Human Rights, Corporate Complicity and Disinvestment

Edited by

Gro Nystuen, Andreas Follesdal and Ola Mestad



Contents Anim

	Note on the contributors Referenced case law	page vii x
	Acknowledgements	xii
1	Introduction GRO NYSTUEN, ANDREAS FOLLESDAL AND OLA MESTAD	1
2	Disinvestment on the basis of corporate contribution to human rights violations: the case of the Norwegian Government	
	Pension Fund GRO NYSTUEN	16
3	Laws, standards or voluntary guidelines? SIMON CHESTERMAN	44
4	Responsibility beyond the law? CHRISTOPHER KUTZ	64
5	Attribution of responsibility to listed companies OLA MESTAD	79
6	Responsibility for human rights violations, acts or omissions, within the 'sphere of influence'	
	of companies URS GASSER	107
7	Human rights investment filters: a defence ANDREAS FOLLESDAL	132
8	The moral responsibilities of shareholders: a conceptual map HELENE INGIERD AND HENRIK SYSE	156

vi Contents

9	Sovereign wealth funds and (un)ethical investment: using 'due diligence' to avoid contributing to human rights violations committed by companies in the	
	investment portfolio	183
	BRUNO DEMEYERE	
10	Corporations and criminal complicity	222
	ANDREW CLAPHAM	
	Appendix 1: Norwegian Government Pension Fund –	
	Global: Ethical Guidelines 2010	243
	Appendix 2: Norwegian Government Pension Fund –	
	Global: Ethical Guidelines 2004	248
	Appendix 3: Guidelines for Norges Bank's Work on	
	Responsible Management and Active Ownership	
	of the Government Pension Fund – Global	252
	Bibliography	255
	Index	273