

**UNIVERSITY OF COLOMBO, SRI LANKA**  
**FACULTY OF LAW**  
**DEGREE OF MASTER OF LAWS BY COURSEWORK - 2023/24**  
**2<sup>nd</sup> SEMESTER END EXAMINATION**

**(BUSINESS AND HUMAN RIGHTS LAW – TLLM 1234)**  
**(Three Hours)**

Total number of questions: 04

Answer any **Three** questions  
(Candidates will be penalized for illegible handwriting)

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**Question 01**

GlobalTech Inc., a multinational corporation based in Country A, has operations in multiple countries, including Country B. Recently, it has been reported that GlobalTech's manufacturing plant in Country B has been involved in numerous human rights violations. These violations include poor working conditions, child labor, and inadequate wages. Despite repeated complaints from the workers and local NGOs, the government of Country B has failed to take effective measures to address these issues.

Discuss the impact of the activities highlighted above on the human rights of the affected parties, considering also how both GlobalTech and Country B may be held liable for any business-related human rights abuses.

(20 Marks)

**Question 02**

The expansion of the business sector, coupled with insufficient regulatory mechanisms at both local and global levels, often leads to violations of human rights norms. These violations, in turn, undermine sustainable development efforts.

In light of the above statement, critically evaluate the effectiveness of the United Nations' (UN) efforts in promoting corporate responsibility and protecting human rights within global supply chains. What challenges and limitations have emerged in implementing these guidelines, and how might the UN enhance its strategies to ensure better compliance and enforcement among corporate entities?

(20 Marks)

### Question 03

GlobalManufacture Ltd., a multinational corporation headquartered in Country X, operates a factory in Country Y. Reports have surfaced that the factory in Country Y is involved in severe human rights abuses, including forced labor, hazardous working conditions, and suppression of worker unions. Local NGOs have raised these issues with both the management of GlobalManufacture Ltd. and the government of Country Y, but no substantial action has been taken to address the abuses.

Additionally, it has been discovered that GlobalManufacture Ltd. has been involved in illegal dumping of toxic waste, leading to serious environmental and health consequences for the local population in Country Y. Despite clear evidence, the government of Country Y has failed to prosecute the corporation or its executives.

1. Analyze the concept of corporate criminal liability in the context of the human rights abuses and environmental crimes committed by GlobalManufacture Ltd., using relevant legal precedents and international standards.
2. Evaluate the potential for holding GlobalManufacture Ltd. accountable for its criminal actions under both Country X and Country Y's legal frameworks.

(20 Marks)

### Question 04

The "Protect, Respect and Remedy" framework established by the United Nations acknowledges the primacy of judicial mechanisms in remedying business-related human rights violations. It further emphasizes the importance of other types of grievance mechanisms in addressing business-related human rights violations.

In light of the above statement, critically discuss the effectiveness of different grievance mechanisms identified in the UN Guiding Principles on Business and Human Rights in providing remedies for victims of business-related human rights violations. Support your answer with relevant authorities.

(20 Marks)