



ORGANISATION FOR ECONOMIC  
CO-OPERATION AND DEVELOPMENT

**The Head of Division**

TRADE AND AGRICULTURE DIRECTORATE

Export Credits Division

ECA Watch  
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Paris, 11 March 2009

Dear Sébastien,

Thank you for your letter dated 3 February 2009, concerning the enhanced peer review process agreed by the *OECD Working Party on Export Credits and Credit Guarantees* (ECG) in November 2008.

I am a little surprised that you consider that ECA Watch was not previously informed that peer review discussions were taking place in the ECG in view of Nicole Bollen's letter to ECA Watch dated 23 November 2007. I also recall that, in March 2008, ECA Watch's proposals for a peer review system were circulated to ECG Members to inform these deliberations, which started in April 2008. The enhancements finally agreed also took into account experience with past monitoring arrangements, peer review processes elsewhere in the OECD for comparable instruments and Members' policy objectives.

You mention the OECD's "Policy Brief on Peer Review" which notes that "...*there is no standardised peer review mechanism but all peer reviews share certain structural elements...*". In this context, the process agreed by the ECG comprises these elements: a basis for proceeding, an agreed set of principles, standards and criteria against which the country's performance will be reviewed, designated actors to carry out the review and a set of procedures leading to the final result. The agreed enhancements are designed to allow both an initial self-assessment by Members, through their responses to surveys, and a subsequent peer review by all ECG Members (including, in the case of the environment, the ECG's Environmental Practitioners).

The revised process for monitoring Members' implementation of the current OECD Recommendations<sup>1</sup> will be on an annual basis, the details of which are on the OECD website<sup>2</sup>:

1. Members are invited to ensure that their responses to the *Survey on Measures taken to combat Bribery in Officially Supported Export Credits* and the *Revised Survey on the Environment and Officially Supported Export Credits* are up-to-date on an on-going basis and at a minimum on an annual basis.
2. Members report *ex post* on an on-going basis or at a minimum semi-annually all projects that had a high or medium potential environmental impact (*i.e.* Category A or Category B projects) for which a final commitment has been issued.

<sup>1</sup> The *OECD Council Recommendation on Bribery and Officially Supported Export Credits* of 14 December 2006 [TD/ECG(2006)24] and the *Revised Council Recommendation on Common Approaches on the Environment and Officially Supported Export Credits* of 12 June 2007 [TAD/ECG(2007)9]

<sup>2</sup> [http://webdomino1.oecd.org/olis/2008doc.nsf/Linkto/tad-ecg\(2008\)23](http://webdomino1.oecd.org/olis/2008doc.nsf/Linkto/tad-ecg(2008)23)



3. The Secretariat and Members engage in a bilateral dialogue to ensure the completeness and accuracy of Members' responses and reports, after which the up-to-date survey responses are made publicly available on the OECD website for comment by Civil Society Organisations (CSOs)<sup>3</sup>.
4. The Secretariat prepares, on an annual basis, provisional reviews of Members' responses to the two surveys and of the reported Category A and Category B projects, including the Secretariat's observations concerning Members' implementation of the relevant Recommendations and also any relevant comments from CSOs.
5. The provisional reviews are presented to ECG meetings for examination and discussion by all ECG Members and, for the environment, to the ECG Environmental Practitioners for technical review. Representatives of other related OECD Directorates are invited to attend and participate in the meetings and a summary of the outcomes is made publicly available on the OECD website.
6. The Secretariat prepares final reviews of Members' survey responses and of reported Category A and Category B projects, containing information that is not confidential for commercial reasons, which are made publicly available on the OECD website.

In response to the questions you raise, the enhanced process will begin this Summer: Members will be invited to ensure that their survey responses, with regard to both anti-bribery measures and the environment, are up-to-date by end-June. Once the Secretariat has reviewed Members' responses to ensure that these are complete, they will be made publicly available on the OECD website; stakeholders will then be invited to submit any comments in writing on Members' responses and any received will be circulated to the ECG. Subsequently, the Secretariat will prepare provisional reviews of Members' survey responses, and these will be examined and discussed by ECG Members at their November plenary meeting after which final reviews will be made publicly available on the OECD website early the following year.

Lastly, I cannot agree that the ECG fails to understand acceptable good practice on consultation: the November 2008 event was planned well in advance, with invitations sent to stakeholders on 29 July 2008 inviting all parties to submit issues for the Draft Agenda by 5 September 2008 and any written material by 3 October 2008. Other stakeholders took advantage of this invitation to raise a number of issues on which they wished to consult with the ECG and, as a result, a constructive and interactive consultation took place. It is unfortunate that ECA Watch decided to forego the opportunity to discuss issues with the ECG, such as the OECD Guidelines for Multinational Enterprises, screening of supply chains and the current financial crisis, and instead chose to boycott the event.

I hope we may look forward to fruitful cooperation with ECA Watch this year.

Yours sincerely,

Janet West

cc: Ms. Nicole BOLLEN, Chairman, OECD Working Party on Export Credits and Credit Guarantees  
Members of the OECD Working Party on Export Credits and Credit Guarantees

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<sup>3</sup> Business, industry, banking and trade union associations and non-governmental organisations.