

## SUMMARY

### Introduction

#### ***I. The transnational character of TNCs' activities and the evasion of their responsibilities regarding human rights***

- A. Definition of TNCs
- B. Evasion of responsibilities
- C. What are the governments doing?
- D. What is civil society doing?

#### ***II. Toward an international judicial framework for TNCs favoring the protection of human rights***

- A. The inconsistency of voluntary codes of conduct
- B. Possibilities and limits of national, regional and international legislation: a brief overview of the situation
  1. At the national level
  2. At the regional level
  3. At the international level

#### ***III. Future perspectives***

- A. The *Norms* of the United Nations Human Rights Sub-Commission
- B. The United Nations Commission on Human Rights and its maneuvers
- C. TNCs opposition
- D. The position of NGOs and social movements

#### ***IV. Conclusion***

#### ***V. Appendixes***

1. *Norms* of the United Nations Sub-Commission on the Promotion and Protection of Human Rights
2. Resolution adopted by the Sub-Commission on the Promotion and Protection of Human Rights, 13 August 2003
3. Resolution adopted by the Commission on Human Rights, 20 April 2004
4. Declaration of 84 NGOs
5. Resolution adopted by the Sub-Commission on the Promotion and Protection of Human Rights, 12 August 2004
6. Resolution adopted by the Commission on Human Rights, 20 April 2005
7. Resolution adopted by the Sub-Commission on the Promotion and Protection of Human Rights, 8 August 2005
8. Public Hearing on Nestlé-Colombia: Final declaration from the Council
9. Main reference websites
10. CETIM publications on TNCs

# TRANSNATIONAL CORPORATIONS AND HUMAN RIGHTS

What is at stake in the United Nations debate over *The Norms on the Responsibilities of Transnational Corporations and other Business Enterprises with Regard to Human Rights*

Part of a series of the Human Rights Programme of the Europe - Third World Centre (CETIM)



**CETIM**

## Acknowledgement

This brochure received support from the state (canton) of Geneva and from the *Loterie Romande*. It is part of the CETIM's Human Rights Program, itself supported by (as of December 2005) the Swiss Agency for Development and Cooperation (DDC), the city of Geneva, the city of Lancy and the municipality of Thônex.

## Copyright

The brochure is available in French, English and Spanish. Its reproduction and/or translation into other languages is authorized and encouraged, provided the original edition is mentioned and the CETIM is informed.

Transnational Corporations and Human Rights  
© Europe-Third World Centre (CETIM)  
ISBN: 2-88053-041-5

Geneva, November 2005

Cover design: Régis Golay

## CETIM

Rue Amat 6, CH - 1202 Geneva, Switzerland  
Tel. +41 (0)22 731 59 63  
Fax +41 (0)22 731 91 52  
Email: cetim@bluewin.ch  
Website: www.cetim.ch

Impression: Imprimerie du Lion, Genève

## Already published in the Series

- The Right to food (2005)

## Coming Brochures in the Series

- Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (2005)
- Transnational Corporations and Human Rights (2005)
- The Right to Health (2006)
- The Right to Development (2006)
- The External Debt of the Southern Countries and its Effect on the Enjoyment of Human Rights (2006)
- The Right to Adequate Housing (2007)
- Displaced Persons (2007)
- The Effect of the War on Terror on the Enjoyment of Human Rights (2007)

*The Human Rights Program of the CETIM is dedicated to the defence and promotion of all human rights, a commitment based on the principle that human rights are totally inseparable and indivisible. Within that commitment, however, the CETIM has a particular focus on economic, social and cultural rights and the right to development, still much neglected in our times when not denied outright. Its objective includes combating the impunity accompanying the numerous violations of these rights and helping the communities, social groups and movements victimized by these violations to be heard and to obtain redress.*

*Through this series of informational brochures, the CETIM hopes to provide a better knowledge of the documents (conventions, treaties, declarations etc.) and existing official instruments to all those engaged in the struggle for the advancement of human rights.*

## Latest CETIM Publications on Related Topics

- El problema de la impunidad : prevención y sanción de las violaciones a los derechos económicos, sociales y culturales y al derecho al desarrollo (1998)
- Sociétés transnationales et droits humains - Transnational Corporations and Human Rights - Empresas transnacionales y derechos humanos (2000)
- The Activities of Transnational Corporations: The Need for a Legal Framework (2001, AAJ/CETIM)
- Will the UN Compel Transnational Corporations to Comply with International Human Rights Standards ? (2002, AAJ/CETIM)
- Proposed amendments for the draft norms on responsibilities of Transnational Corporations and other Business Enterprises with regard to Human Rights / AAJ, CETIM (2003)
- Building on Quicksand: The Global Compact, Democratic Governance and Nestlé, by Judith Richter, IBFAN/GIFA, CETIM, Berne Declaration, 2003.