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Chinese-Led Energy Projects in the Western Balkans: Where Do CSR and Human Rights Fit In?

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ABSTRACT

Despite China's regulatory and policy efforts to enhance sustainability, Chinese constructors and financiers face criticism for alleged neglect of human rights and corporate social responsibility in Western Balkans infrastructure and industrial projects. This article investigates approaches to human rights and corporate social responsibility in three Chinese-led coal projects—Kostolac B3, Kolubara B, and Tuzla 7—in Serbia and Bosnia and Herzegovina. Using discourse analysis and semi-structured interviews, it examines public narratives and insider perspectives. The findings highlight key patterns among Chinese actors and provide recommendations for addressing sustainability gaps in Chinese industrial and infrastructure projects in the region.

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Introduction

The launch of the Belt and Road Initiative (BRI) in 2013 marked the beginning of the era of large-scale Chinese industrial and infrastructure projects overseas, driven mainly by Chinese state-owned enterprises (SOEs). Unfortunately, many BRI projects have faced criticism due to concerns related to sustainability, human rights, and corporate social responsibility (CSR). Certain examples from the field show that Chinese constructors have been reluctant to maintain the high standards of labor rights, such as in various road, railway, electricity, telecommunications, water drilling, and supply projects in Africa (Driessen 2021; Mohan and Lampert 2013, 108). Moreover, Chinese infrastructure projects have been frequently criticized for their lack of transparency (Tan Mullins 2020), disrespect of environmental norms (Yeophantong 2013), and corruption (Krstinovska 2019).

Notwithstanding China's state efforts to enhance the CSR performance of Chinese enterprises operating overseas, many Chinese-led industrial and infrastructure projects in the Western Balkans have faced considerable

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criticism (Cotella and Berisha 2021, 165). Evidence from across the region shows that Chinese contractors neglected transparency, did not maintain high standards of labor and environmental rights, and even received allegations of supporting corruption. One of these examples involves the Linglong tire factory in Serbia, where due to a grave situation with labor and environmental rights, the European Parliament was even urged to adopt a resolution to halt forced labor at the factory and condemn intimidation and physical attacks against media workers, activists, civil society organizations and non-governmental organizations involved in environmental protests regarding the factory (Matković 2021). Some other Chinese infrastructure projects that have faced criticism include the Bar-Boljare Highway in Montenegro for violating environmental norms (Grgić 2022, 256–257), Zijin Mining Bor for mistreatment of employees and Hesteel Smederevo in Serbia for lack of transparency (Just Finance International 2023), and the Miladinovci-Shtip and Kichevo-Ohrid Highways in North Macedonia for corruption (Krstinovska 2019). Finally, China's economic and political engagement with the Western Balkan states has even raised many discussions about whether China's rising influence poses a threat to European integration (Markovic Khaze and Wang 2021).

Importantly, China's infrastructure engagement is taking place in the region where, despite some differences between countries, the field of Business and Human Rights (BHR) is still in its early stages of development. This is coupled with a relative lack of in-depth BHR studies in the region and a rather low regional awareness of the BHR field.¹ First, Serbia and BiH have no standalone BHR laws and no legal requirements for CSR beyond basic legal compliance (Grbo 2018). Additionally, National Human Rights Institutions in the region generally lack the authority to effectively address private sector human rights violations. In this regard, Milatović and Letnar Čerňič suggest that NHRIs should engage with legislators and governments to broaden their mandates, enabling them to provide effective remedies for business-related abuses and effectively fulfill their responsibilities in areas involving private-sector activity (Milatović and Letnar Čerňič 2023, 33). Against this background, local companies often limit their BHR activities to basic legal compliance and philanthropy, rather than adopting a strategic and comprehensive approach to human rights risk mitigation following international standards (Faracik, Letnar Čerňič, and Uvarova 2024, 8). Existing studies indicate that the creation and enforcement of robust BHR frameworks in the Western Balkans is hindered by a general lack of awareness, weak state institutions, and a shortage of checks and balances (Faracik, Letnar Čerňič, and Uvarova 2024, 5).

Overall, while there are existing studies on certain CSR and human rights-related issues in Chinese infrastructure projects and a broader body of research on BHR developments in the Western Balkans, a significant gap

remains. Specifically, there have been no studies on how Chinese corporate entities involved in infrastructure projects in the Western Balkans interpret and manage CSR and human rights within their projects. Furthermore, the BHR dimension of Chinese energy projects, such as coal plants that face multiple human rights challenges, has been largely unexamined.

The objective of this article is, thus, to fill this gap by presenting the findings of an investigation into how Chinese actors involved in infrastructure and industrial projects in Serbia and Bosnia and Herzegovina (BiH) approach human rights and CSR. The research lies at the intersection of management and law. On the one hand, CSR is an established management concept, but when human rights are approached not as a voluntary corporate commitment but from the perspective of corporate liability, they constitute the domain of law, more specifically, of BHR (Wettstein 2012).² This article examines both the managerial corporate perspective on CSR, focusing on corporate policies and practices, and the relevant regulatory developments in BHR, surrounding China's infrastructure engagement in the Western Balkans. The research aimed at addressing the following questions:

- How are human rights and CSR framed in public communications, corporate policies and project documentation of Chinese actors?
- To what extent do the approaches to human rights align with the leading international BHR frameworks (such as the UNGPs, OECD Guidelines and others)?

This article shares the results of a case study involving three case projects across the Western Balkans, namely Kostolac B3, Kolubara-B, and Tuzla 7 coal projects in Serbia and BiH. The region is uniquely positioned between two major powers—the EU and China—with their distinct strategies and normative approaches. The Western Balkans have officially been on the path to EU accession since 2003, with both Serbia and BiH required to align their legal frameworks with the EU *acquis*, and many of the issues related to BHR appear across various negotiation chapters (European Commission 2020a).³ However, the two Balkan countries have also come under growing Chinese influence, particularly since the launch of the “16+1” cooperation mechanism in 2012 and the subsequent large inflow of Chinese capital. In response, the EU has sought to reinforce its position in the region by advancing infrastructure initiatives, such as the Global Gateway, to provide “investments in quality infrastructure, respecting the highest social and environmental standards, in line with the EU's values and standards” (European Commission 2019). The EU has also exercised normative influence, especially in areas related to BHR (Reynolds and Skybenko 2020). The current study is, thus, a regional illustration and

“test case” of existing CSR and BHR theories in the context of Europe’s semi-periphery—the Western Balkans. Insights from the Western Balkans can be highly valuable for other regions that find themselves at the intersection of competing powers with divergent normative approaches and political and economic strategies.

Structure

The article is structured as follows: first, the author provides a literature review of CSR in Chinese industrial and infrastructure projects globally and explains the role of SOEs as the key drivers of CSR in China, and their understanding of CSR. Here, special attention is paid to the role of human rights considerations within the broader CSR agenda and the interplay between Chinese enterprises and the international BHR agenda.⁴ Second, the article explores China’s regulatory and policy efforts to enhance CSR practices in industrial and infrastructure projects. Third, the author outlines the main methodological approach—the combination of discourse analysis and semi-structured interviews. Following this, the article shares the results of the case study and discusses the findings, interpreting them against the background of institutional environments and political dynamics in Serbia and BiH. It also suggests avenues for future research. Finally, the article outlines a series of implications for Chinese entities, as well as for local authorities in the Western Balkans and the EU, and concludes.

Literature review—CSR in Chinese industrial and infrastructure projects

Global scholarship has been active in examining China’s approaches to CSR and human rights, as well as the ways to boost them. Here, special attention has been given to the SOEs, which are frequently seen as the main drivers of CSR in China. In the words of Wang (2022), in China, “‘corporate social responsibility’ is essentially ‘corporate political responsibility’ driven by a political logic that establishes a relationship between business and the state rather than between business and society” (Wang 2022, 2). This largely explains why SOEs, being more responsive to government directives on CSR, have consistently outperformed private and foreign-invested enterprises in CSR performance, as evidenced by higher CSR index scores reported by the Chinese Academy of Social Sciences from 2009 to 2021 (as quoted in Wang 2022, 2).

In terms of practical approaches to CSR, a survey by the Chinese Academy of Social Sciences shows that Chinese business leaders define CSR as fulfilling community expectations by supporting local economies, complying with local laws, caring for the environment, and contributing

to social welfare through donations to schools and hospitals. Unlike many Western firms, however, Chinese companies prioritize philanthropy over investment transparency and accountability in their CSR efforts. Furthermore, empirical research largely supports the survey findings. For instance, Backer's findings demonstrate that the partially state-owned ZTE Corporation in South Sudan perceives CSR as a corporate charity (Catá Backer 2015, 530). Similarly, the research by Tan-Mullins, Urban, and Mang on hydropower construction in Africa and Asia finds that Chinese dam builders view CSR more as corporate philanthropy than as a collective mitigation strategy (Tan-Mullins et al. 2017). With regards to the place of human rights in CSR, John Ruggie's 2007 study found that, apart from the right to development, Chinese enterprises had lower awareness and understanding of human rights compared to global enterprises. Additionally, Chinese companies were more inclined to recognize economic and social rights over non-labor rights (Ruggie 2007). As Backer argues, the practice of human rights is fundamentally shaped by the hierarchical nature of rights and the significance of the local context in which they are applied. Moreover, for China, human rights in CSR are not a set of individual rights to be claimed against the state or corporations, but rather a set of obligations that the state or corporations owe to individuals (Catá Backer 2015, 548). This is in strong contrast with the Western approach, where individuals are endowed with inherent personal rights that can be vindicated against institutions (Catá Backer 2015, 536). This can largely explain why Chinese enterprises frequently misalign with key international BHR regulatory frameworks, such as the UNGPs and the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (OECD Guidelines). First, these frameworks view corporate responsibility for respecting human rights as encompassing all internationally recognized rights that a business may have an impact on (Organization for Economic Co-operation and Development 2023; United Nations Human Rights Council 2011). Second, they urge companies to establish effective mechanisms for multistakeholder engagement and grievance resolution and to provide remedies for human rights violations resulting from their actions (Organization for Economic Co-operation and Development 2023; United Nations Human Rights Council 2011).

Research by Marquis and Qian highlights that while Chinese firms have increased their CSR reporting efforts since 2006, the quality of these reports remains inconsistent. Chinese CSR reporting has been widely criticized for its low quality, with half of the reports providing only limited information on specific CSR activities. Additionally, the authors underline that only 7.8% of the reports adhered to the Global Reporting Initiative's G3 (GRI 3.0) guidelines, one of the main

international reporting standards, and just 6.1% of firms sought third-party opinions on their reports. This suggests that while Chinese firms may be responding to government expectations on CSR, many are not doing so in a meaningful or comprehensive manner (Marquis and Qian 2014, 130).

To help tackle the issues in industrial and infrastructure projects, over the past two decades, Chinese authorities have introduced CSR guidelines and regulations, including those specifically targeting SOEs. The State-Owned Assets Supervision and Administration Commission of the State Council (SASAC) issued guiding principles emphasizing SOEs' responsibility to harmonize operations with social and environmental development (State-Owned Assets Supervision and Administration Commission of the State Council 2008). Additionally, Shenzhen (Shenzhen Stock Exchange 2006, Art.9) and Shanghai (Shanghai Stock Exchange 2008, Art.3) Stock Exchanges have also promoted CSR disclosure by requiring listed companies to publish annual CSR reports. Overall, CSR reporting by Chinese companies sharply increased, particularly by those involved in international projects, with 2,300 CSR reports issued between January and October 2022 alone, compared to just 22 reports before 2005 (Goldenbee 2023). This explosion in CSR reporting reflects a growing institutional focus on formalized CSR practices.

In 2012, the China International Contractors Association, under the direction of the Ministry of Commerce, elaborated the Guidelines on Social Responsibility for the Chinese International Contractors Industry. This was the first industrial guidance document to address the overseas human rights impacts of Chinese contractors operating abroad. The Ministry of Commerce of China (2012) highlights that the Guidelines reference the United Nations Global Compact and the International Organization for Standardization (ISO) 26000:2010 standards, and CSR is viewed as a 'soft strength' of the enterprises. Later, in 2015, the Standardization Administration of China (SAC) launched the National Standards of Social Responsibility (NSSR) (Standardisation Administration of China 2015). The standards are the first national-level standard document in the field of social responsibility in China. The NSSR is also based on ISO 26000:2010 standards, which offer voluntary guidelines for responsible business conduct. In parallel, many other sector-specific regulatory initiatives on CSR were actively developing.⁵

In 2021, to promote a larger BHR agenda, the State Council Information Office of China unveiled a National Human Rights Action Plan (2021) urging businesses to integrate human rights considerations into foreign trade and investment, as per the UNGPs. Most recently, at the United Nations' 45th Session of the Universal Periodic Review on China in 2024, the Nankai University Human Rights Research Center (UN 2023, para 39)

recommended that China develop a National Action Plan on Business and Human Rights.

Methodological approach

This article draws on empirical data collected as part of an in-depth, qualitative study. It investigated how various actors involved in the case projects interpreted and managed CSR and human rights within the projects.⁶

Communication on CSR-related issues has been studied using both qualitative and quantitative methods. In qualitative studies, CSR communication patterns have been traditionally analyzed through questionnaires and interviews to measure the perceptions of employees, managers, and CEOs (Murillo and Lozano 2006). Semi-structured interviews and case studies are also among the most widely used methods for human rights research, as noted in a 2012 study by Kristin Reed and Ausra Padskocimaite. At the same time, discourse analysis has gained its place in CSR research with a growing number of studies of corporate narratives on CSR (Nwagbara and Belal 2019; Rajandran and Taib 2014). Moreover, some scholars have used discourse analysis to study China's global narratives on infrastructure development (Langendonk 2020), corporate identities of Chinese banks (Feng 2017), as well as Xi Jinping's narratives that target Central and Eastern European states (Daugulis and Bukovskis 2021).

Thus, the current study employs a combination of mixed methods, discourse analysis, and semi-structured interviews to examine public narratives and corporate policies related to human rights and CSR in three Chinese-led projects, while also capturing insider perspectives. This methodological design was primarily inspired by Ertuna, Karatas-Ozkan, and Yamak (2019, 14), who combined interviews with corporate document analysis to enhance the credibility of their findings on CSR strategies, and by Kaman and Othman (2016, 24–26), who corroborated data from documents, interviews, and direct observations in their study of CSR practices.

Method 1: Discourse analysis

The author opted for an in-depth discourse analysis of corporate policies and public communication of Chinese actors involved in the three energy projects. Discourse analysis was chosen as the main methodological tool as it is deemed best adapted to study written language in Chinese social, legal, and political contexts surrounding CSR and human rights. The study's sample included state-owned enterprises: China Export-Import Bank (China Exim Bank), China Machinery Engineering Corporation (CMEC), Power Construction Corporation of China (PowerChina), and

China Gezhouba Group of China Energy Engineering Corporation (Gezhouba). Along with this, the author included the analysis of public communication of the Embassies of the People's Republic of China in Serbia and Bosnia and Herzegovina to obtain a broader picture of the situation around case projects. The author examined English, Chinese, Serbian, and Bosnian versions of the websites of all actors in the sample and manually gathered content.⁷ This study utilized data published between 2013 and 2023,⁸ from a larger corpus comprising 47 corporate reports (human rights, CSR, ESG, and annual reports), policies (codes of conduct, human rights, and sustainability policies), project documentation, and 468 pieces of public communication (news, announcements, press releases etc). The sources were chosen based on the presence of one or multiple keywords: "Serbia," "Bosnia," "Kostolac," "Kolubara," "Tuzla," and "human rights" (and their analogs in Chinese, Serbian, and Bosnian languages).

Method 2: Semi-structured interviews

To overcome the lack of publicly available information and gather insider perspectives on the topic, the author conducted 14 semi-structured interviews, including 12 individual interviews and 2 group interviews, each involving two participants. Although there was no fixed list of universal interview questions, all interviews touched upon two key subjects:

- Approaches of Chinese actors to CSR and human rights at the three case projects in Serbia and BiH.
- The ways to enhance mechanisms of human rights protection at Chinese industrial and infrastructure projects in the Western Balkans.

Some potential interviewees were approached with interview requests at scientific and professional events, mostly in Serbia and BiH; others were directly contacted with interview requests, while some were approached following a recommendation of the former interviewees ("snowball strategy") (Parker, Scott, and Geddes 2019). The choice of interviewees depended on two key criteria: first, the relevance of the interviewee's position and competencies to the research subject, and second, the interviewee's availability for an interview. These criteria narrowed down the pool of potential interviewees to representatives of Chinese entities from the case study, representatives from national (ministries and electric utility companies¹¹), and non-governmental organizations. Along with this, some European and international entities, such as the EU Delegations to Serbia and BiH, as well as the European Bank of Reconstruction and Development (EBRD), the European Investment Bank (EIB), and the Energy Community for South East Europe (ECSEE) were included in the wider interviewees' pool

to collect opinions on Chinese case projects in a broader perspective. The interviewees held diverse positions across various sectors and were selected based on the expected possession of knowledge relevant to the current study. In the industry sector, they included two high-level managerial and consultant roles at state energy entities. From civil society, participants (5) held legal, technical, and high-level managerial roles, all affiliated with NGOs. In the government sector, participants (6) held senior roles, including secretaries, ministers, and directors across state and embassy entities. Lastly, the banking sector was represented by senior managers (3), including those working on corporate sustainability, in local, regional, and main offices. Due to the sensitivity of the topic and the preferences of some interviewees, the author does not disclose the interviewees' names, job positions, and interview locations. Instead, the interview findings will be presented anonymously, with each interviewee assigned a unique number.

Procedure for conducting discourse analysis

The first step in conducting discourse analysis was data collection, the results of which are presented in Table 1.

After the data was collected, it was sorted so that only the items either having direct references to the three case projects or containing data related to CSR and/or human rights were to be further analyzed.⁹ Following this, the author performed coding, a way of “indexing or mapping data, to provide an overview of disparate data that allows the researcher to make sense of them in relation to their research questions” (Elliott 2018, 2851). The author performed coding manually, following the coding

Table 1. Results of data collection.

Source language	News and announcements				Total number	Legal documentation, periodic, sustainability, CSR, ESG, and human rights reports				Total number
	English	Chinese	Serbian	Bosnian		English	Chinese	Serbian	Bosnian	
1. Gezhouba Corporation	•	•			16	•	•			13
2. CMEC	•	•			108	•	•			10
3. PowerChina	•	•			209	•	•			9
4. Embassy of the People's Republic of China in Bosnia and Herzegovina	•	•		•	56	•	•			0
5. Embassy of the People's Republic of China in Serbia	•	•	•		12	•	•			0
6. China Export-Import Bank	•	•			67	•	•			15
Total					468					47

framework of Creswell (2016) and Creswell and Creswell Báez (2021). First, the text data collected from the target actors was converted into non-prespecified codes.¹⁰ The author then excluded overlapping codes, which reduced the total number of codes to 113. Later, the author performed frequency counts for each code and target actor. Using the codes at hand, the author performed thematic analysis (Guest, MacQueen, and Namey 2012). The codes were transformed into themes, and any themes with a total frequency of occurrence below five were excluded to manage the already substantial number of themes. Table 2 contains the codebook with definitions and examples of 12 selected themes and respective codes.

Methodological and technical challenges of discourse analysis

The author encountered a series of challenges when performing discourse analysis. The website search faced a series of limitations, which hindered and sometimes even blocked the research work. Most limitations were caused by technical issues with keyword searches on websites, which often yielded no results despite relevant content being present (e.g., China Exim Bank and Chinese Embassies in Serbia and BiH). Then, discrepancies between the English and Chinese versions of the websites further complicated the analysis, as some CSR and ESG reports and public announcements were only available in one language (e.g., Gezhouba and PowerChina). This suggests that many Chinese entities were targeting Chinese audiences and offered very limited content for international or local stakeholders in Serbia and BiH. Additionally, many websites shared incomplete or outdated information, with some corporate reports missing hyperlinks or entirely unavailable for recent years (e.g., Gezhouba and the Embassy of China in Serbia). Project-specific legal documents and procurement details were notably absent, which made it impossible for the public to learn about human rights and CSR clauses within the projects (most target actors).

Finally, ambiguity in terminology was another challenge, as terms like “human rights” (人权) in Chinese sources were often replaced with alternatives such as “rights and benefits” (权益), shifting the focus from morality and power to materiality (China Energy Engineering Group 2019, 19). Overall, the limited availability of content focusing on the case projects, coupled with restricted communication and disclosure issues, implied that the author had to manually review numerous sources across multiple websites to address these gaps.

Methodological and technical challenges of semi-structured interviews

Semi-structured interviews presented one crucial challenge as the author faced a widespread lack of responses to interview requests addressed to



Table 2. Codebook.

Theme	Theme definition	Examples of codes under the theme	Example of the theme
1. Legal compliance within the case project	Emphasis on the efforts to comply with applicable legal regulations within the project.	'respond to various Serbian laws and regulations'; 'avoid legal disputes'; 'consult laws'; 'meet emission standards of the EU'; 'make efforts to implement the project according to the local laws and regulations' according to the local laws and regulations'	'The establishment of CMEC's Serbian branch not only facilitates the second-phase construction of the KOSTOLAC-B power plant and complies with local regulations (...):' Source: http://en.cmec.com/xwzx/gsxw/201602/t20160209_133610.html
2. Mutually beneficial bilateral cooperation on the case project	The project presents advantages to both China and the host country, and both sides are satisfied with the project.	'hope for the future cooperation'; 'mutual satisfaction with the project'; 'extensive and close cooperation'; 'gratitude to the counterpart'; 'key cooperation project'; 'emphasis on the win-win results'; 'deepen the friendship'. 'participation in social and economic construction of the host country'	'Chen Bo said that mining and energy are key areas of practical cooperation between China and Serbia, and Chinese-funded mining enterprises in Serbia are operating well, and continue to increase investment in environmental protection to help Serbia's economic growth and green development. The construction of the Kostolac thermal power station, a large-scale energy infrastructure project undertaken by Chinese enterprises, is progressing in an orderly manner'. Source: http://rs.china-embassy.gov.cn/chn/gsxw/sghd/202211/t20221126_10981198.htm
3. Smooth implementation of the case project	The project is implemented without substantial issues (on time, without cost overruns, with eventual challenges being addressed).	'successful completion'; 'speak highly about project quality'; 'proactive efforts to advance the project'; 'reasonable allocation of human and material resources'; 'conducting professional evaluation'; 'hardworking'; 'completion of contractual obligations'; 'timely completion of project phases'; 'overcoming difficulties'; 'successfully launched'; 'emphasize safety and quality'; 'showcase strong leadership'; 'project completion ahead of schedule'; 'eliminate defects'; 'affirm positive results'; 'a further step toward completion'; 'completion of a milestone'; 'minimize obstacles'; 'ensure the progress of the project'; 'promotion of sustainable development'	'(...) In spite of the limited construction site and tight schedule, to meet the target as planned, the project office accelerated the construction, conducted professional evaluation on the hoisting plan in collaboration with the subcontractors and participating units, checked the conditions of the working place in advance, allocated human resources reasonably, gave an overall consideration to such factors as onsite climatic environment and hoisting position, etc., organized professional technicians to make analyses, discussions, calculations, and deployments, and worked out a detailed construction plan'. Source: http://en.cmec.com/xwzx/gsxw/202205/t20220506_337165.html
4. Case project's importance for the host country's energy security	Emphasis on the importance of the project for ensuring a stable energy supply in the host country.	'significance to the stability and safety of the power and energy system'; 'critical energy unit'; 'coal mine expansion cruciality for the energy system'; 'mitigate power shortage'	'(...) the completion of the project of KOSTOLAC-B power plants (phase 1 and phase 2) is of great significance to the stability and safety of the Serbian power and energy system and inject new energy into the development of the country, and the Serbian government will make coordinated efforts to help complete the project'. Source: http://en.cmec.com/xwzx/gsxw/202212/t20221229_411596.html

(Continued)

Table 2. Continued.

Theme	Theme definition	Examples of codes under the theme	Example of the theme
5. Promotion of the "One Belt, One Road Initiative" through the case projects	The project contributes to the advancement of the Chinese infrastructure building "One Belt, One Road Initiative" launched by Xi Jinping in 2013.	'make a contribution to the Belt and Road (One Belt, One Road)'; 'make use of the opportunity of the Belt and Road Initiative'; 'advance the One Belt, One Road Initiative'	'(...) she attaches great importance to and fully supports the KOSTOLAC-B power station (Phase II) that CMEC is currently operating and hopes SINOMACH will lead its subsidiaries to make greater contributions to "Belt and Road" projects in Serbia'. Source: http://en.cmec.com/xwzx/gsxw/201912/t20191210_240282.html
6. Human rights protection (general) ¹⁴	Broadly claiming to ensure human rights protection (not exclusively in the case projects) without specific examples of it. ¹¹	'fully respect human rights'; 'participate in global human rights governance'; 'promote the development of human rights'; 'international human rights conventions are abided by to protect the legitimate rights and interests of all employees'; 'actively participate in global human rights governance'; 'promote the development of China's human rights cause'	'CMEC, in the process of its project development and construction, fully respected the <i>human rights</i> (...)'. Source: http://en.cmec.com/xwzx/gsxw/202007/t20200708_250192.html
7. Environmental protection	Emphasis on the consideration of environmental issues.	'pay attention to environmental protection'; 'practice green construction'; 'establish energy saving system'; 'reduce emissions'; 'minimize negative impact on the environment'; 'promote green operations'; 'development of clean energy'; 'environmental technology'; 'renewable resources'; 'low carbon energy supply'; 'climate change mitigation'; 'consider biodiversity'; 'right to a clean environment'; 'climate resilience'; 'green bonds'; 'blue economy'; 'Paris-alignment'; 'waste management'; 'water scarcity'; 'climate adaptation'; 'sustainable fishery'	'In its global operations, CMEC has always been giving special attention to environmental protection during the projects construction and actively practicing green construction. It has established a systematic and informationized energy conservation and emission reduction management system, and introduced new energy resources and materials to minimize the negative impact on the environment'. Source: http://en.cmec.com/shzr/zrxd/
8. Sustainable development	Contribution to the sustainable development in a broad sense of the term.	'sustainable development'; 'promotion of the UN SDGs'; 'a model of sustainable development management'	'CMEC is devoted to promoting the realization of the sustainable development goals (SDGs) of the United Nations'. Source: http://en.cmec.com/shzr/zrql/
9. Localization of operations	Adaptation of the company's operations to the host country's context	'respect local traditions, religious beliefs and customs'; 'deepen localization'; 'Integrate into local communities'; 'hold in high esteem local cultures and customs'	'CMEC continuously implements localized operation, respects local traditions and customs and makes greater efforts to develop overseas organizations to create more job opportunities'. Source: http://en.cmec.com/shzr/zrxd/

(Continued)

Table 2. Continued.

Theme	Theme definition	Examples of codes under the theme	Example of the theme
10. Corporate philanthropy and promotion of public welfare	Engaging in philanthropic activities and promotion of public welfare.	'contribute to public welfare'; 'promote employee volunteer activities'; 'support to those in need'; 'facilitate poverty alleviation'; 'contributing to charity undertakings'; 'engage in emergency relief'; 'deliver supplies'; 'solve the hot issues of people's livelihood'	'With its advantages in project contracting, CMEC actively supports local infrastructure construction such as medical service, housing, power and facilities in an effort to meet the most pressing need of local residents, and continuously improve the local community environment'. Source: http://en.cmecc.com/shzr/zrxd/
11. Commitment to the Leadership of the Communist Party of China	Expressing support for the CPC and President Xi Jinping.	'inherit the CPC's founding spirit'; 'support the Party leadership'; 'Implement Xi Jinping Thought on Socialism with Chinese characteristics for a New Era'	'Carrying forward the fighting spirit of the CPC, we will make new progress in high quality development in the new era with greater awareness, bigger picture, more enthusiasm, improved conduct, more practical measures and better performance. Now we are embarking on a new journey together with the century-old CPC'. Source: http://en.ceec.net.cn/module/download/download.jsp?_ID=2510544&colID=58609
12. Economic, social and cultural rights (including the right to development and subsistence)	Emphasis on the protection of economic, social and cultural rights (including the right to development and subsistence, which are widely promoted by China)	'workplace health and safety'; 'protection of workers and their employment'; 'addressing issues related to workplace conditions'; 'labor protection'; 'health and safety'; 'cultural heritage'; 'right to subsistence'; 'right to development'; 'meet basic living needs'; 'eradicating poverty'; 'increasing employment'; 'improving people's livelihood'; 'employees' occupational health and safety'; 'help workers in needs'; 'economic development is a key prerequisite for human rights protection'; 'support to social, cultural and educational activities'	'The Communist Party of China has found the code for success in promoting the development of the cause of Chinese rights, and regards the right to subsistence and the right to development as the primary basic human rights'. Source: http://ba.china-embassy.gov.cn/chn/sgxx/sghd/202108/t20210810_9046574.htm

representatives from Chinese entities. No Chinese actor contacted for an interview, whether by email or post, accepted the author's requests. The only instance of a positive response to sharing information on the current research topic occurred when the author verbally requested information at a public event.

There can be several explanations for the lack of responses from potential Chinese interviewees. First, preexisting personal connections are believed to play a key role in accessing information both in China and from Chinese actors overseas. These connections are of particular importance when the interviews are to be conducted with Chinese institutional actors concerning "sensitive" topics, such as human rights (Kang 2025, 3). A second explanation can be a generally shrinking room for opportunities for researchers to obtain interviews with Chinese actors engaged in infrastructure projects overseas. Some scholars who conducted empirical studies of the behavior of Chinese stakeholders engaged in infrastructure projects have confirmed that, in recent years, it has been increasingly challenging to approach Chinese companies with interviews on CSR and human rights-related subjects (Tan-Mullins, video call with the author, May 2, 2024). Third, it is believed that public attitudes toward China in host countries can affect interview chances. In fact, since 2020, public opinion about China in Serbia has become significantly polarized. This polarization has been fueled by highly negative attention toward human rights, CSR, and other legal issues associated with certain Chinese projects in the Western Balkans, as previously discussed in this article (Matković 2023). These reasons may explain why this study's interview sample does not include all but one Chinese actor from the case study.

Future research can potentially bridge these limitations by stepping away from reliance on direct interview requests and instead, first, focusing on building a strong connection with prospective interviewees. This approach could be combined with a broadened research scope to initially include less sensitive topics, which would help to access key stakeholders.

Results and discussion

Overview of the projects

Case 1: Kostolac B3 (Serbia)

Kostolac is Serbia's second-largest thermal power plant. It generates about 20% of the country's electricity. Operated by the Electric Power Industry of Serbia (EPS), the B3 unit was funded through a partnership with the China Machinery Engineering Corporation (CMEC). EPS contributed 15% and CMEC secured the rest via a loan from China Export-Import Bank (Zakić 2020). Initially set for completion in 2019, the

project faced delays and was finished only in December 2024 (CEE Bankwatch Network 2024). The project bypassed EU public procurement rules, as Serbia lifted the public tendering for the project, citing agreements with China that exempt joint projects from tender obligations (The Government of the Republic of Serbia 2009). Additionally, the plant has raised environmental concerns due to Serbia's dependence on lignite, with potential violations of EU pollution standards. A survey showed that over two years after the Kostolac B3 project's approval, 80% of nearby households reported chronic or frequent illnesses, with most attributing health issues to the Drmno coal mine and the Kostolac coal plant (Ciuta 2016).

Critics have also pointed to inadequate environmental oversight by Chinese contractors, and legal actions have been taken against excessive emissions. Moreover, Serbia failed to notify Romania and conduct a proper environmental impact assessment for the Kostolac B3 project, despite ratifying the UN Espoo Convention in 2007 (Šarić 2016). In 2014, Serbia admitted to not following the convention's requirements (Ministry of Agriculture and Environmental Protection of the Republic of Serbia 2014). After legal challenges, Serbia was ordered to repeat the EIA and engage Romania in discussions on the project's transboundary impact, which it eventually did (United Nations Economic Commission for Europe 2018).

Case 2: Kolubara B (Serbia)

The Kolubara B power plant project in Serbia was initiated in the 1990s and faced numerous delays and setbacks (The World Bank 1991), including financial instability after the breakup of Yugoslavia and the withdrawal of the European Bank of Reconstruction and Development (EBRD) from the project in 2013 (European Bank for Reconstruction and Development 2013). Although a preliminary deal was signed in 2011, construction, initially planned for 2020, was delayed, and as of 2024, the project is suspended (Ministry of Mining and Energy of the Republic of Serbia 2024). The Kolubara B project, part of Serbia's energy strategy since 2015, was initially planned for construction in 2020 after EPS signed a preliminary agreement with PowerChina for a 350 MW unit (Elektroprivreda Srbije 2020). Among others, EPS and PowerChina agreed on implementing environmental measures in compliance with EU standards. However, concerns about transparency and compliance emerged, and in 2021, the work on the project was suspended. Ultimately, a bid for a solar power plant replaced plans for the Kolubara B coal plant (Todorović 2021).

Case 3: Tuzla 7 (Bosnia and Herzegovina)

The Tuzla Thermal Power Plant is BiH's largest power facility and has been operational since 1963. In November 2017, BiH secured a \$732 million loan from the China Export-Import Bank for the Tuzla 7 unit, with 85% of the project's funding covered by the loan and the remainder financed by a bank consortium including NLB Banka, Intesa Sanpaolo, and Sberbank (Zuvela 2017). The Tuzla 7 project has faced legal and environmental challenges. A law review by Sheppard Mullin found that BiH's state guarantees to the China Export-Import Bank violated EU state aid rules and the 2005 Energy Community Treaty (Sheppard Mullin 2019). Despite this, BiH's Minister of Foreign Trade pushed ahead with the project. Tensions worsened when the equipment supplier withdrew in 2021, and efforts to find an alternative supplier failed (Campbell 2021). In mid-2021, BiH's State Aid Council declared the state guarantees illegal, reaffirming the primacy of European law (Energy Community 2018). The Tuzla 7 project also faced environmental opposition, with local NGO EKOTIM challenging environmental permits due to procedural irregularities. Despite lawsuits, the Cantonal Court in Sarajevo declined EKOTIM's appeals, which led to accusations of denial of justice (Office of the United Nations High Commissioner for Human Rights 2021). The UN Special Procedures on Human Rights and Hazardous Wastes highlighted these concerns and prompted a response from China (The Permanent Mission of the People's Republic of China to the United Nations 2021). In its 2022 Resolution, commenting on the energy, environment, sustainable development, and connectivity in BiH, the European Parliament (2023) called upon BiH's entity governments to improve transparency, involve local communities, scientific experts, and civil society in project planning, enhance environmental assessments, and ensure transparent, efficient use of investments. Originally set to begin construction in March 2020 (Pavlova 2020), the Tuzla 7 has been indefinitely suspended since July 2022 due to various setbacks, including the COVID-19 pandemic. The project's future remains uncertain.

Research findings

Findings from discourse analysis

Table 3 reflects the results of the coding process with thematic frequencies. The charts below summarize the results of coding in a simplified manner. Chart 1 reflects themes (in percentage) related to the case projects, while Chart 2 reflects the themes related to the CSR strategies (also in percentage).

There are some general trends among the narratives of the two groups of Chinese actors, one operating in Serbia and the other in Bosnia and

Table 3. Thematic frequencies.

Theme	CMEC	Gezhouba	China ExIm Bank	PowerChina	Chinese Emb. In BiH	Chinese Emb. in Serbia	Total theme frequency	Percentage
<i>Themes related to the case projects</i>								
Legal compliance within the case project	5	2	5	0	0	1	13	14.44
Mutually beneficial bilateral cooperation on the case project	14	2	3	0	3	6	28	31.11
Smooth implementation of the case project	22	3	0	0	0	1	25	27.77
The case project's importance for the host country's energy security	7	2	3	0	0	1	13	14.44
Promotion of the "One Belt, One Road Initiative" through the case projects	3	2	1	0	1	4	11	12.22
Total							90	100
<i>Themes related to CSR strategy</i>								
Human rights protection (general)	6	16	4	3	1	0	30	17.75
Environmental protection	1	12	8	8	2	0	31	18.34
Sustainable development	2	1	0	1	0	0	4	2.36
Localization of operations	2	12	0	1	0	0	15	8.87
Corporate philanthropy and promotion of public welfare	4	12	7	8	0	0	31	18.34
Commitment to the Leadership of the Communist Party of China	1	13	2	4	2	1	23	13.6
Economic, social and cultural rights	0	14	9	9	0	3	35	20.71
Total							169	100

Chart 1. Themes related to case projects (in %)

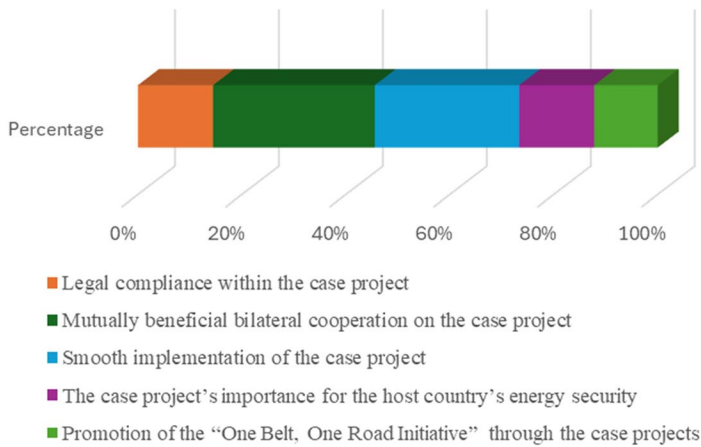


Chart 1. Themes related to case projects (in %).

Chart 2. Themes of CSR strategy (in %)

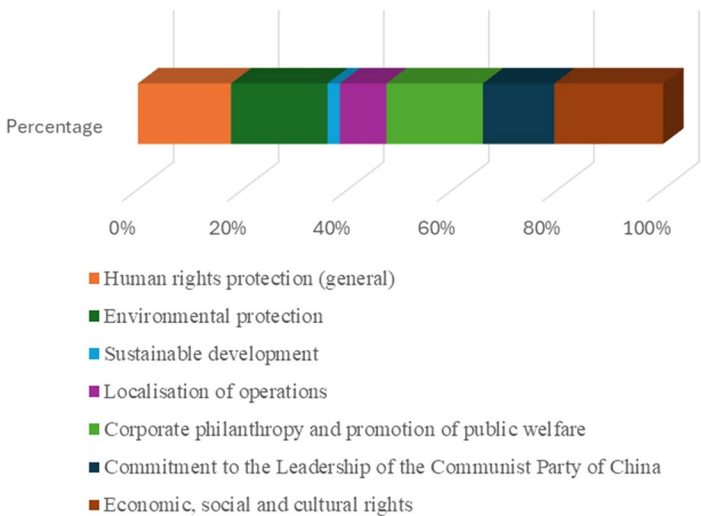


Chart 2. Themes of CSR strategy (in %).

Herzegovina. First, with regard to the case projects, Chinese enterprises and banks mostly lack clearly defined approaches to human rights and CSR, as only minimal information is available on these subjects on their websites and in the official documentation. The discussion rather focuses on the projects' compliance with applicable regulations and their importance to the host countries' energy security (The Export-Import Bank of China 2016). Along with this, Chinese actors frequently emphasize the smooth implementation of the projects (China Machinery Engineering Corporation

2020), their contribution to the economic development of Serbia and BiH (The Embassy of the People's Republic of China in Serbia 2022), as well as the promotion of the 'One Belt, One Road' Initiative (The Embassy of the People's Republic of China in Bosnia and Herzegovina 2019).

Second, within a broader CSR strategy, Chinese actors mostly prioritize economic, social, and cultural rights, which are also actively supported by philanthropic activities (China Energy Engineering Group 2017, 92). Notably, there is a frequent emphasis on the support for the rights to development and subsistence, which aligns with China's grand strategy for human rights and Xi Jinping's legal thought (China Machinery Engineering Corporation 2020, 4).

Third, contrary to the active support for economic, social, and cultural rights, Chinese actors do not demonstrate any substantive support for civil and political rights. Moreover, we find no substantive evidence of alignment with the international BHR frameworks, such as the UNGPs or PRI. For instance, there are no details on whether and how Chinese enterprises and banks conducted human rights due diligence, addressed adverse human rights impacts, and established a grievance redress mechanism to ensure that potential victims of human rights violations obtain effective remedies in the case projects. However, certain actors claim to base their reports on such international standards as the Global Reporting Initiative (GRI) and ISO 26000 (China Energy Engineering Group 2014, 2). Nonetheless, Chinese domestic standards and regulations constitute the main basis for the CSR strategies (China Machinery Engineering Corporation 2020, 13).

Fourth, in contrast, for instance, to the EBRD and the EIB, China Exim Bank and other Chinese entities from the case study do not integrate human rights standards into their lending and project implementation criteria, and do not seek to secure compliance with these principles as a condition for financing and implementing the projects. The EBRD policies oblige the projects financed by the EBRD to meet the requirements of the EBRD human rights policy (European Bank for Reconstruction and Development 2019, part 2.4), and in certain cases, the Bank's clients must set up a "Human Rights Action Plan" (European Bank for Reconstruction and Development 2015, part 3.4.4). In case of policy violations, the Bank can cut, suspend, or terminate its operations in a recipient country (European Bank for Reconstruction and Development 2013, part IV). As an EU entity, the EIB adheres to the EU Global Human Rights Sanctions Regime. This framework allows the EU to impose sanctions on individuals, entities, and organizations accountable for, involved in, or connected to serious human rights violations and abuses globally (European Investment Bank 2023, 3). Furthermore, the EIB Environmental and Social Policy requires its clients to fulfill their human rights responsibilities, aligning

with the UNGPs (European Investment Bank 2023, 6). No similar performance requirements were found in the analyzed documentation of the Chinese actors.

Fifth, although the narratives of the Embassies of China in Serbia and BiH have certain similarities, their approaches to communicating human rights and CSR are generally different. The key similarity is that none of the Embassies extensively cover human rights and CSR issues within infrastructure projects. At the same time, the Embassy of China in BiH is actively promoting China's state human rights vision, which aligns with Xi Jinping's legal thought. Key priorities in the Embassy's human rights discourses are the right to subsistence and the right to development, and the alignment of the path of human rights development with unique national conditions (The Embassy of the People's Republic of China in Bosnia and Herzegovina 2022). The Embassy also advocates China's position against the use of human rights as a pretext to interfere in the internal affairs of other nations (The Embassy of the People's Republic of China in Bosnia and Herzegovina 2021). Although the Embassy provides only minimal commentary on the case project (Tuzla 7) and avoids direct discussions on human rights in Chinese infrastructure projects, it encourages Chinese companies in BiH to follow local laws (The Embassy of the People's Republic of China in Bosnia and Herzegovina 2015).

The discourses of the Embassy of China in Serbia place very little focus on human rights and CSR. Instead, they promote the support of Serbian authorities for China's global initiatives, particularly the "One Belt, One Road," emphasize the economic benefits of the China-Serbia cooperation, but share only limited information on the Chinese-led case projects (The Embassy of the People's Republic of China in Serbia 2019).

Findings from the interviews

Chinese-led infrastructure projects in Serbia and BiH face significant challenges regarding human rights protection, regulatory adherence, and environmental standards. Although not all interviewees were fully aware of how Chinese actors navigate law and human rights in infrastructure projects (Interviewee 10), some interviewees revealed that Chinese counterparts in Serbia often impose strict project conditions, which leave little room for negotiation on human rights issues (Interviewee 1). Along with this, the Serbian government frequently overlooks these concerns, especially for projects deemed strategically important (Interviewee 1).

This has exacerbated legal and regulatory shortcomings at the Kostolac B3 and Tuzla 7 projects, when local governments in Serbia and BiH failed to enforce proper procedures, sometimes even altering legal frameworks to accommodate Chinese investments (Interviewees 4, 6, 11). Corruption

further exacerbates these issues, with local authorities in BiH reportedly enabling unethical practices (Interviewee 12). In Serbia, limited institutional capacity and politically motivated appointments undermine the enforcement of environmental and human rights standards (Interviewee 5). Additionally, discrepancies between EU and Chinese project financing requirements create procedural challenges. According to two interviewees, the EU-backed projects mandate transparent public procurement, while Chinese-financed projects often bypass such obligations (Interviewees 15, 16). Overall, weak enforcement of EU standards at infrastructure projects is believed to be a critical issue (Interviewees 2 & 3).

Despite these challenges, some interviewees noted certain improvements in legal compliance. While Chinese companies are gradually improving transparency and adapting to EU legal standards, progress remains slow (Interviewee 1). A proposed solution to enhance human rights protection is the EU financing of coal projects. However, the EU has not funded coal projects for already more than ten years, so this option is not highly feasible (Interviewee 1). Other interviewees have suggested that, at least for Serbia, the forthcoming National Action Plan on Business and Human Rights (NAP BHR) may help address some CSR and human rights issues at infrastructure projects, including by fostering communication among various stakeholders (Interviewees 2 & 3). However, as of February 2025, no NAP BHR has been adopted yet (Global NAPs 2025).

At the same time, some interviewees identified opportunities for collaboration between European and Chinese entities in the Western Balkans. The EBRD and EIB have expressed openness to working with Chinese counterparts on renewable energy and decarbonization initiatives, provided EU standards are upheld (Interviewees 7, 16). One Chinese interviewee also indicated China's readiness to work on joint decarbonization projects with the EU in the Western Balkans, without, however, specifying which legal standards are to be followed in this case (Interviewee 13).

Chinese investors in EU-funded projects are believed to generally comply with local and EU regulations but encounter limited oversight in other ventures (Interviewee 8). Some interviewees argue that the importance of EU accession for the Western Balkan countries can foster adherence to EU standards. This shift may also encourage investors to align their practices with EU requirements, reducing regulatory gaps and enhancing governance in infrastructure projects across the region (Interviewee 14).

Discussion of findings

The findings of discourse analysis show that Chinese entities from the case study largely mirror traditional China's stance on human rights. First, Chinese entities heavily emphasize economic, social and cultural rights while paying

only minor attention to the civil and political rights (Ruggie 2007). Here, a special place is held by the rights to subsistence and development, which China has traditionally considered a precondition for the promotion of other rights (Information Office of the State Council of the People's Republic of China 1991). Second, for Chinese entities, localization of operations is the key priority of their CSR strategy. This also resonates with China's understanding of human rights, which are "historically developed concepts linked to a country's specific social, political, and economic conditions, so different historical stages and cultural backgrounds lead to varying understandings and practices of human rights" (Liu 1993, reprinted in Svensson 2002, 83–84). Third, the discourse analysis showed a frequent (13.6%) emphasis on the commitment to the leadership of the Communist Party of China, as part of the CSR vision. This implies that China's CSR model is embedded within the party-state apparatus. As Harper Ho puts it, "[i]n a state-centric CSR model, national and subnational government actors are not only regulators—they are also firms' most important stakeholders and hold the key to essential business relationships" (Harper Ho 2013, 424). This state-centric model underscores the centrality of the Party in all aspects of governance, including corporate responsibility, which reflects China's approach where political objectives and economic activities are closely intertwined. Thus, current research also broadly supports the conclusions of Wang (2022) that in China, "corporate social responsibility' is essentially 'corporate political responsibility'" (Wang 2022, 2). Fourth, the findings essentially confirm the research of Marquis and Qian (2014), who noted the low quality and inconsistency of Chinese CSR reports. However, they also go further by identifying a dual approach to CSR reporting, where detailed information is often available only in Chinese. This suggests an intentional focus on a domestic audience over international stakeholders, which can, however, hinder a meaningful engagement with local stakeholders in the countries hosting Chinese projects. The lack of publicly available project-specific documents and human rights clauses also indicates a deliberate lack of transparency that goes beyond the quality of the CSR report itself. Finally, the research findings reveal only a limited alignment between the human rights and CSR approaches of the Chinese actors studied and international BHR standards. Specifically, there are neither frequent direct references to these standards nor substantive evidence of efforts to adhere to them. This discrepancy can be attributed to the differing priorities between CSR and human rights protection in China and the expectations of international BHR standards, such as the UNGPs. The UNGPs, for instance, emphasize equal treatment of all categories of rights and require enterprises to undertake human rights due diligence. This involves establishing mechanisms to identify, prevent, mitigate, and address adverse impacts, as well as ensuring access to effective remedies

for victims of human rights abuses (United Nations Human Rights Council 2011). This reveals a fundamental difference from European entities like the EIB and EBRD, which treat CSR as a binding legal obligation, whereas Chinese firms view it as a tool for economic development and philanthropy.

In the light of this, one avenue of future research could be to conduct a comparative CSR analysis of Chinese firms across different global regions to determine if the trends observed in the Western Balkans are part of a broader strategy. Additionally, the author suggests the need for qualitative studies that directly engage with communities and civil society organizations in countries with Chinese projects to examine the real-world impact of CSR strategies. Finally, future research at the intersection of management and law could utilize institutional theory to examine how Chinese firms respond to legal and regulatory requirements in Serbia and BiH and whether exposure of Chinese entities to international CSR and BHR norms leads them to a greater adoption of these standards.

Contradictions

The findings gathered through discourse analysis and semi-structured interviews have a major contradiction. In the discourses of Chinese actors, the themes “Legal compliance within the case project,” “Mutually beneficial bilateral cooperation on the case project” and “Smooth implementation of the case project” account for approximately 73 per cent of total discourses on the case projects. The author found no discussions of the shortcomings related to the case projects. On the contrary, multiple interviews highlighted the presence of serious legal, regulatory, and institutional issues which undermined the effectiveness of human rights protection (Interviewees 4, 5, 6, 11, and 12). These concerns are also widely reflected in secondary data shared in the projects’ overviews.

There can be several possible interpretations of this discrepancy. First, by covering only the positive side of the projects, Chinese actors may be attempting to embellish the actual situation. Additionally, the acute lack of publicly available information regarding CSR strategy and the mechanisms of human rights protection within the case projects may suggest their absence as such. Alternatively, it may also signify a disclosure gap. The lack of a legal obligation under Chinese law for international constructors and banks to disclose non-financial information, including human rights-related data, combined with the sensitivity of human rights issues in China, may lead the Chinese actors in the case study to avoid project-based human rights disclosures. Moreover, as some studies show, there exist general issues with the quality of non-financial reports among Chinese companies (Marquis and Qian 2014, 130).

The role of host countries

Some interview findings indicate that institutional environments and political dynamics in Serbia and BiH may have a direct impact on CSR implementation and human rights protection within the case projects. In this regard, the state-of-the-art demonstrates that the low awareness of the BHR field, weak state institutions, insufficient checks and balances, and a lack of policy coherence constitute the key challenges to the effective development and enforcement of BHR regulatory frameworks in the Western Balkans (Faracik, Letnar Černič, and Uvarova 2024, 5). First, there is a relatively low level of awareness about BHR in the Western Balkans, which is coupled with limited relevant expertise on BHR issues. This applies to the state sector, the general public, and civil society organizations (CSOs). In fact, on the state side, there are only limited instances of engagement with businesses and collaboration through multi-stakeholder initiatives on the BHR agenda (Faracik, Letnar Černič, and Uvarova 2024, 8). Second, although state-owned enterprises (SOEs) play a particularly important role in the economies of both BiH and Serbia, there is a lack of state-, sector-, and company-level BHR policies, mechanisms, and regulations directed at SOEs.¹² Thus, SOEs face limited accountability and transparency. The European Commission's (EC) reports highlight the challenges and recommendations for improving the governance and performance of SOEs in Serbia and BiH (European Commission 2020a, 2020b). Third, the economies of many Western Balkan countries face challenges due to the domination of oligarchic systems, which limit transparency and competition while fostering corruption. A United Nations Development Program (UNDP) report highlights that oligarchic economic structures greatly diminish the impact of investors who could support the adoption of BHR standards (UNDP 2023, 3). In this challenging situation, many Western Balkan countries compete to attract investment and trade by adopting lenient laws on social, environmental, and labor issues while leaving human rights out of bilateral investment agreements with foreign partners (Dangova Hug 2024, 24; Letnar Černič 2023, 559). The findings of both interviews and discourse analysis largely support this: the projects' contribution to Serbian and Bosnian energy security and economic development was among the most frequent discourses of Chinese actors from the case study (14.44%), while multiple interviewees believe that Serbian and local governments have overlooked concerns and adjusted legal frameworks to favor strategic projects and Chinese investments (Interviewees 1, 4, 6 and 11).

Implications

The article outlines the implications for several target audiences. As regards Chinese contractors and financiers, the establishment of comprehensive

corporate policies that address human rights risks and align with international BHR standards would minimize the risk of disapproval from Chinese authorities and enhance China's reputation as a sustainable investor in the Western Balkans. Since most Chinese actors from the case study are SOEs, the OECD Guidelines on Corporate Governance of SOEs could serve as the key benchmark. These guidelines largely mirror the UNGPs and encourage enterprises to emphasize high disclosure standards, align sustainability reporting with international standards, and conduct risk-based human rights due diligence. They also urge SOEs to address social and environmental risks in supply chains, provide transparent redress mechanisms for victims, and engage openly with stakeholders. Importantly, Chinese authorities had previously shown some degree of endorsement of the OECD corporate framework. Since 2004, the OECD and China have held a Policy Dialogue on Corporate Governance, and the State-Owned Assets Supervision and Administration Commission of the Chinese State Council implemented corporatization reforms for large central government SOEs, considering the OECD Guidelines for SOEs. As for Serbian and Bosnian and Herzegovinian authorities, the development of efficient domestic regulatory frameworks on BHR, such as a NAP BHR,¹³ that is in line with the best international practices and standards, can strengthen human rights protection on the ground and also help advance the countries' progress toward EU membership. Finally, notwithstanding the current turbulence in EU-China relations, an expertise sharing and direct collaboration with Chinese counterparts on BHR issues can help address the EU's concerns about the sustainability within Chinese projects in the Western Balkans. In this regard, there is evidence of successful previous EU-China collaboration on BHR, including the OECD program, which promoted responsible business practices and CSR in China's supply chains (Organisation for Economic Co-operation and Development 2018). Thus, previous bilateral EU-China cooperation programs could provide insights into future joint efforts to address human rights and CSR issues. Collaborating with China on BHR-related matters also aligns with the EU's Enlargement Policy. In fact, both Serbia and BiH are required to protect and promote human rights as part of the Stabilization and Association Agreements with the EU and should get prepared to adopt the EU corporate sustainability framework as a part of their EU accession. Thus, establishing robust human rights mechanisms within Chinese industrial and infrastructure projects in Serbia and BiH could assist both Balkan countries in advancing their progress toward EU membership.

Conclusions

Chinese-led infrastructure projects in Serbia and BiH face significant challenges regarding human rights protection. This is not a unique

phenomenon, as many other infrastructure and industrial projects funded and constructed by China globally have faced similar issues. The results of this case study, a regional perspective on CSR and BHR theories in Europe's semi-periphery, confirm many of the findings of previous research on human rights and CSR in Chinese infrastructure and industrial projects, but also bring a fresh perspective on the interplay between China and the EU on BHR issues in the EU accession countries. This study has contributed to understanding China's approaches to human rights and CSR in the interactions with the political and regulatory environments of the countries hosting Chinese infrastructure and industrial projects. These environments are considered among the crucial determinants of CSR, human rights, and, more broadly, the legal performance of Chinese entities involved in the projects. In fact, the research has shown that many of the issues that arose within the case projects could be attributed to weak regulatory and governance capacities in the host countries. These were also coupled with the exceptionally high importance of Chinese projects for the energy security of Serbia and BiH, and the dependence of the two host countries on China for the project funding and construction. This inherent imbalance is believed to have led to the lack of oversight of human rights and CSR matters within the projects. In the situation where the EU, the biggest investor in the Western Balkans, has abandoned sponsoring and constructing coal projects for more than ten years, and could not propose a quick and feasible solution to bridge the energy supply in Serbia and BiH, the two Balkan countries had very limited alternatives to accepting the deals with China. In other words, there was neither sufficient incentive nor external leverage on the local authorities and Chinese entities to ensure the adequate protection of human rights and the implementation of robust CSR mechanisms within the infrastructure projects. By developing comprehensive, project-specific CSR policies, Chinese entities engaged in energy projects in the Western Balkans can address these gaps. Such policies would help prevent and mitigate human rights risks, effectively manage stakeholder grievances, and expand their focus to encompass the environmental, social, and political rights of the impacted communities. At the same time, the support of both the EU and local authorities in Serbia and BiH would help Chinese entities in achieving these goals.

Notes

1. To the author's best knowledge, in the Western Balkans, research on CSR, primarily from a managerial perspective, is more prevalent than studies on BHR, which take a more legal approach. Specifically, there is a scarcity of studies addressing the legal accountability of businesses for human rights violations and the implementation of international BHR frameworks in the region. This gap is particularly pronounced in BiH.

2. BHR and CSR have several fundamental differences. According to Wettstein (2012), CSR is rooted in management and business scholarship and has become synonymous with voluntary, business-led initiatives aimed at promoting responsible practices. In contrast, BHR stems from legal scholarship and is focused on binding regulations. Wettstein further explains that human rights have not yet played a significant role in the broader conceptualization of CSR, with few attempts made to fully integrate human rights into its core, exemplified by the “human rights minimalism” seen in business and human rights debates.
3. The negotiations chapter, which is the most focused on the BHR agenda, is Chapter 20: Enterprise and Industrial Policy. But the BHR agenda has close links to other chapters (Taxation; Public procurement; Social policy and employment etc.).
4. The literature on China’s approaches to CSR and BHR often conflates the two concepts, with “CSR” being more commonly referenced than “BHR”.
5. For example, in the same 2015, the China Chamber of Commerce of Metals Minerals and Chemicals Importers and Exporters published the Guidelines for Social Responsibility in Outbound Mining Investments.
6. This research does not focus on a specific category of human rights, as defined by a particular convention or treaty. Instead, it adopts a bottom-up approach, aiming to construct an understanding of how different actors perceive and apply the concept of human rights in practice within CSR.
7. For sources in English and Chinese, the author relied on his own language competencies, while for sources in Serbian and Bosnian, machine translation was used to assist analysis.
8. In 2013, China launched its Belt and Road Initiative. This marked the increase in China’s infrastructure presence in the Western Balkans. The communication surrounding case projects was analyzed up to 2023, by which time the case projects were either nearing completion or had reached a point of stagnation, leaving their future uncertain.
9. The items related to CSR and/or human rights were mostly corporate annual, ESG, sustainability and CSR reports.
10. One data source could be simultaneously assigned multiple codes, based on the content of the source. Sources from the same website in different languages, which contained identical text without adding new information, were excluded from the coding process.
11. Electric utility companies, such as Elektroprivreda Srbije (EPS) in Serbia and Elektroprivreda Bosne i Hercegovine (EPBiH) in Bosnia and Herzegovina, manage the work of the energy facilities, including coal plants, in the two countries.
12. This is particularly relevant to the current study since several Serbian and BiH actors from the case study (electric power industries—EPBiH and EPS) are SOEs.
13. As of February 2025, only two EU candidate countries have a valid NAP BHR—Ukraine and Georgia.
14. This theme is broad and includes codes in sources where the references to human rights are broad, vague and lack substantial details. The sources under this theme also do not refer to specific BHR standards or specific categories of rights.

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No potential conflict of interest was reported by the author(s).

Ethical approval

On 31/10/2022, the author was granted an exemption from the obtention of ethics approval for the interviews from a representative of the institutional ethics committee of the Department of Law at the University of Luxembourg.

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Data availability statement

The data that support the findings of this study are available on request from the corresponding author, S.G. The data are not publicly available due to the presence of information that could compromise the privacy of research participants.

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