

Einfaches Seminar: Researching key issues in African Law

Summer Semester 2026

Introduction

This seminar focuses on the intersection of business, governance and human rights in Africa. It examines contemporary challenges across multiple sectors, including corporate due diligence, extractive industries, climate justice, digital technologies, and women's rights.

Students will explore the ways in which African states, communities, and regional frameworks interact with global actors and human rights instruments. It highlights the tensions between development objectives, corporate and state obligations, and the protection of vulnerable populations. Each topic provides an opportunity to critically assess how national, regional, and international frameworks can be leveraged to safeguard human rights while promoting equitable development.

Through this seminar, students will engage with pressing business and human rights as well as governance challenges in Africa.

Seminar Objectives

The primary objective of this seminar is to equip students with analytical tools to:

1. Evaluate multi-level legal and governance frameworks ranging from the international, regional, sub-regional, and national meant to address rights and developmental challenges in Africa.
2. Critically analyse the interplay between global actors, corporate practices, and African governance in shaping human rights outcomes.
3. Identify gaps in normative, institutional, and policy frameworks and propose legal, regulatory, and community-based solutions.
4. Understand sector-specific challenges, from extractive industries to digital platforms, and explore strategies for rights protection, accountability, and sustainable development.
5. Apply rights-based approaches to assess gendered and environmental dimensions of development.



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Nature of Assignments

Assignments will be individual, but students will benefit from informal cross-learning through presentations, discussions, and peer feedback during seminar sessions. Each assignment will require students to:

1. Examine a specific topic or case study using relevant legal, policy, and governance frameworks.
2. Critically analyse the effectiveness of current frameworks and identify gaps in protection and enforcement.
3. Propose practical solutions or reforms that address human rights, governance, and development challenges.
4. Use concrete examples, case studies, or evidence to illustrate arguments.

Through this approach, students will develop a holistic understanding of the interconnections between governance, business conduct, environmental and climate justice, digital sovereignty, and human rights in Africa. The seminar will encourage students to think critically about how integrated frameworks can advance accountability, equity, and sustainable development across the continent.

Timelines

This seminar takes place as a block seminar with the following main days:

Kick-Off:	08 May 2026	10:00 – 14:00
Intermediate meeting:	12 June 2026	10:00 – 14:00
Submission of papers:	03 July 2026	(digital submission via eLearning)
Final presentation:	17 July 2026	10:00 – 16:00
Grading by:	31 August 2026	(grading via CMLife)



Seminar topics:**Category 1: Corporate Responsibility, Business, and Human Rights****1. Topic 1: The Legitimacy and Impact of the EU Corporate Sustainability Due Diligence Directive (CSDDD) in Africa**

The EU Corporate Sustainability Due Diligence Directive (CSDDD), as amended through the Omnibus “simplification” package, imposes mandatory human rights and environmental due diligence obligations on large EU companies and certain non-EU companies across their global value chains, thereby indirectly regulating African suppliers and subsidiaries. Drawing on EU law, the UN Guiding Principles on Business and Human Rights and African regional standards, critically assess the legitimacy, enforcement feasibility and developmental consequences of the CSDDD’s extraterritorial reach in African contexts.

In your answer:

- a. Analyse the legal bases and limits of the CSDDD’s extraterritorial effects, including its risk-based approach, narrowed focus on direct business partners and the Omnibus changes to civil-liability and harmonisation rules.
- b. Evaluate concerns about disproportionate compliance burdens for African small and medium-sized enterprises and resource-exporting sectors, and the implications for access to EU markets, value-chain upgrading and regulatory autonomy.
- c. Discuss how African states and regional bodies might respond eg. through domestic regulation, regional BHR frameworks or trade negotiations, to ensure that the CSDDD advances, rather than undermines, sustainable development and the protection of rights holders in Africa

2. Topic 2: The Need for an African Union Policy Framework on Business and Human Rights in Africa

In Resolution ACHPR/Res.550 (LXXIV) 2023, the African Commission on Human and Peoples’ Rights called for the development of an African Union Policy Framework on Business and Human Rights and even envisaged an African regional legally binding instrument on the activities of transnational corporations and other business enterprises. Critically assess whether the absence of a continental AU framework currently creates a normative and protection gap in addressing business-related human rights abuses in Africa, or whether existing global and national instruments are sufficient.



In your answer:

- a. Examine the strengths and limitations of the UN Guiding Principles on Business and Human Rights (UNGPs) and related voluntary standards when applied to African political economies, including their reliance on soft law, home-state inaction and weak access-to-remedy provisions.
- b. Analyse how an AU Policy Framework; potentially complemented by a regional binding instrument, could interact with the African Charter, AfCFTA, domestic laws and emerging due-diligence regimes (such as the EU CSDDD) to close identified gaps in prevention, regulation and remedy.
- c. Discuss key design choices and risks for such an AU framework, including enforcement mechanisms, corporate accountability, protection of marginalised communities, and the danger of duplicating or fragmenting existing BHR standards.

3. Topic 3: Localization of the UNGPs through National Action Plans on Business and Human Rights (NAPs) in Africa

Using Kenya and Uganda as examples of East African states that have adopted National Action Plans (NAPs) on Business and Human Rights, critically assess the multistakeholder processes through which these NAPs were developed and are being implemented. In your answer:

- a. Analyse the respective roles of governments, national human rights institutions, civil society organisations, private sector actors, trade unions and development partners in the Kenyan and Ugandan NAP processes.
- b. Evaluate the strengths and weaknesses of these multistakeholder approaches in terms of participation, accountability and effectiveness.
- c. Discuss the key lessons that these experiences offer for the future localisation of Business and Human Rights frameworks in Africa, including within the East African Community.

4. Topic 4: Analyse the relationship between illicit business conduct and human rights protection systems in Africa:

Illicit financial flows (IFFs) from Africa have been shown to drain public resources, undermine the rule of law and impede the realisation of economic, social and cultural rights. Critically assess whether, and in what ways, this human rights critique of IFFs can be extended to other forms of



illicit business conduct in Africa, including human, drug and arms trafficking.

In your answer:

- a. Compare the human rights impacts, accountability gaps and regulatory responses associated with IFFs, human trafficking, drug trafficking and arms trafficking in African contexts.
- b. Analyse the role of states, businesses (including financial and extractive sectors) and transnational criminal or commercial networks in enabling or combating these illicit economies.
- c. Discuss the possibilities and limits of using human rights frameworks to address illicit economies in Africa, including their interaction with criminal law, security and development approaches.

Category 2: Land, Environment, and Developmental Rights

5. Topic 5: Women, Rights and Ecofeminism in Africa

Environmental degradation, extractive industries and climate change in Africa disproportionately undermine women's land rights, livelihoods and political participation. Using the African Human Rights System (AHRS)—in particular the African Charter on Human and Peoples' Rights, the Maputo Protocol and relevant jurisprudence and soft-law of the African Commission and African Court—critically examine how these processes entrench gendered power asymmetries in access to land, control over natural resources and socio-political voice.

In your answer:

- a. Assess how far existing AHRS norms and case law recognise and remedy the gender-differentiated environmental and extractive-sector harms experienced by women, including in relation to land tenure, displacement and participation in decision-making.
- b. Drawing on ecofeminist and decolonial scholarship, analyse how patriarchal and extractivist logics shape both environmental harm and the limitations of current adjudicatory approaches within African and comparative human rights systems.
- c. Propose ecofeminist-informed strategies—at legal, policy and community levels—that could strengthen the AHRS response, safeguard women's land tenure and livelihood security, and contest extractivist biases in human rights adjudication in Africa



6. Topic 6: Climate Justice and Just Transition in Africa

Africa contributes only a small share of global greenhouse-gas emissions yet bears disproportionate climate-related harms and human-rights impacts, including from fossil-fuel and other extractive projects. Drawing on relevant norms of international climate law (UNFCCC, Paris Agreement), international human rights law, and regional African instruments (such as the African Charter on Human and Peoples' Rights and emerging "just transition" initiatives), critically assess to what extent a rights-based "just transition" is necessary for the continent.

In your answer:

- a. Analyse how existing legal frameworks allocate and justify differentiated responsibilities for mitigation, adaptation, and loss-and-damage finance between African states and high-emitting states, and evaluate whether these arrangements meet standards of climate justice.
- b. Discuss how African states can use constitutional rights, regional human rights bodies, and transnational litigation to hold both domestic and foreign actors accountable for unjust transition pathways.
- c. Reflect on the legal and political limits of a rights-based just transition in Africa, including tensions between development imperatives, fiscal and regulatory constraints, and reliance on extractive and transition-mineral projects.

7. Topic 7: Digital Extraction, digital sovereignty and human rights in Africa

Multinational technology companies headquartered outside Africa are partnering with African states and local service providers to roll out digital services, involving large-scale collection, processing, analysis and cross-border transfer of personal and community data. Using the African Charter on Human and Peoples' Rights and the African Union Convention on Cyber Security and Personal Data Protection (Malabo Convention), as well as recent resolutions of the African Commission on data governance and emerging AI technologies, critically assess whether the data practices in this scenario satisfy requirements of free, prior and informed consent and the rights to privacy, dignity, non-discrimination and self-determination.

In your answer:

- a. Identify the main human rights risks and potential violations arising from the companies' data



extraction and surveillance practices, including for communities whose collective data are harvested.

- b. Analyse the allocation of responsibility among states, multinational corporations and local intermediaries for preventing and remedying these harms, with reference to regional standards on data protection, business and human rights, and free, prior and informed consent.
- c. With the aid of appropriate case studies, evaluate the effectiveness and limitations of existing African regulatory and accountability mechanisms (eg. data protection authorities, national and regional courts, NHRIs, and the African Commission) in governing cross-border data flows and holding powerful technology actors to account.

8. Topic 8: Social media and data protection laws in Africa

Algorithm-driven social media platforms in Kenya and South Africa routinely collect, profile and monetise user data, often without free, prior and informed consent, while facilitating cyberbullying and online harassment. With reference to the African Charter on Human and Peoples' Rights and the African Union Convention on Cyber Security and Personal Data Protection (Malabo Convention), critically assess how Kenya and South Africa have designed legal and institutional mechanisms to ensure consent, protect privacy and address algorithm-driven harms on social media platforms.

In your answer:

- a. Compare the main data-protection and cybercrime frameworks in Kenya and South Africa, and evaluate the roles of data protection authorities, courts and human rights institutions in enforcing consent and privacy standards in relation to social media.
- b. Using concrete examples from each country (such as litigation, regulatory enforcement or high-profile incidents of cyberbullying/online harassment), analyse key challenges in governing opaque algorithms, cross-border platforms and state or corporate over-reach.
- c. Discuss what lessons these two case studies offer for strengthening rights-respecting regulation of social media and protecting vulnerable users in other African states.



Category 3: African-European Relations, Power and Solidarity in Public International Law

9. Topic 9: African-European Legal Solidarity in the ICJ Genocide Proceedings

On 29 December 2023 South Africa instituted proceedings against Israel before the International Court of Justice (ICJ), alleging violations of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide; on 26 January 2024 the ICJ indicated provisional measures, and Belgium and Spain have since filed declarations of intervention under Article 63 of the ICJ Statute. Using the Genocide Convention, the ICJ Statute (Articles 41, 62 and 63) and the Court's provisional-measures orders in *South Africa v Israel* as your primary legal framework, critically assess whether these developments can plausibly be interpreted as an instance of African-European legal solidarity in public international law, or whether they are better understood as coincidental or interest-driven convergence.

In your answer:

- a. Identify the relevant obligations *erga omnes* partes under the Genocide Convention and explain how South Africa, Belgium and Spain seek to rely on them procedurally and substantively before the ICJ.
- b. Analyse the legal significance of third-state intervention under Article 63 in treaty-interpretation cases, and evaluate whether such interventions meaningfully support, reshape or dilute South Africa's claims.
- c. Discuss what this episode reveals about patterns of African-European alignment (or disalignment) in contemporary international adjudication, and the limits of framing such cooperation as "legal solidarity".

10. Topic 10: The Principle of Solidarity in Public International Law and African Perspectives

Solidarity is presented as a principle of shared responsibility and cooperative response to global challenges in public international law, but its legal content and foundations remain contested. Drawing on African legal traditions and Pan-African thought, critically examine how African conceptions of community, peoples' rights and duties enrich, challenge or transform prevailing understandings of solidarity in international law.

In your answer:



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- a. Identify how solidarity appears in existing international legal instruments and debates (for example, the UN Charter, the draft Declaration on the Right to International Solidarity, and third-generation or “solidarity” rights), and assess whether solidarity functions as a value, a principle, or an emerging right.
- b. Analyse the distinctive ways in which African legal texts and practices such as the African Charter on Human and Peoples’ Rights, AU founding instruments, and emerging jurisprudence; conceptualise solidarity, including peoples’ rights, duties and cross-border obligations.
- c. Evaluate how African approaches to solidarity and law could enhance or reshape doctrines on collective responsibility, international cooperation and global justice, and discuss the limits or risks of “exporting” these approaches into general public international law.

11. Topic 11: Normative Mechanisms of Global Solidarity in Public International Law

Mechanisms of international solidarity between African and European states operate through multilateral regimes, AU–EU partnership frameworks and bilateral agreements, including instruments such as the Joint Africa–EU Strategy and sector-specific cooperation on climate, migration, trade and security. Drawing on relevant treaty provisions, institutional practice and soft-law instruments, describe and critically assess the main normative mechanisms through which solidarity is or could be expressed between African and European states at multilateral, AU–EU and bilateral levels.

In your answer:

- a. Identify concrete legal and quasi-legal tools (for example, partnership agreements, joint strategies, development-cooperation regulations, refugee-responsibility-sharing arrangements and peace-and-security frameworks) that purport to embody solidarity or responsibility-sharing, and outline their common features.
- b. Evaluate whether, and to what extent, current public international law and AU–EU practice genuinely provide enforceable or justiciable mechanisms of solidarity, or whether solidarity remains largely political rhetoric or soft-law commitment.
- c. Discuss how these mechanisms might be re-designed or complemented, through new treaty clauses, financing tools, or institutional reforms, to better realise equitable burden- and benefit-sharing between African and European states.



Participation

Please register by sending us your name, semester, study programme, faculty, matriculation number and your desired topic to: Grace.Nafula-Sitati@uni-bayreuth.de and Philipp.Bogensperger@uni-bayreuth.de by **01 April 2026**. However, the final topic allocation will take place on the prescribed date for assignment of topics. After the allocation of topics, students are to bindingly register for the seminar on CMLife.

Formalities:

An essay must not exceed 25 pages. The cover sheet, abstract, table of contents, bibliography, list of abbreviations and final declaration will not be taken into account.

The thesis must be written in the font "Times New Roman", font size 12, 1 ½ linespacing, in block heel. The following page margins are to be observed: 2.5 cm left, top and bottom; 5.5 cm right. The footnotes are basically in the same formatting, but in font size 10, single line.

Only the usual abbreviations may be used in the text (AU, UN, ICC etc.). Self-created or invented abbreviations, which only serve to save space, are not permitted.

Structure:

1. Cover sheet
2. Abstract
3. Table of contents
4. List of Abbreviations and Acronyms
5. Main text
6. Statement of authenticity
7. Bibliography

Sources:

All sources cited in the footnotes must be listed in the bibliography in alphabetical order (name of the author). Conversely, the bibliography may not contain any works that are not cited in at least one footnote. Since the bibliography - as the name implies - contains only literature, court decisions are not to be listed there. The bibliography should follow the [OSCOLA style reference](#).

All essay submissions shall be made in digital form (pdf) only through eLearning.

