



Foreign Direct Liability and Beyond: Exploring the Role of Tort Law in Promoting International Corporate Social Responsibility and Accountability

Liesbeth Enneking

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Western societies are witnessing an emerging socio-legal trend towards transnational civil litigation against multinational corporations in relation to harm caused toward people and the planet. These 'foreign direct liability cases' arise against the background of a global governance gap resulting from the rapid globalization of economic actors and activities with no global institutions to manage their worldwide impacts. The increasing reliance on private law mechanisms to realize corporate accountability for violations of human rights, health and safety, and environmental and labor norms perpetrated around the globe raises interesting and complex issues. This study sets out the legal and socio-political framework of this particular type of transnational civil litigation. The book traces the role that Western systems of tort law may play in promoting international corporate social responsibility/accountability. It focuses on the feasibility of bringing foreign direct liability claims before domestic courts in the EU Member States - the Netherlands in particular - and sets out a number of recommendations for European policymakers.

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