	Contents	page
	I. INTRODUCTION - PURPOSE AND DEFINITIONS	1
	II. BEYOND VOLUNTARISM - THE IMPORTANCE AND RELEVANCE OF INTERNATIONAL LAW	7
	The need for legal obligations	7
	The case for international rules	(h),
	Strengths of the human rights framework	() 15
	Legal framework brings advantages for companies	18
	III. INTERNATIONAL HUMAN RIGHTS LAW -	
	OUTLINE AND EXAMPLES	21
	Outline of the international human rights system	21
	Survey of specific human rights guarantees	23
	Non-discrimination	23
	Women's rights	24
	Life, liberty and physical integrity of the person	26
	Civic freedoms	27
	Employees' rights	28
	Child labour Slayery, forced and bonded labour	31
	Economic, social and cultural rights	32 34
	Vulnerable groups	38
رك	Indigenous Reoptes	38
28	Right to information	40
0.00	Environment and human rights	41
B.		
0	IVANDIRECT OBLIGATIONS - DUTIES ON STATES	45
	The importance of national law	45
/ (The duty to protect – obligations on states to regulate private actors	
X	Provisions in human rights treaties	46 47
	Interpretations by human rights courts	50
	When is a state responsible for abuses by private actors?	51
	Privatisation and the "private" sphere	53
	Summary – indirect obligations	54

V: DIRECT OBLIGATIONS - DUTIES ON COMPANIES	55
International law is not only for states	55
Applying international standards directly to companies The Universal Declaration of Human Rights "Elementary considerations of humanity" and international crimin	58 58 nal law 62
UN declarations, human rights treaties & world conferences The OECD Guidelines for Multinational Enterprises ILO Tripartite Declaration Voluntary business codes of conduct	86 86 70
Responsibility of individuals to respect human rights	
Conclusions on direct international legal obligations Progressive development of international law	73 75
VI: ENFORCING OBLIGATIONS THROUGH	
INTERNATIONAL PROCEDURES	(ti
Legal obstacles at the national level	77
ENFORCING INDIRECT OBLIGATIONS	83
United Nations and regional human rights systems	83
UN treaty bodies	83
UN Commission on Human Rights	85 87
Regional human rights ribunals	87
European Social Charter	89
International Labour Organisation	
The North American Free Trade Agreement (NAFTA)	91 92
Complaints under the environmental side accord Complaints about violations of labour standards	94
ENFORCING DIRECT OBLIGATIONS	99
OECD Guidelines for Multinational Enterprises	99
Procedure for interpreting Guidelines	100
ILO Tripartite Declaration	102
Interpretation of Tripartite Declaration	102
Domestic litigation to hold corporations accountable abroad	103
US litigation against corporations for abuses abroad	103
Litigation in other jurisdictions	105
Direct enforcement through international procurement policies	106
World Bank Policy Guidelines	106
World Bank Inspection Panel	107

THE WORLD TRADE ORGANISATION (WTO) - A SPECIAL NOTE	110
WTO dispute settlement mechanism	112
Exceptions to free trade: Article XX & human rights	114
International harmonisation	115
CONCLUSIONS - INTERNATIONAL ENFORCEMENT PROCEDURES	117
VII. COMPLICITY - ASSESSING CORPORATE	b
RESPONSIBILITY FOR VIOLATIONS COMMITTED BY	
POLITICAL AUTHORITIES	121
Introducing tort & criminal law principles	122
Assessing Complicity	71,25
Where companies assist in human rights violations committed by of	hers 126
Joint venture	128
Where companies benefit from human rights violations	131
Where companies are silent/inactive in the face of human rights viola	tions 133
A company's connection with (potential) victims and (potential) perpetra	tors 136
Connection with victims	136
Connection with perpetrators	139
Nature and scale of abuses	141
Interplay between connections	141
VIII. MOVING TOWARDS NEW INTERNATIONAL	
STANDARDS O	143
Standard setting gathers momentum	143
Baby, milk	144
Contict diamonds	145
Security issues and the extractive industry	148
Wicit trade in small arms	148
European Parliament – Call for EU legislation Proposed Framework Convention on Tobacco Control	150 152
Anti-corruption treaties	153
UN Sub-Commission Draft Principles	154
Future prospects	155
/ OIX. CONCLUSIONS	159
Delancin brententrico nettrivi debivorg orby esca to tes A	
ANNEXE I: LIST OF COMMENTATORS	164
ANNEXE II: USEFUL WEB SITES	166
BIBLIOGRAPHY	167
ABOUT THE INTERNATIONAL COUNCIL	173