

The form is to be filled in and sent by post to:

Norwegian Contact Point for Responsible Business

OECDs Guidelines for Multinational Enterprises

Post Box 8114 Dep

0032 OSLO

Norway

Or by email to: hege.rottingen@mfa.no with a copy to mari.bangstad@mfa.no

Please note "Complaint to the Norwegian OECD Contact point for responsible business" on the envelope or e-mail

About the plaintiff	
Name of the organisations filing the complaint	Norwegian Climate Network
Registration number	995239175
Postal address	C/o Inge Olav Fure, Nordahl Brunsgt 13, 0165 Oslo
Street address	
Website	www.norskklimanettverk.no http://www.runbox.net/~concerne/index.php?li mitstart=30
Email address	fure@klimavalg.no v. Inge Olav Fure
Telephone number	+ 47 92202205
Contact person I	
Name	Aleksander Melli
Position	Chair of the board of Norwegian Climate Network
Telephone number	+ 47 92062219
Email address	alek-me@online.no
Contact person II	
Name	Sidsel Mørck
Position	Author
Telephone number	
Email address	sidmoerc@online.no
What is the interest of your organisation in filing this complaint?	The Norwegian Climate Network works to promote a coherent Norwegian climate- and energy policy that is in line with the gravity and extent of the climate crisis, as described by the Intergovernmental Panel on Climate Change (IPCC). Statoils tar sands project is clearly contrary to other Norwegian climate objectives,

	and the international goal of limiting global warming to a 2°C increase compared to pre-industrial times.
If your organisation is filing a complaint on behalf of another party: How would you describe your organisational mandate to represent the allegedly aggrieved party in this case?	
Co-complainant	Concerned Scientists Norway http://www.cs-n.org/
Contact person I	
Name	Beate Sjøfjell
Position	Professor Faculty of Law, University of Oslo
Telephone number	+47-22859381 (mobile +47-95931283)
Email address	b.k.sjofjell@jus.uio.no
The company	
Name and Address of the main office of the company against which the complaint is being filed	Statoil, Forusbeen 50, 4033 Stavanger
If the complaint concerns a subsidiary or similar entity: Name and address of the entity and its affiliation with the parent company (if this information is available)	
About the complaint	
In your opinion, which provision or provisions in the OECD Guidelines have been breached by the company concerned?	<p>Statoil's oil production in the oil sand fields in Alberta, Canada, is clearly in breach of the OECD Guidelines as set out in Chapter VI, first paragraph, of the Guidelines, on the 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 [our emphasis], 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."</p> <p>Statoil did not consider relevant international agreements (Kyoto Protocol) when the company began its involvement in the oil sands industry in Canada. Canada withdrew from the Kyoto Protocol in December 2011, but violated international agreements between 2008 and 2012 by increasing rather than reducing undisclosed climate gas emissions. The</p>

	<p>investments of Statoil have contributed to this development.</p>
<p>Give a specific, detailed account of the controversial practice, including information about where the activity or activities have taken place.</p> <p>Specify once again which of the provisions of the Guidelines is breached by the activity/activities described.</p>	<p>Oil extraction from the oil sands is based one of the most energy-intensive methods in the world, a method that is more harmful to the environment than any other known fossil energy source, with the possible exception of shale gas. Canada's oil sands as a whole represent the world's second largest oil reserves after Saudi Arabia. These reserves must remain unexploited if the world is to have a chance of stabilising the climate and limiting global warming to the internationally accepted limit of 2°C. Under the Kyoto Protocol, Norway has the responsibility to prevent that global warming exceeds a 2°C increase compared to pre-industrial times. Statoil's operations in Alberta, Canada, are incompatible with this preventive responsibility, and in breach of the first paragraph of Chapter VI of the OECD Guidelines.</p>
<p>Documentation, reports, testimonies or other types of evidence that support the allegations of practices that are in breach of the Guidelines.</p>	<p>According to the report <i>Oil sands and Climate Change</i> produced by the Pembina Institute, oil sands are the fastest growing source of greenhouse gas pollution in Canada. Greenhouse gas (GHG) emissions from oil sands have more than doubled over the last two decades and in 2009 amounted to 45 million tonnes of greenhouse gases. According to recent projections from the Government of Canada, in a business-as-usual oilsands scenario, this emissions growth will continue with the total annual emissions from the oilsands doubling from 2009 to 2020. It is unlikely that carbon capture and storage (CCS) will lead to a significant reduction of emissions in the oilsands in the next 20 years. The Pembina report illustrates that climate regulations are weak and will not counteract the growing GHG emissions from the oilsands sector.</p> <p>A report by Canada's federal Commissioner of the Environment and Sustainable Development (under the Auditor General of Canada) confirms that Canada is not on track to meet its Kyoto targets in the period between 2008 and 2012 and that the oil sand sector is weakly regulated. The report concludes that it is "unclear whether the federal authorities will be able to meet these new targets for reduction [Kyoto, our comment] until a comprehensive system is in place with clearly defined targets, timelines and letters of intent with key partners. The Government will also need an overall</p>

strategy to coordinate efficient use of billions of dollars”.

The consensus in the field of climate research is that the industrialised countries’ combined greenhouse gas emissions must be reduced from 25% to 40% below the 1990 level by 2020 if catastrophic climate change is to be avoided. Alberta’s 2008 climate plan assumes an approximate 65% growth in emissions between 1990 and 2020. With Canada’s current federal climate policy measures, emissions are projected to grow to 7% above the 2005 level by 2020, not to decline to 17% below this level as the government had committed to. As shown by the Pembina report, climate policy measures in other sectors will not compensate for the growth in emissions from the oil sand sector.

The only viable conclusion is that Statoil contributed to the Canadian violation of its Kyoto commitments, which in turn is undermining international efforts to limit global warming to an increase of 2°C above pre-industrial levels.

Canada’s deliberate and long-standing violation of its international commitments is only part of the picture. The extraction of oil from the oil sand fields in Canada is hardly compatible with the provision on sustainability in the OECD Guidelines, according to which companies should “generally to conduct their activities in a manner contributing to the wider goal of sustainable development.”

Leading climate researchers have made it clear that, in addition to being 85% more carbon intensive than the activities on the Norwegian continental shelf and causing harm to the local environment such as forest degradation, and deterioration of the quality of life of the indigenous population, the extraction of oil from Canada’s oil sand reserves will make it almost impossible to stabilise the climate and prevent catastrophic global effects.

The world renowned climate scientist James Hansen writes: “Tar sand reservoirs are estimated to contain at least 400 giga ton carbons (equivalent to 200 ppm CO₂). Easily accessible reservoirs of conventional oil and gas will suffice to augment CO₂ in the atmosphere to well above 400 ppm. If emissions from coal discontinues, however, and unconventional fossil resources remain untapped, there is a chance of stabilising the climate. However, reducing emissions from coal will in itself constitute an enormous

	<p>challenge. If tar sand is also to be extracted, fundamentally, any chance of regaining control over the climate will perish.</p> <p>A study by climate researcher Malte Menshausen et.al. published in the April 2009 issue of the magazine <i>Nature</i> clearly shows that if global warming is to be limited to below 2°C, less than a quarter of the economically recoverable fossil fuel reserves can still be burned between today (2009) and 2050. This is just a fraction of all proven fossil fuel reserves.</p> <p>Unconventional fossil energy sources such as oil sands must be regarded as incompatible with climate stability, particularly given the escalating global race for such resources and the current absence of regulatory regimes that can ensure that emissions from the extraction of oil from unconventional sources are compensated by emission reductions in other areas.</p> <p>A state-owned oil and gas company has a particular responsibility to withdraw from extractions that undermine other Norwegian climate obligations and the integrity of Norway as an international leader in climate issues.</p>
<p>Is the complaint relevant for other countries' National Contact Points, and if so, which countries?</p>	<p>Canada, USA</p>
<p>What in your organisation's view should the company do to remedy the situation described in the complaint?</p>	<p>The company should withdraw from all oil sand production.</p>
<p>Other information of relevance for the Contact Point's consideration of the complaint.</p>	<p>Concerned Scientists Norway is a co-complainant.</p> <p>It is highly likely that carbon capture and storage will not be implemented in the oil sand production. This is partly due to the difficulty of capturing CO₂ over a large geographical area in which there is a significant number of sources of leakage. (Dr. Skinner), Pembina CCS to be forwarded later.</p>
<p>Contact with the complainant</p>	
<p>Has your organisation been in contact with, or taken the initiative to establish contact with, the company named in the complaint as regards this matter?</p>	<p>No</p>

If so, give an account of how this was done and the outcome of the contact. Provide any documentation such as minutes of meetings, etc.	
Have you taken up the situation described in the complaint, or taken the initiative for taking it up in other forums? If so, give an account of any measures that have been taken on the basis of this. Provide any documentation such as minutes of meetings, etc.	No
About the complaint procedures	
Are you aware that the information provided in this complaint and any accompanying documentation and other enclosures will be submitted to the company named in the complaint?	Yes
Are you aware that the Contact Point has a policy of openness in its complaint procedures and that any information you supply on this form may be subject to public disclosure?	Yes
Have you marked any documents and other enclosures that may not be subject to public disclosure as confidential, and stated grounds as to why such confidentiality is necessary?	Yes
Can you confirm that you are aware that the Contact Point's consideration of the matter will involve our active participation and that you will to the best of your ability meet the deadlines set by the Contact Point for dealing with the matter?	Yes