

Paris, 17 April 2014

Dear Mr Gurria,

Further to our annual consultation with OECD Ambassadors in January and last week's meeting in Tokyo, BIAC would like to emphasize once more investment as a vital element of sustainable growth and employment in OECD countries and beyond. We support the ground-breaking OECD work on investment as the priorities for the Ministerial Council Meeting and the future program of work and budget are being discussed.

An open and conducive investment climate should be a priority for governments, business, trade unions, consumers, and our societies at large. Indeed, many governments are currently engaged in negotiations concerning investment as part of bilateral, regional, or plurilateral agreements. At the same time, business observes a proliferation of restrictions on foreign direct investment (FDI), often hidden and difficult to counter. With the rising levels of capital required for many investments and with an uneven competitive environment, companies are often challenged to manage the substantial risk that may come with investment decisions in local and foreign markets.


The OECD and the Freedom of Investment Roundtable must continue to play a leading role in the international debate on freedom of cross-border investment. OECD advice and leadership is particularly important at a time when important instruments, like bilateral investment treaties (BITs) and Investor-State Dispute Settlement (ISDS), which are crucial to mitigate risk in international investment decisions, are under attack. We need the OECD to provide governments with state of the art analysis and to foster dialogue among member and non-member countries. Building on our constructive cooperation with the OECD Investment Committee, we will look for opportunities to continue our dialogue on BITs and other important investment issues.

Truly open investment flows require, among others, adherence to the rule of law and to effective dispute settlement; assurance of fair and non-discriminatory treatment for foreign investors; freedom to own and control one's own investment; and adherence to key principles and declarations, including the OECD Declaration on International Investment and Multinational Enterprises (MNEs). These fundamental conditions will continue to be priorities for the work of BIAC and our members.

We also share the view that an open investment environment and responsible business conduct go hand-in-hand. It is in this spirit that BIAC is actively involved in multiple awareness-raising activities regarding the OECD MNE Guidelines and strongly supports OECD outreach efforts and increasing work with non-member countries to ensure a global level playing field. BIAC also looks forward to making a constructive contribution to the upcoming OECD Global Forum on Responsible Business Conduct.

More than ever, we need to ensure that there is an enabling investment environment with a view to foster job creation and boost inclusive and sustainable growth around the world. We strongly believe that the voice of the OECD in defending an open international investment environment is more important than ever.

Yours sincerely,



Bernhard Welschke
Secretary General

Mr Angel Gurría
OECD Secretary General

cc: Mr Manfred Schekulin, Chair of the OECD Investment Committee
Mr Roel Nieuwenkamp, Chair of the OECD Working Party on Responsible Business Conduct
Carolyn Ervin, Director, Directorate for Financial and Enterprise Affairs