

From: Ute Quinn <Ute.Quinn@dno.no>
Sent: onsdag 16. januar 2019 08:51
To: Bakken, Bente Renée <Bente.Renee.Bakken@mfa.no>; Amalie Hilde Tofte <Amalie.Hilde.Tofte@industrienergi.no>
Cc: ola.mestad@jus.uio.no; Halsaa, Cathrine <cathrine.halsaa@mfa.no>; Ute Quinn <Ute.Quinn@dno.no>
Subject: RE: Initial Assessment DNO - Industri Energi

Dear Ms. Bakken,

We are in receipt of your email.

We note that you have made a few slight word changes to acknowledge that the decision made in Yemen by Houthi courts is not legitimate. We note further that this lack of legitimacy has made no difference whatsoever to your decision to further examine whether such illegitimate decisions could amount to a breach of the OECD Guidelines. As far as we are aware, all of the OECD countries regard the Houthi regime in Yemen as illegitimate. It would thus be a rather surprising paradox if the OECD guidelines should be interpreted to create an obligation for private companies to comply with decisions made by regimes that the OECD themselves regard as illegitimate. It is beyond our understanding how the OECD guidelines, even in theory, could create such an obligation. We can only surmise, therefore, that either the NCP's actions are taken in bad faith and/or ill-advised.

We also note that neither in your Initial Assessment nor in your covering email do you otherwise address the detailed responses we have provided you to date, and in particular the prejudice this intervention will cause to continued negotiations between the parties on this matter. We believe this presents a skewed picture of the circumstances of this new action which will only result in harming, rather than ameliorating, ongoing discussions.

As a result, and for full transparency in reporting, DNO requests (if it was not already the intention) that the NCP publish both this response and the letters which DNO has provided you in response to the initiation of this matter at the same time as the Initial Assessment. The letters are once again attached for your convenience. Failing publication by NCP, DNO will feel free to share their contents with the press directly. All rights remain reserved.

Sincerely,

Ute A. Joas Quinn

General Counsel and Corporate Secretary

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