

FINAL STATEMENT

THE INTERNATIONAL UNION OF FOOD, AGRICULTURAL, HOTEL, RESTAURANT, CATERING, TOBACCO AND ALLIED WORKERS' ASSOCIATIONS (IUF) AND BATIPART INVEST S.C.A

22 DECEMBER 2025, LUXEMBOURG

In line with the Procedures of the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (OECD Guidelines), National Contact Points (NCPs) publish a final statement at the conclusion of a specific instance, after consulting the parties.

When the parties have reached an agreement on the issues raised, the final statement should, at a minimum, describe the issues raised, the parties' respective positions as appropriate, the steps taken by the NCP in assisting the parties, and the point at which agreement was reached. Information on the content of the agreement is only made public insofar as the parties agree. Where appropriate, NCPs may also include recommendations on the implementation of the OECD Guidelines in their final statements.

OVERVIEW OF THE SUBMISSION AND INITIAL ASSESSMENT

On 6 August 2024, the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF), on behalf of itself and its affiliate union Fédération de l'Hôtellerie, Tourisme, Restauration et Branches Connexes (FHTRC), submitted a specific instance to the Luxembourg National Contact Point (the NCP) alleging non-observance of the OECD Guidelines by Batipart Invest S.C.A. (Batipart) in relation to its ownership and investment in Onomo Hotels (Onomo), specifically Onomo Hotel Conakry (OHC) in Guinea.

The complainants alleged labour-rights violations at OHC, including interference with freedom of association and collective bargaining, as well as anti-union discrimination and retaliation, including through intimidation and alleged subcontracting practices. They further alleged that Batipart, as an institutional investor and majority shareholder of Onomo, had not met its due diligence obligations under the OECD Guidelines and had not exercised its leverage to prevent or mitigate the alleged impacts. The complainants sought, inter alia, measures aimed at ensuring respect for freedom of association and collective bargaining and addressing the employment situation of affected workers.

Batipart submitted its response to the NCP on 26 November 2024, disputing the allegations and outlining measures it stated had been taken to identify, prevent and address potential adverse impacts, including measures related to social dialogue, human rights and responsible business conduct within the Onomo Hotels group. Batipart also stated that it was not involved in the day-to-day management of OHC. It described workforce-related measures and social dialogue initiatives within the Onomo Hotels group.

The parties' respective positions are set out in greater detail in the NCP's Initial Assessment.¹

In line with the Procedures of the OECD Guidelines, and the NCP's Rules of Procedure, the NCP conducted an initial assessment to determine whether the issues raised were bona fide and relevant to the implementation of the Guidelines. The NCP concluded that the specific instance merited further examination and offered its good offices to the parties, with a focus on Batipart's due diligence responsibilities as an institutional investor under the OECD Guidelines. Acceptance of the case did not imply any finding on whether Batipart did or did not act in accordance with the Guidelines.

The NCP coordinated with the NCPs of France and the United Kingdom, which had received related submissions from the IUF. The Moroccan NCP was kept informed and remained available to support if needed.

The NCP issued its initial assessment on 30 April 2025, noting that both parties had accepted the NCP's offer of good offices.

PROCEEDINGS OF THE NCP

The table below summarises the proceedings that took place after the publication of the Initial Assessment on 30 April 2025. Earlier procedural steps are described in the Initial Assessment itself.

Date	Action
30 April 2025	<i>Publication of the Initial Assessment.</i>
15 May 2025	Separate follow-up meetings with Batipart (at the Ministry of the Economy) and IUF (videoconference) to explain the next steps in the specific instance procedure.
2 July 2025	Draft Terms of Reference for the mediation shared with both parties.
12 September 2025	List of five proposed mediators (names and CVs) shared with both parties; the parties invited to strike and rank the candidates.
15 September 2025	Follow-up call with IUF on mediator selection and next steps.
16 September 2025	Follow-up call with Batipart on mediator selection and next steps.
24 September 2025	Mediator selected based on the parties' rankings; both parties informed accordingly.
24 October 2025	Online preparatory meeting between IUF, the mediator and the NCP.
7 November 2025	Indicative draft agenda for the mediation meetings shared with both parties.
10 November 2025	Preparatory in-person meeting between the mediator, Batipart and the NCP in Luxembourg.
12 November 2025	Mediation Terms of Reference finalised and shared with both parties; parties informed that the Terms of Reference would be signed at the opening of the mediation on 19 November 2025.
19 November 2025	First mediation meeting held at the Ministry of the Economy; Terms of Reference signed and discussions held between IUF and Batipart with the mediator and the NCP.

¹ <https://pcn.gouvernement.lu/dam-assets/documents/plaintes/initial-assessment-iuf-and-batipart.pdf>

20 November 2025	Second mediation meeting held at STATEC; ² parties identified elements of an agreement in principle, subject to Batipart's internal legal review.
21 November 2025	Online follow-up meeting with both parties to receive an update on the internal review of the draft agreement and discuss next steps.
8 December 2025	Confidential joint statement agreed by the parties, following exchanges facilitated by the NCP.
10 December 2025	Draft Final Statement shared with both parties for comments.
22 December 2025	Publication of the Final Statement and closure of the specific instance.

OUTCOME OF THE GOOD OFFICES PROCESS

The good offices process resulted in an agreement between the parties, formalised in a confidential joint statement on 8 December 2025. This agreement followed constructive engagement by both parties during mediation meetings facilitated by the NCP and an external mediator. At the parties' request, the full text of the joint statement remains confidential. The parties agreed that the NCP may publish a short summary of the joint statement as part of this Final Statement.

The joint statement sets out principles referring to the OECD Guidelines, including the importance of constructive social dialogue and respect for internationally recognised labour rights, notably freedom of association and collective bargaining. As part of the agreement, Batipart commits to formulating a group level risk-based due diligence policy applying across its investment portfolio, in line with the OECD Guidelines. The joint statement also sets out how Batipart, in its role as an investor, will use its leverage to support future engagement between Onomo Hotels and the IUF. It further outlines principles governing proportionate investor-level dialogue where appropriate and provides for a review meeting approximately one year after signature.

The NCP expresses its appreciation to both parties for their active and constructive participation throughout the good offices process and considers that the outcome contributes positively to the effective implementation of the OECD Guidelines.

RECOMMENDATIONS AND FOLLOW-UP

The NCP recommends that both parties continue their constructive engagement and implement the commitments set out in their joint statement in a manner consistent with the OECD Guidelines, including the expectations on risk-based due diligence, meaningful stakeholder engagement, and respect for freedom of association and collective bargaining. The NCP also recommends that Batipart continue strengthening its group-level approach to risk-based due diligence in line with the OECD Guidelines, consistent with its commitments under the joint statement.

In accordance with the Procedures of the OECD Guidelines, the NCP will invite the parties to provide an update on the implementation of the joint statement approximately one year after its signature, including on the steps taken to give effect to these commitments. With the publication of this Final Statement, the NCP closes the specific instance.

² Institut national de la statistique et des études économiques, Esch-Belval.