

**Business & Human Rights Resource Centre**

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## **PÖYRY PLC'S STATEMENT TO BUSINESS & HUMAN RIGHTS RESOURCE CENTRE**

Siemenpuu Foundation (Siemenpuu-säätiö), Friends of the Earth Finland (Maan ystävät ry) and Finnish Asiatic Society (Aasian ystävät ry) have on 13 June 2012 filed with the Finnish Ministry of Employment and the Economy a complaint against Pöyry PLC alleging that it as the owner of Pöyry Energy AG has failed to comply with the OECD Guidelines for Multinational Enterprises in connection with and by Pöyry Energy AG providing compliance review services to the Government of Lao PDR related to the Xayaburi hydropower plant project. The Finnish Ministry of Employment and the Economy acts as the Finnish National Contact Point under the OECD Guidelines for Multinational Enterprises. Pöyry finds this complaint completely unfounded and without any basis in the OECD Guidelines for Multinational Enterprises.

In May 2011 Pöyry Energy AG was appointed by the Government of Lao PDR to perform a review and to give its expert opinion on the status of the Government of Lao PDR's compliance with the requirements that it must fulfill in order to proceed with the Xayaburi hydropower plant project. Pöyry Energy AG has in addition to simply reviewing the compliance of the Government of Lao PDR with the relevant requirements, in line with the recommendations of the OECD Guidelines for Multinational Enterprises, proposed several ways to mitigate the potential negative impacts of the project. Pöyry Energy AG's performance in connection with the project has been compliant with the OECD Guidelines for Multinational Enterprises. Also Pöyry PLC as the owner of Pöyry Energy AG has complied with the recommendations of the OECD Guidelines for Multinational Enterprises.

It is evident that the complainants are strongly opposing the construction of any hydro power schemes in the Mekong river and have, therefore, chosen to include in their complaint a lot of selected, guessed and unprofessional details to support their view. The complainants' allegations are partly based on a misinterpretation of the application of the OECD Guidelines for Multinational Enterprises to services provided by service providers and on wrongful interpretations of the recommendations given in

them. The complainants have also misinterpreted the procedures agreed in the Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin. Many of the complainants' allegations are based on a scientific disagreement on the mitigation measures proposed by Pöyry Energy AG in its compliance report. The Complainants are fully entitled to a different opinion on the adequacy and effectiveness of the mitigation measures proposed by Pöyry Energy AG, but the mere fact that there is a scientific disagreement does not mean that Pöyry Energy AG, would not have been compliant with the recommendations of the OECD Guidelines for Multinational Enterprises. The adequacy and suitability of the measures proposed by Pöyry Energy AG has been confirmed and verified in a peer review performed by Compagnie Nationale du Rhône, a respected independent hydropower expert.

In summary Pöyry sees that the allegations and demands of the complainants are unfounded and without any basis in the OECD Guidelines for Multinational Enterprises. All things considered Pöyry's view is that the allegations raised by the complainants do not merit further examination by the Finnish National Contact Point.

Pöyry has given its reply to the allegations of the complainants to the Finnish National Contact Point, who will in due course make their own assessment of the situation.

Yours sincerely

Pöyry PLC

### ***About Pöyry***

*Pöyry is a global consulting and engineering company dedicated to balanced sustainability and responsible business. With quality and integrity at our core, we deliver best-in-class management consulting, total solutions, and design and supervision. Our in-depth expertise extends to the fields of energy, industry, transportation, water, environment and real estate. Pöyry has about 7,000 experts and a local office network in about 50 countries. Pöyry Energy AG, a Switzerland based subsidiary of Pöyry PLC, is considered to be one of the world's leading consulting engineers in the fields of hydraulic engineering design and construction and its assignments for tunnels and hydro-electric schemes have been carried out in more than fifty countries.*