



ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT

Le Secrétaire général
The Secretary-General

DJJ/2004.3.pn

9 January 2004

Dear Secretary-General,

At its session of 18-20 December 2003, the OECD Committee on International Investment and Multinational Enterprises, which has oversight responsibility for the OECD Guidelines for Multinational Enterprises, took stock of how co-operation has worked between it and the UN Panel of Experts on the Democratic Republic of Congo. I am conveying to you the views of the Committee, as expressed in the attached letter by its Chair, for your attention and that of the Security Council. The letter asks for improved co-operation between the UN Security Council and the CIME if questions related to the OECD Guidelines arise in the future work of the Security Council.

Yours sincerely,

Donald J. Johnston

Mr. Kofi Annan
Secretary General
United Nations
First Avenue at 46th Street
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Ministerie van Economische Zaken

Mr. Marinus W. Sikkel
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Head of Investment Policy & International Organisations
Ministry of Economic Affairs
P.O. Box 20101
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Netherlands

Paris, 18 December 2003

Dear Secretary-General,

In my capacity as Chair of the OECD Committee on International Investment and Multinational Enterprises (CIME), I am writing to ask you to convey the following views of the Committee to the Secretary-General of the United Nations for the attention of the Security Council.

The Committee congratulates the UN Expert Panel on the Illegal Exploitation of Natural Resources and other Forms of Wealth of the Democratic Republic of Congo (DRC) on the conclusion of its work. In both its October 2002 report (S/2002/1146) and its October 2003 report (S/2003/1027), the Panel refers prominently to the OECD Guidelines for Multinational Enterprises, an instrument for which the Committee has oversight responsibility.

At its meeting of 16-18 December 2003, the Committee discussed its co-operation with the Expert Panel during the follow-up to the October 2002 report and drew lessons for future co-operation with the UN institutions relating to the OECD Guidelines.

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Mr. Donald Johnston
Secretary-General
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The Committee recognised the difficult conditions under which the Expert Panel was working and, in particular, the need to protect the security of the people who cooperated with the Panel. However, the Committee's discussion also revealed disappointment about the level of cooperation of the Panel with the National Contact Points (which deal with all matters relating to the implementation of the Guidelines in the national context). Although experiences were mixed, several National Contact Points reiterated concerns about their inability to obtain sufficient substantive information from the Panel. It is essential that such information be provided in order for the National Contact Points to fulfil their responsibilities regarding the companies listed in the Panel's reports. I had the opportunity to express this requirement, referring to UN Security Council Resolution 1457, to the Chair of the Expert Panel in communications following the release of the October 2002 report.

If questions relating to the Guidelines arise in the future work of the United Nations, it is the Committee's expectation that contact with the Committee will be made at an early stage and that communication and cooperation will be enhanced.

The Committee offers these observations in the hope that they will be useful in arranging future co-operation with the Security Council. Improved co-operation will help both the Security Council and the CIME to carry out their responsibilities and to meet their shared goal of assisting the DRC and other countries beset by conflict to achieve a path of sustainable development.

Yours sincerely,



Marinus Sikkel
Chair of the OECD Committee on International
Investment and Multinational Enterprises

cc. Delegates of the OECD Committee on International
Investment and Multinational Enterprises
National Contact Points