The Impacts of States and Multinational Corporations on Human Rights Violations

Pathways to Solutions in the International Arena

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Ahmet Ateş

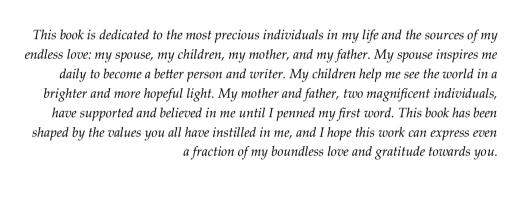# The Impacts of States and Multinational Corporations on Human Rights Violations:

Pathways to Solutions in the International Arena

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ÇİZGİ
KİTABEVİ

This book is dedicated to the most precious individuals in my life and the sources of my endless love: my spouse, my children, my mother, and my father. My spouse inspires me daily to become a better person and writer. My children help me see the world in a brighter and more hopeful light. My mother and father, two magnificent individuals, have supported and believed in me until I penned my first word. This book has been shaped by the values you all have instilled in me, and I hope this work can express even a fraction of my boundless love and gratitude towards you.

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Acronyms

AI	Artificial Intelligence
ATCA	Alien Tort Claims Act
BGMEA	Bangladesh Garment Manufacturers and Exporters Association
CATU	Cambodian Alliance of Trade Unions
CCAWDU	Coalition of Cambodian Apparel Workers Democratic Union
CCC	Clean Clothes Campaign
CSOs	Civil Society Organizations
CSR	Corporate Social Responsibility
CUMW	Collective Union of Movement of Workers
EIA	Environmental Impact Assessment
EU	European Union
FDI	Foreign Direct Investments
GDP	Gross Domestic Product
GTF	Garments, Textiles, and Footwear
ICT	Information and Communication Technologies
ICT	Information and Communication Technologies
ILO	International Labour Organization
IMF	International Monetary Fund
INGOs	International Non-Governmental Organizations
IoT	Internet of Things
IR	International Relations
ITAs	International Trade Agreements
LDCs	Least Developed Countries
MDGs	Millennium Development Goals
MNCs	Multinational Corporations
MOSOP	Survival of the Ogoni People
MSF	Médecins Sans Frontières
MSGs	Multistakeholder Groups
NAFTA	North American Free Trade Agreement
NIFTUC	National Independent Federation of Textile Unions in Cambodia
NSC	New Security Concept
OECD	Organisation for Economic Co-operation and Development

RMG	Ready-Made Garment
SAVE	Save the Children
SOMO	The Centre for Research on Multinational Corporations
TANs	Transnational Advocacy Networks
TATA	Textile and Apparel Trade Agreement
TNC	Transnational Corporations
TTA	Transatlantic Trade Agreement
UN	United Nations
UNCITRAL	United Nations Commission on International Trade Law
UNCTAD	United Nations Conference on Trade and Development
UNEP	United Nations Environment Programme
UNGC	United Nations Global Compact
USAID	US Agency for International Development
WTO	World Trade Organization
WV	World Vision
NATO	North Atlantic Treaty Organization

Introduction

States and Multinational Corporations (MNC's) have a significant impact on human rights violations and the dynamics of International Relations (IR) in a globalizing world. As states navigate their sovereignty and the international system, they also feel the pressure from factors like globalization and MNCs. States striving to maintain their sovereignty are challenged by the increasing influences of MNCs and transnational actors.

Concepts of power and balance of power hold critical importance in IR and in analysing interactions among states, MNCs, and transnational actors. Throughout history, the evolution of power dynamics has profoundly affected international policies and strategies. Globalization, by reducing geographical limitations and increasing cross-border interactions, has transformed IR and the world order. This transformation has enabled transnational actors and MNCs to play significant roles in global governance.

The post-Cold War era has paved the way for a reshaping of IR and power balances. While the domination of the USA as the sole superpower was questioned, the BRICS nations have aimed to reform the existing international order. The rise of transnational actors and the increased influence of MNCs have deeply affected inter-state relations as well as political and economic policies.

The New Security Concept (NSC) aims to transcend traditional threat perceptions by offering a multi-dimensional and holistic security perspective and has begun to appreciate the impacts of the spread of norms and standards by transnational actors and states in the international security realm.

Discussions on human rights and environmental sustainability by MNCs have brought ethical and social responsibility issues in the global economy to the fore. The operations of MNCs have had adverse effects on working conditions and environmental standards in developing countries, necessitating steps at the international level.

Finally, the implementation of preventative measures and the promotion of collaboration among corporations, international organizations, and human rights advocates are of utmost significance in the establishment of international rules and agreements that are designed to foster the creation of a sustainable and morally upright economic framework. This comprehensive viewpoint facilitates our comprehension of the dynamic character of IR, the interplay between governments, multinational companies, and transnational players, as well as the worldwide distribution of power.

This study, under the title " The Impacts of States and Multinational Corporations on Human Rights Violations: Pathways to Solutions in the International Arena", aims to delve into how the evolution of globalization and IR affect human rights violations through states and transnational corporations, and what can be done in the international arena to prevent these violations. Human rights are one of the fundamental values that need to be protected and advocated for on a global scale. However, the activities of states and MNCs can sometimes cause or overlook human rights violations. This presents serious ethical and legal issues, urging the international community to take action to prevent and resolve these violations.

The main aim of this study is to examine the effects of nations and MNCs on human rights, within the framework of international law and policy, and to provide viable alternatives to address this issue. The prevention and settlement of human rights breaches are not just a matter of ethical and legal responsibility, but also an essential imperative in the establishment of a sustainable and equitable global economic framework.

The objective of this study is to enhance comprehension of IR, state policies, transnational corporation operations, and the prevention and resolution of human rights violations. Its purpose is to shed light on the necessary measures to safeguard and promote human rights at the global level. Every section of the study centers upon a distinct subject and delves into relevant concepts, theories, and case studies.

In the first section of the book, within the framework of the "Fundamental Concepts in International Relations", various fundamental concepts and dynamics of the field of IR are thoroughly examined. The designation of states as primary actors within the international system and the influence of transnational actors and MNCs in certain capacities, especially the impact of China's internet control policies on the strategies of MNCs, are evaluated. Furthermore, the critical importance of power and balance of power concepts for understanding interactions among states, MNCs, and transnational actors in IR, as well the evolution of power through history and its significant role in shaping international policies and strategies are explored. The emergence and formalization of the globalization concept, how globalization diminishes geographical restrictions and fosters cross-border interactions transforming IR and the world order are emphasized. Lastly, the influences of political realism and political liberalism theories on the behaviors of states and transnational actors in the international arena, and the critical roles of transnational actors and international institutions in resolving interstate cooperation and disputes are discussed.

In the second section of the book, within the framework of the "Post-Cold War Era and International Relations", the impacts of the post-Cold War era on IR and world order are meticulously explored. Starting with the fall of the Berlin Wall and Germany's reunification, this period, which marks the transition from a bipolar to a unipolar or multipolar world, encompasses the rise of transnational actors, the increasing influence of MNCs, and the expansion of International Non-Governmental Organizations (INGOs) and Civil Society Organizations

(CSOs). How technological advancements enhance global connectivity and interaction, the dependency of states on transnational networks and communication facilities, and the forced re-evaluation of foreign policy strategies by states and international organizations are examined in this section.

In the third section of the book, within the framework of the "The NSC: Transnational Actors and Global Dynamics", transnational actors, the role of states, the dissemination of norms and standards, cooperative security approaches, and the impacts of ICT on international security are investigated. NSC, evolving post-Cold War and expanding with globalization, offers a multidimensional security perspective embracing threats and opportunities at interstate, intrastate, and transnational levels. Transnational actors represent a broad spectrum and create global impacts with their actions, while the role of states and the dissemination of norms are shaping the international community towards a more just and human rights-respectful direction. The cooperative security approach is geared towards thwarting the emergence of threats. On the other hand, ICT bolster defense against cyber threats and augment rapid response capabilities during crises. However, they also present a downside, as malicious actors might exploit ICT for nefarious purposes.

In the fourth chapter of the book, within the framework of the "Debates on Human Rights within MNCs" the discussions surrounding human rights in MNCs are explored. MNCs, as a result of globalization and free trade, have begun to play a significant role on the international stage. During this process, many MNCs tend to overlook social and moral responsibilities in favor of profit objectives. Their operations, especially in developing countries, have had adverse effects on working conditions and environmental standards. This chapter delves into how MNCs lead to human rights violations and how these violations can be prevented in detail. Examples are provided regarding human rights violations and unethical practices in different geographies and sectors, like the Unocal Agreement in Myanmar, oil operations in Nigeria, and the impacts of the

garment industry in South and Southeast Asia in the context of human rights.

In the fifth chapter of the book, within the framework of the "Conclusion: Preventive Mechanisms", the social and environmental responsibilities of corporations, international regulations and agreements, and themes of human rights advocacy are discussed. The importance of ethical and environmentally friendly business practices supporting sustainable development is emphasized, while attention is drawn to how agreements like the Paris Agreement and the Agile Nations Charter enhance the capacity to respond to global challenges. International regulations developed by the ILO and the OECD to protect workers' rights and corporate social responsibilities are examined. Additionally, the efforts of organizations like the Clean Clothes Campaign (CCC) and SOMO (the Centre for Research on Multinational Corporations) in promoting ethical business practices, and the various tools and guidelines developed by the ILO in collaboration regarding human rights and business ethics are explored. The chapter underscores the critical role of inter-corporate cooperation, international organizations, and human rights advocacy in establishing a sustainable and ethical economic system. Simultaneously, this chapter serves as the conclusion of the study, summarizing the preventive policies developed against the violations by MNCs.

CHAPTER 1

1. Fundamental Concepts in International Relations

The actions of states and MNCs on the international arena are determining the fundamental dynamics of today's global society. This section examines the roles of these actors within the international system, their interactions, and how these interactions reflect upon the global order. The discussion begins by considering the concepts of state and sovereignty as the foundational elements of the international system. It elucidates the decisive impact states have on transnational actors and MNCs, as exemplified by how China's internet regulations have influenced the strategies of companies like Google.

In the subsequent section, the focus shifts to the central concepts of power and balance of power, which play a critical role in understanding the interactions and strategies among MNCs, transnational actors, and states. The evolution of power and the continuous change in balance of power throughout history necessitate a profound understanding for developing international policy and strategy.

The section on globalization delves into the transformative effects on social, economic, political, and cultural arrangements since the 1960s, and discusses how globalization has shaped IR and the world order. It examines how globalization has expanded the roles played by transnational actors and MNCs on the international stage, and how they effectively engage in global governance.

Lastly, the section on cooperation and conflict analyses the impacts of political realism and political liberalism theories on the behaviours of states and transnational actors on the international arena. These theories guide our understanding and resolution of the complex structure of IR,

while transnational actors and international institutions play a critical role in promoting inter-state cooperation and in the resolution of disputes.

1.1. State, Sovereignty, and the International System

Despite the rising importance of transnational actors in IR, states are still regarded as the fundamental players in the international system. The roles and behaviors of states within this system significantly influence the strategies and actions of transnational actors and MNCs. Indeed, these actors are subject to the laws and policies of the countries they operate in. For instance, internet activities in China do not operate as they do in European countries and are subject to various restrictions and censorships. The Chinese government exerts tight control over the internet, and companies like Google are obliged to adhere to certain censorship policies to provide services in China. This situation has significantly impacted Google's business strategies and operations in China (The Economist, 2018; MacKinnon, 2008).

Numerous similar examples can be provided. However, to comprehend the actions of these actors, it is essential to understand how the international system operates and the positions states hold within this system. The concepts of state and sovereignty are central to the discipline of IR (Burchill et al., 2013; Thomson, 1995; Stojanovska-Stefanova et al., 2021).

The state, in a broad sense, is a structure where individuals resolve their disputes within the framework of laws and where society is politically organized. The definition of the state entails the political organization over a specific territory and the claim of sovereignty over this territory. In essence, a state is a group of people possessing territory and government. It sets laws within its boundaries and can impose sanctions only on its citizens. Also known as a nation-state, it is a principal actor in IR. This political structure distinguishes itself from other social groups through its objectives of maintaining order and security, laws,

jurisdiction, geographic boundaries, and sovereignty. The state has a legal personality which grants it certain rights and responsibilities in international law (Roskin and Berry, 2015; Evans and Neumham, 1998; Britannica, 2023).

According to the Montevideo Convention of 1933, for statehood, a permanent population, defined territory, and a government capable of maintaining effective control over its territory are necessary. However, these characteristics are not absolute and conditions such as definite borders are not required in international law. For instance, Israel is recognized as a state despite its borders not being definitive. Although widely acknowledged, state sovereignty is not absolute. Some states are deemed "satellite" states due to their limited control. Sovereignty can vary in degrees and intensity in the real world as opposed to the theoretical world. Non-state actors, like CSOs, can have diplomatic relations but cannot be recognized as states. Movements for independence and national liberation organizations generally go unrecognized until victory over the main state is achieved, although recognition can sometimes be granted as a gesture of support. There are nearly two hundred states worldwide, with an increasing number of microstates among them. Additionally, states lack sufficient capacity to address global issues adequately, and the proliferation of non-state actors raises questions about the dynamics of world politics (Evans and Neumham, 1998; Britannica, 2023).

Within these definitions, a state can be identified as a group of people owning a specific territory and government. It is the structure where society is politically organized and is the main actor in IR. The state, housing various forms and conceptual debates historically, possesses certain qualities and characteristics, albeit not absolute and fixed. The role and capacity of the state in world politics are continually evaluated and debated.

Sovereignty is a foundational principle of IR. This concept signifies the constitutional independence of states from one another. In other words, sovereignty articulates that a state's constitution is not part of a broader constitutional order. Sovereignty encompasses key elements of IR such as inter-state legal equality, mutual recognition, the principle of non-intervention, the right to make treaties, and adherence to treaties. The scope of the concept can be extended to include features like being acquirable, losable, respected, and violated. Throughout history, the concept of sovereignty has been understood and applied differently, depending on changing circumstances and international norms. Sovereignty significantly influences other political values like order, justice, and economic prosperity at the international level. This concept normatively defines and assesses the positions of states within the international community and their interactions with one another (Jackson, 1987). The historical evolution of sovereignty and its dependency on international norms bring forth the problematic of how states and IR should re-evaluate and apply this fundamental principle in the face of the rise of globalization and the increasing influence of international organizations and corporations.

Sovereignty and interstate interactions are continuously evolving with the new dynamics presented by globalization. The rise of international institutions, CSOs, and MNCs has moved sovereignty from being an absolute concept to a relative and sometimes shared phenomenon. Globalization challenges countries' complete control over capital, labor, and information flow within their borders. This has led to a delegation of more authority to international organizations and the formation of international laws, although it does not imply a total loss of sovereignty for countries (Ku and Yoo, 2013).

Historically, states were recognized as independent and autonomous entities; however, globalization and technological advancements have altered this status. Sovereignty has become a contested issue, with some states unable to fully exercise it. For instance,

China has faced occupation, while Japan and Germany had their constitutions altered. For weaker states, sovereignty provides international recognition and funding, whereas major powers tend to preserve their internal autonomy. Globalization can limit state authority, and international organizations may overreach their powers, consequently altering the scope of state authority (Oji and Ozioko, 2011).

Globalization and technological advancements reshape the nature of sovereignty and the functioning of the international system, significantly affecting how states and transnational actors come together and interact on the international stage. These new dynamics redefine the roles and interactions of different actors in forming international norms and rules, balancing economic power, addressing global issues, and technology transfer. In this context, the international system embodies a complex and dynamic structure reflecting both the efforts of states to preserve their sovereignty and the rising influence of transnational actors and MNCs.

The International System, lacking a coercive central authority, encompasses the interactions of states, transnational actors, and MNCs. In this system, states, as primary actors, pursue their national interests while maintaining their sovereignty. Besides, transnational actors exerting influence beyond borders and MNCs playing a significant role in international economic relations are key elements within the system. These diverse actors contribute to shaping the international system in areas such as international norm and rule-setting, economic power, addressing global issues, innovation and technology transfer, and diplomacy and collaboration. The international system is a fragmented structure where independent political units coexist without a supreme authority, and the main issue is how to establish order within this structure. States generally comply with international rules and norms, which is based on the legitimacy of these rules and the perception of the "right process." The formation of the modern international order, along with the global influence of Western states, has been crucial with the

emergence of transnational actors and MNCs, escalating their interactions and relations, significantly impacting world politics. Hence, understanding the roles and impacts of both states and transnational actors in IR is of great importance for comprehending this structure (Franck, 2017; Lawson, 2020).

1.2. Power and Balance of Power

The concepts of power and balance of power are fundamental stones of the discipline of IR, aiding in understanding the interactions and strategic choices among MNCs, transnational actors, and states. Grasping balance of power can better elucidate how these actors will operate on the international stage and interact with each other (Nye, 2004). Historically, the notion of power has undergone various changes and transformations from the time of Thucydides to the present. Indeed, power sits at the core of IR, forming the defining concept of the discipline; however, a consensus on what the concept entails has not been reached (Baldwin, 2013; Drezner, 2020).

Power can be defined in various ways due to its complexity and multi-dimensionality. On one hand, in individual or group relations, it is seen as the ability of an actor to impose its will on others; on the other hand, in the context of international politics, it is expressed as a state's ability to control the behaviours of others. There are also more indirect and institutional dimensions of power; this implies that an actor can influence the decisions and behaviours of others indirectly, and even shape their desires and values. Additionally, it is stated that there is a structural dimension of power through international political economy structures, and these structures can work in favor of certain states. Power also operates through the production of knowledge and meaning; actors controlling knowledge production and defining the realities of social and political life can influence others. Power can be deployed in two different forms: coercive and attractive; coercive power is generally associated with

force and pressure, while attractive power is used to draw other states into a domain and persuade them. These attractive forms of power, when combined with coercive power in a strategic balance, can create a "smart power" that integrates both force and the ability to attract. There is also a relational dimension of power; this means that power is established within specific social relations and these relations need to be analysed through their value systems and beliefs. All the definitions provided herein illustrate how power can be understood and expressed in different contexts and dimensions (Akgül and Renda, 2020).

The balance of power theory is a critical concept aimed at balancing hegemonic powers in IR, thereby preserving the global order and the security of states. Historically rooted in the relations among Italian city-states during the 15th and 16th centuries, this theory has evolved over time. Fundamentally, when a major power strives for dominance, it anticipates other major powers forming alliances to counter this threat and protect their own security. This is designed to prevent hegemonic powers from expanding unchecked and to maintain the balance of the international system. During the Cold War era, the bipolar order between the United States and the Soviet Union brought the balance of power to a central position in international political thought and practice. In this period, the power balance between the US and its allies and the Soviet Union and its allies framed the preservation of global security and the management of international competition. The balance of power theory was often advocated by realist thinkers and became a fundamental concept of the discipline of IR during this time. However, with the end of the Cold War and the collapse of the Soviet Union, the emergence of the US as the sole superpower necessitated a rethinking of the balance of power theory. In the 21st century, the rise of various power centers and the emergence of a multipolar world order have further complicated the balance of power concept. The ascent of new power centers like China and the European Union (EU) has led to a more multipolar structure of the international system and brought about questions regarding how power balance operates at a global level (Little, 2007).

In this context, the rise of transnational actors—such as international organizations, MNCs, CSOs, terrorist groups, etc.—in the realm of IR, may add a layer of complexity to the balance of power theory. These actors, which transcend state boundaries, have the capacity to influence international politics and the balance of power. They can play a role in policy-making processes, set international norms and standards, and impact the dynamics of international security and multilateral diplomacy. Through technological and economic innovations, they hold the potential to shape the global balance of power. The traditionally state-centric balance of power theory warrants a reevaluation within a broader framework, considering the growing influence of transnational actors. This requires an understanding of how IR evolve in the presence of these new actors. The emergence of transnational actors complicates the dynamics of power balance, and the ways in which states respond to these dynamics, necessitating a re-examination of IR theory and practice.

1.3. Globalization

The historical evolution and the placement of the concept of globalization within social sciences are continuously examined and debated topics. Initially emerging in the 1960s, the term globalization was formalized and defined by Roland Robertson. Globalization is a significant element of social change theories, playing a key role in understanding societal transitions in the third millennium. This process is noted to diminish geographical restrictions on social, economic, political, and cultural arrangements worldwide, with individuals being cognizant of and acting in accordance with this process (Waters, 2001).

The definition of globalization encompasses a broad phenomenon including the formation of global institutions and processes like the World Trade Organization (WTO), global financial markets, and transnational networks facilitating processes at national and sub-national levels. This also includes various actors and formations like global lateral networks, human rights, and environmental organizations (Sassen, 2003).

Moreover, this process is emphasized to encompass not only global-scale phenomena but also local and national-level dynamics and processes, which are interconnected or similar in nature.

Globalization is a process inducing changes in IR and the global order. In this process; increasing interactions among different countries, easier movement of financial capital, and strengthening of regional unions are notable factors. These changes challenging the traditionally known nation-state structure allow a multitude of different actors to establish governance on the international arena. In this new structure, civil society, markets, and networks have become more prominent as opposed to formal state institutions (Bevir, 2012).

Globalization has further strengthened ties among transnational actors. These actors represent non-state formations like INGOs, knowledge-based communities, and advocacy groups. With the impetus of globalization, international interaction and integration have augmented, enlarging the influence and importance of these actors on the international stage. These groups, by taking on more active roles in global governance, leave a significant imprint on international politics. The integration of these actors into inclusive and cooperative governance structures is crucial for their potential to offer effective solutions. However, the acquisition of distinct authority and self-regulation capabilities by these actors remains an exception in world politics (Risse, 2007).

In conclusion, the concept of globalization, with its historical evolution and position in social sciences, serves as a significant key to understanding societal transitions in the third millennium. This process, by enhancing cross-border interactions and actors, is transforming the world order and IR. Concurrently, it encourages transnational actors to engage at a global level and provides opportunities for them to assume significant roles in global governance.

1.4. Cooperation and Conflict

The concepts of conflict and cooperation in IR are often simplified as war and peace, however, these concepts encapsulate broader and more complex dynamics. Conflict is not synonymous with violence per se; disagreements and disputes may or may not escalate into open hostilities or wars. Similarly, cooperation does not imply absolute harmony. Cooperation refers to individuals or groups coming together to coordinate their actions towards a specific goal, but this does not mean there is always consensus among them. Actors within a cooperative framework may have differing opinions and in some cases, one party may try to impose its views on others or threaten the cooperation. Furthermore, states can be in both conflict and cooperation with the same country, illustrating the dynamic and complex nature of IR. Conflict and cooperation are not isolated or singular events, but part of a series of activities evolving towards a resolution or new opportunities (Hastedt et al., 2014). In this context, examining conflict and cooperation dynamics in relations between states and MNCs as interconnected and mutually affecting concepts can aid in a better understanding of IR and in developing solutions to human rights violations.

It's important to examine how fundamental theoretical approaches in IR shape the behaviors of different states and transnational corporations. Political realism provides a framework where states act primarily to secure their own safety and interests in an anarchic international arena. This anarchic structure, due to the lack of a central authority, creates an environment where conflict is inevitable and international cooperation is difficult. This situation limits the influence of international institutions and transnational actors, and triggers conflicts that can lead to human rights violations. Political liberalism emphasizes that economic interests, international norms, and institutions play a critical role in the peaceful resolution of interstate disputes, and underscores a lesser likelihood of war among democratic nations. However, it does not guarantee that democracies are always peaceful.

New theoretical approaches expose the variability of states' interests and identities, and argue that the anarchic structure alone does not determine conflict or cooperation. International norms and institutions can significantly influence the resolution of disputes by promoting interstate cooperation (Long, 2021). The Constructivist approach argues that the international system does not dictate how states will act, and places norms and ideas at the center of analysis. According to this perspective, anarchy is subjective and world politics is shaped by how individuals and states create their own realities and alter their views and images of the world through socialization processes. This view suggests that conflict is not inevitable and that promoting cooperation is possible without rigid permanent rules (Hastedt et al., 2014).

In this framework, analyzing the impacts of states and MNCs on human rights violations and ways to resolve these violations on the international arena can be more profoundly understood in the light of various theoretical approaches. From the perspective of political realism, the primary interests and security concerns of states and MNCs can lead to human rights violations and may limit the influence of international institutions. Political liberalism highlights the critical role of economic interests, international norms, and institutions in enhancing cooperation between states and corporations, leading to peaceful resolutions of disputes. The Constructivist approach emphasizes that actions of states and corporations are shaped by social norms, values, and ideas, and underlines the potential to encourage the adoption of human rights-respectful policies and practices through socialization and learning processes. These theoretical frameworks reveal the necessity of developing multidimensional strategies on the international arena to prevent and resolve human rights violations.

1.5. Conclusion

States, while maintaining their sovereignty and continuing to be the fundamental actors of the international system, transnational actors are making a significant impact on the international arena. The concepts of power and balance of power are critically important in understanding the interactions and strategies among these actors, with these dynamics evolving over history carrying vital significance for international policy and strategy formulation and understanding.

Globalization, starting from the 1960s, has been transforming IR and the world order by affecting social, economic, political, and cultural arrangements worldwide, promoting transborder interactions and the rise of regional blocs. Transnational actors and MNCs play a significant role in this process by effectively participating in global governance. Globalization, as a broad phenomenon encompassing both global and national as well as local dynamics, holds critical significance in social sciences and world politics.

Theories of cooperation and conflict guide us in understanding and gunravelling the complex structure of IR. Political realism and political liberalism discuss the impacts on the behaviors of states and transnational actors in the international arena by shedding light on the dynamics of conflict and cooperation, and the potential effects of international institutions and transnational actors on these dynamics.

In the following section, under the title Post-Cold War Era and IR , the dramatic changes on the international stage following the fall of the Berlin Wall and how these changes have impacted the structure and dynamics of IR will be discussed.

CHAPTER 2

2. Post-Cold War Era and International Relations

The termination of the Cold War and the demolition of the Berlin Wall in 1989 heralded profound shifts in the international arena. These shifts deeply impacted the dynamics and relations among states as well as transnational actors, paving the way for the emergence of new political, economic, and social dynamics. In the post-Cold War era, the bipolar world gradually transitioned towards a more multipolar global order, which significantly altered the roles of superpowers and the nature of IR. The rise of new power centers like BRICS nations and the EU started to challenge the dominance of the United States, bringing the reshaping of international balances to the forefront.

During this period, transnational actors began to play a conspicuous role in IR and the global economy. The ascent of these actors, initiated in the 1970s, gained momentum in the 1990s alongside the effects of globalization, enabling MNCs to become decisive actors in international politics and economy. Technological advancements and interdependence led states and corporations to become increasingly reliant on transnational networks and communication capabilities, thus heightening the complexity and dynamism of IR. Simultaneously, other actors like INGOs and transnational campaign groups assumed significant roles in seeking solutions to global issues and in the formulation of international norms and standards.

In this section, the changes experienced in the post-Cold War era and the rise of transnational actors will be scrutinized in detail, and the impacts of states and MNCs on human rights violations, along with the evolving reflexes towards these issues on the international stage will be discussed. Additionally, the focus will be on how states, MNCs, and

INGOs re-evaluated their foreign policy strategies during this period and how international regulations were strengthened.

2.1. Transformations in the Post-Cold War World Order

The fall of the Berlin Wall on November 9, 1989, had a transformative effect on the course of history, yielding multidimensional outcomes. The demolition of the Wall not only symbolized the reunification of East and West Germany, but also marked the end of the Cold War era and the onset of the disintegration process of the Eastern Bloc. This historical moment expedited the collapse of communist regimes in Eastern Europe and the end of the Soviet Union. The Berlin Wall was one of the most palpable symbols of the division and ideological conflict between the Eastern and Western blocs. Its demolition signified the termination of political oppression and economic failure in Eastern Europe, thus enabling the advancement of freedom in these regions. The willingness of the Soviet leadership to allow significant changes in the Warsaw Pact countries further amplified the significance of this event (Brand, 2008: 25).

The fall of the Berlin Wall signified the onset of a new era in IR by altering inter-state balance of powerand relations. This shift fostered new political, economic, and social dynamics both on the international and the local/individual levels. From the perspective of ontological security, this event impacted both individuals and states in feeling secure and forming a continuous identity, creating new security dynamics. Moreover, the fall of the Berlin Wall can be described as a "geopolitical interruption" as such interruptions can lead to significant changes on a global scale. The alterations that emerged post this event contributed to the development of new approaches and theories in IR, reshaping the relationships of individuals, communities, and states with the world (Snyder and White, 2011).

The collapse of the Berlin Wall is a turning point in world history and has led to profound changes in IR, inter-state power balances, and individuals' perceptions. This event significantly impacted the future of Europe and the world, allowing for the emergence of new political, economic, and social dynamics.

Following the collapse of the Berlin Wall, Central and Eastern European countries entered a complex and significant transformation process (Pavlinek, 2003; Scrieciu and Stringer, 2008). This process encompassed the transition of these countries from socialist economic systems to free market economies, their struggle with legacies, habits, and behavioral patterns inherited from state socialism, integration into the international economy, and sectoral changes. Past developments and institutional heritage from the state socialism era profoundly impacted these transformation processes and outcomes. For instance, developments in the Czech automotive industry reveal how the investment and production strategies of Western MNCs affected the transformation in this sector (Pavlinek, 2003).

The transformation process, beginning from the early 1990s, facilitated the understanding of environmental concerns at strategic and policy levels in the region. However, the enactment of suitable laws and the implementation of measures for environmental improvements were of low priority in establishing appropriate institutions. These countries had to choose between a "shock therapy" rapid transition to the market or a "gradualist" model. These different models and transition processes exhibited disparities in terms of economic, social, and environmental costs. International integration included membership in international organizations like the WTO and accession to the EU. Countries joining the EU had to adopt central environmental regulations, but this one-size-fits-all approach did not sufficiently consider the specific requirements of countries with different needs. This situation revealed a general deficiency in transitioning towards sustainable development pathways (Scrieciu and Stringer, 2008).

The transformation process that commenced in the early 1990s, gained further momentum in Central and Eastern European countries following the fall of the Berlin Wall. Following this event, a profound transformation process began in Central and Eastern European countries through democratization and the transition to free market economies (Pavlinek, 2003; Scrieciu and Stringer, 2008). This process encompassed various integration steps including membership in international organizations, accession to the EU, and compliance with environmental legislation. However, this transformation process encountered various challenges and obstacles in terms of environmental sustainability (Scrieciu and Stringer, 2008). During this period, democratization and economic liberalization paved the way for the formation of new alliances in IR. These nascent democracies fortified their international security by joining military alliances like NATO (North Atlantic Treaty Organization). Additionally, many new initiatives and agreements emerged in the field of international cooperation and diplomacy.

These transformation and integration processes were further accelerated by the end of the Cold War and the political and economic openings of the Soviet Union. Under the leadership of Mikhail Gorbachev, policies of perestroika and glasnost implemented by the Soviet Union indirectly encouraged these transformations and independence movements in Central and Eastern European countries, positively influencing the democratization and economic liberalization processes in the region. The fall of the Berlin Wall and the reunification of Germany were symbolic events of this change process, and Gorbachev's role in this process weakened his stance in domestic politics. This chain of events led to significant transformation both within the Soviet Union and globally (Judt, 2005). During this period, the resignation of Eduard Shevardnadze caused a major shock in the Soviet Union. Gorbachev attempted to make administrative changes to quell the criticisms directed at him. However, economic hardships and internal issues accelerated the collapse of the Soviet Union (Service, 2015).

These events signified the onset of a new era in IR. The end of the Cold War, the rise of globalization, and the increased impact of information technologies facilitated greater integration within the international community. However, these changes also brought about new challenges and uncertainties. The emergence of new independent states brought new security threats such as ethnic and border conflicts and international terrorism to the global agenda. For instance, Kosovo declared independence in 2008, but this declaration came as a result of long-standing ethnic conflict between Serbia and Kosovo. Consequently, political instability and tension in the region escalated. Nonetheless, the international community developed various strategies and policies to cope with these challenges and establish a more stable and peaceful world order. The international community encouraged diplomacy and negotiation processes to resolve the Kosovo issue and maintain peace in the region. Additionally, international organizations like NATO and the EU organized various operations to establish peace and protect civilians in the region. These efforts aided in initiating a peaceful dialogue process between Kosovo and Serbia.

The fall of the Berlin Wall and subsequent developments had significant impacts on the theory and practice of IR. The changes experienced during this period led to the emergence of new paradigms and approaches in areas such as international politics, economics, security, and human rights. Consequently, the fall of the Berlin Wall represents a historical turning point. This event profoundly affected the evolution of international dynamics and contributed to the emergence of new political and economic orders, creating new opportunities and challenges in a globalizing world.

2.1.1. Transition from Bipolar to Multipolar World: The Changing Role of Superpowers

The Cold War era symbolizes a period in world history dominated by the United States and the Soviet Union, epitomizing a bipolar structure. This epoch concluded with the collapse of the Soviet Union, altering the global balances. Post the Soviet Union's demise, by the early 1990s, the United States ascended as the sole superpower. This scenario was often dubbed as the "unipolar moment" by numerous analysts, accentuating the significance of the new role of America and international power equilibriums.

During this period, while some academicians propounded the emergence of a multipolar structure, others refuted this hypothesis, asserting the perpetuation of a "unipolar" structuring under American hegemony. In this context, the United States was characterized as a unique superpower, with no imminent threats to its supremacy foreseen in the near future. It was highlighted that economic power alone would not engender geopolitical influence, hence even economically potent nations like Germany and Japan would not replace America's stance. Furthermore, it was articulated that Europe's struggle to act as a united force hindered it from being an effective actor on the global stage. Despite the economic burdens of America's external interventions, these interventions were deemed necessary for safeguarding the country's trade and overseas interests, making them inevitable. Although American isolationism has been a popular notion historically, the emphasis was on the significance of America's global leadership and active foreign policy for both its own interests and global stability (Krauthammer, 1990).

Nonetheless, significant alterations on the global stage ensued and by the early 21st century, sustaining the sole superpower stature became challenging for America. The economic and political ascent of BRICS nations and the EU catalyzed the world order's transition towards a more multipolar structure beyond America's hegemony. This era, termed by

Zakaria as the "rise of the rest", witnessed unexpected economic growth rates across numerous nations worldwide. In 2006 and 2007, 124 countries experienced a growth of 4% or higher, exemplifying global economic growth and transformation. The rising powers laid the foundation of this new world order, challenging America's dominance as the single superpower. These powers, showcasing their influence not solely in the economic realm, but also in political and cultural domains, have reshaped the global balances (Zakaria, 2008; Pinder and Usherwood, 2007).

The network of preferential arrangements established by the EU has enabled it to construct a global relations network, strengthening its relations with countries both in the South and North. This situation has paved the way for the EU to have a greater voice at the global level. In this context, the EU is striving to effectively position itself within a multi-polar world order. By amalgamating external economic, aid, and environmental policies, and leveraging its experience in peacekeeping and improving inter-state relations, the EU aims to achieve this objective. Through the peace and stability, it has created at the regional level, the EU has enhanced its capacity to adapt to new and more complex global power balances. This could encourage other countries and regions to move in a similar direction. Considering Europeans value security and predictability in inter-state relations and hence support the establishment of a secure multi-lateral system globally, the EU's adaptation process to this new multi-polar world order is accelerating. The peace and stability atmosphere created by the EU among its member states has expedited the adaptation process to the new world order and enabled a more effective role in a multi-polar world. Moreover, despite the US's military superiority, the gradual integration of the EU in this field indicates that the EU is not designed to compete with the US militarily, but could assume a complementary role by contributing to global stability in peacekeeping, and economic, environmental, and political realms. This scenario unveils the potential of the EU to form an alternative to American

hegemony in a multi-polar world order (Pinder and Usherwood, 2007; Pinder, 2001).

The BRICS nations express dissatisfaction with the current distribution of power in the global structure and aim to alter this distribution. However, these nations target having a greater voice in the international arena and questioning certain institutions and norms, rather than completely rejecting the existing order. The election of Donald Trump and subsequent withdrawal of the US from international agreements have exacerbated this situation. The BRICS nations are actively experiencing processes such as changes in the stable order controlled by hegemonic powers, armament, formation of alliances, and resolution of crises and wars. They question the existing order in their favor, establishing new institutions and norms. However, the lack of a common vision and agenda among BRICS nations, differing opinions on UN Security Council reform, and the fact that Russia and China are already permanent members, complicate this process (Stuenkel, 2020).

On the other hand, the rise in China's economic and military power signals that BRICS could become more decisive and influential on the international stage. Such development makes it more likely for these countries to gain more say, establish new norms, shake up or change the existing order. In other words, China's ascent could bolster the chances of BRICS nations to potentially weaken and reform the international system; which could lead to changes in the current global order and power balances. However, different priorities and interests among BRICS nations hinder efforts to form a common agenda and create uncertainties regarding their impacts on the global order.

China's continuous economic and military growth has become a conspicuous factor within the multipolar structure, contributing to the emergence of new balances and dynamics in IR. The rise of China, while making it a significant topic of discussion in a multipolar world, has also led to some diplomatic and strategic missteps on the international stage,

yielding critical consequences in terms of power balance and interaction. This situation has led to heightened tensions with various countries, prompting superpowers like the USA, Russia, and India to make strategic adjustments in response. This serves as an example showcasing the complexity and unpredictability inherent in IR. China playing such a significant role is a vital indicator of how IR and balance of power are shaped within a multipolar world order (Luttwak, 2012; Zakaria, 2008).

In this vein, the multipolar world structure that emerged in the early 21st century has led to a reshaping of balances in IR. The rise of BRICS countries and the EU constitute the cornerstones of this transformation. These actors possess the capacity to question the existing order and create new institutions and norms in line with their interests; however, the trajectory of this process and the eventual impacts on the current order remain uncertain. The end of the Cold War, the inability of the US to maintain its domination as the sole superpower, and the emergence of other power centers have led to significant shifts in power dynamics. This has allowed actors like the EU to strengthen more effectively on a global scale, utilizing their capacities to maintain regional peace and stability, thus contributing to the reshaping of balances. Although BRICS countries struggle to form a common agenda due to differing priorities and interests, they are in an effort to question the existing power distribution. Particularly, China's military and economic growth has made the emergence of new balances and dynamics in IR inevitable, and has strained relations with various countries. Ultimately, these developments have posed important questions for MNCs regarding how they will position themselves within the new order, further defining their role on the international stage.

2.1.2. The Rise of Transnational Actors

The rise of transnational actors and the role they play in the international order has become a noteworthy research topic in recent

years. Especially, since the 1970s, approaches have emerged suggesting that states are not the sole actors in IR and other "actors" like Oil Companies can influence the course of international events. The number of such approaches has increased even more in the post-Cold War period. Undoubtedly, the most significant reason for this is the evolution of IR from a state-centric structure to a multi-actor structure. Transnational actors are actors that operate beyond inter-state borders and have a global sphere of influence. Among these actors are MNCs, INGOs, CSOs, Individual Persons, and Campaign Groups (Josselin and Wallace, 2001; Risse, 2007; Nye and Keohane, 1972).

2.1.2.1. MNCs in the Transnational Arena

Transnational relations, in this regard, play a significant role in contemporary global politics and economy (Nye and Keohane, 1972). With the 1990s, substantial developments have occurred worldwide in both social and economic life. This period has led to major shifts in IR, and several observations explaining this situation have emerged. The first observation is that globalization has triggered an unprecedented interaction in the international economic system. Today, the world economy is much more integrated, and this is based on the fact that a large portion of global trade is conducted through MNCs. These relations can affect state policies and interstate relations in various ways, the impact of MNCs on developing societies is increasing, and new dynamics are emerging between unions and corporations (Gillies, 2003). The global operations of MNCs are creating cultural impacts and economic pressures, also leading to the emergence of a "symbiotic policy" between unions and corporations (Nye and Keohane, 1972).

The second observation is regarding the rapid advancements in communication and information technologies, which have facilitated a level of harmony and interaction internationally. Today, the internet and digital communication tools are enhancing global connections by

speeding up communication and data flow among people worldwide. Especially during the pandemic period, this context has become more pronounced with factors like remote working and digital commerce (Gillies, 2003).

On the other hand, interdependence and systemic vulnerability are significant components of transnational relations. States can become dependent on transnational communication networks and travel facilities, which may directly affect their policies. Such dependencies can pose certain problems, especially for major states. Interdependence may also constrain the actions of states and may allow states at the center of transnational networks to gain advantages over weaker states. For instance, the US's attempt to hinder France's nuclear capacity development via IBM-France and the internationalization of embargoes towards China and Cuba clearly demonstrate the impacts of transnational relations on interstate politics. Additionally, transnational organizations can be positioned as autonomous or semi-autonomous actors in world politics. Transnational actors like unions and MNCs can maintain their own distinct foreign policies and may oppose state policies. This situation can profoundly affect interstate relations, leading to conflict or cooperation between transnational organizations and states. Thus, while transnational relations create various effects at a global level, they can play a significant role in shaping interstate relations, state policies, and world politics (Nye and Keohane, 1972).

Upon examining the impacts of transnational relations and mutual dependencies on interstate politics and global policy, it is imperative to delve into the roles and significance of MNCs in the global economy, as they constitute another critical actor within these dynamics. These corporations, being part and parcel of transnational relations and mutual dependencies, hold a significant stance internationally, and are capable of shaping the policies of states and global politics through interactions such as investment, employment, technology transfer, and trade. Additionally, the contributions of MNCs to the globalization process are of critical

importance for academics and policymakers in understanding IR and global economic structures. Therefore, the operations of MNCs in the global economy and the impacts of these operations on development and structural change provide an important context for a broader examination of transnational relations and mutual dependencies (Dunning and Lundan, 2008). The influences of MNCs on international politics and the world economy within the framework of transnational relations and mutual dependencies lay the foundation for understanding their significance in the global economy and their roles in the globalization process. In light of this analysis, it is crucial to thoroughly discuss how MNCs have assumed a central role in the globalization process and how they have deepened international economic linkages.

When examined in the context of IR, understanding globalization necessitates a critical examination of the role of MNCs. These corporations have become leading actors in the global economic system and have deepened international economic connections. Along with globalization, these corporations have transcended national boundaries, becoming stateless (not confined within the borders of any particular state) and borderless (having a geographical spread that recognizes no borders). Nowadays, the number of MNCs operating globally is swiftly increasing (Weschka, 2006: 626). For instance, in the early 1990s, there were approximately 37,000 MNCs worldwide with 170,000 foreign affiliates, out of which 33,500 were parent companies headquartered in developed countries. By 2006, there were approximately 77,000 MNCs worldwide with more than 770,000 foreign affiliates (UNCTAD, 2007; Rugraff and Sánchez-Ancochea 2009).

Especially in developing countries, the investments of these corporations can offer significant contributions to economic development and occupy a crucial position within the new development paradigm. However, this situation may bring along various problems. MNCs are criticized due to their impacts on environmental standards, labor rights, and local communities. These criticisms are related to the corporations'

insufficient emphasis on social objectives and inadequate attention to the production of goods and services that are not easily provided by the market. The tendency of developing countries to emulate the institutions and economic policies of wealthier nations has been seen as an effective strategy to enhance living standards. Yet, whether this approach is sufficient for sustainable development, the necessity for developing countries to formulate strategies in line with their own resources and capabilities, environmental issues, and the role of civil society are subjects of ongoing debate (Dunning and Lundan, 2008). MNCs hold a significant place in the global economy and assume crucial roles in various fields. Nonetheless, the operations of these corporations can bring about various problems, and this situation is criticized by different stakeholders.

The role played by MNCs in the international order can also shape the foreign policy agenda of states (Nye and Keohane, 1972; Strange, 1998). These corporations, through their economic power and extensive operational networks, often have a significant impact on states. Their investment decisions, trade policies, and employment generation capacities can directly affect the economic structures and foreign policy priorities of host countries.

MNCs, possessing the ability to alter the dynamics of the global economy, have gained more weight in interstate relations during the process of globalization. Expanding cross-border and being active in various countries, these firms play a decisive role in international politics and economics. Moreover, these corporations also influence political decisions at local and regional levels. They can pressure governments and shape local regulations in favor of their interests. This situation could lead states to redesign their foreign policy strategies in line with the economic interests of these corporations. For instance, the Transatlantic Trade Agreement (TTA) established in the early 1990s is an example of this situation. This agreement brought together twelve major shipping companies operating in Atlantic trade, forming a kind of "super-cartel." The cartel has the authority to set cargo prices, regulate capacity, and

enforce discipline among members. It has also been closely monitored by regulatory bodies in both the US and the EU. However, the inaction of the United States Federal Maritime Commission and the European Commission indicates the ineffective implementation of anti-monopoly and competition policies. This example proves that MNCs and cartels can influence the policies and regulations of states and international organizations. States and international organizations find it challenging to implement anti-monopoly and competition policies, thereby sometimes turning a blind eye to such cartels and alliances (Strange, 1998).

The unaccountability of these borderless structures marks a separate issue. Namely, these unscrutinized and unaccountable structures can easily evade national regulations. In IR, the lack of international regulations for such structures poses a problem. However, in recent years, there has been a growing awareness and demand regarding the ethical and social responsibilities of MNCs. This is leading to the strengthening of accountability and regulations at the international level (Akyeşilmen, 2009: 58).

In this context, the role played by MNCs and cartels in the international order is seen to have not only an economic but also a political dimension. States should consider the influence and priorities of these corporations and cartels while shaping their foreign policy agendas. Yet, this situation also reminds that the relationship between states and corporations should be conducted in a balanced manner within the framework of mutual interests and strategic partnerships. On the other hand, transnational CSOs, operating internationally on issues such as human rights, environmental protection, global inequality, and development, are seeking solutions to global problems. These organizations can contribute to the establishment of international norms and standards by cooperating with states and international organizations.

2.1.2.2. Transnational Dynamics: The Evolving Landscape of INGOs and CSOs

Transnational relations have emerged as a reflection of the transnationalization of world politics. The post-war period, through economic interconnections and changes in communication technology, has provided a broader scope for transnational relations. In this context, various national organizations have come together based on common interests, transforming into INGOs. These amalgamations have contributed to the rapid growth of INGOs and the emergence of new transnational structures and relations. Notably, global issues such as environmental problems, have served as a vector for these organizations to operate on a transnational scale. The emergence of these transnational structures has facilitated the rise of civil society as key actors in world politics (Nye and Keohane, 1972; Hale, 2020; Şahinoğlu, 2022a).

CSOs and INGOs, particularly in their interactions with intergovernmental organizations like the United Nations (UN), are noteworthy in this regard. In line with its agreements and strategic objectives, the UN collaborates with numerous CSOs. Such collaborations enable both the UN and CSOs to be more effective in achieving their goals. Particularly, the UN's approaches encouraging the participation of CSOs in global diplomacy provide these organizations with the opportunity to act more effectively on global issues (Willetts, 2011).

Among these actors are economic entities, firms, scientists, experts, and activists. Their interactions are structured through networks and have become increasingly visible in international politics. The significance of transnational networks is felt not only on the international stage but also nationally. These networks establish new connections between civil society actors, states, and international organizations, thereby multiplying access channels to the international system. Especially on issues like environment and human rights, they offer international

resources to new actors in local political and social struggles (Keck and Sikkink, 1998).

The diversity of INGOs and CSOs, and the interactions of these networks play a critical role in the global structuring of civil society. Whether large charities or transnational volunteer networks, these structures form the organizational infrastructure of global civil society. The term 'civil society organization' should be understood broadly to encompass not only CSOs but also movements, networks, and coalitions. Especially, the campaign for global debt cancellation run by the Jubilee 2000 movement demonstrates the decisive role such organizational structures can play. The social movement form adopted by this movement allowed it to create a global impact. However, the coordination, mission, and strategy challenges faced by this movement showcase how critical the activities of INGOs and CSOs can be both globally and locally. In a globalizing world, being aware of such dynamics and the critical role played by CSOs is essential (Anheier and Themudo, 2002).

The emergence of INGOs and CSOs has been shaped by the evolution of transnational relations and global dynamics, marking them as notable players in global politics. Their effectiveness resonates both on national and international fronts, especially on crucial matters such as environmental conservation and human rights advocacy. Their engagements with substantial entities like the UN have empowered them to significantly influence global policies. The transnational networks they are part of amplify their influence and offer wider channels of access to the international arena. To encapsulate, the contribution of CSOs in a globalizing world holds vital significance for both national and international political landscapes and social movements.

2.2. Conclusion

In this section, the fundamental changes in IR following the end of the Cold War and the implications of these changes on states and MNCs

regarding human rights violations have been discussed. Initiated by the fall of the Berlin Wall, this era marked a shift from a bipolar to a unipolar or multipolar world order, altering the roles of superpowers and heralding the rise of transnational actors. This situation led to the emergence of new dynamics in IR and a re-evaluation of the positions of states and transnational corporations.

The rise of a multipolar world order and alterations in the roles of superpowers have reshaped balances and spheres of influence on the international stage. Particularly, the ascent of BRICS nations and the EU has challenged the domination of the USA as the sole superpower, necessitating different strategic adjustments. This scenario has created new opportunities and challenges for states and groups aspiring for a greater say in the international order.

The rise of transnational actors, especially MNCs and INGOs has allowed for a more pronounced role in IR. Since the 1990s, the increasing influence of MNCs in the global economy and technological advancements have made states more dependent on transnational networks and communication facilities. This scenario has encouraged ethical and social responsibilities of MNCs and strengthened international regulations. On the other hand, INGOs and CSOs have significantly contributed to the formation of international norms and standards, and in seeking solutions to global issues.

In this context, it is imperative for states and international institutions to reassess their foreign policy strategies by considering the impacts and priorities of MNCs and cartels, and simultaneously collaborate with international CSOs to seek solutions to global challenges. The changes and dynamics in IR are crucial for understanding the implications on human rights violations by states and MNCs and for seeking solutions in the international arena to prevent these violations.

The subsequent section delves into the NSC that emerged with the end of the Cold War and the rise of globalization. Moving beyond

traditional state-centric security approaches, this new concept addresses both intra and extra-state threats in their social, economic, and political dimensions, aiming to enhance international security preservation and threat resistance capabilities. Moreover, it elaborately discusses how transnational actors, technological advancements, and cooperative security approaches play critical roles in modern world security needs and strategies. The multi-dimensional perspective of the new security concept aims to illuminate how states, transnational actors, and international institutions can develop more effective and cooperative strategies against a broad spectrum of threats and crises, shedding light on the efforts to ensure international security. This section comprehensively discusses security threats and ways to tackle them, redefining security in IR and discussing the place of this new understanding within the broader context of the global order.

CHAPTER 3

3. The NSC: Transnational Actors and Global Dynamics

The new security perspective transcends the traditional security approach which focused on interstate threats, and has begun to address threats emanating from both within and outside state actors. This evolutionary shift arose out of a dissatisfaction stemming from the Cold War's military and nuclear preoccupations (Buzan et al., 1998). The emergence of economic and environmental concerns in the 1970s, identity issues in the 1980s, and transnational crimes in the 1990s, have contributed to the broadening of the security concept.

Toward the end of the twentieth century, the character of wars began to change. Wars and conflicts with global impacts that transcend national borders have prompted us to question our traditional understanding of security. Globalization has created an environment where wars can affect the entire world. With the rise of information technology, the definition of war has changed; now, without the need for complex military technologies or large armies, wars can have a significant impact on global economies and governments (Kaldor, 2012). With these changes, security has become a concept encompassing not only military, but also social, economic, and political dimensions.

In the modern world, the influence of non-state actors, particularly transnational entities like international corporations, CSOs, and terrorist groups on international security has inevitably increased. However, these actors should not be seen solely as threat elements. For instance, the "human security" approach, prioritizing individuals' welfare and well-being, redefines national and international security. Under the leadership of countries like Canada and Norway, this understanding is coming

together across a broad spectrum covering international development and conventional security issues (Paris, 2001).

In a globalized world, new approaches and collaborations are necessary to cope with threats extending beyond national borders. In response to trans-border crises, many countries and organizations are forming common security arrangements across a broad spectrum, ranging from military cooperation to pandemics, counter-terrorism to financial crises (Boin and Ekengren, 2009). These changing dynamics clearly indicate that security is no longer merely a national matter, but requires a more holistic and comprehensive understanding.

In this context, the new security perspective offers a multi-dimensional viewpoint encompassing a wide range of actors from individuals to states, international organizations to CSOs. This demonstrates that in the international order, our security needs and threat perceptions are continuously changing and evolving.

3.1. Impact of Transnational Actors on the New Security Paradigm

The influence of transnational actors on international security challenges the traditional state-centric understanding of IR. These actors embody various dynamics that states cannot control or influence solely. Therefore, considering transnational actors in shaping today's international security understanding and strategies is imperative. Moreover, transnational actors have various effects on international security. They can significantly contribute to the proliferation of global threats and opportunities. Especially, terrorist organizations can pose international security threats with their cross-border activities, while international CSOs can positively support international security with their peace and human rights-oriented activities.

Additionally, efforts of organizations like the World Health Organization and the International Labour Organization (ILO) in

disseminating international legal norms play a role in enhancing international security. Besides, some transnational actors like MNCs, with their economic power, can alter balance of power in IR. Traditional roles of states can be challenged and even changed by these actors. The increase in transnational threats necessitates the adoption of cooperative security approaches in combating international crime and terrorism. In this field, international police cooperation organizations like INTERPOL play a critical role. Moreover, transnational actors can influence international security using Information and Communication Technologies (ICT). Actors like hacktivist groups can pose cybersecurity threats, while international communication networks can have positive effects by enabling rapid response to crises.

3.1.1. Global Threats and Opportunities

The process of globalization, along with technological advancements, ease of transportation, and expansion of communication networks, ensures that the actions of actors operating internationally can have global repercussions. Among these actors are states, as well as non-state or transnational actors. The actions of these actors can reveal global threats and opportunities, both positively and negatively. In the context of global threats, terrorism, cyber threats, and international criminal organizations are prominent. On the other hand, peace, human rights advocacy, development aids, and environmental advocacy can be considered in terms of global opportunities.

3.1.1.1. Global Threats

Examining the global dangers and activities of international terrorist organizations, we can see that these organizations can organize simultaneous or planned attacks in different countries by establishing cross-border networks. Especially terrorist organizations like Al-Qaeda

and ISIS have carried out attacks in many countries using these global networks. Terrorism experts agree that terrorist groups resort to violence to achieve specific objectives. Among these objectives are drawing attention, arousing sympathy, justifying the causes, and influencing the government. The ability of terrorists to reach broad audiences through contemporary communication tools enhances these organizations' potential, allowing them to spread their activities across a wider geography (Hoffman, 2006). Technological advancements enable these organizations to establish a global network, with elements such as ideological dissemination and logistical support further augmenting the effectiveness of terrorist groups (Kruglova, 2023).

Especially, the innovative approach of ISIS in social media utilization has allowed them to attract a wide foreign fighter base. This situation showcases how terrorists not only plan their attacks but also effectively use online platforms for propaganda, resource mobilization, and recruitment. This effective communication and organizational capability stand out as one of the factors ensuring the longevity of terrorist movements. The ability to recruit new members and cater to an expanding supporter base, coupled with effective communication, further strengthens terrorist organizations. By forming an effective communication strategy, terrorists carrying out activities such as propaganda, resource mobilization, and recruitment, revolutionize terrorist communication, deeply impacting the nature, strategies, and objectives of terrorism (Hoffman, 2006).

The capabilities of terrorist organizations to effectively use online platforms for propagating their cause and recruiting new members have transcended cybersecurity from merely a technical issue to a critical topic that needs to be addressed on political, economic, and societal dimensions both nationally and internationally. This issue is of particular concern in an environment where non-state actors, hacktivist groups, cyber criminals, and terrorists can operate in the cyber realm, posing threats to national security. Especially, attacks on critical infrastructures, acts of

data theft, and propaganda-driven information dissemination strategies are among the most common tactics employed by these actors.

In today's digital world, headlines concerning cybersecurity expose us to a broad spectrum of threats, ranging from strategic interventions in states' internal affairs via computer networks to low-level internet crimes. However, the capacity of states to tackle these threats alone is limited, particularly when critical infrastructures and information assets are largely owned by the private sector. This necessitates not only the enhancement of state capacities but also the strengthening of collaboration with the private sector, civil society, and other international actors (Stevens, 2018).

International cooperation and multilateral approaches hold critical importance in cybersecurity matters. This implies that while forming cybersecurity policies within their boundaries, states need to negotiate with a myriad of different actors at local, national, and international levels. Besides economic and political motivations, the increasing dependency on information technology facilitates such actions. Particularly, a critical assessment of cybersecurity terminology and language will enable a more accurate understanding of threats and potential solutions. This is an issue that requires collective consideration not only from states but also from multilateral organizations, firms, and civil society (Stevens, 2018; Calvelty and Wenger, 2022).

With technological advancements and radical changes in politics, a transformation was seen globally, particularly towards the end of the 1990s, bringing about significant changes in many fields. These changes had pronounced effects on economic and societal structures. However, behind this wave of change lies the increased impact of international crimes and the threat of terrorism.

The collapse of the Soviet Union and the emphasis on a free-market economy facilitated international criminal organizations to transcend traditional boundaries and become more effective. During this period,

which witnessed a noticeable increase in smuggling and criminal activities on the international stage, international crimes rose not only in volume but also as a political force through the profits amassed. While borders created opportunities and havens for smugglers, crossing these borders was challenging for government officials. Crimes such as drug trafficking, human smuggling, production and sale of counterfeit goods, illegal arms trading, and money laundering significantly escalated. This illustrates the effectiveness of international criminal organizations and the extensive organizational capacity of these crimes (Naim, 2005).

However, this era should not be solely defined by the rise of international criminal organizations. Terrorism also emerged as a threat brought about by the globalized world. Terrorist attacks increasingly targeted more ambiguous targets, deepening their ties with international criminal organizations. Particularly, G-20 countries and the rapidly economically growing BRIC countries became the targets of these attacks. Terrorist groups using criminal markets for financing and logistical support blurred the line between terrorism and crime further. Corruption emerged as a factor facilitating terrorist actions alongside these two threats. Rising levels of corruption in developing economies could trigger terrorist actions, while in developed economies, it could contribute to large-scale attacks (Shelley, 2014).

In this context, the overall societal and economic transformation towards the end of the 1990s paved the way for the rise of international criminal organizations and the threat of terrorism. This situation underscores the need for the international community to adopt comprehensive strategies not only against terrorism but also against international crimes and corruption. These threats, influencing our understanding and assessment of IR and security policies, necessitate the re-evaluation of global security strategies.

3.1.1.2 Global Opportunities

In contemporary world politics, the influence is not solely borne by states, but also significantly by international CSOs and transnational networks. These interactions create opportunities on a global scale for the advocacy of peace, democracy, and human rights.

International CSOs, especially leading entities such as Amnesty International and Human Rights Watch, play a crucial role globally in the protection of human rights, the dissemination of democracy, and the establishment of peace. These organizations, in collaboration with "treaty bodies" established under international human rights agreements, are engaged in a multi-layered effort worldwide for the protection and promotion of human rights, alongside international mechanisms such as the UN and the UN High Commissioner for Human Rights (Donnelly, 2013).

Moreover, alongside these organizations, TANs also hold a significant position in global politics. These networks are active across a broad spectrum ranging from human rights to environmental and women's rights, indigenous rights to labor rights. For instance, campaigns regarding infant formulas or historical movements like the anti-slavery movement and the women's suffrage campaign are examples of the subjects where these networks can be effective. These networks diversify interactions in the international system and redefine the boundaries of relations among states. Furthermore, with their capacities to transform the behaviors of international organizations and states, they serve as sources of knowledge and testimony by introducing innovative ideas, norms, and discourses into policy debates (Keck and Sikkink, 1998). International CSOs and transnational networks shape world politics by creating opportunities on a global scale. The interactions of these actors hold critical significance for global peace, democracy, and human rights.

Numerous international organizations worldwide are creating positive impacts by operating in fields such as education, health, and

development in developing countries. For example, UNICEF is conducting significant work to protect children's rights and enhance educational opportunities (Easterly, 2006). However, it's beneficial to acknowledge that these activities are just a start. Alongside these international efforts, it is of critical importance for individual countries to increase their access to technology and scientific knowledge to maximize their own development potentials.

Thanks to technological advancements and the dissemination of scientific knowledge, every country has a chance for development. However, in some regions, poverty, hunger, and diseases still emerge as serious problems. At this juncture, the resources and knowledge accumulation of affluent countries come into play, holding the potential to eradicate extreme poverty by the year 2025 (Sachs, 2005).

International organizations are transcending traditional aid methods to develop and implement various strategies for effectively combating poverty. These entities undertake initiatives to meet basic needs such as vaccines, antibiotics, food supplements, improved seeds, fertilizers, road construction, water wells, water pipes, textbooks, and nursing services with the aim of alleviating the problems triggered by poverty and providing better living conditions to impoverished individuals (Easterly, 2006).

In this regard, the endeavors of international organizations contribute to poverty reduction at individual and national levels, while also constituting a significant step towards creating global awareness and collective action. Such initiatives reinforce the idea that individuals and nations should not only pursue their own interests, but also the interests of humanity at large. By fostering a spirit of global solidarity, they pave the way for steps towards creating a more just and prosperous world, where these steps play a pivotal role in achieving this objective (Sachs, 2005).

Within this framework, the perspective of global solidarity and justice is not merely confined to social and economic issues but also

shapes awareness and responses towards environmental matters. Examining the historical origins of environmental problems and the reactions towards them, it is observed that the economic boom and industrialization following World War II led to rapid depletion of natural resources and degradation of ecosystems (Böcher, 2023). Indeed, this process initiated with the Industrial Revolution demonstrated a prevailing view of nature as merely a tool provided to humans (Sharma and Sharma, 2023). The 1960s and 1970s marked a period of growing awareness of environmental impacts. These adverse effects led to the emergence of environmental advocacy as a historical necessity (Böcher, 2023). It is observed that the escalating environmental issues are not limited to climate change or pollution, but also encompass matters such as rapid depletion of our natural resources (Martenson, 2023).

In this process, international CSOs, notably Greenpeace and WWF, came to the forefront. These organizations draw attention to global environmental issues by demanding policy changes and raising public awareness (Böcher, 2023; Sharma and Sharma, 2023). The rapid consumption of natural resources during the modernization process, especially when combined with factors such as industrialization of food production, has led to environmental imbalances (Sharma and Sharma, 2023). Such problems have been described as "wicked" and should be addressed not only through scientific solutions but also through international collaboration (Böcher, 2023). In this regard, the "Reduce, Reuse, Recycle" principle plays a critical role in curtailing this depletion. However, this principle should be implemented with the active participation not only of individuals, but also international organizations, governments, and the business sector (Martenson, 2023). In this context, the environmental challenges faced by the modern world should be tackled with the proactive involvement of CSOs and international entities. Within this framework, the campaigns and awareness-raising activities of these organizations play a vital role in nature conservation and ensuring a sustainable future.

3.2. Dissemination of Norms and Standards

Transnational actors play a significant role in IR. These actors include CSOs, MNCs, and international institutions. The capacity of these actors to establish international norms and standards or disseminate existing norms can influence inter-state relations, levels of international cooperation, and global security broadly.

Globally, international CSOs have a critical and undeniable role in raising awareness against human rights violations. Human rights, lying at the core of our commitment to defend individuals' fundamental rights and freedoms, hold global significance. The recognition and protection of these rights necessitate an active participation and awareness-raising process. Historical events vividly demonstrate the impact of these organizations. For instance, during the 1970s, Uganda became the focus of international human rights campaigns following the military coup led by Idi Amin. In this period, renowned international CSOs such as Save the Children (SAVE), Médecins Sans Frontières (MSF), Oxfam, and World Vision (WV) not only intervened in humanitarian crises but actively participated in policy-making processes, documenting human rights violations and drawing international public attention to these issues. Through these documentations, governments made tactical concessions in response to the violations identified by international CSOs, while both local and international human rights actors seized these opportunities to amplify their mobilizations (Schmitz, 2007; Labonte, 2013).

The historical events of the 1970s in Uganda and the effective interventions of international CSOs during this period illuminate the evolution and ongoing critical role of CSOs in the global human rights movement, especially when compared to subsequent human rights and democratization processes in Indonesia and Myanmar.

The developments in Indonesia and Myanmar underscore the critical role of CSOs in augmenting the interest in human rights on the international stage and in positioning this issue as a significant foreign

policy objective for states. Particularly in Indonesia, the positive reception of the democratization process on the international stage significantly contributed to the country's positive image within ASEAN. During this process, transnational human rights CSOs, especially Human Rights Watch, have favorably assessed Indonesia's democratic transformation and its efforts towards human rights within ASEAN. On the other hand, the Cyclone Nargis disaster in Myanmar, initially perceived as a humanitarian crisis, over time, was witnessed to morph into human rights violations. In this transformation, CSOs like Human Rights Watch played a decisive role by documenting the fundamental rights violations committed by the Myanmar government against their people and sharing this information with the international public. As a result of Human Rights Watch's documentations, the international community exerted pressure on Myanmar. These two examples demonstrate the impact CSOs have on the establishment and strengthening of international norms. Both the democratic transformation process in Indonesia and the human rights violations emerging following the natural disaster in Myanmar are clear indicators of how CSOs can shape international norms (Rüland, 2022).

The developments in Indonesia and Myanmar highlight the significant role that CSOs play in the creation and strengthening of international norms, shedding light on the noteworthy importance of the concept of Transnational Advocacy Networks (TANs) in this context. TANs represent a step beyond the influence demonstrated by CSOs in Indonesia and Myanmar, addressing international norm violations and exerting pressure on the violating states within a global network framework. Notably, instances like the Landmine Ban campaign during the 1990s demonstrate how TANs, through collaboration with CSOs, social movements, and opposition groups, can effectively influence the international community over norm-violating states and alter national policies. Therefore, the situations in Indonesia and Myanmar can be assessed from a broader perspective in light of the overall framework and impacts of TANs.

TANs have played a critical role in the dissemination of international norms. These networks bring international norm violations to the forefront, applying pressure on norm-violating states at both international and local levels. By bringing norm-violating states into the international agenda, they morally enlighten them. Simultaneously, they empower local opposition groups, legitimize their anti-government claims, and provide partial protection to these groups from governmental oppression. These networks play a significant role in the mobilization of social movements, CSOs, and opposition. Particularly, the Landmine Ban campaign during the 1990s serves as an excellent example of the effectiveness of transnational advocacy networks. This campaign, through collaboration among non-governmental organizations, international organizations, and some states, facilitated the adoption of an international agreement banning the use of land mines. This is a compelling indicator of the international community's capacity to change national policies through collaboration with local organizations (Risse and Sikkink, 2007).

Lastly, international trends and norms are progressively making more countries sensitive and attentive towards human rights issues. The international trends supporting the abolition of the death penalty reflect the global concern on this matter. This situation reveals that the death penalty is not only a matter of justice but also considered a universal concern. The addition of a protocol proposing the abolition of the death penalty by the Parliamentary Assembly of the Council of Europe in 1994 is seen as a significant step in strengthening the international trend on this issue. However, the critical role played by CSOs in the acceptance and implementation of international human rights norms cannot be overlooked. These organizations, while encouraging governments to ratify international human rights agreements, are uniting around a norm alongside transnational human rights organizations. The capacity of CSOs and TANs persuades and pressures political elites to adopt international norms and principles. However, this pressure does not

solely emanate from CSOs. International institutions also play an effective role in promoting the adoption of norms. Particularly, the independent activities of these institutions position them as "norm educators" (Bae, 2008).

On the other hand, it is known that the role of international organizations is increasingly growing worldwide. In this regard, it is understood that they contribute to the development of economic and commercial norms besides human rights norms. These organizations play a significant role in shaping global economic relations. Particularly, the standards and norms set by international organizations such as the WTO and the ILO profoundly impact the economic relations among countries and corporations. For instance, considering the WTO, one can observe the significant role it plays within the international trade community. WTO is acknowledged as a "legal community" and emerges as a significant institution in establishing norms in global trade. These norms are accepted as the common language of the trade community. The language formed by WTO facilitates interactions and relations among member countries. The establishment of norms and their operation as a language make the mutual trade relations of countries more predictable. For example, to understand a restriction imposed by a country on an imported product, one can evaluate the validity of this restriction by referring to WTO norms and previous decisions. This plays a critical role in resolving disputes encountered in trade. Similarly, the ILO is an institution that sets global work standards. The standards set by ILO shape how member countries will act on workers' rights, working conditions, and social security matters (Cho, 2015).

In conclusion, the role of transnational actors in IR, especially when assessed through CSOs and transnational advocacy networks, is clearly seen to have a decisive impact on the formation and dissemination of international norms. These actors can influence the international policy-making processes of states, draw the attention of the international community to significant issues, and encourage international cooperation

and solidarity on these matters. The defense of universal values such as human rights, as observed in historical events, can take center stage in the international agenda with the active participation and documentation by CSOs. At the same time, the necessity of collaborative work between CSOs and international institutions in the acceptance and implementation of international norms is emphasized in this study. In summary, the role of transnational actors and CSOs in IR is of critical importance in shaping and disseminating international norms. The ongoing activities of these actors confirm their indispensable role in building a more just, egalitarian, and human rights-respecting world within the international community.

3.3. Transformation of the Role of States

The traditional understanding of IR has focused on the significance of the role played by states. However, globalization, technological advancements, and the shifting dynamics of economic structures have paved the way for not only states but also other actors to play a decisive role on the international stage (Şahinoğlu, 2022b). Factors such as the economic power of MNCs, the capability of INGOs to disseminate norms, the threat levels of non-state actors, the increase in multilateral governance in international law, and the rising activities of tech companies in cyberspace demonstrate how the role of states has changed and how IR have become more complex.

In recent years, it's impossible to overlook the growing influence of MNCs. The 1990s and 2000s saw a noticeable increase in Foreign Direct Investments (FDI) and trade. This increase allowed many large enterprises to have a more dominant role in international movements. This trend revealed that MNCs no longer solely depend on the revenues from their home countries but conduct their business activities from a global perspective. From 1990 to 2010, the share of advanced countries in FDI inflows receded from 75% to 65%, while investments in developing countries increased. During this period, China, in particular, became

more open to the international economy, attracting a significant amount of FDI. From 1984 to 1987, global FDI flows tripled, and this trend continued in subsequent years. In 2007, an estimated 79,000 MNCs worldwide provided employment opportunities to 82 million people across 790,000 branches, illustrating that these corporations generated substantial revenues abroad. However, this globalization movement was not confined to investments alone. Post-1990s, MNCs rapidly expanded through international mergers and acquisitions. Since the 1980s, the impact of MNCs in the global economy has continuously increased. This situation illustrates that the revenues of these corporations are tied not only to their home countries but also to their international operations, and sometimes they may have revenues exceeding a country's Gross Domestic Product (GDP) (Fitzgerald and Rowley, 2017).

Simultaneously with the growth and increased impact of MNCs on the global stage, NGOs and INGOs have started playing a significant role in establishing global norms and standards, showcasing that globalization is not limited to commercial aspects, but is also deeply intertwined with normative and humanitarian dimensions.

The norm dissemination capacity of NGOs and INGOs are of growing importance on a global scale. In critical areas such as human rights, environment, and development, these organizations have the ability to set and effectively disseminate international norms and standards worldwide. Risse and Sikkink's work suggests that the concept of "transnational advocacy networks" is critical for the spread of international norms, especially in the fields of human rights and environmental issues. These networks, by establishing effective connections with international regimes, have the capacity to enlighten Western public opinion and governments on these issues. Particularly, they possess the skills to bring states violating norms to the international agenda. Employing a strategy dubbed the "boomerang model," local NGOs have the ability to create external pressure by collaborating with international actors against oppressive regimes. These networks provide

support to local opposition groups, legitimizing and protecting their claims. They create a two-way pressure mechanism against norm-violating governments, enabling effective interventions. Consequently, the norm dissemination capabilities of INGOs play a critical role in shaping global norms and standards (Risse and Sikkink, 2007).

The dissemination of international norms and the critical role of CSOs in this arena are deeply intertwined with global security dynamics. Strengthening international norms and civil society networks can assist states and the international community in developing more effective strategies against hybrid warfare and national security challenges. The rise of hybrid threats and non-state actors accentuates the critical importance of international norms and CSOs for states and the international community. Hence, the dynamics involved in the establishment and dissemination of international norms can play a significant role in the development and implementation of global security strategies.

In our globalized era, the understanding of national security is in a constant state of transformation. While traditional wars represent the armed conflicts of states, the battlefields of the 21st century possess a much more complex structure. Terrorist organizations, cyber criminals, and other non-state actors emerge as new elements of hybrid warfare. These actors pose hybrid risks that challenge state authority and threaten national security. While the nature of warfare has undergone many changes throughout historical processes, it has essentially maintained the same characteristic. Prussian military theorist Carl von Clausewitz has described war as a "chameleon, which slightly adapts according to the situation." However, the efficacy of non-state actors questions the classical understanding of warfare. The hybrid threats posed by these non-state actors encompass not only conventional military forces but also guerrilla fighters, terrorists, and cyber criminals. To achieve their strategic goals, these actors can employ both symmetric and asymmetric warfare tactics. This situation, brought about by hybrid warfare tactics, further

complicates the task of states to maintain national security. For instance, among today's security challenges faced by the United States are inter-state conflicts, insurgency movements, terrorist attacks, and combined forms of these threats. The diversity of these threats indicates that adversaries are compelled to develop new strategies against American power. Hybrid warfare tactics enhance the challenge capabilities of non-state actors against states (Mansoor, 2012).

Global security threats and the role of non-state actors, when evaluated alongside the transformation of international public law and multi-stakeholder governance understanding, can provide a better comprehension of the complex nature of IR. The rise of hybrid warfare tactics and non-state actors necessitates the evolution of international law and governance mechanisms. In this context, the transformation of multi-stakeholder governance and international law requires the creation of mechanisms that allow non-state actors and MNCs to operate effectively on the international stage and respond to these new security threats. Thus, in the globalized world order, collaboration among states, international institutions, MNCs, and CSOs holds critical importance for developing more holistic and effective strategies against global security and legal challenges.

Over the 400-year history of international public law, the concept of multistakeholderism has undergone profound transformation. This transformation necessitates a redefinition of the legitimacy and rules governing international decision-making processes. Traditionally, the international community evaluates state behavior by establishing complex legal standards. However, the rise of multistakeholderism demands that these standards also apply to global governors. MNCs and CSOs are playing a more pronounced role on the international stage. These actors are actively positioned within Multistakeholder Groups (MSGs) seeking solutions for international policy issues. Policies developed by these groups can be presented to the international community. The efficacy of MNCs in global governance imposes direct

obligations upon them. All actors are subject to international obligations and responsibilities. However, multistakeholder governance may provide certain flexibilities in these obligations, potentially leading to ambiguities concerning public accountability. Consequently, MNCs and NGOs are taking an active role in international governance. This situation represents a transformation affecting the future of international public law and multistakeholder governance. New governance models can facilitate the integration of the international community by effectively coordinating the resources of different actors (Gleckman, 2018).

Transformations in international public law and multistakeholder governance enable different actors to extend their impacts and address new challenges. In this context, the increasing influence of technology companies in cyberspace holds a unique and significant position against traditional state structures and international norms. This new arena in cyberspace necessitates a rethinking of the interaction and regulation among MNCs, CSOs, and states, both nationally and internationally. These developments integrally and inevitably intertwine the relationships between international law and cyberspace governance, and the expanding roles of these actors.

Cyberspace constitutes the most critical scene of the technological revolution, with technology companies being the most influential actors in this domain. While states traditionally exert authority and control within their physical borders, cyberspace has reshaped these concepts. Occasionally likened to the "Wild West" and described as a lawless and regulation-susceptible domain, cyberspace allows technology companies to create broad impacts. These companies provide access to millions of users via their platforms, which are critical for users' interactions with the internet. The influence of technology companies in cyberspace extends beyond the scope of traditional state structures. The code and algorithm-based nature of cyberspace complicates regulation. Edward Snowden's 2013 disclosure of surveillance programs conducted by the American National Security Agency (NSA) demonstrates that technology

companies can be influential not only in economic and technical affairs, but also in political and social events. The information revealed by Snowden illustrates how technology companies collaborate with state agencies in sharing user data. In conclusion, the evolution of cyberspace and the increasing influence of technology companies in this domain necessitate a review of traditional oversight methods (Klimburg, 2018).

In conclusion, within the framework of traditional IR, the dominant role of states and the notion of sovereignty are undergoing significant transformation due to globalization, technological advancements, and the evolution of economic dynamics. This transformation has bolstered and made more pronounced the roles of other actors on the international stage, such as MNCs, INGOs, and technology firms. The opportunities brought about by economic integration through globalization and technological advancements have enabled these actors to play a more effective and pronounced role in international political and legal mechanisms. Particularly, the development of cyberspace and the effectiveness of technology firms in this realm present new and unique challenges against traditional state structures and international norms. This situation necessitates the evolution of international law and governance mechanisms in light of new dynamics such as cybersecurity and multi-stakeholder governance.

Moreover, the transformations occurring in international public law and multi-stakeholder governance require not only states but also other actors to operate effectively in IR and global security strategies, and to create mechanisms that will respond to new security threats. Thus, in the globalizing world order, the collaboration among states, international institutions, MNCs, CSOs, and technology firms holds critical importance for developing more holistic and effective strategies against global security and legal challenges. Considering all these developments, the role of states, the classical understanding of sovereignty, and the complex nature of IR have transcended traditional understandings, embodying a structure that necessitates the interaction and cooperation of diverse actors.

3.4. Cooperative Security: Collective Response to Global Threats

In today's world, international security has garnered significant importance in light of escalating complex threats and processes of globalization. The surge of transnational threats, affecting multiple nations, necessitates a collective response from the international community (Haacke and Morada, 2010). At this juncture, the cooperative security approach holds great potential. This approach is predicated not merely on reacting to threats but on averting their emergence.

Historically, the success of the cooperative security approach can be observed during the détente phase of the Cold War era. This period demonstrated that societies with ideological differences could establish economic collaborations (Kieninger, 2018). Direct communication and personal diplomacy among leaders play a critical role in sustaining cooperative security policies during international crises.

The Asia-Pacific region illustrates how practices of cooperative security can uphold international security. Regional organizations like ASEAN exemplify successful implementation of this approach (Haacke and Morada, 2010). While addressing transnational threats, the critical role of international policing cooperation organizations like INTERPOL is recognized. In this context, the cooperative security approach is one of the critical steps towards ensuring international security. Both its historical success and contemporary applications underscore its central role in our global security endeavor.

3.5. Information and Communication Technologies

ICT are rapidly evolving today, having profound impacts on international security. The opportunities brought forth by these technological advancements affect a wide spectrum, ranging from individuals to states, from organizations to communities. However, smilar to every technological stride, alongside the opportunities ICT

offers, it also presents risks and threats. The positive impacts of ICT on international security are undeniable. Utilizing technology as a defense tool against threats at both national and international levels is a significant advantage, especially in the face of the complex cyber threats of the modern age. The development of Artificial Intelligence (AI) contributes significantly in this domain. AI, with its ability to rapidly adapt to growing data volume and complexity, as a continuously learning and evolving tool, plays a critical role in building protection capabilities against cyber threats. Furthermore, the presence of international communication networks has enabled a much faster response to crisis situations. Advancements in communication technologies and the Internet of Things (IoT) have enhanced the capacity for rapid and coordinated response to various events, ranging from natural disasters to cyber-attacks (Montasari, 2023).

However, the impact of ICT on international security is not solely positive. It has also opened new avenues for malicious actors. Cyber criminals, terrorist groups, and hacktivists are developing more sophisticated methods as the complexity of cyberspace increases, exploiting ICT for nefarious purposes. Large-scale cyber-attacks like SolarWinds have starkly illustrated the potential magnitude of threat on the international stage. Such attacks are often orchestrated by state-sponsored hacker groups or actors like hacktivists, aiming to inflict damage on targeted organizations, gain access to sensitive data, or achieve their political objectives through cyber-attacks. Moreover, securing critical infrastructures like electrical grids, water supply, and communication networks against cyber threats is of vital importance for ensuring international security. The assurance of these infrastructures is indispensable for the fundamental functioning of society and our daily lives (Watters, 2023).

In this context, ICT are a factor profoundly affecting international security in both positive and negative manners. How transnational actors utilize these technologies plays a decisive role in shaping security

dynamics on the international arena. Therefore, being prepared against the risks brought by ICT and effectively exploiting the opportunities offered by these technologies are of critical importance for the preservation of international security.

3.6. Conclusion

In the section on New Security Paradigm, the evolution of traditional state-centric security understanding towards addressing the complex and multi-dimensional threats of the modern world has been discussed. The end of the Cold War and the globalization process have necessitated the extension of the concept of security beyond military dimensions to encompass social, economic, and political dimensions as well. Transnational actors, representing a broad spectrum from terrorist organizations to international CSOs and MNCs, have the potential to affect international security both positively and negatively.

In the context of the impacts of states and MNCs on human rights violations, the New Security Paradigm provides a critical framework for states and other global actors to understand how they impact human rights and international security. The proliferation of norms and standards plays a significant role in the efforts to protect and promote human rights. Actors such as TANs and international organizations hold critical importance in building a fairer and human rights-respecting international community by exerting pressure on norm-violating states and contributing to the development of economic and trade norms.

ICT have the potential to affect international security in both positive and negative ways. Managing the risks of ICT and effectively leveraging its opportunities are of critical importance for the preservation of international security and the defense of human rights.

Cooperative security approaches play a central role in the global pursuit of security. International cooperation and collective responses are vital for preventing and addressing transnational threats and human rights violations. Historical and contemporary practices demonstrate the

critical importance of cooperative security and international cooperation in developing effective strategies against global threats and opportunities.

In this regard, states, transnational corporations, and other international actors should consider the broad perspective and multi-dimensional approaches of the New Security Paradigm to prevent and address human rights violations, and work together to develop international norms and standards. Only in this way, a fairer, secure, and sustainable global community can be built, and the protection and promotion of human rights can be ensured.

Having discussed the importance and scope of the New Security Paradigm, the necessity of examining in-depth the relationship of MNCs with human rights becomes evidently clear. In the post-Cold War era, free trade and globalization's profound impacts on IR and economic dynamics have enabled MNCs to play a more pronounced role in the international arena. However, this development has also brought to the fore a series of debates and concerns, especially regarding human rights.

MNCs, while operating for profit, tend to overlook their social and moral responsibilities. Their operations in developing countries have adverse effects on working conditions and environmental standards, leading to serious debates on issues like workers' rights, environmental sustainability, and ethical business practices both globally and locally. How these debates are related to international security and human rights norms and how MNCs can act more responsibly in the context of global security and human rights are significant matters.

Therefore, in the subsequent section titled "Human Rights Discussions in MNCs", these debates and the role of MNCs in the global economy, and how they interact with international security and human rights, will be examined through cases, within the context of international norms and standards.

CHAPTER 4

4. Debates on Human Rights within MNCs

With the conclusion of the Cold War, the global political map and economic balances underwent significant transformation. One of the salient outcomes of this transformation was the shifts on the IR stage. Factors like the spread of free trade, increased influence of transnational actors, and acceleration of globalization began steering the direction of international politics and economy. While capitalist nations continued to grow economically, the communist bloc and affiliated third world nations faced various economic and political challenges. Particularly, the Soviet Union had to grapple with economic hardships like falling oil prices and escalating foreign debt (Best, 2008). These challenges adversely impacted not only the Soviet Union but also its allied nations, leading to a more pronounced capitalist structure in international politics and economy.

Throughout the 1970s and 1980s, pressures on the Soviet economy continued to escalate. Oil was a critical revenue source for the Soviet Union, and the decline in oil prices towards the late 1970s inflicted profound wounds on the Soviet economy. This led to a significant drop in export revenues, concurrently adversely affecting investments in the energy sector. The foreign debt issue was another factor deepening this economic crisis. The debt amount, which was 30 billion dollars in 1986, almost doubled within merely three years, reaching 54 billion dollars in 1989. This augmented the Soviet Union's need for external financing and weakened its international credibility (Judt, 2009). Concurrently, the Soviet Union's foreign trade policies lacked sufficient flexibility to overcome economic hardships, thus limiting their capability to cope with economic stagnation.

In the aftermath of the 1990s, key factors triggering the transformation in the international system included free trade agreements, liberalization of national economies, privatization endeavours by states, and globalization of financial markets. Behind these factors were MNCs, emerging prominently with their increased efficiencies in economic activities. Especially during this period, the rise in international investments and operations of MNCs played a decisive role in the global economy. These corporations made substantial investments in developing countries through trade agreements and privatizations. These investments created significant economic opportunities for developing countries and accelerated their integration into the global economy. Consequently, the economic structures of these countries began to be shaped by the investments of MNCs, leading to a substantial surge in international trade and investments (Akyeşilmen, 2009).

When MNCs set profit-making as their primary motivation, they can, in many instances, overlook their societal and moral responsibilities. This tendency primarily stems from these corporations' focus on profit-oriented operations, often prioritizing short-term gains over long-term societal impacts. In developing nations, the accessibility to cheap labor and raw materials poses a significant advantage for these corporations; however, it frequently leads to issues like deteriorating working conditions, violations of environmental standards, or neglect of local communities' rights. For instance, some textile companies, aiming to reduce production costs, have preferred to operate in countries offering cheap labor and disregarding workers' rights. This situation has brought about problems such as excessively long working hours, unsafe working conditions, and low wages, as the sectors expanded (Balkanlı, 2002;; Muchlinski, 2001). Such operations not only tarnish the image of MNCs but also exacerbate struggles for social justice and equality worldwide.

In the first section of this study, the ways in which MNCs cause human rights violations during their international operations will be

thoroughly examined. The fundamental causes of these violations will be evaluated in the context of global operation strategies and ethical approaches of MNCs. Additionally, by presenting concrete examples of these violations, the socio-economic impacts on the affected communities and regions will be identified.

4.1. Human Rights Violations in MNCs

MNCs have played a significant role in the global economy since the early 20th century. Companies like Ford and Singer showcased their presence on the international stage early on by expanding their production and sales activities worldwide. Technological advancements facilitated these corporations in sourcing raw materials from various locales and selling their products in the global market. By the end of the 20th century, economic changes in countries like China opened new investment opportunities for MNCs. FDIs, MNCs generally extended their operations into developing countries. This not only contributed to local economies but also presented opportunities such as benefiting from lower tax rates. In countries known as 'tax havens', MNCs established symbolic 'letterbox' companies to reduce their tax burdens and maximize profits, even if their main operations were not located in these countries. For instance, during the 1990s, many MNCs, primarily technology companies, invested in Asia and Latin America, capitalizing on the regions' cheap labor to gain a competitive advantage. Such investments enabled MNCs to increase their profit margins while contributing to employment and economic growth in host countries (Collinson, 2017).

However, in pursuing profit maximization, MNCs have engaged in practices leading to human rights violations. These corporations, by leveraging low-cost labor and tax savings, have adversely affected workers' rights and local communities. Such adversities underscored the importance of Corporate Social Responsibility (CSR). For effective implementation of CSR, robust institutional regulations are required in

the countries where these companies operate (Amaeshi et al., 2016; Karp, 2009). Nevertheless, in some countries hosting MNCs, such regulations have been inadequate, leading to an increase in human rights violations. MNCs have favored countries with fewer legal restrictions, lower labor costs, and lenient environmental protections. These preferences resulted in human rights violations such as child labor and unhealthy working conditions for workers. Additionally, the support of authoritarian regimes, who commit human rights violations, through investments and trade relations by MNCs has been another point of criticism (Weschka, 2006; Kinley, 2009). Besides, the investments of MNCs have not been limited to economic gains alone; they also brought about social and cultural impacts. In this context, the phenomenon of land grabbing emerged as a consequence of MNCs' actions, becoming a significant issue.

In recent years, the phenomenon of "land grabbing" observed on the international stage has brought about social and cultural impacts beyond its economic dimension. This escalating phenomenon in developing countries targets local and indigenous communities, adversely affecting their lives and cultural heritages. The transactions known as 'Green Grabbing,' carried out for green markets like carbon offsetting, biofuels, and ecotourism, have dramatically increased, further broadening the impact scope of this phenomenon. The deep spiritual and cultural connection indigenous people have with nature has been tarnished as a result of land grabs. The rights to land and resources granted by international norms and agreements are often overlooked in favor of economic interests. Investors and corporations, predominantly in pursuit of short-term economic gains, utilizing the lands and natural resources of local communities, have eroded the cultural and spiritual values of indigenous people, leading to their marginalization. This negatively affects the connections indigenous people have with their lands, cultural heritages, and traditional ways of living (Gilbert, 2016; UN News, 2022).

Land grabbing and similar practices bring forth the challenges MNCs face regarding environmental sustainability and ecosystem preservation. MNCs play a crucial role in the global economy, yet they pose certain challenges in terms of environmental sustainability and ecosystem protection. Especially in developing countries, MNCs are observed to contribute to economies and employment, supporting developmental efforts. However, the intense use of natural resources and the production of a significant amount of waste and pollution negatively affect the living standards of local communities and the biodiversity of the region. These adverse impacts also harm the efforts aimed at economic development and poverty reduction. Moreover, the sustainability and human rights practices of MNCs should be effectively monitored and evaluated at both local and global levels, thereby minimizing potential human rights violations and environmental damages (Pulver and Manski, 2021).

In recent years, the commitments of MNCs towards human rights and potential violations have been gaining increasing significance within the discipline of IR (Dhooge, 2007). Recently, many MNCs have developed human rights policies, but serious concerns have arisen regarding the effectiveness and implementation of these policies. Between 2002 and 2017, 273 human rights violations were identified, with the majority occurring in developing countries, particularly in the mining sector. These violations encompass categories such as poor working conditions, racial discrimination, land grabbing, harassment, child labor, harassment towards female workers, and payment below the minimum wage. This situation demonstrates that the human rights commitments of MNCs can be severely tested, often due to weak legal, institutional, and regulatory systems in developing countries. The demand by MNCs for resources in these countries is a situation leading to human rights violations (Ullah et al., 2021).

Historically, there are numerous cases illustrating how corporations can neglect ethical values for profit. In this regard, one of the most

common examples is the case of IBM and Nazi Germany. Beginning in 1933, during one of the darkest periods in history known as the Jewish Holocaust, the role of IBM, a multinational technology company, stands as a tragic example of human rights violations in the business realm. By forging a strategic partnership with Nazi Germany, IBM allowed its expertise in punch card technology and information management to be utilized for orchestrating and executing an inhumane genocide. The technology and services provided by IBM enabled the Nazi regime to categorize, track, and ultimately massacre millions of innocent individuals. This scenario is a clear indicator of how MNCs, by providing technology and information to regimes or groups engaged in unethical and human rights violating practices, can indirectly contribute to human rights violations (Black, 2012).

The Kiobel case in the USA is a more recent reflection of this issue. When Nigerian citizens attempted to sue Royal Dutch Petroleum in the US, claiming the company was involved in human rights violations in Nigeria, the US Supreme Court ruled that companies could not be sued in the US for human rights violations committed on foreign soil. This decision highlights the absence of liability for MNCs for actions conducted in foreign countries. However, in 2011, the UN Human Rights Council unanimously endorsed the Guiding Principles on Business and Human Rights. These principles serve as a guideline on how MNCs should approach human rights, yet they are not legally binding. Some countries advocate for the creation of an international agreement to regulate the activities of MNCs within the framework of international human rights law (Baxi, 2016). In this context, a significant argument emerges that the human rights standards committed to by states through international agreements should also apply to MNCs. This accentuates the necessity for more effective global regulations and audits to ensure MNCs comply with international human rights standards.

Regulations and audits introduced by international organizations play a critical role in ensuring MNCs operate in accordance with human

rights, although this may not always be sufficient. MNCs and FDIs play a significant role in the global economy and are hence governed by various regulatory and audit mechanisms at the national, regional, and international levels. WTO and the International Monetary Fund (IMF) are key institutions regulating and overseeing international trade and finance. The WTO facilitates free and fair trade among member countries, while the IMF promotes global financial stability, international trade, employment, and economic growth (Cohen, 2007; World Trade Organization, 1996).

In addition to these global regulators, the Organisation for Economic Co-operation and Development (OECD) has also been effective in managing FDI and forming a global legal regime for free capital mobility. The role and impact of the OECD facilitates a deeper understanding of international regulations and mechanisms, aiding in the coordination of policies affecting economic growth, employment levels, and price stability (Backer, 2015).

Various regional and international organizations and agreements play significant roles in this auditing and regulation process. The United Nations Conference on Trade and Development (UNCTAD) is the preferred forum for Least Developed Countries (LDCs) to restructure in ways that support their unique economic needs within the international economic order. UNCTAD advocates measures aimed at narrowing the north-south income gap. International institutions like the WTO, United Nations Commission on International Trade Law (UNCITRAL), IMF, and World Bank are pivotal in the supervision and management of these corporations and investments. Additionally, regional organizations and agreements, for instance, the EU and North American Free Trade Agreement (NAFTA), take on the role of regulating and promoting trade and investment. At the national level, each country has its own laws, tax codes, and other regulations necessary for protecting the nation's economic interests and overseeing foreign investments. Bilateral and multilateral agreements also regulate and encourage investment

relationships, thereby shaping the global trade and investment environment. These regulations ensure the fair and balanced conduct of trade, protection of investments, and implementation of environmental and social standards. However, there's a lack of a specific multilateral regime directly regulating FDI and MNCs. This gap enables MNCs to gain more operational freedom from individual governments and complicates the establishment of a more effective auditing and regulation mechanism at the international level (Cohen, 2007). Consequently, the current regulations and auditing mechanisms are not entirely effective concerning MNCs and FDI, and reform in this area is urgently needed to enable governments to achieve international economic objectives and manage the operations of MNCs more effectively.

Lastly, the operations of MNCs on the global stage bring along numerous advantages, as well as various challenges and responsibilities. It's often observed that the activities of these corporations, especially at production facilities or within supply chains located in other countries, have adverse impacts on human rights. Particularly, the fatal factory fires in Bangladesh and Pakistan or the images of malnourished child laborers in Southeast Asia receive extensive coverage in international media, pointing to the negligence or worse, of these corporations. Such tragedies usually occur at production facilities that are part of the supply chain but located far from the headquarters of MNCs. Therefore, legal mechanisms holding parent companies accountable for such human rights violations are often lacking. However, in recent years, global governance institutions have intensified efforts to prevent human rights violations that threaten the lives of workers and the social fabric of host countries. In this context, "soft law" mechanisms like the United Nations Guiding Principles on Business and Human Rights have been developed. However, such mechanisms largely rely on the voluntary compliance of companies. Nonetheless, legal adjudication has set a strong precedence for the responsibilities of parent companies towards the employees and local communities of their subsidiaries. This has increased the obligation of

parent companies to act in accordance with human rights in their operations and supply chains (Ballor and Yildirim, 2020).

In conclusion, MNCs, while offering various opportunities and advantages by playing a significant role in the global economy, also lead to various human rights violations and unethical practices. Especially in developing countries, MNCs exploit low-cost labor, tax benefits, and flexible environmental regulations to enhance their profit margins. However, such activities can harm workers' rights, the welfare of local communities, and environmental sustainability. Although local and international regulations and audits exist to ensure ethical conduct and respect for human rights by MNCs, these efforts are often insufficient. There is a pressing need for MNCs to be more rigorously monitored and held accountable by local governments and international organizations. This necessitates more effective and comprehensive international regulation and auditing mechanisms to enforce respect for human rights and adherence to global standards by MNCs. Besides more effective international regulations and audits, companies should also review and improve their internal ethical and social responsibility standards for sustainable and ethical operations.

The detailed analysis of these issues highlights the impacts of MNCs on human rights and underscores the importance of international legal regulations in this context. Developments in Myanmar, Nigeria, South and Southeast Asia demonstrate that MNCs' operations have serious and extensive effects on human rights, workers' rights, and environmental sustainability. Legal and ethical scandals involving Unocal and Shell oil companies have reignited debates on how the operations of MNCs should be regulated and audited on the international stage. On the other hand, the growth of the textile industry in South and Southeast Asia brings along issues of workers' rights and child labor in these regions. This situation emphasizes the necessity of more effective international regulations and audits, as well as companies reviewing and improving their internal ethical and social responsibility standards.

Additionally, international law and regulatory bodies, through the examples discussed in this segment, elucidate their roles in monitoring and directing the impacts of MNCs on human rights and environmental sustainability. Particularly, the standards and measures set by local governments and international organizations are of critical importance in encouraging MNCs to respect human rights and adhere to global standards. In this context, human rights violations and unethical practices across a broad geography from Myanmar to Nigeria, and South and Southeast Asia, underscore the necessity for a comprehensive evaluation of MNCs' operations and international regulations.

4.1.1. Impacts of the Unocal Agreement on Human Rights in Myanmar

Developments in the energy sector in Myanmar have led to serious conflicts and human rights violations between international corporations and the local populace. This section examines the adverse effects on the local populace and the human rights violations that occurred during the energy projects undertaken by the Unocal oil company in collaboration with the Myanmar government.

By the 1990s, UNOCAL began investing in energy projects outside the USA, and in this context, developed a project aimed at the "Yadana Field" located in Myanmar and beneath the Andaman Sea. In 1996, Unocal Corp., in collaboration with the French Total company, initiated a natural gas pipeline construction from the Andaman Sea to the southern tip of Burma and onto Thailand. This project, with an estimated cost of 7.8 billion dollars, aimed to provide urgently needed energy to Thailand and Burma, and was part of Unocal's expanding strategy in Asia. Through this project, Unocal reached an agreement with the Myanmar government on the Yadana natural gas pipeline project (Dale, 2007; Spar and LaMure, 1998; Velasquez, 2005).

During the implementation of the project, the Myanmar military led to forced labor of villagers and human rights violations. Following the commencement of the project, Unocal officials encountered broad political forces and activist groups transcending national boundaries. Due to its relationship with SLORC, the military leadership of Burma, Unocal was accused of a range of human rights violations including slavery and potential genocide. Indeed, Unocal's collaboration with the military junta led to severe human rights violations such as torture and systematic rapes of villagers (Udwadia, 2004; Human Rights Watch, 2003; Spar and LaMure, 1998).

By aligning with the ruling military junta in Myanmar and collaborating with this regime, Unocal indirectly contributed to the human rights violations occurring there. This approach by the company was met with intense criticism globally and from human rights organizations (Chambers, 2005). In response to these events, some conscientious lawyers in America, alongside the Free Burma movement, worked together to establish a legal international platform to address the human tragedy unfolding in the region. Activists worked to legitimize this legal platform as a valid and legitimate tool for holding MNCs, which were indirectly supporting human rights violations, accountable. Central to these efforts was the Alien Tort Claims Act (ATCA) (Dale, 2007).

Unocal's operations in Myanmar transcended human rights violations, leading also to environmental degradation. This project entailed pipelines connecting Yadana and Yetagun gas fields to Thailand, traversing through forest reserves and sensitive natural areas. Accordingly, 45.5 km of the pipeline crossed forest reserves while 6 km traversed through Sai Yok National Park, Thong Pha Phum, Kanchanaburi's premier watershed areas. Environmental groups and CSOs opposed the project as it precipitated deforestation, water contamination, and destruction of wildlife habitats. Protests against the pipeline construction manifested concerns of local communities and environmental advocates. Opponents argued the regions crossed by the

pipeline faced risks of sabotage, earthquakes, and explosions, jeopardizing local wildlife and ecosystems. Moreover, criticisms were made regarding the inadequacy of the Environmental Impact Assessment (EIA) process and lack of consideration for public concerns (Ogunlana, Yotsinsak, and Yisa, 2001).

Such ethical and environmental issues not only drew backlash from civil society and environmental groups towards Unocal, but also entangled the company in legal quandaries. The company's operations in Myanmar gave rise to the Unocal lawsuit, a significant international legal issue scrutinizing the company's complicity in overseas human rights violations.

The Unocal case, litigated within the framework of the Alien Tort Claims Act (ATCA), marked the inaugural lawsuit against corporations in this context, holding critical importance for legal proceedings in this domain. The lawsuit alleged Unocal's complicity in human rights violations overseas. This became a precedent where a corporation was implicated indirectly in human rights violations. However, the legal process encountered procedural hurdles. In 2004, lawsuits under ATCA began to favor corporations following the Bush administration's release of Amicus Curiae briefs and the U.S. Supreme Court's Sosa verdict, thus limiting ATCA's modern applications (Chambers, 2005).

Unocal, an oil company, has been accused of serious human rights violations and environmental degradation due to its energy projects in Myanmar. Collaborating with the Myanmar military, the company indirectly contributed to forced labor and human rights abuses against villagers. The projects included pipelines passing through forest reserves and sensitive natural areas, thereby leading to environmental destruction. The lawsuit against Unocal under the ATCA initiated a series of legal processes questioning whether corporations were indirectly involved in human rights violations.

4.1.2. Oil and Human Rights in Nigeria: The Struggle of the Ogoni Community

As part of the global operations of MNCs, it sometimes observe that they can lead to human rights violations and environmental damages. In this context, the experiences of the Ogoni community in Nigeria serve as a vivid illustration of such adverse situations. The process began in 1956, with the discovery of oil reserves in the region by Shell, which has led to serious humanitarian crises and environmental pollution. The dependency of Nigeria's economy on the oil sector has enabled Shell and other oil companies to play a central role within the country but has also resulted in significant disputes between local communities and the government regarding resource control and revenue sharing. The demands of the Ogoni people for greater control and revenue from natural resources in their land have heightened tensions with both the Nigerian government and multinational oil corporations, which in turn have resulted in social and environmental rights violations in the region. Within the framework of international law, the struggle initiated by the Ogoni people and its global resonance has fuelled discussions on how the operations of MNCs should be regulated in terms of human rights and environmental sustainability.

This situation underscores the inception of Shell's operations in the Ogoni region of Nigeria and how these operations have impacted the social, economic, and environmental dynamics in the region. The process that began in 1956 with Shell's discovery of oil in the region has further emphasized the significance of the oil sector in Nigeria's economic structure. In this regard, following Nigeria's attainment of independence, the central role played by the oil sector in the country's economic performance enables a better understanding of both the relationships between regional communities and oil corporations, and how Nigeria's oil policies have been shaped internationally (Boele, Fabig, and Wheeler, 2001).

After gaining independence in 1960, Shell's oil production continued and began to play a central role in the country's economy. At that time, Nigeria's economy was significantly dependent on the oil sector. About 80% of the government revenues, 95% of the export revenues, and 90% of the foreign exchange earnings were derived from oil sales. This indicates that Nigeria's financial resources and economic performance were largely contingent on the state of the oil market. However, instead of alleviating the issues in the region, this revenue exacerbated the problems (Watts, 2004). The conflicts between oil companies and local communities in the Delta intensified in the 1990s, which attracted the attention of the international media. The anti-Shell protests organized by the Movement for the Survival of the Ogoni People (MOSOP) played a pivotal role in highlighting this process (Fraynas, 2001).

This situation laid the foundations of conflict between local communities and oil corporations in the Niger Delta in the early 1990s, concerning the control of resources and self-determination rights. The movement led by Ken Saro-Wiwa, advocating for the rights of the Ogoni people, brought about a struggle centralizing the relations with Shell and the government, as well as the management of oil resources. This movement sparked a significant global reaction and effectively ignited an asymmetric conflict in the Niger Delta. Saro-Wiwa and his supporters targeted the oil sector, which constituted a large portion of the country's foreign trade revenues, challenging the sustainability of the military administration of the state. This raised serious and comprehensive questions regarding the ultimate use and management of revenues generated from oil in Nigeria (Maier, 2002; Watts, 2004; Wheeler, Fabig, and Boele, 2002). This situation facilitated the Ogoni people's rights struggle to reach an international stage and held the Nigerian government accountable in the face of international law and regional human rights mechanisms, thereby placing the conflict and resource control issues in the Niger Delta into a broader legal and international context.

The international law and regional human rights mechanisms played a significant role in the Ogoni people's quest for rights. This effort caught the attention of the international community and the African regional human rights system. The Ogoni people based their claims on UN conventions and the African Charter on Human and Peoples' Rights to defend their rights and hold the Nigerian government accountable (Frynas, 2003). The decision numbered 155/96 taken by the African Commission on Human and Peoples' Rights in 2001 holds a significant place in this context. Through this decision, the Nigerian government was held accountable for the human rights violations experienced by the Ogoni people. The decision determined that Nigeria violated the rights and freedoms guaranteed by the African Charter without discrimination (Article 2), the right to life (Article 4), the right to property (Article 14), the right to health (Article 16), the right to housing (implied by the duty to protect the family, Article 18(1)), the right to food (implied within Articles 4, 16, and 22), the right of peoples to freely dispose of their wealth and natural resources (Article 21), and the right of peoples to a "general satisfactory environment favorable to their development" (Article 24) (Shelton, 2002; Coomans, 2003).

The efforts of the Ogoni people in holding the Nigerian government accountable using international and regional legal mechanisms have brought the region's oil pollution issue to the international arena and enabled an independent evaluation of the environmental and public health impacts in Ogoniland by the United Nations Environment Programme (UNEP).

The Ogoni people have approached the UN with the aim of highlighting the blatant violations of the Nigerian Constitution and the actions of power elites against the United Nations Declaration of Human Rights and the African Charter on Human and Peoples' Rights. Faced with this impasse, the Nigerian government had to invite the UN to evaluate the oil pollution in Ogoniland. The UNEP initiated a review to independently evaluate the impacts of oil pollution in Ogoniland, Niger

Delta on the environment and public health, and named this review the UNEP. To ensure the independence of UNEP's work, a reputable team consisting of international and national experts was commissioned for a two-year assessment. Over a 14-month period, UNEP examined over 200 locations, scrutinized a 122-kilometer pipeline route, evaluated over 5,000 medical records, and conducted community meetings with more than 23,000 individuals in Ogoniland. Following the initial reviews, UNEP identified 69 sites for soil and groundwater assessment, and also collected samples of drinking water, stream sediments, rainwater, surface water, fish, and air from several neighboring villages or towns in and around Ogoniland (Lois, Egobueze, and Osai, 2022).

In conclusion, this incident documents a concrete example of human rights violations by MNCs. The presented case examines the oil extraction activities conducted by Shell oil company in Nigeria's Ogoni region and the humanitarian and environmental crises generated by these activities. The Ogoni people initiated a fight against Shell and the Nigerian government due to environmental pollution, economic dispossession, and social rights violations, garnering significant international attention. Shell's operations reveal the excessive dependency of the Nigerian economy on the oil sector and its devastating impacts on the Ogoni community, while also illustrating how the Ogoni people utilized international law and regional human rights mechanisms to combat these issues. Furthermore, the independent assessment by the UN of the oil pollution in the region and its impacts on the environment and public health underscores the roles of the international community and the Nigerian government in addressing this crucial matter. The dramatic conflict between Shell and the Nigerian government serves as a tangible indicator of how the operations of MNCs can have profound and lasting effects on human rights and environmental justice.

4.1.3. Worker Rights in the Context of the Garment Industry in South Asia and Southeast Asia

South Asia and Southeast Asia represent several critical junctions of the global garment industry, with the manufacturing sector in these regions accounting for about 40% of employment (ESCAP, 2021). An assessment conducted on the garment sector in Asia between 2010 and 2019 revealed that this sector represented 55% of global textile and apparel exports, employing approximately 60 million workers (ILO, 2022). The high labor intensity and low production costs incentivize many MNCs to maintain production activities in these regions. However, these economic advantages bring issues such as poor working conditions and child labor into the spotlight. Indeed, in this context, some multinational firms may exhibit hesitancy in investing in the region. Local and international activist groups, notably Anti-Slavery International and CCC, are conducting significant efforts to protect worker rights and ensure fair treatment and compensation for workers (Laycock, 2021).

The low production costs and high labor intensity in these geographical regions help us better understand the global shaping of the garment industry. Favorable cost conditions in developing countries direct garment producers to these regions, concurrently escalating the risk of human and worker rights violations. This situation illuminates the complex balance between the efforts of developing countries to create investment and employment opportunities and the need for MNCs to conduct ethical and sustainable operations.

Labor-intensive sectors, particularly the garment industry, have preferred to move production facilities from developed to developing countries. The primary reason for this trend is the much lower labor costs in developing countries compared to developed ones. China, the Philippines, Bangladesh, Cambodia, and Indonesia are some notable examples in this regard. By offering enticing propositions to investing companies - such as tax exemptions or free usage of certain areas - these

countries with lower human rights standards aim to attract foreign investments, thereby leading to human rights violations, particularly worker rights violations, by multinational garment firms (Fraynes, 2003; Gillies, 2005). To prevent human rights violations and promote fair working conditions, the UN and the ILO have established certain principles in the context of worker rights.

The principles outlined by the UN and the ILO concerning workers' rights bear significant importance from a human rights perspective. Within this framework, fundamental rights such as the right to form and join unions, the right to non-discrimination, the prohibition of forced or compulsory labor, the prohibition (or limitation) of child labor, the right to rest during work, the right for indigenous workers to receive equal treatment as other workers, the right to a daily 8-hour or weekly 48-hour work schedule, the right to work in a safe and healthy environment, the right to a minimum wage, and the right against dismissal without valid grounds have been enumerated (Fraynes, 2003).

A detailed examination of the garment industry in developing countries offers a critical perspective on global production mechanisms and workers' rights issues. The cases of Cambodia and Bangladesh exemplify that while these regions present economic development opportunities, they also host serious human rights violations. The norms established by the UN and the ILO are significant strides towards the protection and enhancement of workers' rights; however, the challenges encountered in practice bring to the fore the issue of how these rights can be fully guaranteed. Our section will delve further into these topics, addressing the challenges faced by the garment industry in Cambodia and Bangladesh in the context of human rights.

4.1.3.1. Labor Rights in Cambodia's Textile Industry

Cambodia's textile industry plays a critical role in the country's economic growth and has secured a significant position in the global

textile market. Cambodian export factories operate according to the Cut-Make-Pack model, with design and production decisions made abroad, primarily focusing on manufacturing relatively low value-added garments. In most cases, raw materials are imported from countries like China, Hong Kong, Taiwan, Japan, Vietnam, and Korea (ODC, 2016). This successful development is a result of Cambodia's business model in the textile sector and its international collaborations; particularly, the dependency on external sources for raw material supply and production processes significantly impacts both the sector's contribution to the national economy and its position in the global market.

Since the late 1990s, the industry has gained noticeable momentum, and by 2005, it became one of the country's primary export industries. In 2009, 80% of the country's exports and 15% of its total economic revenue were generated from the textile industry (USAID, 2009). In 2019, the industry achieved a value of 7.97 billion dollars from the export of Garments, Textiles, and Footwear (GTF) products, representing a 13.18% increase compared to the previous year (Vireak, 2019).

Leading the economy by constituting approximately 74% of Cambodia's total goods exports in 2018, the textile sector has shown steady growth since the 1990s (Asia Garment Hub, 2021). In 2016, with a contribution of 16% to the national GDP, the apparel industry became a significant pillar sector, alongside other key components of the economy such as tourism, construction, and agriculture sectors (Invest in Cambodia, 2021). According to 2021 data, with exports exceeding 11 billion dollars, the garment industry solely covered 64% of the country's total exports (Asia Garment Hub, 2021).

The textile sector serves as a significant employment source in the country. According to the US Agency for International Development (USAID) data, in 2005, the sector employed 250,000 workers, a majority of whom were uneducated and impoverished women. By 2009, the number of people employed in the sector rose to over 350,000, and this increase

continued in subsequent years (USAID, 2009). Examining the data from 2021, Cambodia's textile industry currently employs around 672,000 workers, with young women constituting 82% of this workforce (Asia Garment Hub, 2021).

The proliferation of textile firms in Cambodia has seen a rapid increase in post-1990, reaching 718 by 2021 (Asia Garment Hub, 2021). This scenario has forged significant opportunities for the country. However, less than 5% of these firms are owned by Cambodians, coupled with a rise in labor rights violations during this period. A substantial portion of the textile industry is dominated by foreign investors, primarily from China, followed by Taiwan, Hong Kong, Korea, Malaysia, and Singapore (Asuyama and Neou, 2012). One of the pivotal factors enticing foreign investors to Cambodia is the nation's offer of cheap labor and low production costs (Kolben, 2004).

Cambodia's textile industry encapsulates factories serving global markets and subcontractor factories, covering a broad spectrum of employment. Yet, this industry instigates serious concerns in the context of labor and human rights violations. Documented labor rights violations by Human Rights Watch encompass mandatory overtime, retaliation against those seeking exemption from overtime, lack of rest breaks and sick leave, utilization of child labor, and strategies obstructing independent unions. Female workers face additional hurdles including pregnancy-based discrimination, sexual harassment, and denial of maternity benefits (Human Rights Watch, 2015).

Labor rights violations in Cambodia's textile sector have galvanized the ILO. Between the United States and Cambodia, a Textile and Apparel Trade Agreement (TATA) spanning 1999 to 2004 was inked. Under this accord, a quota was enforced against Cambodia with the aim of elevating labour standards, alongside the implementation of an ILO factory monitoring program within Cambodia (Arnold, 2010). Nonetheless, bureaucratic and legal shortcomings in Cambodia, coupled with

corruption, have hindered the attainment of the anticipated level in labour rights (Kolben, 2004).

The report, crafted by Human Rights Watch in 2015, delves into overtime, gender-based violations, and unionization issues. Upon examination, despite certain workers opting for overtime, factory managers have declined these requests, threatening them with contract non-renewal or termination. Cambodian Labor Law caps weekly overtime hours (beyond 48 hours) at 12 hours (2 hours per day). However, interviews reveal that workers often exceed this limit, with factory managers employing coercion and retaliatory tactics. A notable challenge for female workers is pregnancy-related discrimination. Discrimination towards pregnant workers manifests in various forms during recruitment, promotion, and termination processes, with managers often failing to provide reasonable accommodations like more frequent restroom breaks or lighter tasks. Typically, contracts of pregnant women are not renewed, allowing managers to evade maternity benefits provision. Anti-union discrimination and obstruction of independent unions are significant issues. Anti-union activities include terminating or harassing newly elected union representatives, and promoting management-friendly unions (Human Rights Watch, 2015).

In Cambodia, independent unions like Coalition of Cambodian Apparel Workers Democratic Union (CCAWDU), National Independent Federation of Textile Unions in Cambodia (NIFTUC), Collective Union of Movement of Workers (CUMW), and Cambodian Alliance of Trade Unions (CATU) point out that upon initiating the union formation process, factory management swiftly acts to terminate or force the resignation of union officials. Cambodia's Ministry of Labor and Vocational Training has also imposed bureaucratic hurdles to complicate the union formation process (Human Rights Watch, 2015).

In conclusion, although the textile sector is a cornerstone of Cambodia's economy, it is marred by labour rights violations and human

rights concerns. The surge in foreign investment in the sector, coupled with a corresponding rise in labour rights violations, has stirred serious concerns both nationally and internationally. In this context, it's imperative for both local and international regulatory bodies to adopt more effective measures to ameliorate working conditions and safeguard labour rights in the sector. This is critical for fostering sustainable and human rights-compliant growth in Cambodia's textile industry.

4.1.3.2. The Issue of Child Labor in Bangladesh's Textile Industry

Bangladesh has emerged as an attractive destination for foreign investors in the textile sector. The country's large population, low labour costs, and abundant female labour force have catalysed the growth of the Ready-Made Garment (RMG) industry, positioning Bangladesh as a significant textile exporter on the global stage (Khaled and Ansar, 2023). In the post-colonial era, like many other South Asian nations, Bangladesh embraced the textile industry for economic development. The advancements in the textile sector starting from the 1960s have encouraged Bangladesh to further focus on this sector. Textile products manufactured were primarily exported to several European countries, notably West Germany. In 1989, over 300,000 individuals were employed in the textile industry, and this number surpassed half a million by 1995 (Wahra, 1995).

The continued advancements in the textile sector from the 1960s and the increase in employment numbers between 1989 and 1995 have further fortified Bangladesh's position in the textile sector. This progress played a significant role in the country becoming the second-largest textile exporter worldwide, especially following the export figures recorded in the fiscal year 2021-2022 and the sector's contribution to the GDP. In the fiscal year 2021-2022, RMG exports accounted for 80% of Bangladesh's export revenues, generating a substantial income of 42.61 billion dollars. This sector contributes approximately 10% to the country's GDP,

employing over 4 million workers, with a majority hailing from impoverished rural areas. Generous investments from foreign investors have significantly contributed to the rapid growth of Bangladesh's textile industry and its economic development. However, this growth has come at the expense of workers' welfare and safety. Workers in the RMG industry are amongst the lowest paid globally, while also being subjected to unregulated and unsafe factory conditions. The intense interest from foreign investors has fuelled competition within the textile sector, encouraging factory owners and managers to further reduce labour costs and neglect working conditions (Khaled and Ansar, 2023).

These investments and the industry's expansion have brought along serious human rights violations. The 2013 Rana Plaza incident and the fire at Tazreen Fashions factory have showcased the workers' rights violations within garment factories in Bangladesh. The collapse at Rana Plaza dealt a significant blow to Bangladesh's garment export industry, preceded by the fire at Tazreen Fashions five months earlier. In both incidents, managers provided misleading information regarding workers' safety, exposing them to hazardous conditions. The absence of unions in factories at Rana Plaza prevented workers from resisting managerial pressures. Workers at Tazreen were not allowed to leave their workstations even during the fire. These incidents underscore the importance of fire safety training and effective unions capable of signalling safety violations (Human Rights Watch, 2015).

The tragic events at Rana Plaza and Tazreen Fashions elucidate how workers' rights were violated and the systemic issues underlying these incidents, while also spotlighting the issue of child labor as another significant factor that needs to be incorporated into this grim narrative. The challenging and unhealthy working conditions faced by child laborers are merely a reflection of the serious ethical and human rights issues within the garment industry in Bangladesh. This scenario further accentuates the urgent necessity for more effective inspections and legal regulations concerning both workers' rights and child labor.

Child laborers under the age of 15, the majority of whom are between 10 and 14 years old and are generally girls, become a serious societal issue when employed as cheap labor under unhealthy and harsh conditions (Basu, 1998). The National Child Labor Survey conducted in 2022 indicates that there are 39.96 million children aged between 5 and 17, with 4.4% of them (1,776,097 children), (including 1,068,212 children or 60.14% engaged in hazardous child labor) being involved in child labor (ILO, 2023). The issue is exacerbated by the factory owners being informed about the inspection visits in advance and hiding the child laborers during these visits. The Rana Plaza tragedy has confirmed this harsh reality with living witnesses. For instance, an individual working in one of the factories destroyed in the disaster mentioned that child laborers were either marked absent or hidden in restrooms whenever buyers visited the factory. Such incidents clearly showcase the extent to which employers can go to evade inspections and conceal the reality of child labor exploitation (Human Rights Watch, 2015).

On the other hand, while these violations occur, various mechanisms have been established to prevent them. International efforts in combating child labor in Bangladesh have yielded significant results. In 1995, the Memorandum of Understanding on Child Labor was signed between the BGMEA (Bangladesh Garment Manufacturers and Exporters Association), UNICEF Bangladesh, and ILO. Through this agreement, the ILO's International Program on the Elimination of Child Labor (ILO-IPEC) initiated a program in Bangladesh by conducting observations to eradicate child labor (Nielsen, 2005). The government of Bangladesh also took steps to address the issue of child labor and adopted the National Action Plan on the Elimination of Child Labor for the years 2021-2025 (ILO, 2023). However, without the active participation of MNCs in this process, completely eliminating the issue of child labor in Bangladesh does not seem quite possible. Despite these initiatives, global brands have remained at the core of the child labor issue in Bangladesh due to their dependency on cheap labor (Asadullah and Wahhaj, 2017).

In this context, the growth of Bangladesh's textile sector has attracted foreign investors due to low labor costs and a large workforce, but this growth has brought along serious human rights violations and child labor issues. The tragedies at Rana Plaza and Tazreen Fashions have exposed the severity of labor rights violations and brought the issue of child labor exploitation under harsh conditions to the forefront. Despite the steps taken at both international and national levels to combat child labor, the dependency of global brands on cheap labor and the lack of active participation by MNCs have made it difficult to completely eliminate the issue of child labor in Bangladesh.

4.2. Conclusion

In this section, the roles of MNCs in the global economy and their impacts on human rights and environmental sustainability have been thoroughly discussed. Analyses conducted across various geographies and sectors reveal that the operations of MNCs carry with them risks of human and labor rights violations as well as environmental degradation. Various case studies, such as in the energy sector in Myanmar and Nigeria, and the textile sector in South and Southeast Asia, demonstrate that deficiencies in ethical and social responsibility can create serious and long-term adverse effects on individuals and communities.

MNCs often seek to bolster their profit margins by leveraging tax benefits and low labor costs. However, this practice gives rise to substantial concerns regarding labor rights and environmental sustainability. Both local and international regulations tend to fall short, failing to ensure that companies adhere to ethical and human rights standards. This underscores the importance of robust international regulations and oversight, as well as the need for companies to re-evaluate and enhance their own ethical and social responsibility standards. Furthermore, within the ambit of international law, debates on how the operations of MNCs should be monitored in terms of human

rights and environmental sustainability occupy a significant position on the global stage. The legal procedures in this domain, especially concerning companies' human rights violations abroad, are considered crucial.

This section has meticulously examined how globalization and international economic relations engender serious challenges and violations in the realm of human rights and environmental sustainability. Through the specified case studies, it has been discussed how companies can cause unethical practices and human rights violations on the international stage. These problems can be mitigated or resolved with effective measures and regulations. This naturally leads us to the next section titled "Preventive Mechanisms: Inter-Corporate Cooperation, International Organizations, and Human Rights".

In the following section, the economic evolution of the 1980s, how it paved the way for the adoption of liberal policies and reshaped the economic roles of states, and how these changes encouraged MNCs to focus on ethical and social responsibility issues will be discussed. The emergence of the concept of CSR, the development of strategies by companies to minimize environmental harm, and adherence to ethical principles are a significant part of this section. Additionally, international regulations, agreements, and the advocacy of human rights by international organizations form the other subtopics of this section.

CHAPTER 5

5. Conclusion: Preventive Mechanisms

Worldwide human rights violations seriously threaten the welfare of communities and individuals, bringing significant responsibilities to states, transnational corporations, and international organizations. Respecting and protecting human rights are essential for a sustainable and fair global economic system. The economic transformations of the 1980s have necessitated states and corporations to address their social and environmental responsibilities more seriously. In this context, the concept of CSR has gained importance, and the ethical principles and environmental sustainability commitments of corporations have become critically important in achieving sustainable development goals.

At the international level, international law provides a framework capable of ensuring states and other international actors respect and protect human rights. However, the lack of sanctions and difficulties in adherence to agreements limit the effectiveness of international law. Therefore, developing more effective preventive mechanisms and cooperation platforms is of critical importance in preventing human rights violations and responding to global challenges. International organizations and human rights advocacy have taken significant steps in this area and played an important role in encouraging corporations to adopt ethical business practices. However, existing legal frameworks and cooperation mechanisms are often insufficient, revealing the need for more comprehensive legal frameworks and cooperation mechanisms at the international level. This section will examine in detail the inter-corporate cooperation, international regulations and agreements, and the roles of international organizations in human rights advocacy, and how

these actors can be more effective in preventing human rights violations. Recommendations will be provided in the concluding section.

5.1. Social and Environmental Responsibilities of Companies

The economic evolution of the 1980s led countries to drift away from social democratic discourses and Keynesian policies. With the advancement of monetary economic policies and the increase in economic integration in the international market, states adopted more liberal policies to attract more investment. As a result, the economic roles of states have been reshaped (Jenkins, 2001). In this new process, the emphasis of MNCs on ethical rules concerning employee hiring and fair standards for workers, and the concept of social responsibility have increased. This heightened understanding of ethical standards on social responsibility in multinational business enterprises has facilitated broader discussion on human rights concepts such as workers' rights and environmental standards (Murray, 1998). As a result of this evolution, the awareness and responsibility of MNCs on social and environmental impact issues have come to the forefront, paving the way for the emergence and significance of the concept of CSR.

CSR emerges as an approach aiming for companies to fulfil their social and environmental impact responsibilities. However, for the effective implementation of CSR, robust government regulations and active civil society participation are fundamental. Weak institutional structures limit the effectiveness of CSR practices and hinder companies from developing ethical and responsible business practices. Hence, to maximize the impacts positive of CSR and to minimize risks towards local communities and labor rights, the necessity of strengthening corporate regulations becomes apparent (Amaeshi et al., 2016). Simultaneously, alongside corporate regulations, it is of critical importance for companies to take proactive steps to support sustainable development goals and encourage ethical business practices. In this context, revising business

methodologies in line with ethical and eco-friendly guidelines becomes imperative for achieving sustainable development goals.

To reach sustainable development goals, companies need to elevate their performance and implementation standards, and develop strategies to minimize environmental damages. Organizational analyzes play a critical role in this process; as they allow companies to evaluate their environmental actions from a broad perspective and put forward more informed, effective strategies concerning sustainability. This approach is vital both for reducing environmental impacts and for fulfilling companies' social and ethical responsibilities (Pulver and Manski, 2021).

In this context, adherence to ethical principles guiding companies' interactions with indigenous communities and local populations is of great significance. The adoption and implementation of the principle of "Free, Prior and Informed Consent" can assist companies in reducing their adverse impacts on communities while also protecting the rights, cultures, and environments of indigenous peoples. This scenario not only enables companies to achieve their environmental sustainability and ethical responsibility goals but also to establish healthy and constructive relations with local communities (UN News, 2022).

The recognition of a healthy environment as a fundamental aspect of human rights necessitates the international regulation on how environmental responsibility is managed by corporations. In 1992, a request was made to the International Standards Organization (ISO) to compile standards for environmental management. Following this request, ISO established a consultation group named SAGE, comprising twenty countries, eleven international organizations, and over a hundred environmental management experts to analyze specific issues. The outcomes of these analyses underscored the necessity of forming international environmental standards. Consequently, in 1993, ISO instituted a technical committee to compile environmental management standards, and in 1996, following extensive scientific analyses, six

standards from the ISO14000 series were published. The subsequently published ISO14001, based on the concept that better environmental performance can be achieved when environmental aspects are systematically identified and managed, has gained worldwide acceptance. This standard significantly contributes to sustainability by preventing pollution, improving environmental performance, and ensuring compliance with relevant laws (Moghaddam and Zare, 2017; Tošić, 2020; Da Fonseca, 2015).

Furthermore, international institutions such as the Organisation for OECD and the UN have imposed certain regulations on corporations by defining the environmental responsibilities of MNCs and setting guidelines in this domain. For instance, the OECD published a declaration containing guidelines for MNCs in 1976, and on June 8, 2023, agreed to revise the OECD Guidelines for Multinational Enterprises. In this guide, the OECD asserts that businesses play a critical role in developing sustainable economies and can contribute to effectively addressing environmental challenges. It is emphasized that businesses need to operate in a manner that safeguards the environment, employees, and the community, and addresses adverse environmental impacts. The guide suggests that businesses should establish and maintain a comprehensive environmental management system encompassing risk-based due diligence, identification and assessment of adverse environmental impacts, setting objectives and strategies, reporting impacts to the public and other stakeholders, providing remediation when necessary, and continually improving environmental performance. Moreover, it is stated that businesses should engage in meaningful dialogues with affected stakeholders, take proactive measures against serious environmental damages, create emergency plans, and contribute to the development of environmentally friendly public policies. The recommendations aim to encourage businesses to minimize environmental impacts while promoting environmental awareness and protection (OECD, 2023).

Similarly, the United Nations Global Compact (UNGC) provides a framework for corporations under international commitments by establishing ten principles promoting responsible actions concerning human rights, labor standards, and environmentally sound practices. In this context, the ten principles of the UNGC provide a framework for companies and organizations in accordance with international norms and commitments. These principles are derived from the following international declarations: the Universal Declaration of Human Rights, the ILO's Declaration on Fundamental Principles and Rights at Work, the Rio Declaration on Environment and Development, and the United Nations Convention Against Corruption. The objectives of the UNGC are to promote the adoption of the ten business principles worldwide and support the broader initiatives of the UN, particularly the Millennium Development Goals (MDGs) aimed at combating global poverty. Additionally, this compact was established to bridge global governance gaps in trade and set universal ethical conduct standards. This initiative, commencing its operations in 2000, is the world's largest corporate sustainability initiative with over 15,000 corporate and 5,000 non-corporate members across more than 160 countries (Global Compact Türkiye, 2023; UN Global Compact, 2023).

In light of this broad framework, it is discernible that the UN Global Compact plays a pivotal role in bolstering and guiding the commitments of MNCs in the realms of environmental sustainability and social responsibility. This, in turn, accentuates the importance of these corporations assessing their environmental footprints and proactively engaging in reaching sustainable development goals.

Evaluating the environmental footprints of MNCs is crucial to understanding the strides needed for a sustainable world. These corporations, through intensive use of natural resources and waste emissions, can have profound and often adverse effects on ecosystems. Historically, even the classical foundations of sociology recognized the impact of economic life on the natural world and the ecological

foundations of market economies. Environmental sociology offers a range of theories and approaches to delve into the impacts of capitalism on the environment. One such theory is the "treadmill of production", which identifies the continual expansion of production as a defining characteristic of capitalism. This theory criticizes the tendencies of capitalist systems to consume natural resources and generate pollution, aligning with the general assessments on the environmental impacts of MNCs. Ecological modernization theory, on the other hand, emphasizes risks and innovations, proposing that capitalism can evolve in ways that support environmental sustainability. This perspective underscores the necessity for corporations and economies to adopt innovations that reduce environmental impact and enhance sustainability. These theoretical frameworks can aid in better comprehending the roles and responsibilities of MNCs within the context of environmental sustainability. It can be deduced that corporations should proactively engage in making their operations more ethical and eco-friendly to reach sustainable development goals. This not only contributes to the preservation of the global ecosystem but also supports corporations in establishing a positive corporate image through social responsibility and sustainable business practices (Pulver and Manski, 2021).

In conclusion, the social and environmental responsibilities of MNCs are directly related to sustainable development objectives. Through international standards and guidance from institutions, the importance of ethical and eco-friendly business practices has been underscored once again. In this context, a proactive approach can significantly contribute to the preservation of the global ecosystem, building a positive corporate image, as well as attaining the overall sustainability goals of the international community. This scenario elucidates the critical importance of collaboration between corporations and international institutions and, taking social and environmental responsibilities seriously for a sustainable future.

5.2. International Regulations and Agreements

International law holds significance across a broad spectrum, ranging from inter-state relations to human rights protection, and in this context, international regulations and agreements serve as foundational stones for the universal recognition and protection of human rights. The legitimacy of international law hinges on the compliance of states and other international actors with the law and their capacity to effectively safeguard individuals' rights. Human rights are one of the core principles of international law, and international agreements such as the United Nations Universal Declaration of Human Rights aim to ensure states' respect and protection for these rights. However, the efficacy of international law is often limited due to the lack of effective enforcement mechanisms and challenges faced by states in adhering to mutual agreements. International regulations and agreements are centrally significant concerning the legitimacy, effectiveness, and applicability of international law and human rights. The efforts of the international community in adhering to this law and the applicability of international regulations are critical to fulfilling the objective of international law in serving human rights more effectively (Tasioulas, 2013).

The achievement of international law's objective in protecting human rights more effectively is closely tied to the roles of states and international regulations in this arena. The power of states to steer their response capacity towards social interaction, economic relations, and global issues within the context of international regulations and agreements holds critical importance for the effectiveness and applicability of this legal framework. Therefore, understanding the interaction and cooperation among international law, states, and international regulations across this broad spectrum of areas is vital for both protecting individuals' rights and sustaining the global order.

States play a significant role within the context of international regulations and agreements. Regulatory frameworks in this domain direct social interaction, economic relations, and the capacity to respond

to global issues. Regulation theory is concerned with how various forms of regulation, including law, manage social interaction, and these theoretical studies are often conducted within the context of international law. The manner in which international law addresses the fundamental principles and mechanisms of regulation, distinct from national legal systems, enables a deeper understanding of the impacts of international regulations on social interaction, economic relations, and the capacity to respond to global issues. In this framework, it is observed that international law has evolved across a broad range, from inter-state relations to technical micro-management areas, thereby diversifying the forms of regulation. Consequently, this diversification facilitates a more comprehensive and effective embodiment of international regulations (Charlesworth and Chinkin, 2004).

For instance, global climate change and environmental transformations are creating a situation that challenges the functioning of modern societies, economies, and sovereign states, questioning their fundamental structures and values. States are providing central organization and authority structures within this system, undertaking the tasks of allocating and protecting rights for their populations, and maintaining relations of mutual respect with other states. However, states are also found to be inadequate in addressing the challenges of climate change and the need for effective climate governance on their own. Therefore, in response to global climate change and environmental transformations, states have become central actors by establishing and implementing international organizations, agreements, and regimes. One such significant agreement, the Paris Agreement of 2015, albeit utilizing the privileged status of state sovereignties to limit the scope of climate governance accountability, has been generally deemed a success. This agreement underscores the importance of international cooperation and accountability for tackling climate change, and naturally, the significance of international law. Moreover, this situation demonstrates that the active participation of states in international agreements and regulations creates regulatory governance frameworks to address global issues and build a sustainable future (Edmondson and Levy, 2019).

These regulatory governance frameworks have positioned themselves as fundamental building blocks of society and have shaped a range of social changes, from regimes surrounding international organizations to supply chains. In particular, these frameworks and institutions have had a broad impact on various institutional formations and social processes by establishing power domains and centers of social interaction. In this context, various institutional formations, ranging from the World Bank to International Trade Agreements (ITAs) and CSR practices, fall within the purview of these regulatory governance frameworks and institutions. Regulatory governance frameworks have created a common language among institutional arrangements operating in different societal contexts and various problem structures by systematically addressing common issue clusters, dilemmas, and challenges (Kjaer and Vetterlein, 2018).

The expansive realm and common language engendered by regulatory governance frameworks and institutions pave the way for nations worldwide to devise more innovative and flexible solutions in the face of swiftly changing global circumstances and unforeseen crises. Such situations necessitate countries to review and reassess their regulatory policies and frameworks (OECD, 2023). For instance, specific agreements like the Agile Nations Charter enable nations to create innovative solutions and scale them across different markets. This charter, signed by seven countries in November 2020 under the name "Agile Nations," aims to form a forum to foster a regulatory environment conducive to innovation among member countries. The charter's objective is to guide governments in identifying future opportunities and developing holistic and applicable regulations. It supports effective management of innovation, accelerates economic growth, and offers solutions to social and environmental challenges in priority areas like green technology and data. Priority areas for collaboration include green economy, mobility, data, financial and professional services, medical diagnosis, and treatment (World Economic Forum, 2020).

In the globalizing world, workers' rights and corporate social responsibilities have become a significant issue at both international and national levels. Institutions like the ILO and OECD have developed international regulations to protect workers' rights. In the 1970s, these regulations targeting multinational organizations proved ineffective in regulating MNCs on the international stage, as they lacked legally binding and enforcing qualities (McCrudden, 1999). However, this paved the way for the emergence of some crucial documents and declarations. These new initiatives aim to provide more detailed and specific guidelines to protect MNCs' social responsibilities and workers' rights on the international stage, thereby providing a framework for both MNCs and governments. The new documents regulate the relationships between companies and governments, supporting workers' rights, representing steps towards creating a fairer and more sustainable environment in the global business landscape.

The ILO's 1977 "Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy" aims to impose social responsibility on MNCs and governments, guiding recruitment, training, and working conditions (ILO, 2013). Similarly, the OECD's 1976 "Guidelines for Multinational Enterprises" aimed to regulate the conditions of international investments and build trust between investors and host countries. The UN' 1974 "Draft Code of Conduct on TNC" (Transnational Corporations) and programs and declarations like the UN Global Compact aim to encourage MNCs to operate respectfully and responsibly towards human rights (Morgera, 2011; Jenkins et al., 2002).

International regulations and agreements hold critical significance for the sustainability of the global order and the protection of individual rights. A broad spectrum of issues, such as human rights, economic relations, and environmental concerns, are addressed by states and international organizations under the guidance of international law and regulatory governance frameworks. However, the lack of effective sanction mechanisms and the challenges states face in adhering to mutual

agreements limit the efficacy of international law. For instance, global issues like climate change necessitate states and international organizations to devise more innovative and flexible solutions to cope with global challenges and build a sustainable future.

Specific agreements like the Paris Agreement and Agile Nations Charter provide a platform for countries to respond to such global challenges and enhance their capacity for innovation. Additionally, institutions like the ILO and OECD have developed international regulations to protect workers' rights and corporate social responsibilities, representing steps towards creating a more equitable and sustainable environment in the global business realm. Hence, international law and regulatory governance frameworks are of critical importance for states and the international community to develop effective and adaptive solutions in the face of rapidly changing global conditions and unforeseen crises. In this context, a significant argument arises that the human rights standards committed to by states through international agreements should also apply to MNCs.

5.3. International Organizations and Human Rights Advocacy

In the international system, companies striving to maximize their profitability through investment activities are causing direct or indirect human rights violations, despite the existence of bilateral or multilateral agreements. The legal void between the human rights obligations of International Organizations and member countries leads to a lack of accountability for IOs and member countries in face of such violations. The absence of a mechanism holding companies accountable for human rights violations, and their neglect to adopt ethical guidelines within a social responsibility framework, makes the continued prevalence of human rights violations inevitable. However, significant strides have been made in this arena by international organizations and human rights advocacy. International organizations have developed various legal

approaches and cooperative mechanisms to better manage the human rights obligations of member countries and companies, aiming to close this legal gap (Zagel, 2018).

On the international stage, as demands for companies to take on greater responsibility concerning human rights and adhere to ethical norms increase, certain CSOs and campaigns are pioneering in this field. Among these, the CCC is an initiative aimed at improving working conditions in the clothing industry and ending worker exploitation.

Established in 1989 in the Netherlands under the name Schone Kleren Campagne, this initiative aims to improve working conditions in the clothing and sportswear industry globally, especially targeting the exploitation of workers in low-wage countries (Clean Clothes Campaign, 2023). Rapidly expanding into a global network, it extended its operations to 15 European countries including Austria, Belgium, Denmark, Finland, France, Germany, Italy, Ireland, the Netherlands, Norway, Poland, Spain, Sweden, Switzerland, and the United Kingdom. Currently, the network encompasses over 235 organizations operating in more than 45 countries, becoming a significant force in advocating for better working conditions in the clothing industry. By the late 1990s, major companies like Levi's, GAP, Nike, and Reebok, which have manufacturing facilities in Asia, expanded their human rights responsibilities towards their workers. This expansion occurred under the influence of pressure and awareness created by campaigns like CCC, which persistently encouraged companies to adopt the "Labour Practices Code for the Apparel Industry Including Sportswear" and successfully directed many businesses to adopt codes of conduct supporting better working standards (Egels-Zanden, 2011).

Besides the successful endeavors of CCC, other organizations and research centers continue their efforts to create awareness on human rights and environmental protection, aiming to hold MNCs accountable. SOMO has launched significant projects in this context, aiming to ensure

respect for human and environmental rights by MNCs and to increase their legal responsibilities.

Projects conducted by SOMO, particularly focusing on Asia, aim to observe human rights violations and generate solutions. SOMO's primary goal is to ensure MNCs' respect for human and environmental rights, and to minimize the negative impacts of their profit-driven activities. In this regard, SOMO monitors the implementation of international frameworks and works on legal responsibilities and laws, aiming to legally hold corporations accountable for human rights violations and environmental damages (Fraynas, 2001; SOMO, 2023). However, the lack of a mechanism guaranteeing the human rights responsibilities of multinational enterprises remains a significant factor in the continuation of violations.

In conclusion, advocacy for human rights and ethical business practices in the international arena stands as one of the cornerstones for a sustainable and equitable economic system. It has been noted that international corporations, especially in the apparel industry, have either directly or indirectly caused human rights violations, with serious implications on both an individual and societal level. Organizations such as CCC and SOMO have taken significant steps in the international arena to combat such violations and encourage corporations to adopt ethical business practices. However, the legal vacuum between international organizations and member states complicates this struggle and enables corporations to evade accountability for human rights violations.

In this context, it could be recommended to develop a more comprehensive and effective cooperation mechanism among international organizations, member states, and MNCs. Additionally, international legal frameworks and auditing mechanisms should be established to ensure corporations uphold human rights and adopt ethical business practices. For instance, the ILO, in collaboration with other international entities, has developed various tools and guidelines within the realm of human rights and business ethics. Such collaborations

assist MNCs in better managing their responsibilities concerning human rights and in adopting ethical business practices. This will not only ensure that corporations fulfill their human rights obligations but also promote the incorporation of ethical business practices as an integral part of the global economic system. By cooperating with CSOs and human rights advocacy groups, MNCs and member states can take concrete steps to support human rights and ethical business practices, thereby contributing to both the protection of human rights and sustainable economic development.

5.4. Conclusions and Recommendations

In a globalizing world, states and MNCs are compelled to address human rights violations earnestly. The economic evolution of the 1980s and the subsequent emergence of the CSR concept have accentuated the importance of ethical business practices and social responsibilities. However, the inadequacies of international law and regulations, coupled with the lack of sanctions and compliance, pose significant hurdles in preventing human rights abuses.

This study explores the potential for collaboration among MNCs, international organizations, and civil society. Specifically, in-house regulations and training, transparency and accountability, international cooperation and standards, legal and regulatory framework, civil society and human rights advocacy, technological innovation, and interaction with consumers and investors are of critical importance in addressing and preventing human rights violations.

International regulations and agreements play a significant role in protecting human rights and ensuring the adherence of international actors to the law. Yet, the absence of effective sanction mechanisms and more comprehensive legal frameworks limit the effectiveness of these regulations. CSOs and human rights advocates have taken significant

steps in encouraging companies to adopt ethical business practices and prevent human rights abuses, yet more can be done.

Technological innovation plays a significant role by enhancing transparency in supply chains and business operations, and facilitating the tracking and prevention of human rights violations by corporations. Similarly, consumers and investors can make a significant difference by promoting ethical business practices and motivating companies towards positive actions.

Lastly, efforts to address and prevent human rights violations will not only advance us towards a sustainable and equitable global economy by strengthening legal and regulatory frameworks, but also by enhancing cooperation among MNCs, international organizations, and civil society, and encouraging all stakeholders to actively engage in this critical issue.

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