

# Corporate Code of Conduct of Japanese Transnational Corporations: Analysis of Corporate Social Responsibility in Supply Chain Management

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**Abstract:** This paper verifies that there is an absence of monitoring system and sanctions in corporate codes of conduct of Japanese transnational companies in supply chain by analyzing corporate social responsibility reports or sustainable reports of 40 firms which participate in the Global Compact Japan Network. I argue that setting a proper monitoring system is urgently needed, but setting sanctions does not fit to Japanese firms' behaviors.

**Keywords:** Corporate Social Responsibility, Corporate Governance, Outsourcing, Sustainable Development

## Introduction

The notion of corporate social responsibility (CSR) is widely spread in Japanese firms. However the concept of CSR is differently understood in Japan comparing with western countries. In general, there is a trend among Japanese firms to see CSR as the responsibility that a firm is expected after it has been caught doing something illegal or unethical or CSR as a charity (ed. Fujii & Mizuno 2006). It can be said that the notion of CSR is close to the primary notion of CSR in the United States where it appeared first in the world (Kolk, Tulder & Welters 1999). On the other hand, European Commission defines CSR as "A concept whereby companies integrate social and environmental concerns in their business operations and in their interaction with their stakeholders on a voluntary basis"<sup>1</sup>. European Commission emphasizes an aspect, which is how enterprises interact with their internal and external stakeholders (employees, customers, neighbors, non-government organizations, public authorities, etc). Currently, the notion of CSR by European Commission would be dominant widely because corporate cross-boarder operations are occurring under globalization and transnational corporations are required to take responsibility for their activities outside of their home countries. As the policy of CSR, a number of firms set up firms' code of conduct. Hepple (2005) mentions in his book, 'Labor Laws and Global Trade', that private initiative such as corporate code of conduct indicates promoting sustainable social development in the world's poorest and most disadvantaged countries, with active participation of the people of those countries. From this point of view, corporate code of conduct has a possibility to build win-win relationship between home-country (developed country) and host country (developing country) instead of "race to bottom" under globalization, which is often discussed. However, as realistic perspective, Hepple (2005) points out two main problems regarding to corporate codes based on his research reviews. Firstly, the most codes are limited in coverage. This means even though the companies have corporate codes in home countries, they don't formulate any practices for suppliers. Secondly, there are lack of effective monitoring and sanctions in the consequence of non-compliance especially in host countries. As the conclusion, Hepple (2005) mentions that private initiatives impose lower standards, which are inadequately monitored and enforced.

Corporate code of conduct became quite popular for Japanese transnational corporations (TNCs) and these codes can be seen as an expression of CSR. However, as Japanese trend of CSR, there is a lack of the wide aspect of suppliers in Japanese TNCs' code of conduct. Moreover, as the Hepple's indication (2005), there is an absence of monitoring system and sanctions in corporate codes of conduct of Japanese TNCs. Based on these backgrounds, this paper assesses empirically that there is an absence of monitoring system and sanctions in corporate codes of conduct of Japanese TNCs in supply chain.

In the first chapter, CSR in supply chain management (SCM) is explored in general. Moreover, the historical transition of the notion of Japanese CSR and the current situation of Japanese CSR is also looked by literature review. Based on literature review, the hypothesis is reintroduced in the second chapter. In the third chapter, data analysis is conducted by using the specific analysis model. Then the results of analysis are explained and whether hypothesis is supported or rejected is shown. Finally, in the fourth chapter, as conclusion, the actual condition of TNCs' codes of conduct in Japan is discussed and some suggestions are given for that.

## Literature Review

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<sup>1</sup> European commission home page; [http://ec.europa.eu/enterprise/csr/index\\_en.htm](http://ec.europa.eu/enterprise/csr/index_en.htm)

## **Corporate Social Responsibility in Supply Chain**

In 1990s the social and environmental concerns expanded to in the developing countries under the acceleration of the economical globalization (Umino 2004). The TNCs became large size under the globalization and they have had huge influence to the society. The activities of TNCs have caused problems in the developing countries such as child labor and bad working conditions through their supply chains and outsourcing. To resolve these concerns in the developing countries, it is more efficient and more effective to request the TNCs to take actions against the problems concerned rather than to request to the governments in the developing countries (Umino 2004). In this perspective, CSR in SCM has been required for TNCs. Svendsen and Laberge (2006) pointed out that TNCs themselves cannot ignore the stakeholder networks around the world for their firms' sustainability. Social responsibility by a firm is now required in the all sphere where a firm effects in the business activities. Meanwhile, code of conduct issued by a firm figures prominently as an indicator of socially responsible business (Kolk, Tulder & Welters). To think about TNCs code of conduct in an international business context, the perspective of Wartick and Wood (1998) would be relevant. Wartick and Wood (1998) introduced three principles of social responsibility, namely, the principle of legitimacy, the principle of the public responsibility, and the principle of managerial discretion. They tried to apply these principles to an international business context. According their arguments, the principle of legitimacy means to fulfill the requirements of legitimacy in the home country in an international business context. If I try to combine their arguments with firms' code of conduct, it can be understood that the code of conduct in the host countries should fulfill the home country level at least. The principle of public responsibility means that firms should try to reduce the negative environmental impacts relating transporters, sellers, buyers, and users. It can be considered that firms have responsibility all stakeholders both inside the home countries and outside the host counties. The principle of managerial discretion indicates that managers can try to make environmentally sound choices, even more higher standard than is required by any government. It suggests the possibility that private code of conduct can be higher standard than code of conduct by international organization such as ILO and the United Nation. As we saw, CSR in supply chain is indispensable for TNCs nowadays under globalization. As the tool of the CSR procurement, TNCs code of conduct is relevant and they have possibilities, such as being a driving force for exceeding legal standard in a host country and setting the higher standards than those by any government or international organization.

## **The Transition of Corporate Social Responsibility in Japan**

In this section and the following section, CSR in Japan is focused because the notion of CSR has been changed time-to-time and place-to-place. Since the social and environmental concerns depend on the regions under the certain date, it can be said that CSR holds regional characteristic. CSR in supply chain, which I mentioned in the first section, is a trend for American and European countries, but in Japan the trend of CSR would be different. First, I would like to overview briefly the Japanese CSR transactions because I believe it is necessary to see the historical transition of CSR to know the current situation of CSR in Japan. Here I summarized very briefly the stream of CSR from 1960s to today. The all historical information in this chapter is upon the work by Ishikawa (2006).

### **1960s-1990s**

In 1960s and 1970s, main CSR for Japanese firms was against environmental pollution because environmental destructions or pollution diseases were caused under the economic growth. The aspect of environmental protection has been continued until today. In 1980s, the Japan experienced bubble economy. Many firms implemented tremendous philanthropic actions as a part of CSR. However, after "bubble economy" collapsed in 1990s, the notion of CSR shifted to "compliance" since many scandals by firms were disclosed.

### **Today**

Besides "compliance" and "environment", the issued related to "human right" and "working life" have arisen as the basic components of CSR today, because a remarkable increase in the damage to mental and physical health, even death and suicide commitment due to overwork. Business activities are developed globally and the global standard of firms' behavior is brought forth. However those issued are a new frontier in CSR for Japanese firms.

## **The Current Situation of Japanese Corporate Social Responsibility**

## Notion of CSR

From the historical review, we can recognize that the notion of CSR in Japan has been changed time to time under the certain social and economical situations. The latest issue, CSR in the global business activities, namely CSR in supply chain, would be not familiar for Japanese firms. The current notion of CSR can be seen also in the empirical data from the surveys, which were conducted in 2002 and 2005 by Keizai Doyukai (Japan Association of Corporate Executives). Keizai Doyukai implemented questionnaires concerning CSR against 2697 firms which were members of Keizai Doyukai and the other firms listed on the first and second section of the Tokyo Stock Exchange. The respondents were the represents of the firms such as CEOs. The result of one of the questions is below (Table 1). We can see the firms' view regarding CSR currently. Most of the firms in 2005 regard CSR as compliance and acting moralistically, offering qualified products and service, and the protection of environment. As current trend, less than the half of firms consider CSR as philanthropy and less than 20% of firms think CSR as the contribution to the resolution of poverty or conflicts in the world.

**Table 1:** The components of CSR for Japanese Firms

**Question:** The items below are the components of CSR in a broad sense.

For your company, which items will be included as components of CSR?  
(Multiple answers allowed)

	Items	2002	2005
1	Compliance and acting moralistically	81.4%	94.6%
2	Offering qualified products and services	93.1%	91.4%
3	Contribution to the protection of global environment	61.9%	80.8%
4	Making profits and tax payments	74.9%	74.7%
5	Contribution to the regional society where a firm locates	51.6%	72.3%
6	Respects and protection of human rights	32.3%	68.3%
7	Paying a dividend to shareholders and owners	67.6%	66.9%
8	Not offering harmful products for humans	45.4%	65.1%
9	Creation of new jobs	48.0%	57.3%
10	Creation of new technology or knowledge	52.1%	54.7%
11	Contribution to the society through mesenat or philanthropy	21.8%	45.7%
12	Contribution to the resolution of poverty or conflicts around the world	3.6%	16.4%

Implemented Month/Year: November/2002, October/2005-January/2006.

Survey method: Mail survey.

Numer of respondant: 643(2002), 521(2005).

Respons rate: 26.1%(2002), 19.3%(2005).

Even between 2002 and 2005, the differences can be observed. The items highlighted are the top five of those where the points were increased. To compare with 2002, the concerns of CSR have been expanding from the management to the aspect of humanity such as human rights and contribution to the regional society.

## Activity of CSR

Concerning the real activity of CSR by the Japanese firms, the other survey conducted by Keidanren (Japan Business Federation) in 2005 indicates. Keidanren conducted the mail survey towards 1324 member firms. The results to be focused are below (Table 2). Firstly, about 75% of respondent firms are doing business with conscious of CSR. It means that they have the committees or the organizations capping "CSR" internally and issue the CSR reports. Secondly, the half of the respondents started CSR activities after 2004 (Table 3). In this question of the survey, the definition of CSR activities is not clear. Therefore, it is not clear what activities did the half of firms start as CSR after 2004. However, it could be interpreted that the word and the current notion of CSR were spread among Japanese firms quite recently. Thirdly, the most of respondent firms have management principles, firms' code of conduct and employees' code of conduct (Table 4). Specifying the policy seems to be very common for Japanese firms.

**Table 2:** CSR activities, Yes or No

<b>Question:</b> Are your firm taking business activities being conscious of CSR?	
<b>YES</b>	75.2%
<b>NO</b>	24.8%

Implemented Month/Year: March-April/2005.

Survey method: Mail survey.

Number of respondent: 572.

Response rate: 43.2%.

**Table 3:** The year when firms started CSR activities

<b>Question:</b> When did you start CSR activities?	
<b>Before 2003</b>	52.7%
<b>From 2004</b>	37.7%
<b>From 2005</b>	9.1%
<b>Others</b>	0.5%

Implemented Month/Year: March-April/2005.

Survey method: Mail survey.

Number of respondent: 430.

Response rate: 32.5%.

**Table 4:** CSR Policies

<b>Question:</b> Does your firm have the policy concerning CSR?	Rate of "Yes"
Policy regarding management principle	90.7%
Policy regarding business behaviors (Code of conduct, Standard, or Principle)	84.8%
Policy regarding employees' behaviors or ethics (Code of conduct, Standard, or Principle)	88.6%
Policy regarding environments (Environment charter)	69.1%
Nothing	1.7%

Implemented Month/Year: March-April/2005.

Survey method: Mail survey.

Number of respondent: 572.

Response rate: 43.2%.

## CSR in Supply Chain

Regarding CSR in the global business activity by Japanese firms, Ikuta (2007) researched empirically. Ikuta (2007) investigated 118 Japanese firms, which were chosen in the Newsweek Global 500, a world ranking of the firms around the world. According to his research, the firms, which consider CSR in supply chain, were only 39 firms. He concluded that even though they are the worldwide enterprises, the firms that do CSR activities in supply chain were only one third of them. CSR activities in supply chain were more observed in the electronic industries and chemical, medical industries, but they are slow in car industries. On the other hand, the survey by Keizai Doyukai in 2005<sup>1</sup> shows that 31% of 527 firms have CSR procurement standard in supply chain and about 12% of them give suppliers advice or supervise them. From these both researches, it seems that CSR procurement in supply chain is still not popular for Japanese firms as Ishikawa (2006) mentions.

<sup>1</sup>社団法人 経済同友会 2006 「日本企業のCSR：進歩と展望」. (Japan Association of Corporate Executive, CSR of Japanese firms: progress and foresight, viewed 20 March 2008, <http://www.doyukai.or.jp/policyproposals/articles/2006/pdf/060523b.pdf>).

## Hypothesis

From the literature review, it was known that most of Japanese firms hold firm's code of conduct and employee's code of conduct as expression of CSR. However there are not so many firms that try to procure CSR in supply chain in their international business context. The action of CSR in supply chain has been started quite recently in Japan. When we focus their quite new actions for CSR in supply chain, the two problems would be assumed according to Hepple (2005). As it were, there is an absence of monitoring system and sanctions in corporate codes of conduct of Japanese TNCs.

## Analysis

### Data

To assess the hypothesis, I evaluate official information of 40 firms, which are members of the Global Compact Network Japan (GCNJ). Precisely, the official information means sustainability reports or CSR reports which are available to assess on the firms' official websites and the information, which are written on the firms' official websites. The reason why the firms in GCNJ were chosen as the data to analyze is that these firms can be expected to make an effort for prevailing the firms' codes of conduct in their suppliers. The Global Compact asks companies to embrace, support and enact, within their sphere of influence, a set of core values in the areas of human rights, labor standards, the environment, and anti-corruption<sup>1</sup>. Moreover, it seems that the participants of GCNJ have relatively higher concern for CSR. Therefore, it is expected that they practice CSR in supply chain, which is relatively new area for Japanese firms as the target of CSR. GCNJ was officially launched in 2003 and at present, 59 firms, 1 city, and 1 university join the network. To analyze the CSR in supply chain, I excluded the data of all small and medium enterprises, companies in the sector of finance and insurance, the sector of professional, scientific and technical services (a consulting firm), and a newspaper company, a city and a school. Therefore, only companies, which are considered to procure the materials from foreign suppliers, are focused.

## Method of Analysis

To assess the data, I set the criteria and classification as shown in Table 5, which is based on the Tulder and Kolk's (2005) model to analyze and compare codes of conduct and the evaluation criteria of CSR in SCM by Ikuta (2007). The criteria are divided two main categories, 'company policy' and 'compliance likelihood'. 'Company policy' is the criterion whether a firm has a code of conduct, which is addressed to business partners. Business partners mean here suppliers, subcontractors and manufacturers. A code of conduct, which refers only to environment protection, is excluded in this paper.

Regarding the classification, if a firm has a specific code of conduct, which is addressed to business partners both in Japan and outside Japan, 2 is given. If a firm has a code of conduct in which business partners are partly touched or it is not clear whether the business partners in outside of Japan is included, 1 is given. If there are no mentions about codes of conducts for business partners, 0 is given. The second category, 'compliance likelihood' has four components. First one is 'request to business partners'. It asks how a firm requests a code of conduct to business partners. There are three degrees of criteria. If a firm requests business partners concretely through regular seminars or meetings, 2 is given. If a firm inform business partner the policy only, 1 is given. If there are no mentions about this, 0 is given. Secondly, 'Monitoring system and process' shows whether there is a monitoring system and process and if it is yes, how the content is. When there is good insight into system and process, which means that monitoring details with certain criteria and time frames, 3 is given. If there is only reference to some parts without criteria or time frames, 2 is given. If there is only general reference to monitoring without details, 1 is given. At last, if none is mentioned, 0 is given. Thirdly, the question is who is monitoring actor. If the actors come from outside of companies, 2 is given. It is based on the idea that the monitoring by the third party (here, business partners: first party, companies: second party) is more objective and reliable. If the monitoring is conducted by companies or business partners or both of them, 1 is given. When nothing is written about monitoring actors, 0 is given. Finally, whether sanctions exist or not is observed. The degree of criteria is similar to that of monitoring system and process. Point 3 is given for good insight of sanctions measures including details, criteria, and time frames. Point 2 is given for only reference to some parts without criteria or time frames. Point 1 is given for only general reference to sanctions without details. Point 0 is given for none mentioned. The crucial problem of this analysis is that the companies are determined as no practice of CSR in SCM if they do not present their practices on websites and there would be

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<sup>1</sup>The United Nation homepage, <http://www.unglobalcompact.org/AboutTheGC/TheTenPRinciples/index.html>

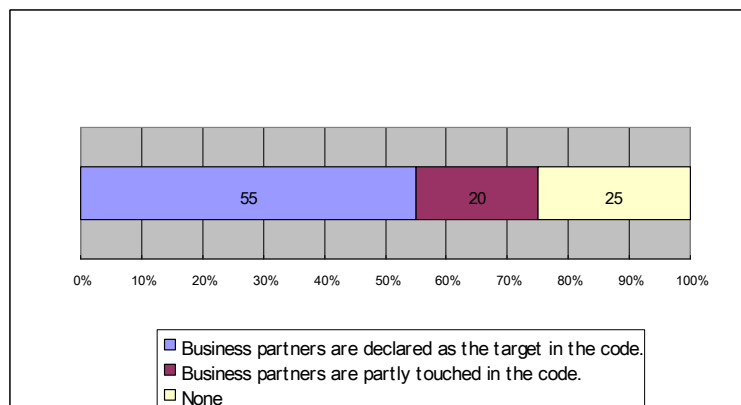
time lag until a firm uploads information on the web. Even though the United Nation suggests a company or any other group in GCJN to present the content of activity for GC in the annual report or the company report, it is assumed some firms do not explain details of activities in the annual reports. However, in reality, the information on the official webpage is the tool to be accessed easily by the public and the information would be what a firm wants to send to the public on the first stage. Therefore, the information seems to be relevant to be evaluated and in this analysis, no information regards as there is no actions.

Table 5: Analysis Model

Criteria		Degree of Criteria	Classification
Company Policy	1.Organization targeted	Business partners (both in Japan and outside of Japan) are declared as the target in the code.	2
		Business partners are partly touched in the code, the reference is vague. Maybe only Japanese business partners.	1
		None	0
Compliance Likelihood	2.Request to business partners	Request concretely with regular seminars, meeting.	2
		Inform only the guideline.	1
		None	0
	3.Monitoring system and process	Good insight into system and process	3
		Reference to some parts, but criteria or time frames are lacking	2
		Only general reference to monitoring without details	1
		None	0
	4.Position of monitoring actor	Actors from outside of companies.	2
		Firms themselves	1
		None	0
	5.Sanctions	Good insight of measures	3
		Reference to some parts, but criteria or time frames are lacking	2
Only general reference to sanctions without details		1	
None		0	

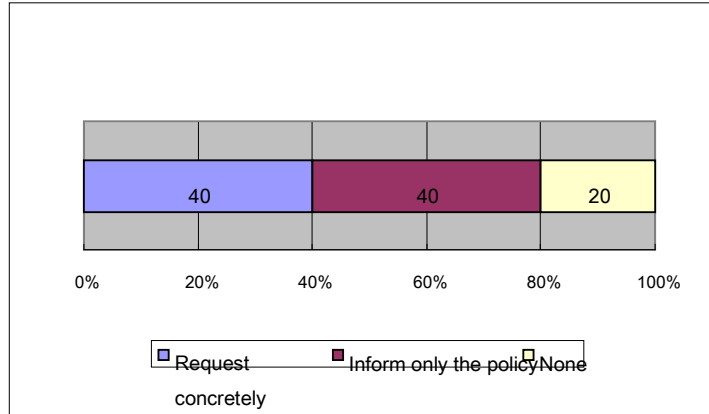
**Result**

The possible classification of each criterion varies on three or four scale. Figure 1 shows that the proportion of the classifications that whether a firm has a code of conduct including the business partners. 22 firms (55%) declared business partners both in Japan and outside of Japan as the target. Most of them have supplier code of conduct. The others declare that they require suppliers to keep firms’ code of conduct. 8 firms (20%) only touched business partners regarding to CSR, but they do not clarify which codes they require to business partners or they do not clarify the extent of business partners. 10 firms (25%) do not ask anything business partners about code of conduct.



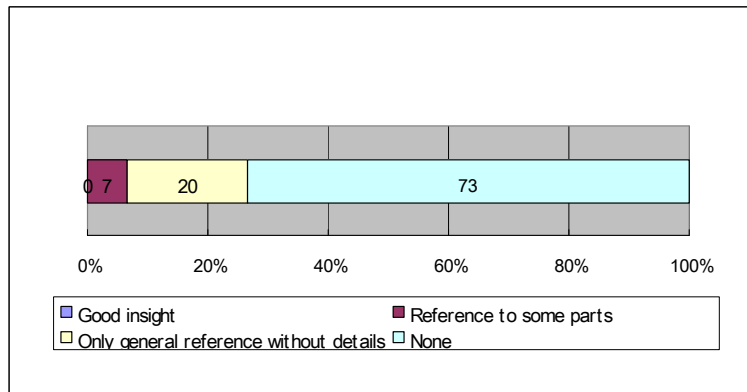
**Figure 1: Organization targeted**

In 30 firms which require business partners require code of conduct, 12 firms of them (40%) explain their requirements to business partners by holding regular seminars or meeting (Figure 2). 11 firms of them announce specific supplier code of conduct for internal and external of Japan. Similarly, 12 firms (40%) inform the business partners the policy by mail or before making contracts. 6 firms (20%) explain nothing how they request business partners code of conduct.



**Figure 2: Request to business partners**

If I look the more details of CSR in supply chain, I find that the fewer firms refer to monitoring systems. However, in this paper, no information is interpreted as non action. Based on this point of view, it can be said that a few firms monitor business partners' behaviors. Figure 3 shows the degree of monitoring system and process. In 30 firms, which require business partner code of conduct, none of them has good insight. 2 firms (7%) reference to some parts of monitoring.

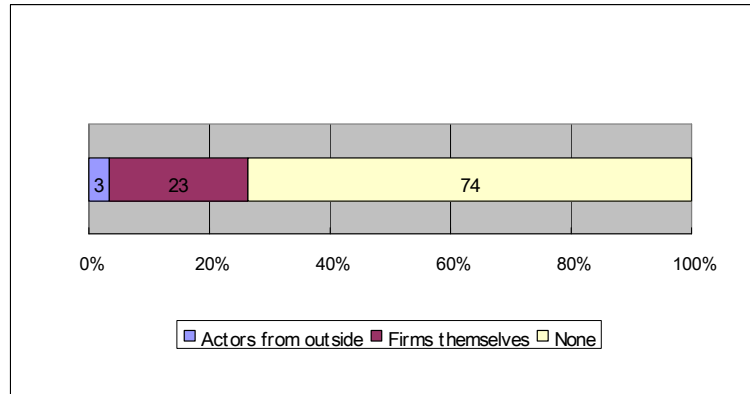


**Figure 3: Monitoring system and process**

For example, AEON which is a retailing industry has Supplier Code of Conduct with 13 principles including forbidden child and forced labor, working conditions, business dealing and so on. To check that compliance is being carried out and any necessary improvements to be taken, AEON overseas operations are subjected to either a second party (AEON auditing stuff) or third party (external specialist auditing bodies) audit once a year. Second party audit covers 90 items and third party audit covers 370 items. AEON has also a system whereby complaints can be reported to third party via complaints notification forms. In the case of Nippon Paper Industries Co., Ltd., employees of the firm are stationed in all countries where provide major sources of woodchips, including Australia, Chile and South Africa. They gather information daily about the operations of suppliers, as well as information on the social conditions in the local areas. Suppliers are surveyed annually by Nippon Paper Industries in details with respect to the applicable laws and regulations, the classification of forests, their ownership and the status of forest certification, considerations given to human rights, labor, and society, conservation of biodiversity, ecosystems, soils and water resources. 6 firms (20%) refer to the existence of monitoring system without its details. 5 of 6 firms conducted the survey by questionnaire about the compliance of code of conduct as monitoring. However, a survey by questionnaire cannot be said reliable because suppliers could fake the answers. Besides the monitoring by questionnaires, Toshiba (a consumer-electrics maker) established the Clean Partner Line, a whistle-blower system for business partners. Toshiba encourage business partners to point out any problems or concerns about persons affiliated with Toshiba Group

from the standpoint of compliance or fair trading and promptly correct any improper behavior. The problem of this system would be the Clean Partner Line is linked directly to Toshiba itself. Under this system, a whistleblowing could be erased by Toshiba or a business partners would be hesitate to announce problems to keep good business relationships with Toshiba. 22 firms (73%) do not mention about monitoring.

Concerning monitoring actors (Figure 4), only AEON takes a third party monitoring. 7 firms conducted monitoring by the first (business partners) and second parties (firms). 6 firms of these 7 firms ask business partners to implement questionnaire made by the second party. This case is interpreted that monitoring is conducted by the first party that answers the questionnaire and the second party that gathers the answers and investigates them. 74% of firms which require business partners code of conduct do not mentions anything about who implements audit.



**Figure 4: Monitoring actor**

From the results of criterion 3 and 4, it seems that most of firms do not take account of monitoring itself. Furthermore, no firms mention to sanctions. Many of 30 firms refers that they choose suppliers who fulfill their code of conduct prior to the others who do not. Only Anritsu Corporation (an electric equipments maker) mentions the possibility that the contract will be reconsidered if a business partner has a problem of human right. Cancellation of a contract could be a sanction, but the expression of Anritsu Corporation is very indirect. It could not be considered as a sanction, which will be really implemented.

Due to the all results, it can be said that there is an absence of monitoring system and sanctions in corporate codes of conduct of Japanese TNCs participating in Global Compact Japan Network. Therefore, the hypothesis is validated.

## Conclusion

The procurement of CSR in supply chain both inside and outside of Japan has not been so popular among the Japanese TNCs focused in this paper, even though they declare to support the Global Compact. However, it is true that some of them are preparatory stage. It is assumed that the number of firms, which have code of conduct for suppliers, will increase in years to come. Even though the firms have the code of conduct, more than half of them do not explain their policy to suppliers through the regular seminars or meetings. Moreover, the point to be considered would be the monitoring way because if code of conduct is not complied, then it has no meaning to have code of conduct. Obviously there is a lack of monitoring system in the firm's code of conduct of the Japanese TNCs. At present, these codes are not good enough as tools to procure social responsibility globally. They are nothing more than words on paper. There is only one firm who has a monitoring system with a third party audit in GCJN. Therefore Japanese TNCs should arrange urgently the monitoring systems with specific criteria, time frame, and third party audits to ensure the compliance. Regarding the sanction, I do not believe the setting sanction for the incompliance fits to Japanese business behaviors. The characteristics of Japanese firms' transactions would be a long term transaction, familiar relationship through the information sharing and developing human resources among the business partners, and a long-term employment in the business affiliations. Therefore, Japanese firms would not prefer applying a sanction for the incompliance, which could break a long term relationship. These characteristics can be an advantage for Japanese firms to procurement CSR in supply chain. Because it is possible that they diffuse their code of conduct through conversation with their suppliers for a long term and it could be more effective for compliance than a top-down directions of CSR with sanctions. Moreover, if there have been already close and reliable relationships, it is easier for the suppliers to accept the code of conduct. Japanese TNCs would need not



only to set the monitoring system, but also to support CSR management of suppliers through regular seminars for the manager class and developing human resources, for example.

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The views reported in this paper are those of me alone, and not those of any institution. All errors and omissions, which may unwittingly remain are the sole responsibility of me.

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