

Conditional Effects of the Spotlight: Electoral Institutions and the Enforcement of Global Corporate Norms

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Under what conditions do governments discipline powerful multinational companies for breaching global corporate norms? Existing international relations theories have shown that peer monitoring and transnational advocacy are crucial strategies that shine a spotlight on norm violations. Despite the importance of those strategies, governments in the Global North have not consistently condemned their home-grown multinational companies for breaking norms related to climate or human rights in the Global South. This paper argues that the effect of such spotlighting is crucially moderated by electoral institutions, and legislators in proportional representation systems are more likely than those in majoritarian systems to push multinational companies to comply with global norms when such issues are in the spotlight. I find supporting evidence from the OECD Guidelines' Specific Instance process and case studies. This article shows that traditional strategies to promote norm compliance, such as transnational advocacy and peer pressure, work differently in different countries, and electoral systems in the Global North can have unintended distributional consequences for norm beneficiaries.

¿En qué condiciones castigan los Gobiernos a las empresas multinacionales poderosas por violar las normas corporativas globales? Las teorías existentes en el campo de las RRII han demostrado que la vigilancia entre pares y el apoyo transnacional son estrategias cruciales que ponen de relieve las violaciones de las normas. A pesar de la importancia de esas estrategias, los Gobiernos del Norte Global no han condenado sistemáticamente a sus empresas multinacionales locales por infringir las normas relacionadas con el clima o con los derechos humanos en el Sur Global. Este artículo argumenta que el efecto de este tipo de atención se encuentra, de manera crucial, bajo la influencia de las instituciones electorales, y que los legisladores de los sistemas de representación proporcional son más propensos a presionar a las empresas multinacionales para que cumplan con las normas globales cuando estos temas están en el punto de mira que los de los sistemas mayoritarios. Encontramos evidencias que apoyan estas hipótesis en el proceso de Casos Específicos de las Directrices de la OCDE y en estudios de casos. Este artículo demuestra que las estrategias tradicionales para promover el cumplimiento de las normas, tales como el apoyo transnacional y la presión social, funcionan de manera diferente en diferentes países, y que los sistemas electorales en el Norte Global pueden tener consecuencias distributivas no deseadas para los beneficiarios de las normas.

Quelles sont les conditions qui poussent les gouvernements à faire des remontrances aux puissantes multinationales quand elles violent des normes commerciales internationales? Les théories de RI existantes ont montré que le contrôle par les pairs et la défense transnationale sont des stratégies cruciales qui mettent en lumière la violation de normes. Malgré l'importance de ces stratégies, les gouvernements du Nord n'ont pas systématiquement condamné les multinationales de leur pays quand elles ont violé des normes relatives au climat ou aux droits de l'homme dans les pays du Sud. Cet article affirme que les institutions électorales modèrent considérablement l'effet de cette mise en lumière, et que les législateurs des systèmes de représentation proportionnelle ont plus de chances que ceux des systèmes majoritaires d'inciter les multinationales à respecter les normes mondiales quand ces problématiques tombent sous le feu des projecteurs. Je trouve des éléments pour venir étayer mon propos dans le processus spécifique et des études de cas de l'OCDE. Cet article montre que les stratégies traditionnelles de promotion du respect des normes, comme la défense transnationale et la pression des pairs, fonctionnent différemment selon le pays, et que les systèmes électoraux des pays du Nord peuvent entraîner des conséquences involontaires sur la répartition des bénéficiaires des normes.

Introduction

Multinational corporations (MNCs) operate across borders. According to [OECD \(2020a\)](#), on average, the top 50 MNCs in the world have a physical presence in 27 countries plus 224 affiliates. Despite the prevalence of MNCs, there is no

world government that can hold such companies accountable. Thus, governments have devised codes of conduct to encourage MNCs to comply with labor, climate, and human rights norms in host countries. Because most of these initiatives lack direct enforcement mechanisms, norm beneficiaries rely on indirect forms of enforcement such as peer review processes or campaigns by transnational advocacy networks (TANs).

Despite the prominence of these strategies, we know relatively little about why governments discipline norm-breaking companies to different degrees. Two cases help illustrate such discrepancies in enforcement. When activists demanded that the Dutch government discipline its export credit agency for violating environmental norms enshrined in the Organisation for Economic Cooperation and Development (OECD) Guidelines for Multinational Enterprises (hereafter, the Guidelines), the government explicitly stated

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that *Atradius DSB*, the Dutch export credit agency, had “a responsibility to use its leverage on its business relationships to prevent and mitigate the harms caused by its activity” (Dutch NCP 2016, 5). Faced with similar pressure to enforce UK Export Finance’s (UKEF) compliance with the Guidelines, the UK government rejected the case, opting instead to protect the export credit agency. Existing theories that have highlighted the role of peer pressure in norm enforcement would predict that both governments would brush off such complaints. Neither government anticipated any peer review by other parties to the Guidelines. Likewise, the mechanism of transnational advocacy also fails to explain this variation. In both the United Kingdom and the Netherlands, prominent domestic advocacy organizations such as *Global Witness* and *Bothends* joined forces with transnational Non-Governmental Organizations (NGOs) to call attention to the issue, advocacy that would be expected to encourage strong enforcement decisions from both governments.

This paper asks: What factors lead governments to enforce global corporate norms and discipline rule breakers? To answer this question, I closely examine how domestic political institutions moderate the effect of traditional strategies to enforce corporate norms. Building on the literature on international trade (Rickard 2018; Postnikov and Bastiaens 2020), I advance a theory that privileges the role of the electoral systems in MNCs’ home countries. This paper examines the understudied role of legislators, showing that those in proportional representation (PR) systems are more likely to promote norm enforcement during an international organization’s (IO) peer review process and also respond more positively to domestic activists’ demands than those in majoritarian systems. Given their stronger incentive to appeal to diffuse and party-centric constituencies, PR legislators are more likely to highlight norm-related issues than those in majoritarian systems.

I test the theory, focusing on the OECD Guidelines for Multinational Enterprises. The Guidelines delineate codes of conduct for MNCs regarding their operations’ impact on human rights and the environment across borders. The drafters granted governments the autonomy to determine when and how to pressure companies into complying with the Guidelines, expecting that reputational considerations would lead to government pressure and corporate compliance. This paper draws from OECD Watch’s Specific Instances complaint database, a relatively new set of data that depicts how governments have responded to allegations that MNCs have engaged in norm violations. The database contains detailed information about complaints of specific instances from 2000 to 2018. Based on a careful reading of adhering governments’ decisions and final statements on these complaints of norm violations, I construct and assess the outcome variable, governments’ attitudes toward the alleged norm violations. Consistent with the theory’s prediction, I find that a peer review process or the involvement of a domestic advocacy organization increases the likelihood that an MNC will be disciplined, and this tendency is more pronounced in countries with PR systems.

This article makes several contributions. The literature on norm enforcement has focused on how activists can use peer pressure or social mobilization to enhance government compliance with global norms (Keck and Sikkink 1998; Simmons 2009). Yet, this conventional wisdom may not be sufficient to explain why governments choose to discipline norm-breaking companies. MNCs wield a strong influence in domestic politics, both by making promises to on-shore jobs and by financing campaigns, and this influence produces “accountability gaps” when it comes to their business

practices (Koenig-Archibugi 2004). For instance, Carnegie and Carson (2018) found that public scrutiny often deters governments from engaging with important IOs, such as the World Trade Organization (WTO), in order to protect domestic firms’ trade secrets. Despite the importance of this subject, few studies have investigated politicians’ incentives to promote norm compliance when they are in the spotlight.

Second, studies of corporate social and environmental standards have largely provided firm-level explanations, leaving unanswered the question of why some governments might promote these agendas more than others.¹ In recent years, an increasing number of home countries have begun pressuring MNCs to reduce social and environmental risks in their global supply chains, despite the high adjustment cost of doing so (see Evans 2020; LeBaron and Lister 2021). Although previous studies have investigated why normative issue linkages arise during trade negotiations (Hafner-Burton 2011; Lechner 2016; Postnikov and Bastiaens 2020), there have been few efforts to explore why home governments would regulate their own national champions outside their borders without any *quid-pro-quo* arrangement with the host government. I address this significant gap by highlighting how electoral institutions shape legislators’ incentives to promote MNC accountability—a relatively niche issue.

The Existing Literature on Norm Diffusion

Most international agreements that codify global norms lack direct enforcement mechanisms. Therefore, policymakers and scholars have focused on the factors that provide governments the resolve to enforce such norms. The literature has suggested two such factors. The first is boomerang politics and social mobilization, in which norm beneficiaries join forces with TANs to gain political leverage. The second is peer monitoring. A large body of literature has shown that policymakers respond positively to external social pressure from the international community. In lockstep, policymakers have devised peer review systems to promote compliance within IOs. In this section, I review existing studies of these two mechanisms and argue that prior studies have inadequately explained government attitudes toward corporate norm enforcement by ignoring how global norms become salient in domestic politics.

Social Mobilization and Boomerang Politics

Focusing on the role of nonstate actors, early studies of norms argue that the involvement of transnational NGOs tends to enhance human rights practices. Notably, Keck and Sikkink find that the “boomerang strategy” is an important mechanism through which activists can pressure repressive governments. When domestically oriented activists are denied access to their own government, they turn to internationally networked activists to pressure the government from outside (Keck and Sikkink 1998). For this mechanism to work, it is crucial that domestic and transnational activists provide a spotlight through their access to foreign governments and IOs. In a similar vein, Sikkink (1986) illustrates how a loose transnational coalition of NGOs led to the successful development of the WHO/UNICEF baby food code despite resistance from powerful MNCs such as Nestlé.²

¹Notable works in this realm are Greenhill et al. (2009), Green (2013), Malesky and Mosley (2018), Genovese (2019), and Kennard (2020), among others.

²Barry et al. (2013) also find international NGO (INGO) shaming of repressive practices affects MNCs’ investment decisions.

While recognizing the importance of transnational actors, other studies show that repressive governments comply with global norms only when domestic groups mobilize. Risse and Ropp (1999), Simmons (2009), and Murdie and Davis (2012) show that governments make substantial improvements in their human rights practices, especially when domestic NGOs mobilize populations from below. Dai (2005) argues that governments' compliance decisions reflect the electoral leverage of domestic constituencies, showing that the Long Range Transboundary Air Pollution Convention gave environmental activists crucial political leverage over office-seeking incumbents' compliance decisions. Overall, there has long been broad consensus that international institutions empower procompliance groups by giving them electoral or legislative leverage.

Peer Pressure

Many IOs have implemented peer review systems to enhance compliance. The UN Human Rights Council launched the Universal Periodic Review (UPR) to examine all UN member countries' human rights performance (Carraro and Jongen 2018; Terman and Voeten 2018; Carraro 2019); state parties to the Convention on the Elimination of Discrimination against Women (CEDAW) are obliged to submit reports on the status of their policy progress (Creamer and Simmons 2018); and the World Bank and OECD have used rankings and blacklists to disseminate complex or politically sensitive information on compliance (Doshi, Kelley, and Simmons 2019; Morse 2019).

There has been a long debate on whether and how exactly peer review systems enhance compliance. Some studies privilege the logic of consequences. Even self-interested policymakers care about their image and reputation; to the extent that MNC operations hurt their reputation, the argument goes, the policymakers may discipline an MNC for norm violations (Spar 1998). According to these scholars, governments comply with nonbinding international norms for fear of reputational or material losses (Hafner-Burton 2005; Postnikov and Bastiaens 2014; Donno and Neureiter 2018; Morse 2019). Other scholars argue that governments adjust their policy behavior following the logic of appropriateness (Checkel 2001). This perspective conceptualizes IOs as a social environment in which governments can learn from each other and internalize norms (Carraro and Jongen 2018).

A Missing Link: Salience and the Case of Global Corporate Norms

If MNCs' corporate accountability has no political salience, neither peer review nor social mobilization around the issue would significantly impact its enforcement. However, existing theories that emphasize peer monitoring and transnational advocacy implicitly assume that these strategies increase the political salience of norm violations. Upon closer examination, the degree to which compliance issues become salient varies substantially. An examination of UK media coverage supports this argument. Among countries that adhere to the Guidelines, the United Kingdom receives the largest number of complaints for violating the Guidelines. However, UK companies that have allegedly violated the Guidelines have received little to no media attention. For instance, the eight complaints that the UK government considered from 2018 to 2021 received an average of only 1.5

mentions each in the mainstream UK media.³ This lack of media salience is noteworthy when compared with well-known cases such as WTO trade disputes, which easily capture national media attention (e.g., Chaudoin 2014). For instance, the WTO disputes related to Meat and Meat Product (the EC Hormones cases) received consistent coverage in the UK media, reaching over ninety-one mentions in 2012, when the EU's beef trade war with the United States and Canada ended.⁴

It is not only media salience that varies; the political salience of MNC accountability issues diverges substantially even across mature democracies. Take the US, for instance. Although the US Democratic Party's 2020 campaign manifesto discusses the downside of relying "too heavily on global supply chains" and highlights their negative impact on working-class voters at home (The Democratic Party 2020, 20), none of the discussion addresses large corporations' extraterritorial responsibility. Although some portions of the manifesto include pledges to assist other countries with climate adaptation, at no point does the platform zoom in on MNCs or the global supply chain as the culprit. Compared with the United States, the UK Labour Party's platforms in 2017 and 2019 directly discuss supply chain issues and say the Party will work to "tighten the rules governing corporate accountability for abuses in global supply chain" and enforce the Modern Slavery Act (The Labour Party 2017, 123). But before 2017, the UK Labour Party's platform did not have many references to corporate accountability.⁵ In contrast, left-leaning political parties in Belgium and the Netherlands started making commitments to corporate accountability abroad approximately ten years earlier than the UK Labour Party. For example, the Belgian Green Party's 2007 manifesto pledged to make the OECD Guidelines and the UN standards for Corporate Social Responsibility (CSR) mandatory for MNCs (Green! 2007). Similarly, the 2006 Dutch Labor Party manifesto said that Dutch companies should be transparent about their activities and justify how they put CSR into practice abroad (PvdA 2006). Compared with the US or UK left parties' approach to MNC accountability, their Dutch and Belgian counterparts are more detailed and direct.⁶ Given the high variance in the political salience of MNC accountability issues even across mature democracies, it is reasonable to expect governments to respond differently to peer review or mobilization.

Therefore, it is crucial for us to understand how MNC issues gain political salience and under what conditions politicians engage with these issues, thus leading governments to be more responsive to activist demands instead of supporting powerful MNCs.

An Institutional Approach to Norm Promotion

This paper develops an institutionalist approach to the study of global norm promotion. I contend that the broader political opportunity structures within home countries can shape and moderate the effect of various enforcement strategies

³This is based on the author's keyword searches on *Factiva Press Release Service* (UK). Accessed on January 15, 2023.

⁴*Factiva Press Release Service* (UK). Accessed on January 15, 2023.

⁵The Labour Party (2015, 80) views the private sector as "a positive force for change" in the context of international development.

⁶The Dutch Socialist Party says in its 2021 manifesto, "we will fine companies in our country, as well as the head offices of foreign companies, if there are abuses that they or their suppliers cause elsewhere in the world" (SP 2021, 28). The Labor Party (PvdA) commits to establishing a "court for multinational companies" and making binding measures for global corporate social responsibility (PvdA 2021, 98).

that activists use, including peer pressure and social mobilization. Echoing several previous studies on domestic social movements, e.g., [Kitschelt \(1986\)](#), this paper argues that the strategies and effectiveness of advocacy vary across political systems due to the constraints and incentives of the institutional environment surrounding advocacy groups. In this sense, political institutions serve as “filters” or “conveyor belts” between advocacy efforts and social change.

Focusing on the differences between PR and majoritarian systems, this paper uncovers two interrelated mechanisms—issue parties and electoral geography—through which electoral rules can affect government stances on global corporate norms. Based on these premises, I theorize that (i) politicians in PR systems are better equipped to mainstream niche issues such as MNC accountability due to the availability of issue parties, and (ii) PR legislators are more sensitive to advocacy efforts such as peer review and mobilization due to the electoral incentives to appeal to geographically diffuse constituencies.

Issue Parties and the Salience of Norm Violations

An average voter may not know much about, let alone base their vote on, the extraterritorial accountability of MNCs. Voters and politicians alike tend to treat healthcare, social security, law and order, immigration, taxes, and war as the most decisive issues for campaigns and governance (see [Johns 2010](#) for the United Kingdom; [Sides 2006](#) for the United States; [Walgrave, Lefevere, and Tresch 2012](#) for Belgium; [Franzmann, Giebler, and Poguntke 2020](#) for Germany). How then do niche issues like corporate norms enter domestic political processes, and why is it easier for these issues to gain traction in PR systems?

First, PR systems—characterized by relatively high vote-seat elasticities—allow room for multiple parties ([Cox 1997](#)). As a result, PR systems make political space for smaller issue parties. These issue parties (e.g., green parties) under PR can enhance the prospects of winning future elections without placating the median voter, who is unlikely to consider MNC accountability a decisive issue; instead, the issue party can faithfully represent the narrow interests of their supporters who deeply care about the extraterritorial accountability of MNCs and still gain seat(s) in the legislature. For instance, the Dutch Green Left (GroenLinks) explicitly promoted MNCs’ extraterritorial accountability as a campaign issue starting in 2002. In its 2002 election program titled “abundance and unease,” the party stated that the OECD Guidelines should be made binding, and in the meantime, assistance from the Dutch government should be limited to the companies that voluntarily comply with the Guidelines ([GroenLinks 2002](#)). Similarly, as early as 1999, the Flemish Green Party in Belgium pledged in its program that “the OECD Guidelines should be made enforceable, and the Belgian government should take an initiative in this area” ([Agalev 1999](#)).

However, I do not expect these issue parties alone to make MNC issues salient. My argument is that mainstream parties under PR systems have stronger incentives to engage with MNC issues because PR rules amplify issue parties’ electoral power. Faced with a strong issue party, mainstream parties may feel an acute need to address the issue party’s agenda to keep their supporters. This mechanism is weaker in majoritarian systems. The literature on issue evolution provides supporting evidence. For instance, according to [Meguid \(2005\)](#), mainstream parties may try to take ownership of environmental issues—a relatively novel issue area owned by green parties, either by taking similar or adversarial posi-

tions; these competing ownership claims may ultimately increase the salience of the issue. Similarly, [Spoon, Hobolt, and de Vries \(2014\)](#) empirically show that mainstream parties tend to emphasize and increase the salience of environmental issues during campaigns, especially when green parties’ electoral power is strong. In sum, as PR systems make space for issue parties, issue parties in turn serve as issue entrepreneurs, creating incentives for mainstream parties to engage in the discussion on global corporate norms.

Supporting this line of reasoning, [figure 1](#) shows how green parties’ promotion of MNC accountability, or lack thereof, may explain mainstream left parties’ engagement with this issue. The plot focuses on the United States, the United Kingdom, and the Netherlands, which had varying levels of green party influence between 2000 and 2017. I closely read the campaign manifestos of the major mainstream parties and green parties to capture the political salience of MNC accountability in these countries. Take the Netherlands, for example. The Green Left (GroenLinks) has been promoting MNC issues well before 2002, when the Labor Party began discussing CSR on their platforms. The latter’s discussions were relatively diluted compared with the Green Left’s pledge to make the OECD Guidelines mandatory. However, in 2006, the Labor Party took a position similar to that of the Green Left and promised to make the Guidelines mandatory. The UK Labour Party, in contrast, typically portrayed corporations as a positive force for sustainable development until 2015, while the Conservative Party rarely mentioned CSR. The Green Party of England and Wales (GPEW) has typically posed a minimal electoral threat to the Labour Party due to the first-past-the-post nature of the UK’s electoral system. But following the “Green Surge” around the 2015 general election ([Harris 2014](#)), the Labour Party made a campaign pledge to tighten the rules governing corporate accountability for the first time in 2017 ([The Labour Party 2017](#)). On the far extreme is the United States, where the two-party system leaves no room for issue parties. US parties’ discussion of MNC accountability is noticeably absent. The Gore campaign made the strongest statement, promising the administration would “challenge American companies to ensure labor protection abroad” ([The Democratic Party 2000](#), 18). The topic then disappeared after 2000, and most subsequent discussions of sustainability have focused on preserving American competitiveness.⁷

Geography, District Size, and Salience

The second mechanism develops a view that electoral geography plays a crucial role in whether legislators find MNC norm violations a useful issue for their electoral survival. Legislators consider the geographical distribution of interest groups differently depending on how electoral rules aggregate these underlying preferences. Substantiating the

⁷Of course, advocacy effectiveness and electoral institutions may be endogenous. Although the theory in this paper focuses on the effect of electoral institutions, previous studies have shown that organized interest groups may determine electoral institutions. For instance, [Cusack, Iversen, and Soskice \(2007\)](#) argued that PR systems prevailed in countries where labor and capital had strong interests in common. [Iversen and Soskice \(2006\)](#) found that left governments are more likely to prevail under PR, and PR countries tend to redistribute more than majoritarian systems. Such a long-term interaction between electoral systems and social forces may have a significant impact on advocacy effectiveness (e.g., weaker labor in majoritarian systems). This paper’s theory on issue parties captures a small part of the long chain. PR systems operate based on “the logic of oversized coalitions, consensus, and inclusion” ([Iversen and Soskice 2006](#), 374). The logic of inclusion allows room for niche parties, who are more likely to ally themselves with activists promoting MNC accountability, an untried and novel issue.

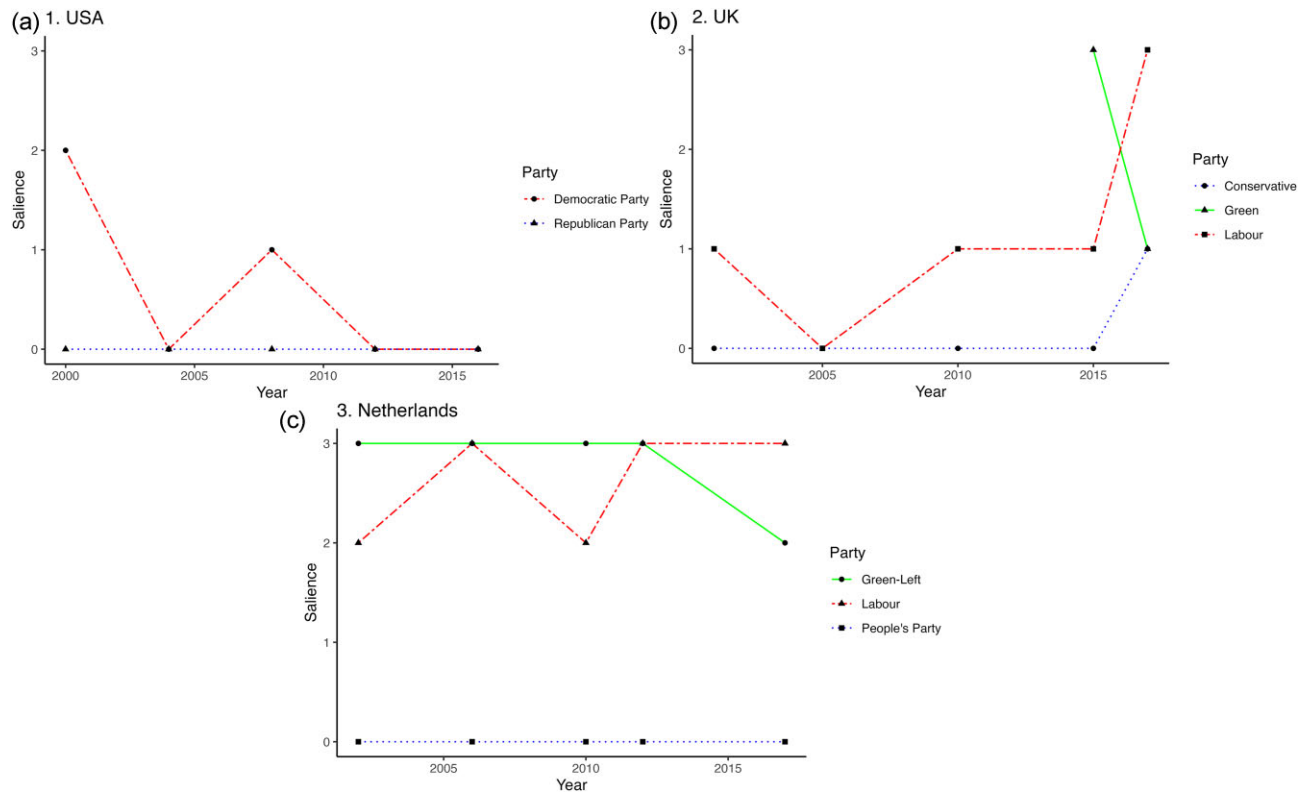


Figure 1. Salience of extraterritorial corporate accountability in campaign manifesto documents in the United States, the United Kingdom, and the Netherlands from 2000 to 2017; 0 = no reference to CSR or sustainable development, 1 = broad reference to sustainable development or CSR without mentioning corporate accountability, 2 = reference to corporate accountability, 3 = direct reference to enforcement (Source: Manifesto Project Dataset (Lehman et al. 2023)).

importance of this linkage, previous research has shown that diffuse industries tend to gain more subsidies in PR systems, while geographically concentrated industries prevail in majoritarian systems (Rickard 2012, 2018). For example, the fishing industry gains more subsidies in majoritarian systems due to its geographically concentrated nature than in PR countries (Rickard 2022). A long line of political economy research has also found that governments can produce vastly different foreign economic policies depending on the geographical configurations of industries and their political leverage (Rogowski 1987; McGillivray 2004).

In the context of global corporate norms, however, it is equally important to understand how value-based constituencies gain political leverage against powerful economic interests. Norm advocates tend to be geographically dispersed. For example, Rickard (2022, 4) has noted that environmentalists are not clustered around specific natural resources, and the supporters of environmental groups span different regions of the United States and the United Kingdom. As such, advocates earn political leverage by recruiting and mobilizing constituents dispersed across the country, rather than appealing to locally rooted interests, by using scalable tactics such as advertising and media coverage (McCarthy and Zald 1977).

By contrast, industries and economic interest groups are more likely to be geographically concentrated. In the context of corporate norm enforcement, the asymmetry of the geographical concentration of MNCs versus norm entrepreneurs tends to be even more staggering. Although MNCs operate across many jurisdictions, they may have ties

to politicians in a specific city or region, especially the one where they are headquartered. For example, in Japan, Koromo City, in Aichi Prefecture near Nagoya, renamed itself Toyota City in 1959 to recognize the importance of the Toyota Motor Corporation, the city's major employer. Even tech companies, which have little need for natural resources, tend to have ties to specific regions, such as the San Francisco Bay Area of the United States. Overall, MNCs are better equipped to exercise influence via geographically oriented political ties than advocacy organizations, whose membership is diffuse throughout a country.

Electoral institutions amplify or mitigate these groups' influence depending on the compatibility of their modes of organization with electoral geography (see Postnikov and Bastiaens 2020).⁸ I contend that activists accomplish their goals better in electoral systems with few geographic

⁸Focusing on North–South trade agreements, Postnikov and Bastiaens (2020) investigated the effect of electoral institutions. They found that governments with majoritarian electoral systems may implement more punitive enforcement mechanisms. This is because protectionist interests can mobilize their allies and form broader coalitions in majoritarian systems, such as Baptist and bootlegger coalitions between labor and environmentalists. Postnikov and Bastiaens also argue that politicians in PR systems reframe trade issues to appeal to diffuse consumer interests or larger environmental constituencies. The present study relies on similar assumptions, emphasizing the importance of geography and legislative incentives. However, there are important differences between corporate norm enforcement and trade liberalization. Protectionist interests, including labor and import-competing industries in the North, tend to become deeply involved in trade negotiations because trade agreements have a significant impact on their profits and job security. Consequently, trade agreements serve as a focal point around which protectionist interests and activists in adjacent issue areas can rally to either veto or influence trade deals. However, unions and import-competing industries may

implications (i.e., larger districts); electoral rules that privilege geographical ties and local politics will benefit economic interest groups like MNCs with strong geographic influence (i.e., smaller districts). This reasoning is well supported by the comparative politics literature; it is well established that seat-vote elasticities depend on the interaction of electoral systems and the geographic distribution of supporters. Seat-vote elasticities in PR systems are close to 1, whereas parties in single-member districts (SMDs) may not always be able to convert their votes into seat gains (Kaysner and Lindstädt 2015). Electoral institutions—particularly district size—shape how politicians engage with their voters on the ground. For example, Cox et al. (2020) have shown that candidates in smaller districts tend to rely on door-to-door canvassing, whereas those in multimember districts use scalable strategies such as TV or newspaper ads to reach their supporters dispersed across the large district.

This finding is relevant to understanding how legislators choose which topics to engage with during reelection campaigns. If PR left politicians in large districts tend to use TV or media ads to gain support, it is beneficial for them to cultivate reputations as staunch issue advocates. They might find it useful to stand up against a big MNC, pushing a party issue and gaining media attention in the process. This strategy is scalable in a way that placates their loyal party supporters across the nation and increases the salience of MNC issues. In PR systems, where constituencies are larger, gaining the support of the 5 percent of the national constituency who care about human rights could have significant consequences.

Altogether, I expect legislators under PR—especially those in larger districts and where ecological issue parties have a stronger presence—to promote global corporate norms more than those who operate in SMDs with a weak issue party influence. Furthermore, I expect that legislators in PR (majoritarian) systems are more likely to protect norm beneficiaries (an MNC), such as when their country is in line for peer review or when a complaint has been made by a TAN that includes a domestic advocacy group.

H1. *During a peer review period, countries with PR systems are more likely than majoritarian countries to encourage MNCs to align their corporate policies with global norms.*

H2. *When domestic advocacy organizations are involved in a campaign, PR countries are more likely than majoritarian countries to nudge MNCs to align their policies with global norms.*

H3. *Countries with larger electoral districts and a higher proportion of green party seats are more likely to encourage MNCs to comply with global norms.*

The Case of the OECD Guidelines and Illustration

International laws that enshrine global norms regarding MNC activity largely rely on the power of reputation. Most of those initiatives depend on firms' voluntary commitments to adjust their behavior (e.g., ISO standards) (Prakash and Potoski 2006; Green 2013) or governments' incentives to enforce norms to build a reputation for compliance (e.g., the ILO Tripartite Declaration and the UN Global Compact) (Hale 2008). Among them, the OECD Guidelines represent the most formalized nonjudicial procedure through which individuals can register complaints about MNC operations on a global scale (Ruggie and Nelson 2015). The

have weaker incentives to push for corporate norm enforcement in alliance with advocacy groups because there is no guarantee that successful mobilization will bring jobs back to their home countries.

OECD published the first draft of the Guidelines in 1976 in response to the unsuccessful attempt by the Group of 77, a coalition of developing countries, to negotiate a legally binding treaty governing MNC activity (OECD 2018, 20). Because the designers of the Guidelines understood the challenge of negotiating a binding treaty, they negotiated “non-binding principles and recommendations addressed by governments to MNCs” (OECD Guidelines Preface). It was not until the collapse of the OECD negotiation for a Multilateral Agreement on Investment (MAI) that the OECD instituted the formalized procedure known as “specific instances” (Ruggie and Nelson 2015). Faced with the criticism that the OECD MAI would provide excessive protection for MNCs at the expense of human rights and the environment, the OECD revised the Guidelines to incorporate such grievances in 2000.

Since 1984, adhering governments have been required to establish National Contact Points (NCPs) to handle issues related to the Guidelines. In response to grievances about the ineffectiveness of the Guidelines, the 2000 revision amplified the role of adhering governments in addressing issues of implementation in specific instances (Khoury and Whyte 2019). In this new procedure, individuals or organizations can file a complaint to designated NCP(s) about an MNC's operational compliance with norms related to labor, bribery, human rights, and the environment. Upon receipt of the complaint, the NCP makes “an initial assessment of whether the issues raised merit further examination and respond to the parties involved” (OECD Guidelines 2011, 72). If the NCP decides that the case merits further consideration, it offers “good offices to help resolve the issue” (OECD Guidelines 2011, 72). Once the procedure is over, the NCP makes “the outcome of the procedures publicly available,” and makes “recommendations on the implementation of the Guidelines (...).” (OECD Guidelines 2011, 73).

Adhering governments voluntarily agree to undergo a peer review in a designated year. Although the first review took place in 2009, the peer review process was formally implemented as part of the 2011 update to the Guidelines (OECD Guidelines 2011, Section II, Paragraph 19). Typically, representatives from two to four peer governments carry out peer review visits. Reviewers meet with government officials, NGOs, and businesses during the visit, and the review process may include investigating previous complainants from closed cases. After the on-site visit, the reviewers issue a peer review report and make recommendations. For instance, peer reviewers from Switzerland, Germany, and Australia reviewed the Korean NCP in 2019 and pointed out that the Korean NCP's recommendations “are general and do not respond specifically to the issues raised,” and they recommended that the NCP “provide concrete recommendations that respond specifically to the issues in question” (OECD 2021). The Guidelines' specific instances and procedures are a useful case for studying whether activists can push governments to discipline powerful MNCs via a nonjudicial process, as it provides a rare opportunity to gauge government attitudes toward MNC behavior overseas.

Enforcement of the Guidelines across Different Political Systems

Two cases help illustrate the pathways by which political institutions affect norm enforcement. In the first case, I show that due to legislators' different electoral incentives, those with national constituencies tend to promote norm enforcement more than those with narrow constituencies. I

compare legislators in South Korea, a country with a mixed electoral system that includes legislators elected from single-member districts and from national party lists. The second set of examples illustrates how two similar countries that have different electoral systems have carried out their enforcement processes differently. The United Kingdom, which has a majoritarian system, and the Netherlands, which has a PR system, made different decisions about the applicability of the Guidelines to their respective export credit agencies.

In South Korea, voters elect legislative candidates through a mixed-member electoral system; in this system, 243 members are elected from single-member districts, and the rest are elected from closed national party lists (Jun and Hix 2010). Members elected from party lists are expected to run for a district seat in the following term, as party lists are customarily reserved for new faces. It is therefore important for PR members seeking reelection to gain support from party leaders in order to get a candidacy in a safe seat. Thus, incumbents elected via a party list must raise their profile in a way that promotes the party line.

In December 2019, a team of reviewers undertook an on-site visit to assess whether the Korean NCP (KNCP) had complied with the procedural guidance during the implementation process. During the visit, the reviewers met with trade unions and activists, and the stakeholders raised the issue that worker interests were not properly represented during the implementation procedure. Consequently, the review report published in 2021 recommended that the KNCP “make efforts to improve their relationship with key stakeholders” and “provide concrete recommendations that specifically respond to the issues in question” (OECD 2021). Simultaneously, the KNCP received six complaints alleging that Korea-based companies had engaged in misconduct related to their dealings with the Myanmar military. Two Korea-based advocacy organizations joined a transnational alliance with Justice for Myanmar to file complaints against MNCs such as POSCO and Hotel Lotte for leasing land owned by Myanmar’s military (OECD Watch 2021b). The KNCP also received a complaint about Korea-based MNCs’ involvement in the palm industry in Indonesia; the case was supported by a transnational coalition that included Korea-based *KTNC Watch* and Indonesia-based *Walhi Papua*, among others. These cases received significant attention in the Korean media.

If the conventional wisdom on peer review and transnational advocacy were true, the 2019–2021 window was auspicious timing for activists to approach the KNCP with demands. Despite the issue’s salience in the media, only a few legislators promoted the cases within the Korean National Assembly in 2021, primarily by PR members with ties to domestic NGOs. Minjung Kang, elected from the Democratic Party’s list, pointed out that Posco’s involvement in Myanmar may have violated the OECD Guidelines. In a steering committee meeting about the 2022 budget for the National Human Rights Commission, Kang referred to Posco and other Korea-based MNCs’ involvement in human rights and environmental misconduct in Myanmar and asked the Commissioner to follow up on the Korean government’s enforcement decisions. Kang also hinted at the possibility of a hearing with the companies’ executives if the NCP failed to address the complaints (The Korean National Assembly 2021c, 46). In another meeting, Kang pressured officials from the Ministry of Commerce and Industry to comply with the Guidelines in the context of Posco’s palm oil business in Indonesia (The Korean National Assembly 2021a). In a plenary session, Hye-in Yong, a PR member

from the Basic Income Party, questioned the prime minister regarding the government’s approval of Posco’s sale of *Moat-tama*, a landing platform dock, to Myanmar (The Korean National Assembly 2021b, 36). Although the KNCP rejected the Myanmar case, in January 2022 it issued a set of recommendations for Posco International regarding their Indonesian palm oil plantations. The NCP’s final report stated that Posco International “shall ensure that the OECD Guidelines, the OECD Due Diligence Guidance for Responsible Business Conduct, and the Guidance for Responsible Agricultural Supply Chains are considered during the due diligence process” and should “submit a performance report six months after the receipt of this final statement” (The Korean National Contact Point 2022). Considering that the KNCP has rarely issued any recommendations for complaint respondents, it is plausible that legislative pressure and the peer review process jointly contributed to the outcome of the Posco-Indonesia Palm Oil case.

In the second case, comparing the United Kingdom and the Netherlands illustrates how electoral systems shape the procedures by which global corporate norms are enforced. In 2020, *Global Witness*, a UK-based NGO, filed a complaint alleging that *UKEF*, the UK export credit agency, failed to “commit and contribute to the climate targets set by the Paris Agreement, and to disclose its indirect greenhouse gas emissions” (OECD Watch 2021a). The UK government rejected this case, arguing that the agency was not a multinational enterprise, thus the Guidelines did not apply to it. In contrast, a few years earlier, the Dutch government had accepted a similar complaint about *Atradius DSB*, the Dutch export credit agency. In 2015, a coalition of Dutch and Brazilian activists filed a case against *Atradius DSB*, arguing that the export credit agency failed to conduct due diligence regarding a Dutch dredging company’s human rights practices in Brazil. At this time, neither government anticipated any peer review, so we would expect both to brush off the complaints.⁹ Prominent home-based NGOs promoted the cases in each country; if TANs alone were powerful enough to move the needle, then both NCPs would have accepted the cases. In sum, if the conventional wisdom on peer review and TAN had explanatory power, these two countries would have made similar decisions on these cases.

Voters in the UK and the Netherlands elect their legislators differently. The UK House of Commons has a first-past-the-post system that includes 650 constituencies.¹⁰ In the Netherlands, voters elect legislators to the Dutch House of Representatives using a party list PR system with open lists; Dutch voters can cast preferential votes to elect their preferred candidates from a chosen party. Incumbents in the UK and Dutch legislatures have different incentives when it comes to discussing MNC behavior abroad. Dutch representatives have stronger incentives to focus on national and global issues such as MNC conduct to appeal to their larger and more diffuse constituencies, whereas UK members are less likely to do so unless their narrower constituencies have vested interests in MNC operations.

These institutional differences have shaped how the two governments approach complaints. Dutch representatives routinely make direct references to the social responsibilities of Dutch corporations operating abroad. In June 2015, the Dutch export credit agency was accused via the OECD grievance mechanism of having failed to conduct due diligence in Brazil, and the House Committee for Foreign

⁹The United Kingdom has finished its first peer review in 2018 and 2019.

¹⁰There were 659 constituencies from 1997 to 2005, and 646 from 2005 to 2010.

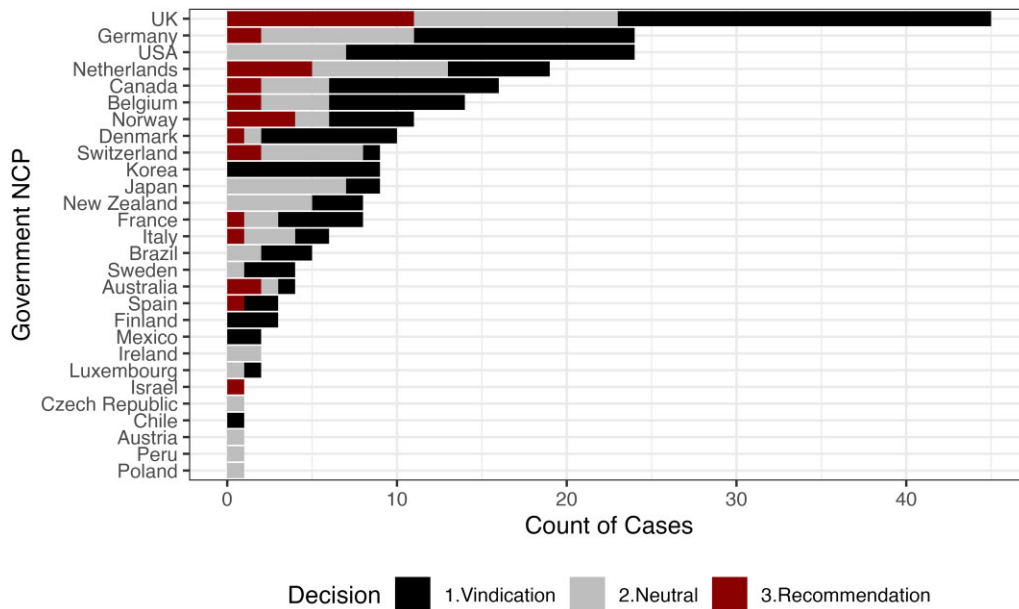


Figure 2. Government responses to complaints on MNC compliance with the OECD guidelines (2000–2018, source: OECD Watch Complaints Database)

Trade and Development Cooperation sent a list of questions about the incident to the Minister of Foreign Trade and Development Cooperation in October of the same year. The committee asked about the possibility that the Netherlands had contributed to human rights violations or environmental degradation via its provision of export credit insurance (de Roon 2015, 37). The minister responded that all Dutch companies applying for export credit insurance must sign a Declaration of Effort in which they agree to adhere to the OECD Guidelines for multinational companies (de Roon 2015, 38). By contrast, there is little to no evidence that legislators in the United Kingdom took any interest in the complaint against *UKEF*. The case was filed in March 2020, and the minutes of the NCP Steering Board meeting on September 30, 2020 stated that the NCP confirmed the rejection of the *UKEF* case in response to a question about the complaint from a business stakeholder (UK Government 2021).

There are obvious institutional differences between the two legislative bodies' relationships with the OECD Guidelines. The UK NCP reports to the parliament in an ad hoc manner (OECD 2020b, 13), while the ministers in charge of the Dutch NCP must send a report about it to the parliament every four years (van't Foort et al. 2019).¹¹ The decision to accept the case against the Dutch export credit agency can be understood in light of the close legislative oversight over the enforcement of the Guidelines in the Netherlands. The Dutch Parliament had already questioned the NCP in 2005 about the range of companies subjected to the Guidelines, and the NCP had clarified that "the NCP must broadly interpret this Investment Nexus, rather than focusing on the ownership structure" (OECD 2010, 39).

Altogether, these cases illustrate two ways in which legislators influence the enforcement process. First, legislators may influence NCP's decision processes *ex post* after a complaint is filed. As the Korea case illustrates, legislators may publicly pressure bureaucrats—e.g., the NCP—to regulate MNCs during congressional hearings. In this procedure,

legislators—who were mostly elected through party lists—threatened to directly investigate the corporations involved in the Myanmar and Indonesia cases. Second, as the Dutch case shows, legislators may monitor the executive branch's handling of complaints *ex ante*. In this principal-agent relationship, it is NCPs, the agent that directly handles complaints. However, governments have significant flexibility in how they set up NCPs. And there is evidence that PR countries give stronger monitoring capacity to their legislators: As of 2017, ten out of forty-five NCPs report directly to parliaments, and all those ten countries have either pure PR or mixed systems, and no majoritarian legislatures have access to such an accountability mechanism (OECD 2018, 74).¹² I now turn to the data and quantitative analysis.

Data

To construct the dependent variable on government handling of complaints, I use OECD Watch's data on specific instances from 2000 to 2018; this database records how adhering governments handle allegations of norm violations (OECD Watch Complaints Database 2021). It contains detailed information on 243 cases of specific instances in this period. Importantly, each case entry has detailed information on (i) the complainants who filed the case, (ii) the respondents who allegedly breached the Guidelines, and (iii) which government is responsible for the case and the government's statements on the case. See online appendix A for the summary statistics of the dataset.

The Dependent Variable

When faced with a complaint about MNC activity, a government typically responds in one of three ways: (i) the government can reject the case or choose to vindicate the MNC, (ii) the government can avoid taking sides and act as an

¹¹The reporting responsibility was codified per the government decree on the NCP in 2014.

¹²These countries are Austria, Belgium, Colombia, Costa Rica, Germany, Italy, South Korea, Lithuania, the Netherlands, and Switzerland.

impartial mediator, or (iii) the government can recommend that the MNC disclose more information and adjust its policy to comply with the norm in question. I carefully read the summary descriptions of 243 cases and government statements and coded the outcomes in the form of an ordered variable that was coded 1 (vindication), 2 (neutral), or 3 (recommendation). I call this ordinal variable recommendation. Figure 2 depicts the data.

Vindication can take various forms. A government can reject a complaint on procedural grounds, and such rejection is commonplace: 45 percent of the complaints in the data set were rejected on procedural grounds. Other times, a government may explicitly exonerate an MNC during or following the mediation process. I categorize both types of decisions—procedural rejections and explicit vindications—as vindications. As figure 2 indicates, among the top five recipients of complaints, North American countries—Canada and the United States—have tended to reject more claims than their European counterparts, the United Kingdom, Germany, and the Netherlands. Other countries, such as South Korea and Mexico, dismissed all complaints they received from 2000 to 2018.

Neutral mediation is also common. Governments often mediate cases on neutral grounds without taking a side. For example, the Japanese government concluded a case submitted by labor unions in Japan and Thailand against Suzuki Motor Corporation on the grounds that “the parties involved could not reach an agreement” (The Japanese NCP 2017). In its final statement, the government carefully limited its role to the provision of procedural guidance. Even when governments make recommendations, they sometimes explicitly state that the MNCs in question did not breach the Guidelines, maintaining an appearance of neutrality. I code these cases as neutral mediation. Approximately 35 percent of the cases in the data set fall into this category.

Finally, a government can make specific recommendations to an MNC and imply or confirm that the MNC breached the Guidelines. Although disciplining recommendations are relatively rare, some governments recognize MNCs’ violations of the Guidelines and issue specific recommendations to the MNCs. When handling an allegation against construction companies operating in Russia, the Belgian government recommended that the companies “communicate to the public about potential hazards to the environment” since environmental information is “not considered confidential company information” (NCP Belgium 2014). Overall, compared with other countries, the United Kingdom, Canada, Germany, and the Netherlands were most likely to make disciplining recommendations to MNCs following the mediation process (figure 2). Cases in this category make up 14 percent of the data set.

Explanatory Variables

Peer Review. Twelve countries experienced peer review in the span of 2001–2018 (online appendix O). Here, a case is coded 1 if there was a peer review during the case duration and 0 if there was not (variable name: Peer Review). Of course, the review process can be endogenous. I address this concern using matching in robustness checks (online appendices B and C).

Domestic NGOs. Coalitions are an important component of my theory. I code coalition types based on information about the complainants. The OECD Watch Database provides detailed information on complainants’ identities, including their physical addresses. Drawing from the database,

I construct *domestic NGO* to categorize the coalition types. This variable measures whether a coalition has any advocacy groups with the proximity to pressure home governments and MNCs. Hypothesis 2 posits that governments tend to be more responsive to demands from organizations based in their own countries. To operationalize this measure, I identify complainants based in the same country as the home government and code 1 if the coalition has any home-based NGO as a complaint and 0 otherwise.

Electoral Systems. I use the PR variable from the Database of Political Institutions (DPI) (Cruz, Keefer, and Scartascini 2021). PR is a binary variable: “1 if candidates are elected based on the percent of votes received by their party and/or if the DPI’s sources specifically call the system proportional representation” (Cruz, Keefer, and Scartascini 2021, 19). Otherwise, it is 0. In my data set, twenty-three out of twenty-eight countries are coded as PR. A total of 149 cases are handled by PR governments, and 94 are filed with governments without a PR system.¹³

Admittedly, some countries have mixed systems. In mixed systems, candidates are elected using both PR and plurality rules. Although this is an important nuance, I choose the binary measure of PR in reporting my main results due to the small sample size and ease of interpretation. I address this issue using an alternative measure of electoral systems by Bormann and Golder (2013) in robustness checks; this indicator categorizes countries as having either majoritarian, PR, or mixed systems (online appendix D).

Controls

The Strength of Complaints. Governments may respond differently to complaints based on the relative strength of the cases. In the context of the World Trade Organization’s dispute settlement procedure, scholars have found that complainants often invoke articles with little relevance to their cases. They have shown that the “kitchen sink approach” incentivizes panelists to exercise judicial economy, refraining from ruling on certain arguments raised in the complaints (Busch and Reinhardt 2006; Brutger and Morse 2015). While there are many differences between OECD and WTO procedures, they are analogous in one important way: In complainants’ submissions, they must specify which article(s) of the Guidelines have been violated. Unlike in the WTO procedure, however, adhering governments have the leeway to dismiss an OECD claim based on the general weakness of the case instead of exercising judicial economy. Thus, governments may reject a case if a complainant invokes too few articles, but invoking too many articles—the kitchen sink approach—may also lead to rejection. To account for this nonlinear dynamic, I control for the number of provisions cited using a quadratic term for the variable.

Coalition Size. I also control for *Coalition Size*, a variable that captures the number of organizations participating as complainants in a case. This is an important control to account for the severity of allegations. We can reasonably assume that more NGOs will support a case if the case has severe implications for a large number of people. In some cases, only one organization or an individual lodges a complaint. These solo cases tend to gain little media traction, which affects governments’ calculus in the mediation process. On the other

¹³Countries with a PR system are as follows: the Netherlands, Germany, Sweden, Italy, Belgium, Israel, Japan, Brazil, Switzerland, Australia, Norway, Denmark, Finland, South Korea, New Zealand, Luxembourg, Peru, Ireland, Mexico, Spain, Austria, Poland, and the Czech Republic. Countries without a PR system are the United States, the United Kingdom, Canada, France, and Chile.

end of the spectrum, there are cases in which a dozen high-profile NGOs co-file a single complaint.

Party. Drawing from Cruz, Keefer, and Scartascini (2021), I have constructed two variables—*Incumbent Left* and *Opposition Left*—to measure the influence of left parties in the legislature. *Incumbent Left* categorizes the ideology of the executive's largest party as 1 (conservative), 2 (center), or 3 (left) and multiplies this indicator by the proportion of seats held by the party and its coalition members in the legislature. I operationalize *Opposition Left* in the same manner, multiplying the ideology of the largest opposition party by the proportion of seats it holds. Consequently, higher numerical values represent greater left-party influence within a legislature.

Trade Agreements and Relevant Treaties. First, prior literature shows that electoral institutions can influence the design of trade agreements, especially the inclusion of social and environmental provisions (Postnikov and Bastiaens 2020). This mechanism may potentially affect government decisions (see online appendix F for the mechanism). To address this effect, I control for *Binary PTA*, drawing from Lechner (2016)'s dataset; this variable captures whether the home government had a preferential trade agreement (PTA) with the host country when a complaint was filed. Second, it is possible that adhering governments' ratification of labor, environmental, and human rights treaties has affected the enforcement of the Guidelines. To account for this, I control for *Treaty*; this is a count variable that captures the number of treaties that governments have ratified when a complaint was filed. These treaties include ILO fundamental conventions, two environmental agreements, and nine major human rights treaties (online appendix G).

Issue Areas. The OECD Guidelines cover a variety of issues ranging from labor, bribery, human rights, and the environment. The OECD Watch Database contains detailed information on each complaint's issue areas. It is crucial to control for the issue area. For example, activists may file a complaint if the case is closely related to salient issues such as labor or the environment, rather than a localized issue such as bribery. To address this possibility, I include binary variables *Labor*, *Environment*, and *Bribery* that characterize the contents of each case.

Methods

I use ordered logistic regression to test the theory. Because the theory focuses on how electoral institutions moderate the effect of peer review or domestic NGOs' involvement, I interact these two explanatory variables with *PR*. I also control for the potential confounding variables explained above. If the theory is valid, then these interaction terms should be positively associated with the outcome variable, which captures government tendencies to recommend policy change.

Peer review and domestic NGOs' involvement may be endogenous to government decisions. Peer review is likely endogenous to time trends. For instance, the Guidelines' peer review process became formalized starting in 2011 per the Guidelines' update. As such, governments are more likely to sign up for a peer review after 2011 than before. Likewise, the involvement of domestic NGOs may be interrelated with several external factors, such as ideology and affluence. To address these concerns related to endogeneity, I use coarsened exact matching and check the robustness of the main results (online appendices B and C).

Table 1. Ordered logit regression results on the relationship between recommendation and peer review conditional on proportional representation system

	DV: Reject - Neutral - Recommend			
	(1)	(2)	(3)	(4)
Peer review	0.87* (0.49)	1.84*** (0.02)	0.88*** (0.02)	1.10*** (0.07)
PR	0.22 (0.38)	0.47 (0.37)	0.42 (0.35)	0.24 (0.32)
Peer review: PR			1.76*** (0.01)	1.41*** (0.01)
Coalition size		0.07 (0.12)	0.06 (0.13)	0.05 (0.13)
Incumbent left		0.76*** (0.29)	0.77*** (0.29)	0.72*** (0.27)
Opposition left		0.91*** (0.26)	0.89*** (0.27)	0.80*** (0.30)
Treaty				0.06* (0.03)
PTA				-0.39 (0.51)
Provision		-0.03 (0.09)	-0.03 (0.09)	-0.02 (0.09)
Provision2		-0.0000 (0.01)	-0.0002 (0.01)	-0.001 (0.01)
Labor				0.10 (0.42)
Environment				0.18 (0.31)
Bribery				0.17 (0.38)
Filing year	0.05*** (0.0002)	0.05*** (0.0002)	0.06*** (0.0002)	0.04*** (0.0004)

Notes. Cluster SEs at the country level * $p < 0.1$; ** $p < 0.05$; *** $p < 0.01$.

Results

In this analysis, I use an ordered outcome variable (1 for rejection, 2 for neutral, and 3 for recommendation) and estimate a set of ordered logit models. In the first set of analyses, I interact peer review with PR, controlling for coalition size, party, strength of complaint, treaty, PTA, labor, bribery, and environment. I include filing year to control for the time trend. To test the validity of the domestic NGO hypothesis (H2), I then estimate the same set of models treating domestic NGOs as the main treatment variable and interacting it with PR.

If my first main hypothesis is valid, peer review is expected to meaningfully correlate with recommendation, and the interaction term should be positively associated with recommendation, the outcome variable. All standard errors are clustered at the home country level, as the explanatory variables—peer review and PR—are assigned at this level.

Table 1 reports the results for the effect of peer review conditional on the adhering countries' electoral system. Peer review is associated with stronger enforcement of corporate norms in all the models. The results from Model 2 indicate that peer review alone increases the likelihood of a government recommendation of corporate policy adjustments and decreases the likelihood that a case is rejected. For cases filed during a peer review, the predicted probability of a rejection is only 13 percent, but this mounts to 49 percent during nonreview times in a PR country, holding other variables at their mean values. In a similar vein, the probability of a government recommendation drops from

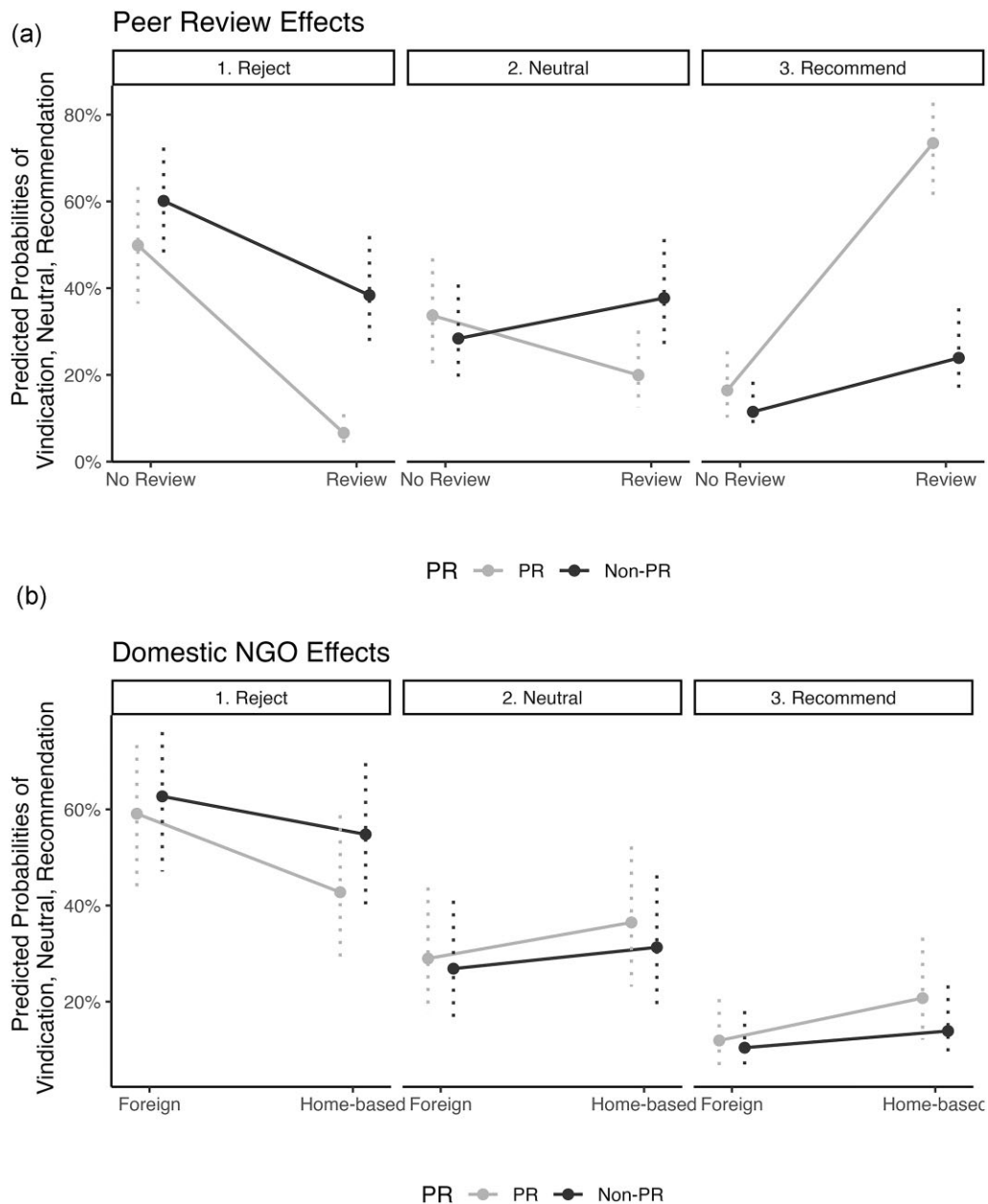


Figure 3. Predicted probabilities of reject, neutral mediation, and recommendation based on electoral institutions

56 percent during a peer review to 17 percent during normal times.

In accordance with the theoretical conjecture, the PR variable exhibits a positive correlation with “recommendation” in all models. However, it is worth noting that the coefficients lack statistical significance. This is likely due to the relative constancy of electoral institutions. Since my primary focus lies in testing the interaction between this country-level characteristic and peer review, I turn now to the interaction model.

Most importantly, I find evidence in support of the hypothesis that PR countries are more likely than governments with majoritarian electoral rules to issue recommendations during a peer review. The interaction of PR and peer review in Models 3 and 4 is positively associated with recommendation when relevant variables such as the size of the

activist coalition, party ideology, treaty status, and issue characteristics are controlled. Figure 3 depicts how the predicted probability of a recommendation during a peer review is moderated by electoral rules. The plot under “3. Recommendation” portrays the predicted probabilities of a recommendation during a peer review. The gray line shows that a country with PR rules is highly likely to recommend a policy adjustment to an MNC during a peer review (73 percent), whereas a non-PR country is much less likely (24 percent) to make a disciplining recommendation during a peer review. Even when additional variables such as treaty, issue characters, and PTAs are controlled for, the probability of recommendation during peer review in PR countries still remains relatively higher at 69 percent compared to 30 percent in similar non-PR countries. Overall, the results here provide evidence that supports the conjecture in Hypothesis 1: PR

Table 2. Ordered logit regression results on the relationship between recommendation and domestic NGO involvement conditional on proportional representation system

	(1)	(2)	DV: Reject - Neutral - Recommend		(5)	(6)
			(3)	(4)		
Domestic (%)	0.51 (0.34)	0.58 (0.35)	0.34 (0.30)	0.20 (0.29)		
PR	0.35 (0.34)	0.30 (0.30)	0.07 (0.28)	-0.31 (0.28)	0.15 (0.25)	-0.13 (0.27)
Domestic (%): PR			0.45*** (0.16)	0.82*** (0.15)		
Domestic (binary)					0.33 (0.29)	0.40 (0.30)
Domestic (binary): PR					0.33* (0.17)	0.44*** (0.15)
Coalition size		0.10 (0.14)	0.10 (0.14)	0.09 (0.14)	0.05 (0.14)	0.04 (0.14)
Incumbent left		0.54* (0.29)	0.55* (0.30)	0.46* (0.25)	0.58** (0.29)	0.49** (0.25)
Opposition left		0.66** (0.28)	0.65** (0.28)	0.56** (0.28)	0.67** (0.28)	0.57** (0.27)
Provision		-0.05 (0.09)	-0.05 (0.09)	-0.02 (0.10)	-0.05 (0.09)	-0.03 (0.10)
Provision2		0.0002 (0.01)	0.0001 (0.01)	-0.002 (0.01)	0.0003 (0.01)	-0.002 (0.01)
Treaty				0.05* (0.03)		0.06* (0.03)
PTA				-0.33 (0.51)		-0.29 (0.51)
Labor				0.28 (0.47)		0.26 (0.47)
Environment				0.15 (0.30)		0.21 (0.32)
Bribery				0.73** (0.28)		0.69** (0.30)
Filing year	0.07*** (0.0002)	0.08*** (0.0002)	0.08*** (0.0003)	0.08*** (0.0004)	0.08*** (0.0002)	0.08*** (0.0004)

Notes: Cluster SEs at the country level * $p < 0.1$; ** $p < 0.05$; *** $p < 0.01$.

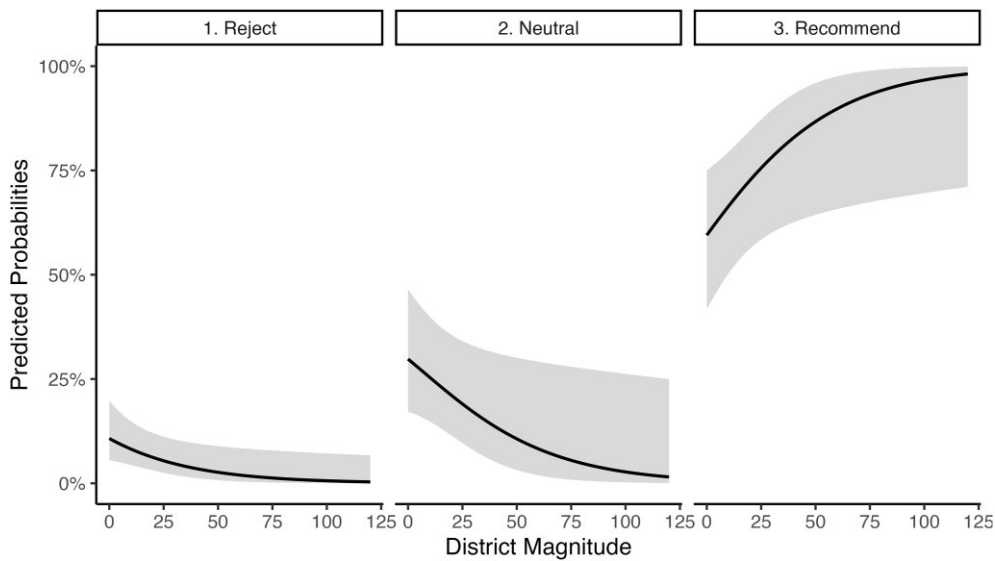


Figure 4. District magnitude and predicted probabilities of recommendation

countries tend to increase enforcement during a peer review more than those with majoritarian electoral systems.¹⁴

Next, I test Hypothesis 2: PR governments are more likely to recommend policy adjustment to MNCs when home-based NGOs are involved in the mediation process. The results are reported in table 2. In line with the theory, both domestic NGOs (percent) and domestic NGOs (binary) variables are positively associated with a government recommendation. Although the significance is relatively weak, the results from Model 2 indicate that the involvement of domestic NGOs increases the predicted probability of a recommendation from 13 percent in a case without any domestic NGO involvement to 21 percent when all NGOs involved are home-based. Most importantly, I interact with domestic NGOs with PR. Consistent with the theory's prediction, the interaction term is positive and statistically significant. The results from Model 5 suggest that the predicted probability of a recommendation increases from 12 percent if a foreign coalition files a case with a PR government to 21 percent if a domestic NGO is involved in the filing process in a PR system. This positive effect of domestic NGOs is weaker in countries with no PR rules. In a non-PR country, the predicted probability of a recommendation increases only by 4 percentage points when at least one domestic NGO is involved in the process. Compared to the 9-percentage-point increase in a PR system, the positive effect of domestic NGOs' involvement on recommendation is halved in a country without a PR system.¹⁵

In an additional analysis, I test the underlying mechanism regarding district magnitude and green party's seat share (Hypothesis 3). I theorized that PR legislators with larger constituencies would have stronger incentives to elevate the issue of norm compliance because such issues help them rally pronorm constituencies that are spread across the country. If this mechanism is at play, we should find countries with larger districts to have a stronger tendency to issue recommendations. I use the Mean District Magnitude variable from Cruz, Keefer, and Scartascini (2021); this variable captures "the weighted average of the number of representatives elected by each constituency size" (16). The results from the analysis suggest that district magnitudes matter. Figure 4 shows that district magnitude is positively associated with *Recommendation*. Controlling for such crucial variables as peer review, domestic NGO involvement, ideology, ratification of human rights, environmental, and labor treaties, the probability of *Recommendation* increases from 60 percent in a country with single member districts (e.g., the United Kingdom) to 65 percent when the country has multi-member districts with approximately eight seats per district (e.g., the Netherlands), all else equal (online appendix J). Similarly, I find strong evidence that green parties' influence matters. Drawing from Lehmann et al.'s (2023) data, I construct *Green Seat*, a variable that captures ecological parties' share of seats in parliament. Overall, I find *Green Seat* to be positively and significantly related to *Recommendation* ($p < 0.01$). Substantively, the results with all relevant control variables indicate that a government with strong green party presence (e.g., Switzerland with approximately 13 percent) is 3 percentage points less likely to reject a complaint and 1 percentage point more likely to issue a recommendation than a similar government with no green party influence (online appendix M). I conduct several robustness

¹⁴The main results are sensitive to the inclusion of Canada-related cases. See online appendix I.

¹⁵Dropping UK-related cases switches the direction of the coefficient on the interaction term. But the coefficient is not statistically significant at the 95 percent confidence level. See online appendix I.

checks. First, I test the two main hypotheses using a matching technique and find strong results that are also consistent with the theory's predictions (online appendices B and C). Second, I replace the binary PR indicator from the DPI with that of Bormann and Golder (2022), which categorizes electoral systems into PR, mixed, or majoritarian. I find strong results indicating that PR countries respond more to peer monitoring than countries with mixed systems, followed by majoritarian countries, and PR countries are more likely to issue a recommendation when domestic NGOs are involved than mixed systems (online appendix D).

I also test the validity of alternative hypotheses. I find little evidence that third-party NGOs (e.g., UN panelists or transnational NGOs based in third countries) increase the likelihood that an MNC is disciplined (online appendix E). I also explore the possibility that PTAs (online appendix F), treaty ratification (online appendix G), neoliberalism (online appendix H1), and corporatism (online appendix H2) might affect enforcement decisions. Overall, the additional analyses reveal that there is a weak relationship between these variables and norm enforcement. However, I find strong evidence that the ratification of relevant treaties determines governments' enforcement decisions, but the main findings of this paper are still robust when this variable is included.

Discussion

Major IOs have implemented voluntary peer review mechanisms. Although a few recent studies have shown that the public scrutiny that comes with an international spotlight may hamper compliance (Carnegie and Carson 2018), the international relations (IR) field has long posited that the spotlight effect is one of the few strategies that weak activists can use to pressure governments into compliance. Similarly, IR scholars have argued that social mobilization, especially by TANs, is a crucial determinant of norm diffusion. Despite the significance of these strategies, we know relatively little about how they produce more concrete results in some domestic political contexts. I demonstrate that electoral institutions play a significant role in enhancing the salience of norm violations. By bridging previous studies on transnational activism and political institutions, this article shows that legislators weigh the cost and benefit of norm enforcement and respond differently to activists' demands depending on electoral incentives.

Supplementary Information

Supplementary information is available in the *International Studies Quarterly* data archive.

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