

OECD-Guidelines for Multinational Enterprises



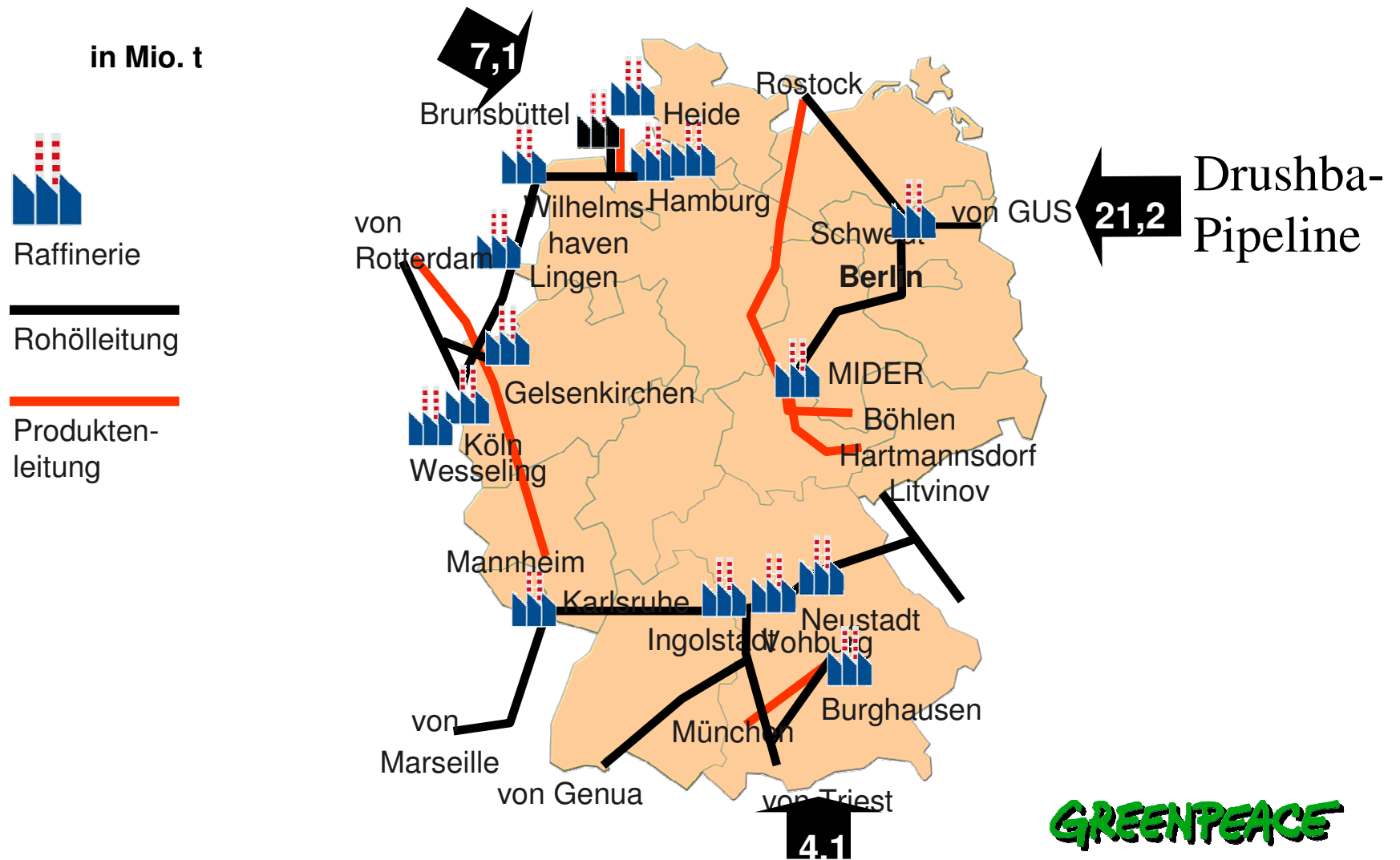
Showcase: TOTAL in Russia

Greenpeace Germany

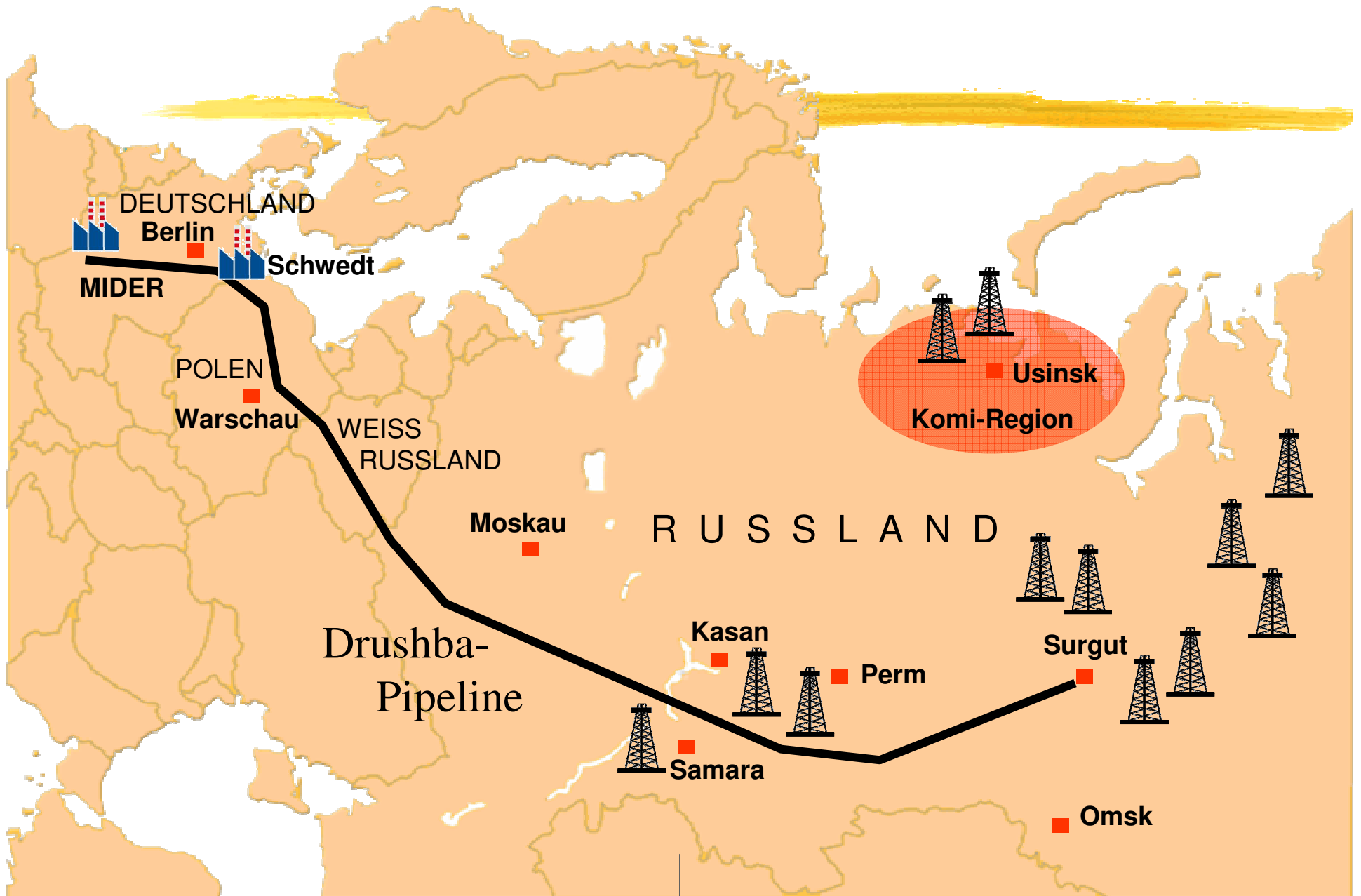
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October 2004

Russian Oilimport to Germany



Crude Oil by the „Drushba“



The Komi-Region



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Greenpeace: international Oilcamp (Western Siberia)



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Total is main importer for Russian crude oil to Germany



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Greenpeace Russia



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TOTAL making profits by polluting siberia



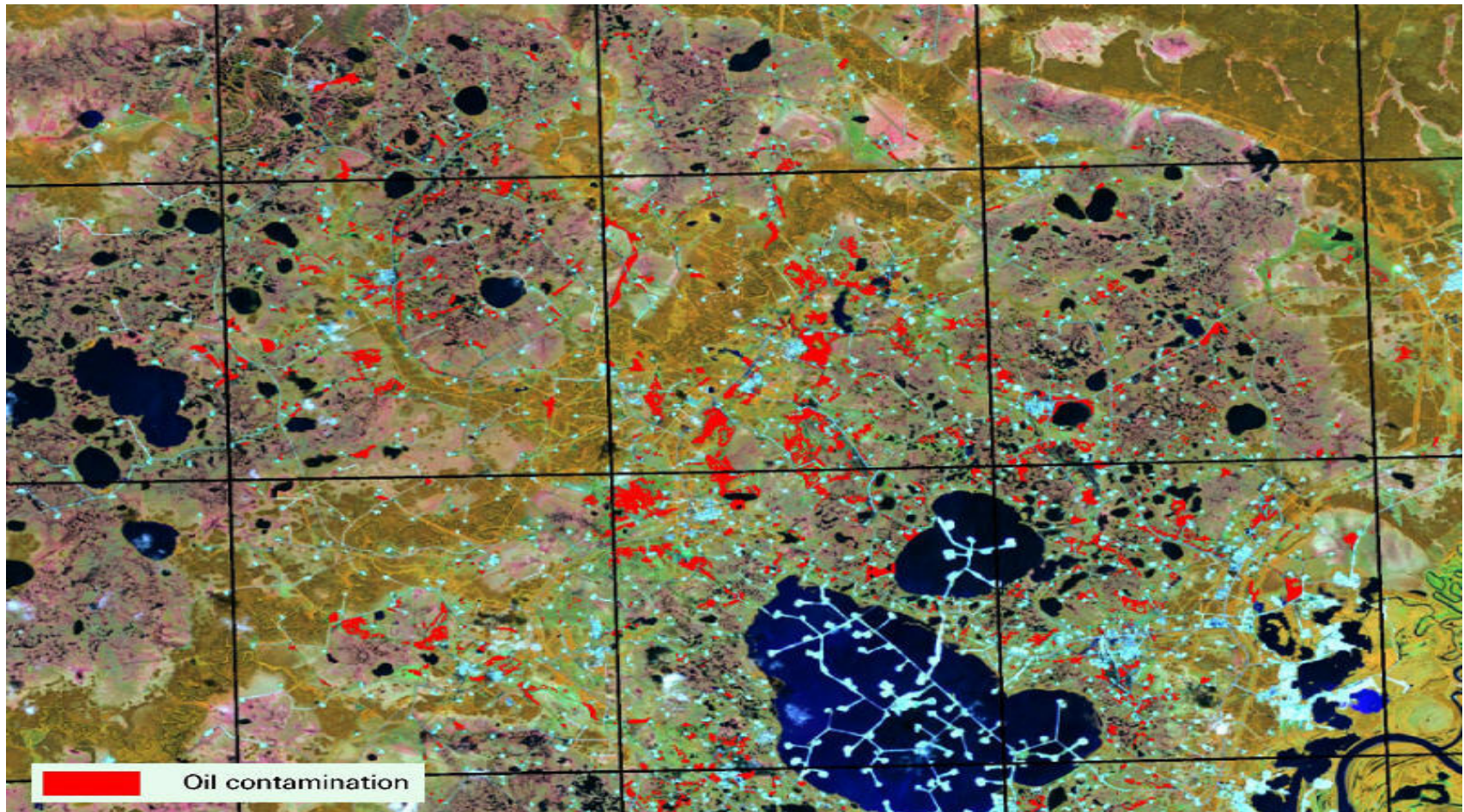
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TOTAL: Profits 7,5 Billion Euro
Enviro 0,0 Euro



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Oilfield „Samotlor“: Results from the IWACO-Report



Thousand of ha are polluted

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Timeline



- ⌘ 2000: International Oilcamp in Westsiberia
- ⌘ 2001: IWACO-Report
- ⌘ 30.March 2002: Criminal Complaint against TOTAL
- ⌘ 10. April 2002: Greenpeace wrote to the NCP in Germany
- ⌘ 17. April 2003: First Meeting between TOTAL, NCP and Greenpeace
- ⌘ January 2004: Meeting in Russia
- ⌘ 7. April 2004: Letter to NCP
- ⌘ 11. June 2004: Answer from the NCP

Case: TOTAL



- ⌘ Through its contracts for importing oil made with Russian suppliers TOTAL tolerates unacceptable production conditions.
- ⌘ TOTAL not only accept; TOTAL induces oil to be produced in a way that is environmentally destructive

Case of criminality with regard to the environment



- ⌘ Participation in cases of environmental crimes
- ⌘ bodily harm
- ⌘ bodily harm resulting in death
- ⌘ at least: making the criminal punishable attempt

Complaint



- ☒ Russia is not in the OECD, so there is a possibility to accept the case in Germany.
- ☒ The German NCP don't want to accept the case, because there is parallel a criminal complaint against TOTAL (Info from the german NCP)

Report German-NCP

9. Juni 2002



⌘ „... It is doubtful whether at all this issue is a Specific Instance. The question of the applicability of the Guidelines and the question whether this issue is within the competence of the German NCP are still under investigation.“

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Why the TOTAL case comes under the Guidelines 7. April 2004

⌘ (1) Supply chain

- ☒ established and direct business relationship

⌘ (2) Market power and product quality

- ☒ main importer of Russian crude oil

⌘ (3) Strategic alliances

- ☒ TOTAL Business links with „Lukoil“ and „Tyumen Oil“

⌘ (4) company networks

- ☒ Swiss based „Elf trading“; slush money & underground payments

⌘ (5) Investment under PSA

- ☒ direct investment in the „Kharyaga oilfield“

The answer from the German NCP 11. June 2004



⌘ Supply chain

- ☒ business relationship not long enough

- ☒ import contracts are not important

⌘ The french company is investor in Russia

⌘ Greenpeace is not fully informed

=> German NCP give no reason and no explanation

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Why the German NCP do not matter



- ⌘ Germany needs the Russian oil
- ⌘ close relationships between TOTAL and the ministry
- ⌘ the head of the German NCP comes from the oil industry
- ⌘ the refinery in "Leuna" is a highly political issue

Opportunities & Benefits



- ⌘ Before the TOTAL case, the oil industry never thought about the OECD-guidelines
- ⌘ the oil industry get respect to the guidelines
- ⌘ ...

Barriers



- ⌘ The german NCP was playing an unfair game with Greenpeace
- ⌘ TOTAL is still not willing to stop the oilleaks in Westsiberia

„lessons learned“



- ⌘ the german NCP is not „neutral“
- ⌘ the german NCP is not playing „Fair“
 - ☑ they send our letter directly to TOTAL, but never informed Greenpeace
- ⌘ the german NCP is strongly influenced by the industry
 - ☑ clear advice from the BDI (Umbrella Organisation of German Industry) not to talk any longer about the TOTAL case

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Outlook



- ⌘ We need more experience with the guidelines
- ⌘ This is not the end of the case:
 - ☑ more and more companies goes East (Russia)
 - ☑ BP invested in Westsiberia 6 Billion Euro in Tyumen Oil (TNK)

More Information: www.oil-of-elf.de