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## Human Rights, Corporate Social Responsibility, and Interacting Markets in Africa

### Summary

This project deals with human rights (HR) focusing on collective human rights and corporate social responsibility (CSR) of businesses in the context of regional economic communities (RECs) in Africa.

Regarding multinational corporations, there has been a growing attentiveness on the matter of corporate social responsibility. This is shown by the aspiration of several court decisions in the United Kingdom, Canada and the United States of America in which multinational companies have been legally held accountable for their actions in African host states. Most academic attention has been towards market and trade integration research, whereas areas such as renewable energy, climate change and environmental issues have relatively been neglected. Albeit, these areas raise important questions and research opportunities that are dealt with in this project.

Coupled with the fact that human rights of the respective communities (e.g. food and water) might be negatively impacted by the actions of multinational corporations, collective HR and CSR are crucial not only in the scholarship but also in the application in practice.

An issue that occurs in African states and the communities is the heterogeneity of different legal systems, which is also referred to as “legal pluralism”. Wherefore, the evolution of collective human rights is being analysed.

Furthermore, religious perspectives are taken into account in regard to human rights and corporate social responsibility, whereby the focus is on the Muslim community.

### Key Questions

AAs aforementioned, human rights, corporate social responsibility and issues such as climate change, energy and environmental difficulties or damages to water resources are closely connected. Therefore, it is crucial to delve into the question to which extent collective human rights have been integrated into national legislation of CSR and into codes of conduct of multinational companies.

Furthermore, with regard to CSR and HR the question arises whether private international law has a role that is advanta-

geous to the respective topic. And if so, to what extent is private international law and its rules appropriate for enhancing human rights?

Moreover, it is analysed how the adaption of the concept of CSR to the transnational context might be achieved. With regards to CSR, the East African Community’s (EAC) legal and policy landscape is assessed, particularly the implementation of appropriate mechanisms concerning CSR.

Regarding the above-mentioned matter of legal pluralism and the coherent topic on the evolution of collective human rights, questions arise such as: to what extent are collective human rights typically African? How have African courts and commissions dealt with collective human rights? And in what ways are collective human rights implemented in individual African countries?

Further (key) questions are: how can transnational respectively multinational companies be directly obliged to human rights? It is examined, to what extent legal regulations on the part of the countries of origin of transnational corporations can contribute to an improvement in human rights standards in African host countries. The German Supply Chain Act is cited as an example. And, in this context, what legal obstacles exist, especially in international law and constitutional law.

### Methods and Concepts

The project is following a legal scholarly approach in the classical sense, as well as an empirical law in context approach.

With reference to the religious perspective analysis, a philological in combination with a social sciences approach is adopted.

Regarding human rights and CSR legal and policy mechanisms, an empirical law in context approach is applied. Thus, a field research is conducted, which includes interviews with companies, government institutions, non-governmental organisations, Law Reform Commissions and national human rights institutions (NHRIs).

As far as renewable energy law is concerned, field research including interviews as well as questionnaires are being employed while engaging with regional stakeholders on climate change and renewable energy.

### PROJECT TEAM



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### Vision

Due to the fact that the development of the project has involved African and German team members, it represents a collaborative undertaking which will be maintained for the duration of the project process and beyond.

The general objective is the reconfiguration of African studies concerning collective human rights and corporate social responsibility, whereby the global point of view of CSR and HR is supposed to be taken into account and put into the African context.

### Contribution or Relation to the Cluster's Aims & Goals

This project contributes to the Cluster's central concepts i.e. multiplicity, relationality and reflexivity by analyzing the complexity of multi-layered relations and their impacts. Particular attention is paid to overlapping affiliations (e.g. regional or international affiliations) and its legal frameworks, leading to multi-layered affiliations. Thus, the project will conduce to the concept of the Cluster of "relationality". By applying a perspective of relationality, distinctions such as "individual" and "collective" human rights are analyzed. As the project's objective is to put the global point view of CSR and HR into the African context, tenets of Western HR and CSR are meant to be re-evaluated or readjusted.

Additionally, a reflexive perspective comes to play through various individual projects related to Europe and Africa being conducted by project members with the Global North and Global South academic backgrounds. Ultimately, contributions and exchanges are made within the Cluster setting and Research Section level to thematically associated research sections such as with the project "Multiplicity in Decision-Making of Africa's Interacting Markets (Mu-DaiMA) in terms of the

Photo: Amiry Mwinjuma



Cecilia Ngaiza (third from the left) a Doctorate Researcher in the project HR-CSR with members of one of the Hadzabe camps in Mang'ola Ward -Karatu District, Arusha region after a focused group discussion on a topic related to collective rights of the indigenous peoples in Tanzania, on 6 August 2021.

"Affiliations Forum, the Reflexive African Studies Forum and Doctoral Researchers' BIGSAS Working Group – Regional Integration and the Research Section "Learning" and "Moralities".



From left: project members Dr. Daniel Shayo, Prof. Dr. Ulrike Wanitzek (now retired), Dr. Robert Owino, Prof. Dr. Jörg Gundel, Cecilia Ngaiza, Dr. Franz Kogelmann, Prof. Dr. Bernd Kannowski

### Project Team

- Prof. Dr. Bernd Kannowski - Project Leader & Researcher
- Prof. Dr. Jörg Gundel - Project Researcher
- Prof. Dr. Richard Frimpong Oppong - Project Researcher
- Dr. Franz Kogelmann - Project Researcher
- Dr. Daniel Shayo - Project Researcher
- Dr. Robert Owino - Project Researcher
- Cecilia Ngaiza - Assistant Project Researcher (Doc)
- Veronika Thalhammer - Assistant Project Researcher (Doc)

### Further Links

Find more information on the project here:

<https://www.africamultiple.uni-bayreuth.de/en/Research/1research-sections/affiliations/Human-Rights/index.html>