

A black and white photograph of a woman with dark hair, wearing a light-colored shirt, working on a sewing machine. She is looking down at her work. The background shows other people and machinery in a factory or workshop setting.

# REGULATING INTERNATIONAL BUSINESS

Beyond Liberalization

Edited by  
**SOL PICCIOTTO** and  
**RUTH MAYNE**

# Regulating International Business Beyond Liberalization

**Sol Picciotto**



## **Regulating International Business Beyond Liberalization:**

*Regulating International Business* Sol Picciotto, Ruth Mayne, 2016-07-27 This timely book points the way towards a new positive regulatory framework for international investment following the failure of the Multilateral Agreement on Investment MAI It examines the flaws in free market strategies underpinning the recent phase of globalization in particular drawing out the lessons from the MAI which was suspended in October 1998 The authors explore an alternative based on a positive regulatory framework for international business aimed at maximizing the positive contribution to development of foreign investment and minimizing its negative social and environmental impacts The contributors include academics researchers for non governmental organizations and business and trade union representatives writing from a combination of economic legal and political perspectives The book combines academic analysis with grass roots and practical experience and suggests concrete policy proposals

*Regulating Multinationals in Developing Countries* Edwin Mujih, 2016-04-08 Edwin Mujih explores the difficulties associated with regulating multinational companies operating in developing countries with a particular focus on extractive industries The author highlights the need to establish an international legally binding framework to ensure that multinationals operate in a socially responsible manner to protect local communities and the environment Edwin Mujih's analysis reveals that the existing mechanisms for controlling the behaviour of huge multinational entities are of normative force only that these are particularly inadequate and that the notion of corporate social responsibility is only meaningful where behaviour can be legally regulated *Regulating Multinationals in Developing Countries* features a study of the Chad and Cameroon Oil and pipeline project which highlights the problems arising in countries that have neither the capacity nor the will to effectively regulate those operating within their borders The author has evaluated compliance by the parties with their social and environmental obligations He has found that despite controversy surrounding inadequate regulation of this project in its incipient stages the system that was put in place following huge opposition from the affected communities and from NGOs is worthy of attention and could stand as a model for similar projects elsewhere This first title in Gower's Corporate Social Responsibility Series to approach CSR from a legal perspective provides insight not just into the complexity surrounding efforts to regulate multinationals operating in countries with weak regulatory regimes but also into the fundamental nature of multinational corporations and the debate about different notions of CSR itself

*Regulating Global Corporate Capitalism* Sol Picciotto, 2011-05-12 This analysis of how multi level networked governance has superseded the liberal system of interdependent states focuses on the role of law in mediating power and shows how lawyers have shaped the main features of capitalism especially the transnational corporation It covers the main institutions regulating the world economy including the World Bank the IMF the WTO and a myriad of other bodies and introduces the reader to key regulatory arenas corporate governance competition policy investment protection anti corruption rules corporate codes and corporate liability international taxation avoidance and evasion and the campaign to

combat them the offshore finance system international financial regulation and its contribution to the financial crisis trade rules and their interaction with standards especially for food safety and environmental protection the regulation of key services telecommunications and finance intellectual property and the tensions between exclusive private rights and emergent forms of common and collective property in knowledge      The Market or the Public Domain Daniel Drache, 2005-07-08 Examining the powerful idea of the return reconstitution and redeployment of the public domain in a post Seattle and post Washington consensus world order this innovative book is the most forward looking and comprehensive examination of the need to rethink the tenants of global free trade In the past two decades countries have focused on broadening and guaranteeing market access and as the pendulum swings back for the market the issue of investing in the public domain becomes a priority The authors believe that devising new institutions of governance for a globalizing world requires fundamental change nationally and internationally They argue that new public spaces places and services are required to strengthen democracy and create sanctuaries in society where the market mechanism cannot reach The public domain is an incipient concept that enables states to reduce the intrusiveness of markets and at the same time develop a strong national performance to reduce the inequality and social exclusion in an increasingly volatile global economy This original volume boasts an impressive list of international contributors who have demonstrated innovation and leadership in their fields It will strongly appeal to advanced students academics and policy makers involved in the field of global governance and international political economy      **The Emergence of Private Authority in Global Governance** Rodney Bruce Hall, Thomas J. Biersteker, 2002-12-12 The emergence of private authority has become increasingly a feature of the post Cold War world In *The Emergence of Private Authority in Global Governance* leading scholars explore the sources practices and implications of this erosion of the power of the state They analyse and compare actors as diverse as financial institutions multinational corporations religious terrorists and organised criminals and assess the potential for reversal of the situation The themes of the book relate directly to debates concerning globalization and the role of international law and will be of interest to scholars and students of international relations politics sociology and law      *Enhancing Board Effectiveness* Franklin N. Ngwu, Onyeka Osuji, Chris Ogbechie, David Williamson, 2019-03-07 *Enhancing Board Effectiveness* seeks to examine the conceptualization and role of the board in a variety of contexts and articulate solutions for improving the effectiveness of the board especially in developing and emerging markets *Enhancing Board Effectiveness* with therefore address the following central questions To what extent is the concept and role of the board evolving What rights powers responsibilities and other contemporary and historical experiences can enhance the effectiveness of the board especially in the particular contexts of developing and emerging markets What socio economic political regulatory and institutional factors actors influence the effectiveness of the board and how can the policies and practices of such actors exert such influences In what ways can a reconstructed concept of the board serve as a tool for theoretical analytical regulatory and pragmatic

assessment of its effectiveness In examining this issues Enhancing Board Effectiveness will investigate theoretical socio economic historical empirical regulatory comparative and inter disciplinary approaches Academics in the relevant fields of accounting behavioural psychology economics development studies financial regulation law and management organizational studies political economy and public administration will find this book of high interest *The Globalization and Environment Reader* Pete Newell,J. Timmons Roberts,2016-06-13 The Globalization and Environment Reader features a collection of classic and cutting edge readings that explore whether and how globalization can be made compatible with sustainable development Offers a comprehensive collection of nearly 30 classic and cutting edge readings spanning a broad range of perspectives within this increasingly important field Addresses the question of whether economic globalization is the prime cause of the destruction of the global environment or if some forms of globalization could help to address global environmental problems Features carefully edited extracts selected both for their importance and their accessibility Covers a variety of topics such as the marketization of nature debates about managing and governing the relationship between globalization and the environment and discussions about whether or not globalization should be greened Systematically captures the breadth and diversity of the field without assuming prior knowledge Offers a timely and necessary insight into the future of our fragile planet in the 21st century The Governance Gap Penelope Simons,Audrey Macklin,2014-07-11 This book explores the persistence of the governance gap with respect to the human rights impacting conduct of transnational extractive corporations operating in zones of weak governance The authors launch their account with a fascinating case study of Talisman Energy s experience in Sudan informed by their own experience as members of the 1999 Canadian Assessment Mission to Sudan Harker Mission Drawing on new governance reflexive law and responsive law theories the authors assess legal and other non binding governance mechanisms that have emerged since that time including the UN Guiding Principles on Business and Human Rights They conclude that such mechanisms are incapable of systematically preventing human rights violating behaviour by transnational corporations or of assuring accountability of these actors or recompense for victims of such violations The authors contend that home state regulation while not a silver bullet has a crucial role to play in regulating such conduct They pick up where UN Special Representative John Ruggie s Guiding Principles on Business and Human Rights left off and propose an innovative robust and adaptable template for strengthening the regulatory framework of home states Their model draws insights from the theoretical literature leverages existing public private transnational national soft and hard regulatory tools and harnesses the specific strengths of state based governance This book will be of interest to academics policy makers students civil society and business leaders

**Encyclopedia of Government and Politics** Mary Hawkesworth,Maurice Kogan,2013-11-07 This is a brand new edition of the critically acclaimed Encyclopedia of Government and Politics which has been fully revised and updated to provide a systematic account of politics and political studies at the beginning of the new millennium Providing a penetrating analysis of

government and politics at a global regional and nation state level the Encyclopedia assesses both traditional and contemporary approaches and projects the paths of future research The articles provide a degree of critical analysis far beyond a simple descriptive outline of the subject Internationally respected contributors have been carefully selected to present contending approaches to related topics both to clarify the political implications of the various methodologies and to enrich the portrayal of political life With its expanded revised and updated coverage Encyclopedia of Government and Politics is more than ever an indispensable tool for students teachers professional analysts and policy makers

Contending Perspectives on Global Governance Alice D. Ba, Matthew J. Hoffmann, 2006-05-17 Global governance is fast becoming a ubiquitous phrase succeeding globalization as the latest buzz term But exactly what does it mean For many scholars and policymakers the term captures important aspects of world politics This unique volume delivers and compares the key perspectives of the leading thinkers in the area equipping the reader with an excellent understanding of the debate now defining and mapping the future of this term This comparative approach is underpinned by a lucid theoretical framework which guides the reader towards building a clear sense of the debate and its complexities A wide range of empirical issues are covered including those of Security International Political Economy Environment Human Rights Social Movements and Regulation Including theorists of social constructivism liberal imperialism and realism this is an essential book for students and scholars which stimulates discussion and presents a fully rounded picture of global governance

*Foreign Investment, Human Rights and the Environment* Shyami Fernando Puvimanasinghe, 2007 Events like the Bhopal disaster the sale of products harmful to human health and safety and child labour especially in resource scarce settings raise fundamental issues of human dignity and ecological integrity From a legal perspective and in the context of Foreign Direct Investment by Transnational Corporations in developing countries they highlight the lacuna of a holistic international legal framework and its implementation This book embodies a critique of the complex web of public international law principles on economics human rights and the environment and their convergence or lack thereof related regional South Asian and domestic Sri Lankan legal arrangements interventions of states and non state actors towards just equitable and sustainable development It is a quest for a middle path in the multidisciplinary landscape of international law development and North South power dynamics globalization of free trade and investment and of social and environmental interests and salient aspects of the philosophical socio economic and legal fabric of South Asia viewed against the evolving controversial and elastic sphere of international relations and law where consensus has hitherto been an elusive dream

The Human Right to Development in a Globalized World Daniel Aguirre, 2021-12-16 Offering a comprehensive analysis of the human right to development and its realistic application in an era of economic globalization Daniel Aguirre provides a multidisciplinary overview of economic globalization and examines its challenges to the realization of human development He takes this further by engaging with these challenges and highlighting the human rights opportunities presented by economic globalization and the international

investment system The volume proposes a triadic system of responsibility for human rights in development to include mapping the overlapping human rights responsibilities of corporations at the micro level of states at the macro level and of the international community at the meso level The scope of the book is broad and the approach to the subject is new It will generate interest across many disciplines including political science international law and economics Activists academics and development practitioners in many fields should also read this book

The Multinational Firm Glenn Morgan,Peer Hull Kristensen,Richard Whitley,2003 In contrast to the traditional view of multinational firms as cohesive rational actors maximizing the use of resources across national boundaries the contributors to this volume argue that they are complex social arenas where competing groups draw on resources from their own socially embedded locations in developing new transnational social relationships As firms seek to manage across national and institutional boundaries they stretch their existing capacities and routines and develop new sets of transnational social relationships through different groups competing and cooperating These processes occur at a number of levels which are explored in different empirical settings Firstly at the level of governance multinational firms may develop conflicts between investors from different national contexts e g between the arms length orientation of Anglo Saxon institutional investors and the more committed orientation of investors in certain European and Asian contexts The tension between opening the firm up for foreign investors in order to have access to more and cheaper capital and the consequent effects on management strategy is explored in a number of chapters Secondly at the level of coordinating activities across different sites multinationals may encourage competition between plants in different countries as well as seeking to transfer best practices The result may be pressure on managers and employees in certain plants to give up traditional practices and employment rights Thirdly multinational firms operate in environments where other forms of coordinating international business activity may also occur e g cartels or the creation of international regulatory activity They therefore compete for the regulatory space in complex political environments that will enable them to prosper

**Global Unions?** Jeffrey Harrod,Robert O'Brien,2012-10-02 This edited collection examines the interaction between industrial relations and international relations in the global economy The role of trade unions has changed significantly in the era of economic globalization and this book analyzes the key developments in union strategy on a local national regional and global level

**Global Business Regulation** John Braithwaite,Peter Drahos,2000-02 This book confronts the question of how the regulation of business has shifted from national to global institutions Based on interviews with 500 international leaders in business and government this book examines the role played by global institutions such as the WTO IMF and the World Bank as well as various NGOs and significant individuals The authors argue that effective and decent global regulation depends on the determination of individuals to engage with powerful agendas and decision making bodies that would otherwise be dominated by concentrated economic interests

Non-State Actors and International Law Andrea Bianchi,2017-03-02 The expression non state actors has become part and parcel of the common parlance of

international lawyers Together with the traditional subjects of international law such as states and international organizations non state actors play an important role in international law making law adjudication and law enforcement processes Although the subjects actors discourse takes place in a variety of contexts most of the time the relevant narrative merely describes how different actors participate in the legal process in any given area Little attention has been drawn to the theoretical discourse about non state actors and its relation to the doctrine of the subjects of international law Whether the solution lies in relativizing the subjects or rather in subjectivizing the actors remains open to doubt The constant swing of the pendulum from the normative to the descriptive mesmerizes the observer but hardly hides the struggle for determining who may legitimately and authoritatively perform legally relevant acts on the international scene **The New Legal Realism:**

**Volume 2** Heinz Klug, Sally Engle Merry, 2016-05-03 This is the second of two volumes announcing the emergence of the new legal realism At a time when the legal academy is turning to social science for new approaches these volumes chart a new course for interdisciplinary research by synthesizing law on the ground empirical research and theory Volume 2 explores the integration of global perspectives and information into our understanding of law Increasingly local experiences of law are informed by broader interactions of national international and global law Lawyers judges and other legal actors often have to respond to these broader contexts while those pursuing justice in various global contexts must wrestle with the specific problems of translation that emerge when different concepts of law and local circumstances interact Using empirical research the authors in this path breaking volume shed light on current developments in law at a global level

The SAGE Handbook of International Marketing Masaaki Kotabe, Kristiaan Helsen, 2009-01-30 In an internationally minded and detailed analysis the contributors seek to examine the state of the art in research in international marketing with particular emphasis on the conceptual framework and theory development in the field Looking at new research formative and fundamental literature and the nature of strategic alliance and global strategy this timely and comprehensive Handbook offers the reader a compelling examination of the central concerns of marketing for an international community European Yearbook of International Economic Law 2016 Marc Bungenberg, Christoph Herrmann, Markus Krajewski, Jörg Philipp

Terhechte, 2016-07-16 Volume 7 of the EYIEL focusses on critical perspectives of international economic law Recent protests against free trade agreements such as the Transatlantic Trade and Investment Partnership TTIP remind us that international economic law has always been a politically and legally contested field This volume collects critical contributions on trade investment financial and other subfields of international economic law from scholars who have shaped this debate for many years The critical contributions to this volume are challenged and sometimes rejected by commentators who have been invited to be critical with the critics The result is a unique collection of critical essays accompanied by alternative and competing views on some of the most fundamental topics of international economic law In its section on regional developments EYIEL 7 addresses recent megaregional and plurilateral trade and investment agreements and negotiations



Short insights on various aspects of the Transpacific Partnership TPP and its sister TTIP are complemented with comments on other developments including the African Tripartite FTA and the negotiations on a plurilateral Trade in Services Agreement TiSA Further sections address recent WTO and investment case law as well as recent developments concerning the IMF UNCTAD and the WCO The volume closes with reviews of recent books in international economic law *Ethics Codes, Corporations, and the Challenge of Globalization* Wesley Cragg, 2005-02-24 Globalization has altered in significant ways the tools available to regulate international commerce One result is the emergence of ethics codes codes of responsible conduct and best practice codes designed to win adherence to internationally acceptable norms of conduct on the part of corporations and other organizations interacting in the global market place This volume looks at these developments with particular focus on five topic areas respect for human rights treatment of labor bribery and corruption environmental protection and international finance and the control of money laundering What is significant about these developments is the emerging emphasis on self regulation as the primary method for raising standards of corporate conduct The contributors examine the reasons for the emergence of ethical codes and the phenomenon of self regulation within the context of globalization and look at the role of national governments international government institutions and other international organizations in shaping and enforcing them They also study the implications of these developments for corporate governance and the changing roles of national and international institutions in the regulation of international commerce

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