Index

access to justice 10
*ACIDH et al v Compagnie Minière de Sud Katanga (CMSK)* 33–4
Adidas 16, 260–79
  assessment of mechanism against the Ruggie criteria 279
  complaint process 261–8
  Asia, examples of working conditions in 266–8
  implementation in practice 266–8
  outcomes 270
  remedial action 270–72
  Third Party Complaints 268–72
  worker hotline system 261–6
compliance programme 260
  findings 339–40
hotline system
  accessibility and scope of mechanism 276–7
  outcomes 278
  raising awareness of, and trust in complaint mechanism 277–8
  time frame 277
  transparency of process 277
policy/human rights approach 260
review of cases see case review, company mechanisms
’Sector Relations Guide’ 261
strengths and weaknesses 274–9
hotline system
accessibility and scope of mechanism 276–7
outcomes 278
raising awareness of, and trust in complaint mechanism 277–8
time frame 277
transparency of process 277
policy/human rights approach 260
review of cases see case review, company mechanisms
’Sector Relations Guide’ 261
strengths and weaknesses 274–9
hotline system 276–9
Third Party Complaint mechanism 274–6
Third Party Complaints 180–81, 182, 183
  accessibility and scope of mechanism 274–5
  outcomes 276
  raising awareness of, and trust in the complaint mechanism 276
  time frame 275–6
  two mechanisms 278–9
Workplace Standards, violation 265–6
Africa
see also Ghana
  Bujagali Falls, Uganda 80–82
  Bujagali Hydropower Project, Uganda 80
  Chad-Cameroon Petroleum and Pipeline Project 78–9, 107
  Kenya Lake Victoria Environmental Management Project (LVEMP) 104–5
  *Nudie Jeans – Tunisia* 214–16
  Private Power Generation (Bujagali) Project, Uganda 80–82
  South Africa Eskom Investment Support Project (EISP) 97
  West African Pipeline Company Ltd (WAPCo) 92–3
Agenda 21 26
‘Ahora/Kakandetta Pressure Group,’ Papua New Guinea 100
air pollution 97
Albania Integrated Coastal Zone Management and Clean-Up Project 102–4
*Albiro, Haglöfs, Jack Wolfskin, Schoeffel and Vaude – China* 206–7
alternative dispute resolution (ADR) 8–9
Ambuklao-Binga Hydroelectric Power
  01/Binga, Philippines (dispute resolution) 139–43, 158
Ambuklao-Binga Damage Claims Committee (ABDCC) 140
CAO Assessment Report 140
Complaint Conclusion Report (CAO) 142
Memorandum of Agreement (MOA) 141
Corporate accountability

**American Sugar Refining Inc (ASR)**
see CLEC & ERI v American Sugar Refining Inc

Annex Areas, Panama 101, 102

Anvil Mining Congo, SARL 01 (World Bank President request), DRC 136–9, 159, 332–3

Apple Tree, El Salvador: Third Party Complaint against 172–4, 188

arbitration 9

Argentina/Paraguay
Santa Fe Road Infrastructure Project 82–3
Yacyretá Hydroelectric Project 83–7, 109, 111–12

Asia

Bangladesh see Bangladesh
Cambodia see Cambodia
China see China
economic land concessions (ELCs) 99
examples of working conditions in 266–8

India see India
Indonesia see Indonesia
Nepal Arun III Hydroelectric Project Case 73–4
Philippines see Ambuklao-Binga Hydroelectric Power 01/Binga, Philippines (dispute resolution)

Bangladesh

*Kwintet AB – Bangladesh 229–30*
*Pama International – Bangladesh 201–2*
*Takko Fashion – Bangladesh 211–12, 230–31, 232–3*

Bangladesh Export Processing Zone Area (BEPZA) 229

Bangladesh Garments Manufacturers and Exporters Association (BGMEA) 231

Barrick Gold Corporation, Canada see Mining Watch Canada et al v Barrick Gold Corporation

Base Code, ETI 240–41, 244, 246
violations 248

Basoga (indigenous peoples, Uganda) 81

*Blackout AG – India 202–3*

Board of Executive Directors, World Bank Group see under World Bank Group

BPG (PT Busana Prima Global), Indonesian factory 225, 226
bribery and extortion, combating 26

Bujagali Falls, Uganda 80, 81
Bujagali Hydropower Project, Uganda 80–82

burden of proof, high, for complainants 51

Business Leaders Initiative on Human Rights 282

business relevance 15

CAFOD (Catholic Agency for Overseas Development) 290

Cambodia

Boeung Kak Lake 98

Cambodia Land Management and Administration Project (LMAP) 97–9


CLEC & ERI v American Sugar Refining Inc 46–7, 56–7

CLEC v Bowker Limited 272

CLEC v Elite Co. Limited 272–3

economic land concessions (ELCs) 99

Forest Concession Management and Control Pilot Project 99

Land Law 99

occupation of land and compensation of evicted occupants 99–100

Canada

see also Goldcorp Inc.

Canada Tibet Committee v China Gold Int. Resources 45

Goldcorp Inc., Vancouver headquarters 301

Mining Watch Canada et al v Barrick Gold Corporation 31–3, 53–4, 57, 326

CANIETI see CEREAL-CANIETI/Hewlett Packard

CAO see Compliance Advisor Ombudsman (CAO), Office of case review, company mechanisms

Adidas
Index

CLEC v Bowker Limited, Cambodia 272
CLEC v Elite Co. Limited, Cambodia 272–3
Factory X 272
GATWU v Gokaldas India Limited, India 273
SBTGS v PT Panarub Dwikarya Benoa, Indonesia 273
TEKSIF v Inteks, Turkey 273–4
Worker Rights Consortium (WRC) v Yue Yuen Footwear Factory, China 274
case review, international mechanisms
Compliance Advisor Ombudsman (CAO), Office of 129–56
Chile: Empresa Electrica Pagne SA 02/Upper Bio-Bio Watershed (dispute resolution and compliance) 152–6
DRC: Anvil Mining Congo, SARL, 01 (World Bank President Request) 136–9, 159, 332–3
Ecuador: Interagua 01/Sipacapa (dispute resolution) 143–6
Indonesia: Wilmar Group 01/02, Sumatra (dispute resolution and compliance) 129–36, 158, 160
Mexico: Harmon Hall 01-08 (dispute resolution) 150–52, 158
Peru: Minera Yanacocha (01/02/03), Cajamarca (dispute resolution) 147–50
Philippines: Ambuklao-Binga Hydroelectric Power 01/Binga (dispute resolution) 139–43, 158
Inspection Panel of World Bank 72–105
Albania Integrated Coastal Zone Management and Clean-Up Project 102–4
Argentina/Paraguay Santa Fe Road Infrastructure Project 82–3
Cambodia Land Management and Administration Project (LMAP) 97–9
Chad-Cameroon Petroleum and Pipeline Project 78–9, 107
Colombia Cartagena Water Supply, Sewerage and Environmental Management Project 76–7
Ecuador Mining Development Project 75–6
Emergence Economic and Social Reunification Support Project (ESSRSP), DRC 95–7
Ghana Second Urban Environmental Sanitation Project (UESP II) 93–5
Ghana West African Gas Pipeline Project (WAGP) 92–3
Honduras Land Administration Project (PATH) 87–8
India Coal Sector Environmental and Social Mitigation Project (CSESM) 88–9, 108
India Mumbai Urban Transport Project (MUTP) 90–92
India NTPC Power Generation Project 74–5, 111
Kenya Lake Victoria Environmental Management Project (LVEMP) 104–5
Nepal Arun III Hydroelectric Project Case 67–8, 73–4
Panama Land Administration Project (PRONAT) 101–2
Papua New Guinea Smallholder Agriculture Development Project (SADP) 100–101, 326
Paraguay/Argentina Yacyretá Hydroelectric Project 83–7, 109, 111–12
Private Power Generation (Bujagali) Project 80–82
project-affected people (PAPs) 81–2, 83, 88, 89, 90, 91–2
South Africa Eskom Investment Support Project (EISP) 97
Transitional Support for Economic Recovery Grant Operation (TSERO), DRC 95–7
Uganda Bujagali Hydropower Project 80
OECD Guidelines for Multinational Enterprises 30–49
ACIDH et al v Compagnie Minière de Sud Katanga (CMSK) 33–4
Canada Tibet Committee v China Gold Int. Resources 45
CEDHA et al v Nidera 35–6, 54, 56
CLEC & ERI v American Sugar Refining Inc 46–7, 56–7
IAP & WDM v GCM Resources plc (Phulbari case) 47–9, 50, 51, 56, 57, 58, 329
The LEAD Group v Innospec et al 36–8, 52, 53
Lok Shakti Abhiyan et al v POSCO et al 38–9, 52
Mining Watch Canada et al v Barrick Gold Corporation 31–3, 326
Norwegian Support Committee for Western Sahara v Sjøvik 39–40, 56
Privacy International et al v Gamma International 41–2, 51, 55
Siemenpuu et al v Pöyry Group 34–5, 51–2, 56
Uwe Kekeritz v Kik et al 42–4, 51
WWF v SOCO 44–5, 51, 54
case review, multi-stakeholder mechanisms
Ethical Trading Initiative (ETI)
Turkey/Desa & Deri IS/2009 250
Turkey/Paxar & TEKSIF/2006–2007 250
Fair Labor Association (FLA), Third Party Complaint (3PC) mechanism 166–85
against Apple Tree, El Salvador 172–4, 188
against Chi Fung, El Salvador 169–70
against Choishin, Guatemala 174–5, 336
against Estofel, Guatemala 167–9
against F&D, El Salvador 170–72
against Gokaldas, India 180–82
against HIALPESA, Peru 178–80, 188, 335
against JoeAnne Dominicana, Dominican Republic 175–7, 187, 188, 335
against New Holland Apparel, Nicaragua 183–5
against Troon Manufacturing, Nicaragua 183
against Underground Manufacturing, USA 177–8, 187, 335
assessment 185–6
as ‘top of pyramid’ of available remedies for FLA 187, 336
Fair Wear Foundation (FWF) 197–233
Albrio, Haglöfs, Jack Wolfskin, Schoeffel and Vaude – China 206–7
Blackout AG – India 202–3
Hessnatur – Turkey 204–5
Mammut Sports Group, Jack Wolfskin and Haglöfs – China 208–9
Mayerline SA – China 200
Pama International – Bangladesh 201–2
summary of complaints filed by workers 199
Takko Fashion – Bangladesh 211–12
Fair Wear Foundation (FWF), Third Party Complaint (3PC) mechanism
FFI, Mexx (India), complaint against 218–20
Hessnatur – Turkey 231–2
Jack Wolfskin – Indonesia 225–7
JC Rags – Turkey 223–5
Kwintet AB – Bangladesh 229–30
Mayerline – Turkey 227–9
McGregor Fashion Group – Turkey 222–3
Metraco – Turkey 216–18
Mexx Europroduction – India 221–2
Index

401

Takko Fashion – Bangladesh 230–31, 232–3
CEDHA et al v Nidera 35–6, 54, 56
Central Coal India Ltd (CCL) 88
Centre for Environmental Law and Community Rights (CELCOR), NGO 100
Centre for Housing Rights and Evictions (COHRE), Cambodia 98
CEREAL-CANIETI/Hewlett Packard 16, 285–96
see also Hewlett Packard (HP) assessment of mechanism against the Ruggie criteria 299 investigation process review 286 procedure 292 recent developments 296–9 strengths and weaknesses 299–300
Chad-Cameroon Petroleum and Pipeline Project 78–9, 107
Chi Fung, El Salvador: Third Party Complaint against 169–70
Chile
Empresa Electrica Pangue SA 02/
Upper Bio-Bio Watershed (dispute resolution and compliance) 152–6
Kume Rakiduan organization 154–5
Pehuenche indigenous people 153, 154, 155
China
decent work project 251–3
Guangdong production site 252
specific cases
Albiro, Haglöfs, Jack Wolfskin, Schoeffel and Vaude – China 206–7
Canada Tibet Committee v China Gold Int. Resources 45
Mammut Sports Group, Jack Wolfskin and Haglofs – China 208–9
Mayerline SA – China 200
Worker Rights Consortium (WRC) v Yue Yuen Footwear Factory 274
Western Poverty Reduction Case 68–9, 113
Zhejiang production site 252
China Gold International Resources 45
China Labour Support (CLSN), NGO 261, 262, 265
China Labour Watch 281
Choishin, Guatemala: Third Party Complaint against 174–5, 336
Civil Society Organizations (CSOs) 71–2, 119–20, 133
CLEC & ERI v American Sugar Refining Inc 46–7, 56–7
CLEC v Bowker Limited 272
CLEC v Elite Co. Limited 272–3
see also Fair Wear Foundation (FWF)
collective bargaining company mechanisms 260, 267, 274, 275, 282, 289, 298, 339
and freedom of association 192–3, 224, 225, 226, 228, 231, 232, 240, 282
multi-stakeholder mechanisms 240
Fair Labor Association (FLA) 165, 171, 173, 174, 183, 184
Fair Wear Foundation (FWF) 192, 194, 203–5, 216, 217, 219, 220, 222–6, 226, 228, 231, 232, 238
Colombia Cartagena Water Supply, Sewerage and Environmental Management Project 76–7
Comarca, Naso community-owned land (Panama) 101, 102
Commission for the Verification of Corporate Codes of Conduct (COVERCO) 168–9, 175, 176, 179–80
Committee on Consumer Policy (OECD) 26
Committee on Development Effectiveness (CODE), Board of Executive Directors, World Bank 119
Community Development Action Plans 80
Community Legal Education Center of Cambodia (CLEC) see CLEC & ERI v American Sugar Refining
Inc; CLEC v Bowker Limited; CLEC v Elite Co. Limited

Company mechanisms

Adidas see Adidas
CEREAL-CANIETI/Hewlett Packard see under Hewlett Packard (HP)

Collective bargaining 260, 267, 274, 275, 282, 289, 298, 339
Findings 339–42
Goldcorp Inc. see Goldcorp Inc.

Complaint Conclusion Report 142
Complaint process 122–4
Compliance role 118, 125–7
Confidentiality 119
disclosure chart 128
dispute resolution role 118, 125
Eligibility of complaint 122–3
Establishment (1999) 117
Findings 158, 331–3
Flexibility 142–3, 152
growth of complaint cases 119
Independence 119, 157
Information disclosure 119
Management Action Tracking Record (MATR) 119
Operational Guidelines 117, 122, 123
Review of cases see under case review, international mechanisms
Shuttle diplomacy, use of 151
Status of cases 122
Strengths and weaknesses 156–61
Terms of Reference for investigation 127
Vice President 118–19, 120, 128
Consumer interests, and filing a complaint 26
Convention on Indigenous and Tribal Peoples (ILO) 317
Convention on the Right to Organize and Collective Bargaining (ILO) 289
Corporate Social Responsibility (CSR) 301, 303
Democratic Republic of the Congo (DRC)
Anvil Mining Congo, SARL 01
(World Bank President request) 136–9, 159, 332–3
Armed Forces of (FARDC) 136
Concession Conversion Process (2005) 96
Emergency Economic and Social Reunification Support Project (EESRSP) 95–7
Forest Code 95, 96
Indigenous Pygmy Organizations 95
Logging, illegal 95
Mineral wealth 137
Pygmy Support Organizations 95
<table>
<thead>
<tr>
<th>Term</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Second Congo War</td>
<td>96</td>
</tr>
<tr>
<td>Transitional Support for Economic Recovery Grant Operation (TSERO)</td>
<td>95–7</td>
</tr>
<tr>
<td>Virunga Republic of Congo</td>
<td>44–5</td>
</tr>
<tr>
<td>Voluntary Principles on the Use of Security Forces</td>
<td>137, 138</td>
</tr>
<tr>
<td>Deri (Turkish leather workers’ union)</td>
<td>250</td>
</tr>
<tr>
<td>Desa (Turkish supplier company)</td>
<td>250</td>
</tr>
<tr>
<td>Disclosure</td>
<td>93, 321</td>
</tr>
<tr>
<td>Compliance Advisor Ombudsman (CAO), Office of</td>
<td>119, 120, 128, 129</td>
</tr>
<tr>
<td>OECD Guidelines for Multinational Enterprises</td>
<td>21, 25, 32, 45, 47</td>
</tr>
<tr>
<td>Discrimination, prohibition of</td>
<td>192, 198, 200–202, 216, 229, 241</td>
</tr>
<tr>
<td>Doha Basil Oil Fields, petroleum reserves</td>
<td>78</td>
</tr>
<tr>
<td>Dominican Republic, Third Party Complaint against JoeAnne</td>
<td>175–7, 187, 188, 335</td>
</tr>
<tr>
<td>Dominicanana</td>
<td>175–7</td>
</tr>
<tr>
<td>DRC see Democratic Republic of the Congo (DRC)</td>
<td></td>
</tr>
<tr>
<td>EarthRights International (ERI)</td>
<td>32, 46</td>
</tr>
<tr>
<td>Economic land concessions (ELCs), Cambodia</td>
<td>99</td>
</tr>
<tr>
<td>Ecuador</td>
<td></td>
</tr>
<tr>
<td>Interagua 01/Sipacapa (dispute resolution)</td>
<td>143–6</td>
</tr>
<tr>
<td>Mining Development Project</td>
<td>75–6</td>
</tr>
<tr>
<td>Texaco, activities in</td>
<td>1</td>
</tr>
<tr>
<td>Effectiveness criteria</td>
<td>11–12</td>
</tr>
<tr>
<td>El Salvador, Third Party Complaints</td>
<td></td>
</tr>
<tr>
<td>see also San Marcos Free Trade Zone; SITS (Sindicato de la Industria Textil y Actividades Conexas y Similares), El Salvador</td>
<td></td>
</tr>
<tr>
<td>against Apple Tree</td>
<td>172–4, 188</td>
</tr>
<tr>
<td>against Chi Fung</td>
<td>169–70</td>
</tr>
<tr>
<td>against F&amp;D</td>
<td>170–72</td>
</tr>
<tr>
<td>Electronics Industry Code of Conduct (EICC)</td>
<td>282, 290, 295, 296, 298</td>
</tr>
<tr>
<td>Electronics industry, Mexico</td>
<td>287, 299</td>
</tr>
<tr>
<td>Emergency Economic and Social Reunification Support Project (EESRSP), DRC</td>
<td>95–7</td>
</tr>
<tr>
<td>Employment</td>
<td></td>
</tr>
<tr>
<td>see also Labour Standards (Fair Wear Foundation)</td>
<td></td>
</tr>
<tr>
<td>Child labour</td>
<td>13, 165, 241</td>
</tr>
<tr>
<td>No exploitation of</td>
<td>192, 198, 202–3</td>
</tr>
<tr>
<td>Collective bargaining see collective bargaining</td>
<td></td>
</tr>
<tr>
<td>Discrimination, prohibition of</td>
<td>192, 198, 200–202, 216, 229, 241</td>
</tr>
<tr>
<td>and filing a complaint</td>
<td>26</td>
</tr>
<tr>
<td>Freely chosen</td>
<td>192, 198, 199–200, 221, 240</td>
</tr>
<tr>
<td>Legally-binding employment relationship</td>
<td>193, 198, 212–16, 228, 229, 230, 231, 233, 336</td>
</tr>
<tr>
<td>Living wage</td>
<td>30, 193, 198, 205–7, 241, 336</td>
</tr>
<tr>
<td>Safe and healthy working conditions</td>
<td>193, 198, 201, 209–12, 214, 221</td>
</tr>
<tr>
<td>Temporary hiring</td>
<td>289</td>
</tr>
<tr>
<td>Working hours</td>
<td>150, 177, 241, 265</td>
</tr>
<tr>
<td>Excessive, prohibition of</td>
<td>193, 198, 207–9, 261, 267, 336</td>
</tr>
<tr>
<td>Employment agencies</td>
<td>289</td>
</tr>
<tr>
<td>Empresa Electrica Pangue SA 02/ Upper Bio-Bio Watershed, Chile</td>
<td></td>
</tr>
<tr>
<td>(dispute resolution and compliance)</td>
<td>152–6</td>
</tr>
<tr>
<td>Environmental and Social Management Plan (ESMP), Santa Fe Road</td>
<td>83</td>
</tr>
<tr>
<td>Infrastructure Project</td>
<td></td>
</tr>
<tr>
<td>Environmental Assessment, and Inspection Panel of World Bank</td>
<td>76, 77</td>
</tr>
<tr>
<td>Environmental performance</td>
<td>26</td>
</tr>
<tr>
<td>Estofel, Guatemala: Third Party Complaint against</td>
<td>167–9</td>
</tr>
<tr>
<td>Ethical Trading Initiative (ETI)</td>
<td>239–58</td>
</tr>
<tr>
<td>Assessment of mechanism against the Ruggie criteria</td>
<td>258, 259</td>
</tr>
<tr>
<td>Base Code</td>
<td>240–41, 244, 246, 248</td>
</tr>
<tr>
<td>‘Code Violation Procedure’ document</td>
<td>247</td>
</tr>
<tr>
<td>Complaint process</td>
<td>247–9</td>
</tr>
<tr>
<td>Description/role</td>
<td>239, 242</td>
</tr>
<tr>
<td>Disciplinary procedures</td>
<td>245–7</td>
</tr>
<tr>
<td>Findings</td>
<td>334</td>
</tr>
<tr>
<td>Funding</td>
<td>239, 242</td>
</tr>
<tr>
<td>Homeworker Guidelines</td>
<td>254</td>
</tr>
</tbody>
</table>
members 241–7, 248
obligations of membership 243–5
Principles of Implementation 240, 246
and further membership obligations 243–5
Programme Partnership Arrangement 242
programmes and projects
decent work project, China 251–3
homeworkers’ project, Northern India 254–6
review of cases see case review, multi-stakeholder mechanisms
Secretariat 242, 244, 245, 247, 248, 249, 251
strengths 257
trade unions 222, 240, 241, 246, 252, 255, 256, 257, 258
weaknesses 257–8
website 239, 241, 246, 247, 249, 258
European Centre for Constitutional and Human Rights (ECCHR) 51
eviction 13, 99, 102
forced 30, 32, 33, 48, 98, 160
illegal 46
excellence criteria 14, 342–5
future projections 345–6
independent mechanism 343
mechanism addressing human rights issues comprehensively 343
mechanism ensuring coherent results 344
mechanism ensuring the follow-up of the results 345
mechanism exercising leverage on the stakeholders 344
mechanism giving options to choose ‘best alternative to negotiate an agreement’ 344
mechanism helping to address root causes of problem 343
mechanism involving a third party 344
mechanism offering more than financial compensation 344
mechanism striving to ensure that negotiations between parties are based on good faith/include all stakeholders 344
mechanism taking account of local context and respecting local traditions 344
External Compliance Monitoring Group, Chad-Cameroon Petroleum and Pipeline Project 78
Extractive Industries Review (EIR), World Bank response to 137
F&D, El Salvador: Third Party Complaint against 170–72
Fair Labor Association (FLA) 162–89
assessment of mechanism against the Ruggie criteria 188, 189
capacity-building measures 163
collective bargaining 165, 171, 173, 174, 183, 184
complaint process 165–6
Compliance Benchmarks 164
establishment (1999) 162
and Fair Wear Foundation 224
findings 335–6
FLA-Commissioned Special Independent Investigations 164
Hanesbrands (FLA-affiliated company) 170, 171, 172
Independent Investigations with FLA Verification 164
monitoring process 163, 165, 171, 186, 188
independent monitoring 162, 170
relevant standards 162–3
review of cases see under case review, multi-stakeholder mechanisms
root-cause analysis 163
safeguards system 164–5
stakeholder dialogue and projects 164
strengths and weaknesses 185–8
Sustainable Compliance Methodology (SCI) 162–3
Third Party Complaints 164–5, 185–6
see also under case review, multi-stakeholder mechanisms
website 167, 189
Workplace Code of Conduct 162, 164, 165, 166, 169, 180, 186, 335
Fair Wear Foundation (FWF) 180, 189–238
accessibility 235–6, 237
and affiliates 235
appeals procedure 197
assessment of mechanism against
the Ruggie criteria 238
and business associations 190
see also Labour Standards below
collective bargaining 192, 194, 203–5, 216, 217, 219, 220, 222–6, 228, 231, 232, 238
complaint handlers 195–6, 234–5
complaint process 194–7
complaints 04/2006 377–93
elements of investigation 196
Executive Board 194
failure to comply with Code of
Labour Practices 193
and Fair Labor Association 224
findings 336–9
founding of (1999) 189–90
function/role 189
Guiding Principles 192
Labour Standards 191, 377–93
Labour Standard 1 (employment
freely chosen) 192, 198, 199–200, 221, 240
Labour Standard 2 (no
discrimination in
employment) 192, 198, 200–202, 216, 229, 241
Labour Standard 3 (no
exploitation of child labour) 192, 198, 202–3
Labour Standard 4 (freedom
of association and right to
Labour Standard 5 (payment of a
living wage) 193, 198, 205–7, 241, 336
Labour Standard 6 (no excessive
working hours) 193, 198, 207–9, 261, 267, 336
Labour Standard 7 (safe and
healthy working conditions) 193, 198, 201, 209–12, 214, 221
Labour Standard 8 (legally-
binding employment
relationship) 193, 198, 212–16, 228, 229, 230, 231, 233, 336
member companies 191, 236
and NGOs 190
as non-profit organization 189–90
review of cases see under case review,
multi-stakeholder mechanisms
strengths 233–7
summary of complaints filed by
workers 199
trade unions 190, 193, 198, 201, 216
transparency 191–2, 236
‘unknown complaint’ 196
verification processes 204–5, 234, 235
weaknesses 237–8
website 192, 197, 216, 219, 236, 237
Workplace Education Training
Programme 203, 206, 215
Federation of Rondas Campesinas
Femeninas of Northern Peru
(FEROCAFENOP), 148
findings in general 325–8
balance between company and
human rights concerns 325–6
non-judicial complaint mechanisms
effectiveness and impact 326–8
interaction with judicial
mechanisms 325–6
findings regarding selected mechanisms
corporate 339–42
international mechanisms 329–33
multi-stakeholder mechanisms 334–9
FLA see Fair Labor Association
(FLA)
forced evictions 30, 32, 33, 48, 98, 160
FREDEMI (Guatemalan NGO) 315, 316
freedom of association 229, 245, 289, 298, 299, 336
and right to collective bargaining
192–3, 203–5, 224, 225, 226, 228, 231, 232, 240, 282
fuel gas desulphurization (FGD) 97
functional equivalence concept 24
FWF see Fair Wear Foundation
(FWF)
Corporate accountability

Gamma International see Privacy
International et al v Gamma
International

GATWU v Gokaldas India Limited 273

GCM Resources plc see IAP & WDM
v GCM Resources plc (Phulbari
case)

George Forrest International (Belgian
MNE) 33–4

Ghana

Second Urban Environmental
Sanitation Project (UESP II)
93–5

West African Gas Pipeline Project
(WAGP) 92–3

Global Business Initiative on Human
Rights 282

Global Compact 282

Global Environment Facility 60

Global Justice Now 47

Gokaldas, India: Third Party
Complaint against 180–82

Goldcorp Inc. 16, 301–22

Aboriginal and Indigenous Peoples,
partnerships with 302–3

Anti-Corruption and Anti-Bribery
Policies 305

assessment of mechanism against
the Ruggie criteria 322

Code of Conduct 305

Community Response Mechanism
307–13, 320

complaint process 303–19

Corporate Social Responsibility
(CSR) 301, 303

Ethics Committee 306–7

‘Ethics from the Ground Up’ 305–7

EthicsPoint reporting system 305–6

facts and figures 320–22

findings 340–41

formal channels for complaints and
grievances 304

general observations 319–20

Grievance Mechanism Framework
307–8, 320

Marlin Mine, Guatemala:
community relations and
response system at 313–19

strengths and weaknesses 319–22

Sustainability Excellence

Management System (SEMS)
303

sustainability reports 302

World Gold Council member 302

governance gap, international financial
institutions 7

Gratacós, Oswaldo (CAO Vice
President) 118

grievances/grievance mechanisms
see also complaint process;

complaints

and complaints 11

effectiveness criteria 12

Goldcorp Inc.

formal channels 304

Grievance Mechanism Framework
307–8

grievance mechanism effectiveness
criteria 12

internal grievance mechanisms used
to bypass scrutiny 57–8

operational-level grievance
mechanisms 11, 16

Guatemala

A & L Group Inc. (ALGI),
investigations by 174–5

Labour Code 168

Marlin Mine see Marlin Mine,
Guatemala

Third Party Complaints
against Choishin 174–5, 336

against Estofel 167–9

Guiding Principles, UN see UN

Guiding Principles on Business
and Human Rights (UNGPs)

Handshake (Chinese NGO) 261, 262,
265

Hanesbrands (FLA-affiliated
company) 170, 171, 172

Harmon Hall 01-08, Mexico (dispute
resolution) 150–52, 158

Hessnatur – Turkey 204–5, 231–2

Hewlett Packard (HP)

CEREAL-CANIETI complaints
mechanism 16, 285–96

investigation process review 286

procedure 292

recent developments 296–9

strengths and weaknesses 299–300
corporate citizenship strategy and governance 283–4

corporate responsibility within 280–83

Executive Council 284
findings 341–2
functions/reputation 280

global complaint facilities 284–5

Grievance Policy 284
Open Door Policy 283, 284

Social and Environmental Responsibility Report 282

Standards of Business Conduct 285
Supply Chain Code of Conduct 282
Supply Chain Foreign Migrant Worker Standard 282
Supply Chain Responsibility Policy 283
Supply Chain Social and Environmental Responsibility Policy 282

HIALPESA, Peru: Third Party Complaint against 178–80, 188, 335

homeworkers’ project, Northern India 254–6

Honduras Land Administration Project (PATH) 87–8

HP see Hewlett Packard (HP)

human rights see also human rights violations;

UN Special Representative on Human Rights and Business;

victims of human rights violations

balance between company and human rights concerns 325–6

filing a complaint 25–6

growth, importance of 50

relevance 15

strengths and weaknesses in protection of 13

UN Working Group on Human Rights and Business 6, 7–8

Human Rights Council 10

Human Rights Impact Assessment (HRIA), Marlin Mine 318

human rights violations 2–6, 13, 31, 41, 47, 48, 55, 110

see also pollution; victims of human rights violations; specific cases

alleged 30, 37, 51

eviction see eviction

internal grievance mechanisms used to bypass scrutiny 57–8

and OECD Guidelines 30, 50, 57

ongoing 27, 50

severe 136

violence 50, 95, 160, 212, 317, 319

Human Rights Watch 74

hydroelectric projects see Ambuklao-Binga Hydroelectric Power 01/Binga, Philippines (dispute resolution); Empresa Electrica Pangue SA 02/Upper Bio-Bio Watershed, Chile (dispute resolution and compliance); Nepal Arun III Hydroelectric Project Case; Yacyretá Hydroelectric Project, Paraguay/Argentina

IAP & WDM v GCM Resources plc (Phulbari case) 47–9, 50, 51, 56, 57, 58, 329

IFC see International Finance Corporation (IFC)

IFC/MIGA-supported projects 117, 118, 119, 122, 123, 129, 157, 158, 159, 161, 332, 333

see also International Finance Corporation (IFC); Multilateral Investment Guarantee Agency (MIGA)
policies 120, 126

senior management 120, 127, 128

ILO see International Labour Organization (ILO)

impact assessment 13–14

Independent Evaluation Group (IEG), World Bank 71

India

Central Coal India Ltd (CCL) 88

Coal Sector Environmental and Social Mitigation Project (CSESM) 88–9, 108

homeworkers’ project, Northern India 254–6

Karnataka, State of 181, 182
Mumbai Urban Transport Project (MUTP) 90–92
NTPC Power Generation Project 74–5, 111
specific cases
Blackout AG – India 202–3
FFI, Mexx (India) 218–20
GATWU v Gokaldas India Limited 273
Gokaldas, Third Party Complaint against 180–82
Mexx Europroduction – India 221–2
Indigenous Peoples Development Plan, Panama 102
indirect responsibility 5
Indonesia
Jack Wolfskin – Indonesia 225–7
SBTGS v PT Panarub Dwikarya Benoa 273
West Kalimantan region 130
Wilmar Group 01/02, Sumatra 129–36, 158, 160
conflict meetings 133–4
District Plantation Agency, community empowerment programme signed by 133
SAD 113 group 134
industrial relations, and filing a complaint 26
Inspection Panel of World Bank 16, 59–116
see also World Bank Group compared with Compliance Advisor Ombudsman Office 117
complaint process 61–7
avenues for inspection request 64
development 67–70
limitations on Panel’s powers 66–7, 115–16
‘decisions’ of 60–61
eligibility phase, processing of request 63
and Environmental Assessment 76, 77
establishment (1999) 59–60
findings 330–31
investigation phase, processing of request 65
mandate 113, 152
cases submitted 105–6
Operating Procedures (OPs) 61, 69, 71, 106
case review 76, 81, 82, 87, 98
pilot approach 69, 70
process as important non-judicial grievance mechanism 115
review of cases see under case review, international mechanisms
Ruggie criteria, assessment of mechanisms against 116
strengths and weaknesses 105–16
Integrated Coastal Zone Management and Clean-Up Project, Albania 102–4
Interagua 01/Sipacapa, Ecuador (dispute resolution) 143–6
Inter-American Commission on Human Rights (IACHR) 316
International Accountability Project (IAP) 47–9
see also IAP & WDM v GCM Resources plc (Phulbari case)
International Bank for Reconstruction and Development (IBDR) 60, 62, 110
International Campaign of Tibet 113
International Chamber of Commerce (ICC) 294
International Development Association (IDA) 60, 62, 110
International Federation for Human Rights (FIDH) 266
International Finance Corporation (IFC) 2, 71
see also IFC/MIGA-supported projects
accountability 117
Compliance Advisor Ombudsman (CAO) see Compliance Advisor Ombudsman (CAO), Office of Performance Standards 7, 126, 127, 333
International Labour Organization (ILO)
Committee of Experts 316
Conventions 240, 289, 317
Core Labour Standards 23, 162, 232
international mechanisms findings 329–33
<table>
<thead>
<tr>
<th>Index</th>
<th>409</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inspection Panel of World Bank</td>
<td>see Inspection Panel of World Bank</td>
</tr>
<tr>
<td>OECD Guidelines for Multinational Enterprises</td>
<td>see OECD Guidelines for Multinational Enterprises</td>
</tr>
<tr>
<td>Office of the Compliance Advisor Ombudsman</td>
<td>see Compliance Advisor Ombudsman (CAO), Office of</td>
</tr>
<tr>
<td>International Textile, Garment and Leather Workers’ Federation</td>
<td>249</td>
</tr>
<tr>
<td>Involuntary Resettlement, World Bank</td>
<td>policy 80, 81, 104</td>
</tr>
<tr>
<td>Jack Wolfskin – Indonesia</td>
<td>225–7</td>
</tr>
<tr>
<td>JC Rags – Turkey</td>
<td>223–5</td>
</tr>
<tr>
<td>JoeAnne Dominicana, Dominican Republic: Third Party Complaint against</td>
<td>175–7, 187, 188, 335</td>
</tr>
<tr>
<td>judicial complaint mechanisms</td>
<td>2 see also non-judicial complaint mechanisms</td>
</tr>
<tr>
<td>effective remedy</td>
<td>9 interaction with non-judicial 326–8</td>
</tr>
<tr>
<td>Kekeritz v Kik et al see Uwe Kekeritz v Kik et al</td>
<td></td>
</tr>
<tr>
<td>Kenya Lake Victoria Environmental Management Project (LVEMP)</td>
<td>104–5</td>
</tr>
<tr>
<td>Kik (German clothing company) see Uwe Kekeritz v Kik et al</td>
<td></td>
</tr>
<tr>
<td>Kume Rakiduaum organization, Chile</td>
<td>154–5</td>
</tr>
<tr>
<td>Kwintet AB – Bangladesh</td>
<td>229–30</td>
</tr>
<tr>
<td>Labour Standards (Fair Wear Foundation)</td>
<td>191, 377–93 see also Code of Labour Practices, Fair Wear Foundation</td>
</tr>
<tr>
<td>Labour Standard 1 (employment freely chosen)</td>
<td>192, 198, 199–200, 221, 240</td>
</tr>
<tr>
<td>Labour Standard 2 (no discrimination in employment)</td>
<td>192, 198, 200–202, 216, 229, 241</td>
</tr>
<tr>
<td>Labour Standard 3 (no exploitation of child labour)</td>
<td>192, 198, 202–3</td>
</tr>
<tr>
<td>Labour Standard 5 (payment of a living wage)</td>
<td>193, 198, 205–7, 241, 336</td>
</tr>
<tr>
<td>Labour Standard 6 (no excessive working hours)</td>
<td>193, 198, 207–9, 261, 267, 336</td>
</tr>
<tr>
<td>Labour Standard 7 (safe and healthy working conditions)</td>
<td>193, 198, 201, 209–12, 214, 221</td>
</tr>
<tr>
<td>Labour Standard 8 (legally-binding employment relationship)</td>
<td>193, 198, 212–16, 228, 229, 230, 231, 233, 336</td>
</tr>
<tr>
<td>Lake Victoria Environmental Management Project (LVEMP), Kenya</td>
<td>104–5</td>
</tr>
<tr>
<td>Law 72 on collective property, Panama</td>
<td>102</td>
</tr>
<tr>
<td>The LEAD Group v Innospec et al</td>
<td>36–8, 52, 53</td>
</tr>
<tr>
<td>legally-binding employment relationship</td>
<td>193, 198, 212–16, 228, 229, 230, 231, 233, 336</td>
</tr>
<tr>
<td>living wage</td>
<td>30, 193, 198, 205–7, 241, 336</td>
</tr>
<tr>
<td>Lok Shakti Abhiyan et al v POSCO et al</td>
<td>38–9, 52</td>
</tr>
<tr>
<td>London Organising Committee of the Olympic Games and Para-Olympic Games (LOCOG)</td>
<td>267, 268</td>
</tr>
<tr>
<td>Mammut Sports Group, Jack Wolfskin and Haglofs – China</td>
<td>208–9</td>
</tr>
<tr>
<td>Management Action Tracking Record (MATR), CAO</td>
<td>119</td>
</tr>
<tr>
<td>Marlin Mine, Guatemala</td>
<td>community relations and response system 313–19</td>
</tr>
<tr>
<td>general observations</td>
<td>319, 320</td>
</tr>
<tr>
<td>Human Rights Impact Assessment (HRRIA)</td>
<td>318</td>
</tr>
<tr>
<td>Marroquin, Mario</td>
<td>314</td>
</tr>
<tr>
<td>Mayerline – Turkey</td>
<td>227–9</td>
</tr>
<tr>
<td>Mayerline SA – China</td>
<td>200</td>
</tr>
</tbody>
</table>
Corporate accountability

McGregor Fashion Group – Turkey
mediation 29
Mekong River Commission 34
Mexico
CEREAL-CANIETI/Hewlett Packard 285–96
electronics industry 287, 290, 299
Harmon Hall 01-08 (dispute resolution) 150–52, 158
labour laws 287
as preferred country for contract manufacturing, electronics industry 287
trade unions 288
Mexx Europroduction – India 221–2
MIGA see IFC/MIGA-supported projects; Multilateral Investment Guarantee Agency (MIGA)
Minera Yanacocha (01/02/03), Cajamarca, Peru (dispute resolution) 147–50
Mining Development Project, Ecuador 75–6
Mining Watch Canada et al v Barrick Gold Corporation 31–3, 53–4, 57, 326
Minister of Public Works, Transport and Communications, Albania 103–4
MNEs (multinational enterprises)
see also OECD Guidelines for Multinational Enterprises
environmental performance 26
filing a complaint 25, 26, 27
and OECD Guidelines 21, 25, 26, 27, 38
MODINT (Dutch employers’ association) 217, 224
Multilateral Investment Guarantee Agency (MIGA) 117, 326
see also Compliance Advisor Ombudsman (CAO), Office of; IFC/MIGA-supported projects; International Finance Corporation (IFC)
case review 136, 137, 138, 143
Environmental and Social Review Procedures 138
multinational enterprises see MNEs (multinational enterprises); OECD Guidelines for Multinational Enterprises
multi-stakeholder mechanisms
Ethical Trading Initiative (ETI) see Ethical Trading Initiative (ETI)
Fair Labor Association see Fair Labor Association (FLA)
Fair Wear Foundation (FWF) see Fair Wear Foundation (FWF)
findings 334–9
Mwanke, Katumba 137
Naso indigenous people, Panama 101
National Contact Points (NCPs)
see also OECD Guidelines for Multinational Enterprises
annual NCP meeting 53
complaint process at 24–5
establishment 24
filing a complaint 25–7
functional equivalence concept 24
multiple submissions to 27
obligation to set up 21, 24
performance, variation in 24–5, 50, 52–4, 58
criticisms 329–30
review of cases 33–59
specific instance procedure 28–30
and UN Guidelines 23
National Garment Workers Federation (NGWF), Bangladesh 229, 231
NCPs see National Contact Points (NCPs)
Nepal Arun III Hydroelectric Project Case 67–8, 73–4
New Balance company 178, 179, 180
New Holland Apparel, Nicaragua: Third Party Complaint against 183–5
NGO Centre for Labour Reflection and Action (CEREAL) see CEREAL-CANIETI/Hewlett Packard
NGOs (non-governmental organisations) 17, 100
see also specific NGOs such as OECD Watch
in Canada 317
and Fair Wear Foundation 190
Index

and Inspection Panel of World Bank 62, 76, 85, 104
and OECD Guidelines 31, 34, 36, 37
and Office of the Compliance Advisor Ombudsman 155, 156
Nicaragua, Third Party Complaints against New Holland Apparel 183–5
gainst Troon Manufacturing 183
Nidera see CEDHA et al v Nidera
non-governmental organisations (NGOs) see NGOs (non-governmental organisations)
non-judicial complaint mechanisms
dispute resolution role 7–8
effectiveness and impact 326–8
interaction with judicial mechanisms 325–6
Non-Self-Governing territory of Western Sahara 40
Norwegian Support Committee for Western Sahara v Sjovik 39–40, 56
NTPC Power Generation Project, India 74–5, 111
Nudie Jeans – Tunisia 214–16

OECD Declaration on International Investment and Multinational Enterprises 21
OECD Guidelines for Multinational Enterprises 16, 21–59
see also international mechanisms;
Organisation of Economic Cooperation and Development (OECD)
applicability 57
assessment of mechanism against the Ruggie criteria 59
business sectors responsible under 51–2
Committee on Consumer Policy 26
complaint process (NCPs) 24–5
filing a complaint 25–7
findings 329–30
human rights violations 30, 50, 57
list of OECD-adhering countries 22
National Contact Points (NCPs) see National Contact Points (NCPs)
objectives 21
Procedural Guidance 54
review of cases see under case review, international mechanisms
specific instance procedure 28–30
strengths and weaknesses 49–58
dependence on cooperation of parties 54–6
growing importance of human rights 50
high burden of proof for complainants 51
internal grievance mechanisms
used to bypass scrutiny 57–8
lack of effective follow-up 56–7
performance of NCPs, variation in 24–5, 50, 52–4, 58, 329–30
update of 2011 22–3, 30
violations, Mining Watch Canada et al v Barrick Gold Corporation see Mining Watch Canada et al v Barrick Gold Corporation
OECD Watch (NGO network) 34, 40, 41, 43, 45, 55
OECD Watch Case Database 31
OFRANEH (Organización Fraternal Negra Honduras) 87
operational-level grievance mechanisms 11, 16
Organisation of Economic Cooperation and Development (OECD)
annual NCP meeting 53
bribery and extortion, combating 26
Committee on Consumer Policy 26
Database 31
Guidelines for Multinational Enterprises see OECD Guidelines for Multinational Enterprises
Investment Committee 30
official public repository of complaints 30–31
Trade Union Advisory Committee (TUAC) 31
Palacio, Ana (World Bank General Counsel) 107
Pama International – Bangladesh 201–2
Panama Land Administration Project (PRONAT) 101–2
Pangue Hydroelectric Project, Chile 152
Papua New Guinea Smallholder Agriculture Development Project (SADP) 100–101, 326
Paraguayan/Argentina Yacyretá Hydroelectric Project see Yacyretá Hydroelectric Project, Paraguay/Argentina
PATH see Honduras Land Administration Project (PATH)
Paxar (Turkish clothing factor) 250 payment of a living wage see living wage
Peru
Decree 22342 178
Federation of Rondas Campesinas Femeninas of Northern Peru (FEROCAFENOP), 148
HIAPESA, Third Party Complaint against 178–80, 188, 335
Mesa de Dialogo y Consenso 148, 149
Minera Yanacocha (01/02/03), Cajamarca (dispute resolution) 147–50
Ministry of Labour and Employment Promotion 178
Philippines, Ambuklao-Binga Hydroelectric Power 01/Binga (dispute resolution) 139–43, 158
Phulbari case see IAP & WDM v GCM Resources plc (Phulbari case) pollution 32, 76, 90, 97 water 75, 92, 100, 104, 105, 121
Porgera Joint Venture (PJV) 32 Pöyry Group see Siemenpuu et al v Pöyry Group Privacy International et al v Gamma International 41–2, 51, 55
Private Power Generation (Bujagali) Project 80–82
Project Coordination Unit, Albania 103
Project Underground (US organization) 148
project-affected people (PAPs), Inspection Panel of World Bank cases 81–2, 83, 88, 89, 90, 91–2
PT Kizone (Adidas' Korean contractor) 266 public interest 13
Pygmy people, DRC 96 Indigenous Pygmy Organizations 95
Pygmy Support Organizations 95 rape 30, 32, 57, 136, 326 RECONCILE (Resources Conflict Institute), Kenyan NGO 104
Rehabilitation Policy, India 74 remedy, effective 9–11 research methodology 13–17
Resettlement Action Plans (RAPs) 74, 80, 81, 84
Rights and Accountability in Development (RAID) 32, 136–7
Rio Declaration on Environment and Development 26
Road Maintenance Trust Fund (RMTF), Papua New Guinea Smallholder Agriculture Development Project (SADP) 100
Ruggie, John 5–6
Ruggie criteria, assessment of mechanisms against Adidas 279 CEREAL-CANIETI/Hewlett Packard 299
Compliance Advisor Ombudsman (CAO), Office of 161 Ethical Trading Initiative (ETI) 258, 259
Fair Labor Association (FLA) 188, 189
Fair Wear Foundation (FWF) 238 Goldcorp Inc. 322
Inspection Panel of World Bank 116 OECD Guidelines for Multinational Enterprises 59
Ruggie Framework (Protect, Respect and Remedy) 6, 25–6, 318
Safeguard Policies of World Bank non-compliance with 7 reform 70–72, 108
Santa Fe Road Infrastructure Project, Argentina/Paraguay 82–3
SBGTS (trade union) 225, 226
SBTGS v PT Panarub Dwikarya Benoa
273
science and technology 26
Sectoral Environmental Impact
Assessment, India Coal Sector
Environmental and Social
Mitigation Project (CSESMP) 89
self-determination, right to 40
Shell Oil, activities in Niger Delta 1
Shihata, Ibrahim (World Bank General Counsel) 106, 107
Siemenpuu et al v Pöyry Group 34–5, 51–2, 56
SITS (Sindicato de la Industria Textil y Actividades Conexas y Similares), El Salvador 170, 172, 173
Sjovik see Norwegian Support Committee for Western Sahara v Sjovik
Smallholder Agriculture Development Project (SADP), Papua New Guinea 100–101, 326
SMS gateway system 262
Social and Environmental Affairs (SEA), Adidas 262, 264, 269
SOCO (British oil exploration company) 44–5, 51, 54
South Africa Eskom Investment Support Project (EISP) 97
South America
Chile see Empresa Electrica
Pangue SA 02/Upper Bio-Bio Watershed, Chile (dispute resolution and compliance)
Colombia Cartagena Water Supply, Sewerage and Environmental Management Project 76–9
Ecuador see Ecuador
Panama Land Administration Project (PRONAT) 101–2
Peru see Peru
Santa Fe Road Infrastructure Project, Argentina/Paraguay 82–3
South Korean Pohang Iron and Steel Company (POSCO) see Lok Shakti Abhiyan et al v POSCO et al
Southern Coastal Development Plan (SCDP), Albania 103
specific instance procedure, OECD Guidelines 28–30
good offices 29
initial assessment 28–9
STITAS (El Salvador trade union) 172–3
strengths and weaknesses, human rights protection 13
strengths and weaknesses, company mechanisms
Adidas hotline system 276–9
Third Party Complaint mechanism 274–6
Hewlett Packard (HP) 299–300
strengths and weaknesses, international mechanisms
Compliance Advisor Ombudsman (CAO), Office of 156–61
Inspection Panel of World Bank 105–16
OECD Guidelines for Multinational Enterprises 49–58
dependence on cooperation of parties 54–6
growing importance of human rights 50
internal grievance mechanisms used to bypass scrutiny 57–8
lack of effective follow-up 56–7
strengths and weaknesses, multi-stakeholder mechanisms
Ethical Trading Initiative (ETI) 257–8
Fair Labor Association (FLA) 185–8
Fair Wear Foundation (FWF) 233–8
Sustainable Compliance Methodology (SCI) 162–3
Tate & Lyle (T&L) 46, 47
taxation, and filing a complaint 26–7
Taylor, Meg (CAO Vice President) 118
TEKSİF v Imteks 273–4
Tetra Ethyl Lead (TEL) 37
TetraBOOST 37, 38, 52
Texaco, activities in Ecuador 1
Corporate accountability

Textile, Garment and Leather Workers Federation (ITGLWF), Indonesia 226–7
Textile, Knitting and Clothing Industry Workers’ Union (TEKSİF), Turkey 224, 225, 228, 231–2
see also TEKSİF v Imteks; Turkey/Paxar & TEKSİF/2006–2007

Third Party Complaint (3PC) mechanism/Third Party Complaints
see also under case review, multi-stakeholder mechanisms; Fair Labor Association (FLA); Fair Wear Foundation (FWF)
Fair Labor Association (FLA) 167–85 assessment 185–6 Third Party Complaint as ‘top of pyramid’ of available remedies for FLA 187, 336

FFI, Mexx (India) 218–20
Hessnatur – Turkey 231–2
Jack Wolfskin – Indonesia 225–7
JC Rags – Turkey 223–5
Tourism Zone Law (2002), Panama 101
Trade Union Advisory Committee to OECD (TUAC) 31
trade unions 30, 31, 58, 342
see also collective bargaining; employment Central American 187, 336 company mechanisms 272, 288, 290, 334, 336 Dutch 338 fake 281 genuine 287, 298 international 43 Mexican 288 multi-stakeholder mechanisms Ethical Trading Initiative (ETI) 222, 240, 241, 246, 252, 255, 256, 257, 258 Fair Wear Foundation (FWF) 190, 193, 198, 201, 216
Transitional Support for Economic Recovery Grant Operation (TSERO), DRC 95–7
Troon Manufacturing, Nicaragua; Third Party Complaint against 183
TUAC Database 31
Turkey
Uganda Bujagali Hydropower Project 80
UN Environment Programme (UNEP) 153

Karin Lukas, Barbara Linder, Astrid Kutrzeba and Claudia Sprenger - 9781786431936
Downloaded from Elgar Online at 03/21/2019 12:23:00AM via free access
UN Guiding Principles on Business and Human Rights (UNGPs) 6, 7, 8, 11, 14, 15, 16, 26, 277, 296
UN Special Representative on Human Rights and Business 5–6
UN Working Group on Human Rights and Business 6, 7–8, 142
Underground Printing, USA: Third Party Complaint against 177–8, 187, 335
United States see also El Salvador, Third Party Complaints; Guatemala; Mexico; Nicaragua, Third Party Complaints; South America
Central American trade unions 187, 336
Fair Labor Association (FLA) see Fair Labor Association (FLA)
Honduras Land Administration Project (PATH) 87–8
Inter-American Commission on Human Rights (IACHR) 316
Third Party Complaint against Underground Printing 177–8, 187, 335
Unocal, activities in Myanmar 1
Uwe Kekeritz v Kik et al 42–4, 51
Verité (Central American NGO) 261
victims of human rights violations 139, 159, 258, 276, 279, 327, 332, 333, 339, 344, 346
beatings 32, 210
health problems 32, 147, 148, 281
internal grievance mechanisms used to bypass scrutiny 57
killings 32, 42, 45, 136
rape 30, 32, 57, 136, 326
Vindhyachal power plant, India 74–5
violations of human rights see human rights violations
violence 50, 95, 160, 212, 317, 319
Virunga Republic of Congo (DRC) 44–5
Voluntary Principles on the Use of Security Forces, DRC 137
‘wantok’ system, Papua New Guinea 100
water pollution 75, 92, 97, 100, 104, 105, 121
We Monguen (NGO) 155
West African Pipeline Company Ltd (WAPCo) 92–3
Western Poverty Reduction Case, China 68–9, 113
Wilmar Group 01/02, Sumatra (dispute resolution and compliance), Indonesia 129–36, 158, 160
Roundtable on Sustainable Palm Oil (RSPO) 130, 131
Wolfensohn, James (World Bank President) 109
worker hotline system, Adidas 261–6
Worker Rights Consortium (WRC) v Yue Yuen Footwear Factory, China 274
working conditions examples in Asia 266–8
safe and healthy working conditions 193, 198, 201, 209–12, 214, 221
World Bank Group 1, 7, 78
Articles of Agreement 106
Board of Executive Directors 59–60, 61–2, 64, 67, 91, 110–11, 112, 330
Committee on Development Effectiveness (CODE) 119
Compliance Advisor Ombudsman (CAO) see Compliance Advisor Ombudsman (CAO), Office of Extractive Industries Review (EIR), response to 137
General Counsel 106, 107
‘Hair Report’ (1997) 153, 154, 156
Independent Evaluation Group 71
Inspection Panel see Inspection Panel of World Bank
Management 61, 62, 64, 66, 67, 108, 109, 110, 111, 113, 114
case review 75, 76, 77, 84, 92–3, 99
Policy on Indigenous Peoples 107
President 118, 119, 120, 132, 137, 153
Quality Assurance Group 115
Resolutions 60, 68, 110
Safeguard Policies see Safeguard Policies of World Bank
World Bank Office 62
Corporate accountability

World Development Movement (WDM) 47–9

*WWF v SOCO* 44–5, 51, 54

Xstrata 37

Yacyretá Hydroelectric Project, Paraguay/Argentina 83–7, 109, 111–12

EBY (company building project) 85

FEDAYIM (‘Federación de Afectados por Yacyretá de Itapúa y Misiones’) 84

Resettlement plan 84–5

Social Communication Programme 86–7

Yorongar, Ngarlejy 79