

INTRODUCING A CORPORATE REGISTRY WITH SPATIAL, CADASTRE AND CSR FUNCTIONALITIES

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Abstract: *This conceptual paper aims to present a critical commentary analysis of the introduction of a Corporate Registry with spatial, cadastre, and corporate social responsibilities (CSR) functionalities. In particular, this paper shortly reviews the UNGP and OECD ethic principles for advancing CSR and challenges conventional thinking, reporting, and practice on CSR spatial and cadastre disclosure. Then, this article, proposes possible developments to existing CSR reporting frameworks, by incorporating metadata structures with regard to space (location), to cadastre (law descriptive data), to adverse human rights impact functionalities, and finally to personalized interpretation and adaptive implementation of those UNGP principles related to CSR. Finally, the process of transferring, in the future, from today's soft-law ethic Corporate Principles to sustainable, hard-law, executive, personalized, and adaptive Corporate Law Standards for practical and effective protection of human rights by establishing a common, global, and flexible Corporate Registry with a number of spatial, cadastre and CSR functionalities on companies' corporate and CSR spatial and cadastre disclosure is discussed.*

Keywords: *Corporate registry, Metadata, personalized adaptive CSR reporting frameworks, CSR spatial cadastre disclosure, Cadastre, Registry*

1. Introduction

The United Nations Human Rights (HR) Council unanimously endorsed the Guiding Principles on Business and Human Rights (UNGP) in June 2011 [1]. Also, the OECD Guidelines for Multinational Enterprises (OECD Guidelines) have been addressed by OECD governments to multinational enterprises for the first time in 1976 (last revision in 2011) [2]. Both, UNGP and OECD Guidelines, as global authoritative “soft-law” standards, provide actually a “bluebird” to enterprises for the steps and actions should take, on their respective obligations, to uphold HR and for CSR disclosure.

The UNGP is built on a 3-pillar framework: *Protect, Respect, and Remedy*. So, (i) States have a duty to protect against HR abuse by third parties; (ii) Enterprises have an independent responsibility (CSR) to respect HR [Note 1]; and (iii) both States and Enterprises should provide to individuals access to an effective remedy when and where their HR are harmed [3].

The OECD Guidelines are, actually, an annex to the OECD Declaration on International Investment and Multinational Enterprises. They are mainly recommendations providing principles for responsible business conduct for multinational companies. The Declaration and the Guidelines were adopted by the OECD in 1976. The Guidelines were subsequently revised in 1979, 1982, 1984, 1991, 2000 and 2011.

This article first highlights critically and comments in brief the 2nd UNGP pillar (“*The corporate responsibility to respect HR*”); following reviews possible developments with regard to personalized interpretation and adaptive implementation of those UNGP principles

related to CSR (i.e. UNGP principles 11-24) with “*adverse HR impacts*” (aHRi) functionality, and to the CSE (Corporate Social Entrepreneurship) [Note 2]; and finally, for practical and effective protection of HR, proposes a common, global, and flexible Corporate Registry with a number of spatial, cadastre and CSR functionalities on cadastre offices’ and companies’, corporate and CSR spatial disclosure [4].

The rest of the article is organized as follows: In Section 2 (*UNGP: The CSR Pillar II*), the 2nd UNGP pillar is discussed with commentary to those principles related to CSR. In Section 3 (*UNGP: New Perspectives – The CSR Corporate Registry*), some enhancements to Pillar II are proposed to accommodate a new Principle related to aHRi for product misuse and to support CSR functionalities for a more personalized and adaptive framework. Finally, in Section 4 (*Conclusions*), the process of establishing, in the future, a common, global, flexible, and executive CSR platform for company’s corporate disclosure is discussed.

2. UNGP: The CSR Pillar II

In June 2011 the UN Council endorsed the UN Principles on HR and Business. The history starts in June 2008 when Prof. John Ruggie, the UN Special Representative, proposed a framework for an ethic standard on HR and Business, based on three pillars [1,3]:

- The States duty to Protect HR;
- The Businesses Enterprises to Respect HR (i.e. the CSR pillar); and
- The State and Business Enterprises commitment to enable access to effective Remedy.

This framework is known as the PRR Framework and its name derived from the initials of the key-words: *Protect*, *Respect*, and *Remedy*.

The UNGP global ethical standard is consisted of 31 Principles [1]. The Pillar I is connected with the Principles 1 until 10; the Pillar II is connected with the Principles 11 until 24 and this is the Pillar related to CSR; and finally the Pillar III is connected with the Principles from 25 until 31. To be more precise, in the PRR Framework it is highlighted that Businesses must respect HR of stakeholders (i.e. of employees, customers, creditors, and the wider society). The HR that should be respected are the ones been referred in the International Bill of HR and in the International Labor Organization’s Declaration on Fundamental Principles and Rights at Work.

More specifically, enterprises should not cause negative effects to HR through their own work. This responsibility is mandatory to be taken into consideration by all he types of companies. In additional, policies should be followed in order to reduce the negative influence on HR. The companies must act the way due-diligence impose.

The knowledge and the expert skills are necessary for this accomplishment. The companies’ (e.g. a cadastre office) efficiency must be supervised by indicators and as far as the remediation is concerned, the business cooperation must provide access to care and remedies.

The rest of this Section is devoted to a critical evaluation of particular UNGP Principles of Pillar II (CSR) related to the concepts “*addressing aHRi*”, “*service misuse*” and “*product misuse*”. These Principles are commented and reviewed as they are projected to CSR (the Corporate Responsibility to respect HR) on the customer side of the value chain and the cadastre office procedures as well [1].

UNGP Principals 11, 13, 18, 19, 20, 21, 22, 24 - “Business Enterprises should respect HR and Addresses Adverse HR Impacts with which they are involved”

Commentary: These Principles, in addition to the other, actually mean that companies (e.g. cadastre offices) should avoid others HR violation and should also be able for addressing aHRi functionalities linked to their relationships with stakeholders (customers, clients, third party purchasers, end users, etc.) in case of an indirect involvement (for instance “*service misuse*”; e.g. cadastre services) leading to HR harm.

Reviewing: In these UNGP Principles much attention has been given to corporate responsibility to respect HR within its supply-chain operations, but at the same time much less attention has been given to business’s responsibility to respect HR, but on the customer side, at the cadastre office procedures or during the value chain in general.

So, in an amendment of these Principles, more attention should be given for addressing specific aHRi functionalities to respect HR responsibility on the customer side for: (a) all kind of “*misuse*” practical engaging in; (b) covered hidden pits used as a trap for the customers with unsuspected difficulties and possible dangers (“*pitfalls*” difficulties); and (c) “*common challenges*” complications corporate businesses facing now-a-days, like uncertainty for the future or about contemporary challenges (e.g. Financial crisis / cadastre issues, BRexit, America first! isolation policy); competition and competencies; recruiting the right staff; technology; regulation and compliance; monitoring performance; financial management; etc.

Even more, some additional new UNGP Principles should describe the above three aHRi functionalities in corporate CSR spatial disclosure. For instance, in a proposed new Principle, emphasis should be placed on describing relative to “*misuse*” practical HR engaging in (e.g. service misuse; product misuse; ideas misuse). In this domain, a typical practical HR harm involvement located on the customer side of the value chain and directly linked to aHRi is the so-called “*service misuse*” (e.g. wrongly cadastre topographic diagrams, excerpt maps) rich in aHRi functionalities.

The current UNGP practical guidance for business (reporting frameworks) on how they can address aHRi connected to “*service misuse*” remains limited and should be described in more details in future editions. For instance, the following amendments for addressing new aHRi functionalities for CSR cadastre disclosure are proposed:

- In CSR cadastre disclosure, describe in a clear and concise way the engage in HR harm involvement upon performing a service in a cadastre office that has the potential for customers or others stakeholders to misuse it and deliver HR harm.
- In CSR cadastre disclosure, state in an epigrammatic and laconic way the possible influence of contemporary challenges (e.g. financial crisis, inability to pay, payment procedure failure) fuelling panic uncontrolled service misuse in a cadastre office by people in need.
- In Cadastre Office’s regulations, describe in an executive way what practical strategies can the enterprise employ to identify, prevent, or mitigate adverse human rights impacted and connected to service or product misuse.
- In Cadastre Office’s guidelines, describe in brief what practical monitoring procedures can the enterprise employ to face “*uncontrolled*” future technology threats leading in service or product misuse.

The above emerging practices, highlighted herein as aHRi functionalities, should be read as recommendations for companies to consider when faced with a situation of product misuse leading to HR harm. Finally, UNGP should premium business corporate to increasingly recognize product misuse as a HR issue on a global scale.

3. UNGP: New Perspectives – The CSR Corporate Registry

This Section first proposes possible developments (for new and revised UNGP Pillar II Principles) with regard to aHRi functionalities related to product misuse harm involvements, pitfall difficulties, and common challenges complications; then introduces a personalized interpretation and adaptive implementation of those UNGP Principles related to CSR; and finally proposes a CSR corporate registry in order to incorporate these CSR disclosure functionalities and support spatio-temporal (i.e. spatial and temporal; 4D) inquires.

Particularly, some enhancements to Pillar II are proposed to accommodate new CSR functionalities for addressing successfully aHRi and cadastre issues (particularly in financial crisis situations), and a more personalized and adaptive framework, as far as the UNGP Pillar II is concern.

For personalized interpretation and adaptive implementation frameworks the concept “*metadata*” must be included in the relative frameworks [Note 3].

3.1. New and Revised UNGP Principles

Three new Principles are proposed for addressing specific aHRi functionalities to respect HR responsibility on the customer side. In particular, one Principal for all kind of “*misuse*” practical engaging in harm involvements; one Principal for covered “*pitfalls*” difficulties; and one Principal for “*common challenges*” complications, is proposed.

These new UNGP Principles should describe the involved aHRi functionalities both, in cadastre CSR spatial disclosure, and in enterprise’s regulations and guidelines. For instance and for the 1st proposed principal:

- In CSR spatial cadastre disclosure, (i) describe in a clear and concise way the engage in HR harm involvement upon selling, in a cadastre office, a product/service/idea that has the potential for customers to misuse it and deliver HR harm; and (ii) state in an epigrammatic and laconic way the possible influence of contemporary challenges fuelling uncontrolled product/service/idea misuse, in a cadastre office, by people in need.
- In Cadastre Office’s regulations, describe in an executive way what practical strategies can the Cadastre Office employ to identify, prevent, or mitigate adverse HR impacted and connected to any product/service/idea misuse. In Cadastre Office’s guidelines, describe in brief what practical monitoring procedures could the Office employ to face “*undocumented*” future ICT threats leading in any product/service/idea misuse.

Similar descriptions should apply for the 2nd proposed principal regarding pitfall difficulties, and to the 3rd proposed principal regarding common challenges complications, instead of service or product misuse.

3.2. Personalized Interpretation Functionalities & Inquires

The *metadata* structures should describe specific features (items) with geographical, corporate, percentage (%), or temporal functionalities [Note 3]. The following are some examples of these functionalities: Enterprises located at the north-east part of a particular country, or Enterprises, or Cadastre Office with headquarters within 10 km from a particular position described by co-ordinates, or Enterprises from the food industry, or Cadastre Offices established the last 5 years or after February 2016, or Enterprises addressing aHRi pitfall difficulty protection by at least [number] %, or Cadastre Offices engage in a harm involvement for service or product misuse by at least [number] %, etc. [5,6].

The *metadata* structures also support multiple inquires, like: “*Asking for CSR enterprises established the last 2 years, activating in transportation industry, having some open Cadastre issues, and with headquarters within 5,5 km from the UM/Faculty of Law building*” [6,7].

3.3. Adaptive Implementation Functionalities & Inquires

The *metadata* structures, also, should describe specific features with aHRi functionalities related to “*Engage in misuse harm involvements*”; “*Pitfall difficulties*”; and “*Common challenges complications*”, like temporal emergency situations (crises), protected/isolation policies, and political/national initiatives. For instance: Financial crisis / cadastre issues, Global migration crisis, European refugees’ crisis, America first! protected policy, BRexit national initiative.

Hence, a well established framework incorporating *metadata* structures could support inquires like:

“Asking for global Cadastre Offices very well (>90%) addressing aHRi for service misuse”, or “Asking for global CSR enterprises well (>80%) addressing aHRi for pitfall difficulties”, or “Asking for CSR enterprises affected for more than 30% by the Global Migration Crisis”, or “Asking for Cadastre Offices affected for less than 12% by the BRexit national initiative”, or “Asking for CSR enterprises well protected (<3%) from the America first! isolation policy”, or “Asking for CSR enterprises affected for less than 20% by the BRexit national initiative”.

3.4. Combined Functionalities & Inquires

More complicated inquires combining both the *Personalized Information* and the *Adaptive Implementation* functionalities should be supported by the proposed *metadata* structures incorporated in the UNGP and OECD Guidelines running frameworks.

For instance, some complicated inquires should be:

- “*Asking for national Cadastre Offices well (>80%) addressing aHRi for service and product misuse AND not affected (i.e. <2%) by the Financial Crisis*”, or
- “*Asking for global CSR enterprises not affected (i.e. <2%) by the Refugees Crisis OR affected by 10% or less from the BRexit national (political) initiative*”.

3.5. The CSR Corporate Registry

The above mentioned *metadata* structures could be part of a CSR Corporate Registry (“Registry”), which is actually a global companies’ repository with structural fields the *metadata* items. For instance: aHRi product misuse (%); aHRi services misuse (%); aHRi pitfall difficulty (%); aHRi common challenges.BRexit (%); aHRi common challenges.Global refugee crisis (%); etc.

The context (i.e. the actual data for the *metadata* structures) for this Registry should be received from cadastre offices or business corporate websites, and then textually analyzed and measured by specialized software like the Artificial Intelligence Measurement of Disclosure (AIMD) [8].

3.6. From the Soft-Law Frameworks to Hard-Law Standards

Milton Friedman’s well known and writing in 1970 statement for CSR is commonly interpreted as implying that companies’ CSR disclosure simply focuses on increasing corporate profit [9,10,11]:

“There is one and only one social responsibility of business: to use its resources and engage in activities designed to increase its profit so long as it stays within the rules of the game, which is to say, engages in open and free competition without deception or fraud” [12].

In this 1970 CSR statement, the key-phrase is *“the rule of the game...”*. This rule flows from privately drafted “Codes of Conduct” in ‘70 and ‘80 to now-a-days internationally formulated UNGP Guiding Principles and OECD Guidelines regarded just as *“CSR Reporting Frameworks”* (i.e. soft-law standards) [13,14].

But, domestic enforcement of private regulations and soft-law reporting frameworks is not the answer for a sustainable and executive CSR disclosure for practical protection of human rights [15]. The so-called *“the rules of the game”* is actually a complicated system involving a number of concepts like “Stakeholders”, “CSR cadastre disclosure”, “CSR spatial disclosure”, “CSR performance”, “Company’s corporate disclosure”, “Cadastre office HR disclosure”, etc.

Obviously, the research effort must be focused on the process of transferring from today’s soft-law Principles to a sustainable hard-law executive Law System (Standard) for practical protection of HR by establishing a common, global and flexible CSR platform on CSR spatial disclosure [16].

This hard-law executive Law System (actually a CSR Standard), with a number of geographical/position (spatial), cadastre, and temporal (timing) functionalities, should be regarded as a 4D CSR, if *metadata* structures are included in the internationally formulated now-a-days UNGP reporting frameworks on CSR spatial and cadastre disclosure [17,18,19,20].

4. Conclusions

The UN and OECD global organizations play both a crucial role in advancing CSR. Particularly today, with a number of open issues like: *“Financial crisis / open cadastre issues”*, *“Global refugees crisis”*, *“America first! isolation policy”*, and *“BRexit initiative”*, their role is even more important.

This research paper discussed in brief the role of UN Guiding Principles in advancing CSR and proposed new frameworks based on *metadata* in order to be more flexible to incorporate current open issues in emergency/crises, protection/isolation policies, and political/national initiatives.

Finally, the process of transferring, in the future, from today’s soft-law Principles to a sustainable hard-law executive Law System for practical protection of human rights by establishing a common, global, and flexible CSR platform on companies’ corporate and on CSR spatial and cadastre disclosure is discussed.

This hard-law executive Law System, with a number of geographical/position, cadastre/spatial and temporal (timing) functionalities, should be regarded as feasible, if *metadata* structures are included in UNGP reporting frameworks on CSR spatial disclosure. Actually, this executive CSR platform is a *“4D CSR”* because of its geographical and temporal dimensions.

5. Acknowledgments

I would like to thank the teaching team of the postgraduate course *“Corporate Social Responsibility”* (2017-400-LAW4037, University of Maastricht / Faculty of Law / LL.M in Globalization & Law) Anna Beckers, Damla Bos and Marilou Hubers.

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7. Conflict of Interest

The author (Miss Artemis A. Styliadou) has not declared any conflict of interest.

8. Disclosure

An early version of this paper, entitled “*The Role of the UN Guiding Principles and OECD Guidelines in Advancing CSR: Review & New Perspectives*”, has been submitted (on March 2, 2018) by the author, as a research paper requirement, for the postgraduate course *Corporate Social Responsibility* (LAW4037, LL.M in Globalization & Law), University of Maastricht, Faculty of Law, The Netherlands.

9. End-Notes

[1] CSR - Corporate Social Responsibility

[Wikipedia, https://en.wikipedia.org/wiki/Corporate_social_responsibility]

Also called Corporate Conscience, Corporate Citizenship or Responsible Business, is a form of corporate self-regulation integrated into a business model. CSR policy functions as a self-regulatory mechanism whereby a business monitors and ensures its active compliance with the spirit of the law, ethical standards and national or international norms. Critics questioned the “lofty” and sometimes “unrealistic expectations” in CSR or that CSR is merely window-dressing, or an attempt to pre-empt the role of governments as a watchdog over powerful multinational corporations.

Political sociologists became interested in CSR in the context of theories of globalization, neoliberalism and late capitalism. Some sociologists viewed CSR as a form of capitalist legitimacy and in particular point out that what began as a social movement against uninhibited corporate power was transformed by corporations into a “business model” and a “risk management” device, oft en with questionable results. CSR is titled to aid an organization's mission as well as serve as a guide to what the company represents for its consumers.

Business ethics is the part of applied ethics that examines ethical principles and moral or ethical problems that can arise in a business environment. ISO 26000 is the recognized international standard for CSR. Public sector organizations (the United Nations for example) adhere to the triple bottom line (TBL).

[2] CSE – Corporate Social Entrepreneurship

[Wikipedia, https://en.wikipedia.org/wiki/Corporate_social_entrepreneurship]

A Corporate Social Entrepreneurship (CSE) is someone or something (person or procedure or service) who attempts to advance a social agenda in addition to a formal job role as part of a corporation. CSEs may or may not operate in organizational contexts that are predisposed toward CSR. CSE concerns are with both the development of social capital and economic capital.

Actually, CSE is a process aimed at enabling business to develop more advanced and powerful forms of Corporate Social Responsibility (CSR).

The CSE Concept: CSE emerges from and builds on three other conceptual frameworks: *Entrepreneurship*, *Corporate Entrepreneurship*, and *Social Entrepreneurship*. CSE's conceptual roots begin with Schumpeter's vision that nations' innovation and technological change emanate from individual entrepreneurs with their *unternehmergeist* or fiery spirit generating “*creative destruction*” of old ways with new ones (1912, 1934, 1942).

In this domain, Stevenson (1983; 1985) provided a different definition of Entrepreneurship: “*The pursuit of opportunity through innovative leverage of resources that for the most part are not controlled internally*”. On the other hand, Schumpeter had projected that the engines of entrepreneurship would shift from individuals to corporations with their greater resources for R&D, which did happen. However, over time corporate bureaucracy was seen as stifling innovation.

Finally, the formal job role of a CSE may not necessarily be connected with CSR, nor does a CSE have to be in an executive or in a management position.

[3] Metadata

[Wikipedia, <https://en.wikipedia.org/wiki/Metadata>]

The metadata structures are actually “*data about data*”, i.e. descriptive data about the structuring of the files holding the actual data. These structures well enhancing tabular data organizations (files) with geographical and temporal (i.e. timing) functionalities. Actually, metadata are “*data information that provides information about other data*”.

Three distinct types of metadata exist: Descriptive Metadata, Structural Metadata, and Administrative Metadata.

The *Descriptive Metadata* describes a resource for purposes such as discovery and identification. It can include elements such as title, abstract, author, and keywords.

The *Structural Metadata* is metadata about containers of data and indicates how compound objects are put together, for example, how pages are ordered to form chapters. It describes the types, versions, relationships and other characteristics of digital materials.

The *Administrative Metadata* provides information to help manage a resource, such as when and how it was created, file type and other technical information, and who can access it.