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The myth of international standards: imposing or imitating responsibility?

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When business becomes global, traditional national and international regulation faces a challenge of private rule making or self-regulation due to, amongst other things, natural limitation of state's capacity to act extraterritorially. Therefore a framework of transnational regulation of corporate responsibility developed naturally along with economic globalisation. Introduced by universal and regional organisations as well as business own initiatives, the norms on corporate social responsibility (CSR) in the form of guidelines, best practices, and codes of conduct or standards urged transnational business to behave in a socially conscious way.

However, as soon as corporate social responsibility instruments grew to be fashionable they turned into a myth of responsibility. This myth symbolizes the promotion of "sustainable development and good corporate citizenship" as well as allegedly backups the states that are unable to fulfil their international human rights obligations or enforce rule of law. However the truth behind the myth of the responsible self-regulating business is the growing blurred distribution of rights and duties between state and business. The reference to CSR became a trademark for further expansion and penetration of the business, however the asymmetry in the execution of responsibility within national borders and abroad has not disappeared. This elusiveness of responsibility has been further exacerbated by the material and institutional

diversification of the catalogs and guidelines of international standards that is taking place every day.

As a result, the main question behind the myth of corporate social responsibility based on international standards is whether "weak" states or states lacking administrative capacity can effectively rely on the instruments of CSR to improve their domestic rule of law? Do CSR mechanisms offer qualitative substitute and/or complement sources of national and international law or just imitate regulation?

Taking into account the aforesaid, the aim of the paper will be to look into the heart of the myth of the corporate responsibility and determine the actual role and status of the CSR instruments in national and international regulation, as well as try to find some unity within their diversity. The main hypothesis of the study is that CSR instruments will not substitute and/or complement the state law to perform business regulatory functions and contribute to the rule of law unless meaningful legal quality as well as content control is introduced.

Case study: Lithuania, where the idea of the promotion of social responsibility has been introduced into the Government's agenda only recently whereas National network of responsible business, joining Global Compact initiative, was established only in 2005.

The topic of the paper is under preparation.