

Non-Judicial Enforcement of Transnational Private Regulation

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Outline

- Transnational Private Regulation
- Enforcement or Compliance?
- Private Non-Judicial Enforcement of TPR
- Hybrid Non-Judicial Enforcement of TPR
- Evaluation



Transnational Private Regulatory Regimes



Marine Stewardship Council
Certified sustainable seafood



Sainsbury's



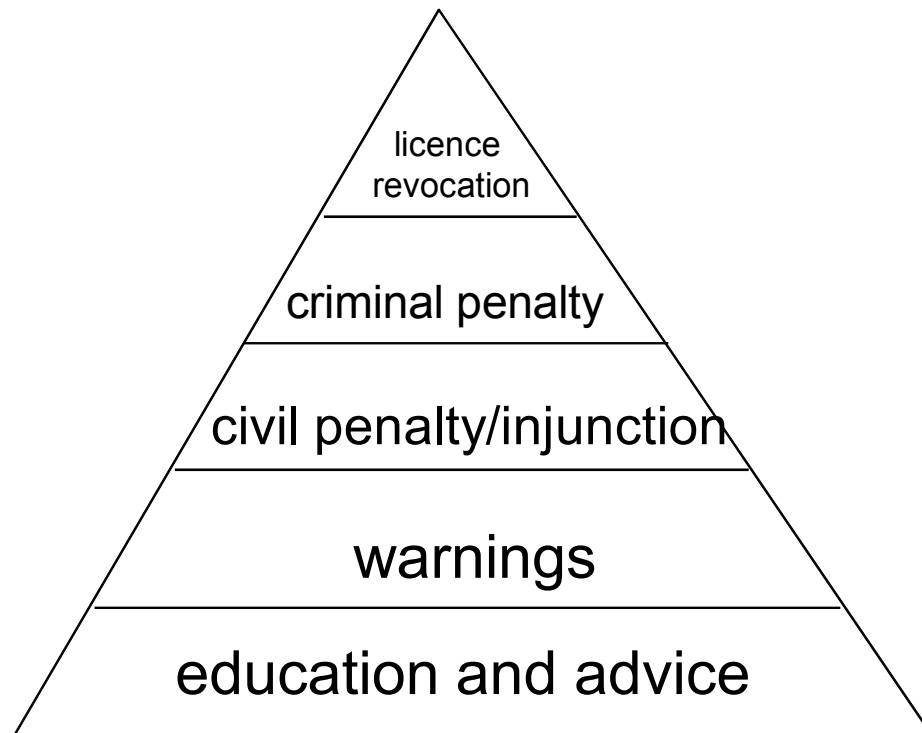
The Equator Principles

A benchmark for the financial industry to manage social and environmental issues in project financing

GLOBALG.A.P.
The Global Benchmark for Good Agricultural Practice



Enforcement or Compliance?



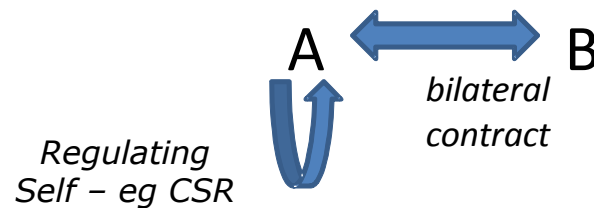
Example of an Enforcement Pyramid

Adapted from Ayres and Braithwaite 1992



Private Non-Judicial Enforcement

Modes of Transnational Private Regulatory Enforcement

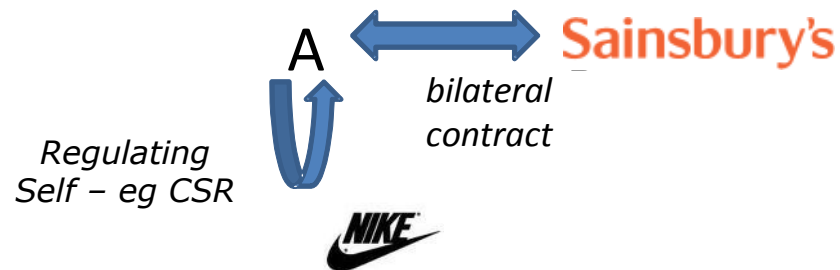


A – Organisation Subject to Private Regulation

B – Contracting party – eg buyer

Private Non-Judicial Enforcement

Modes of Transnational Private Regulatory Enforcement

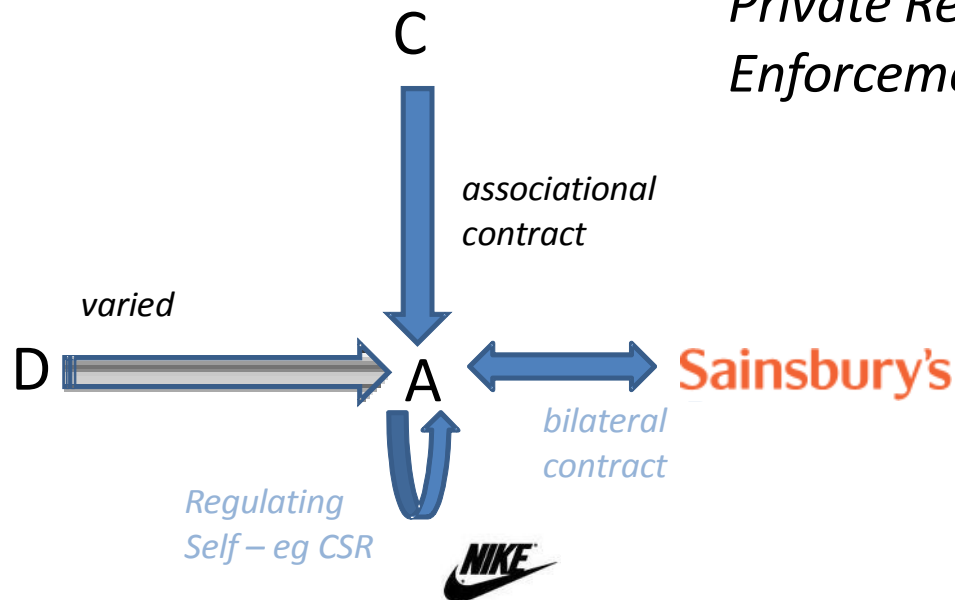


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Private Non-Judicial Enforcement

Modes of Transnational Private Regulatory Enforcement



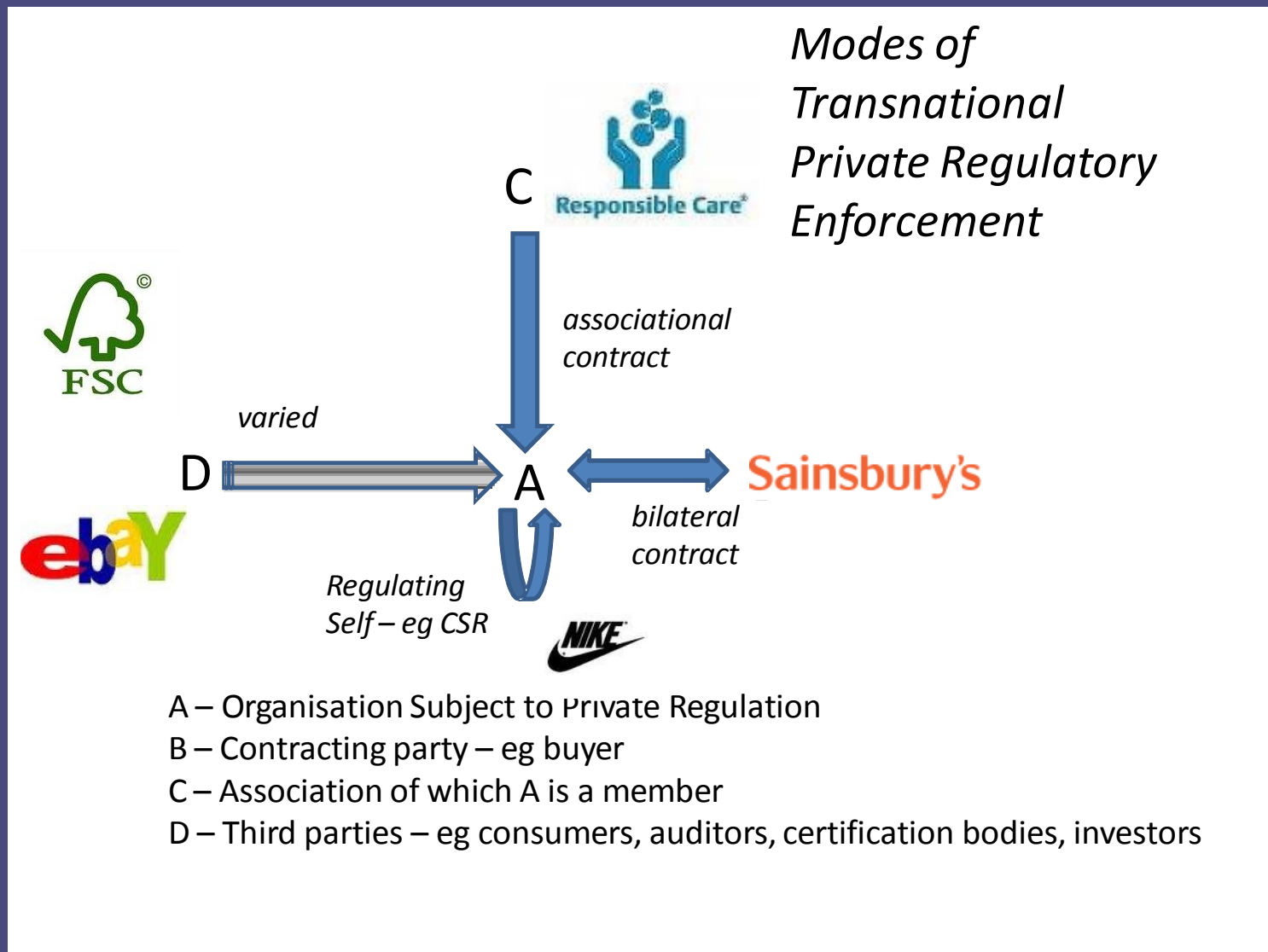
A – Organisation Subject to Private Regulation

B – Contracting party – eg buyer

C – Association of which A is a member

D – Third parties – eg consumers, auditors, certification bodies, investors, public agencies, etc

Private Non-Judicial Enforcement



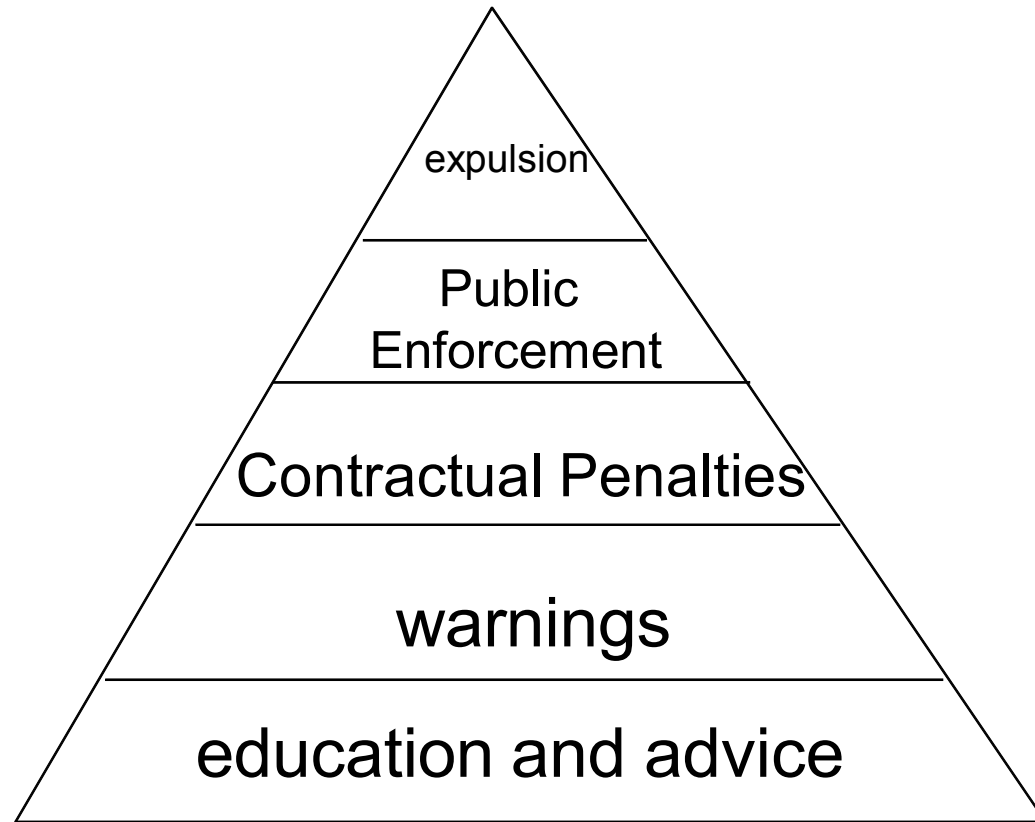


Figure 3 A Hybrid Enforcement Pyramid
Adapted from Ayres and Braithwaite 1992