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LEGAL FRAMEWORKS FOR SUSTAINABLE PEACE: INTEGRATING CONFLICT RESOLUTION IN CORPORATE LAW PRACTICE, INSIGHTS FROM OHADA AND ENGLISH CORPORATE LAW

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Abstract
The pursuit of lasting peace in Africa is intricately linked to the continent's economic stability, which is driven by strong legal frameworks. This study explores the intersection of corporate law and conflict resolution as essential tools for achieving sustainable peace in Africa. By examining the role of corporate governance in fostering stability, this paper argues that the integration of conflict resolution mechanisms into corporate legal structures can mitigate disputes that often lead to wider social and political unrest. The Organization for the Harmonization of Business Law in Africa (OHADA), which unifies corporate law across 17 African nations, provides a robust framework for business regulation that promotes legal certainty, economic integration, and conflict prevention. However, this structure must be enhanced with dispute resolution mechanisms to address conflicts that arise within business dealings, such as contract disputes, governance issues, or cross-border commercial disagreements. In parallel, English corporate law, with its emphasis on fiduciary duties and equitable remedies, offers complementary tools that can be adapted to African contexts to ensure fair business practices and transparency, key factors in promoting social stability. The approach involves an analysis of existing legal frameworks and case studies from conflict-prone regions in Africa, focusing on how corporate law has been applied and where it has fallen short in promoting peace. This paper advocates for a hybrid legal structure that merges elements of OHADA with principles from English corporate law, providing a comprehensive legal framework that not only governs corporate activities but also proactively prevents and resolves conflicts. This interdisciplinary approach is essential for fostering an environment where businesses can thrive, contribute to economic development, and, by extension, support long-term peace on the continent. Through a content analysis of primary and secondary data, we therefore uphold that, there is need for African nations to adopt corporate legal structures that integrate conflict resolution as a key pillar of their economic systems.

Keywords: *Sustainable Peace, Corporate Law and Conflict resolution.*

1. INTRODUCTION

Africa is a continent rich in natural resources and cultural diversity, yet it is also home to some of the most protracted and complex conflicts in the world. These conflicts are often fueled by competition over resources, weak governance, and socio-economic inequalities.[1] In such an environment, the role of corporate entities particularly those involved in resource extraction, land

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[1]United Nations. (2011) 'Guiding Principles on Business and Human Rights: Implementing the United Nations Protect, Respect and Remedy Framework'<https://www.ohchr.org> accessed on August 20, 2025.

development, and large-scale infrastructure projects cannot be overlooked[2]. While corporations have the potential to drive economic growth and development, they can also exacerbate tensions and contribute to instability when their operations are not adequately regulated.[3] This dual-edged nature of corporate involvement in conflict-prone regions necessitates a careful examination of the legal frameworks that govern corporate conduct in Africa.[4]

The Intersection of corporate law and conflict resolution presents a unique opportunity to connect the power of the private sector in promoting peace and stability. Corporate law, traditionally concerned with regulating business practices and ensuring compliance, must evolve to address the broader implications of corporate activities on social cohesion and peacebuilding.[5] This requires a shift from a purely profit-driven approach to one that incorporates principles of corporate social responsibility (CSR), transparency, and accountability.[6] By embedding these principles into the legal frameworks that govern corporate operations, it is possible to create a more conducive environment for lasting peace in Africa.[7]

Moreover, legal structures that integrate corporate law with conflict resolution mechanisms can play a critical role in preventing the escalation of disputes and promoting sustainable development.[8] Such frameworks must be designed to address the unique challenges of the African context, where conflicts are often deeply rooted in historical grievances and involve multiple stakeholders, including governments, local communities, and international actors. This article explores the potential of merging corporate law and conflict resolution to create legal structures that not only regulate business activities but also contribute to the broader goal of sustainable peace on the continent.[9]

2. THE ROLE OF CORPORATE LAW IN CONFLICT RESOLUTION

Corporate law plays a critical role in conflict resolution by establishing the legal framework within which businesses operate, thereby influencing how corporations interact with the societies in which they are embedded. In conflict-prone regions, corporate activities can either exacerbate tensions or contribute to peace, depending on the legal structures governing their operations.[10] By imposing

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[2] African Union (AU), (2020) 'Silencing the Guns: Creating Conducive Conditions for Africa's Development. AU Agenda 2063' <https://au.int> accessed on August 20, 2025.
[3] Global Witness**.** (2019) 'How Companies Can Be Complicit in Human Rights Abuses: The Case of Corporate Land Grabs' <https://www.globalwitness.org> accessed on August 20, 2025.
[4] International Criminal Court (ICC). (2021) 'Situation in Darfur, Sudan, <https://www.icc-cpi.int>. accessed 27 August 2025.
[5]World Bank (2020) 'Integrating CSR with Peacebuilding Goals' <https://www.worldbank.org> 20 August 2025.
[6] B C Archie, 'Corporate Social Responsibility: Evolution of a Definitional Construct', (*Business & Society 1999*) 38(3), 278.
[7]A Kolk, and V T Rob, 'International Business, Corporate Social Responsibility, and Sustainable Development', [2010] 19(2) (*International Business Review*, 2010), 121.
[8] K Andrew, 'Directors' Duties and Corporate Social Responsibility: A Review', [2010] 18(5) (*Corporate Governance: An International Review*), 379.
[9] African Development Bank, (2017) 'Fragility and Conflict in Africa: The Role of the Private Sector'<https://www.afdb.org> accessed on August 23, 2025.
[10] S Anneliese. (2017). "Monitoring and Evaluating Peacebuilding Efforts." Business Law Review, 38(4), p. 265

regulations that require corporations to act responsibly and transparently, corporate law can help prevent businesses from engaging in practices that may lead to or escalate conflicts.

2.1. Corporate Social Responsibility (CSR)

One of the key ways corporate laws contribute to conflict resolution is through the enforcement of corporate social responsibility (CSR) principles. These principles require companies to consider the social and environmental impacts of their operations, ensuring that they do not harm local communities or contribute to societal unrest. Thus, companies should contribute to the common good, and their activities should benefit the community as a whole.[11] When corporate law mandates CSR, businesses are more likely to engage in ethical practices, such as fair labour conditions and environmental stewardship, which can reduce the risk of conflict.[12] The OHADA UACCIGs incorporates principles that encourage companies to adopt socially responsible practices.[13] While the Uniform Act does not explicitly mandate CSR, it promotes good corporate governance.[14] which includes the consideration of stakeholders' interests in corporate decision-making.[15] The Act requires companies to disclose information about their operations, including their impact on society and the environment.[16] This transparency allows stakeholders to hold companies accountable for their social and environmental responsibilities.[17] Furthermore, OHADA encourages the adoption of CSR through its emphasis on the fiduciary duties of directors, who are expected to consider the long-term interests of the company and its stakeholders, including the community and the environment.[18] This expectation aligns with the broader goals of CSR, as it pushes companies to operate in ways that are sustainable and beneficial to society.[19] By fostering a culture of accountability and ethical behaviour, OHADA's framework supports the integration of CSR into corporate strategies, thereby contributing to conflict prevention and resolution in its member states.[20] English corporate law has increasingly recognized the importance of CSR, particularly through the Companies Act 2006, which requires directors to consider the impact of the company's operations on the community and the environment.[21] Section 172 of the Act specifically mandates

[11] N N Nchofua, (2021), Director's Duties and the Protection of Stakeholders under OHADA and English Corporate Law: A Comparative Analysis. A Thesis Submitted in Partial Fulfilment of the Requirements for the Award of a Ph. D in Law. (unpublish),
[12] B C Archie, (1999), 268.
[13] Uniform Act Relating to Commercial Companies and Economic Interest Groups, (2014), art 158.
[14] N N Anita 'A Critical Analysis of Directors Duty Under OHADA and English Corporate Law' [2021] 7(2) *International Journal of Legal Development and Allied*, 117-132
[15] N N Anita, 'The Protection of Stakeholders under OHADA and English Law: A Critical Analysis' [2020] 3(2) *Journal of Corporate Governance & International Business Law*, 33-45.
[16] Ibid.
[17] Transparency International, (2019). 'Corporate Transparency: Why It Matters'<https://www.transparency.org.> accessed on 29 August 2025.
[18] OHADA. (2014), Uniform Act Relating to Commercial Companies and Economic Interest Groups
[19] N A Nchofua, 'Shareholders and Stakeholders Theories: Balancing the Conflicting Terms under OHADA and English Corporate Law' [2020] 3(2) *Journal of Capital Market and Securities Law,* 11-21.
[20] International Finance Corporation (IFC). (2020). Corporate Governance and Conflict Prevention. Available at: <https://www.ifc.org>, accessed on the 28 August 2025.
[21] UNDP (2022). *Preventing Violent Extremism through Inclusive Development and the Promotion of Tolerance and Respect for Diversity.* UNDP, < https://www.undp.org> accessed on August 22, 2025.

that directors must act in a way that promotes the success of the company while considering the interests of employees, the need to foster business relationships, and the company's impact on the environment.[22] This legal framework effectively integrates CSR into the core responsibilities of corporate management, ensuring that companies operate with a view toward long-term sustainability and social responsibility. This transparency not only informs shareholders and the public but also pressures companies to maintain high standards of social responsibility.[23]

2.2. Corporate Governance and Accountability

Corporate governance refers to the systems, principles, and processes by which a company is directed and controlled, ensuring that the interests of all stakeholders including shareholders, employees, customers, and the community are balanced and respected.[24] Accountability within corporate governance is crucial, as it ensures that those in positions of power are answerable for their actions and decisions, particularly in how they manage the company's resources and impact society.[25] Effective corporate governance promotes transparency, reduces the risk of corruption, and aligns corporate activities with ethical standards, all of which are essential in maintaining trust and preventing conflicts.[26] A key component of corporate governance is the establishment of clear roles and responsibilities for the board of directors, management, and shareholders.[27] This structure helps prevent abuses of power and ensures that decisions are made in the best interests of the company and its stakeholders[28]. Accountability mechanisms, such as regular audits, financial disclosures, and compliance with legal and regulatory frameworks, are fundamental in enforcing these governance standards.[29] When corporate governance is strong, companies are more likely to operate sustainably, avoiding practices that could lead to financial instability or social unrest.[30]

The UACCEIGs places significant emphasis on corporate governance as a means of enhancing accountability and transparency in business operations across its member states.[31] The Act mandates that companies establish clear governance structures, including a board of directors with defined duties and responsibilities.[32] It also requires companies to adhere to strict financial reporting standards, ensuring that accurate and timely information is available to shareholders and

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[22] Ibid.
[23]United Kingdom. (2006). Companies Act 2006. The National Archives. Available at: https://www.legislation.gov.uk. Accessed on the 28/08/2024.
[24]OECD. (2015). G20/OECD Principles of Corporate Governance. OECD Publishing. Available at: https://www.oecd.org. Accessed on the 29/08/2020. Also see
[25] A Cadbury, (1992). Report of the Committee on the Financial Aspects of Corporate Governance. Gee and Co. Ltd.
[26] (n 19).
[27] (n22).
[28] UACCEIG, art 161.
[29]Financial Reporting Council, (2018) 'The UK Corporate Governance Code' FRC. <https://www.frc.org.uk>accessed 12 September 2025.
[30] L G Stuart 'Recent Developments in Corporate Governance: An Overview.' [2006] 12(3) *Journal of Corporate Finance*, 382.
[31] (n 30).
[32] OHADA UACCIG, art 131, 437, 454.

regulators.[33] One of the key aspects of OHADA's approach to corporate governance is the emphasis on the fiduciary duties of directors, who are legally required to act in the best interests of the company and its stakeholders.[34] This duty includes the obligation to avoid conflicts of interest and to ensure that the company's resources are used efficiently and ethically.[35] By enforcing these duties, the OHADA Uniform Act promotes accountability, reducing the likelihood of corporate misconduct that could lead to financial scandals or social conflicts.[36] This approach aligns corporate objectives with societal goals, thereby enhancing the company's reputation and reducing the risk of conflicts with local communities.[37]

English corporate law also places a strong emphasis on corporate governance, particularly through the Companies Act 2006, which outlines the duties and responsibilities of directors and the rights of shareholders.[38] The Act requires directors to act in a manner that promotes the success of the company while considering the interests of employees, the environment, and the wider community.[39] This duty to consider a broader range of stakeholders reflects a shift towards more responsible and accountable corporate behavior.[40] In terms of accountability, English corporate law provides robust mechanisms for enforcing governance standards. These include the requirement for companies to produce annual reports and financial statements, which must be audited and made available to the public.[41] Shareholders are also empowered to hold directors accountable through general meetings, where they can vote on key issues, including the appointment and removal of directors.[42] Moreover, English corporate law has developed a strong framework for addressing breaches of fiduciary duties by directors, with courts playing an active role in enforcing these duties and providing remedies for shareholders when directors fail to act in the company's best interests.[43] This legal framework not only enhances accountability but also deters directors from engaging in conduct that could harm the company or its stakeholders.

2.3. Legal Remedies and Enforcement

Legal remedies and enforcement are crucial components of the legal system that ensure compliance with laws and the protection of rights.[44] These remedies include monetary damages, injunctive

[33] Ibid.
[34] Ibid.
[35] (n 19).
[36] (n 20)
[37] International Finance Corporation (IFC). (2019) The Role of the Private Sector in Fragile and Conflict-Affected Situations. Available at: https://www.ifc.org. Accessed on August 23, 2024.
[38] UK Companies Act 2006, s171.
[39] Ibid.
[40] K Andrew. (2010). 'Directors' Duties and Corporate Social Responsibility: A Review.' *Corporate Governance: An International Review*, 18(5), 379.
[41] Financial Reporting Council. (2018). The UK Corporate Governance Code. FRC. Available at: <https://www.frc.org.uk>accessed on 12 September 2025.
[42] UNDP (2022) Preventing Violent Extremism through Inclusive Development and the Promotion of Tolerance and Respect for Diversity. UNDP, <https://www.undp.org.> accessed on August 22, 2025.
[43] L D Paul (2012). Gower's Principles of Modern Company Law. (Sweet & Maxwell, 2012) 12.
[44] *OHADA v English Corporate Law*, Studies in Law and Justice, 3(3), 20-37.

relief, and specific performance.[45] Enforcement involves the mechanisms and processes used to ensure that court orders and judgments are implemented effectively [30]. Effective legal remedies and enforcement are essential for maintaining the rule of law, ensuring justice, and resolving disputes.

OHADA UA has provided for the rights to seek specific remedies by stakeholder. These remedies are aimed at discouraging gross mismanagement and abuse of power, and to uphold the enforcement of stakeholder rights.[46] It also specifies remedies available to parties, such as monetary damages and specific performance, which align with general principles of commercial dispute resolution.[47] Enforcement under OHADA involves the execution of court decisions and arbitration awards. The Act emphasizes the importance of timely and effective enforcement to ensure that judicial decisions are respected and implemented. OHADA's legal framework supports the enforcement of judgments through various mechanisms, including the use of bailiffs and enforcement officers facilitating cross-border dispute resolution and enhancing legal certainty in commercial transactions.[48]

English corporate law, particularly under the Companies Act 2006, provides comprehensive provisions for legal remedies and enforcement in corporate disputes. The Act outlines various remedies available for breaches of corporate governance, including monetary damages, injunctions, and specific performance orders among others.[49] For instance, shareholders can seek remedies if directors breach their fiduciary duties or if there is a failure to comply with statutory obligations. Enforcement in English law includes mechanisms such as court orders and regulatory actions. The High Court has jurisdiction to enforce corporate remedies, including issuing injunctions and orders for specific performance.[50] Additionally, regulatory bodies like the Financial Conduct Authority (FCA) and the Companies House play a role in ensuring compliance with corporate regulations, with the authority to impose fines, sanctions, and other penalties for violations.[51] English corporate law also provides for mechanisms to enforce arbitration awards, with provisions for recognizing and enforcing international arbitration awards under the Arbitration Act 1996 and relevant international treaties.[52] This framework facilitates the resolution of cross-border corporate disputes and ensures that arbitration decisions are effectively implemented.

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[45] Nchofua, Anita, N. (2021). A Critical Analysis of Directors Duty Under OHADA and English Corporate Law. International Journal of Legal Development and Allied, 7(2), 117-132.
[46] (n19).
[47] OHADA UACCIG, art 165-172.
[48] Ibid.
[49] (n20).

[51]Financial Conduct Authority (FCA). (2021). Regulatory Actions and Penalties. Available at: <https://www.fca.org.uk> accessed on the 21 August 2025.
[52] Arbitration Act. (1996). Enforcement of Arbitration Awards. U.K. Government

2.4. Contributions to the Society

Corporate law can play a proactive role in peacebuilding by encouraging businesses to contribute positively to the societies in which they operate. For instance, legal incentives for corporate investment in social infrastructure, education, and local economic development can help address some of the root causes of conflict, such as poverty and inequality. By aligning corporate interests with the broader goal of sustainable peace, corporate law can transform businesses into agents of stability rather than sources of tension.

2.5. Conflict-Sensitive Business Practices

Conflict-sensitive business practices refer to strategies and approaches that companies adopt to minimize their impact on conflict situations and contribute positively to conflict resolution and peacebuilding efforts.These practices are designed to ensure that business operations do not exacerbate existing conflicts or create new tensions, while also leveraging opportunities to support stability and peace.[53]

OHADA's legal framework, primarily focused on commercial laws and corporate governance, does not explicitly address conflict-sensitive business practices.[54] However, the principles of good governance and transparency promoted by OHADA can indirectly support conflict-sensitive practices by encouraging companies to operate ethically and engage responsibly with their stakeholders.[55] OHADA member states may also integrate conflict-sensitive approaches into broader regulatory frameworks and national policies as awareness of their importance grows.

Just like OHADA, English corporate law does not specifically mandate conflict-sensitive business practices but incorporates principles that can support them, the Companies Act 2006 requires companies to consider the impact of their activities on stakeholders, including local communities, which aligns with conflict-sensitive practices.[56] Additionally, UK corporate governance codes and sustainability reporting frameworks encourage companies to adopt ethical practices and engage positively with their operating environments.[57] Companies operating under English law are expected to incorporate social responsibility and ethical considerations into their business strategies, which can support conflict-sensitive approaches.

3. CASE STUDIES

3.1. Introduction

The intersection of corporate law and conflict resolution presents a unique opportunity for fostering lasting peace in Africa. In regions where disputes over resources, governance, and economic

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[53] World Bank, '*Incentives for CSR and Peacebuilding*'< https://www.worldbank.org>accessed on the 20 August 2025.
[54] UACCEIG, art 131.
[55] Ibid.
[56] Z Tala & Z Sarah, 'A legal perspective on Corporate Social Responsibility' [2020] 1(1) *Journal, Creative Sustainable Development*, 1-11.
[57]Financial Reporting Council 'The UK Corporate Governance Code. FRC'<https://www.frc.org.uk>accessed 12 September 2025.

disparities have led to prolonged conflicts, the integration of corporate legal principles offers innovative approaches to negotiation, mediation, and the enforcement of peace agreements. These case studies highlight real-world applications, illustrating how a robust legal structure, rooted in both corporate law and conflict resolution strategies, can serve as a powerful tool for enduring peace in Africa.

3.2. Legal Intervention and Corporate Contribution to Peace

Legal intervention often involves judicial or legislative measures aimed at resolving conflicts and fostering peace. Several case studies highlight how legal frameworks and institutions have played critical roles in conflict resolution.

3.2.1. The International Criminal Court (ICC) and the Darfur Conflict

The International Criminal Court (ICC) has been instrumental in addressing war crimes and crimes against humanity in conflict zones. In the case of the Darfur conflict, the ICC issued arrest warrants for Sudanese President Omar al-Bashir and other key figures accused of committing genocide, war crimes, and crimes against humanity. The ICC's involvement has brought international attention to the atrocities in Darfur and pressured the Sudanese government to engage in peace negotiations. Although challenges remain, the ICC's actions represent a significant effort in using legal mechanisms to promote accountability and peace.[58]

3.2.2. The Truth and Reconciliation Commission (TRC) in South Africa

South Africa's Truth and Reconciliation Commission (TRC) was established to address the human rights violations that occurred during apartheid. The TRC provided a legal and moral framework for truth-telling and reconciliation.[59] It offered amnesty to individuals who fully disclosed their involvement in human rights abuses, while simultaneously documenting the experiences of victims. The TRC's approach facilitated national healing and laid the groundwork for a more inclusive democratic society.[60] Its success illustrates the potential of legal interventions to support long-term peace and reconciliation processes.[61]

3.3. Corporate Contribution to Peace

Corporations can play a proactive role in peacebuilding by adopting practices that contribute to social stability and support conflict resolution efforts. Here are two notable examples:

3.3.1. The Role of Shell in the Niger Delta

Shell's operations in the Niger Delta have been controversial due to environmental degradation and conflicts with local communities. However, Shell has also engaged in initiatives aimed at mitigating

[58] Human Rights Watch (HRW). (2020). The International Criminal Court's Role in Darfur. < https://www.hrw.org> accessed on 29 September 2025.
[59] South African Truth and Reconciliation Commission (TRC). (2003). Final Report. <https://www.justice.gov.za/trc/report/finalreport/index.html> accessed on 29 September 2025.
[60] G R John, 'Just Business: Multinational Corporations and Human Rights' (W.W. Norton Press, 2013).
[61] B H Priscilla, '*Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions'* (Routledge, 2010).

conflict and promoting development in the region. The company has invested in infrastructure projects, community development programs, and dialogue initiatives to address local grievances and contribute to peacebuilding.[62] For instance, Shell's partnership with the Niger Delta Development Commission (NDDC) has focused on infrastructure development and capacity-building projects designed to alleviate poverty and reduce conflict.[63] While challenges persist, Shell's efforts highlight the potential for corporations to contribute positively to conflict-affected areas by supporting economic development and fostering dialogue.[64]

3.3.2. The Swiss Initiative for Peace in the Democratic Republic of Congo (DRC)

Swiss multinational corporations, particularly those in the mining sector, have engaged in peacebuilding efforts in the Democratic Republic of Congo (DRC). Companies like Glencore and Trafigura have supported initiatives aimed at addressing the root causes of conflict, such as poverty and resource mismanagement.[65] These initiatives include funding local peace projects, supporting governance reforms, and ensuring ethical sourcing of minerals to reduce the funding of armed groups.[66] The Swiss initiative has demonstrated how corporate engagement in conflict resolution can involve not just compliance with regulations but active participation in peacebuilding efforts that address both social and economic dimensions of conflict.

4. LEGAL CHALLENGES AND OPPORTUNITIES IN CORPORATE PEACEBUILDING

4.1. Introduction

In the complex landscape of corporate peacebuilding, businesses operating in conflict zones encounter a range of legal challenges and opportunities. The primary challenge lies in navigating fragmented and inconsistent legal frameworks across jurisdictions, which complicates compliance and accountability efforts. Companies must grapple with varying standards and enforcement mechanisms while addressing human rights concerns and ensuring their operations do not inadvertently exacerbate conflicts.[67] However, these challenges also present opportunities for corporate engagement in peacebuilding. International frameworks such as the United Nations Guiding Principles on Business and Human Rights (UNGPs) provide guidance on responsible conduct, encouraging companies to adopt due diligence practices and engage in constructive dialogue with stakeholders. Additionally, collaborative approaches, including public-private partnerships and multi-stakeholder initiatives, offer pathways for businesses to contribute

62 Amnesty International. (2020) Business and Human Rights: Key Issues and Recommendations. Amnesty International, <https://www.amnesty.org> accessed on 22 September 2025.
63 Niger Delta Development Commission (NDDC) <https://www.nddc.gov.ng> accessed 29 September 2025.
64 'Shell's Approach to Human Rights and Development' <https://www.business-humanrights.org>accessed 30 September 2025.
65 Glencore**, (**2021). '*Sustainable Development and Conflict Prevention in the DRC*'<https://www.glencore.com html> accessed 30 September 2025.
66 Trafigura, '*Ethical Sourcing and Conflict Minerals'* (2021)<https://www.trafigura.com accessed 29 August 2025.
67 International Criminal Court (ICC). (2021). Situation in Darfur, Sudan*. Available at: <https://www.icc-cpi.int> accessed on the 27 September 2025.

positively to conflict resolution and stability.[68] Effectively addressing these legal challenges and seizing these opportunities can enhance the role of corporations in fostering sustainable peace.

4.2. Legal Challenges in Corporate Peacebuilding

Corporate peacebuilding faces significant legal challenges that can hinder its effectiveness. Companies engaging in peace efforts often navigate complex legal landscapes, including issues related to compliance with local and international laws, managing conflicts of interest, and ensuring accountability.[69] Additionally, balancing profit motives with ethical responsibilities can create legal dilemmas that require careful navigation. Understanding these challenges is essential for developing strategies that allow corporations to contribute effectively to sustainable peace.

4.2.1. Jurisdictional Issues and Regulatory Gaps

One significant legal challenge in corporate peacebuilding is the issue of jurisdiction. Different countries have varying legal standards and enforcement mechanisms, which can create inconsistencies in how companies address conflict-related issues. For multinational corporations, navigating these diverse legal landscapes can be complex, leading to regulatory gaps and challenges in ensuring uniform compliance with peacebuilding practices[70]. Additionally, some conflict zones may lack effective legal frameworks, making it difficult for companies to adhere to peacebuilding norms and contribute to stability.[71]

4.2.2. Accountability and Liability

Establishing accountability for corporate actions in conflict zones can be challenging. Companies operating in areas with high levels of violence and instability may face difficulties in ensuring that their operations do not contribute to or exacerbate conflicts [24]. Legal frameworks often lack clear guidelines on corporate responsibility in such contexts, leading to debates about the extent of corporate liability for conflict-related harms. Furthermore, the enforcement of legal standards and holding corporations accountable for their impact on peace can be hindered by weak governance structures and corruption in some regions.

4.2.2. Human Rights Compliance

Ensuring compliance with human rights standards in conflict zones presents another challenge. Companies must navigate complex environments where human rights abuses may be prevalent, and local laws may not align with international human rights standards. This can create dilemmas for companies seeking to balance business interests with ethical considerations. Additionally, the

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[68] Transparency International 'Corruption and Business: The Corporate Responsibility to Prevent Conflict' <https://www.transparency.org html> accessed on the 27 September 2025.
[69] S Anneliese, '*Monitoring and Evaluating Peacebuilding Efforts*', [2017] 38(4) *Business Law Review*, 265-283.
[70] P Nzomo, 'Corporate Governance and Conflict Resolution: The OHADA Experience.' [2017] 25(1) *African Journal of International and Comparative Law*, 25(1), pp. 55-72.
[71] International Crisis Group. (2021). The Corporate Role in Conflict Zones <https://www.crisisgroup.org> accessed on 2 October 2025.

lack of robust monitoring and enforcement mechanisms can make it difficult for companies to assess and address human rights risks effectively.[72]

4.3. Legal Opportunities in Corporate Peacebuilding

Corporate peacebuilding offers a range of legal opportunities that can enhance the role of businesses in promoting stability and development. By leveraging legal frameworks, companies can engage in conflict resolution, support governance reforms, and foster inclusive economic growth. These opportunities allow businesses to not only comply with laws but also to contribute proactively to sustainable peace, creating a positive impact that extends beyond traditional corporate responsibilities.

4.3.1. International Legal Frameworks and Standards

International legal frameworks offer opportunities for companies to contribute to peacebuilding. Instruments such as the United Nations Guiding Principles on Business and Human Rights (UNGPs) provide guidelines for companies to respect human rights and operate responsibly in conflict-affected areas.[73] The UNGPs emphasize due diligence, stakeholder engagement, and remediation, which can guide corporate peacebuilding efforts.[74] Additionally, the OECD Guidelines for Multinational Enterprises and the Global Compact offer further frameworks for integrating peacebuilding into corporate strategies.[75]

4.3.2. Legal Reforms and Advocacy

Legal reforms at the national and international levels can create opportunities for enhancing corporate contributions to peacebuilding. Advocacy for stronger regulations and standards on corporate conduct in conflict zones can lead to more robust legal frameworks that promote peace and stability.[76] For example, recent efforts to regulate conflict minerals and improve corporate transparency in supply chains reflect growing recognition of the role that legal reforms can play in supporting peacebuilding objectives.

4.3.3. Collaborative Legal Mechanisms

Collaborative legal mechanisms, such as public-private partnerships and multi-stakeholder initiatives, offer opportunities for companies to engage in peacebuilding. These mechanisms facilitate cooperation between governments, businesses, and civil society organizations to address

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[72]UK Companies Act (2006), s4.
[73] Transparency International, (2019). '*Corruption and Business: The Corporate Responsibility to Prevent Conflict'* <https://www.transparency.org> accessed on 12 October 2025.
[74] (n 73).
[75] OECD, *'Principles of Corporate Governance'* (OECD Publishing, 2002), <https://www.oecd.org> accessed 12 October 2025.
[76] Global Witness**,** '*How Companies Can Be Complicit in Human Rights Abuses: The Case of Corporate Land Grabs*' (2019)<https://www.globalwitness.org> accessed 12 October 2025.

conflict-related challenges and promote stability.[77] For instance, initiatives like the Extractive Industries Transparency Initiative (EITI) and the Global Reporting Initiative (GRI) encourage transparency and accountability in business operations, which can contribute to peacebuilding efforts by reducing corruption and fostering trust among stakeholders.[78]

4.3.4. Corporate Social Responsibility (CSR) and Legal Incentives

Corporate social responsibility (CSR) initiatives, supported by legal incentives, can enhance corporate contributions to peacebuilding. Many jurisdictions offer legal incentives, such as tax benefits or favorable regulatory treatment, for companies that engage in CSR activities that support social and economic development.[79] By aligning CSR initiatives with peacebuilding goals, companies can leverage these incentives to promote stability and contribute positively to conflict-affected areas.[80]

5. CONCLUSION

Legal frameworks and corporate practices play pivotal roles in peacebuilding efforts, particularly in conflict-affected regions. Legal interventions, such as international tribunals and truth commissions, offer critical mechanisms for addressing past injustices and fostering reconciliation. These frameworks provide structures for accountability and justice, essential for long-term peace. However, they often face challenges related to jurisdictional issues, accountability, and human rights compliance.[81] On the other hand, corporate contributions to peacebuilding, while not always legally mandated, can complement these efforts by addressing socio-economic factors and supporting community development. Corporations operating in conflict zones have the potential to positively impact peacebuilding through responsible business practices, investment in local development, and adherence to ethical standards. Yet, they face challenges such as navigating complex legal environments and ensuring accountability for their actions.

6. RECOMMENDATIONS

The following recommendations are made;

1 Strengthen Legal Frameworks and International Standards

Governments and international bodies should continue to strengthen legal frameworks that guide corporate conduct in conflict-affected areas. This includes refining international standards, such as

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[77]Broll, Ursula. (2018). "Public-Private Partnerships in Conflict Zones." *Journal of Peacebuilding&Development*, 13(2), pp. 37-50.

[78] Global Reporting Initiative (GRI). (2019). Sustainability Reporting and Corporate Transparency. Available at: https://www.globalreporting.org. accessed on the 20/08/2024.

[79]Lister, Sarah. (2020). "Legal Incentives for Corporate Social Responsibility." *Corporate Law Review*, 16(3), pp. 305-323.

[80] UNCITRAL. (2021). Recognition and Enforcement of Foreign Arbitral Awards. Available at: https://www.uncitral.org. 21/08/2024

[81] L A Bebchuk, and S W Michael 'The State of Corporate Governance Research' [2010] 23(3) *Review of Financial Studies*, 945-960.

the UN Guiding Principles on Business and Human Rights, to provide clearer guidelines for companies operating in high-risk environments. Enhanced legal frameworks should address jurisdictional issues and ensure that companies are held accountable for their impact on peace and stability.

2 Promote Transparency and Accountability

Both legal and corporate entities must prioritize transparency and accountability. Companies should adopt robust reporting mechanisms and engage in regular impact assessments to ensure that their operations do not contribute to conflict or human rights abuses. Legal systems should support this by enforcing regulations that mandate transparency and accountability, particularly in conflict-affected areas.[82] Collaborative efforts between governments, businesses, and civil society can help to enhance oversight and address accountability gaps.

3 Encourage Collaborative Approaches

Public-private partnerships and multi-stakeholder initiatives should be promoted to foster collaboration between legal institutions, corporations, and local communities. These collaborations can facilitate the sharing of best practices, resources, and knowledge, enhancing the effectiveness of peacebuilding efforts. Initiatives such as the Extractive Industries Transparency Initiative (EITI) and the Global Reporting Initiative (GRI) should be expanded and adapted to address specific conflict-related challenges.

4 Advocate for Legal Reforms and CSR Integration

Advocacy for legal reforms that support conflict-sensitive business practices is crucial. Stakeholders should work together to push for regulations that incentivize corporate engagement in peacebuilding and social responsibility. Companies should integrate CSR initiatives with peacebuilding goals, aligning their business strategies with broader social and economic development objectives. Legal incentives, such as tax benefits for peacebuilding activities, can encourage companies to contribute positively to conflict-affected regions.

5 Enhance Capacity Building and Training

Capacity building and training programs should be developed for both legal practitioners and corporate leaders to enhance their understanding of conflict-sensitive practices and peacebuilding strategies. Training should focus on navigating complex legal environments, implementing CSR effectively, and engaging with local communities in conflict zones. These programs can equip stakeholders with the knowledge and skills needed to contribute to sustainable peace.

[82] Transparency International. (2018). Corruption and Conflict. Available at: https://www.ohchr.org. Accessed on August 25, 2024.

6 Monitor and Evaluate Impact

Ongoing monitoring and evaluation of legal and corporate peacebuilding efforts are essential to assess their effectiveness and identify areas for improvement. Establishing mechanisms for regular review and feedback can help ensure that both legal interventions and corporate practices are achieving their intended outcomes and adapting to changing conflict dynamics.