Bibliography

Books and Book Chapters

Fukukawa, Kyoko (ed.), *Corporate Social Responsibility in Asia* (Routledge, 2010).


Journals

Clapham, Andrew, ‘Extending international criminal law beyond the individual to corporations and armed opposition groups’ (2008) 6:5 Journal of Criminal Justice 899.
Corbett, Angus, ‘Corporate social responsibility: do we have good cause to be sceptical about it?’, Michael Whincop Memorial Lecture (2008) 17:1 Griffith Law Review 413.


Elagab, Omer Y., ‘Coercive economic measures against developing countries’ (1992) 41:3 International and Comparative Law Quarterly 682.


Court Cases and Tribunal Decisions

A v Australia No 560/1993 (UN Human Rights Committee).
Abdullah v Pfizer 562 F 3d 163 (2nd Cir 2009).
Aldana & Ors v Del Monte Fresh Produce Na Inc & Ors 416 F 3d 1242; 2005 US App LEXIS 13504.
Aleksovski (ICTY Appeals Chamber) 24 March 2000.
Aronson v Lewis 473 A 2d 805 (Del 1984).
AWB Limited v Cole (No 5) [2006] FCA 1234.
Banco Nacional de Cuba v Sabbatino 193 F Supp 375; affirmed 307 F 2d 845.
Barcelona Traction, Light and Power Co. (Belgium v Spain) (1970) ICJ Reports.
Bayer Polymers Co Ltd v Industrial and Commercial Bank of China, Hong Kong Branch [2000] 1 HKC 805.
Bigio v Coca Cola 239 F 3d 440 (2d Cir 2000).
Bigio v Coca Cola Docket No 05-2426 (2nd Cir 2006).
Blagojevic and Jokic (ICTY Appeals Chamber) 9 May 2007.
Blaskic (ICTY Appeals Chamber) 29 July 2005.
British American Tobacco (Investments) Ltd v United States, Petition for Writ of Certiorari 08-980 (February 2010).
Burnett v Al Baraka Inv & Dev Corp 349 F Supp 2d 765 (DC SD NY, 18 January 2005).
Carlos Abad et al v Bayer Corporation et al No 08-2146 (1 May 2009).
Columbian Communities v BHP Billiton, available at http://oecdwatch.org/cases/Case_121.
Credit Suisse v United States District Court for the Central Dist of Calif 130 F 3d 1342 (9th Cir, 1997).
Doe v Unocal 963 F Supp 880 (CD Cal 1997).
Doe III v Unocal Corp 70 F Supp 2d 1073 (CD Cal 1999).
Dole Food Co v Patrickson (01-593) 538 US 468 (2003), affirmed No 01-594, 251 F 3d 795.
Filartiga v Peña-Irala 630 F 2d 876 (2d Circuit 1980).
Filler v Hanvit Bank (US Ct of App 2d Cir, 6 August 2004).
Flores v Southern Peru Copper 253 F Supp 2d 510 (FD NY 2002).
Flores v Southern Peru Copper 343 F 3d 140 (2d Cir 2003).
Forti v Suarez-Mason 672 F Supp 1531 (ND Cal 1987).
Furundžija (ICTY Trial Chamber) 10 December 1998.
Greenhalgh v Ardene Cinemas [1945] 2 All ER 719.
Grobow v Perot 539 A 2d 180 (Del 1988).
Hilton v GUYOT 159 US 113 (1895).
Holder v Humanitarian Law Project No 08-1498, US Sup Ct (decided 21 June 2010).
In re Holocaust Victim Assets Litigation 105 F Supp 2d 139 (ED NY 2000).
In re Krauch and Others (IG Farben Trial) (1948) 15 ILR 668.
In re South African Apartheid 617 F Supp 2d 228.
In re South African Apartheid Litigation 633 F Supp 2d 117 (SD NY 2009).
Industrial Equity v Blackman (1977) CLR 567.
Industrial Pioneer Concrete Services Ltd v Yelnah Pty Ltd (1987) 5 ACLC 467.
International Military Tribunal for the Trial of Major War Criminals, judgment of 1 October 1946, reprinted in (1947) 41 American Journal of International Law 172.
John Doe et al v Exxon Mobil Corp et al 573 Supp 2d 16 (DDC 2008).
Jones v Lipman [1962] 1 All ER 442.
Kadic v Karadzic 70 F 3d 232 (2d Cir 1995).
Khulumani et. al. v Barclay National Bank et. al., filed as Case CV 25952 (ED NY 2002).
King v Cessna Aircraft (CA 11th Cir, 27 March 2009).
Laker Airways v Sabena, Belgian World Airlines 731 F 2d 909 (DC Cir 1984).


Lotus Case, The (France v Turkey) (1927) PCIJ Reports, Series A, No 10.

Lubbe v Cape Plc (No 2) [2000] 4 All ER 268 (HL).


North Sea Continental Shelf cases (FRG v Denmark); (FRG v The Netherlands) (1969) ICJ Reports 3; 41 ILR 29.

Ntagerura (ICTY Appeals Chamber) 7 July 2006.

Nuclear Tests case (Australia v France) (New Zealand v France) (Judgment of 20 December 1974).

Oceanic Sun Line Special Shipping Co v Fay (1988) 165 CLR 197.

Oppenheimer v Cattermole (1976) AC 249 (HL).


Poller v Columbia Broad Sys Inc (1960) 284 F 2d 599 (DC Circuit).

Presbyterian Church of Sudan v Talisman Energy 244 F Supp 2d 289 (SD NY 2003).

Presbyterian Church of Sudan v Talisman Energy 374 F Supp 2d 331 (SD NY 2005).

Presbyterian Church of Sudan v Talisman Energy 453 F Supp 2d 633 (SD NY 2006).

Presbyterian Church of Sudan v Talisman Energy 582 F 3d 244 (2d Cir 2009).


Prosecutor v Tadic (Judgment) Case No IT-94-1-A (15 July 1999) ICTY Appeals Chamber.

Pulp Mills on the River Uruguay (Argentina v Uruguay) (Judgment of 20 April 2010).

Request for an Examination of the Situation in Accordance with the Court’s Judgment in the Nuclear Tests case (1995) ICJ Reports 288.
Rodolfo Flores & Ors v Southern Peru Copper Corporation F 2d (2d Circuit 29 August 2003).
Saleh v Titan Corporation 361 F Supp 2d 1152 (SD Cal 2005).
Saleh v Titan Corporation, Case 08-7008, Document 1205678 (11 September 2009).
Sarei & Ors v Rio Tinto plc & Rio Tinto Ltd 221 F Supp 2d 1116 (CD Cal 9 July 2002); 2002 US Dist LEXIS 16235.
Sarei v Rio Tinto 487 F 3d 1193 (9th Cir 2007).
Sarei v Rio Tinto 550 F 3d 822 (9th Cir 2008).
Simić (ICTY Appeals Chamber) 28 November 2006.
Sinaltrainal v Coca Cola 256 F Supp 2d 1345 (SD Fla 2003).
United Kingdom v Iran (Preliminary Objections) (1952) ICJ Reports 89; 19 ILR 507.
United States v Philip Morris 566 F 3d 1095 (DC Cir 2009).
West Rand Central Gold Mining Co [1905] 2 KB 391.
Xuncax v Gramajo 886 F Supp 162 (D Mass 1995).
Zyklon B case Trial of Bruno Tesch and two others, The, Law Reports of Trials of War Criminals, vol 1, 95.
Legislation and Guidelines

Age Discrimination in Employment Act, 29 USC.
Alien Tort Claims Act (1789) 28 USC 1350.
American Restatement (Third) of the Law of Agency.
Canada Business Corporations Act RSC (1985) c C-44.
Companies Act 2006 (UK).
Corporations Act 2001 (Cth) (Australia).
Crimes Against Humanity and War Crimes Act (24 June 2000) (Canada).
EU, Council Framework Decision 2005/222/JHA of 24 February 2005 on attacks against information systems.
Foreign Corrupt Practices Act 1977 15 USC §§ 78dd-1 et seq.
Foreign Sovereign Immunities Act 1976 USC Title 28 §§ 1330, 1332, 1391(f), 1441(d) and 1602–1611.
Foreign States Immunities Act 1985 (Cth) (Australia).
Indian Penal Code 1860.


International Criminal Court Act 2001 (c 17) (United Kingdom).


Law Concerning Environmental Management (Law No 23 of 1997); as amended by Law on Environmental Protection and Management (Law No 32 of 2010) (Indonesia).


Ministry of Enterprise, Energy and Communications (Sweden), Guidelines for external reporting by state-owned companies (11 December 2007).


OECD, Implementation Procedures of the OECD Guidelines for Multinational Enterprises (June 2000).


OECD, 2009 Annual Meeting of the National Contact Points, Report by the Chair, 16–17 June 2009.

OECD Council, Revised Recommendations of the Council on Bribery in International Business Transactions, adopted on 23 May 1997 as C(97)123/FINAL.


State Immunity Act RSC 1985, c S-18 (Canada).
Terrorism exception to the jurisdictional immunity of a foreign state USC Title 28 §1605A.
Trans-Tasman Proceedings Act 2010 (Cth) (Australia).

UN Documents


### Other Treaties and Declarations


*Australia–New Zealand Agreement on Trans-Tasman Court Proceedings and Regulatory Enforcement*, signed on 24 July 2008.


*Charter of the United Nations*, signed on 26 June 1945 at San Francisco, entered into force on 24 October 1945. The *Statute of the International Court of Justice* is an integral part of the *Charter*.


EU, Criminal Law Convention on Corruption CETS No 173.


*Universal Declaration of Human Rights*, adopted by the UN GA 10 December 1948 UN Doc A/811.


WTO, Agreement on the Application of Sanitary and Phytosanitary Measures


**Government Reports and Records**


US Senate Permanent Subcommittee on Investigations, Committee on Governmental Affairs, *Money Laundering and Foreign Corruption: Enforcement and Effectiveness of the PATRIOT Act: Case Study involving Riggs Bank* (released in conjunction with the Permanent Subcommittee on Investigations hearing on 15 July 2004).

**Industry and Corporate Documents**

IOE, ICC and BIAC, ‘*Joint views of the International Organisation of Employers*,'


**News and Press Releases**


Field, Andrew, ‘Nuremburg defence doesn’t make the grade for suspect corporate citizens’, *The Age* (Melbourne), 18 January 2006.

Gilligan, Andrew, ‘Copenhagen climate summit: 1,200 limos, 140 private planes and caviar wedges’, Telegraph.co.uk, 5 December 2009.

ICJ Press Release 541, ‘New Zealand’s request for examination of issue related to 1974 judgment in Nuclear Tests case is denied by World Court’ (22 September 1995).

Kandar, Fadjar and Deny Sidharta, ‘New environmental law: better protection or more legal hurdles for industry’, *ALB Legal News*, 31 May 2010.


Other Materials


Higgins, Judge Rosalyn, President of the International Court of Justice, Speech to the General Assembly of the United Nations, 26 October 2006.

International Finance Corporation, Gaining Ground: Sustainability Investment Rising in Emerging Markets (March 2009), available at


Nowak, Manfred, ‘A World Court of Human Rights: how would it work?’ Speech delivered at the Sydney Ideas Series, University of Sydney, 13 May 2010.


Payne, Cymie R., ‘Pulp Mills on the River Uruguay: the International Court of
Justice recognizes environmental impact assessment as a duty under international law’ (2010)14:9 ASIL Insight (22 April).


