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Regulating Corporate Human Rights Violations

REGULATING CORPORATE HUMAN RIGHTS VIOLATIONS: HUMANIZING BUSINESS, London; New York: Routledge, 2012, ISBN 978-0-415-66821-7

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The UN Human Rights Council (HRC) is currently developing a legally binding instrument on the human rights responsibilities of corporations. In its deliberations, the HRC can draw lessons from the record of the Organisation of Economic Co-operation and Development (OECD) on this issue. Under the OECD ‘Guidelines’, member states are obliged to set up National Contact Points (NCPs) responsible for addressing issues of implementation in specific instances of human rights violations.

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The framework ‘rests on differentiated but complementary responsibilities’, 45 which include: the state duty to protect against human rights violations by or involving corporations; the corporate responsibility to respect human rights; and effective access to remedies. 46 In his 2009 report, Ruggie noted that corporate responsibility to respect human rights ‘has acquired near-universal recognition by all stakeholders’. 47 Going beyond the previous report, the 2009 Report recognized ...

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Amidst the increasing focus on human rights and corporate regulation generally, questions have arisen as to the regulation of State-owned enterprises (SOEs). Inadequate corporate regulation coupled with corporate capacity for human rights violations create a dangerous disparity which applies equally to SOEs. The understanding, grounded in

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