

Distr.  
RESTRICTED

E/CN.4/Sub.2/2000/WG.2/WP.1/Add.1  
25 May 2000

ENGLISH ONLY

COMMISSION ON HUMAN RIGHTS  
Sub-Commission on the Promotion  
and Protection of Human Rights  
Fifty-second session  
Sessional working group on the working methods and  
activities of transnational corporations

Proposed draft human rights code of conduct for companies

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Addendum

Draft human rights code of conduct for companies with source materials

The following Draft Human Right Code is introduced in the Proposed Draft Human Rights Code of Conduct for Companies, U.N. Doc. E/CN.4/Sub.2/2000/XX (2000). This version contains both the proposed draft language and the principal materials that served as the basis for each provision of the draft Code. Addendum 2 contains a list of the principal source materials for the draft Code together with citations, where available.

**DRAFT HUMAN RIGHTS CODE FOR COMPANIES**

GE.00-13866

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## **DRAFT HUMAN RIGHTS CODE FOR COMPANIES**

### **A. Definitions**

1. The term “company” includes any business enterprise, regardless of the international or domestic nature of its activities; the corporate, partnership, or other legal form used to establish the business entity; and the nature of the ownership of the entity, including any privately-owned and government-owned entity.
2. The term “employee” includes any person who performs services under the control or direction of the company.
3. The term “stakeholder” includes any group or individual which is affected by the operations of the company. Stakeholders include owners, stockholders, employees, customers, suppliers, neighboring communities, individuals, governments, and others who may be affected or influenced by its activities. The term “stakeholder” should be interpreted functionally in light of the objectives of the code.

4. The terms “contractor,” “subcontractor,” “supplier,” and “licensee” signify any natural or legal person who contracts with the company to accomplish the company’s mission.
5. The phrases “internationally recognized human rights” and “international human rights” refer to civil, cultural, economic, political, and social rights as guaranteed by the International Bill of Human Rights as well as rights guaranteed by international humanitarian law, international refugee law, international labour law, and other relevant instruments promulgated by the United Nations. Nothing in the present Human Rights Code shall affect any provisions which are more conducive to the realization of human rights and which may be contained in: international law, national or state law; or the practices of companies.

## **B. General Obligations**

6. While governments have the principal responsibility to respect, ensure respect for, and promote internationally recognized human rights, companies shall also respect, ensure respect for, and promote internationally recognized human rights within their respective spheres of activity and influence.

### **OCED Guidelines for Multinational Enterprises**

“Multinational enterprises now play an important part in the economies of Member countries in international economic relations, which is of increasing interest to governments. Through international direct investment, such enterprises can bring substantial benefits to home and host countries by contributing to the efficient utilisation of capital, technology and human resources between countries and can thus fulfil an important role in the promotion of economic and social welfare.... The common aim of the Member countries is to encourage the positive contributions which multinational enterprises can make to economic and social progress and to minimise and resolve the difficulties to which their various operations may give rise.”

### **The Global Compact, Principles 1 & 2**

“The Secretary-General asked world business to: Principle 1: support and respect the protection of international human rights within their sphere of influence; and Principle 2: make sure their own corporations are not complicit in human rights abuses.”

### **ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, ¶ 8**

“All the parties concerned by this Declaration ...should respect the Universal Declaration of Human Rights and the corresponding International Covenants adopted by the General Assembly of the United Nations...”

### **The Global Sullivan Principles**

“[Accordingly, we will:] Express our universal human rights and, particularly, those of our employees, the communities within which we operate, and parties with whom we do business.”

### **Reebok International Ltd., Human Rights Policy, Commitment to Human Rights**

“Reebok’s devotion to human rights worldwide is a hallmark of our corporate culture. As a corporation in an ever-more global economy we will not be indifferent to the standards of our business partners around the world. We believe that the incorporation of internationally recognized human rights standards into our business practice improves

worker morale and results in a higher quality working environment and higher quality products.”

**The Nokia Way, Code of Conduct**

“Nokia will respect and promote human rights. Nokia recognizes, with the international community, that certain human rights should be considered fundamental and universal. Among those rights that Nokia views as fundamental and universal are: freedom from any discrimination based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status; freedom from arbitrary detention, execution or torture; freedom of peaceful assembly and association; freedom of thought, conscience and religion; and freedom of opinion and expression.”

**Rio Tinto, The Way We Work, Human Rights Policy**

“The Rio Tinto Group's policy on Human rights is based on its support for the United Nations Universal Declaration of Human Rights and respect for Human rights provisions enshrined in the law of those countries where the Group operates, and rooted in the approach to local communities set out in its communities policy. Rio Tinto supports and protects the dignity, well-being and rights of those with whom it is directly involved: its employees and their families, and the local communities which are neighbours of its operations. The Group's employment and communities policies commit operations to making a positive contribution to their development thorough a relationship based on mutual respect. Infringements of their rights by others will be opposed, through dialogue and, where it will be helpful, in public. Beyond this, the Group is guided by the values of the international community that human rights should be protected and promoted everywhere.... The Group aims to develop ever greater understanding of human rights issues, and of their consequences for its operations; It seeks dialogue with representative bodies, with international and other non governmental organisations, and with others in the business community. The aim is a practical common effort to promote respect for human rights.”

**Body Shop, Trading Charter**

“We aim to ensure that human and civil rights, as set out in the Universal Declaration of Human Rights, are respected throughout our business activities.”

**C. War Crimes, Crimes Against Humanity, and Other Crimes**

7. Companies shall not engage in war crimes, crimes against humanity, genocide, torture, forced disappearance, hostage-taking, and other international crimes against the human person; nor shall they illegally profit from these acts or any other violations of international criminal or humanitarian law. Companies also shall not produce or sell weapons that have been declared incompatible with international law.

**Charter of the International Military Tribunal (IMT), in Agreement for the Prosecution and Punishment of the Major War Criminals of the European Axis (London Agreement), August 8, 1945, 58 Stat. 1544, E.A.S. No. 472, 82 U.N.T.S. 280:**

“The following acts, or any of them, are crimes coming within the jurisdiction of the Tribunal for which there shall be individual responsibility: (a) Crimes against Peace: namely, planning, preparation, initiation or waging of a war of aggression, or a war in violation of international treaties, agreements or assurances, or participation in a common plan or conspiracy for the accomplishment of any of the foregoing; (b) War

Crimes: namely, violations of the laws or customs of war. Such violations include, but not be limited to, murder, ill-treatment or deportation of slave labor or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity: (c) Crimes against Humanity: namely, murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war, or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated. . . .”

**Convention on the Prevention and Punishment of the Crime of Genocide**

“The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish. Article 2: In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group.”

**Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**

“Article 1: 1. For the purpose of this Declaration, torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted by or at the instigation of a public official on a person for such purposes as obtaining from him or a third person information or confession, punishing him for an act he has committed or is suspected of having committed, or intimidating him or other persons. It does not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions to the extent consistent with the Standard Minimum Rules for the Treatment of Prisoners. 2. Torture constitutes an aggravated and deliberate form of cruel, inhuman or degrading treatment or punishment. Article 2: Any act of torture or other cruel, inhuman or degrading treatment or punishment is an offence to human dignity and shall be condemned as a denial of the purposes of the Charter of the United Nations and as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights”.

**Sub-Commission on the Promotion and Protection of Human Rights, International peace and security as an essential condition for the enjoyment of human rights, above all the right to life**

“The Sub-Commission on Prevention of Discrimination and Protection of Minorities...[u]rges all States to be guided in their national policies by the need to curb the testing, the production and the spread of weapons of mass destruction, or with indiscriminate effect, or of a nature to cause superfluous injury or unnecessary suffering;”

**Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.**

“Each State Party to this Convention undertakes never in any circumstances to develop, produce, stockpile or otherwise acquire or retain: 1. microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes; 2. weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.”

**Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction**

“Each State Party to this Convention undertakes never under any circumstances: (a) To develop, produce, otherwise acquire, stockpile or retain chemical weapons, or transfer, directly or indirectly, chemical weapons to anyone; (b) To use chemical weapons; (c) To engage in any military preparations to use chemical weapons; (d) To assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Convention.”

**D. Non-Discrimination and Freedom from Harassment and Abuse**

8. Companies shall treat each employee with equality, respect, and dignity. No employee shall be subject to physical, sexual, racial, psychological, verbal, or any other form of harassment or abuse. Nor shall any employee be subject to intimidation or degrading treatment; nor shall discipline be imposed without fair procedures or in the form of fines that result in debt bondage.
9. All policies of companies, including, but not limited to those relating to hiring, discharge, pay, promotion, and training shall be non-discriminatory on the basis of race, colour, sex, religion, political opinion, nationality, social origin, indigenous heritage, disability, age, marital status, capacity to bear children, sexual orientation, or other status of the individual employee unless the selectivity is in furtherance of an established governmental policy which is specifically designed to promote greater equality of employment opportunity.
10. Companies shall obtain independent investigations of discrimination or harassment claims when appropriate and ensure the development of legitimate avenues through which employees can file complaints with regard to such issues.

**The Global Compact, Principle 6**

“Businesses should...eliminate discrimination in respect of employment and occupation.”

**OECD Code of Conduct, Employment and Industrial Relations, ¶ 7**

“ [Enterprises should] Implement their employment policies including hiring, discharge, pay, promotion and training without discrimination unless selectively in respect of employee characteristics is in furtherance of established governmental policies which specifically promote greater equality of employment opportunity.”

**ICFTU Basic Code of Labour Practice, There is no Discrimination in Employment**

“Equality of opportunity and treatment regardless of race, colour, sex, religion, political opinion, nationality, social origin or other distinguishing characteristic shall be provided (ILO Conventions 100 and 111).”

**ICFTU Basic Code of Labour Practice, Working Conditions are Decent**

“Physical abuse, threats of physical abuse, unusual punishments or discipline, sexual and other harassment, and intimidation by employer is strictly prohibited.”

**Clean Clothes Campaign, Code of Labour Practices for the Apparel Industry Including Sportswear**

“Equality of opportunity and treatment regardless of race, colour, sex, religion, political opinion, nationality, social origin or other distinguishing characteristic shall be provided (ILO Conventions 100 and 111)... Physical abuse, threats of physical abuse, unusual punishments or discipline, sexual and other harassment and intimidation by the employer is strictly prohibited.”

**Ethical Trading Initiative Code of Conduct, No Discrimination is Practiced and No Harsh or Inhumane Treatment is Allowed**

“7.1 There is no discrimination in hiring, compensation, access to training, promotion, termination or retirement based on race, caste, national origin, religion, age, disability, gender, marital status, sexual orientation, union membership or political affiliation. 9.1 Physical abuse or discipline, the threat of physical abuse, sexual or other harassment and verbal abuse or other forms of intimidation shall be prohibited.”

**Reebok International Ltd., Human Rights Production Standards, Nondiscrimination**

“Reebok will seek business partners who do not discriminate in hiring and employment practices, and who make decisions about hiring, salary, benefits, advancement, discipline, termination and retirement solely on the basis of a person's ability to do the job.”

**Draft United Nations Declaration on the Rights of Indigenous Peoples**

“Indigenous individuals have the right not to be subjected to any discriminatory conditions of labour, employment or salary.”

**Levi Strauss & Co, Code of Conduct, Employment Standards**

“Discrimination: While we recognize and respect cultural differences, we believe that workers should be employed on the basis of their ability to do the job, rather than on the basis of personal characteristics or beliefs. We will favor business partners who share this value. Disciplinary Practices: We will not utilize business partners who use corporal punishment or other forms of mental or physical coercion.”

**Volkswagen, Partnership-Based Code of Conduct at Work**

“Sexual harassment, which in most cases is directed towards women, mobbing of individuals and discrimination on grounds of origin, race or religion represent a serious disturbance of peaceful relations at the workplace. Such behaviour is regarded as an infringement of human dignity and a violation of personal privacy and is irreconcilable with the provisions of company regulations. The company is committed to preventing sexual harassment, mobbing and discrimination and to promoting and maintaining a partnership-based environment. This also applies to advertising and representation in public.

## **E. Slavery, Forced Labour, and Child Labour**

11. Companies shall not use slave, forced, or compulsory labour. Employees shall be recruited, paid, and subjected to other working conditions so as to avoid debt bondage or other forms of slavery and shall have the option to leave employment and the employer must facilitate such departure by providing all the necessary documentation and facilitation.
12. Companies shall not allow any person under the age of 18 to work under conditions which have been identified by ILO Convention 182 as the worst forms of child labour, for example, which are likely to harm the health and safety of children or interfere with the physical, mental, spiritual, moral, or social development of a child.
13. Companies shall not use child labour. Child labour is defined as the employment of any person in regular work duties before the completion of compulsory schooling, or the employment of any child below the age of 15 years. If a company has been using child labour, it shall withdraw children from the workplace in tandem with the provision of suitable opportunities for schooling, vocational training, and other social protection for the children and their families, for example, by employing the parents or older siblings.

### **The Global Compact, Principle 4**

“Businesses should uphold...the elimination of all forms of forced and compulsory labour.”

### **International Covenant on Economic, Social and Cultural Rights, Article 6, ¶1**

“The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.”

### **International Covenant on Civil and Political Rights, Article 8**

“1. No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited.

2. No one shall be held in servitude.

3. (a) No one shall be required to perform forced or compulsory labour . . . .”

### **ILO Forced Labour Convention 29, Article 1, ¶1**

“Each Member of the International Labour Organization which ratifies this Convention undertakes to suppress the use of forced or compulsory labour in all its forms within the shortest possible period.”

### **ICFTU Basic Code of Labour Practice, Employment is Freely Chosen**

“There shall be no use of forced, including bonded or involuntary prison, labour (ILO Conventions 29 and 105). Nor shall workers be required to lodge ‘deposits’ or their identity papers with their employer.”

### **Clean Clothes Campaign, Code of Labour Practices for the Apparel Industry Including Sportswear**

“There shall be no use of forced, including bonded or prison, labour (ILO Conventions 29 and 105). Nor shall workers be required to lodge ‘deposits’ or their identity papers with their employers.”

**Ethical Trading Initiative Code of Conduct, Employment is Freely Chosen**

“1.1 There is no forced, bonded or involuntary prison labour. 1.2 Workers are not required to lodge "deposits" or their identity papers with their employer and are free to leave their employer after reasonable notice.”

**Reebok International Ltd., Human Rights Production Standards, Forced or Compulsory Labor**

“Reebok will not work with business partners that use forced or other compulsory labor, including labor that is required as a means of political coercion or as punishment for holding or for peacefully expressing political views, in the manufacture of its products. Reebok will not purchase materials that were produced by forced prison or other compulsory labor and will terminate business relationships with any sources found to utilize such labor.”

**The Global Compact, Principle 5**

“Businesses should uphold...the effective abolition of child labour;...”

**ILO Minimum Age Convention 138, Article 2**

“1. Each member which ratifies this Convention shall specify...a minimum age for admission to employment or work.... 2. The minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory school, and in any case, shall not be less than 15 years.”

**ILO Minimum Age Convention 138, Article 3**

“1. The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons shall not be less than 18 years.”

**International Covenant on Economic, Social and Cultural Rights, Article 10, ¶3**

“...Children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punished by law....”

**Convention on the Rights of the Child, Article 1**

“...[A] child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.”

**Convention on the Rights of the Child, Article 32**

“1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development. 2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular: (a) Provide for a minimum age or minimum ages for admission to employment; (b) Provide for appropriate regulation of the hours and conditions of employment; (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.”

**ILO Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour Convention 182, Article 3**

“Each Member which ratifies this Convention shall take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency. . . .

For the purposes of this Convention, the term the worst forms of child labour comprises:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.”

**ILO Worst Forms of Child Labour Recommendation 190, Article 2 (3)**

“In determining the types of work referred to under Article 3(d) of the Convention, and in identifying where they exist, consideration should be given, inter alia, to:

- (a) work which exposes children to physical, psychological or sexual abuse;
- (b) work underground, under water, at dangerous heights or in confined spaces;
- (c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;
- (d) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;
- (e) work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.

**ICFTU Basic Code of Labour Practice, Child Labour is Not Used**

“There shall be no use of child labour. Only workers above the age of 15 years or above the compulsory school-leaving age, which ever is higher, shall be engaged (ILO Conventions 138). Adequate transitional economic assistance and appropriate education opportunities shall be provided to replace any child workers.”

**Clean Clothes Campaign, Code of Labour Practices for the Apparel Industry Including Sportswear**

“There shall be no use of child labour. Only workers above the age of 15 years or above the compulsory school-leaving age shall be engaged (ILO Convention 138). Adequate transitional economic assistance and appropriate educational opportunities shall be provided to any replaced child workers.”

**Ethical Trading Initiative Code of Conduct, Child Labour Shall Not Be Used**

“4.1 There shall be no new recruitment of child labour. 4.2 Companies shall develop or participate in and contribute to policies and programmes which provide for the transition of any child found to be performing child labour to enable her or him to attend and remain in quality education until no longer a child; "child" and "child labour" being defined in the appendices. 4.3 Children and young persons under 18 shall not be employed at night or in hazardous conditions. 4.4 These policies and procedures shall conform to the provisions of the relevant ILO standards.”

**Reebok International Ltd., Human Rights Production Standards, Child Labour**

“Reebok will not work with business partners that use child labor. The term "child" generally refers to a person who is younger than 15 (or 14 where the law of the country of manufacture allows) or younger than the age for completing compulsory education in the country of manufacture where such age is higher than 15.”

**Levi Strauss & Co, Code of Conduct, Employment Standards**

“Child Labor: Use of child labor is not permissible. Workers can be no less than 14 years of age and not younger than the compulsory age to be in school. We will not utilize partners who use child labor in any of their facilities. We support the development of legitimate workplace apprenticeship programs for the educational benefit of younger people.”

**Gap, Inc. , Code of Vendor Conduct**

“Factories shall employ only workers who meet the applicable minimum legal age requirement or are at least 14 years of age, whichever is greater. Factories must also comply with all other applicable child labor laws. Factories are encouraged to develop lawful workplace apprenticeship programs for the educational benefit of their workers, provided that all participants meet both Gap’s minimum age standard of 14 and the minimum legal age requirement.”

**F. Respect for National Sovereignty and the Right of Self-Determination**

14. Companies shall recognize and respect the national laws, regulations, administrative practices, and authority of the State to exercise control over its national resources in the countries in which the companies operate in so far as these laws, regulations, practices, and authority do not conflict with international human rights standards. Companies should endeavour to function within the development priorities; social, economic, and cultural objectives; values and way of life of the communities; and structure of the countries in which they operate in so far as those objectives and values do not conflict with international human rights standards. Within the limits of their resources and capabilities companies should also endeavour to encourage social progress and development by engaging in constructive business activities and expanding economic opportunities – particularly in developing countries and most importantly in the least developed countries.
15. Companies shall cooperate, insofar as relevant, with national or international monitoring of compliance with national and international laws.
16. Companies shall have the responsibility to ensure that their business operations do not contribute directly or indirectly to human rights abuses and actively to speak out or otherwise use their influence in order to help promote and ensure respect for human rights.

17. Companies shall not offer, promise, give, or demand a bribe or other improper advantage, nor shall they be solicited or expected to give a bribe or other improper advantage to any government or government official. Companies shall enhance the transparency of their activities and openly fight against bribery, extortion, and other forms of corruption.
18. Companies shall respect the rights of indigenous communities and minorities to own, develop, control, protect, and use their lands and cultural and intellectual property; indigenous communities and minorities may not be deprived of their own means of subsistence.

**ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, ¶ 10**

“Multinational enterprises should take fully into account established general policy objectives of the countries in which they operate. Their activities should be in harmony with the development priorities and social aims and structure of the country in which they operate. To this effect, consultations should be held between multinational enterprises, the government and, wherever appropriate, the national employers' and workers' organizations concerned.”

**ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, ¶ 16**

“Multinational enterprises, particularly when operating in developing countries, should endeavour to increase employment opportunities and standards, taking into account the employment policies and objectives of the governments, as well as security of employment and the long-term development of the enterprise.”

**Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development, Commitment 1(a)**

“Provide a stable legal framework, in accordance with our constitutions, laws and procedures, and consistent with international law and obligations, which includes and promotes equality and equity between women and men, full respect for all human rights and fundamental freedoms and the rule of law, access to justice, the elimination of all forms of discrimination, transparent and accountable governance and administration and the encouragement of partnership with free and representative organizations of civil society . . .”

**The Global Sullivan Principles**

“[Accordingly, we will:] Work with governments and communities in which we do business to improve the quality of life in those communities - their educational, cultural, economic and social well-being - and seek to provide training and opportunities for workers from disadvantaged backgrounds.”

**Starbucks Commitment Statement of Beliefs, We Believe in the Value of Diversity and Respect the Integrity of Different Cultures**

“We believe that we should serve as a model of a successful company that promotes diversity throughout all levels.... We believe that we should respect local laws and customs.”

**Draft United Nations Declaration on the Rights of Indigenous Peoples, Article 29**

“Indigenous peoples are entitled to the recognition of the full ownership, control and protection of their cultural and intellectual property. They have the right to special

measures to control, develop and protect their sciences, technologies and cultural manifestations, including human and other genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs and visual and performing arts.”

**Draft United Nations Declaration on the Rights of Indigenous Peoples, Article 30**

“Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands, territories and other resources, including the right to require that States obtain their free and informed consent prior to the approval of any project affecting their lands, territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources. Pursuant to agreement with the indigenous peoples concerned, just and fair compensation shall be provided for any such activities and measures taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.”

**Keidanren Charter for Good Corporate Behavior**

“8. In overseas operations, corporations will respect the cultures and customs of the hosting society and will manage themselves in a manner that contributes to local development.”

**Declaration of Principles Concerning Human Resource Management for Korean Enterprises Operating Overseas**

“Korean enterprises overseas (KEOs) should maintain the attitude that international investment does not only bring about substantial benefits to the investing enterprises, but also makes an important contribution to the economic and social development of the host country.”

**Toyota, Guiding Principles**

“1. Honor the language and spirit of the law of every nation and undertake open and fair corporate activities to be a good corporate citizen of the world. 2. Respect the culture and customs of every nation and contribute to economic and social development through corporate activities in the communities.”

**OECD Guidelines for Multinational Enterprises, Draft Text and Commentary of January 10, 2000, VI. Combating Bribery**

“Enterprises should not, directly or indirectly, offer, promise, give or demand a bribe or other improper advantage, nor should they be solicited or expected to render a bribe or other improper advantage. In particular, enterprises should...3. Enhance the transparency of their activities in the fight against bribery and extortion. Measures could include making public commitments against bribery and extortion and disclosing the management systems the company has adopted in order to honour these commitments. The enterprise should also foster openness and dialogue with the public so as to promote its awareness of and co-operations with the fight against bribery and extortion.”

**OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, Article 1 - The Offence of Bribery of Foreign Public Officials**

“Each Party shall take such measures as may be necessary to establish that it is a criminal offence under its law for any person intentionally to offer, promise or give any undue pecuniary or other advantage, whether directly or through intermediaries, to a foreign public official, for that official or for a third party, in order that the official act or refrain from acting in relation to the performance of official duties, in order to obtain or retain business or other improper advantage in the conduct of international business.”

**Declaration on Social Progress and Development, Preamble, Article 6**

“Recognizing that the primary responsibility for the development of the developing countries rests on those countries themselves and acknowledging the pressing need to narrow and eventually close the gap in the standards of living between economically more advanced and developing countries and, to that end, that Member States shall have the responsibility to pursue internal and external policies designed to promote social development throughout the world, and in particular to assist developing countries to accelerate their economic growth... Article 6. Social progress and development require the participation of all members of society in productive and socially useful labour and the establishment, in conformity with human rights and fundamental freedoms and with the principles of justice and the social function of property, of forms of ownership of land and of the means of production which preclude any kind of exploitation of man, ensure equal rights to property for all and create conditions leading to genuine equality among people.

**Declaration on the Right to Development, Article 2(2)**

“All human beings have a responsibility for development, individually and collectively, taking in to account the need for full respect for their human rights and fundamental freedoms as well as their duties to the community, which alone can ensure the free and complete fulfillment of the human being, and they should therefore promote and protect an appropriate political, social and economic order for development.”

**G. Healthy and Safe Working Environment**

19. Companies shall provide a safe and healthy working environment in accordance with the national requirements of the countries in which they are located and with international standards such as those found in ILO Convention 155 (Occupational Safety and Health Convention) and other relevant general and specific ILO conventions and recommendations. Such a safe and healthy work environment should aid in the prevention of accidents and injuries arising out of, linked with, or occurring within the course of work.
20. Companies shall make information about the health and safety standards relevant to their local operations available to their workers, including arrangements for training in safe working practices. In particular, companies shall make known any special hazards a work task or conditions of work involve and the related measures available to protect the workers. Companies shall examine the causes of safety and health hazards in their industry and work to implement improvements and solutions to those conditions, including the provision of safe equipment at least consistent with industry standards.
21. Agreements with workers and their representative organizations shall include matters relating to health and safety.
22. All company security arrangements shall be consistent with international human rights standards and the protection of human rights. Companies shall establish policies against hiring individuals or working with units of state security forces that are known to have been responsible for human rights abuses. Guards in the employ of companies shall exercise the maximum respect for human rights and the highest ethical standards. Companies shall also avoid co-responsibility for human rights violations by associating themselves with unlawful

methods of law enforcement. To the extent of their resources and capabilities, companies should provide training to guards in their employ concerning relevant international standards with regard, for example, to the use of force and firearms as well for the handling of demonstrations.

23. Companies which supply military security or police products or services shall take stringent steps to prevent those products and services from being misused to commit human rights or humanitarian law violations.

**ILO Conventions 81 (Labour Inspection Convention), 115 (Radiation Protection Convention), 119 (Guarding of Machinery Convention), 127 (Maximum Weight Convention), 129 (Agriculture Labour Inspection Convention), 135 (Workers' Representatives Convention), 136 (Benzene Convention), 148 (Working Environment (Air Pollution, Noise and Vibration) Convention), 155 (Occupational Safety and Health Convention), 161 (Occupational Health Services Convention), 162 (Asbestos Convention), 167 (Safety in Construction Convention), 170 (Chemicals Convention), 174 (Prevention of Major Industrial Accidents Convention), 176 (Safety and Health in Mines Convention), 182 (Worst Forms of Child Labour Convention), Recommendation 190, Part II (Worst Forms of Child Labour, Hazardous work), and other relevant recommendations.**

**ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, ¶ 37**

“Multinational enterprises should maintain the highest standards of safety and health, in conformity with national requirements, bearing in mind their relevant experience with the enterprise as a whole, including any knowledge of special hazards. They should also make available to the representatives of the workers in the enterprise, and upon request, to the competent authorities and the workers' and employers' organizations in all countries in which they operate, information on the safety and health standards relevant to their local operations, which they observe in other countries. In particular, they should make known to those concerned any special hazards and related protective measures associated with new products and processes. They, like comparable domestic enterprises, should be expected to play a leading role in the examination of causes of industrial safety and health hazards and in the application of resulting improvements within the enterprise as a whole.”

**ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, ¶ 39**

“In accordance with national practice, multinational enterprises should cooperate fully with the competent safety and health authorities, the representatives of the workers and their organizations, and established safety and health organizations. Where appropriate, matters relating to safety and health should be incorporated in agreements with the representatives of the workers and their organizations.”

**Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development, ¶ 12(e)**

“Making economic growth and the interaction of market forces more conducive to social development requires the following actions: Encouraging transnational and national corporations to operate in a framework of respect for the environment while

complying with national laws and legislation, and in accordance with international agreements and conventions, and with proper consideration for the social and cultural impact of their activities . . .”

**ICFTU Basic Code of Labour Practice, Working Conditions are Decent**

“A safe and hygienic working environment shall be provided, and best occupational health and safety practice shall be promoted, bearing in mind the prevailing knowledge of the industry of any specific hazards.”

**Clean Clothes Campaign, Code of Labour Practices for the Apparel Industry Including Sportswear**

“A safe and hygienic working environment shall be provided, and best occupational health and safety practice shall be promoted, bearing in mind the prevailing knowledge of the industry and of any specific hazards.”

**The Global Sullivan Principles**

“[Accordingly, we will:] Provide a safe and healthy workplace; protect human health and the environment; and promote sustainable development.”

**Ethical Trading Initiative Code of Conduct, Working Conditions are Safe and Hygienic**

“3.1 A safe and hygienic working environment shall be provided, bearing in mind the prevailing knowledge of the industry and of any specific hazards. Adequate steps shall be taken to prevent accidents and injury to health arising out of, associated with, or occurring in the course of work, by minimizing, so far as is reasonably practicable, the causes of hazards inherent in the working environment. 3.2 Workers shall receive regular and recorded health and safety training, and such training shall be repeated for new or reassigned workers. 3.3 Access to clean toilet facilities and to potable water, and, if appropriate, sanitary facilities for food storage shall be provided. 3.4 Accommodation, where provided, shall be clean, safe, and meet the basic needs of the workers. 3.5 The company observing the code shall assign responsibility for health and safety to a senior management representative.”

**Caux Round Table, Principles for Business, Section 3. Stakeholder Principles, Employees**

“We believe in the dignity of every employee and in taking employee interests seriously. We therefore have a responsibility to... provide working conditions that respect employee’s health and dignity...protect employees from avoidable injury and illness in the workplace...”

**Reebok International Ltd., Human Rights Production Standards, Safe and Healthy Work Environment**

“Reebok will seek business partners that strive to assure employees a safe and healthy workplace and that do not expose workers to hazardous conditions.”

**Amnesty International, Human Rights Principles for Companies**

“2.Security. All companies should ensure that any security arrangements protect human rights and do not conflict with international standards for law enforcement. Any security personnel employed or contracted should be adequately trained. Procedures should be consistent with the United Nations (UN) Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement Officials. They should include measures to prevent excessive force, as well as torture or cruel, inhuman or degrading treatment.

Companies should develop clear rules for calling in or contracting with state security forces and for not hiring security personnel who have been responsible for serious human rights violations. Any complaint about security procedures or personnel should be promptly and independently investigated. Companies which supply military' security or police products or services should take stringent steps to prevent those products and services from being misused to commit human rights violations.”

#### **Shell, Use of Force Guidelines**

“Shell companies, like all companies, have a responsibility to protect the health and safety of their employees and safeguard the investment of their shareholders. We expect the forces of law and order of the State to give us appropriate protection, and seek an assurance that any use of force is in accordance with international standards of law enforcement. In some countries the State may lack sufficient resources to provide adequate protection. In such circumstances managers may seek authority, or be required by law, to employ security personnel as part of their responsibility to safeguard their people and property.

“Any use of force must respect human dignity and the human rights of all people. It must be strictly within the law. Only minimum force proportional to the threat should be used, and damage and injury must be minimised. Security personnel must be given clear and unambiguous instructions and training on when and how force may be used, and report any use of force as soon as possible. They must render medical aid to injured persons, including offenders. They must be told that they will be accountable for any excessive use of force.

“If armed guards are used, minimum standards that should be applied include the following: government authority to carry weapons; a definition of weapon type and ammunition, allowing for differentiated use of force and firearms; handling, safety and maintenance rules and procedures; rules of engagement; selection and training standards and certificates of competence, and incident reporting and investigation procedures.

“The rules for individuals authorized to carry firearms are based on UN principles and codes of conduct and on international human rights standards.”

#### **BP Amoco, Report on Some of the issues facing BP Amoco in Human Rights**

“It is important that people are aware that we operate our own security measures in accordance with our guidelines which incorporate Amnesty International’s Guidelines for Multinational Companies, and the UN Codes of Conduct for Law Enforcement Officers and for Use of Firearms.”

### **H. Fair and Equal Remuneration**

24. Companies shall compensate workers for the work completed with just, favourable and periodically regular remuneration ordinarily in legal tender at a level adequate to ensure a lifestyle worthy of human existence. There shall be equal remuneration for work of equal value without discrimination on the basis of race, colour, sex, religion, political opinion, nationality, social origin, age, sexual orientation, or other status of the individual employee.
25. Remuneration includes the ordinary, basic, or minimum wage or salary, and additional emoluments payable directly or indirectly to the employee by the employer as a result of the

worker's employment. Workers shall be informed periodically as to the wages, salaries, and additional emoluments to which they are entitled.

**Universal Declaration of Human Rights, Article 23, ¶ 3**

“Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.”

**ILO Equal Remuneration Convention 100, Article 1(a)**

“The term remuneration includes the ordinary, basic or minimum wage or salary and any additional emoluments whatsoever payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the worker's employment.”

**ILO Protection of Wages Convention 95, Articles 3(1) & 12(1)**

“Article 3 (1). Wages payable in money shall be paid only in legal tender, and payment in the form of promissory notes, vouchers or coupons, or in any other form alleged to represent legal tender, shall be prohibited. Article 12 (1). Wages shall be paid regularly. Except where other appropriate arrangements exist which ensure the payment of wages at regular intervals, the intervals for the payment of wages shall be prescribed by national laws or regulations or fixed by collective agreement or arbitration award.”

**ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, ¶ 33-34 (endnotes omitted)**

“33. Wages, benefits and conditions of work offered by multinational enterprises should be not less favourable to the workers than those offered by comparable employers in the country concerned. 34. When multinational enterprises operate in developing countries, where comparable employers may not exist, they should provide the best possible wages, benefits and conditions of work, within the framework of government policies. These should be related to the economic position of the enterprise, but should be at least adequate to satisfy basic needs of the workers and their families. Where they provide workers with basic amenities such as housing, medical care or food, these amenities should be of a good standard.”

**ICFTU Basic Code of Labour Practice, Living Wages Are Paid**

“Wages and benefits paid for a standard working week shall meet at least legal or industry minimum standards and always be sufficient to meet basic needs of workers and their families and to provide some discretionary income. Deductions from wages for disciplinary measures shall not be permitted nor shall any deductions from wages not provided for by national law be permitted without the expressed permission of the worker concerned. All workers shall be provided written and understandable information about the conditions in respect of wages before they enter employment and of the particulars of their wages for the pay period concerned each time that they are paid.”

**Clean Clothes Campaign, Code of Labour Practices for the Apparel Industry Including Sportswear**

“Wages and benefits paid for a standard working week shall meet at least legal or industry minimum standards and always be sufficient to meet basic needs of workers and their families and to provide some discretionary income. Deductions from wages for disciplinary measures shall not be permitted nor shall any deductions from

wages not provided for by national law be permitted without the expressed permission of the worker concerned. All workers shall be provided with written and understandable information about the conditions in respect of wages before they enter employment and of the particulars of their wages for the pay period concerned each time that they are paid.”

**The Global Sullivan Principles**

“[Accordingly, we will:] Compensate our employees to enable them to meet at least their basic needs and provide the opportunity to improve their skill and capability in order to raise their social and economic opportunities.”

**Ethical Trading Initiative Code of Conduct, Living Wages Are Paid**

“5. 1 Wages and benefits paid for a standard working week meet, at a minimum, national legal standards or industry benchmark standards, whichever is higher. In any event wages should always be enough to meet basic needs and to provide some discretionary income. 5.2 All workers shall be provided with written and understandable Information about their employment conditions in respect to wages before they enter employment and about the particulars of their wages for the pay period concerned each time that they are paid. 5.3 Deductions from wages as a disciplinary measure shall not be permitted nor shall any deductions from wages not provided for by national law be permitted without the expressed permission of the worker concerned. All disciplinary measures should be recorded.”

**Caux Round Table, Principles for Business, Section 3. Stakeholder Principles, Employees**

“We believe in the dignity of every employee and in taking employee interests seriously. We therefore have a responsibility to... provide jobs and compensation that improve workers' living conditions...”

**Reebok International Ltd., Human Rights Production Standards, Fair Wages**

“Reebok will seek business partners who share our commitment to the betterment of wage and benefit levels that address the basic needs of workers and their families so far as possible and appropriate in the light of national practices and conditions. Reebok will not select business partners that pay less than the minimum wage required by local law or that pay less than prevailing local industry practices (whichever is higher).”

**I. Hours of Work**

26. Companies shall not require any employee to work more than 48 hours per week. Voluntary overtime for workers should not exceed 12 hours per week and should not be demanded on a regular basis. Compensation for such overtime should be at a rate higher than the normal rate. Each employee should be given at least one day off in every seven-day period. These protections should be adjusted to meet the different needs of management personnel, professionals, and others who have clearly indicated their personal desire to work more hours.

**ILO Hours of Work (Commerce and Offices) Convention 30**

“Article 3: The hours of work of persons to whom this Convention applies shall not exceed forty-eight hours in the week and eight hours in the day, except as hereinafter otherwise provided. Article 4: The maximum hours of work in the week laid down in

Article 3 may be so arranged that hours of work in any day do not exceed ten hours. Article 5: 1. In case of a general interruption of work due to (a) local holidays, or (b) accidents or force majeure (accidents to plant, interruption of power, light, heating or water, or occurrences causing serious material damage to the establishments), hours of work in the day may be increased for the purpose of making up the hours of work which have been lost, provided that the following conditions are complied with: (a) hours of work which have been lost shall not be allowed to be made up on more than thirty days in the year and shall be made up within a reasonable lapse of time; (b) the increase in hours of work in the day shall not exceed one hour; (c) hours of work in the day shall not exceed ten. 2. The competent authority shall be notified of the nature, cause and date of the general interruption of work, of the number of hours of work which have been lost, and of the temporary alterations provided for in the working time-table. Article 6: In exceptional cases where the circumstances in which the work has to be carried on make the provisions of Articles 3 and 4 inapplicable, regulations made by public authority may permit hours of work to be distributed over a period longer than the week, provided that the average hours of work over the number of weeks included in the period do not exceed forty-eight hours in the week and that hours of work in any day do not exceed ten hours.

**ILO Hours of Work (Industry) Convention 1:**

“The working hours of persons employed in any public or private industrial undertaking or in any branch thereof, other than an undertaking in which only members of the same family are employed, shall not exceed eight in the day and forty-eight in the week, with the exceptions hereinafter provided for: (a) the provisions of this Convention shall not apply to persons holding positions of supervision or management, nor to persons employed in a confidential capacity; (b) where by law, custom, or agreement between employers' and workers' organisations, or, where no such organisations exist, between employers' and workers' representatives, the hours of work on one or more days of the week are less than eight, the limit of eight hours may be exceeded on the remaining days of the week by the sanction of the competent public authority, or by agreement between such organisations or representatives; provided, however, that in no case under the provisions of this paragraph shall the daily limit of eight hours be exceeded by more than one hour; (c) where persons are employed in shifts it shall be permissible to employ persons in excess of eight hours in any one day and forty-eight hours in any one week, if the average number of hours over a period of three weeks or less does not exceed eight per day and forty-eight per week.

**ICFTU Basic Code of Labour Practice, Hours of Work Are Not Excessive.**

“Hours of work shall comply with applicable laws and industry standards. In any event, workers shall not on a regular basis be required to work in excess of 48 hours per week and shall be provided with at least one day off for every 7 day period. Overtime shall be voluntary, shall not exceed 12 hours per week, shall not be demanded on a regular basis and shall always be compensated at a premium rate.”

**Clean Clothes Campaign, Code of Labour Practices for the Apparel Industry Including Sportswear**

“Hours of work shall comply with applicable laws and industry standards. In any event, workers shall not on a regular basis be required to work in excess of 48 hours per week and shall be provided with at least one day off for every 7 day period.

Overtime shall be voluntary, shall not exceed 12 hours per week, shall not be demanded on a regular basis and shall always be compensated at a premium rate.”

**Ethical Trading Initiatives Code of Conduct, Working Hours Are Not Excessive**

“6.1 Working hours comply with national laws and benchmark industry standards, whichever affords greater protection. 6.2 In any event, workers shall not on a regular basis be required to work in excess of 48 hours per week and shall be provided with at least one day off for every 7 day period on average. Overtime shall be voluntary, shall not exceed 12 hours per week, shall not be demanded on a regular basis and shall always be compensated at a premium rate.”

**Reebok International Ltd., Human Rights Production Standards, Working Hours/Overtime**

“Workers shall not work more than 60 hours per week, including overtime, except in extraordinary business circumstances. In countries where the maximum work week is less, that standard shall apply. Workers shall be entitled to at least one day off in every seven day period.”

**International Federation of Building and Wood Workers (IFBWW), Code of Conduct regarding the rights of workers**

“Workers shall be paid wages and benefits for a standard working week that are at least as favorable as those established by national legislation or agreements, for work of the same character in the trade or industry concerned in the area where the work is carried out. No worker shall be paid less than the legal minimum wage. Deductions from wages, unless permitted under national law, shall not be made in any circumstances without the express permission of the worker concerned. All workers must be provided with clear verbal and written information about wage conditions before they enter employment and receive written details of their wages each time that they are paid.”

**J. Freedom of Association and the Right to Collective Bargaining**

27. All workers shall have the right to form and join organizations of their choosing, including trade unions, for the protection of their employment interests and for collective bargaining. No restrictions shall be placed on the freedom of association and the right to organize other than those restrictions that do not conflict with international human rights standards and are prescribed by law. Workers shall not be subject to discrimination for participation in these activities, nor shall individual workers be impeded from participation in these groups or required by companies to join such groups. Companies shall grant facilities to permit establishment of workers organizations.
28. Companies shall enable representatives of their employees to conduct negotiations on issues relevant to their employment with representatives of the management who are authorized to make decisions about the issues under negotiation. Employees shall be given access to information, facilities, and other resources that are necessary for the employee representation to conduct negotiation effectively.
29. Companies shall respect the right of employees to submit grievances, including grievances as to compliance with this code; to have those grievances examined by disinterested persons who have the authority to redress any abuses found, pursuant to the appropriate procedure;

and to be protected from suffering prejudice for using those procedures. Companies shall abide by the decisions of the tribunals or other mechanisms that are empowered to make determinations on such matters, including unfair labor practices by any party. Companies shall take particular care to protect the rights of employees as to such procedures in countries that do not abide by international standards regarding the freedom of association, the right to organize, and the right to bargain collectively.

**The Global Compact, Principle 3**

“Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining.”

**OECD Code of Conduct, Employment and Industrial Relations, ¶ 9**

“[Enterprises should] Enable authorized representatives of their employees to conduct negotiations on collective bargaining or labour management relations issues with representations of management who are authorized to take decisions on the matters under negotiation.”

**ILO Freedom of Association Convention and Protection of the Right to Organize Convention 87, Articles 2-5**

“Workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organization concerned, to join organizations of their own choosing without previous authorization. Workers’ and employers’ organizations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organize their administration and activities and to formulate their programmes. The public authorities shall refrain from any interference which would restrict this right or impede the lawful exercise thereof. Workers’ and employers’ organizations shall not be liable to be dissolved or suspended by administrative authority. Workers’ and employers’ organizations shall have the right to establish and join federations and confederations and any such organization, federation or confederation shall have the right to affiliate with international organization of workers and employers.”

**ILO Right to Organize and Collective Bargaining Convention 98, Article 4**

“Measures appropriate to national conditions shall be taken, where necessary, to encourage and promote the full development and utilization of machinery for voluntary negotiation between employers or employers’ organizations and workers’ organizations with a view to the regulation of terms and conditions or employment by means of collective agreements.”

**ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, ¶¶ 41, 42, 48, 50, 51, 52, 53 & 57 (endnotes omitted)**

“41. Workers employed by multinational enterprises as well as those employed by national enterprises should, without distinction whatsoever, have the right to establish and, subject only to the rules of the organization concerned, to join organizations of their own choosing without previous authorization. They should also enjoy adequate protection against acts of anti-union discrimination in respect of their employment. 42. Organizations representing multinational enterprises or the workers in their employment should enjoy adequate protection against any acts of interference by each other or each other's agents or members in their establishment, functioning or administration. 48. Workers employed by multinational enterprises should have the right, in accordance with

national law and practice, to have representative organizations of their own choosing recognized for the purpose of collective bargaining. 50. Multinational enterprises, as well as national enterprises, should provide workers' representatives with such facilities as may be necessary to assist in the development of effective collective agreements. 51. Multinational enterprises should enable duly authorized representatives of the workers in their employment in each of the countries in which they operate to conduct negotiations with representatives of management who are authorized to take decisions on the matters under negotiation. 52. Multinational enterprises, in the context of bona fide negotiations with the workers' representatives on conditions of employment, or while workers are exercising the right to organize, should not threaten to utilize a capacity to transfer the whole or part of an operating unit from the country concerned in order to influence unfairly those negotiations or to hinder the exercise of the right to organize; nor should they transfer workers from affiliates in foreign countries with a view to undermining bona fide negotiations with the workers' representatives or the workers' exercise of their right to organize. 53. Collective agreements should include provisions for the settlement of disputes arising over their interpretation and application and for ensuring mutually respected rights and responsibilities. 57. Multinational as well as national enterprises should respect the right of the workers whom they employ to have all their grievances processed in a manner consistent with the following provision: any worker who, acting individually or jointly with other workers, considers that he has grounds for a grievance should have the right to submit such grievance without suffering any prejudice whatsoever as a result, and to have such grievance examined pursuant to an appropriate procedure 18. This is particularly important whenever the multinational enterprises operate in countries which do not abide by the principles of ILO Conventions pertaining to freedom of association, to the right to organize and bargain collectively and to forced labour.”

**ICFTU Basic Code of Labour Practice, Freedom of Association and the Right to Collective Bargaining Are Respected**

“The right of all workers to form and join trade unions and to bargain collectively shall be recognized (ILO Conventions 87 and 98). Workers representatives shall not be the subject of discrimination and shall have access to all workplaces necessary to enable them to carry out their representation functions. (ILO Conventions 135 and Recommendation 143). Employers shall adopt a positive approach towards the activities of trade unions and an open attitude toward their organizational activities.”

**Clean Clothes Campaign, Code of Labour Practices for the Apparel Industry Including Sportswear**

“ The right of all workers to form and join trade unions and to bargain collectively shall be recognized (ILO Conventions 87 and 98). Workers’ representatives shall not be the subject of discrimination and shall have access to all workplaces necessary to enable them to carry out their representation functions (ILO Convention 135 and Recommendation 143). Employers shall adopt a positive approach towards the activities of trade unions and an open attitude towards their organizational activities.”

**Reebok International Ltd., Human Rights Production Standards, Freedom of Association**

“Reebok will seek business partners that share its commitment to the right of employees to establish and join organizations of their own choosing. Reebok recognizes and respects the right of all employees to organize and bargain collectively.”

**Ethical Trading Initiative Code of Conduct, Freedom of Association and the Right to Collective Bargaining Are Respected**

“2.1 Workers, without distinction, have the right to join or form trade unions of their own choosing and to bargain collectively. 2.2 The employer adopts an open attitude towards the activities of trade unions and their organizational activities. 2.3 Workers representatives are not discriminated against and have access to carry out their representative functions in the workplace. 2.4 Where the right to freedom of association and collective bargaining is restricted under law, the employer facilitates, and does not hinder, the development of parallel means for independent and free association and bargaining.”

**K. Consumer Protection**

30. Companies shall conduct the production and marketing of their products in accordance with the national laws, regulations, and the administrative practices and policies concerning consumer protection of the countries in which they operate. Companies shall also adhere to relevant international standards so as to avoid variations in the quality of products that would have detrimental effects on consumers.
31. Through proper labeling, informative and accurate advertising, and other appropriate methods, companies shall disclose to the public all the appropriate information on the contents and possible hazardous effect of the products they produce. In particular, they shall warn if death or serious injury is probable from a defect or misuse.
32. Companies shall supply information to the relevant authorities upon request regarding the characteristics of products or services that may cause injury to the health and safety of consumers or others as well as restrictions, warnings, and other regulatory measures imposed by several other countries on the grounds of health and safety protection as to these products or services.

**United Nations Code of Conduct for Transnational Corporations, ¶¶ 37-40**

“37. Transnational corporations shall/should carry out their operations, in particular production and marketing, in accordance with national laws, regulations, administrative practices and policies concerning consumer protection of the countries in which they operate. Transnational corporations shall/should also perform their activities with due regard to relevant international standards, so that they do not cause injury to the health or endanger the safety of consumers or bring about variations in the quality of products in each market which would have detrimental effects on consumers. 38. Transnational corporations shall/should, in respect of the products and services which they produce or market or propose to produce or market in any country, supply the competent authorities of that country on request or on a regular basis, as specified by these authorities, all relevant information concerning: Characteristics of these products or services which may be injurious to the health and

safety of consumers including experimental uses and related aspects; Prohibitions, restrictions, warnings and other public regulatory measures imposed in other countries on grounds of health and safety protection on these products or services. 39. Transnational corporations shall/should disclose to the public in the countries in which they operate all appropriate information on the contents and, to the extent known, on possible hazardous effects of the products they produce or market in the countries concerned by means of proper labeling, informative and accurate advertising or other appropriate methods. Packaging of their products should be safe and the contents of the product should not be misrepresented. 40. Transnational corporations shall/should be responsive to requests from Governments of the countries in which they operate and be prepared to co-operate with international organizations in their efforts to develop and promote national and international standards for the protection of the health and safety of consumers and to meet the basic needs of consumers.”

#### **L. Environmental Protection and Human Rights**

33. In decision-making processes, companies shall assess the impact of their activities on the environment or human health, including impacts from siting decisions; natural resource extraction activities; the production and sale of products or services; and the generation, storage, transport and disposal of hazardous and toxic substances. In making siting decisions – particularly as to larger tracts of land – and decisions to depart from a community, companies shall similarly assess the foreseeable consequences of their activities as to displacing people from their habitats and shelter, upsetting food security, diminishing health care, decreasing the availability of primary education, etc. Where possible, companies should generally communicate the results of such assessments to stakeholders, should develop and implement measures to prevent and/or mitigate impacts identified in any assessment, and should consider any reactions from stakeholders in endeavouring to prevent environmental and human rights consequences. Companies shall provide adequate reparation to those persons who have been adversely affected by restoring, replacing, or otherwise compensating for any damage done or property taken.
34. Companies shall be responsible for the environmental and human health impact of all their activities, including any products or service they introduce into commerce, including the packaging, and transportation as well as the by-products of the manufacturing process. Upon the expiration of the useful life of their products or services, companies shall be responsible for collecting or arranging for the collection of the remains of the product or services for recycling, re-use, and/or environmentally acceptable disposal.
35. Companies shall take appropriate measures in their operations to minimize the risks of accidents and damage to the environment by adopting best management practices and technologies. In particular, companies shall use best management practices and appropriate technologies to meet this objective and enable their component entities to be equipped to meet this objective through the sharing of technology, knowledge, and assistance. In addition, they shall educate and train employees to ensure their compliance with this objective. Further, companies shall not relocate their operations from one country/location to

another in order to evade more rigorous environmental standards at an existing place of business.

**Global Compact, Principles 7-9**

“7. Businesses should support a precautionary approach to environmental challenges; 8. undertake initiatives to promote greater environmental responsibility; and 9. encourage the development and diffusions of environmentally friendly technologies.”

**ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, ¶ 24**

“Governments should carefully study the impact of multinational enterprises on employment in different industrial sectors. Governments, as well as multinational enterprises themselves, in all countries should take suitable measures to deal with the employment and labour market impacts of the operations of multinational enterprises.”

**United Nations Code of Conduct for Transnational Corporations, ¶¶ 41-43**

“41. Transnational corporations shall/should carry out their activities in accordance with national laws, regulations, administrative practices and policies relating to the preservation of the environment of the countries in which they operate and with due regard to the relevant international standards. Transnational corporations shall/should, in performing their activities, take steps to protect the environment and where damaged to [restore it to the extent appropriate and feasible [rehabilitate it] and should make efforts to develop and apply adequate technologies for this purpose. 42. Transnational corporations shall/should, in respect of the products, processes and services they have introduced or propose to introduce in any country, supply to the competent authorities of that country on request or on a regular basis, as specified by these authorities, all relevant information concerning: Characteristics of these products, processes and other activities including experimental uses and related aspects which may harm the environment and the measures and costs necessary to avoid or at least to mitigate their harmful effects; Prohibitions, restrictions, warnings and other public regulatory measures imposed in other countries on grounds of protection of the environment on these products, processes and services. 43. Transnational corporations shall/should be responsive to requests from Governments of the countries in which they operate and be prepared where appropriate to co-operate with international organizations in their efforts to develop and promote national and international standards for the protection of the environment.”

**OCED Code of Conduct, Environmental Protection**

“[Enterprises should] 1. Assess, and take into account in decision making, foreseeable environmental and environmentally related health consequences of their activities, including siting decisions, impact on indigenous natural resources and foreseeable environmental and environmentally related health risks of products as well as from the generation, transport and disposal of waste; 2. Co-operate with competent authorities, inter alia, by providing adequate and timely information regarding the potential impacts on the environment and environmentally related health aspects of all their activities and by providing the relevant expertise available in the enterprise as a whole; 3. Take appropriate measure in their operations to minimize the risk of accidents and damage to health and the environment, and to co-

operate in mitigating adverse effects, in particular: (a) by selecting and adopting those technologies and practices which are compatible with these objectives; (b) by introducing a system of environmental protection at the level of the enterprise as a whole including, where appropriate, the use of environmental auditing; (c) by enabling their component entities to be adequately equipped, especially by providing them with adequate knowledge and assistance; (d) by implementing education and training programmes for their employees; (e) by preparing contingency plans; (f) by supporting, in an appropriate manner, public information and community awareness programmes.”

#### **Coalition for Environmentally Responsible Economies**

“Protection of the Biosphere: We will reduce and make continual progress toward eliminating the release of any substance that may cause environmental damage to the air, water, or the earth or its operations and will protect open spaces and wilderness, while preserving biodiversity. Sustainable Use of Natural Resources: We will make sustainable use of renewable natural resources, such as water, soils and forests. We will conserve non-renewable natural resources through efficient use and careful planning. Reduction and Disposal of Wastes: We will reduce and where possible eliminate waste through source reduction and recycling. All waste will be handled and disposed of through safe and responsible methods. Energy Conservation: We will conserve energy and improve energy efficiency of our internal operation and of the good and services we sell. We will make every effort to use environmentally safe and sustainable energy sources. Risk Reduction: We will strive to minimize the environmental, health and safety risks to our employees and the communities in which we operate through safe technologies, facilities and operating procedures, and by being prepared for emergencies. Safe Products and Services: We will reduce and where possible eliminate the use, manufacture or sale of products and services that cause environmental damage or health or safety hazards. We will inform our customers of the environmental impacts of our products or services and try to correct unsafe use. Environmental Restoration: We will promptly and responsibly correct conditions we have caused that endanger health, safety or the environment. To the extent feasible, we will redress injuries we have caused to persons or damage we have caused to the environment and will restore the environment. Informing the Public: We will inform in a timely manner everyone who may be affected by conditions caused by our company that might endanger health, safety or the environment. We will regularly seek advice and counsel through dialogue with persons in communities near our facilities. We will not take any action against employees for reporting dangerous incidents or conditions to management or to appropriate authorities.”

#### **Caux Round Table, Principles for Business, Principle 6. Respect for the Environment**

“A business should protect and, where possible, improve the environment, promote sustainable development, and prevent the wasteful use of natural resources.”

#### **Starbucks Commitment State of Beliefs, We believe in Preserving and Enhancing the Physical Environment**

“We believe in the importance of progressive environmental practices and conservation efforts. We believe in demonstrating leadership for environmental

practices in countries in which we do business. We believe that hazardous materials such as chemicals and pesticides should be used safely and responsibly, if at all.”

**Body Shop, Trading Charter**

“We will use environmentally sustainable resources wherever technically and economically viable. Our purchasing will be based on a system of screening and investigation of the ecological credentials of our finished products, ingredients, packaging and suppliers. “

**PepsiCo, Worldwide Code of Conduct, Safety and Environmental Protection**

“We are dedicated to designing, constructing and maintaining operating facilities that protect our people and physical resources. This includes providing and requiring the use of adequate protective equipment and measures and insisting that all work be done safely. We believe that protecting the environment is an important part of good corporate citizenship. We are committed to minimizing the impact of our businesses on the environment with methods that are socially responsible, scientifically based and economically sound. We encourage conservation, recycling and energy use programs that promote clean air and water and reduce landfill waste.”

**Association Portuguesa das Empresas Quimicas, Guiding Principles**

“5. The company advises its clients about handling, using, transporting and treating the wastes of its products with regard to health, safety and the environment. 6. The company makes its best effort to use its resources in the best possible way and to reduce the production of waste, according to the principle of recycling, ensuring that their disposal respects health, safety and the environment. 7. The company helps to research on the effects of its products, manufacturing processes and wastes on health, safety and the environment.”

**The Swedish Chemical Industry Progress Report, Responsible Care**

“5. Any new process and product as well as any new information of existing processes and products, should be thoroughly analysed with regard to their health, safety and environmental implications. 8. The customers should be supplied with advise and instructions regarding safe transport, storage and use of its products and, when applicable, safe disposal of used products and packages.

**M. Concluding Provisions**

36. Each company shall adopt its own code of conduct or shall adopt other adequate measures to afford at least the protections provided in this Human Rights Code of Conduct for Companies. Companies may adopt codes or similar measures that offer additional protections above and beyond this code, but this code should be viewed as minimum guiding principles for human rights protection in a company’s code of conduct or similar measures.
37. Each company shall make its code of conduct or similar measures available to all stakeholders and shall publish its procedures for the implementation and monitoring of its code or similar measures. The company code or similar measures shall be communicated in the language of employees, contractors, suppliers, customers, and other stakeholders of the company. Once a company code or similar measures have been adopted, companies shall -- to the extent of their resources and capabilities -- provide effective training for their managers and employees in company practices relevant to the international human rights standards to which this code refers. Before a company pursues a major initiative or project,

it should, to the extent of its resources and capabilities, study the human rights impact of that project in light of this code of conduct and its company code or similar measures, should generally make available the results of that study to stakeholders, and should consider any reactions from stakeholders.

38. To the extent of its resources and capabilities companies shall endeavour to assure that they only purchase products and services from contractors, subcontractors, suppliers, and licensees who follow this or a substantially similar code of conduct. Before entering into new business relationships, companies shall assess the compliance of these potential business partners with the standards set forth in this or a substantially similar code of conduct.
39. Each company shall endeavour to improve continually its implementation of the code. Improvements shall take into consideration the comments and concerns raised by stakeholder groups and include their participation where appropriate. Companies shall establish mechanisms, including independent verification and regular reporting for stakeholders, to monitor and audit periodically their compliance with this code of conduct and international human rights standards.

**Clean Clothes Campaign, Preamble**

“...will require its contractors, their sub-contractors, principal supplier and licensees to provide these conditions and observe these standards when producing or distributing products or components of products...prior to placing orders with principal suppliers, engaging contractors and subcontractors or granting licenses, assess whether the provision of this code can be met.”

**Amnesty International, Human Rights Principles for Companies, An Introductory Checklist**

“The company policy should enable discussion with the authorities at local, provincial and national levels of specific cases of human rights violations and the need for safeguards to protect human rights. It should enable the establishment of programs for the effective human rights education and training of all employees within the company and encourage collective action in business associations to promote respect for international human rights standards.”

**Amnesty International, Human Rights Principles for Companies, An Introductory Checklist**

“All companies should establish mechanisms to monitor effectively all their operations’ compliance with codes of conduct and international human rights standards. Such mechanism must be credible and all reports must periodically be independently verifiable in a similar way to the auditing of accounts or the quality of products and services. Other stakeholders such as members of local communities in which the company operates and voluntary organizations should have an opportunity to contribute in order to ensure transparency and credibility.”

**Body Shop, Trading Charter**

“We will institute appropriate monitoring, auditing and disclosure mechanisms to ensure our accountability and demonstrate our compliance with these principles.”

**Code of Labour Practice for Production of Goods Licensed by the Federation Internationale de Football Association (FIFA), Implementation and Monitoring**

“Licensees, their contractors and subcontractors shall undertake to support and cooperate in the implementation and monitoring of the code by: -providing FIFA or its agent with relevant information concerning their operations; -permitting inspection at any time of their workplaces and operations by approved inspectors; - maintaining records of the name, age, hours worked and wages paid for each worker and making these available to approved inspectors on request; - informing, verbally and in writing, the workers concerned of the provisions of this code; and, - refraining from disciplinary action, dismissal or otherwise discriminating against any worker for providing information concerning observance of this Code. Any licensee, contractor or subcontractor found to be in breach of one or more terms of this Code of Labour Practice shall be subject to a range of sanctions up to and including withdrawal of the right to produce or organize production of FIFA-licensed goods. Furthermore, licensees who fail to ensure that their contractors or subcontractors abide by the Code of Labour Practice shall be subject to the same range of sanctions.”

**Social Accountability 8000**

“9.11 The company shall establish and maintain procedures to communicate regularly to all interested parties data and other information regarding performance against the requirements of this document, including, but not limited to, the results of management reviews and monitoring activities. 9.12 Where required by contract, the company shall provide reasonable information and access to interested parties seeking to verify conformance to the requirement of this standard; where further required by contract, similar information and access shall also be afforded by the company’s suppliers and subcontractors through the incorporation of such a requirement in the company’s purchasing contractors.”

**Sara Lee Corporation, Supplier Selection Guidelines, Ethical Standards**

“Sara Lee believes in doing business with those suppliers who embrace high standards of ethical business behavior and who demonstrate commitment to those standards through practices.”

**LIST OF THE PRINCIPAL SOURCE MATERIALS FOR THE DRAFT CODE**

- A. Treaties**
- B. Other Multilateral Instruments and Guidelines**
- C. Industry/Commodity Group Initiatives**
- D. Unions/Trade Associations**
- E. Self-Imposed Company Codes**
- F. NGO Model Guidelines**

- A. Treaties**

Charter of the International Military Tribunal (IMT), in Agreement for the Prosecution and Punishment of the Major War Criminals of the European Axis (London Agreement), August 8, 1945, 59 Stat. 1544; E.A.S. No. 472; 82 U.N.T.S. 279 (1951).

Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment, G.A. Res. 46, annex, U.N. GAOR, 39th Sess., 93d plen. mtg., Supp. No. 51, at 197;

U.N. Doc. A/39/51 (1984); 1465 U.N.T.S. 85 (1987), *entered into force* June 26, 1987.

Convention on the Prevention and Punishment of the Crime of Genocide, G.A. Res. 260 A (III), U.N. Doc. A/810 (1948); 78 U.N.T.S. 277 (1951), 28 I.L.M. 754 (1989), *entered into force* Jan. 12, 1951.

Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction, G.A. Res. 39, U.N. GAOR, 47<sup>th</sup> Sess., Supp. No. 49, at 54, U.N. Doc. A/47/49 (1992) 32 I.L.M. 800 (1993), *entered into force* Apr. 29, 1997.

Convention on the Rights of the Child, G.A. Res. 25, annex, U.N. GAOR, 44<sup>th</sup> Sess., 61st plen. mtg., Supp. No. 49 at 167, U.N. Doc. A/44/49 (1989), 28 I.L.M. 1448 (1989), corrected at 29 I.L.M. 1340 (1990), *entered into force* Sept. 2, 1990.

ILO Convention (No. 1) concerning Hours of Work, 1919, *entered into force* June 13, 1921. <http://ilolex.ilo.ch:1567/scripts/convde.pl?query=C1&query0=1> (last visited Apr. 25, 2000).

ILO Convention (No. 29) concerning Forced or Compulsory Labour, 39 U.N.T.S. 55 (1949), *entered into force* May 1, 1932. <http://ilolex.ilo.ch:1567/scripts/convde.pl?query=C29&query0=29> (last visited Apr. 25, 2000).

ILO Convention (No. 30) concerning Hours of Work (Commerce and Offices), 1930, *entered into force* May 28, 1947. <http://ilolex.ilo.ch:1567/scripts/convde.pl?query=C30&query0=30> (last visited Apr. 25, 2000).

ILO Convention (No. 87) concerning the Freedom of Association Convention and Protection of the Right to Organize, 1948. 68 U.N.T.S. 17 (1950), *entered into force* Jul. 4, 1950. <http://ilolex.ilo.ch:1567/scripts/convde.pl?query=C87&query0=87> (last visited Apr. 25, 2000).

ILO Convention (No. 98) concerning the Application of the Principles of the Right to Organise and to Bargain Collectively, 1949, 96 U.N.T.S. 257 (1951), *entered into force* Jul. 18, 1951. <http://ilolex.ilo.ch:1567/scripts/convde.pl?query=C98&query0=98> (last visited Apr. 25, 2000).

ILO Convention (No. 95) concerning Protection of Wages Convention 95, 1949, *entered into force* September 24, 1952. <http://ilolex.ilo.ch:1567/scripts/convde.pl?query=C95&query0=C95&submit=Display> (last visited May 12, 2000).

ILO Convention (No. 100) concerning Equal Remuneration for Men and Women Workers for Equal Value, 165 U.N.T.S. 303 (1953), *entered into force* May 23, 1953. <http://ilolex.ilo.ch:1567/scripts/convde.pl?query=C100&query0=100> (last visited Apr. 25, 2000).

ILO Convention (No. 138) concerning Minimum Age for Admission to Employment, 1973, 1015 U.N.T.S. 297 (1976), *entered into force* June 19, 1976. <http://ilolex.ilo.ch:1567/scripts/convde.pl?query=C138&query0=138>, (last visited Apr. 25, 2000).

ILO Convention (No. 182) concerning Worst Forms of Child Labour Convention, 1999, *will enter into force* November 11, 2000.

<http://ilolex.ilo.ch:1567/scripts/convde.pl?query=C182&query0=182&submit=Display>, (last visited May 12, 2000).

ILO Recommendation (No. 190) concerning Worst Forms of Child Labour Convention, 1999, *adopted* June 17, 1999. <http://ilolex.ilo.ch:1567/scripts/convde.pl?query=R190&query1=190>, (last visited on May 12, 2000).

International Covenant on Civil and Political Rights, G.A. Res. 2200A (XXI), U.N. GAOR, 21<sup>st</sup> Sess., 1496th plen. mtg., Supp. No. 16, at 52, U.N. Doc. A/6546 (1966), 999 U.N.T.S. 171 (1976), *entered into force* Mar. 23, 1976.

International Covenant on Economic, Social and Cultural Rights, G.A. Res. 2200A (XXI), U.N. GAOR, 21<sup>st</sup> Sess., 1496th plen. mtg., Supp. No. 16, at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3 (1976), *entered into force* Jan. 3, 1976.

Statute of the International Criminal Court, U.N. Doc. A/CONF.183/9 (1998), *not yet entered into force*.

## **B. Other Multilateral Instruments and Guidelines**

Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, G.A. res. 3452 (XXX), annex, 30 U.N. GAOR Supp. (No. 34) at 91, U.N. Doc. A/10034 (1975).

Declaration on the Right to Development, G.A. Res. 128, annex, U.N. GAOR, 41<sup>st</sup> Sess., 97<sup>th</sup> plen. mtg., Supp. No. 53, at 186, U.N. Doc.A/41/53 (1986).

Declaration on Social Progress and Development, G.A. Res. 2542 (XXIV), U.N. GAOR, 24<sup>th</sup> Sess., Supp. No. 30, at 49, U.N. Doc.A/7630 (1969).

Draft United Nations Declaration on the Rights of Indigenous Peoples, U.N. Commission on Human Rights, Sub-Commission on Prevention of Discrimination and Protection of Minorities, 46th Sess., art. 26, U.N. Doc. E/CN.4/Sub.2/1994/30 (1994), reprinted in 34 I.L.M. 541, 552 (1995).

The Global Compact, available at <<http://www.un.org/partners/business/fs1.htm>> (last visited May 4, 2000).

International Labour Organization, Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (1977), 17 I.L.M. 422, para. 6 (1978). <http://www.ilo.org/public/english/standards/norm/sources/mne.htm> (last visited Apr. 26, 2000).

Organization for Economic Cooperation and Development Guidelines for Multinational Enterprises, Draft Text and Commentary, January 10, 2000. <http://www.oecd.org/daf/investment/guidelines/public.pdf> (last visited May 4, 2000).

Organization for Economic Cooperation and Development, Guidelines for Multinational Enterprises, 15 I.L.M. 9 (1976).

Sub-Commission on the Promotion and Protection of Human Rights, International peace and security as an essential condition for the enjoyment of human rights, above all the right to life; E/CN.4/SUB.2/RES/1997/36 (1997).

<<http://www.unhchr.ch/huridocda/huridoca.nsf/FramePage/Body+SC+En?OpenDocument>> (last visited May 4, 2000).

United Nations Draft International Code of Conduct on Transnational Corporations, U.N. Doc. E/C. 10/1984/S/5 (1984), 23 I.L.M. 626 (1984).

Universal Declaration of Human Rights, G.A. Res. 217 A (III), U.N. Doc. A/810 at 71 (1948).

### **C. Industry/Commodity Group Initiatives**

APEQ - Association Portuguesa das Empresas Quimicas.

Clean Clothes Campaign, Code of Labour Practices for the Apparel Industry Including Sportswear, available at <<http://www.cleanclothes.org/codes/ccccode.htm>> (last visited May 3, 2000).

The Swedish Chemical Industry Progress Report, Responsible Care, available at <<http://www.chemind.se/chemind/ansvar.htm>> (last visited May 3, 2000).

### **D. Unions/Trade Associations**

Code of Labour Practice for Production of Goods Licensed by the Federation Internationale de Football Association (FIFA). <<http://www.cleanclothes.org/codes/fifa.htm>> (last visited May 3, 2000).

Declaration of Principles Concerning Human Resource Management for Korean Enterprises Operating Overseas.

Ethical Trading Initiative Code of Conduct, available at <[http://www.ethicaltrade.org/\\_html/about/basecode\\_en\\_short/framesets/f\\_page.shtml](http://www.ethicaltrade.org/_html/about/basecode_en_short/framesets/f_page.shtml)> (last visited May 3, 2000).

ICFTU/ITS Basic Code of Labour Practice, available at <<http://www.icftu.org/english/tncs/tncscode98.html>> (last visited May 3, 2000).

International Federation of Building and Wood Workers (IFBWW), Code of Conduct regarding the rights of workers.  
<[http://www.ifbww.org/~fitbb/TRADE\\_UNION\\_RIGHTS/IKEA/IFBWW-IKEA\\_eng.htm](http://www.ifbww.org/~fitbb/TRADE_UNION_RIGHTS/IKEA/IFBWW-IKEA_eng.htm)> (last visited May 3, 2000).

Keidanran Charter for Good Corporate Behavior, available at <<http://necsv01.keidanren.or.jp/english/policy/pol052.html>> (last visited May 3, 2000).

#### **E. Self-Imposed Company Codes**

The Body Shop, Trading Charter, available at <<http://www.usa.the-body-shop.com/aboutus/charter.html>> (last visited May 1, 2000).

BP Amoco, Report on Some of the issues facing BP Amoco in Human Rights, available at <<http://www.bpamoco.com/humanrights/index.htm>> (last visited May 1, 2000).

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Levi Strauss & Co., Code of Conduct, available at <<http://www.levistrauss.com/about/code.html>> (last visited May 1, 2000).

The Nokia Way, Code of Conduct.

PepsiCo, Worldwide Code of Conduct.

Reebok International Ltd., Human Rights Production Standards, available at <<http://www.reebok.com/>> (last visited May 3, 2000).

Rio Tinto, The Way We Work, Human Rights, available at <<http://www.riotinto.com/ok..html>> (last visited May 3, 2000).

Sara Lee Corporation, Supplier Selection Guidelines. Described but not reprinted at <http://www.ilo.org/public/english/dialogue/sector/papers/bzethics/bthics6.htm#textlinks> (last visited May 4, 2000).

Shell, Use of force guidelines, The Shell Report 1999: People, planet & profits 30 (1999).

Starbucks Commitment Statement of Beliefs.

Toyota, Guiding Principles.

Volkswagen, Partnership-Based Code of Conduct at Work.

#### **F. NGO Model Guidelines**

Amnesty International, Human Rights Principles for Companies, available at <<http://www.amnesty.org/ailib/aipub/1998/ACT/A7000198.htm>> (last visited May 3, 2000).

Caux Round Table, Principles for Business, available at <<http://www.cauxroundtable.org/ENGLISH.HTM>> (last visited May 3, 2000).

Coalition for Environmentally Responsible Economies, available at  
<<http://www.ceRes.org/about/principles.html>> (last visited May 3, 2000).

The Global Sullivan Principles, available at  
<<http://tigger.stthomas.edu/mccr/SullivanPrinciples.htm>> (last visited May 3, 2000).

Social Accountability 8000, available at <<http://www.cepaa.org/sa8000.htm>> (last  
visited May 3, 2000).