

# **The Regulation of Transnational Corporations: What Role for Supra-National Democracy?**

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The issue of how to regulate transnational corporations (TNCs) is fundamental to contemporary questions of sustainable development. It is a good example of an issue that cannot be decided at national level and which requires supra-national deliberation and decision. At its centre is a fundamental question about the relationship between state and market at both national and supra-national levels and the shape of emergent global society. At the national level these discussions typically split on left-right lines and are debated in democratically elected parliaments. At the supra-national level, however, no such institutions are present to foster discussion in ideological terms or in a democratic process.

This paper looks at the history of supra-national discussions about the regulation of TNCs, starting from the 1970s discussions about a New International Economic Order (NIEO) and associated attempts to create a Code of Conduct to regulate TNCs and continuing up to the present-day negotiations for a Binding Treaty to Regulate TNCs with Respect to Human Rights that is currently underway in the UN Human Rights Council.

The paper will present an analysis of these negotiations from the viewpoint of supra-national democracy and will close with suggestions for making the discussion of these issues more democratic.