



[HOME](#) > [NEWS](#) > [ECONOMICS FOR EARTH NEWS](#)

Bushfire survivors and Friends of Earth's response to Initial Assessment of ANZ climate complaint under OECD guidelines

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On November 24th the Australian National Contact Point published its initial assessment of Bushfire survivors and Friends of the Earth Australia's OECD climate complaint against ANZ. This Initial Assessment is available here: https://ausncp.gov.au/sites/default/files/2020-11/complaint_20.pdf

Jack Egan, one of the co-complainants whose home in coastal New South Wales was destroyed in January's bushfires, said "I welcome the Independent Examiner's acceptance of our climate complaint against ANZ and initial finding that *'climate change, fossil fuels (and associated GHG) are sufficiently material to responsible business conduct as understood in the OECD Guidelines.'*"

Friends of the Earth's Legal officer Emillia Nazari said "We welcome the offer of the Australian National Contact point to hear this important climate complaint and look forward to productively partaking in the process moving forward. We note that since our complaint was made earlier this year ANZ has announced it will exit thermal coal by 2030".

"The OECD Guidelines clearly state that when an enterprise is directly linked to negative impacts of another entity for which prevention or mitigation is not feasible, it should consider disengaging responsibly. We therefore respectfully disagree with the Independent Examiner's finding in relation to divestment and will continue to make our case that responsible fossil fuel divestment is a globally and scientifically recognised strategy for emission target setting and

environmental management that falls within the scope of the Guidelines” she said.

The official complaint against ANZ bank is being brought under the guidelines of the Organisation for Economic Co-operation and Development (OECD), an international set of rules governing corporate conduct. A full version of the complaint lodged in January 2020 and backgrounder is [available here](#).

The complaint has been submitted to the Australian Government’s OECD National Contact Point (NCP), which is responsible for hearing complaints of corporate wrong-doing under the OECD Guidelines. The complaint alleges that ANZ—one of Australia’s largest financier of fossil fuel industries—has failed to meaningfully adhere to the Paris Agreement reduction targets across its lending portfolio. The complaint also alleges the bank’s failure to disclose the full extent of its lending emissions is a breach of the Guidelines.

The AusNCP has offered its ‘good office’ and will seek to mediate a solution between the parties’ based on the OECD Guidelines. If an agreement cannot be reached, a ruling and recommendations will be given within one year.

For further comments please contact

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