Cambridge University Press 978-1-107-09552-6 - The Business and Human Rights Landscape: Moving Forward, Looking Back Edited by Jena Martin and Karen E. Bravo Index More information

# Index

access to remedy contracts, 428 corporate grievance mechanism. See corporate grievance mechanism Corporate Social Responsibility Counsellor ("CSR Counsellor"), 328 grievance, 320 grievance mechanisms. See grievance mechanisms National Human Rights Institutions (NHRI), 327 non-judicial remedies, 326 regional human rights commissions. See grievance mechanisms regional human rights courts, 340 reparations, 320, 321 third pillar, 320 U.S. courts, 325 Action Plan national plan for implementing UN Guiding Principles, 500 Africa, 555 agency theory, 191 Alien Tort Statute (ATS), 211-218, 289, 324, 416, 440 Balintulo case, 474 Daimler AG case, 291 extraterritoriality, 443 Giraldo case, 475 human rights violations, 472 jurisdictional statute, 472 Kiobel, 442 Kiobel case, 292, 311, 472 law of nations, 441, 442 lawsuits, 377 litigation, 480 Myanmar, 441

Sexual Minorities case, 474 Sosa case, 472 Unocal Case, 442 Arab League, 53 Arab League boycott, 51, 68 anti-Semitic aspects, 61 assaults human right to free association, freedom of expression, and nondiscrimination, 64 boycotts and legality under international law, 56 duration, 55 human rights, 64 human rights and international trade law, 73 migration to Palestine, 55 original sin' view of Jewish state, 55 Oslo Accords, 68 overbroad reach, 63 racial and religious discrimination, 72 racial discrimination violation, 57 secret blacklist of companies transacting with Israel, 60 Six-Day War of 1967, 66 start date, 54 terms of, 55 U.S. legislation to oppose boycott, 67 Zionism, 55 Zionism and Jews, 63 Arab League members GATT membership, 57 Arab oil embargo, 67 Bangladesh. See suit in home forum board of directors Caremark duty, 237 Caremark duty to monitor, 236

#### Index

board of directors (cont.) Citigroup case, 237 duties, 238 BOP, 188 bottom-up approach. See corporate accountability boycott academic boycott, 71 academic boycott and anti-Semitism, 70 extraterritoriality, 60, 73 human rights, 72 legally questionable U.S. boycotts, 65 legitimacy factors, 71 Security Council authorization, 71 Business and Human Rights Initiative (BHRI). See respecting rights business and human rights, 369 Annan, Kofi Davos Speech, 358 Bauer, Joanne, 373 bottom-up approach, 216 business case, 376 Chinese CSR. See Chinese CSR corporate re-regulation, 389. See also corporate regulation due diligence, 382 Jackson, Sharon, 380 labor liberalization, 572 litigation, 497 private contracts as remedy, 415 protection gaps, 390 role of human rights language, 373 social contract of governance, 359 soft law approach, 496 transposing human rights into practice, 372 voluntary initiatives, 366 capacity, 159-173 Green, Ron, 171 Internet, 168 lacking social responsibility expertise, 167 level of, 172 social, economic, and political context, 168 Starbucks, 172 Caroll, Archie, 355 Chevron, 177 China approach to CSR, 552 CCP ideology, 539 civil and political CSR aspect, 546 civil and political rights mandate, 545 Communist Party, 538 constitutional system, 537 corporate wealth production, 543

CSR social obligation, 544 economic prosperity and development objective, 541 five coordinations, 542 harmonious society, 541 practices abroad, 553 Primary Objective of the CCP, 541 socialism, 540 state policy and corporate responsibility, 547 Chinese CSR Blue Book, 550 civil and political rights, 548, 552 CSR and state policy, 549 CSR as a social obligation, 544 CSR operationalization, 548 duty to people, 547 economic development, 553 implementation of CCP political ideology, 551 individual rights, 547, 557 investment in Latin America, 554 Japan. See Japan Japanese example, 556 local norms abroad, 555 modernization, 553 OECD states, 554 productivity and wealth creation, 548 SASAC, 550 social, economic, and cultural needs, 548 socialist modernization objective, 542 codes of conduct Apple, 445 aspirational, 455 beneficiaries, 454 best practices, 459 consumer access to information, 456 contract law, 451, 452 DuPont, 450 EICC code, 448 enforcement, 452, 461 Foxconn factory, 445 industry-wide standard, 448 monitoring, 455 promising, 452 PSCI code, 449 reporting, 450 shifting norms, 456 transparency. See transparency UNDHR, 227 Codes of conduct Doe I v. Wal-Mart, 453 Kraft Foods, 450

Cambridge University Press 978-1-107-09552-6 - The Business and Human Rights Landscape: Moving Forward, Looking Back Edited by Jena Martin and Karen E. Bravo Index More information

collaborative initiatives, 345-347 colonialism, 49 complicity, 132-139, 208 aiding and abetting, 136 conflict diamonds, 84 corruption, 96 definition, 84, 87 Interlaken Declaration, 88 conflict minerals, 233, 458 consumer, 231 consumer choices, 50 fair trade, 231 fashion trap, 231, 232 Manning, Stephen, 231 consumer choices, 467 consumerism, 185 consumers, 464 contracts, 414, See also contractual remedy accountability of corporations, 417 incorporating human rights, 414 Ruggie and investment contracts, 418 voluntary contracting, 417 contractual remedy challenges, 422 corporate benefits, 418 disclaiming third-party enforcement rights, 421 grievance mechanism, 430 implied contracts, 421 incorporating rightsholders, 426 intended beneficiary, 419 mapping human rights risks, 428 reasonable reliance and intended beneficiary, 420 specificity, 418, 425 third-party beneficiaries, 419 transparency, 418 Wal-Mart case, 421 corporate accountability, 211-218 Alien Tort Statute (ATS), 212 bottom-up approach, 216 due diligence, 212 international human rights law, 215 national human rights law, 215 corporate criminal responsibility, 201 concurrence with individual criminal responsibility, 209 extraterritorial, 203 ICC, 204 ICTR, 204 ICTY, 204 individual criminal responsibility, 204 international crimes, 202

## Index

593

Nuremberg, 204 Rome Statute, 201, 204 corporate form. See corporate origins and evolution East India Company, 44, See corporate origins and evolution corporate grievance mechanism, 329 BP BTC pipeline, 332 conflict of interest, 331 established, 330 exhaustion requirement, 331 Hewlett Packard, 333 Newmont, 333 Xstrata, 332 corporate human rights obligations, 107, 123, 195 corporate duties, 124 direct legal obligations, 112 direct obligations, 113, 196 Equator Principles, 200 Maastricht Principles, 200 obligations to respect, 197 obligation to fulfill, 200 obligation to protect, 200 OECD Guidelines for MNEs, 198 scope of, 138 sources, 196 UNCTAD Principles on Responsible Sovereign Lending and Borrowing, 199 corporate liability, 123, 133-139, 140 attribution in state responsibility, 126 complicity. See complicity conduct linked to the state, 130 conduct on behalf or under state direction, 125 exercising public functions, 127 reverse state responsibility, 140 corporate mechanism Chamber of the Electronic Industry (CANIETI), 334 corporate origins and evolution, 30 charter corporations, 34 collegia, 31 compagnia, 32 Company of Royal Adventurers Trading, 37 corporate form, 35 Dutch East India Company, 39 East India Company, 38 familia, 30 guild, 33 Hudson's Bay Company, 36 London Company, 36 magister, 31

Index

corporate origins and evolution (cont.) Medieval Corporation, 32 Plymouth Company, 37 for profit ventures, 34 Roman Empire, 30 Royal African Company, 37 societates, 30 socii, 31 corporate philanthropy, 181 corporate regulation, 20 best practices, 461 blending public and private regulation, 402-411 blend of private and public regulation, 389, 412 Cambodia Better Factory, 410 civil society, 410 codes of conduct, 434, See codes of conduct codes of conduct enforcement. See codes of conduct company reputation, 401 constructivist approach, 76 Directive 2013/34/EU, 408 Dodd-Frank, 407 extraterritoriality, 405 Fair Labor Association (FLA), 397 Global Compact, 407 Guiding Principles, 398, 469, 480 labor standards. See labor standards multiplicity of stakeholders, 392 Multi-Stakeholder Initiatives (MSIs). See Multi-Stakeholder Initiatives (MSIs) 'networked governance', 402 nonfinancial disclosure, 459 private mechanisms, 408 private regulation, 391 re-regulation, 390, 391 re-regulation defined, 390 SEC, 465 self-regulation. See codes of conduct soft law, 399 state duty, 402 state role, 392 transparency, 457 voluntary initiatives, 367 Voluntary Principles on Security and Human Rights, 409 corporate social responsibility (CSR), 180, 305 adopting human rights language, 372 affordability. See capacity bottom-up approach, 218 business and human rights approach, 349, See business and human rights

business case, 376 capacity, 165 China. See China concept of social responsibility. See social responsibility conflict with national laws and culture, 159-173 contractual remedy, 417 corporate identity, 49 criticism, 296 Davis, Keith, 352 due diligence, 423, See due diligence duties, 156 as economic advantage, 505 empire building. See corporate form EU approach, 503 Global Reporting Initiative (GRI), 225 Google and national culture and laws, 159 Guiding Principles, 229 Guiding Principles implementation, 380 human rights violations, 49 ICCPR, 415 ICESCR, 415 the individual, 382 institutional theory, 248 international crimes, 162 International Integrated Reporting Council (IIRC), 244 Interpretive Guide on conflict with national laws and culture, 164 ISO 26000, 227 Multi-Stakeholder Initiatives (MSIs). See Multi-Stakeholder Initiatives (MSIs) nature and scope, 348 negative duty, 297, 298 negative responsibility, 173 normative concept, 531 Norms, 228 positive and negative responsibilities, 174 positive responsibility, 174 proliferation of social policy initiatives, 371 public perception, 50 respecting rights, 153, 560 responsibility independent of state duty, 161 sense-making, 380 social expectation, 112 social license to operate, 49 social obligation. See China soft law, 399 stakeholder approach, 356 Starbucks and national culture and laws, 160 tort of negligence, 303

transparency, 50 UDHR, 415 voluntary nature, 356 corporation colonialism, 20 commerce and origins of, 20 corporate form, 351 decision-making, 353 early origins and evolution, 30-43, See corporate origins and evolution international obligations and human rights abuses, 576 ISO-standards, 227 legal obligations, 224, 396 McLean, Janet, 42 moral personality, 353 OECD Guidelines, 227 voluntary initiatives, 224 CSR, 192 self-interest, 183 social legitimacy, 186 disclosure requirements, 241, See also enterprise risk management (ERM) Human Rights Reporting and Assurance Framework (RAFI), 247 Sustainability Accounting Standards Board (SASB), 246 Dodd-Frank, 233, See also conflict minerals Securities Exchange Act, 233 due diligence, 249, 298, 299, 404 capacity, 165 codifying human rights in contracts, 418 corporate, 301 country context, 159 definition, 303 FCPA, 249 grievance mechanisms, 429 human rights, 301 identifying rightsholders, 426 impact assessment, 424 impact assessment standardization, 424 integration, 425 master project agreement, 425 naming and shaming, 230 negligence, 302 purpose, 423 respecting rights, 291 right to health, 404 right to water, 404

# Index

types, 299

595

Velasquez Rodriguez case, 302 East India Company. See corporate form abuse of power, 46 Nabobs, 46 enforcement of foreign judgments, 495 Hilton v Guyot case, 495 Uniform Foreign Judgments Recognition Act, 496 enterprise risk management (ERM), 238 individual stock exchanges, 241 International Integrated Reporting Council (IIRC), 244 investors, 239 Johannesburg Stock Exchange, 243 sustainability risk, 239 Sustainable Stock Exchange Initiative (SSEI), 241 EU communication 681, 503, 507 corporate duty to remedy, 516 corporate moral obligation, 515 corporate responsibility to fulfill human rights, 506 corporate social responsibility, 503 CSR beneficiaries, 504 CSR definition, 509 CSR mandatory expectation, 510 CSR regional challenges, 507 CSR voluntary approach, 509 as economic advantage, 505 employment guide, 512, 515 gaps between domestic and international standards, 513 human rights CSR, 508 human rights due diligence, 516 human rights responsibility approach, 512 ICT Guide, 512, 514 immigration and employment, 516 migrant workers, 515 Oil and Gas Guide, 512 regional approach to CSR, 503 regional standard, 501 social capitalism, 504 state duty and CSR, 513 EU Strategic Framework and Action Plan on Human Rights and Democracy, 500, See also Action Plan externalities, 185

subsidiary, 404

Index

extraterritoriality boycotts, 60 employment laws, 440 FCPA model, 406 Maastricht Principles, 405 presumption, 440 regulation willpower, 409 fiduciary duty, 190 forum non conveniens, 488 dismissals, 490 obstacles, 489 Friedman, Milton, 393 social responsibility, 353, 396 GATT, 54 Article XXXV and exclusion upon accession of states from MFN treatment, 57 Article XXXV exclusion upon accession, 58 MFN principle, 57, 58 Security Exceptions under Article XXI, 59 Global Compact, 145, 225, See social responsibility Global Reporting Initiative, 225. See also corporate social responsibility governance gaps, 120 grievance mechanisms, 323 Alien Tort Statute (ATS), 324 international grievance mechanism. See international grievance mechanism judicial remedies, 324 non-judicial remedies, 326 Guiding Principles, 229, 288, 295, 388 access to remedy, 365 appropriate action, 304 breach of duty, 304, 313 corporate legal obligations, 112 corporate responsibility to respect, 365 corporate social responsibility, 291, 294, 295, 313, 398 court reference, 312 domestic human rights standard, 415 due diligence, 303, 369 duty of care, 312, 313 governance gap, 501 grievance, 320 grievance mechanisms, 318 human rights approach, 366 Human Rights Reporting and Assurance Framework (RAFI), 247 impact, 230 impact assessment, 423

implementation, 499 implementation challenge, 400 the individual and human rights, 382 integration, 424 international human rights standard, 415 labor liberalization, 573 legitimacy, 302 mix of legal and voluntary standards, 369 national implementation, 517 operationalizing the three pillars, 364 pillars, 294, 388 remediation, 304, 306 respecting rights. See respecting rights SRSG mandate, 110 stakeholder involvement, 288, 308 state duty to mitigate human rights violations, 564 state duty to protect, 364, 405, 560 synthesis of existing standards, 367 third-party liability, 306 third pillar, access to remedies. See access to remedy voluntary initiatives, 371 human right crimes Chiquita Brands, 193 human rights, 578 autonomy of labor, 584 Chinese CSR, 557 Chiquita, 194 civil and political rights, 537 codifying contacts, 417 corporate social responsibilities, 158 labor exploitation, 582, 584 mobility of labor, 587 moral responsibilities, 153 positive human right. See respecting rights social, economic, and cultural rights, 537 transnational litigation, 289, 309 human rights obligations, 112 Human Rights Reporting and Assurance Framework (RAFI), 247 human rights violation business size, 166 criminal prosecutions, 326 Rana Plaza factory, 394 Rana Plaza response, 394 state enforcement and human rights standards, 395 tort as a remedy, 476

IBRD, 335

ILO, 226, 436 Apple, 446 Bangladesh, 439 enforcement, 439 Myanmar, 438 Myanmar Article 26, Myanmar, 437 U.S., 442 impact assessment, 424, 427 individual criminal responsibility, 207, See also individual criminal responsibility, corporate criminal responsibility concurrence with corporate criminal responsibility, 209 Prosecutor v. Tadić, 207 Public Prosecutor v. Van Anraat,, 207 international grievance mechanism, 334 African Development Bank, 336 Bilateral Investment Treaties (BITs), 338 Compliance Advisor Ombudsman ("CAO"), 335 financial institutions, 335 ICSID, 338 ILO, 338 MIGA, 335 NCP, 337 OECD, 337 Project Complaint Mechanism (PCM), 336 international human rights law, 63, 114, 115 casualties, 117 direct obligations and non-state actors, 119 human rights as legal norms, 115 individual rights, 63 obligations and states, 118 sources, 116 state consent, 123 state power, 123 International Integrated Reporting Council (IIRC), 245 social and relationship capital, 245 international law, 19, 21 corporations, 76 corporations and Kiobel case, 76 legal personality, 22 norms, 77 objects of, 22 Philip C. Jessup, 19 state obligation and geographic boundaries, 575 States, 76 states and human rights, 576

## Index

597

international legal personality, 22, See also international legal personality, international law international trade law individual as economic unit, 579 labor exploitability, 579 investors socially responsible investors (SRIs), 240 Japan consumer-oriented CSR, 555 Jessup, Philip C., 22 corporations, 25 Jose Alvarez international legal personality, 26 judicial remedy, 345-347 Kenya, 559 agricultural investment, 569 avoiding resource curse, 563 constitutional and property rights, 568 constitution and human rights department, 569 investment is renewable capital, 561 Nairobi Process, 567 Petroleum Commission, 568 property rights, 567 resource curse, 561 risk of human rights violation, 566 tea and coffee industry, 569 tourism, 569 Kimberley Process Certification Scheme (KPCS). See conflict diamonds clarity of purpose, 90 coalition of the capable, 92 consensual fatigue, 95 definition of conflict diamonds, 91 definitional reference to human rights, 91 equality of participation, 94 inclusivity and equal participation, 92 mandate, 88 mandate and trade restrictions, 88 Observer Status and equality of participation, 94 Peters, Anne, 95 representation deficit, 92 rule-making and certification, 102 self-regulation, 89 soft law, 89 Southern NGOs representation deficit, 93 Kiobel. See Alien Tort Statute (ATS) knowing and showing, 298, 365

States as subjects of, 23

subjects of, 22, 76

#### Index

labor liberalization, 574, 577, 584, See also trade liberalization capital and labor, 585 conditions for exploitation, 581 effective liberalization, 587 empowerment of labor, 586 enforcement of human rights, 586 factors of production, 577 guestworker programs, 584 Guiding Principles, 587 illegal movement, 578 immigration policies, 580 impact on states, 586 labor and capital, 586, 588 labor as autonomous economic unit, 584 labor as economic unit, 585 labor as factor of production, 585, 586, 587 labor immobility, 582 movement of labor, 579 race to the bottom, 578 reconceptualizing labor, 585 SRSG mandate, 587 three levels of, 585 transborder trade in labor, 581 unemployed in labor-rich economies, 588 labor standards accountability, 455 Alien Tort Statute (ATS), 441 consumer choices, 464 extraterritoriality, 436 ILO, 434 ILO enforcement, 437 international standards, 436 transparency, 455 legal personality, 25, 122, See also legal personality, international law Alien Tort Statute (ATS), 25 colonialism, 49 conventional view, 24 corporations, 43, 575 corporations as objects, 25 corporations as participants, 30 imperium and dominium, 40, 42 international organizations, 24 lack of international legal personality, 26 opinion divided on corporations, 26 partial legal personality, 24 positivism, 30-43 States, 23, 24 States and Montevideo Convention, 23 utility of subject/object distinction, 26

litigations in plaintiff's home forum. See suit in home forum microcredit, 189 M-PESA, 188 Multi-Stakeholder Initiatives (MSIs), 77 accountability, 95-98 characteristics, 84 codes of conduct, 79 complaints and National Contact Points (NCP), 100 corporations and decision-making, 101 democratic legitimacy, 103 democratic values incorporation, 83 effectiveness, 101, 103 enforcement, 103 global shared responsibility, 83 grievance mechanisms, 98 hybrid norms, 77 Kelsenian-positivistic critique, 81 legitimacy, 82 monitoring, 104 naming and praising, 98 naming and shaming, 98 National Contact Points (NCP), 100 nonbinding, 81 non-manipulative persuasions, 83 organizational model, 79 positivism, 78 Public-Private Partnerships (PPPs), 80, 101 rights-based approach, 82 rule-making function, 102 soft law, 77 unified understanding, 104 Utting, Peter, 80 Mvanmar . Labor violation, 437 Nairobi Process, 567 Guiding Principles, 567 naming and shaming, 220, 221, 230–234, 298 procurement, 251 National Action Plan Denmark, 524 Italy, 522 Netherlands, 520

NGO grievance mechanism, 333 non-judicial remedy, 345–347

UK, 518

Cambridge University Press 978-1-107-09552-6 - The Business and Human Rights Landscape: Moving Forward, Looking Back Edited by Jena Martin and Karen E. Bravo Index More information

norm entrepreneurship, 177 norms, 177, 317 entrepreneurs, 179 external, 177 internal, 177 moral, 177 norm bandwagons, 178 norm cascades, 178 Ruggie, 178 windows of opportunity, 178 Norms, 133-139, 361 binding nature of the draft, 362 draft, 362 impact, 362 lack of legal standing, 363 **OECD** Guidelines National Contact Point (NCP), 216 oil industry exploration in Kenya, 561 Kenya, 559 resource curse, 562 Palestinian Jews, 52 Pogge, Thomas, 176 positivism Crawford, James, 27 Greenwood, Christopher, 27 States, 27, See also positivism, legal personality poverty, 184 basic needs, 186 dignity of the consumer, 185 pragmatism legal personality, 29 Prahalad, C.K., 183 private regulation corporate regulation, 402-411 procurement, 249 certification, 250 Federal Acquisition Regulation (FAR), 249, 252 procurement standards, 249 renewing contracts, 250 Protect, Respect, and Remedy Framework, 146, 363, 559 grievance mechanism. See grievance mechanism lack of moral underlying foundation, 152 pillars, 364 respecting rights, 149, See respecting rights state duty to protect, 159

## Index

599

regional grievance mechanism ACHPR, 339 ECHR, 340 IACHR, 339 IACtHR, 340 remedy. See access to remedy, access to remedy, origin blend of private and public regulation, 389 common law assault and battery, 477 private contracts. See contracts procurement, 250 suit in plaintiff's home forum, 491 tort of negligence, 481 resource curse, 559 authoritarianism, 565 Congo, 565 Dutch disease, 562 mitigation, 563 multi stakeholder dialogue, 571 Nigeria, 565 overconfidence, 563 rent-seeking, 563 Sierra Leone, 565 resource curse mitigation economic diversification, 568 equitable distribution, 568 investing in human capital, 564 invest in human rights through education, 564 tax havens account tracking, 564 transparency, 564, 570 respecting rights, 159-173, 423, 560 in addition to national compliance, 423 aspirational, 152 Business and Human Rights Initiative (BHRI), 154 conflict with national laws and culture. See corporate social responsibility duties, 155, 159–173 Interpretive Guide (IG), 150, 151 negative responsibilities, 153 negative responsibility, 174 positive responsibility, 174 remediation. See remediation social license to operate, 234 state and business responsibilities, 154 taxes, 157 risk management Caremark case, 236 Ruggie, 288, 293 Guiding Principles. See Guiding Principles social expectations, 178

Index

Sarbanes-Oxley Act, 235 SEC, 465 Shared value, 187 shareholders shared value, 189 social enterprise, 190 social enterprise, 189 social responsibility as amalgam of economic, legal, ethical, and discretionary responsibilities. See Caroll, Archie business and human rights, 357 Caroll, Archie, 354 concept, 355 consumer choices, 232 Davis, Keith approach, 353 freedom of market, 353 Global Compact, 360 human rights approach, 368 human rights approach challenges, 370 operationalization, 359 profit with human face, 368 shared responsibility, 359 shared values, 359, 368 state role, 400 sphere of influence, 108, 110, 111 SRSG mandate, 293 stakeholders, 221, 235 Dodd-Frank, 236 Strategic Framework, 500 implementation of UN Guiding Principles, 500 suit in home forum Bangladesh legal system, 491 enforcement of foreign judgments. See enforcement of foreign judgments negligence claims in Bangladesh, 492 obstacles to relief, 493 public interest litigation in Bangladesh, 492 Texaco case, 491 Sunstein, Cass, 177 tax competition, 177 TNCs codes of conduct, 447 tort of negligence, 303, 305, 309, 311, 481 Chandler v. Cape case, 483 Doe I v. Wal-Mart case, 485 Donoghue case, 303 duty of care, 482 duty of care to employees, 483

duty of care to subsidiary employees, 484 duty to intervene, 482 Forsythe v. Clark USA, Inc., 484 negligent employment, 487 parent company as direct participant, 485 Rana Plaza factory, 487 reasonable care, 487 as solution, 471 third-party liability, 306 transnational human rights litigation, 308 torts common law assault and battery, 477 forum non conveniens, 488 Kiobel case, 477-481 remedy in human rights violations, 476 trade liberalization, 572, See also labor liberalization capital and goods, 574 cost to labor, 583 immobility of labor, 587 labor and capital contract, 584 without labor liberalization, 576-581 labor rights, 578 movement of labor, 577 protectionism, 577 regional liberalization, 577 subordinate status of labor, 580, 584 Transnational Corporations (TNCs), 20 legal obligations, 223, See also corporations liability, 221 suits against corporations, 20 transnational human rights litigation Chandler case, 310 transparency California Transparency Act, 457 consumer choices, 463 filing with SEC, 462 naming and shaming, 467 non-financial disclosure, 458, 463 scope of disclosure, 459 SEC, 466 as solution, 459

UDHR, 227, 560 Union Carbide, 177 Universal Declaration of Human Rights right to remedy, 321

World Trade Organization (WTO) labor liberalization, 577