



Corporate Social Responsibility and Stakeholder Involvement in Cameroon's Mining Sector: A Legal Appraisal

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Abstract

Even though the concept of Corporate Social Responsibility (CSR) has been applauded for several decades, the concept of stakeholder involvement is relatively new to the Cameroonian mining law sector especially with respect to solid minerals. This study investigates the CSR process of an extractive company and examines how stakeholders are engaged in CSR. Using purposive and snowball sampling in identifying its respondents, data was gathered through various stakeholder groups and documents such as sustainability annual reports were analyzed. It was discovered that Mines has consistently had a prominent CSR drive in Cameroon for several years and stakeholder involvement in CSR is important for implementing relevant CSR programs in accordance with the Mining Code. Findings of this study contribute to the building of empirical reference which will serve as guidelines for management practitioners dealing with stakeholder relations and CSR in Cameroon's mining sector. Therefore, it is recommended that the mining sector put immense effort in engaging various stakeholders in their CSR initiatives.

Keywords: *Corporate Social Responsibility; Stakeholder Involvement; Mining Sector; Mining Code; Cameroon*

Introduction

Corporate Social Responsibility (CSR) simply refers to the obligations that companies have to society. It is the obligations to stakeholders and those who are influenced and affected by corporate policies and practices.¹ It should be pointed out that since communities have relief expectations from businesses, certainly corporate bodies have the mandate to fulfill these expectations. In this connection, therefore, organizations are creating a highly regarded CSR issues so that they can achieve stakeholder trust in the mining industry.² Again, while opinions differ on how engagement

¹Kucharska, W. and Kowalczyk, R. (2019), How to achieve sustainability?—Employee's point of view on company's culture and CSR practice. *Corporate Social Responsibility and Environmental Management*, Vol. 26, No.2, pp. 453–467.

² Nichols, P. M., and Dowden, P. E. (2019), Maximizing stakeholder trust as a tool for controlling corruption. *Crime, Law and Social Change*, Vol.71, No.2, pp. 171–195.

should be allocated across the public and private sectors, corporate stakeholders are demanding that companies recognize a broader scope of responsibility in addressing those problems which in turn hinders their reputation.³ In the area of mining corporation there is available information on CSR and stakeholder management. This is visible directly and tacitly in Cameroon's 2023 Mining Code.

Additionally, by demonstrating responsiveness and accountability to stakeholders with regard to CSR issues in the mining sector in Cameroon, one would hope that the corporate reputation would flourish and the organization's market performance would benefit. Also, good stakeholder engagement and accountability should focus on addressing social, environmental, economic and ethical expectations. In practice, over the past decade, stakeholders have increasingly expected businesses to be socially accountable, and this is part of the reason and how stakeholders create engagement. Again, an appraisal of the Mining Code of 2023 indicates that mining companies interested in conducting mining operations in Cameroon must take on board social, environmental and economic prerequisites. CSR activities can also assist the mining sector to achieve competitive advantages that peer mining sector may not enjoy. In this situation, CSR actions also help the mining sector in Cameroon not only to attract and maintain their clients, but also, to assist them to attract and retain talented and motivated employees.

The aim of this article is to make a legal appraisal of CSR practices and stakeholder involvement in Cameroon's mining sector. This article will likewise fill in as a guide as to how the commercial mining sector can change stakeholders' perceptions of their products and services through the use of CSR actions to generate patronage while respecting the mining legislation applicable.

Formulation of the problem

1. What are the legal mechanisms put in place to make stakeholder involved in Cameroon's mining sector to incorporate CSR canons?
2. What are the challenges encountered by stakeholder in Cameroon's Mining industry in implementing CSR aspects?

Research Methods

This legal research and writing is based on empirical research conducted through an analysis of relevant primary and secondary data. Primary data consists of legal and policy instruments on the legal appraisal of corporate social responsibility and stakeholder involvement in Cameroon's mining sector. Secondary data consists of books, articles, thesis and dissertations, conference, seminars, papers and reports having a direct bearing on the subject matter under consideration.

The analysis is done through a content analysis approach which consists in critically analyzing legal and policy instruments to see how they relate to, have implications on the subject under study or whether they completely ignore or do not envisage a legal appraisal of corporate social responsibility and stakeholder involvement in Cameroon's mining sector. Again, we used the institutional strategic approach which consists in showing how government, international institutions and organizations contribute in advocating the recognition of corporate social responsibility and stakeholder involvement in Cameroon's mining sector from a legal perspective.

³ Nave, A. and Ferreira, J. (2019), Corporate social responsibility strategies: Past research and future challenges. *Corporate Social Responsibility and Environmental Management*, Vol.26, No.4, pp. 885–901.

Discussion

1. The Global Context of the role of CSR in the Mining Sector

CSR strategies cannot be separated from contextual considerations which includes cultural, political, and economic elements due to the fact that countrywide environments shape CSR practice. Thus, a project of CSR research in the worldwide environment is not simply to describe CSR exercise in one of a kind international location, however, also to discover how the infrastructure of a country (political and monetary elements) and societal expectancies (way of life) can also have an effect on it. Previous research has indicated that the subculture of a country affects CSR exercise especially the mining industry.⁴

In the United States, CSR is mainly influenced by the private sector's involvement, as well as collaborations between public corporations and the American government. Additionally, White and Fitzpatrick claims that Communication Executives in the USA perceived no responsibility for their employer to promote the image of the USA, rather they argue that the USA government is being too careful in taking risk.⁵ Nonetheless, with or without authority's involvement, organizational positive image could emanate from CSR in the law so warrants. It is further argued that good positive image of firms positively impact on the USA which is the country of the corporations' origin.⁶

In many countries, governments are focusing more on CSR practice and value the relationship among CSR and the country's image. The government of Canada, for instance, inspires multinational Canadian agencies to be ethically responsible since CSR have an effect on the image of the entity as well as that of Canada.⁷ In many countries, governments are focusing more on CSR practice and value the relationship among CSR and the country's image. The government of Canada, for instance, inspires multinational Canadian agencies to be ethically responsible since CSR have an effect on the image of the entity as well as that of Canada.⁸ Analogous to the Canadian government, the Swedish government performs key functions in CSR initiatives in Sweden and actively helps CSR campaigns that improve upon the Swedish corporation's image.

Also, Lee and Chan argue that CSR in China has been driven by government initiatives and the introduction of mandatory environmental and social responsibility reporting.⁹ The authors claim that CSR is mostly common among large-scale corporations. In Hong Kong, CSR is both large corporations and SMEs are self-motivated to carry out CSR practices which is most likely to be motivated by way of agency tasks assuming a bottom-up approach among various stakeholder groups.¹⁰ Corporate philanthropy in the Middle Eastern countries is key in CSR practices and it is driven by core Islamic cultural values.¹¹ The support of philanthropic CSR in the Middle East is mainly due to Islamic values.

⁴ Adnan, S. M. D. and Van, C. J. (2018), The influence of culture and corporate governance on corporate social responsibility disclosure: A cross country analysis. *Journal of Cleaner Production*, 198, pp. 820–832.

⁵ White, C. L. and Fitzpatrick, K. R. (2018), Corporate perspectives on the role of global public relations in public diplomacy. *The Public Relations Journal*, 11(4), pp. 313–331.

⁶ Brooks, C. and Oikonomou, I. J. (2018), The effects of environmental, social and governance disclosures and performance on firm value: A review of the literature in accounting and finance. *The British Accounting Review*, 50(1), pp. 1–15.

⁷ Ibid.

⁸ Lamb, S. (2017), The evolving role of CSR in international development: Evidence from Canadian extractive companies' involvement in community health initiatives in low-income countries. *The Extractive Industries and Society*, 4(3), pp. 614–621.

⁹ Lee, L. and Chan, K. (2017), Practices of CSR in China and Hong Kong. In *Handbook of integrated CSR communication*, pp. 317–341. Switzerland: Springer.

¹⁰ Ibid.

¹¹ Ranängen, H. (2017). Stakeholder management theory meets CSR practice in Swedish mining. *Mineral Economics*, 30(1), pp. 15–29.

2. Legitimacy, Stakeholder, and Institutional Theories

Stakeholder theory and Legitimacy theory are the most often used theoretical perspectives in CSR research with regard to the mining sector.¹² These two theories are gotten from the common type of Political Economy Theory (PET) to clarify practices of CSR.¹³ Legitimacy theory suggests social contract between the business entities and society and the organizations' sustenance is subjected to the presence of endorsement given by society. Organizations attempt to win this endorsement from the individual citizenry in the host communities by taking part in CSR practices.¹⁴ The stakeholders are the individuals in the host communities; in this way, Stakeholder theory manages the relationship that has transpired between the corporations and the stakeholders.

Institutional and stakeholder theories among other things study the relationships that exist between corporations, host communities, and the general environment. Both of these theories add to one another in the comprehension of how organizations identify with their appropriation of CSR practices. Institutional theory is a settled theoretical point of view in the areas of managerial decision, political sciences, social and organizational behavior, bookkeeping controls, and financial reporting, however comparative to stakeholder theory and legitimacy theory, it has not been utilized much in the CSR writing.

Nevertheless, institutional theory has the ability to help clarify CSR compliance by organizations. The new institutional theory accentuates the vital part of social and traditional ramifications and pressures that forced corporations to influence their CSR behaviors and practices. While accepting that different theories are utilized by CSR studies, it accentuates that stakeholder, legitimacy, and institutional theories give more understanding theoretical perspective on CSR practices than different theories offer, particularly while thinking about simply financial theories.¹⁵ In spite of the fact that there is an extensive relationship between these three theories, most CSR research have utilized a single theory point of view in a particular time.

Again, the involvement of stakeholders has helped to maintain a friendly and cooperative relationship with the management of mining projects, resulting in project sustainability and its results. For example through participation and a sense of ownership of the projects by the people, there are little or no conflicts. This situation is so different from other issues occurring in mining communities where there is constant conflict between local residents and mining companies due to misgivings.¹⁶ Also, through these partnerships and involvement of stakeholders in development-related decisions, units and bodies have been established to increase the efforts by offering both the technical and supervisory role of CSR programs and the results.¹⁷

3. Nature and Forms of CSR in the Mining Sector in Cameroon

Abugre who investigated the role of CSR in the minerals business in South America indicated that the CSR of the mining sector takes on the form of healthcare, school, clean drinking water and living standards. The results of the research again indicated that CSR interventions seem to have had a significant total effect on the neighborhood surrounding the mines, as there has been a considerable

¹² Coffie, W. and Musah, A. (2018), Corporate social responsibility disclosures (CSR), corporate governance and the degree of multinational activities, *Journal of Accounting in Emerging Economies*, 8(1), pp. 106–123.

¹³ Bice, S. and Pforr, C. (2017), Putting social license to operate on the map: A social, actuarial and political risk and licensing model (SAP model). *Resources Policy*, 53, pp. 46–55.

¹⁴ Brueckner, M. and Eabrasu, M. (2018), Pinning down the social license to operate (SLO): The problem of normative complexity. *Resources Policy*, 59, pp. 217–226.

¹⁵ Ibid.

¹⁶ Marfo, E. and Amoako, K. (2017), Corporate social responsibility: Institutional behavior differences in extractive industry Paper presented at the International Journal of Engineering Research in Africa, p.13.

¹⁷ Morsing, M. and Schultz, M. (2006), Corporate social responsibility communication: Stakeholder information, response and involvement strategies. *Business Ethics: A European review*, 15(4), pp. 323–338.

advancement in the standard of healthcare provided in the communities and 85% of the areas surrounding mining companies have access to drinking water, contributing to advancement in the overall standard of living of the people.

In a whole, organizations in Cameroon typically engage in various kinds of CSR practices such as education and event promotion, and there is no concrete policy structure specifying the boundaries of CSR practices in Cameroon. Nevertheless, directors of companies often have a CSR mentality that gets beyond corporate humanitarian efforts to strategic efforts that react to the varied concerns of the communities in which companies are run.¹⁸

Examining the essence of CSR pursuits from a marketing point of view, Sajjad and Eweje, scrutinized social responsibility programs by both Turkish and international companies.¹⁹ The requirements employed to pick the companies were centered on companies whose social responsibility programs were considered as education, healthcare, climate, tradition/art, sport, history and community programs. In a similar research, Abukari and Abdul-Hamid demonstrated that education-lined activities made up predominant kind of CSR commitment in Malaysia. Additionally, their research also showed that the most significant category was legal responsibility while the least significant category was ethical responsibility.

4. CSR in Cameroon

The CSR sector has developed significantly over the last years and lots of organizations have become more involved in helping society recently than before and CSR concerns have now been incorporated into all facets of company's activities.²⁰ Marfo also stated that the idea of CSR is that businesses incorporate social and environmental issues into their business activities and actively engage with interested parties. In this current day, there is appeal on business entities to pursue social activities, as state alone cannot manage societal issues and this has influenced the adoption of the definition of CSR in the country.²¹ Cameroon faces economic difficulties including low per capita income, devalued currency, stagnant growth, low deposits, making it extremely difficult for local businesses to take social practices.

It should be pointed out that the management in CSR activity is restricted and inadequate. Also, challenges of successful CSR execution stem mainly from lack of leadership engagement, leadership flaws in the area of incompetence and corruption, and reluctance to distribute money attributed to CSR initiatives as the law warrants. Again, businesses will perform well in CSR activity if management has a constructive approach to CSR and job performance. In his investigation on officials and the executives perspectives on CSR and morals in Ghana, Amoako revealed that corporations are interested in various CSR activities such as education funding, event patronage, and charity donations, although there is no legal structure for CSR in Ghana.²² Thus, corporate executives think that the social responsibility and ethical conduct is relevant for their businesses.

In another development, there is no full package of CSR policies or regulations in Cameroon, however there are a range of regulations, rules, procedures and programs that direct CSR programs in Cameroon and the government seeks to encourage CSR by adopting regulation that establishes basic standards of business efficiency, like statutes, local authority regulations and environmental and social impact evaluation criteria found in a parliamentary statute.

¹⁸ Ofori, D. F. and Debrah, Y. (2014), Corporate social responsibility in sub-Saharan Africa: Hindering and supporting factors. *African Journal of Economic and Management Studies*, 5(1), pp. 93–113.

¹⁹ Sajjad, A. and Eweje, G. (2014), Corporate social responsibility in Pakistan: Current trends and future directions', corporate social responsibility and sustainability: Emerging trends in developing economies, Oxford University Press, Oxford, p.89.

²⁰ Ibid.

²¹ Amoako, G. K. (2017), Relationship between corporate social responsibility (CSR) and corporate governance (CG): The case of some selected companies in Ghana, Cambridge University Press, Cambridge, pp. 151–174.

²² Ibid.

The results of an investigation by Sarpong on the point of view of CSR by major businesses in Ghana suggested that while indigenous firms are familiar with the definition of CSR and actually practice a certain extent of CSR, they commit less to the conventional definition of CSR; they are less tactical and less ethical in their response to CSR.²³ In this connection, therefore, globally oriented Cameroonian businesses seem to have a greater understanding of the different aspects of CSR and the way these could be adopted for commercial and competitive benefit.

5. Key Elements of CSR in Cameroon's in Mining Code

The Cameroon Mining Code has not explicitly captioned in any of its provisions a rubric on CSR. Nevertheless, a cogent and holistic reading of the Mining Code enables us to envisage some aspects having a connection with CSR. Thus, it becomes necessary to spotlight some signposts having a link with CSR in Cameroon's Mining Code. The key concepts for the nature of CSR programs perceived in the Mining Code encompasses health, education, water and sanitation, and quality of life, environmental protection and a lots more. The quality of life fields of CSR includes; security and safety, development of human capital, poverty alleviation programs, rural development, and agriculture types of CSR.

5.1. Health, Safety and Hygiene

With regard to Health, Safety and Hygiene CSR aspects in the Mining Code, Section 98(4) posits that before undertaking exploration or mining activities, the holder of a mine or quarry title shall draw up rules relating to safety, health, hygiene and prevention of occupational hazards for the proposed works, which shall be submitted to the joint approval of the Ministers in charge of mines and labour. Once such approval is granted, the mining or quarry title holder shall comply therewith. It should be pointed out the safety, health and hygiene proposed work is not limited only to workers in the sites, but it extends to the local inhabitants found where the mining project is to be conducted.

Again, Section 98(2) of the Mining Code is to the effect that health, safety and hygiene rules applicable to prospecting, exploration and mining as well as to transportation, storage and use of mineral or dangerous substances shall comply with the laws and regulations in force. However, it is regrettable that the enabling text is not yet in force. Also, where the holder of the mining or quarry title or the beneficiary of a licence is unable to prevent or contain the disaster using his own means, the Minister in charge of mines, judicial police officers and other competent authorities shall, at the expense of the operators concerned, take all necessary measures to end the danger and prevent its recurrence.²⁴ The reason here is protect both the miners as well as the population in the area where the mining activities are conducted.

5.2. Environmental Protection

Although operations of the mining company have damaged the forest, yet, undertaken tremendous afforestation activity by replanting trees to restore every single tree that is cut. Again, there have been tree planting activities in the neighborhoods to provide clean air for persons residing in the communities. The available data showed that it is determined to work to restore the forest area that has been destroyed by mining activities. This tree planting activity could also be seen as an effort helping to eradicate the imbalances created by the activities to the natural ecological system. Although this may be in line with the question of environmental sustainability, it has also provided jobs for some of the young people.

From the above discussions, it is obvious that stakeholder involvement has shown a great deal of engagement in terms of CSR. This has significantly contributed to the economic growth, while also enhancing the quality of life of the workers and their households, as well as the local community and the

²³ Sarpong, S. (2017), Corporate social responsibility in Ghana: Issues and concerns, Greenleaf Press, New york pp. 191–205.

²⁴ See Section 99 of the Mining Code.

society in general. Also, the nature and form of the initiatives have benefited the study communities enormously by enhancing both the quality of life and economic expansion. Additionally, a noteworthy issue is that while some of these initiatives may be perceived by as CSR initiatives, they are key developmental programs essential to improve the area's economic growth.

More still, Section 100 of the Mining Code of 2023 provides that further to the provisions of this law, any mining and quarry operation undertaken must comply with the laws and regulations in force relating to sustainable environmental protection and management. Again, holders of mining titles, licences and permits shall be bound to progressively restore and rehabilitate the perimeter covered by their titles, as well as any site affected by their activities, works or installations.²⁵

So, If upon the expiry of a mining or quarry title, the holder is unable, within the prescribed time limit to remove or complete the treatment of waste under the terms and conditions laid down by regulation, and after a formal notice remained unheeded, the holder shall be liable to the penalties provided for by the laws and regulations in force.²⁶ Equally so, at the end of mining or quarry activities, buildings, outbuildings, wells, galleries and structures in general built and used for the mining or quarry activities shall be secured, in accordance with conditions set out in the Environmental and Social Management Plan and the mining sites rehabilitation programme.²⁷ Again, the Cameroonian law provides for the conduct of an environmental and social impact assessment prior the commencement of mining activities.

5.3. Strengthening Local Capacity Building and Employment

Another aspect of CSR in the mining sector in Cameroon is that it incorporates local capacity building. In this light therefore, mining companies that have signed a mining agreement, or other specifications documents, shall be required to pay a contribution into a special local capacity building fund, with effect from a date and up to an amount fixed in the mining agreement or specifications document. This is to ensure that the local communities where the mining operations are conducted benefit from socio-economic development in the areas.

Again, mining companies shall give priority to the recruitment of Cameroonians, with the required skills, in all socio-professional categories and in all functions required in mining operations.²⁸ More so, 95% (ninety-five) percent of the positions that do not require special skills shall be reserved for Cameroonians.²⁹ This is to make sure that the local inhabitants or the population equally participates in the conduct of mining operation in the area. Mining companies and their subcontractors shall be required to give preference to companies governed by Cameroonian law for construction contracts as well as contracts to provide services, materials, equipment, and products relating to mining operations, in accordance with the laws and regulations in force.³⁰

Despite the interesting character of the above provision, it is impulsive due to the fact that its applicability is still very farfetched for lack of an enable degree. Generally, mining companies shall be required to submit to the State and to carry out, depending on their priorities, technology and know-how transfer programmes relating to their activities, with a view to encouraging, facilitating and enabling the gradual replacement of the expatriate staff of the companies with local staff.

In fact, mining companies operating in Cameroon shall be duty bound to guarantee human resources development component and a domestic industries and business development component. Both

²⁵ See Section 101 (2) of the Mining Code of 2023.

²⁶ See Section 103 (4) of the Mining Code of 2023.

²⁷ Section 106 of the Mining Code.

²⁸ Section 124 (1) of the Mining Code

²⁹ Ibid.

³⁰ Section 125 (1) of the Mining Code.

components must be detailed out in the standard mining agreement or in the specifications document.³¹ The development of mining resources and industrial quarries components shall specify the spill-offs of the selected mining and quarry projects on Cameroon's economic, social, cultural, industrial and technological development for the present and future generations.

6. Findings

The study's findings indeed provide important theoretical and practical implications as follows. Practical implications: The provision of hospitals/clinics implies that accessibility to quality healthcare facilities and services would be improved considerably. The institution of educational scholarships and classroom blocks means that the less endowed and needy children will get better education. Another important implication is that the existing CSR outcomes should be monitored and managed more closely by the different stakeholder groups to include a real and thorough evaluation of the viability of programs of mining companies.

Again, mining companies should work with non-governmental organizations to assist community beneficiaries to generate ready markets for their products and services which in so doing will alleviate poverty. Moreover, mining firms should engage themselves in the choice of stakeholder representatives for concerned communities and educate the host communities about the significance of voluntary participation in program timetables and engagement meetings.

These measures would enhance engagement of stakeholders, particularly at the local level, where project outcomes are experienced much more. The research results of describe how organizational leadership and learning are involved as vital factors for sustainable CSR programs. Furthermore, it is imperative for national governments to compel mining companies to establish scholarship schemes for their host communities. Theoretical implications: The information on the relationship between CSR and stakeholders behavior permits companies to apply CSR strategies to assist them achieves greater stakeholder engagement and, therefore, increases the general performance of their companies.

Conclusion

The study was carried from various stakeholder groups in the catchment areas of the company, management and other employees of the mining company. These stakeholders were ready and able to take part in the study and were also accessible at the time of the study. To incorporate management and stakeholders' perspectives on the effect of stakeholder participation on the sustainability of CSR results. Data obtained were first transcribed, coded and examined by the use of thematic analysis and themes were identified indicating relationships and connections between concepts and key ideas in the phenomenon.

The study's results showed how Cameroon has taken proactive steps to sustainably meet the socio-economic needs of its impacted communities. The company linked discretionary CSR with stakeholder approach to achieving sustainable results, setting up partnerships with appropriate, laws, government and NGOs to implement CSR programs.

The structure and shape of the CSR interventions were focused on both direct and indirect needs of people in the community. It can be summarized, therefore, that the CSR programs are self-sustaining as a result of its strategic goal to extend the life span of initiatives. CSR results have ultimately greatly impacted on the triple bottom line sustainable practices comprising economic, social and environment. We, thus, reach the conclusion that successful stakeholders' engagement in CSR initiatives of mining companies' has facilitated a cordial relationship free of disputes in the mining communities.

³¹ Section 122 (1) of the Mining Code.

The findings show that stakeholders in the mining areas are involved in the CSR meetings and discussions organized. Moreover, we also draw the conclusion that the level of their contribution and participation has led to sustainable CSR results which will benefit generations unborn. Finally, the study found that the integration of stakeholder strategies into CSR resulted in excess demand from various stakeholders while respecting the mining legislation in force.

Limitations of the Study and Future Research

It is inappropriate to make generalizations of the findings of this study. This apparent lack of generalizability stem from the fact that the study was conducted at in the Eastern Region, and other mining companies in Cameroon. That notwithstanding, the findings may be broadly applicable to hard minerals firms Cameroon but it cannot be generalized to other mineral extraction sectors in Cameroon or those in other geographic areas and other African countries. Consequently, the results cannot be used as yardstick for other developing countries. It is therefore suggested that further studies involving a cross-industry contrast of stakeholder participation and the sustainability of CSR results in Cameroon and other emerging countries could be conducted. This would give communities the opportunity to learn the different strategies that industries are pursuing to sustain their CSR activities in the area of community growth. Besides, it is notable that due to hectic schedules of some of the managers, initially; they were unwilling to take part in the interviews.

However, this constraint was surmounted by going to them personally and appealing to them to answer the interview questions while reducing the interview times. Finally, the sustainability of CSR results and stakeholder participation could be conducted among various industries. In so doing, host communities will be acquainted with different strategies that these businesses are pursuing to sustain their CSR activities.

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