

Corporate Human Rights Responsibility in OECD Case Law

Introduction: The project is funded by the German Research Foundation (DFG) from 2022 to 2025, and it analyses the interpretation and illustration of the corporate responsibility to respect human rights and environment through the specific cases handled by the National Contact Points (NCPs) under the OECD Guidelines for Multinational Enterprises (MNEs) on Responsible Business Conduct.

Key words: OECD NCPs, Corporate Human Rights Responsibility, Access to Remedy, Human Rights Due Diligence, Multinational Enterprises

Theoretical Background: Case statements issued by NCPs provide analyses and recommendations to MNEs, serving as a legal source to interpret specific corporate human rights responsibilities under international human rights law in diverse real-life scenarios.

Main objective and Contribution:

This study aims to analyse over 400 completed OECD cases to:

1. Understand sector-specific responsibilities of MNEs in areas like extractive industry and agriculture, considering factors such as climate change and conflict-affected regions.
2. Differentiate the roles of corporate actors, such as parent companies and investors.
3. Identify and address challenges in the NPC case handling system, seeking opportunities to enhance effective remedies.

Contribution:

This research strives to provide concise insights for informed corporate practices and policymaking, fostering responsible and sustainable business conduct.

Methodology & Outcome Overview:

1. Systematic Legal Analysis: Code and categorize 400 OECD cases using MAXQDA.
2. Stakeholder Interviews: Engage NCPs, SCOs, and companies to understand case handling challenges.
3. Doctrinal Approach: Apply doctrinal legal analysis to the data.

Expected Outcome:

- Web-Based Database: Showcase codings and classifications.
- Workshops & Events: Boost research development.
- PhD Thesis: Conclude the research comprehensively.

Significance to the Field:

This research is pioneering in its scope, as it breaks new ground by comprehensively analysing all completed final cases from more than 40 NCPs— a holistic examination that surpasses previous studies focused on only few notable cases. The unique contribution lies in its exploration of the entirety of these complex 400 cases, shedding light on previously uncharted areas and offering a more comprehensive view of corporate behaviour under international human rights law.