement that:

- a) The sustainable use of natural resources, including the precautionary principle and accountability in meeting social and environmental challenges, is crucial for the aquaculture industry's future.
- b) The Chilean aquaculture industry, including Cermaq, should have been operated in a more sustainable manner before the fish health crisis in Chile in 2007. Since 2007 Cermaq has undertaken constructive measures in their own business operations and contributed in developing knowledge making the industry more sustainable.
- c) The complaint by Friends of the Earth Norway and ForUM included claims about Cermaq and its business that have been refuted.
- d) Future cooperation and contacts shall be based on mutual trust and clarification of facts.

The aquaculture industry in Chile

- e) Where government regulation does not ensure the sustainability of aquaculture, the industry should take its share of responsibility. Cermaq acknowledges that the aquaculture industry in Chile, including Cermaq's aquaculture activities, was not sustainable as it was operated before the fish health crisis in 2007. The density of fish farms was too high in several places in Region X (10) of Chile, and the procedures required to prevent disease in fish were insufficient.
- f) There is a connection between the way aquaculture has been carried out in Chile and spread of fish diseases that led to the collapse of the industry in Chile in 2007. Sufficient account was not taken of the precautionary principle. Rapid growth in the industry combined with a lack of regulation contributed, and the national authorities did not have adequate regulation of the biological and operational conditions in Chile. Warnings were issued that the situation could lead to environmental and fish health problems. Retrospectively, Cermaq believes it would have been desirable for the industry and Cermaq before 2007 to have been stronger advocates for the development of a more sustainable framework for the industry. In Norway at the same time, knowledge concerning an appropriate regulatory framework for the industry was available and this would have provided a starting point for efforts to influence legislation in Chile.
- g) Friends of the Earth Norway and ForUM recognize that Cermaq has learned from the crisis in Chile and has made positive changes in procedures to prevent fish

² Hereinafter Friends of the Earth Norway

disease in Chile and in Cermaq's global business. Cermaq agrees with Friends of the Earth Norway and ForUM that the fish health crisis in Chile illustrates that the dissemination of best practice across its operations globally is important to ensure sustainability and improvement of operating procedures.

The basis for sustainable aquaculture

Cermaq emphasizes that its guidelines for ethics and social responsibility, as determined by its Board, has endorsed the OECD Guidelines for Multinational Enterprises. Cermaq's guidelines of Ethics and Social Responsibility provides that the company has a responsibility for people, communities and environment affected by its activities, and that Cermaq activity should be organized so as not to undermine the potential for future production based on the same resources. In addition, Cermaq is member of the UN Global Compact. Based on these values, Cermaq has endorsed the following:

- h) In keeping with the government of Norway's White Paper on Active Ownership (Report no.13 (2010-11) to the Storting "Active Ownership"), Cermaq will aim for leadership in social responsibility in the aquaculture industry. Cermaq will strive for excellence on environmental initiatives in its industry, including by contributing to the development and use of environmentally friendly technology.
- i) Cermaq has drawn lessons from the collapse in Chile, including a more structured approach to the exchange of knowledge and best practice between companies in the group regardless of business location.
- j) Based on internal and external, recognized research, and in line with the precautionary principle (as defined in the OECD Guidelines for Multinational Enterprises, including discussion of scientific uncertainty), Cermaq will further develop its efforts to minimize the risk of inflicting serious environmental damage on their surroundings.
- k) After the fish health crisis in Chile, Cermaq has contributed to new and important knowledge on the fish disease infectious salmon anemia (ISA) through projects to internal and external researchers, and through the establishment of a new research laboratory in Chile. Friends of the Earth Norway and ForUM recognize that this has provided new insights that are important for Cermaq and the industry, and provides a basis for better prevention of transmission of ISA and prevention of fish diseases.
- l) Cermaq has integrated human rights in the company's guidelines for social responsibility and respects human rights in line with OECD Guidelines Chap. II, 10-12 and Chap. IV, including by avoiding to infringe the human rights of others and to remedy violations of human rights where they occur both as a result of the company's own operations and in its supply chain.
- m) Cermaq respects indigenous rights in line with ILO Convention 169 and the UN Declaration of Indigenous Peoples (UNDRIP). Cermaq's operations in areas with indigenous peoples in Chile, Canada and Norway will be in accordance with the provisions of these agreements. Cermaq will seek to enter into mutually beneficial agreements with indigenous people in all areas where their rights are affected by Cermaq's operations, including in Chile.

- n) Cermaq respects and promotes worker rights in foreign countries as in Norway, as embodied in the eight ILO core conventions of the "Declaration of Fundamental Principles and Rights at Work", including the right to freedom of association and collective bargaining. Cermaq will continue to participate in round table conferences organized by the Observatorio Laboral y Ambiental de Chiloé (Olach).
- o) Cermaq will continue reporting against sustainability indicators, which are anchored at the level of its board, based on Global Reporting Initiative (GRI) and customized indicators specifically designed for the business of aquaculture. Cermaq intends to continue the practice of external verification by an independent third party. In the further development of its qualitative and quantitative indicators, Cermaq will draw on feedback from both internal and external sources, including groups who may be affected by the business.

Bård Mikkelsen
Chairman of the Board,
Cermaq ASA

Lars Haltbrekken
Chairman of the Board,
Friends of the Earth Norway

Andrew Kroglund
Chairman of the Board, Forum for Environment and Development (ForUM)

Mediation by Hans Petter Graver

Head of Norway's National Contact Point for Responsible Business, Dean and Professor, Department of Private Law, University of Oslo

Annex 2: SUMMARY OF THE SPECIFIC INSTANCE BEFORE THE NORWEGIAN NCP

<u>Complainants:</u>	The Norwegian Society for the Conservation of Nature/ Friends of the Earth Norway and Forum for Environment and Development
<u>Company concerned:</u>	Cermaq ASA with subsidiaries Mainstream Scotland (shares sold 25 August 2010), Mainstream Canada and Mainstream Chile
<u>Case:</u>	Salmon farming in Canada and Chile
<u>Status:</u>	Concluded through mediation by NCP Norway with joint statement

OECD Guidelines (2000 version) chapter(s) and paragraph(s):

Chap. II, paragraphs 2, 7/ Chap. IV paragraphs 1a, d, 4/
Chap. V, paragraphs 2, 3, 4

1. Details of the parties involved

The Norwegian Society for the Conservation of Nature is a Norwegian registered NGO affiliated with the international network Friends of the Earth International. It was established in 1914, and advocates responsible management of natural resources in Norway and internationally. It is also a member of the other complainant, the umbrella organisation Forum for Environment and Development.

Forum for Environment and Development (hereinafter ForUM) is a Norwegian think-tank, and a national and international contact point for the coordination of policy initiatives and recommendations. ForUM represents 51 NGOs in Norway, and has a broad network of international partners. It is also represented in OECD Watch.

Cermaq ASA (hereinafter Cermaq) has its main office in Norway and is among the world's leading fish farming and fish feed companies. Salmon and trout are farmed in and shipped from Norway, Scotland, Canada and Chile. The company was listed on the Oslo Stock Exchange in 2005. The Norwegian Ministry of Trade and Industry has a 43.5% shareholding. Cermaq has 3 277 employees (2009), around 2 100 in Chile and 350 in Canada. As of July 2011, its salmon farming activities are carried out by the subsidiaries Mainstream Norway, Mainstream Canada and Mainstream Chile. Cermaq bought Mainstream Chile in 2000. Most of Mainstream Chile's salmon farming activities are in region XI (11) (2011), while coho and trout are mainly farmed around Chiloé Island in region X (10). Activities in Canada were concentrated on the west coast of Vancouver Island in British Columbia until 2005, when Cermaq bought fish farming facilities from the Canadian enterprise Heritage on the east coast of Vancouver Island.

2. Summary of the complaint and response

OECD Guideline (2000-version)	Complaint in brief	Company's response in brief
<p>Chapter II, 2 and 7</p> <p>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:</p> <p>II, 2</p> <p>Respect the human rights of those affected by their activities consistent with the host government's international obligations and commitments</p> <p>II, 7</p> <p>Enterprises should 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.</p>	<p>Allegations of inadequate consideration of indigenous people's rights in Canada and Chile and of inadequate routines for contact and dispute arbitration with other interested parties in the areas they have activities.</p>	<p>Cermaq participates in several dialogues with interest groups and local communities, and has developed communication guidelines including for dialogue and conflict resolution.</p>
<p>Chapter IV – Paragraph 1a, 1d and 4</p> <p>Enterprises should, within the framework of applicable law, regulations and prevailing labour relations and employment practices:</p> <p>IV, 1</p> <p>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.</p> <p>IV, 1</p> <p>d) Not discriminate against their</p>	<p>Allegations of unfounded dismissals, attempts to prevent employees joining trade unions, and pay and bonus systems that discriminate women.</p>	<p>Cermaq has documented that allegations of dismissals were not substantiated. The company expresses a positive attitude towards trade unions.</p>

<p>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.</p>		
<p>Chapter IV – Paragraph 4 a) b)</p> <p>Enterprises should, within the framework of applicable law, regulations and prevailing labour relations and employment practices:</p> <p>IV, 4 a) Observe standards of employment and industrial relations not less favourable than those observed by comparable employers in the host country.</p> <p>IV, 4 b) Take adequate steps to ensure occupational health and safety in their operations.</p>	<p>Alleged inadequate safety routines for employees and contracted workers.</p>	<p>All Cermaq companies are either already certified or will within a specified date be certified to OHSAS 18001, a certification for health and safety. Moreover, investigations by the Chilean authorities of lethal accidents amongst contracted divers concluded that the Cermaq company in question was not responsible.</p>
<p>Chapter V, paragraph 2 and 3</p> <p>Enterprises should establish and maintain a system of environmental management appropriate to the enterprise, including collection and evaluation of adequate and timely information regarding the environmental, health and safety impacts of their activities, establishment of measurable objectives and, where appropriate, targets for improved environmental performance, including periodically reviewing the continuing relevance of these objectives</p> <p>V, 2</p> <p>Taking into account concerns about cost, business confidentiality, and the protection</p>	<p>Alleged lack of preparedness against salmon escaping, the spread of lice and the spread of Infectious Salmon Anaemia (ISA). Also alleged inadequate communication and consultation with the communities that are directly affected by the company’s environmental policy.</p> <p>Alleged failure to take into account in its decision-making processes the foreseeable environmental, health and safety consequences of its aquaculture activities, and alleged use of scientific uncertainty as a reason for postponing measures to prevent or minimise serious damage to the environment.</p>	<p>Cermaq has implemented risk management and accountability systems related to sustainable use of natural resources and environmental challenges in its subsidiaries. Cermaq referred to the industry’s regulatory framework in Chile before 2007, available knowledge about ISA, and the way in which it has collaborated with environmental scientists. Cermaq has also initiated its own research on the spread of fish diseases, especially Infectious Salmon Anaemia (ISA).</p>

<p>of intellectual property rights:</p> <p>a) provide the public and employees with adequate and timely information on the potential environmental, health and safety impacts of the activities of the enterprise, which could include reporting in progress in improving environmental performance; and</p> <p>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</p> <p>V, 3</p> <p>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.</p> <p>V, 4</p> <p>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.</p>		
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3. Details of the Norwegian NCP process in this specific instance

The complaint was received on 19 May 2009 and concluded on 1 July 2011. Fifteen months passed from the date the complaint was accepted as a specific instance until agreement was reached. During these 15 months, the NCP was reformed as a follow-up to the Government's white paper on corporate social responsibility. Prior to 1 March 2011, the Norwegian NCP consisted of representatives from the Norwegian

Confederation of Trade Unions, the Confederation of Norwegian Enterprise and the Norwegian authorities. The secretariat was run by the Ministry of Foreign Affairs. On 1 March 2011, the Norwegian NCP was reorganised. The new NCP is made up of an independent panel of four experts. Also a secretariat was organised administratively under, but no longer run by, the Ministry of Foreign Affairs. The new NCP held its constituent meeting and formally accepted to handle the specific instance on 30 March 2011.

In the Cermaq specific instance, the NGOs stated that they wanted the policies of Cermaq's Headquarters to change so that the operations abroad would be adjusted in a consistent manner. The company agreed and so did the Norwegian, Chilean and Canadian NCPs. During the investigation both under the former and the reformed NCP, contact has been maintained with the Chilean and Canadian NCPs. A draft of this statement was shared with and altered according to input from these NCPs. The Norwegian NCP much appreciates the willingness of the Chilean and Canadian NCPs to collaborate and share their comments.

4. Process before 1 March 2011

The complainants requested an independent evaluation of the company's policies and practices with regard to the alleged breaches of the Guidelines. The Norwegian NCP responded by obtaining relevant reports from the Norwegian Institute of Marine Research and the Norwegian Scientific Committee for Food Safety.

In addition to the original complaint, the complainants also presented further documentation of the alleged breaches in Spanish. Due to limited resources, the Norwegian NCP decided not to translate this additional documentation.

Ever since they first received the complaint, the company denied all allegations of breaches of the OECD Guidelines. A series of meetings in the NCP both with the complainants and with the company during 2010 and January 2011 resulted in three requests from the NCP to the company for additional documentation. The company responded to all three requests with extensive documentation. The documentation was shared with the complainants, who did not consider that all questions had been answered by the company.

With reference to the inequalities in terms of resources for following up the complaint and the company's response, the complainants repeated their request for further independent evaluation which was supported by one of the representatives of the NCP; the representative of the Norwegian Confederation of Trade Unions.

5. Process after 1 March 2011

Following the reorganisation of the Norwegian NCP, the new NCP met with all three parties on 13 April 2011. The Norwegian NCP obtained extensive additional documentation from all parties. The complainants still requested further independent evaluation. The NCP considered the most important aspects of the case, especially those concerning the environment, to be well examined, including by a report from the Institute of Marine Research. To ensure efficient use of resources, also because the case was submitted nearly two years ago, the NCP decided not to initiate further investigations. The meeting was concluded with a renewed offer of good offices to all

parties with the goal of achieving a joint statement. It was also agreed that prior to the proposed mediation, the company would clarify a few remaining questions. The complainants agreed to analyse the company's forthcoming Sustainability Report in the light of the complaint. Both Cermaq and the complainants provided the NCP with the requested documentation by the date agreed upon by the parties. Preparations for mediation, including contact with all three parties were made between 1 and 20 June 2011. Mediation with the parties took place between 20 and 29 June 2011. The NCP decided to conduct mediation itself without any accrued expenses for any parties involved. On 21 June, the secretariat assigned Mark Taylor from the Norwegian Institute for Labour and Social Research (Fafo) to provide assistance during the mediation. The NCP found the assistance from Mr Taylor, who held telephone meetings with all three parties as well as with the NCP secretariat, to be helpful in the last stage of the specific instance and the mediation.

All three parties participated constructively in the mediation. Agreement on a joint statement was successfully reached on 30 June 2011 and signed on 1 July by Board Director of Cermaq, Bård Mikkelsen, Board Director of Friends of the Earth Norway, Lars Haltbrekken and Board Director of ForUM, Andrew Kroglund. The joint statement was also signed by mediator and head of the Norwegian NCP, Professor Hans Petter Graver.

The parties agreed to publicise the joint statement on 10 August 2011.

6. Chronology of the specific instance

19 May 2009	NCP Norway receives complaint.
24 August 2009	Cermag submits the company's response.
14 September 2009	NCP Norway asks for collaboration and comments from NCP Chile and NCP Canada
Undated 2009	NCP Chile states that NCP Norway should handle the specific instance, and expresses its willingness to collaborate.
3 December 2009	NCP Canada expresses its willingness to collaborate if further examinations take place.
4 March 2010	The Norwegian NCP accepts the complaint as a specific instance.
7 June 2010	The NCP meets with Cermaq and the Friends of the Earth Norway.
14 June 2010	The NCP requests additional documentation from Cermaq (first request).
28 June 2010	Cermag responds to the request of 14 June.
21 September 2010	The NCP receives report from the Norwegian Institute for Marine Research on the environmental situation and challenges in the period 2000–2006.
21 September 2010	The NCP receives report from the Norwegian Scientific Committee for Food Safety on risk factors relating to the spread of Infectious Salmon Anaemia (ISA).
25 November 2010	The NCP requests additional documentation from Cermaq (second request).
1 December 2010	Cermag requests by email a meeting with the NCP.
10 December 2010	The NCP meets with Cermaq.
22 December 2010	The NCP receives response from Cermaq to the request of 25 November 2011.

14 January 2011	The NCP requests additional documentation from Cermaq regarding labour dispute (third request).
21 January 2011	The NCP receives response from Cermaq to the request of 14 January 2011.
1 February 2011	The NCP meets with Friends of the Earth Norway
3 February 2011	The NCP requests further documentation from Cermaq (fourth request).
14 February 2011	The NCP receives response from Cermaq to the request of 3 February 2011.
15 February 2011	The NCP receives assessment from Friends of the Earth Norway of the additional documentation from Cermaq received by the NCP on 14 January.
22 March 2011	The NCP receives a summary of documentation from Cermaq and the company's updated ethical guidelines.
1 March 2011	New NCP secretariat in place.
30 March 2011	The new NCP is constituted and formally accepts the case.
13 April 2011	The new NCP meets with all three parties and makes a renewed offer of good offices with the aim of agreeing on a joint statement. Prior to decision on the offer of mediation, the company agrees to answer a few remaining questions from the NCP. The Friends of the Earth Norway agrees to assess Cermaq's forthcoming Sustainability Report for 2010
15 April 2011	The NCP sends questions to Cermaq as agreed on 13 April.
9 May 2011	The NCP receives Cermaq's answers to the questions of 15 April and the assessment of Cermaq's Sustainability Report from Friends of the Earth Norway.
25 May 2011	The NCP proposes a mediation process.
27 May 2011	The NCP receives confirmation that Cermaq accepts the proposed mediation process.
30 May 2011	The NCP receives confirmation that Friends of the Earth Norway and ForUM accept the proposed mediation process.
6 June 2011	The NCP sends draft joint statement to the parties.
8 June 2011	Cermaq shares edited joint statement with the NCP.
14 June 2011	The complainants share edited joint statement with the NCP.
20 June 2011	The NCP secretariat meets with the complainants to prepare for mediation.
21 June 2011	The NCP secretariat meets with Cermaq to prepare for mediation.
21 June 2011	The NCP secretariat assigns researcher Mark Taylor to provide assistance in the mediation process.
21 June 2011	The NCP shares a second draft joint statement based on the parties' input sent by the NCP secretariat and Mr Taylor.
22 June 2011	Mr Taylor sends a third draft joint statement to the NCP.
23 June 2011	NCP mediation with ForUM, Friends of the Earth Norway and Cermaq led by the head of the NCP, Professor Hans Petter Graver.
23 June 2011	As agreed during the mediation, Cermaq shares a fourth draft joint statement based on comments from all parties.
27 June 2011	The NCP secretariat meets with Friends of the Earth Norway.

27–29 June 2011	Consultations take place between the complainants, and between the complainants and Cermaq. Mr Taylor continues to assist the NCP secretariat.
30 June 2011	Agreement on the joint statement reached.
1 July 2011	Joint statement signed by all three parties.
10 August 2011	Official signing by all three parties and the mediator.
11 August 2011	Publication of the joint statement.

Annex 3: PROCEDURES ACCORDING TO THE OECD GUIDELINES

1. General information about the Norwegian NCP's application of the OECD Guidelines for Multinational Enterprises

Updated OECD Guidelines for Responsible Business Conduct were adopted at ministerial level on 25 May 2011. The agreement between the parties is based on the updated Guidelines.

The Guidelines comprise a set of voluntary principles and standards for responsible business conduct in various areas including disclosure, employment and industrial relations, environment, combating bribery, consumer interests, science and technology, competition, and taxation.

The Guidelines are not legally binding. However, OECD governments and a number of non-OECD members are committed to encouraging multinational enterprises operating in or from their territories to observe the Guidelines, while taking into account the particular circumstances of each host country.

The Guidelines are implemented in adhering countries by National Contact Points (NCPs), which are charged with raising awareness of the Guidelines amongst businesses and civil society. NCPs are also responsible for dealing with complaints that the Guidelines have been breached by multinational enterprises operating in or from their territories.

2. General information about the Norwegian NCP complaint procedure

The Norwegian NCP complaint process is broadly divided into the following key stages:

(1) Initial assessment – This consists of a desk-based analysis of the complaint, the company's response and any additional information provided by the parties. The Norwegian NCP uses this information to decide whether further consideration of a complaint is warranted;

(2) Conciliation/mediation OR examination – If a case is accepted, the Norwegian NCP offers conciliation/mediation to both parties with the aim of reaching a settlement agreeable to both. Should conciliation/mediation fail to achieve a resolution or should the parties decline the offer, the Norwegian NCP will examine the complaint in order to assess whether it is justified;

(3) Final statement – If a mediated settlement has been reached, the Norwegian NCP will publish a final statement with details of the agreement. If conciliation/mediation is refused or fails to achieve an agreement, the Norwegian NCP will examine the complaint and prepare and publish a final statement on whether or not the Guidelines have been breached and, if appropriate, recommendations to the company for future conduct.

The complaint procedures, together with the Norwegian NCP's initial assessments, final statements and follow-up statements, are published on the Norwegian NCP's website: www.responsiblebusiness.no