

論文の英文要旨

論文題目	<p>Business and Human Rights in Africa —Which Stakeholders and Actions Are Necessary in Rural Places Furthest Away from the Assumption of the United Nations Guiding Principles—</p> <p>アフリカにおけるビジネスと人権 —ビジネスと人権に関する指導原則の前提と乖離がある農村部でどのように人権尊重を实践するか—</p>
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<p>This dissertation, based on the importance of the UN Guiding Principles on Business and Human Rights (UNGPs, UN Doc. A/HRC/8/5.), which have triggered a significant expansion of initiatives on “business and human rights” (BHR), identifies the mechanisms through which they can be effective in influencing changes in corporate behavior. It then studies the corporate behavior required in regions where it is difficult to expect the mechanism to work (specifically, in rural Africa).</p> <p>The debate over corporate responsibility to respect human rights has been shaped by a history of trial and error by various stakeholders, and today the UNGPs have become the international community’s common BHR standard. In accordance with the UNGPs, governments of developed countries are developing policies and laws to curb the negative environmental and human rights impacts of companies operating across borders in developing countries.</p> <p>However, in Africa and other developing countries, human rights violations continue to occur through large-scale agricultural and mineral resource investments by multinational corporations. Developing countries generally do not have sufficient stakeholder involvement as envisioned by the UNGPs. Rightsholders affected by human rights violations do not have the means to raise their voices, and the necessary measures to redress them have not been established.</p> <p>To advance BHR in Africa, where institutional and social capacities are weak, it is not enough for companies to simply follow the UNGPs and address their negative impacts on human rights. In a situation where the lives of stakeholders, particularly those with rights, are challenging and they are unable to afford to participate in activities related to BHR, in order for companies to fulfill their responsibility to respect human rights, they would be better not only avoid negative impacts on the rightsholders’ human rights but also solve their community issues and enable them to participate in activities to implement BHR are required. However, research on specific practices for this purpose remains insufficient.</p>	

This dissertation focuses on how stakeholders can be involved in BHR promotion activities in rural Africa and explores the necessary corporate actions. Chapter 1 provides the background and causes of the problems described above. It presents the hypothesis that “the reason for the persistence of human rights violations by corporate activities in rural Africa is the lack of a fully functioning stakeholder engagement mechanism as envisioned by the UNGPs,” and argues that certain socioeconomic conditions are necessary for this mechanism to function effectively.

Chapters 2 and 3 explore the mechanisms by which the UNGPs function and the challenges they face. First, Chapter 2 summarizes the process that led to the promotion of corporate responsibility to respect human rights based on previous studies: stakeholder involvement in the promotion of BHR was important long before the UNGPs were formulated. The UNGPs, which take the form of soft law, also assume that the involvement of various stakeholders will play an important role in promoting BHR. The UNGPs have succeeded in transforming the behavior of companies in developed countries by reaching out to them through multiple channels: directly to companies by civil society, and through the international community to corporations through government.

Chapter 3 describes the challenges in implementing BHR promotion in developing countries and identifies the shortcomings and specific problems of the UNGPs. As noted above, the UNGPs have changed corporate behavior toward BHR promotion by working through multiple channels, but this mechanism is less likely to work in developing countries. Rural Africa is a typical example. In order to promote BHR, it is essential to improve the living standards and livelihoods of rightsholders, as well as to improve the capacity of governments, which has been pointed out in the past. In an environment that differs significantly from the assumptions of the UNGPs, rural stakeholder engagement in BHR cannot be achieved without improving the living standards on which BHR is based. Under these conditions, companies need to contribute to creating the socioeconomic conditions for stakeholder engagement to work.

Chapter 4 examines the specific challenges faced by companies in rural Africa based on two case studies in Sierra Leone and examines what actions companies need to take to implement effective BHR. In the case of Addax, the company had to face conflicts with local communities even though it acted in accordance with international BHR standards. On the other hand, in the case of XYZ, the company avoided conflicts by maintaining close communication with the local community and responding to their requests. Improving the socioeconomic conditions and livelihoods of residents is the first step toward fulfilling basic human rights and a prerequisite for motivating stakeholder engagement. Improving the livelihoods of residents should be a government-centered effort, but in rural Africa, the government cannot be relied upon to play such a role. In this context, corporate actions can play an important role in improving the socioeconomic conditions of the villagers. It should be noted, however, that relying solely on corporations to improve the livelihoods of rightsholders is not sustainable.

Improving social infrastructure and living standards is essential for advancing BHR in rural Africa, but it is impossible to rely entirely on corporate efforts. Given this reality, Chapter 5 explores the potential of agricultural digital technologies for improving socioeconomic conditions. Based on fieldwork in rural Kenya, this chapter examines whether the use of digital technology can contribute to building the necessary foundation for BHR. Results of a survey on changes in the livelihoods of smallholder farmers using platforms that provide agriculture-related information showed that the majority of farmers experienced an improvement in their standard of living. Digital technologies such as Agri-platforms have the potential to improve the socioeconomic conditions of rural residents through their self-sustaining activities, thereby contributing to the promotion of BHR through stakeholder engagement.

Based on the above discussion, the conclusions of this study are as follows:

1. The promotion of BHR, particularly in accordance with the UNGPs, is predicated on adequate stakeholder involvement.
2. However, unlike the assumptions of the UNGPs, in places like rural Africa, stakeholder engagement is often not advanced due to government problems and inadequate social capacity.
3. Without sufficient engagement of rightsholders, even if companies comply with international BHR standards, they may face conflicts with local communities.
4. To increase rightsholders' involvement in the BHR process, it is necessary to improve their living standards and livelihoods and, specifically, solve the social problems of the communities concerned.
5. In places such as rural Africa, government capacity is generally weak, and these challenges cannot be adequately resolved. Therefore, it is suggested that companies make efforts to improve the livelihoods of rightsholders.
6. However, it is not realistic to leave all the responsibility for improving the livelihoods of villagers to companies. Agri-platforms based on digital agricultural technologies have the potential to improve the living standards of rightsholders through self-directed actions. This dissertation suggests that the use of digital agricultural technologies by corporations has the potential to enhance the social foundation of rural Africa, which in turn could lay the foundation for the promotion of respect for human rights by corporations.

Without resolving the causes of rightsholders' poor engagement in promoting BHR, true corporate responsibility toward respecting human rights will not be fulfilled. Therefore, it is essential to develop the capacity of affected individuals and potentially affected groups to express their views. With limited national institutions and capacity, companies are better able to take actions not only to minimize adverse impacts on human rights but also to contribute to solving the socioeconomic problems faced by local communities--that is, integration of BHR and CSR--. Moreover, it is equally

important for companies to use innovative methods, such as digital agricultural technologies, to enhance the capacity of rights holders and society as a whole while being creative.