



ماعت للسلام والتنمية وحقوق الإنسان
Maat For Peace, Development, and Human Rights

Business and Human Rights in North Africa

How Do We Turn Commitments into Action?



Business and Human Rights in North Africa:

How to Turn Commitments into Actions?

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Glossary of Terms

Human Rights Due Diligence:

This is a process involving the assessment of risks and potential impacts associated with a company's business activities on human rights. The scope of due diligence includes all aspects related to the company's supply chain and its business relationships. The due diligence process also involves steps to prevent, mitigate, and remedy any negative impacts caused by corporate activities.

Supply Chains:

All processes involved in the production of a product or the delivery of a service, beginning with the acquisition of raw materials, managing manufacturing processes, storing finished products, and coordinating the logistics necessary to deliver the product or service to consumers and meet customer demands. Notably, supply chain processes encompass a wide range of activities, such as extracting resources to produce essential raw materials, managing human resources, transferring or disseminating information related to products and services, and other necessary elements for producing the final product or delivering the service.

National Contact Points:

Mechanisms established by governments that vary in structure but consist of agencies created by governments to promote the guidelines of the Organization for Economic Cooperation and Development (OECD) and the due diligence guidelines related to human rights.

Responsible Business Conduct

The positive contribution that businesses make to economic, environmental, and social progress aimed at achieving sustainable development while addressing any negative impacts of their activities and seeking to prevent or mitigate any adverse impacts directly linked to their operations, products, or services within a business relationship.

Risk-Based Due Diligence:

This refers to a process through which companies identify their actual and potential negative impacts, prevent and mitigate them, and explain how they address these impacts in the context of their business operations.

Responsible Investment:

Responsible investment is investment that responds to human rights needs, including environmental rights.

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Preamble



The growing interest in considering human rights in business is no longer a luxury but a necessity imposed by the increasing number of companies and their influence, which strengthens year after year. About 51 of the world's top 100 economies are companies compared to 49 countries. Momentum is building for businesses to respect human rights, especially in the North African region after the COVID-19 pandemic. However, we have yet to move from merely making promises and delivering speeches to actual implementation and actions. Despite laws in North African countries allowing for legal action against corporate practices, including those of multinational corporations, investigations into these practices are often limited.

The UN Guiding Principles on Business and Human Rights (UNGPs) represent a fundamental guarantee for states to prevent and mitigate human rights abuses connected to business activities. While countries and companies have adopted human rights due diligence measures, and some countries are committed to adopting national action plans for business and human rights, voluntary commitments are no longer sufficient and must be translated into actionable practices. The dissemination of the UNGPs is not an end in itself; it is an essential step towards implementing the thirty-one principles outlined in these internationally agreed guidelines. This indicates a clear need for states, businesses, and multinational corporations to expedite the dissemination and implementation of these principles across all economic sectors by taking clear measures to assess and address the potential and actual human rights impacts they cause or contribute to.

Business activities profoundly affect people's lives, from workers to community members, global value chains, and children forced into child labor. While these companies possess significant potential, this potential is not reflected in behaviors that require adherence to the principle of human rights due diligence—a principle that can add value to a company when implemented correctly. It reduces negative impacts, promotes compliance with human rights, and enhances the company's image and reputation in the eyes of individuals and the community. However, what concerns me is that a large portion of companies still prioritizes profit over human rights considerations. Thus, translating promises into actions requires more than good intentions, which necessitates that states prioritize the acceleration of national business and human rights action plans with the involvement of civil society and other stakeholders to fully implement the UNGPs.

Ayman Okeil,

Chairman of Maat for Peace, Development, and Human Rights

Rationale for the Report

A thorough reading of this report will achieve the following benefits:

- **Enriching the Discussion on Business and Human Rights in North Africa:** It will highlight the status that human rights should hold in business and the business environment, serving as a preliminary analysis of the state of business and human rights in North Africa.
- **Exploring the Gains from Respecting Human Rights in Business:** Establishing economies and business projects based on human rights that comply with international principles, guidelines, and standards, such as the UNGPs, will lead to more stable communities, including those covered in this report, with a higher ability to predict risks and ultimately create more prosperous economies. A survey reveals that more than 70% of consumers are willing to pay a higher price for products produced responsibly, considering standards that respect human rights.
- **Supporting Companies in Understanding Their Responsibilities:** The report assists businesses in understanding their responsibilities under the UN guidelines and provides advice on how to publish and adopt human rights policies in business practices. It underscores the importance of respecting human rights within the business context for consumers, who pay attention to the sources of the goods and services they consume and the processes of their production.
- **Highlighting the Risks of Neglecting Human Rights in Business Practices:** The report illustrates the complexities and risks associated with business practices that do not respect human rights, which are often not widely understood within companies. This may lead to anxiety and reluctance to engage in issues that may be perceived as harmful. Therefore, integrating human rights risks into corporate risk management systems requires a continuous process of education and awareness-raising. The ILO Declaration on Multinational Enterprises and the UNGPs emphasize the importance of integrating human rights into business practices. Nonetheless, there remains a long way to go in embedding this human rights dimension into business practices.

Introduction

The rapid development of businesses and corporate activities cannot be ignored, as these activities have significantly impacted individuals and communities. This necessitates clear responsibilities for all companies to respect human rights in their operations and business relationships, as outlined by the UNGPs. Companies are now obliged to adhere to the principle of human rights due diligence, prioritizing these rights over profits. Such companies, especially multinationals and transnational corporations, have gained unprecedented influence and often possess budgets that rival or surpass those of nations.

According to the UNGPs adopted in 2011, alongside the UN Global Compact initiative encouraging businesses to commit to ten fundamental principles related to human rights, including labor and environmental rights, all companies are required to protect and respect human rights in all their operations, supply chains, products, and services. They must adopt a human rights due diligence principle to avoid involvement in violations or any risks that may impact human rights.¹

This issue is not limited to multinational corporations; it also applies to investors. Approximately half of the international investment agreements signed from 2020 to 2025 include provisions related to responsible investment. This shift is a welcome development; however, most provisions on responsible business conduct, especially those concerning anti-corruption requirements and corporate social responsibility, often take the form of non-binding commitments. Nevertheless, noteworthy progress includes the enactment of laws requiring companies to apply the principle of corporate social responsibility to contribute to achieving sustainable development goals, as seen in Tunisia, as will be detailed in the report. Additionally, some laws in other countries, such as Egypt's Environmental Law, mandate environmental impact assessments for new projects.

Businesses give special priority to the safety of individuals and the environment during their activities and throughout all stages of supply chains to ensure respect for human rights and achieve sustainable development goals. The United Nations Development Programme (UNDP) has identified human rights issues associated with business, including, but not limited to, environmental harm, unfair wages, excessive working hours, workplace discrimination based on gender, nationality, color, or any other considerations, as well as forced labor, the worst forms of child labor, violations of occupational health and safety, pollution, toxic or hazardous materials, and violations arising from misleading advertising that may deceive

¹ See the definitions section of the report

consumers or the use of illegal or harmful products. Ethical considerations surrounding drug testing and product safety tests are also critical, particularly concerning the right to life and the right to health.

North African countries are not isolated from the activities of these companies. The practices of multinational corporations in North Africa illustrate the variability in compliance with the UNGPs, principles unanimously adopted by the Human Rights Council in its resolution 17/4 on June 16, 2011.² The adoption of these principles in 2011 recognized the impact of business on individual rights. One of the key roles of the UN Guiding Principles in the concept of human rights due diligence is to require businesses to identify harmful impacts, prevent them, mitigate their severity, and outline how to address them. This normative clarification serves as the basis for holding businesses accountable for respecting human rights.

The UNGPs encourage companies to consider the risks that may affect the rights of individuals impacted by their activities and operations. These individuals may include employees working for the company, service providers contracted by the company, laborers in farms or factories within supply chains, individuals residing near business and industrial projects undertaken by these companies, or even consumers using the products of these companies.

The UNGPs are not laws or regulations in themselves but rather measures aimed at fostering dialogue between states, the private sector, and civil society to encourage the development and standardization of policies that lead to the assessment and management of human rights risks in business. For this purpose, various countries committed to applying the UN Guiding Principles are developing "National Action Plans on Business and Human Rights" as a national policy framework to regulate corporate behavior and mitigate any negative impacts on human rights arising from business activities.

The limited awareness of the connection between business and human rights in North Africa, compared to other geographic regions, makes it vital to assess the state of business and human rights in this region, which includes Egypt, Morocco, Tunisia, Algeria, Libya, and Mauritania. The six countries covered in the report are members of the African Union and the Arab League. Against the backdrop of Africa's growing economies and their potential to attract more investments, the African Union has recognized the need to establish its own

² Guiding Principles on Business and Human Rights, A/HRC/RES/17/4, <https://tinyurl.com/mvfpbwsa>

policy on business and human rights. This policy, which is currently in draft form and has yet to be adopted, aims to enhance the implementation of the UNGPs. Simultaneously, most of these companies possess substantial capabilities that enable them to enhance compliance with human rights, particularly concerning labor rights and environmental preservation. However, they often fail to meet these standards. As multinationals expand and capture significant market shares in North African countries, there is an urgent need to consider the extent to which these companies comply with human rights standards and the UNGPs, which were established fifteen years ago.³ The UN framework titled "Protect, Respect, and Remedy" serves as a guide for companies to take responsibility for the impacts of their activities and operations. It acts as a human rights-based standard, requiring companies to comply ethically, socially, and morally. This framework extends beyond corporate social responsibility efforts, holding companies accountable for their actions towards individuals, workers, and communities affected by their services and products.

North African countries have lagged behind other regions in efforts to implement the UN Guiding Principles and promote the business and human rights agenda. With the continued increase in economic activity across the continent (including foreign direct investment) and as the six countries covered in this report are part of the African Continental Free Trade Agreement, companies operating there are under increasing scrutiny due to their impact on human rights. Consequently, African governments, national human rights institutions, non-governmental organizations, and businesses have intensified their focus in recent years on enhancing corporate accountability frameworks.

In this context, Maat for Peace, Development, and Human Rights presents this report, which is the first clear effort by civil society to analyze the business environment and its intersection with human rights in North Africa. Maat analyzes six key factors for each of the six countries included in the report, namely: the legal and regulatory framework for businesses; the countries' capacity to promote the UNGPs; national action plans on business and human rights; the extent of compliance with the principle of responsible business conduct from the perspective of international human rights standards; the activity of national contact points promoting the OECD principles for multinational enterprises; and finally, the existence of non-judicial remedy mechanisms in the six countries covered by the report, as required by the UNGPs. Achieving these factors could lead to increased respect for human rights in business. The report also builds on information from previous reports

³ Holding companies accountable for human rights violations in the Middle East and North Africa region, <https://tinyurl.com/2ysk26f3>

published by Maat in conjunction with the 13th Forum on Business and Human Rights held from November 25 to 27, 2024. The report concludes with a series of recommendations directed at both states and parliaments in North Africa, as well as the Arab League.

Key Findings

- Among the six countries covered in the report, Egypt, Morocco, Tunisia, and Algeria have established national contact points for responsible business conduct,⁴ while Libya and Mauritania have yet to create such mechanisms, as illustrated in the table below:

Country	National Contact Point for Responsible Business Conduct
Egypt	√
Morocco	√
Tunisia	√
Algeria	√
Libya	×
Mauritania	×

- While the number of initiatives related to responsible business conduct in the MENA region has increased, they tend to be more prevalent among large corporations and multinationals than among small businesses. The standards related to responsible business conduct apply to all companies, regardless of their legal nature, size, ownership, or the sector or area in which they operate.
- All countries covered in the report have not developed independent plans on business and human rights, nor have there been any publications of such plans. Morocco has a sub-section on business and human rights within its general national human rights action plans. Additionally, there are efforts by the National Council for Human Rights in Egypt to encourage the government to adopt a national action plan on business and human rights. However, political will in Libya, Mauritania, and Algeria is lacking for adopting these plans, and often the initiatives have been limited and driven solely by civil society organizations.
- The report indicates that while some companies in North Africa are aware of the UNGPs, a significant number remain uninformed or lack practical guidance on the steps to effectively fulfill their responsibility to respect human rights.

⁴ The focal point promotes the OECD Guidelines for Multinational Enterprises on Responsible Corporate Conduct

- 📌 Human rights due diligence processes face several challenges. Data indicates that companies in North Africa do not recognize the importance of human rights due diligence. There is a need to improve public awareness of the significance of this principle, as well as to clarify the jurisdiction and content required for human rights due diligence processes. Even companies that are aware may not incorporate or integrate key elements and concepts into their operations.
- 📌 Companies in North Africa deliberately ignore the understanding that the primary purpose of human rights due diligence is to prevent risks that threaten individuals and communities, rather than merely protecting the commercial interests of their owners. However, another challenge regarding the human rights due diligence that companies are supposed to practice is that it remains a voluntary principle. Therefore, most companies are keen to comply with legal requirements, which explains why some companies conduct environmental impact assessments before obtaining licenses to carry out their activities. Since human rights due diligence is still voluntary, companies have hesitated to incorporate it into their regulations and regulatory frameworks, sometimes perceiving it as a burden or a cumbersome procedure. Consequently, imposing it as a mandatory legal obligation would significantly increase the number of companies conducting human rights due diligence.
- 📌 Despite the varying measures and initiatives, three countries, Egypt, Morocco, and Tunisia, have committed to promoting responsible business conduct. In addition, they have endorsed the OECD Declaration on International Investment and Multinational Enterprises, thereby committing to enhancing the OECD Guidelines for Multinational Enterprises.
- 📌 The report concludes that ratification of the core human rights treaties and fundamental ILO conventions showcases a commendable performance by North African countries. Many of these countries have ratified international treaties that obligate them to protect various vulnerable groups from harm, including harm caused by corporations. They have also established laws and regulatory bodies aimed at protecting individuals and communities from human rights violations resulting from business activities. However, significant gaps remain in the enforcement of these laws.
- 📌 The regional organizations of which North African countries are a part have yet to fully harness their potential. The African Union institutions possess significant capacity to

foster the dissemination and understanding of the guidelines among member states, especially through the adoption of the African Union Policy on Business and Human Rights and the work of the African Commission on Human and Peoples' Rights. This also applies to the Arab League. However, the existence of unenforced treaties suggests that the effectiveness of the African Union remains contingent upon the availability of political will. Additionally, the efforts of the African Court on Human and Peoples' Rights can contribute to enhancing the protection of human rights in the context of business activities.

- 📌 The report indicates that five of the six countries covered are parties to the African Continental Free Trade Agreement (AfCFTA), which provides an economic framework that incorporates human rights and sustainability standards within the structure of trade and investment in Africa.⁵ Libya remains the only country in the Middle East that has yet to ratify the AfCFTA as of the date of this report, despite having signed it.

⁵ Unlocking the Potential of AfCFTA for Africa's Young Population, <https://shorturl.at/TNSys>

1. Legal and Regulatory Framework for Business

Since the adoption of the UNGPs, there has been an increased need for laws and regulatory frameworks governing the operations of multinational corporations and other businesses, as well as encouraging investments, including foreign investment. North African countries have responded by beginning to establish laws regulating the activities of corporations, including multinational and transnational companies.

In Egypt, Law No. 160 of 2023, issued in July 2023 after endorsement by President Abdel Fattah El-Sisi, amends Investment Law No. 72 of 2017, concerning the participation of multinational companies and their investments. The law aims to expand the golden license program and provide investment incentives. Decision No. 1203 of 2024 amends the executive regulations of Investment Law No. 72 of 2017. The Investment Law grants the General Authority for Investment and Free Zones the power to create a streamlined process for establishing new industrial projects and projects of an industrial nature or infrastructure projects that meet certain requirements and standards, and to issue golden licenses for these projects.

The golden license approval covers the entire project lifecycle, from project establishment, including land allocation and building permits, to project operation and management. As of January 2025, the General Authority for Investment and Free Zones has approved 44 golden licenses. In Egypt, there are four types of business structures: joint-stock companies, limited liability companies, single-member limited liability companies, as well as sole proprietorships, foreign branch offices, and representative offices.⁶ On another note, the Ministry of Environment encourages environmental impact assessments for new multinational company projects, according to the currently applicable Environmental Law, and has guidelines for the foundations and procedures for environmental impact assessments, although these guidelines are outdated, dating back to 2010.⁷ The Egyptian government has encouraged small and medium-sized enterprises (SMEs). In February 2025, Law No. 6 of 2025 was issued to support small and medium-sized enterprises, providing tax exemptions and simplifying tax collection procedures. This law applies to companies with annual profits not exceeding 20 million Egyptian pounds. It offers benefits, including exemptions from certain fees, capital gains taxes, and income tax on profits, commensurate with the project size. SMEs are also exempt from advance tax payments.⁸

⁶ Guide to Doing Business in Africa, Egypt, at the following link: https://lexafrica.com/wp-content/uploads/2025/09/LEX-Africa-Guide-Arabic_Final-Jul-24-vs3.pdf

⁷ Available at the following link: <https://www.ecaa.gov.eg/Service/67/171/index>

⁸ See Law No. 6 of 2025, at the following link: <https://shorturl.at/8CDk0>

The Capital Market Law (Law No. 95 of 1992) and its amendments, including the most recent in August 2023, allow foreign investors to purchase shares on the Egyptian stock exchange under the same conditions applied to local investors. In March 2022, the Prime Minister issued Decision No. 982 of 2022, stating that the relevant authorities receiving investor applications must issue decisions regarding approvals for the permits or licenses necessary to establish and operate new investment projects or to expand existing investments within 20 working days from the date of application submission.⁹

In Morocco, the Investment Charter regulates investment processes and applies to both local and foreign investments. Morocco transitioned from the previous Investment Charter under Law No. 18-95 issued in October 1995 to an updated Investment Charter adopted in December 2022 under Framework Law No. 03-22. The Moroccan legislation governing foreign direct investment applies to both Moroccan and foreign legal entities, with some exceptions for specific sectors not covered by the charter. The charter aims to encourage private investments, both national and foreign.¹⁰ In a separate development, Morocco issued Law No. 31.08, which aims to establish measures to protect consumers from unfair conditions and certain business practices of both foreign and local companies. This includes provisions related to after-sales services and excessive indebtedness. The law also grants recognized consumer protection associations the authority to monitor organizations and defend consumer rights.¹¹

In Tunisia, the government has adopted a national governance framework since November 2014, which serves as the first national standard applicable to both the public and private sectors, deposited with the National Institute of Standards and Industrial Property. This framework aims to establish an integrated approach to economic activities based on good governance, human rights, sustainable development, and stakeholder participation.¹² The framework recognizes the guiding principles and recommendations issued by the OECD.¹³ Tunisia has promoted corporate social responsibility (CSR) through national laws essential for implementing these guidelines. Notably, Law No. 35 was adopted in June 2018 to encourage corporate social responsibility.

In Algeria, Law No. 18-22 concerning investment, issued on July 24, 2022, regulates investments in economic activities and establishes the principles of "freedom of investment"

⁹ Prime Minister's Decision No. 982 of 2022, at the following link: <https://shorturl.at/U9Re5>

¹⁰ Framework Law No. 03-22, available at the following link: <https://shorturl.at/Hd5Ly>

¹¹ Law No. 08-31 specifying consumer protection measures, including consumer protection on the Internet, at the following link: <https://shorturl.at/FvnOr>

¹² The National Governance Reference, available at the following link: <https://h7.cl/1gvRb>

¹³ *ibid*, p. 5, at the following link: <https://h7.cl/1gvRb>

and "transparency and equality in the treatment of investments" for both foreign and local companies. The supplementary finance law of 2020 specifies the establishment of partnerships with foreigners and amends the so-called 49/51% rule to apply exclusively to what are deemed strategic activities and the importation of raw materials and goods. Consequently, the strategic sectors subject to the 49/51% rule, according to the law, include the exploitation of the national mining sector and any underground or surface wealth related to extraction activities, with the exception of non-metallic mineral quarries, upstream energy activities, and any other activities governed by petroleum laws.¹⁴

In Libya, while the legal and regulatory frameworks vary, they have not been updated for a long time. The Libyan Investment Law of 2010 serves as the basic legal framework for promoting foreign direct investment and regulates the activities of foreign companies, including multinationals. According to an independent assessment of this law, many restrictions on foreign direct investment have been eliminated, and various incentives have been introduced to stimulate private investment.¹⁵ The law also identifies areas for investment, legislated as a general rule, which encompass all productive and service sectors, with the exception of oil and gas exploration, extraction, and marketing. This provision has received positive feedback, as it does not restrict investment fields, achieving comprehensive economic development according to the amendments. Additionally, the Libyan government issued Law No. 23 of 2010 (the Trade Law), which includes provisions related to economic activities and governs the tools for conducting economic activities, along with other relevant legal provisions.

This law was followed by the issuance of Decision No. 207 of 2012 by the Minister of Economy, clarifying the latest rules concerning the types of legal forms for foreign companies in Libya. The decision reaffirmed the core principle that any foreign entity seeking to provide services in Libya must obtain the appropriate operating license. In other words, a foreign company must register a suitable legal entity within Libya. However, the Investment Law restricts full foreign ownership of investment projects valued at over 5 million Libyan dinars, with the exception of limited liability companies. It also requires that Libyans constitute 30% of the workforce and receive necessary training. Foreign investors are not allowed to own land or real estate in Libya, but can temporarily lease it. For investment in "strategic industries in Libya, particularly the oil and gas sector in its initial phases, which is dominated by the National Oil Corporation," the foreign party must establish a joint venture with a Libyan

¹⁴ Rule 51/49.. Is it the end?, available at the following link: <https://h7.cl/111R3>

¹⁵ See Law No. 9 of 2010 regarding investment encouragement, at the following link: <https://h7.cl/1gvTV>.

company that retains the majority stake in the project. As of the writing of this report, it remains unclear what other industries, aside from oil and gas in their initial phases, may be considered strategic industries. Despite these developments, challenges remain. The regulatory frameworks in Libya are fragmented, with some regions advancing in mandatory due diligence while others lag behind, leading to varying standards.

In Mauritania, efforts have been made to update its laws. The amended Investment Law serves as the regulatory framework for the operation of companies. In January 2025, the parliament approved this law with the aim of simplifying administrative procedures, expanding financial incentives, and ensuring the right to repatriate profits. It also allows companies access to international arbitration, a step that enhances investors' confidence. Additionally, in January 2025, Mauritania adopted a new law concerning public institutions and companies to improve governance and the efficiency of state-owned enterprises. This law presents several key reforms, including enhancing accountability and institutional governance, establishing performance contracts as the legal foundation for the relationship between the state and public companies, and improving financial transparency, including adopting commercial accounting standards while promoting good governance principles and transparency in public spending. This reform is part of a broader strategy to ensure that the practices of public companies align with international best practices and reduce financial risks to the state. Overall, the laws enacted by the six countries set requirements for how foreign companies can access markets, as well as provisions to protect ownership and other investor-related clauses, such as conditions for tax incentives and the authority of investment promotion bodies.

2. UN Guiding Principles on Business and Human Rights



The UNGPs are based on three fundamental pillars: *Protect, Respect, and Remedy*. These three pillars represent the UN framework on business and human rights proposed by the Secretary-General's representative on business and human rights in 2008. Below is an explanation of the three pillars.

Protection

Protection is the state's duty to safeguard human rights. States must protect populations within their territories from human rights violations by third parties, including business enterprises. This requires taking appropriate measures to prevent, investigate, and hold accountable for such violations. These state obligations fall under international human rights law. The Guiding Principles stipulate that states can protect rights by adopting effective policies, legislation, systems, and judicial decisions.

A positive example of state duty to protect is that Mauritania opened an investigation into corruption involving government companies, including those operating in the mining sector, due to the negative impacts of these practices. This reflects the state's duty to protect human rights related to business activities.

Respect

The responsibility of businesses to **respect** human rights is outlined in the Guiding Principles. They emphasize that business enterprises must adhere to international human rights standards, not just fundamental treaties and agreements. This includes other agreements, such as the UN Global Compact of 1999, which calls on companies to align their strategies with other principles related to human rights and the Sustainable Development Goals. This responsibility persists regardless of states' capacity to fulfill their human rights obligations.

For instance, the company Eni has committed to respecting human rights in Egypt and Libya in accordance with the Guiding Principles. In 2024, the company conducted human rights training workshops for local security forces in 10 countries, including Egypt, Libya, Algeria, and Tunisia.¹⁶

Access to Remedy

According to the UN Guiding Principles, remedy mechanisms play an essential role in the state's duty and business enterprises' responsibility to protect human rights. The third pillar

¹⁶ Eni Annual Report 2024, Page 204, <https://www.eni.com/content/dam/enicom/documents/eng/reports/2024/ar-2024/Annual-Report-2024.pdf>

of the Guiding Principles recommends remedies through judicial means. The Guiding Principles urge states to take appropriate steps to investigate, penalize, and address corporate violations against individuals and groups within their territories. They also state that internal grievance mechanisms can empower companies to address complaints at early stages before they escalate into legal claims against the company. Furthermore, companies can identify recurring issues by monitoring complaints and thus adopt practices to mitigate harm.

An example is a citizen named H. A. from Wadi Al-Qamar in western Alexandria, who secured a judicial ruling and received compensation of one million Egyptian pounds due to the damages suffered by his family from the practices of Titan Cement Company, which caused harmful emissions affecting the local population, including respiratory and pulmonary diseases.

The UNGPs¹⁷ define states' obligations and businesses' responsibilities regarding the impact of business activities on human rights. In North Africa, evidence collected by the Maat indicates that a gap still exists among the six countries mentioned in the report, particularly concerning the promotion and dissemination of the UNGPs. While Morocco has been active, and to a lesser extent Egypt and Tunisia have taken steps, Libya, Algeria, and Mauritania have not done the same. Egypt supports the implementation of the UNGPs, but it believes that the growing influence of transnational corporations highlights the unsustainability of relying on voluntary principles to ensure that these companies respect human rights and address the negative impacts that may arise from their activities. Additionally, it supports the provision of remedy mechanisms and reparations.

ويجدد وفد مصر دعمه لمجموعة العمل لتنفيذ ولايتها المنشأة بموجب قرار المجلس رقم 26/9، حيث أنه على الرغم من أهمية المبادئ التوجيهية للأعمال وحقوق الإنسان، فإن التطور المضطرب في نطاق أعمال ونفوذ الشركات عبر الوطنية حول العالم، يؤكد عدم إمكانية الاستمرار في الاعتماد على مبادئ طوعية لضمان احترام حقوق الإنسان من قبل تلك الشركات، ومعالجة أية آثار سلبية قد تنتج عن نشاطها، وتوفير آليات جبر ضرر فعالة.

بيان جمهورية مصر العربية في الدورة 59 لمجلس حقوق الإنسان الحوار التفاعلي مع مجموعة العمل المعنية بحقوق الإنسان والشركات عبر الوطنية وغيرها من مؤسسات الأعمال

¹⁷ THE UN GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS AND HOW THEY APPLY TO THE FISHERIES AND AQUACULTURE SECTORS IN AFRICA, <https://shorturl.at/TAB9D>

During the interactive dialogue with the working group in 2022, the Egyptian delegation affirmed its support for a legally binding process to enhance business and human rights, which complements and develops the UNGPs. According to the delegation, "it is no longer sufficient to rely on voluntary tools from non-binding law that cannot be enforced," urging countries to "move beyond merely sheltering within the United Nations guidelines."¹⁸

In contrast, the Kingdom of Morocco has actively promoted the guiding principles. This activity included Morocco's proposal to the Arab Permanent Committee on Human Rights to include the topic of business and human rights as an agenda item for the committee, which welcomed this initiative.¹⁹ Consequently, Morocco hosted an Arab workshop on business and human rights on November 19, 2025, organized by the Ministry of Human Rights in collaboration with the Arab League, aimed at empowering stakeholders in Arab countries to promote the UNGPs.²⁰

Morocco also hosted the regional parliamentary conference for North African and Middle Eastern countries on human rights and business, which resulted in the Rabat Declaration on Human Rights and Business. This declaration called for the adoption of national action plans based on the guiding principles of business and human rights.²¹ Overall, Maat notes Morocco's commitment to promoting the UNGPs,²² but there is still a need to incorporate proposals from other stakeholders into the government's public policies regarding business and human rights.

On another note, Maat observes that Algeria, Mauritania, and Libya have made minimal efforts to disseminate the guiding principles. Specifically, regarding Mauritania, during the visit of the Special Rapporteur on Contemporary Forms of Slavery, it was noted that the existence of forced labor in certain sectors indicates that the Mauritanian government has not made greater efforts to address the challenges posed by business and corporate practices, including those of subcontractors. The government was urged to implement the guiding principles on business and human rights.²³

¹⁸ UN Guiding Principles on Business and Human Rights at 10 The Impact of the UNGPs on Courts and Judicial Mechanisms, Page 168, <https://www.debevoise.com/-/media/files/pdf/full-report.pdf>

¹⁹ Permanent Arab Committee for Human Rights, 55th regular session, report and recommendations, at the following link: <https://shorturl.at/2SfQd>

²⁰ Workshop on business and human rights, at the following link: <https://abhr.didh.gov.ma/note.pdf>

²¹ Rabat Declaration on Human Rights and Business, at the following link: <https://shorturl.at/dWg4z>

²² *ibid.*

²³ Visit to Mauritania Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, <https://docs.un.org/en/A/HRC/54/30/Add.2V>

3. National Action Plans on Business and Human Rights

The adoption of National Action Plans (NAPs) is a crucial tool for implementing the Guiding Principles. The primary purpose of a National Action Plan is to prevent and protect against human rights violations committed by multinational corporations and business enterprises through the adoption of measures and the establishment of practical and actionable objectives in legislation and public policies. In North Africa, there is a disparity in efforts among the six countries mentioned in the report. Some countries integrate business considerations into their National Human Rights Plans, while others have begun efforts to develop National Action Plans on Business and Human Rights. However, the performance of other countries in adopting these plans remains unsatisfactory. The table below assesses the efforts of countries in adopting National Action Plans on Business and Human Rights.

Assessment of National Action Plans on Business and Human Rights

Country	Performance
Morocco	Advanced
Egypt	Emerging
Tunisia	Emerging
Algeria	Insufficient
Libya	Insufficient
Mauritania	Insufficient

The previous table shows that Morocco's performance in adopting a National Action Plan on Business and Human Rights is advanced. The government is currently developing a National Plan on Business and Human Rights, but it has not yet adopted this plan as of the writing of this report. There is still a sub-theme in the section related to economic and social rights²⁴ concerning business and human rights in the Moroccan National Plan for Democracy and Human Rights.²⁵ This sub-theme outlines a set of measures, including the establishment and adoption of a National Action Plan on Business and Human Rights through engagement with all stakeholders. Other measures include: promoting businesses to adopt internal human rights policies, integrating human rights into business laws and practices, and raising awareness and building capacity.²⁶

Additionally, the National Human Rights Council in Morocco has conducted campaigns to raise awareness of the UNGPs among Parliament, the business sector, civil society, and public

²⁴ National Action Plan for Democracy and Human Rights, <https://shorturl.at/pzSOc>

²⁵ The National Action Plan in the Field of Democracy and Human Rights, p. 56, at the following link: <https://h7.cl/1gkLn>

²⁶ National Action Plan for Democracy and Human Rights, <https://shorturl.at/pzSOc>

institutions. For example, in May 2016, the National Human Rights Institution signed an agreement with the General Confederation of Enterprises of Morocco to enhance respect for human rights within Moroccan companies, with a priority on implementing the OECD guidelines.²⁷

In Egypt, efforts are emerging to establish a National Action Plan for business, but a separate plan on Business and Human Rights has not yet been adopted, despite the country's alignment with the global consensus and acceptance of the UN Guiding Principles. The Egyptian state is also participating in proposals during the sessions of the working group tasked with drafting an international instrument to regulate transnational corporate activities and business enterprises. Suggestions have been made to establish a sub-theme for Business and Human Rights in the second phase of the National Human Rights Strategy (2026-2031). Additionally, the National Council for Human Rights is currently working on adopting a National Action Plan on Business and Human Rights. On September 11, 2025, the council held a consultative meeting with experts on "Utilizing International Practices to Develop a National Action Plan on Business and Human Rights in Egypt," with participation from the African Network of National Human Rights Institutions.

Tunisia is also working on preparing a National Action Plan in this regard. During the interactive dialogue with the working group on human rights and transnational corporations and other business enterprises at the 53rd session of the Human Rights Council, Tunisia indicated that it is developing its first National Action Plan on Business and Human Rights with the support of the UN Development Programme.²⁸ However, the plan is still under discussion. In contrast, Maat has not received information regarding any positive steps toward the adoption of a National Action Plan on Business and Human Rights by Algeria, Libya, or Mauritania, which necessitates that these three countries initiate national consultations on this basis. For example, Libya has not adopted a National Action Plan on Business and Human Rights, and efforts to do so are currently stalled. The Libyan efforts included creating a National Action Plan on Business and Human Rights by holding the first conference of its kind in Libya in cooperation with the UN Development Programme on July 8, 2025. Among the outcomes of the conference was the recommendation to work towards implementing the UNGPs, in addition to the European Union's guidelines on corporate due

²⁷ Signing of a framework agreement between the National Council for Human Rights and the General Confederation of Moroccan Enterprises on the advancement of human rights within enterprises, at the following link: <https://shorturl.at/PKFy7>

²⁸ Interactive dialogue with the Working Group on the issue of human rights and transnational corporations and other business enterprises, Tunisia, <https://shorturl.at/c6ADL>

diligence for sustainability.²⁹ Libya also supported the recommendation of the working group on human rights and transnational corporations during the interactive dialogue at the 47th session of the Human Rights Council, emphasizing the necessity and importance of developing National Action Plans on Business and Human Rights.

4. Responsible Business Conduct



Responsible business conduct, as defined by the Organization for Economic Cooperation and Development (OECD), requires companies to make a positive contribution to sustainable development while avoiding and addressing the negative impacts of their operations and activities, regardless of their forms, including transnational corporations, multinational companies, and even small and medium enterprises. This applies to supply chains and business relationships (see the diagram below for supply chains). Risk-based due diligence is a fundamental component of responsible business conduct.³⁰

²⁹ Libya Holds First-Ever Conference on Business and Human Rights to Support a Just Energy Transition, <https://shorturl.at/DzP6m>

³⁰ See the section on definitions within the report



Maat notes, through evidence it has collected, the limited attention given to promoting the principles of responsible business conduct in North Africa. In Egypt, the Ministry of Trade and Industry has engaged positively with companies that promote responsible business conduct programs by supporting corporate social responsibility conferences and providing representation at the Cabinet level as a sign of support for these companies. Several organizations and companies are working to enhance the development of responsible business practices in Egypt. The American Chamber of Commerce in Egypt has an active committee supporting the concept of corporate social responsibility. Moreover, Egypt, in cooperation with a number of member states and through extensive and repeated consultations, developed a declaration to promote and enable responsible business conduct in the global economy. The Egyptian government has expressed its commitment to enhancing local efforts to implement responsible business conduct standards.

Additionally, the government established the Egyptian Center for Corporate Responsibility, which operates under the Industrial Modernization Center created by Presidential Decree No. 477 of 2000 and restructured by Decree No. 98 of 2025. It works under an agreement signed with the UN Development Programme and aims to raise awareness of corporate social responsibility and sustainability practices,³¹ empower companies to develop sustainable business models, and improve the government's capacity to design, implement, and monitor sustainable policies for corporate social responsibility.³² In this context, the Ministry of Trade and Industry has collaborated with companies promoting responsible business conduct programs, supported corporate social responsibility conferences, and provided cabinet-level

³¹ See Al-Waqa'a Al-Misriyah, Issue 89, at the following link: <https://shorturl.at/XpKEV>

³² See the following link: <https://shorturl.at/Vcok3>

representation as a demonstration of support for companies that promote the dissemination of responsible business conduct.

In December 2023, the government, along with some labor organizations and employers, committed to implementing a roadmap to enhance investments and sustainable, responsible, and inclusive business practices to achieve decent work in Egypt, based on standards outlined in the Declaration of Multinational Corporations.³³ This roadmap has been reviewed through three successive consultative sessions, and it proposes several steps:

- Establishing a National Tripartite Steering Committee to promote the Declaration of Multinational Corporations and responsible business practices. On December 21 of the same year, the Minister of Labor issued a decision to appoint this tripartite committee, but it has not adequately commenced its work. Therefore, there is a need to strengthen its role for the proper implementation of the concept of responsible business conduct.
- Reviewing the current legal framework to ensure that policies align with responsible business practices for both public and private companies.
- Integrating responsible business practices and a decent work program into trade and investment agreements in which the government is a party.
- Developing a National Action Plan and strategy on responsible business conduct.
- Increasing awareness and training for various executive ministries, employers, workers, and enterprises regarding the concept of responsible business conduct.

In Morocco, there has been a rising momentum for responsible business conduct within the Moroccan business community, paralleling economic expansion and political stability. The Moroccan government does not impose any regulations that require companies to adopt responsible business practices, nor does it provide any special preferences for companies that do so. However, companies often inform Moroccan authorities about their planned initiatives in this area. Foreign companies and some local institutions follow internationally accepted principles, such as the OECD Guidelines for Multinational Enterprises regarding responsible business conduct.³⁴

³³ Dialogue for coherence and coordinated approach to promote sustainable and responsible business practices for a just transition in Egypt, International Labor Organization, <https://www.ilo.org/resource/news/dialogue-coherence-and-coordinated-approach-promote-sustainable-and>

³⁴ 2025 Morocco Investment Climate Statement, <https://shorturl.at/Y0TJo>

Morocco joined the UN Global Compact in 2006, and as of 2022, the number of private sector signatories reached about 24 members, including the General Confederation of Enterprises of Morocco, the largest private sector lobbying group representing more than 90,000 companies. The UN Global Compact initiative supports companies that affirm their commitment to corporate social responsibility. Morocco is currently participating in the Extractive Industries Transparency Initiative, which is an additional positive step towards enhancing responsible business conduct.³⁵

Tunisia has adopted a law on corporate social responsibility that requires companies to allocate part of their budgets to fund projects in the field of corporate social responsibility, such as sustainable development projects, green economy initiatives, and youth employment. According to the law, an authority is established to oversee corporate social responsibility projects, ensuring compliance with governance and sustainable development principles. Tunisia is also among the countries that have signed the OECD Principles for Multinational Enterprises. Since 1989, the public sector has been subject to the Public Procurement Law, which requires conducting studies related to labor, environmental, and other impacts for major projects. All public institutions are subject to audits by the Court of Accounts. The Central Bank of Tunisia has issued a circular outlining guidelines for sound and prudent business management, ensuring and protecting the interests of shareholders, creditors, depositors, and employees. It has also established policies related to employment, recruitment, and wages, along with disseminating information for shareholders, depositors, and business partners.

However, in Libya, public awareness of the principle of responsible business conduct remains weak. Companies are also not proactive in conducting due diligence to ensure that no harm is caused, including damage related to environmental, social, and governance issues. The Libyan government has not established a national contact point to encourage companies to commit to responsible business conduct. Additionally, the Libyan government has not taken any measures or additional actions to define or promote responsible business conduct, such as promoting the OECD principles or the UN Guidelines on Business and Human Rights, or creating a national contact point that allows stakeholders to obtain information or raise concerns related to responsible business conduct.³⁶ Despite having some local laws related to human rights, labor rights, consumer protection, environmental protection, and other

³⁵ EITI (Extractive Industries Transparency Initiative, Morocco, <https://eiti.org/>

³⁶ 2024 Investment Climate Statements: Libya, Bureau of Economic, Energy, and Business Affairs, <https://www.state.gov/reports/2024-investment-climate-statements/libya>

regulations aimed at protecting individuals from the harmful effects of business activities, the government's ability to enforce these laws remains extremely limited.³⁷

Similarly, in Algeria, the implementation of the principle of responsible business conduct remains weak. However, American companies are trying to comply with this principle compared to local companies. Corporate Social Responsibility (CSR) programs have garnered attention from multinational corporations through various initiatives aimed at youth employment and supporting youth entrepreneurship. Nevertheless, there has been little corresponding interest from local businesses, except for some limited initiatives, such as the national oil and gas company Sonatrach funding certain social services for its employees and supporting desert communities near production sites.³⁸

Still, many Algerian companies consider social programs a governmental responsibility. Although government entities welcome CSR activities undertaken by foreign companies, the government does not take these activities into account when making procurement decisions and does not require companies to disclose their social responsibility or business conduct activities. Algeria has environmental protection laws; however, their enforcement remains weak. Algeria does not adhere to the OECD principles or the UN Guidelines, nor does it participate in the Extractive Industries Transparency Initiative. Similarly, in Mauritania, corporate social responsibility is not a widespread practice. However, with the entry of foreign companies, interest in this concept has begun to rise. Companies like BP and other international oil companies currently operating in Mauritania are expanding their CSR programs. Additionally, some companies in the mining and hydrocarbons sectors are implementing limited corporate social responsibility programs.

5. National Contact Points

National Contact Points (NCPs) play a critical role in creating a conducive business environment that respects human rights, such as promoting the OECD Guidelines for Multinational Enterprises.³⁹ There is variation among the six countries covered in the report regarding the establishment of NCPs. However, before considering the differences, it is essential to distinguish among the four basic types of NCPs established by the member governments, as shown in the table below:

³⁷ 2021 Investment Climate Statements: Libya, <https://shorturl.at/d6Sm6>

³⁸ Available at the following link: <https://shorturl.at/p1cai>

³⁹ OECD Guidelines on the Responsible Conduct of Multinational Enterprises, available at: <https://shorturl.at/9pX7j>

Type of NCP	Definition	Relevant Country
Single National Contact Point	Consists of a single individual in one ministry or a group of individuals belonging to the same department within the same ministry	Egypt
Expert Contact Point	Composed of a group of experts appointed by the government but not employees thereof	----
Inter-Agency National Contact Point	A group of representatives from several ministries or government agencies	Morocco
Multiple Contact Point	Consists of a group of government officials and stakeholder representatives	Tunisia

Morocco has established a National Contact Point, which is uniquely designed with a continuously active website, in contrast to all other countries covered in the report. The NCP in Morocco has played an effective role in promoting responsible business conduct. However, in most cases, this mechanism has not been utilized adequately; thus, it is important to provide it with additional resources to build on what it has started. Maat also notes the low number of complaints referred to this mechanism. In some cases, however, the NCP intervened to provide redress for affected individuals. In one complaint, the NCP emphasized the importance of respecting the rights of workers to form trade unions, join them, and enter into collective agreements, encouraging the company to continue its efforts to comply with international standards, including the OECD Guidelines.⁴⁰

In Tunisia, the Multi-Stakeholder Contact Point has promoted corporate social responsibility through various events and activities. However, the Tunisian National Contact Point lacks sufficient resources, unlike the Moroccan Contact Point, which has a designated budget that supports conducting some activities to fulfill its mandate. The Tunisian Contact Point addresses complaints related to business practices only in a limited scope,⁴¹ and while it has a website, it is not updated. The National Contact Point in Tunisia was established in 2018 under a decision issued by the Minister of Development, Investment, and International Cooperation. It features a tripartite structure that includes representatives from the government, the business sector, and labor unions. Maat notes a weakness in the submission of any complaints to the Tunisian National Contact Point.⁴²

⁴⁰ UN Guiding Principles on Business and Human Rights at 10 The Impact of the UNGPs on Courts and Judicial

⁴¹ National Contact Points for Responsible Business Conduct, <https://shorturl.at/X0UVj>

⁴² Annual Report on the OECD Guidelines for Multinational Enterprises 2019, <https://shorturl.at/JW67m>

In Libya, Mauritania, and Algeria, there is no available information regarding any actions taken by the governments of these three countries to establish National Contact Points.⁴³ This, of course, delays compliance with responsible business conduct and promotion of the guidelines concerning multinational corporations. Overall, the challenges facing National Contact Points in North Africa include weak cooperation with stakeholders, limited resources, and the sporadic activity of these points. Governments must ensure that National Contact Points have the necessary resources and adequate support to perform their mandates.

6. Non-Judicial Remedy Mechanisms

According to the UNGPs, non-judicial remedies for business-related human rights violations may include state-based mechanisms, such as labor courts, national human rights institutions, and national contact points.⁴⁴ The UN Guiding Principles acknowledge that both the state and business institutions have roles to play in ensuring effective access to remedy through non-judicial complaint mechanisms as a complement to judicial mechanisms. The principles stipulate that business institutions should establish or participate in effective complaint mechanisms at the operational level for affected individuals and communities, allowing for early resolution of complaints and provision of remedies. At the same time, the business principles emphasize that these mechanisms should not undermine the role of legitimate trade unions or act as a barrier to accessing other judicial or non-judicial complaint mechanisms.⁴⁵ Considering the prevalence of these mechanisms in the countries covered in the report, Tunisia's investment law encourages the resolution of disputes between foreign investors based on bilateral investment treaties and international agreements, which allows multinational companies to resort to international arbitration instead of national courts.⁴⁶ Egypt has also established detailed provisions for resolving disputes between investors and the state. An amendment to the investment law mandated the creation of a new dispute resolution center overseen by the Economic Court, which enhances the private sector's efforts to resolve disputes between investors and the state, particularly to alleviate the need to resort to international arbitration.

Libya establishes in its investment laws the resolution of disputes through local competent courts, excluding matters regulated by international agreements to which Libya is a party.⁴⁷ Algeria has an administrative court system to settle disputes with the government, which

⁴³ 2021 Investment Climate Statements: Libya, <https://shorturl.at/uMkgJ>

⁴⁴ Guiding Principles on Business and Human Rights, Principle 27, available at: <https://shorturl.at/SXfYN>

⁴⁵ African Regional Forum on Business and Human Rights, <https://shorturl.at/FErCJ>

⁴⁶ See the section on dispute settlement in the law available at the following link: <https://shorturl.at/AJVZw>

⁴⁷ See the following link: <https://shorturl.at/zYIz4>

differs from the courts that handle civil disputes and criminal cases.⁴⁸ In Mauritania, Chapter Five of Law No. 52/2012 regulates the resolution of disputes. If an agreement cannot be reached between investors and the state, the parties may either agree to terms, refer to investment protection agreements and treaties signed by both parties, or resort to arbitration through the International Chamber of Mediation and Arbitration of Mauritania or the International Centre for Settlement of Investment Disputes established under the "Convention on the Settlement of Investment Disputes between States and Nationals of Other States," dated March 18, 1965, to which Mauritania is a signatory.⁴⁹ In Morocco, the National Contact Point operates as a mechanism for mediation and resolution of business-related disputes.⁵⁰

⁴⁸ Middle East and North Africa Investment Policy Perspectives, <https://shorturl.at/9LdGD>

⁴⁹ The law is available at the following link: <https://shorturl.at/KmDp4>

⁵⁰ The Moroccan National Contact Point website is available at the following link: <https://pcnmaroc.ma/ar/>

Recommendations

- 📌 Maat encourages governments in North Africa to:
- Formulate a regional vision for business and human rights based on the UNGPs within the framework of the Arab League.
 - Consider adopting separate National Action Plans for business and human rights, engaging stakeholders, particularly civil society and the business sector, in the preparation of these plans.
 - Commit to the principle of responsible business conduct to predict, identify, assess, and mitigate potential negative impacts of projects on the surrounding environment and populations.
 - Implement the "State Duty to Protect" as stipulated in the UNGPs.
 - Improve legislation that enhances the respect of multinational corporations for human rights in the context of business operations to ensure access to development.
 - Implement the OECD's 2023 recommendations regarding the role of governments in promoting responsible business conduct.
 - Enhance the regulatory framework by strengthening legislation and government procedures that encourage businesses and the private sector to respect human rights.
 - Support the development of National Contact Points' capacities, including ensuring that they are provided with adequate human and financial resources to fulfill their mandates.
 - Ensure greater active participation from North African countries in the negotiations for an international instrument on business and human rights.
 - Provide special preferences for multinational companies and business enterprises that apply responsible business conduct standards in their operations and activities.
 - Regulate the activities of transnational corporations to ensure a balance between their private interests and public interests and those of their workers, supporting fundamental rights and ensuring sustainable, fair, and inclusive development.

- Ensure that transnational companies adopt an approach based on full participation and cooperation with judicial mechanisms to provide redress for victims affected by their activities, ensuring the realization of the third pillar of the Guiding Principles.
- Consider leading North African regional consultations aimed at promoting the dissemination of the Guiding Principles in this geographic area.
- Seek technical support, especially from the UN Development Programme and the working group on transnational corporations, to enhance the dissemination of the UNGPs.
- Place particular emphasis on building stakeholders' capacities in North African countries concerning the importance of disseminating the UN Guiding Principles on business and enhancing their implementation.

Maat recommends the parliaments in North Africa to:

- Strengthen the role of parliaments in supporting and contributing to the activation of the UNGPs.
- Enhance the oversight role of parliaments in monitoring business activities and practices, and promoting legislation that encourages respect for human rights.

Maat recommends the Arab League to:

- Advocate for the integration of business and human rights as a permanent agenda item in the human rights mechanisms of the Arab League.
- Consider the establishment of committees or advisory working groups to develop the Arab League's approach to the business and human rights agenda.