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Contractual Obligations of Transnational Corporations under Human Rights Law: A Critical Analysis

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Abstract

Transnational Corporations (TNCs) play a dominant role in global commerce, often engaging in complex contractual relationships across multiple jurisdictions. As their influence grows, so too does the scrutiny of their impact on human rights. This research article critically examines the contractual obligations of TNCs under international human rights law, exploring how contractual mechanisms can both advance and undermine human rights protections. Traditionally, international human rights law imposes obligations primarily on states; however, evolving legal norms and practices are increasingly recognizing the role of private actors, particularly TNCs, in respecting human rights standards through their contractual arrangements. The paper analyzes key instruments such as the UN Guiding Principles on Business and Human Rights and explores how contractual clauses such as human rights due diligence, supplier codes of conduct, and third-party beneficiary rights are being used to embed human rights obligations into business operations. It also identifies limitations in enforcement, the imbalance of bargaining power, and the voluntary nature of many such clauses. The article concludes by proposing legal and policy reforms to strengthen the accountability of TNCs through binding contractual frameworks aligned with international human rights norms.

Keywords: Transnational Corporations (TNCs), Human Rights Law, Contractual Obligations, Corporate Accountability, Due Diligence.

Introduction

In today's interconnected global economy, transnational corporations (TNCs) have emerged as some of the most powerful and influential entities. Operating across multiple legal jurisdictions, with complex supply chains that span continents, TNCs are often more economically powerful than the states in which they operate. Their ability to influence labour markets, local economies, environmental sustainability, and governance structures places them at the center of numerous debates around globalization and corporate responsibility. While TNCs have contributed significantly to global development, investment, and employment, their operations have also been linked to various human rights abuses ranging from exploitative labour practices and land dispossession to environmental harm and complicity in conflicts. These concerns have intensified in recent decades, as global civil society, international organizations, and human



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rights advocates increasingly demand greater accountability from corporate actors (Zheng & Smith, 2025).

Traditionally, international human rights law has placed the primary burden of responsibility on states, based on the principle that it is governments who must respect, protect, and fulfill the rights of individuals within their jurisdictions. However, as the influence of TNCs has grown and their capacity to affect human rights has expanded, this state-centric approach has proven inadequate. In many cases, states are unable or unwilling to regulate the human rights impacts of powerful corporate actors, especially when they are economically dependent on foreign investment or lack the institutional capacity to enforce legal protections. In response to these challenges, there has been a gradual shift toward recognizing the responsibilities of corporations in relation to human rights, even if these obligations do not yet mirror the legal weight of state obligations under international law (Sudarmo et al., 2025).

This shift is particularly evident in the growing use of **contractual mechanisms** to embed human rights obligations into the business practices of TNCs. Contracts are a fundamental tool of corporate governance and commercial operations. They govern relationships between parent companies and subsidiaries, buyers and suppliers, and corporations and service providers. As such, contracts represent a crucial space where human rights norms can be translated into actionable obligations. Clauses requiring adherence to labour standards, non-discrimination, environmental protections, and grievance mechanisms are increasingly found in commercial contracts, particularly within global supply chains. These provisions serve not only to articulate expectations but also to allocate responsibility and create leverage for compliance. Importantly, contracts can be used to extend human rights obligations across borders, reaching actors and activities that are otherwise difficult to regulate through national laws alone (Munro et al., 2025).

This development leads to the central **research question** of this study: *What are the contractual obligations of transnational corporations under human rights law?* In exploring this question, the research seeks to determine how and to what extent contracts serve as vehicles for enforcing human rights responsibilities within the global operations of TNCs. It also asks whether contractual mechanisms are adequate substitutes or supplements to formal legal obligations under international law. The study addresses the evolving intersection between private law and public norms, recognizing that while contracts are traditionally instruments of private agreement, they increasingly serve as instruments of governance in the context of human rights and sustainability (Gul et al., 2025a).

The primary **objective** of this research is to critically analyze the nature and effectiveness of contractual obligations imposed on or assumed by TNCs with respect to human rights. This includes examining how human rights-related provisions are framed in contracts, who bears the responsibility for compliance, how these provisions are monitored and enforced, and what recourse is available when violations occur. The research will also explore the broader legal and normative context in which these contractual obligations arise, including international soft law instruments such as the UN Guiding Principles on Business and Human Rights, corporate social responsibility commitments, and national legislation mandating human rights due diligence (Akinsola, 2025).



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In doing so, the study aims to identify **key gaps and challenges** in the current approach to using contracts as tools for human rights protection. These challenges include the often voluntary and non-binding nature of human rights clauses, the imbalance of power between contracting parties (particularly in North-South supply chain relationships), and the difficulty in enforcing such provisions in jurisdictions with weak legal institutions. Additionally, the research will consider the risk that human rights clauses may serve more as reputational safeguards than as genuine accountability mechanisms, offering corporations a veneer of responsibility without meaningful enforcement (Gul & Ahmad, 2025).

Understanding and addressing these challenges is critical, as contracts increasingly become a central component of the governance architecture surrounding TNCs. In the absence of a binding international legal framework specifically holding corporations accountable for human rights violations, contractual mechanisms may offer one of the few practical avenues for extending human rights protections into the operations of TNCs. However, for these mechanisms to be effective, they must go beyond symbolic commitments and function as enforceable obligations with real consequences for non-compliance. Ultimately, this research contributes to the ongoing discourse on corporate accountability, human rights, and global governance by evaluating the potential and the limits of contracts as regulatory tools. It seeks to illuminate how private legal instruments can be harnessed to uphold public values and ensure that the operations of transnational corporations respect the fundamental rights and dignity of individuals across the globe (Jespersgaard Jakobsen et al., 2025a).

Human Rights Law and TNCs: An Overview

The evolution of human rights law has traditionally focused on the relationship between individuals and states. Rooted in the aftermath of World War II, international human rights law emerged as a body of norms designed to protect individuals from state abuses and to promote dignity, equality, and justice. Foundational instruments such as the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights collectively laid down a universal framework for safeguarding fundamental rights. These instruments placed the primary responsibility for upholding human rights on states, based on the principle that governments are the principal duty-bearers under international law. For decades, this state-centric model dominated the human rights discourse, effectively excluding private actors, including corporations, from direct obligations (Kampourakis & Lane, 2025).

However, with the rise of globalization, privatization, and economic liberalization in the late 20th and early 21st centuries, transnational corporations (TNCs) began to exert unprecedented influence on societies and economies across the world. Their cross-border operations, vast resources, and complex global supply chains often placed them in positions of power once held exclusively by states. While TNCs played a critical role in driving economic growth and development, they were also increasingly associated with human rights abuses, including exploitative labour conditions, environmental destruction, displacement of communities, and complicity in conflict and corruption. These developments exposed a glaring gap in the human rights regime: while TNCs had the power to impact rights, they were not legally bound



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by international human rights law in the same way that states were. This led to growing calls for a more inclusive human rights framework that would address the role and responsibilities of corporate actors (Huisman & Karstedt, 2025).

In response to this gap, the United Nations introduced a significant normative development in 2011 with the adoption of the **UN Guiding Principles on Business and Human Rights (UNGPs)**. These principles represent a major step forward in clarifying the responsibilities of TNCs in relation to human rights. They are built upon three foundational pillars: the state duty to protect human rights, the corporate responsibility to respect human rights, and the need for access to remedy for victims of business-related abuses. While the UNGPs are not legally binding, they have been widely endorsed and serve as a global standard for responsible business conduct (Seppä, 2025).

The second pillar, which focuses on the corporate responsibility to respect human rights, is particularly relevant to the contractual obligations of TNCs. It states that businesses should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved. Crucially, the UNGPs introduce the concept of human rights due diligence a process through which companies assess actual and potential human rights risks, integrate findings into their operations, track their responses, and communicate how they address impacts. This due diligence process is not confined to a company's direct operations but extends to its business relationships, including those embedded in contractual arrangements with suppliers, subsidiaries, and partners (Muchlinski & Arnold, 2024).

As a result, contracts have become a critical mechanism through which TNCs seek to fulfill their human rights responsibilities under the UNGPs. Companies now commonly include human rights clauses in contracts with suppliers and business partners, requiring them to comply with certain labour standards, environmental protections, and ethical guidelines. These clauses often incorporate references to international human rights standards and establish monitoring, reporting, and auditing mechanisms. While these contractual provisions are grounded in the voluntary nature of the UNGPs, they increasingly reflect an emerging norm that TNCs are expected to take proactive steps to ensure human rights compliance throughout their global value chains (Dupont et al., 2024).

Beyond the UNGPs, there are several **international human rights instruments** that, while primarily directed at states, are increasingly used as benchmarks in assessing the human rights obligations of TNCs. The Universal Declaration of Human Rights and the two main covenants (ICCPR and ICESCR) remain central to defining the substantive content of human rights. While these treaties do not directly impose duties on corporations, their provisions are frequently referenced in corporate codes of conduct and supplier agreements. Moreover, other international instruments, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC), and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), provide detailed guidance on specific rights that corporations may impact in their operations (Byrne & Lee Ludvigsen, 2024).

Further, the International Labour Organization (ILO) has developed a robust body of conventions and recommendations addressing labour rights, many of



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which are directly relevant to the operations of TNCs. Core conventions cover fundamental principles such as freedom of association, the elimination of forced labour, child labour, and discrimination in employment. These standards are frequently reflected in contractual obligations, especially in sectors where labour rights violations are common. Many TNCs use these instruments to frame expectations within their supplier contracts, often requiring compliance with ILO standards as a condition of doing business (Jespersgaard Jakobsen et al., 2025b). Another emerging area of international legal relevance is environmental and climate-related human rights obligations. Instruments such as the Paris Agreement and the Aarhus Convention emphasize access to information, participation, and justice in environmental matters. These principles increasingly influence contractual clauses in industries with high environmental impact, such as extractives, manufacturing, and agriculture. As the concept of a “right to a healthy environment” gains traction, TNCs are under growing pressure to align their contractual and operational practices with these evolving standards.

Although these international instruments do not yet impose direct legal obligations on TNCs, they provide the normative framework within which corporate responsibility is increasingly evaluated. Courts, arbitration bodies, and grievance mechanisms are beginning to reference these standards in decisions involving corporate actors. Moreover, soft law instruments such as the OECD Guidelines for Multinational Enterprises and the ILO Tripartite Declaration of Principles concerning Multinational Enterprises further reinforce the expectation that TNCs should align their operations with international human rights norms, even if not formally bound by them (McCorquodale, 2024).

The evolution of human rights law, especially in the context of global business, reflects a growing recognition that TNCs have significant responsibilities in the protection and promotion of human rights. While formal legal obligations remain primarily state-centric, the emergence of soft law instruments like the UN Guiding Principles, combined with the use of international human rights standards in contractual practices, represents a transformative shift. These developments illustrate how contracts are becoming powerful tools for embedding human rights into corporate operations, potentially bridging the gap between voluntary commitments and enforceable obligations (Marano et al., 2024).

Contractual Obligations of TNCs under Human Rights Law

The expanding global operations of transnational corporations (TNCs) have led to a growing recognition that their business practices can significantly impact human rights across jurisdictions. As corporate activities increasingly intersect with issues of labour exploitation, environmental degradation, and the marginalization of indigenous communities, there is a pressing need to understand how TNCs can be held accountable. In the absence of a binding international legal framework that directly imposes human rights duties on corporations, contractual mechanisms have become a crucial means of translating human rights standards into enforceable obligations. Contracts serve as instruments through which TNCs can define, allocate, and enforce responsibilities within their global operations, particularly with subsidiaries, suppliers, and other business partners. This section explores the scope and



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significance of such contractual obligations under human rights law (Bastos Lima & Schilling-Vacaflor, 2024).

TNCs increasingly incorporate human rights-related provisions into their commercial contracts, with a particular focus on three key areas: **labour rights**, **environmental rights**, and the **rights of indigenous peoples**. Labour rights are among the most commonly addressed in corporate agreements, especially in sectors such as manufacturing, agriculture, and construction, where concerns over wages, working hours, child labour, forced labour, and occupational safety are prevalent. Contracts often include clauses requiring compliance with International Labour Organization (ILO) standards or national labour laws. Some TNCs go further by embedding worker grievance mechanisms, audit rights, and specific monitoring obligations into supplier agreements to ensure adherence to these standards (Alam & Al Faruque, 2024).

Environmental rights are also gaining increasing attention in corporate contracting, especially as sustainability and climate responsibility become core elements of corporate social responsibility and investor expectations. Contracts may include environmental performance standards, mandates for environmental impact assessments, or requirements for sustainable sourcing practices. In high-risk sectors such as mining, energy, and agribusiness, contractual clauses may also require business partners to comply with local environmental regulations or international environmental norms, including those associated with the right to a healthy environment. These clauses serve to mitigate legal, reputational, and financial risks while promoting accountability across operations (Bueno et al., 2024).

The rights of indigenous peoples represent another critical area where TNCs face contractual obligations. Projects involving land acquisition, resource extraction, or infrastructure development often affect indigenous communities whose rights to land, culture, and self-determination are protected under various international instruments. Contracts with local partners or governments may require TNCs to obtain free, prior, and informed consent (FPIC) from affected communities or to include benefit-sharing agreements that respect indigenous rights. Failure to do so can result in legal challenges, project delays, and reputational damage, reinforcing the importance of embedding human rights principles into contractual arrangements from the outset.

One of the most pressing concerns in the regulation of TNCs is their **responsibility for human rights violations occurring within their supply chains**. Global supply chains are often long, complex, and opaque, involving multiple layers of subcontracting and sourcing across jurisdictions with varying levels of legal enforcement. This complexity allows TNCs to distance themselves from direct responsibility for abuses committed by suppliers or subcontractors. However, there is growing recognition that TNCs cannot ignore the human rights impacts of their business relationships (Gul et al., 2025b).

Contracts serve as a key mechanism for extending responsibility into the supply chain. Through contractual terms, TNCs can require suppliers to comply with codes of conduct, human rights policies, and specific labour or environmental standards. These terms may also include audit rights, reporting obligations, and termination clauses for non-compliance. In practice, such clauses allow TNCs to maintain oversight over their supply chain partners and to take corrective action when violations are identified. While these provisions are



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often framed as risk management tools, they increasingly function as mechanisms for promoting and enforcing human rights standards throughout the supply chain (Ullah et al., 2021).

Nonetheless, the effectiveness of such contractual obligations depends heavily on enforcement. Many supplier contracts include human rights clauses more for reputational purposes than as tools of genuine accountability. Without robust monitoring, transparent reporting, and access to remedy for affected individuals, these provisions risk becoming symbolic. To address this concern, some TNCs are adopting more rigorous supplier management practices, including regular human rights impact assessments, third-party audits, and training programs. Others are exploring collaborative approaches with civil society and industry peers to strengthen supply chain governance.

Underpinning these contractual obligations is the concept of **human rights due diligence**, which is increasingly recognized as a core responsibility of TNCs. Human rights due diligence refers to the process by which companies identify, prevent, mitigate, and account for their actual or potential adverse human rights impacts. This responsibility extends not only to a company's own operations but also to its business relationships, including contractors, suppliers, and joint venture partners. Due diligence is not a one-time event but a continuous process that must be integrated into corporate strategy, risk management, and decision-making (Basiru et al., 2023).

Contracts play a central role in operationalizing due diligence. Through well-drafted contractual provisions, TNCs can require their partners to conduct due diligence of their own, share relevant information, and cooperate in monitoring and remediation efforts. For example, a TNC might contractually oblige a supplier to conduct regular labour audits, disclose working conditions, or provide access to grievance mechanisms. Furthermore, contracts can establish joint responsibilities, shared reporting systems, and dispute resolution processes that support effective due diligence across complex business relationships.

Importantly, due diligence obligations are increasingly being formalized through national legislation in several jurisdictions. Laws requiring mandatory human rights due diligence such as those enacted in France, Germany, and proposed in the European Union are pushing TNCs to codify these responsibilities in contracts to demonstrate compliance and manage liability. These legal developments are transforming what were once voluntary commitments into quasi-legal or even binding obligations, reinforcing the significance of contracts as tools for human rights governance (Aguirre, 2021).

Challenges and Gaps

The regulation of transnational corporations' (TNCs) contractual obligations under human rights law faces significant challenges and gaps, which undermine efforts to ensure accountability and protect vulnerable communities. While contracts increasingly serve as important tools for embedding human rights standards within corporate operations and supply chains, the complexity of global business practices combined with weaknesses in the international legal architecture creates formidable barriers. This section critically examines the main challenges jurisdictional and enforcement-related as well as the substantive gaps in human rights law that impede the effective regulation of TNCs through contractual mechanisms (Schilling-Vacaflor, 2021).



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One of the most prominent **jurisdictional challenges** stems from the inherently transnational nature of TNCs and their business relationships. TNCs operate across multiple countries, often structuring their operations through subsidiaries, affiliates, and supply chains dispersed worldwide. When human rights violations occur within this global network, determining which legal jurisdiction has the authority to hear claims and hold corporations accountable becomes complex. Many host states where abuses take place have limited legal capacity, weak regulatory frameworks, or political reluctance to prosecute powerful corporate actors. Meanwhile, the parent companies often reside in jurisdictions with stringent legal protections and sophisticated courts, but these courts may be reluctant to exercise jurisdiction over extraterritorial matters, or may require strong links between the parent and the violation that are difficult to establish (Rasche & Waddock, 2021).

Moreover, the contractual nature of many corporate relationships adds further complexity to jurisdictional issues. Contracts often contain choice-of-law and forum selection clauses that may limit the ability of victims or affected communities to pursue claims in their own countries or in jurisdictions where the TNC has a stronger legal presence. These clauses may designate arbitration or mediation forums that are less accessible or less transparent than national courts, thus creating barriers to justice. Additionally, the fragmentation of corporate groups where liability is legally separated among different entities allows parent companies to avoid direct responsibility for harms caused by subsidiaries or contractors, raising difficult questions about which entity can be held accountable under the contract and under human rights law (Shao, 2021).

Closely related to jurisdictional challenges are the **enforcement challenges** associated with ensuring that TNCs comply with their human rights obligations as reflected in contractual agreements. Even when contracts explicitly incorporate human rights clauses or standards, enforcement mechanisms are often weak or ineffective. One major obstacle is that many human rights provisions within contracts are non-binding or voluntary in nature, often framed as codes of conduct or corporate social responsibility commitments rather than strict legal obligations. Without binding force, these clauses may serve primarily as reputational tools rather than genuine accountability measures (Smit et al., 2021).

Enforcement is further complicated by the asymmetric power relations typical in global supply chains. Smaller suppliers or subcontractors in developing countries may lack the capacity, resources, or incentive to comply fully with contractual human rights standards, especially when facing intense cost pressures and tight delivery schedules. When violations occur, affected workers or communities may have limited access to effective remedies due to lack of legal representation, fear of retaliation, or inadequate grievance mechanisms. TNCs may also be reluctant to terminate contracts or impose sanctions on suppliers due to concerns about business continuity and profit margins, which can undermine enforcement efforts (McCorquodale & Nolan, 2021).

Another key enforcement challenge lies in the limited transparency and accountability mechanisms within many contractual frameworks. Monitoring compliance often depends on self-reporting by suppliers or third-party audits that may lack independence or thoroughness. These audits can be superficial or fail to capture the full scope of abuses, especially those that are systemic or



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hidden. Moreover, grievance mechanisms that exist within contractual relationships may be inaccessible to affected individuals or fail to provide timely and adequate remedies. The lack of standardized, enforceable, and transparent mechanisms thus hampers the effective operationalization of contractual human rights obligations (Hamm, 2022).

Beyond jurisdictional and enforcement hurdles, there are fundamental **gaps in human rights law** that hinder the effective regulation of TNCs' contractual obligations. International human rights law remains primarily state-centric, imposing duties on governments rather than private actors. While there is growing recognition of corporate responsibility through instruments such as the UN Guiding Principles on Business and Human Rights, these principles are soft law and non-binding, lacking direct legal enforceability. As a result, there is no comprehensive international treaty that explicitly imposes binding human rights obligations on TNCs, nor that governs their contractual conduct in a uniform manner (Jędrzejowska-Schiffauer, 2021).

This absence of binding international legal instruments leaves a regulatory vacuum. In the absence of clear legal standards, corporate actors often engage in selective compliance, adopting human rights commitments that align with their commercial interests rather than universal principles. This selective approach weakens the normative force of contractual human rights clauses and undermines consistency across industries and jurisdictions.

Furthermore, existing human rights law often lacks specificity regarding the scope and content of TNCs' contractual obligations. Key areas such as the responsibilities of parent companies for the conduct of subsidiaries and suppliers, the applicability of human rights due diligence in contractual settings, and the rights of third parties affected by corporate conduct remain insufficiently defined. This ambiguity creates legal uncertainty for both corporations and affected communities, complicating efforts to hold companies accountable and to provide effective remedies (Deva, 2023).

The fragmented nature of international legal frameworks also creates gaps. Different sectors, regions, and types of human rights are governed by diverse and sometimes overlapping instruments, leading to inconsistent application and enforcement. For example, labour rights may be addressed through ILO conventions while environmental rights rely on separate treaties and guidelines, with little coordination in practice. Such fragmentation makes it difficult to develop holistic contractual obligations that comprehensively address all relevant human rights impacts.

Another significant gap relates to the protection of vulnerable groups such as indigenous peoples, women, and migrant workers. Despite international recognition of their specific rights, these groups often face exclusion or marginalization in contractual arrangements, particularly in contexts where power imbalances and discrimination persist. Contracts may fail to explicitly recognize or protect these groups' rights, resulting in continued violations and inadequate remedies.

While contractual obligations represent an important avenue for embedding human rights responsibilities within TNCs' global operations, a series of formidable challenges and gaps constrain their effectiveness. Jurisdictional complexities limit access to justice and complicate liability attribution. Enforcement mechanisms remain weak, non-binding, and unevenly applied,



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particularly in the context of complex supply chains. Meanwhile, the absence of binding international legal standards and the fragmentation of existing human rights instruments create substantive gaps that hinder clear, consistent, and enforceable corporate obligations. Addressing these challenges requires not only improvements in contract design and enforcement but also broader reforms in international human rights law and governance to establish stronger, clearer, and more binding obligations for transnational corporations (Jędrzejowska-Schiffauer, 2021).

Conclusion

This research article has critically examined the contractual obligations of transnational corporations (TNCs) under human rights law, highlighting both the emerging role of contracts as instruments of accountability and the significant challenges that continue to undermine their effectiveness. The analysis reveals that while contracts increasingly incorporate human rights standards covering labour rights, environmental protections, and the rights of indigenous peoples these provisions often lack binding force and are hindered by complex jurisdictional and enforcement issues. The fragmented nature of international human rights law, combined with the absence of a comprehensive, binding international treaty specifically regulating TNCs, creates substantive gaps that limit the legal clarity and practical impact of these contractual obligations. Furthermore, the complexity of global supply chains and asymmetric power dynamics between corporations and suppliers further complicate efforts to ensure consistent compliance and effective remedy for affected individuals.

Despite these challenges, the incorporation of human rights clauses in contracts represents an important step toward embedding corporate responsibility into business practices. The concept of human rights due diligence, as promoted by international soft law frameworks such as the UN Guiding Principles on Business and Human Rights, provides a valuable foundation for operationalizing these obligations. However, to translate these principles into meaningful accountability, significant reforms are necessary both at the level of contract design and within the broader international legal and governance frameworks.

In light of these findings, several key recommendations emerge. First, there is an urgent need to strengthen the legal enforceability of human rights obligations within contracts by developing standardized clauses that clearly articulate binding commitments, monitoring requirements, and consequences for non-compliance. Second, TNCs should adopt robust due diligence processes that extend beyond direct operations to encompass all tiers of their supply chains, supported by transparent reporting and accessible grievance mechanisms. Third, states and international bodies must play a more proactive role in facilitating cross-border cooperation, harmonizing jurisdictional rules, and promoting legislative reforms that mandate corporate human rights due diligence and contractual accountability. Lastly, the development of a binding international treaty on business and human rights would provide much-needed legal clarity and elevate corporate responsibilities beyond voluntary commitments.

Looking ahead, future research should focus on exploring effective models for integrating human rights obligations into corporate contracts, including comparative studies of best practices across industries and jurisdictions.



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Empirical research on the impact of contractual human rights provisions on actual corporate behavior and community outcomes is also crucial. Policymakers and practitioners should prioritize designing comprehensive policy frameworks that address the complex interplay between contracts, corporate governance, and human rights compliance. Collaborative multi-stakeholder initiatives involving governments, corporations, civil society, and affected communities will be essential in advancing these objectives. By addressing the identified challenges and gaps, the international community can foster a more accountable, transparent, and rights-respecting global business environment, ensuring that TNCs contribute positively to sustainable development and human dignity.

References

- Aguirre, D. (2021). *The human right to development in a globalized world*. Routledge.
- Akinsola, O. K. (2025). *The Impact of International Trade Laws on Corporate Strategy: Navigating Cross-Border Legal Challenges for Multinational Corporations*.
- Alam, S., & Al Faruque, A. (2024). *Foreign Investment, Human Rights and Environmental Protection: Striking a Balance for Sustainable Development*. Routledge.
- Basiru, J. O., Ejiofor, C. L., Onukwulu, E. C., & Attah, R. U. (2023). Sustainable procurement in multinational corporations: A conceptual framework for aligning business and environmental goals. *International Journal of Multidisciplinary Research and Growth Evaluation*, 4(1), 774–787.
- Bastos Lima, M. G., & Schilling-Vacaflor, A. (2024). Supply chain divergence challenges a ‘Brussels effect’ from Europe’s human rights and environmental due diligence laws. *Global Policy*, 15(2), 260–275.
- Bueno, N., Bernaz, N., Holly, G., & Martin-Ortega, O. (2024). The EU directive on corporate sustainability due diligence (CSDDD): the final political compromise. *Business and Human Rights Journal*, 9(2), 294–300.
- Byrne, S., & Lee Ludvigsen, J. A. (2024). An Olympic embrace? A critical evaluation of the IOC’s commitment to human rights. *International Journal of Sport Policy and Politics*, 16(2), 217–234.
- Deva, S. (2023). Mandatory human rights due diligence laws in Europe: A mirage for rightsholders? *Leiden Journal of International Law*, 36(2), 389–414.
- Dupont, V., Pietrzak, D., & Verbrugge, B. (2024). A step in the right direction, or more of the same? A systematic review of the impact of human rights due diligence legislation. *Human Rights Review*, 25(2), 131–154.
- Gul, S., & Ahmad, R. (2025). Consent and Coercion: Examining Contractual Autonomy in Islamic Jurisprudence and Anglo-American Law. *Pakistan Journal Of Law, Analysis And Wisdom*, 4(5), 1–11.
- Gul, S., Ahmad, R., & Khan, F. S. (2025a). Beyond Force Majeure: Rethinking Contractual Risk through the Lens of Shariah and Common Law Doctrines. *Research Journal of Psychology*, 3(2), 443–454.
- Gul, S., Ahmad, R., & Khan, F. S. (2025b). Beyond Force Majeure: Rethinking Contractual Risk through the Lens of Shariah and Common Law Doctrines. *Research Journal of Psychology*, 3(2), 443–454.
- Hamm, B. (2022). The struggle for legitimacy in business and human rights



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- regulation—a consideration of the processes leading to the UN Guiding Principles and an international treaty. *Human Rights Review*, 23(1), 103–125.
- Huisman, W., & Karstedt, S. (n.d.). Weaving webs of compliance: integrating vertical and horizontal prevention of corporate involvement in human rights violations. In *Corporate Crime* (pp. 140–174). Routledge.
- Jędrzejowska-Schiffauer, I. (2021). Business Responsibility for Human Rights Impact under the UN Guiding Principles: At Odds with European Union Law? *European Law Review*, 46(4).
- Jespersgaard Jakobsen, L., Marín-López, D., & Serrano Zapata, A. (2025a). Transnational corporate counterinsurgency in the Colombian conflict and its legacies today. *Critical Studies on Security*, 13(2), 234–251.
- Jespersgaard Jakobsen, L., Marín-López, D., & Serrano Zapata, A. (2025b). Transnational corporate counterinsurgency in the Colombian conflict and its legacies today. *Critical Studies on Security*, 13(2), 234–251.
- Kampourakis, I., & Lane, L. (2025). The Law and Political Economy of Business and Human Rights: From governance gaps to root causes. *Leiden Journal of International Law*, 1–16.
- Marano, V., Wilhelm, M., Kostova, T., Doh, J., & Beugelsdijk, S. (2024). Multinational firms and sustainability in global supply chains: Scope and boundaries of responsibility. *Journal of International Business Studies*, 55(4), 413–428.
- McCorquodale, R. (2024). *Business and human rights*. Oxford University Press.
- McCorquodale, R., & Nolan, J. (2021). The effectiveness of human rights due diligence for preventing business human rights abuses. *Netherlands International Law Review*, 68(3), 455–478.
- Muchlinski, P., & Arnold, D. G. (2024). Sweatshops and labour law: The ethical and legal implications of ignoring labour law in developing countries. *Business and Human Rights Journal*, 9(2), 201–220.
- Munro, I., Boussebaa, M., & Rhodes, C. (2025). Transnational corporate power, neo-colonialism and investigative journalism: a conversation with Matt Kennard. *Critical Perspectives on International Business*, 21(3), 372–390.
- Rasche, A., & Waddock, S. (2021). The UN guiding principles on business and human rights: Implications for corporate social responsibility research. *Business and Human Rights Journal*, 6(2), 227–240.
- Schilling-Vacaflor, A. (2021). Putting the French Duty of Vigilance Law in Context: Towards corporate accountability for human rights violations in the global South? *Human Rights Review*, 22(1), 109–127.
- Seppä, M. (2025). *From Voluntary to Mandatory: Preparing Multinational Corporations for the European Union's Corporate Sustainability Due Diligence Directive*.
- Shao, X. (2021). Environmental and human rights counterclaims in international investment arbitration: at the crossroads of domestic and international law. *Journal of International Economic Law*, 24(1), 157–179.
- Smit, L., Holly, G., McCorquodale, R., & Neely, S. (2021). Human rights due diligence in global supply chains: evidence of corporate practices to inform a legal standard. *The International Journal of Human Rights*, 25(6), 945–973.
- Sudarmo, S., Febrianty, Y., Putri, V. S., Muhtar, M. H., & Salahuddin, S. (2025).



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Critical study of the implementation of the right of self-determination in protecting Indonesia's environmental and economic sovereignty. *E3S Web of Conferences*, 611, 05002.

Ullah, S., Adams, K., Adams, D., & Attah-Boakye, R. (2021). Multinational corporations and human rights violations in emerging economies: Does commitment to social and environmental responsibility matter? *Journal of Environmental Management*, 280, 111689.

Zheng, Y., & Smith, C. (2025). Mobility power and society: managing migrant workers among Chinese multinational companies in Europe. *European Journal of Industrial Relations*, 31(2), 2209-231.