

This project aims to consider how the exclusion of Africa's peculiarities in the formulation of international human rights and international environmental law has led to the breach of the rights of indigenous peoples in Africa by European multinational corporations. Its objectives are to establish why European MNCs that operate in Africa behave differently in Africa and propose a new method of holding MNCs accountable using the African Approach to International Law (AAIL). This theory seeks for the refocusing of international law to capture Africa's peculiarities. The research questions are:

1. to what extent is international human rights law and climate and environmental law capable of effectively protecting indigenous peoples in Africa from MNCs' interference?
2. is a Eurocentric human rights approach based on protecting individual human rights sufficient to protect Africa's indigenous peoples from MNCs' human rights violations?
3. what responses do the AAIL have in rewriting international law to reflect Africa's peculiarities? Can these responses be extended to indigenous peoples, international human rights law, and international environmental law?

Africa has a long history of relationships with other continents, beginning with the slave trade and colonialism to trade partnership and migration of Africans to Europe and North America for studies and jobs. In trade relationships, Africa is the destination point for many European MNCs for reasons like abundant natural resources in Africa, the cheap labour force in Africa, fewer regulatory restrictions for MNCs, leading to high exploration of natural resources in Africa. Of course, with its attendant environmental pollution and human rights abuses of the indigenous peoples in Africa on whose territories these natural resources are located. Also, there is a problem regarding the definitional understanding of who indigenous peoples are in the context of Africa. There is also a problem with the definitional understanding of who indigenous peoples are in the context of the African continent. According to the commonly accepted definition of indigenous peoples, the indigenous peoples of Africa are excluded from international law. Nevertheless, their experiences and realities are the same as indigenous peoples in Western countries. Like elsewhere, most of Africa's natural resources are in the indigenous peoples' territories. The result is that Africa's indigenous peoples suffer most of the effects of violations of environmental standards and human rights by MNCs.

The primary function of international law is to protect all peoples' rights and protect the environment from violations, especially for minority groups. However, it is said to be "Eurocentric," and these laws serve only the interests of Westerners and their MNCs. Therefore, notwithstanding these instruments, international MNCs in Africa still engage in the violations of environmental standards and human rights within indigenous peoples' territories. Therefore, in Africa, a gap exists between indigenous peoples' realities and those rights which international law sets to protect. Cases of human rights and environmental violations by MNCs in Africa are many. The Royal Dutch Plc caused one of the world's highest oil pollution in Nigeria; Syngenta, a Swiss corporation sells dangerous pesticides banned in Europe to Africa; smelting of iron ore from Bulgaria with high arsenic toxic is done in Namibia; Vedanta Resources Plc has turned the only source of drinking water for the Chingola people in Zambia to "rivers of acid". Two theories that guide the operation of MNCs in Africa, which in turn shape their behaviours in Africa, are neoliberalism and transnationalism.

Despite some international instruments on the protection of the rights of indigenous peoples and the environment like the United Nations Declaration on the Rights of Indigenous Peoples, the UN Guiding Principles on Business and Human Rights, these abuses take place. So, using the library-based research approach, this project aims to make MNCs more accountable for their violations of human rights of Africa's indigenous peoples and the environment by examining the AAIL, international laws, and cases of violations by MNCs in Africa. There will also be a comparison between international law as developed by European ideas and human rights as understood in Africa with its "dialectic of duty and rights". Finally, the history and the provisions of some international human rights and environmental laws would be analysed to show their exclusion of Africa.

It is expected that the result of this project would advance international human rights regarding Africa's indigenous peoples, increase environmental protection, and make European MNCs more responsible in their business operations. It will advance the need for the recognition of the role Africa can play in developing international law. Expected recommendations could form a roadmap for Polish corporations that are gradually having a presence in the Africa market.