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论跨国公司人权责任的追究

A Study on the Human Rights Accountability of
Multinational Corporations for Their Human Rights Abuse

李洪如

指导教师姓名: 陈辉萍 教授

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内 容 摘 要

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ABSTRACT

These years, with the development of corporate social responsibility activity and the exposure of multinational corporations' human rights record, human rights abuse of them has attracted more and more attention. This issue has attracted great attention from the international community, and it has become a hot issue of international law. When multinational corporations (MNCs) were making self-regulation rules, the international community began to make some rules to regulate them. The author tries to analyze the basis and drive of MNCs' human rights protection behavior, find out what kind of plight they meet in the process of protecting the human rights and how to make MNCs accountable for their abuse. And the author tries to put forward some suggestions on how to regulate MNCs on the issue of human rights in China.

The thesis consists of four chapters.

Chapter One probes into the basic theories of human rights accountability of MNCs. Firstly, the author analyzes on what basis MNCs shall take the liability to protect human rights and which kinds of human rights can often be the object of MNCs' human rights abuse. Secondly, the author analyzes the present regulation model. And lastly, the author analyzes the drive of MNCs to take the liability to protect human rights.

Chapter Two mainly focuses on the plight of imposing human rights liability on MNCs. In the author's opinion, MNCs shall be given the capacity to take the liability directly under international law, the binding effect of the international regulations which imposing indirect liability upon them shall be strengthened. And the author analyzes the plight MNCs meet in the process of implementing the regulations voluntarily.

Chapter Three mainly focuses on the accountability of MNCs for their human rights abuse. The author analyzes how to ascertain the defendant when the human rights abuse happens, and how to choose the competent court. After that, the author gives an analysis on the choice of proper law.

Chapter Four mainly focuses on, as the host state and home state of MNCs, what China shall do to ensure that foreign MNCs will obey the human rights regulation in

China and Chinese MNCs will obey the human rights regulations abroad.

Key Words: MNCs; Human Rights; Jurisdiction of the Accountability of MNCs for Their Human Rights Abuse.

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Table of Cases

Table of Cases 案例表

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第一章 跨国公司保护人权之责任

第一节 跨国公司侵犯人权之常见领域

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