



**Approved**  
**Deputy Chairman of the NCP,**  
**Chairman of the**  
**Management Board of JSC**  
**“Economic Research Institute”**  
**Sultanov R.S.**

## **Final Statement** **of the National Contact Point of the Republic of Kazakhstan**

The Guidelines of the Organization for Economic Co-operation and Development for Multinational Enterprises on Responsible Business Conduct (hereinafter referred to as the Guidelines, the OECD) are a set of recommendations on responsible business conduct that Governments have addressed to multinational enterprises operating in or from States that comply with them.

The Guidelines are part of the Declaration on International Investment and Multinational Enterprises in 1976, a political commitment by the States that joined it, designed to provide an open and transparent environment for international investment and to stimulate the positive contribution of multinational enterprises to socio-economic progress.

The Government of the Republic of Kazakhstan has established a National Contact Point (hereinafter referred to as the NCP), whose activities are aimed at promoting the Guidelines and reviewing specific instances related to the activities of multinational enterprises based or operating in the Republic of Kazakhstan.

### **Specific instance and Initial assessment**

On December 5, 2022, the NCP Secretariat registered a specific instance from the NGO "Industrial Professional Union of Machine Builders" (hereinafter referred to as the author of the specific instance) in relation to Alstom Kazakhstan LLP (hereinafter referred to as the enterprise).

The subject of the specific instance was a potential violation by the enterprise of the rights of trade union employees and the terms of the industry agreement. Thus, the author of the specific instance believed that the company did not comply with the provisions of the OECD Guidelines on Human Rights (Chapter IV), Labor and Industrial Relations (Chapter V).

Based on the analysis of the documents submitted by the author and the enterprise on the subject of the specific instance, as well as taking into account the discussion among the members, on January 11, 2024, the NCP determined that this case was the subject of further study and accepted this specific instance for further production, publishing an initial assessment.

### **Parallel procedures**

During the consideration of the specific instance to the NCP, parallel court proceedings were conducted between the author of the specific instance and the enterprise in the national courts of the Republic of Kazakhstan.

**Further procedures**

On March 29, 2024, the Secretariat held a meeting with the author of the specific instance, where they explained the order for further procedure and proposed joint negotiations. The author of the specific instance accepted the NCP's offer to participate in the negotiation process.

On April 1, 2024, the Secretariat held a meeting with the enterprise, where the order for further procedure was also explained to it. At the same time, when discussing further actions, the company stated that, according to the court decision of October 2, 2023, it paid the author of the specific instance the amount owed under the terms of the Industry Agreement, thereby stating that the conflict was settled within the framework of the national judicial system. The company also refused to consider the second aspect of the subject of the specific instance. As a result, an agreement was reached to send an information letter describing the chronology of the events of the proceedings in the NCP and interaction with the parties to the specific instance.

On April 8, 2024, the Secretariat sent the specified letter to the enterprise, as well as a proposal to organize joint negotiations.

On May 20, 2024, the company submitted a letter to the Secretariat, in which it re-confirmed the payment to the author of the specific instance of the amount provided in the terms of the Industry Agreement, noting the settlement of the conflict following the results of the court proceedings, and pointed out the impossibility of further assistance to the NCP for the next stages of the proceedings.

**Conclusion**

Given that the company refuses further procedures, the assistance of the NCP in resolving the dispute on the subject of the specific instance is not possible. In this regard, the NCP completes the procedure for reviewing the specific instance.

At the same time, the NCP calls on the parties to strive for dialogue and cooperation, observing the principles of friendliness and mutual trust.

July 18, 2024