

## **DECLARATION**

**by the German National Contact Point for the  
OECD Guidelines for Multinational Enterprises**

**regarding a complaint filed by**

- Greenpeace e.V.

**against**

- Vattenfall

## **SUMMARY**

In a complaint filed on 30 October 2009, Greenpeace e.V. alleged violations of Chapters II (General Policies), V (Environment) and VII 4 (Consumer Interests) of the OECD Guidelines by Vattenfall, primarily in connection with the planned Hamburg-Moorburg coal-fired power station and the Krümmel nuclear power plant. Following careful consideration of the case and consultation with the federal ministries represented in the interministerial task force that oversees implementation of the OECD Guidelines (especially the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety), the NCP rejected the complaint in a decision dated 15 March 2010. According to the procedural guidance of the OECD Guidelines, the initial assessment is to focus on whether the questions raised by the complaint merit in-depth examination. The NCP found this not to be the case, since some of the allegations made in the complaint were unsubstantiated, and other allegations were based on an overly broad interpretation of the Guidelines that was not consistent with the objectives of the Guidelines. The OECD Guidelines cannot be interpreted as an imperative against the generation of power from coal or the construction of a new power plant for this purpose.