



Oslo and Santiago, 22 October 2025

## Joint statement by NCP Norway and NCP Chile

The NCPs refer to the ongoing handling of the Specific Instance Mapuche-Williche vs. Statkraft ([see Initial Assessment](#)).

NCP Norway has been requested by the complainants to take measures to address what they describe as acts of criminalization related to their ongoing conflict with Statkraft. They claim that Statkraft is using Chilean criminal law to harass and retaliate against Machi Millaray Huichalaf, her family and members of the Aylla Rewe. The complainants urge the NCPs to create adequate conditions for mediation.

The NCPs have actively sought to clarify the facts of the situation through dialogue with both parties. NCP Norway has shared the complainants' concerns with Statkraft. The company has explained that it has reported incidents to the police but never accused any individuals from the communities, nor filed complaints against any specific person or sought to implicate specific individuals. The company states that it has not engaged in any form of retaliation against the complainants.

The NCPs remind both parties of the principles laid out in the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (the Guidelines). The Guidelines call on enterprises to refrain from and take steps to prevent the use of reprisals. In the handling of specific instances, NCPs are tasked to take all appropriate steps within their capacities to address risks of reprisals against the parties.

The NCPs underscore the importance of protecting individuals and communities from reprisals. In the NCPs' dialogue with Statkraft, the company has reiterated its commitment to respect the abovementioned principles in the Guidelines in general and respect for the rights of human rights defenders in particular.

The good faith engagement by all parties involved in a specific instance is expected. Good faith engagement in this context means e.g. refraining from misrepresenting the issues and the process, notably in public communications, and from threatening or taking reprisals against parties involved in the procedure and genuinely engaging in the proceedings with a view to finding a Guidelines-compatible solution to the issues.

To both Statkraft and the Complainants, the NCPs convey the following:

- We underline the importance of upholding the right to freedom from reprisals for human rights defenders in general, and for parties and other actors in a specific instance under the Guidelines in particular. We furthermore underline the need to solve conflicts and disagreements in peaceful, non-violent ways.
- The NCPs acknowledge that there are often different interpretations of events and accusations in conflicts. However, we remind both parties that good faith means to suspend messages in the public sphere that do not contribute to creating a space of constructive dialogue and bring the different perspectives to the mediation table with the view to finding joint solutions.
- We expect the parties to engage in this Specific Instance in good faith, including genuinely engaging in the proceedings with a view to find a Guidelines-compatible solution to the issues raised.
- We expect the parties to respect the above principles in their involvement in processes and/or proceedings related to the case and the actors involved.

The NCPs remain committed to taking appropriate steps within our capacities to address risks of reprisals against persons involved in this Specific Instance, should such reprisals be linked to, and disclosed, during the handling of this case, including during mediation between the parties.