



## **Report on the Twelfth Annual Meeting of the International Corporate Accountability Roundtable**

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*George Washington University  
Elliott School of International Affairs  
Washington, D.C.*

*Hybrid Convening*

**May 8–9, 2024**

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## Foreword

Our aim for the 2024 ICAR Annual Meeting was to return to our roots. Like everything during the pandemic, our Annual Meeting first went virtual, and then became hybrid, with participation finally possible for both in-person and virtual attendees. The adoption and normalization of technologies that allowed for universal virtual participation was the silver lining of COVID. Our Annual Meeting (and so many other events) immediately became accessible to participants regardless of travel budget or the ability to obtain a visa. But a downside was that our meeting became structured in a way that made sense for the virtual environment: it was primarily panels, with information flowing in one direction from a relatively small group of presenters to the broader ICAR membership audience. This format might make sense for other conferences, but the ICAR Annual Meeting is attended by over a hundred issue area experts and practitioners who all have immensely valuable contributions. The all-panel format made sense as a fill-in for what was possible in a pandemic lockdown virtual space, but it stopped making sense when we were primarily back in person.

The challenge was exactly how to design the Meeting. We were committed to maintaining a virtual option to make the ICAR Annual Meeting as accessible as possible. But we also knew that with so many experts in the room, we needed to build a meeting that fostered open and frank discussion about the work we have all committed ourselves to carrying forward. After many internal and external discussions (and several crumpled draft agendas tossed across the room into the recycling bin), we settled on a series of thematic “blocks.” Each block was half a day, and started with a plenary panel to hear from experts and set the stage of the theme. ICAR staff moderated these conversations, with the goal of surfacing major issues and key developments on the topics around which the block was focused. We then separated into three breakout discussions, which aimed to dive more deeply into topics within the theme of the block. These conversations were facilitated by ICAR community members with subject-matter expertise, and were conceived of as spaces where challenges and solutions could be raised and examined. We were not aiming to solve any problems in the course of each hour-long breakout, but the hope was that these conversations would spark new ideas, lay the foundation for future collaborations and discussions, and build bridges among people working in related but possibly siloed aspects of the corporate accountability agenda.

The result was a meeting that was much more conversational, much more focused on building connections, and much more driven by the special alchemy that happens in the back-and-forth discussions between experts who care about an issue and solving a problem. There continue to be many ways we aim to improve the ICAR Annual Meeting—including the intentional inclusion of members from global majority countries and regions—but this meeting felt like a big step in the right direction.

The ICAR Annual Meeting is conducted under Chatham House rules. The following report is a top-line summary of the key takeaways from each session of the meeting. Its purpose is twofold. For those who attended the meeting, this report should serve as a reference to look back on, to refresh memories about what was discussed when, and to ground our collective understanding about what we covered. For those who were unable to attend, or who want to gain a sense of what happened in the other breakout sessions, this report should help fill in any gaps. Either way, we hope that this summary helps ensure that the entire ICAR community has a clear view of what happened at the 2024 ICAR Annual Meeting, and that it will contribute to our effort to engage in the difficult and urgent challenge of how we hold corporations accountable for their human rights and environmental abuses and build a rights-based economy.

In solidarity,

David McKean  
Executive Director

# Annual Meeting Agenda Overview

**Day 1: May 8, 2024**

**9:00 AM Welcome and Opening Remarks**

- David McKean, ICAR

## **BLOCK 1: ENACTING LEGAL SAFEGUARDS**

**9:30 AM Panel: Exploring Best Practices in mHREDD Legislation**

- Moderator: Noor Hamadeh, ICAR
- Panelist: Caroline Brodeur, Oxfam America
- Panelist: Karen Hamilton, Above Ground
- Panelist: Elena Arengo, Project on Organizing, Development, Education and Research (PODER)
- Panelist: Kana Kawasaki, Human Rights Now

**11:00 AM Breakout Sessions**

**Human Rights Enforcement Mechanisms: U.S. Framework for Addressing Labor Abuses in Supply Chains**

- Martina Vandenberg, Human Trafficking Legal Center
- Karen Stauss, Transparentum

**Strategic Corporate Accountability Litigation: Assessing the Impacts on Companies, Communities, Governments, and Consumers**

- Charity Ryerson, Corporate Accountability Lab
- Marta Bylica, Freedom Fund

**Rethinking Social Auditing and Certification Schemes**

- Anna Canning, Worker-driven Social Responsibility Network

**LUNCH SESSION: 1:00 PM Fireside Chat with Under Secretary Robert Silvers**

## **BLOCK 2: FIGHTING CORPORATE POWER**

**2:00 PM Panel: Confronting Corporate Power: A Prerequisite for Progress**

- Moderator: Nicole Vander Meulen, ICAR
- Panelist: Renee Hatcher, University of Illinois Chicago Law School
- Panelist: Wesam Ahmad, Al-Haq
- Panelist: Charlie Cray, Greenpeace
- Panelist: Irit Tamir, Oxfam America

**3:20 PM Breakout Sessions**

**Moving Beyond Business-as-Usual: Challenging the Dominant Corporate Model**

- Facilitator: Renee Hatcher, University of Illinois Chicago Law School
- Facilitator: Tyler Giannini, Harvard Law School

**Rigging the Rules of the Game: Exposing and Addressing Corporate Capture**

- Facilitator: Charlie Cray, Greenpeace

**Curbing Corporate Accumulation of Wealth and Power: Addressing Monopolies and Advancing Tax Justice**

- Zorka Milin, FACT Coalition
- Vincent Kiezebrink, SOMO
- Michelle Meagher, SOMO

**5:00 PM Launch of the Fourth Pillar: Community Principles for Business and Human Rights**

- Tyler Giannini, Harvard Law School
- Emily Ray, Harvard Law School
- Jessie Hsia, Harvard Law School
- Yumiko Inaoka, Harvard Law School

# Annual Meeting Agenda Overview

## Day 2: May 9, 2024

### 9:00 AM Welcome and Opening Remarks

- David McKean, ICAR

### BLOCK 3: REFUSING TO BE SILENCED

#### 9:30 AM Panel: Refusing to be Silenced

- Moderator: Audrey Caines, ICAR
- Panelist: Susana Echavarría, El Veinte
- Panelist: Deepa Padmanabha, Greenpeace USA
- Panelist: Matt Scott, Atlanta Community Press Collective
- Panelist: Russell Chisholm, POWHR

#### 11:00 AM Breakout Sessions

##### **SLAPPs: Legal, Policy, & Movement Based Approaches to Risk-Mitigation & Fighting Back**

- Facilitator: Zamira Djabarova, ABA Center for Human Rights

##### **Protest Restrictions: Legislative Trends & Their Impacts**

- Facilitator: Elly Page, International Center for Not-for-profit Law (ICNL)

##### **Anti-SLAPP Tools & Strategies: Assessing Effectiveness & Developing New Approaches**

- Facilitator: Charis Kamphuis, Environmental Law Alliance Worldwide (ELAW)

### LUNCH SESSION: 12:55 PM Introducing The Counter: Pro-Bono Corporate Research for Civil Society

- Speaker: Vincent Kiezebrink, SOMO

### 1:30 PM GWYNNE SKINNER AWARD CEREMONY

- **Winner: Centre d'Aide Juridico-Judiciaire (CAJJ)**

### BLOCK 4: BUILDING A CORPORATE ACCOUNTABILITY MOVEMENT

#### 2:00 PM Panel: Building a Corporate Accountability Movement

- Moderator: Jackie Lewis, ICAR
- Panelist: Ayesha Barenblat, Remake
- Panelist: Allison Gill, Global Labor Justice (GLJ)
- Panelist: Ben Vanpeperstrate, European Center for Constitutional and Human Rights (ECCHR)

#### 3:20 PM Breakout Sessions

##### **Implementing our Legislative Agenda**

- Facilitator: David McKean, ICAR

##### **Taking Stock: Communications Strategies within the Corporate Accountability Movement**

- Facilitator: Emily Porro, Bliss Group
- Facilitator: Natalie Shutts, Bliss Group

##### **Coalition Building and Inclusive Rightsholder Engagement**

- Facilitator: Mariana Montoya, ALLIED Coalition

### 5:00 PM Closing Remarks

- David McKean, ICAR

**ICAR'S GWYNNE SKINNER  
HUMAN RIGHTS AWARD**

**Centre d'Aide Juridico-Judiciaire (CAJJ)**

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ICAR and the Gwynne Skinner Human Rights Award Selection Committee are pleased to congratulate this year's recipient of ICAR's Gwynne Skinner Human Rights Award, **Centre d'Aide Juridico-Judiciaire (CAJJ)**, based in the Democratic Republic of the Congo.

**This award is given in recognition of CAJJ's precedent-setting litigation to defend labor rights in industrial cobalt mines in the Democratic Republic of the Congo. Founded in 2007, CAJJ provides free or reduced-cost legal support, representation, and capacity building to local communities affected by natural resource exploitation, and is one of the few NGOs based in Kolwezi, where cobalt mining is concentrated.**

*To read more about CAJJ, please visit  
<http://www.cajj-rdc.org/public/home>.*

**ICAR's Gwynne Skinner Human Rights Award recognizes the work of an individual or organization that has made a significant contribution to corporate accountability that year. Gwynne Skinner was a multifaceted leader who worked both as an agent of change, and with agents of change.**

*To read more about ICAR's Gwynne Skinner Human Rights Award, please visit <https://icar.ngo/about/gwynne-skinner-award/>.*

## BLOCK 1: ENACTING LEGAL SAFEGUARDS

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### Panel: Exploring Best Practices in mHREDD Legislation

**Summary:** On April 24, 2024 the European Parliament voted to adopt the Corporate Sustainability Due Diligence Directive (CSDDD), and around the globe, mandatory human rights and environmental due diligence (mHREDD) legislation continues to be debated and proposed in a variety of jurisdictions. CSOs around the world are pulling from the successes and challenges faced during the CSDDD process in order to inform efforts to implement similar legislation in their own jurisdictions. For example, inclusion of the financial sector and the incorporation of environmental harms has been a point of discussion in different jurisdictions throughout East Asia. As mandatory measures become increasingly identified as necessary to corporate accountability, mHREDD serves as a key piece of the puzzle with significant potential. However, to be effective, these laws must be ambitious, progressive, and robustly implemented.

In this session, panelists noted that based on discussions from a variety of NGOs around the globe, there seems to be a relative consensus on eight elements that, where present, would constitute a strong mHREDD law. These include: 1) a corporate duty to prevent human rights and environmental harms; 2) a corporate duty to undertake effective human rights and environmental due diligence; 3) meaningful, ongoing engagement with rights-holders; 4) effective remedy; 5) effective oversight and enforcement; 6) coverage of companies of all sizes and application throughout the value chain; 7) support for compliance by small and medium-sized enterprises (SMEs); and 8) specific protections for human rights and environmental defenders. In implementing human rights and environmental due diligence, corporations must recognize the interrelatedness between human rights and environmental impacts, noting that, while some human rights impacts can be addressed in the short-term, environmental impacts are often felt in the long term, sometimes years after exposure to harm.

The session also identified a number of challenges to implementing effective mHREDD. For example, in the Mexican context, there is often a failure of the government to investigate and bring to justice cases of human rights violations. Moreover, the current government is pushing for megaprojects and large infrastructure projects that have documented long-term impacts on local communities. Corporate state capture and the persecution of human rights and environmental defenders also poses significant barriers. Moving forward, it will be important for civil society to continue to build consensus on the essential elements of mHREDD and unify our messaging while ensuring the participation of affected communities in determining what those best practices are. Participants also highlighted the need to anticipate how companies may attempt to evade their obligations under mHREDD. As this movement continues to expand globally, we must continue to collaborate with each other, exchange insights, and bring in other movements like climate and labor to collectively ensure effective accountability for abuses of people and the planet.

## BLOCK 1: ENACTING LEGAL SAFEGUARDS | BREAKOUT SESSIONS

**Human Rights Enforcement Mechanisms: U.S. Framework for Addressing Labor Abuses in Supply Chains.** This session identified existing enforcement mechanisms, from Section 307 of the Tariff Act to criminal prosecution and government procurement, and discussed how these tools could be utilized more effectively to combat labor abuses in supply chains. For example, participants suggested that the U.S. government could enforce worker-driven social responsibility (WSR) remediation. Additionally, attendees called for the need to put mechanisms in place that improve transparency as well as strengthen the US Government's ability to share information to streamline enforcement. The discussion also identified synergies and potential steps forward, including using information from WROs and Findings as evidence in civil litigation and providing training for civil society to better understand what it takes for prosecutions to move forward.

**Strategic Corporate Accountability Litigation: Assessing the Impacts on Companies, Communities, Governments, and Consumers.** This session discussed ways to maximize the positive impacts of strategic litigation while minimizing its negative impacts, first mapping out the tools available and then identifying their limitations. Although a robust set of tools exist, they each have their own limitations or are otherwise underutilized. Participants discussed that although the Alien Tort Statute has been narrowed over time, the *Cisco* and *Al-Shimari* decisions indicate it still has potential. Additionally, when it comes to consumer protection litigation, we could reframe who consumers are, for instance, arguing that students are consumers of universities. This session also discussed the unintended consequences of litigation, such as potentially reducing companies' willingness to disclose supply chain information. Overall, though legal avenues for accountability appear to be closing in some ways, the group identified a wide range of underutilized tools that creative lawyers could tap into. For further reading on this topic, read Freedom Fund's Report on The Impacts of Strategic Human Rights Litigation on Corporate Behavior [here](#).

**Rethinking Social Auditing and Certification Schemes.** This session provided an overview of the state of social auditing and certification, identifying the widespread consensus that these systems are not working. One of the issues in auditing systems is that they are not designed for accountability, and there should be mechanisms to hold auditors accountable for when the process fails. Participants also discussed a lack of transparency in auditing, particularly, that civil society and workers often do not know what questions are being investigated, or what the ultimate findings were. Members questioned how much resources to further put into these schemes. There was a recognition that certification schemes came to be, in part, because of global governance gaps, so solutions that we put forward should address that problem. Social auditing systems tend to reinforce the problem of who has money and power, which sit at the root of corporate accountability.

### **LOOKING FORWARD: QUESTIONS & NEXT STEPS**

- Build consensus on the essential elements of mHREDD & unify our messaging, ensuring participation of affected communities in determining best practices
- Bring in other movements to the corporate accountability community to collectively leverage our strength toward our advocacy goals
- Explore U.S. government enforcement of WSR remediation
- Explore the creation of additional transparency mechanisms and increased information sharing across government agencies to streamline enforcement
- Explore creative framings of "consumers" for consumer protection suits

## BLOCK 2: FIGHTING CORPORATE POWER

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### **Panel: Confronting Corporate Power: A Prerequisite for Progress**

**Summary:** Over the course of the last half-century, corporations have cultivated an economic system that has allowed them to accumulate excessive power in American society and across the globe. This corporate consolidation of power impacts nearly every area of policy and touches even the most routine aspects of our lives. Whether we work on climate change, access to justice, healthcare, or conflict, corporations are able to use their power to distort policymaking in a way that perpetuates their power and protects their own interests.

This session first discussed the variety of strategies that corporate actors use to build power and how it impacts workers, communities, and the planet. The panel highlighted that we didn't get here by accident, but by a decades-long strategic approach from corporations. We have seen a decrease in unionization, the deregulation of corporate activities, the use of SLAPP suits, and an increasing emphasis on shareholder primacy. The panel also discussed how campaign finance and judicial capture have led to creeping corporate power, referencing the Lewis Powell memo, which argued to the U.S. Chamber of Commerce that companies should build their power, get political, and put themselves forward as unassailable good actors in a benevolent economic system .

As a result, businesses are able to amass more and more power and impact every aspect of our lives—including wages, prices, and contract terms. The session also highlighted the importance of making the connection between the role that corporations have played in systems of colonialism, often as the commercial arms of conquest, and how that plays out today. In the Palestinian context, for example, corporate influence from the oil industry has played a significant role in the region, shaping the contemporary borders. Corporate power in academic institutions has also contributed to the undermining of the rights of students, particularly of their right to protest. Additionally, the panel discussed how companies can quite literally shape the trajectory of entire communities. The session highlighted, for example, how the United States Steel Corporation has impacted the residents of Gary, Indiana across the decades by creating unsafe working conditions, thwarting multiracial worker organizing, halting the creation of infrastructure, and contributing to disproportionate rates of asthma in the area.

At the end of the session, the panel discussed how we as a corporate accountability community can confront corporate power. This section emphasized the importance of a multi-pronged approach that includes the strategic deployment of name and shame campaigns, litigation, shareholder advocacy, international law, and the exertion of pressure both internally and externally on corporate actors. Beyond these methods, the panel also emphasized the importance of building a fair, just, and sustainable economic system that allows people to build power for themselves. To move this work forward, it will be important to create spaces for us to convene and strategize to leverage our collective strength to fight corporate power.



## **BLOCK 2: FIGHTING CORPORATE POWER | BREAKOUT SESSIONS**

**Moving Beyond Business-as-Usual: Challenging the Dominant Corporate Model.** This session discussed ways to reimagine the dominant corporate model. One method of tackling the corporate form is to identify what principles we value, such as democratization of decision-making, and use the corporate form as a tool to achieve that. Participants also discussed the practical tools necessary to implement alternative corporate forms, emphasizing the interplay between solidarity work and corporate accountability. For example, lawyers may be able to utilize transactional law to push companies to make structural changes at the moment of settlement. Participants also noted that this is still a space that needs to be unpacked further, for example, examining how to define economic harm, and what role limited liability companies may play, if any. The session also recognized that changing the dominant corporate model on its own will be insufficient to address all industries or harms, and that this is a new and uncomfortable space for the corporate accountability community that requires the use of novel and complex tools that our community will need to spend time to explore and develop.

**Rigging the Rules of the Game: Exposing and Addressing Corporate Capture.** This session focused on identifying and developing strategies for combating corporate capture. The session noted that at the local level, combating corporate capture is especially key to fighting racial injustice. At the state level, the American Legislative Exchange Council (ALEC) is able to draft bills and feed a corporate agenda directly to legislators and hold closed-door meetings. However, campaigns aimed at exposing ALEC's tactics have successfully weakened it, highlighting the importance of breaking down the institutions like ALEC that are designed to create and uphold capture. Participants also emphasized the need to build local power and work in collaboration with local communities, NGOs, and sympathetic lawmakers. There was also a discussion of how it is important to tell the stories of corporate capture in a more relatable way, and not simply as dry policy issues. People also discussed the role of campaign contributions, noting that although the campaign contributions will get you in the door, it is lobbying that will more often move the needle on the policymaker's vote. This underscored the need for the corporate accountability community to also show up on the hill ourselves in order to more effectively push our priorities forward.

**Curbing Corporate Accumulation of Wealth and Power: Addressing Monopolies and Advancing Tax Justice.** This breakout session was aimed towards developing strategies for addressing corporate monopolies and advancing tax justice as methods of corporate accumulation of wealth. The session first noted how, for a long time, these areas have been inaccessible and even hostile to civil society, though that is slowly changing. Participants noted that historically, corporate tax was not only meant as a revenue raising tool, but was intended to rein in corporate power. Participants also discussed potential ways to tackle corporate concentration, including implementing graduated tax rates based on company size, empowering regulators to bring more antitrust actions, and integrating a variety of corporate harms into antitrust cases. The session also noted how antitrust is typically primarily focused on the impact of mergers on consumers, but regulators could incorporate other considerations—for example, only permitting a company to merge if specific supply chain violations are addressed. Strategically, there is also an opportunity to ally with smaller businesses who would benefit from limiting corporate concentration.

### **LOOKING FORWARD: QUESTIONS & NEXT STEPS**

- Create additional spaces for strategic collaboration around fighting corporate power
- Integrate targeted lobbying into our advocacy strategies
- Further explore and unpack alternative corporate models
- Consider the opportunity to ally with smaller businesses in fighting corporate power

## 2024 ICAR ANNUAL MEETING SPECIAL SESSIONS

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**Fireside Chat with Under Secretary Rob Silvers.** In this session, Under Secretary for Policy at the Department of Homeland Security (DHS) Robert Silvers discussed the Department's role in combating forced labor, including through the federal Forced Labor Enforcement Task Force and the enforcement of section 307 of the Tariff Act and the Uyghur Forced Labor Prevention Act.

**Launch of The Fourth Pillar: Community Principles for Business and Human Rights.** This session launched The Fourth Pillar Initiative, an effort that aims to center communities in the field of business and human rights (BHR) through a set of 12 principles that include elevating community agency and tackling power imbalances that threaten communities' rights. The speakers first underscored the fact that communities are too often missing from key conversations in the BHR space, and are even sparingly mentioned in the UN Guiding Principles, despite the fact that they have first-hand understanding of what threatens their rights and have much to contribute to frameworks, processes, and practices that would better protect them. The speakers then provided a broad overview of some of the key principles of the Fourth Pillar Initiative and described how the BHR community could get involved, calling for the Fourth Pillar to become a touchstone for all of our work and asking for the community to assist by socializing the concept and document, developing additional related tools, and endorsing the Initiative. To read more or get involved, click [here](#).

**Introducing the Counter: Pro-Bono Corporate Research for Civil Society.** This session introduced a new civil society research tool, "The Counter." An initiative of SOMO, The Counter is a global help desk providing pro bono corporate research support to help civil society organizations worldwide investigate multinational corporations and hold them accountable. The Counter researchers may assist by finding information on company finances, ownership, investors, corporate and capital structures, subsidiaries, governance and supply chains to support activists most in need. For example, The Counter could help organizations identify parent companies or company owners of offending corporations to then use in public interest campaigns, media advocacy, or litigation. To learn more, click [here](#).

## BLOCK 3: REFUSING TO BE SILENCED

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### Panel: Refusing to Be Silenced

**Summary:** In this current moment, we are seeing widespread use of protests not only in the United States, but around the world. At the same time, we are also seeing sweeping efforts to repress and silence CSOs, activists, journalists, and lawyers for exercising their rights to call out injustice. This session discussed the impacts of Strategic Lawsuits Against Public Participation and how the corporate accountability community can fight back. These suits, known as SLAPPs, are attacks on the rights of free speech and assembly that are increasingly used to target activists, lawyers, and journalists, simply fighting for their access to clean water and air.

The panel first discussed how judicial harassment through SLAPPs have impacted the work of CSOs. Panelists pointed to the use of the Racketeer Influenced and Corrupt Organizations Act (RICO), a law initially created to combat organized crime, to silence advocates for human rights and environmental justice. Panelists noted that civil RICO suits' allowance for treble damages in particular means that CSOs and activists could face nearly a billion dollars in damages. Panelists also discussed how SLAPP suits can draw resources away from CSOs work furthering human rights and climate justice. Panelists also highlighted how critical infrastructure laws can pose significant threats to civic space, noting that these laws are often written so vaguely that it is difficult to determine if an individual is near "critical infrastructure." The panel also noted the variety of types of evidence used in these cases against activists, including screenshots of posts on social media (including from other individuals), articles written in support of the movement, and receipts for art supplies. These were then used in a variety of types of cases, ranging from criminal racketeering to domestic terrorism.

The session then turned to what legal suppression of civic space looks like outside of the United States. Panelists noted that in the Colombian context, there is no legal definition of a SLAPP or legislation aimed at mitigating the impacts of SLAPPs on advocates, making strategic litigation and advocacy for anti-SLAPP laws key to changing this landscape. Other major issues across jurisdictions include forum shopping and the fact that many journalists and activists do not have access to affordable, high quality legal representation, meaning that legal networks supporting these individuals are crucial to rein in attacks on speech and assembly.

Panelists also discussed how anti-SLAPP legislation can be a key tool in fighting the suppression of civic space by leveling out the playing field, allowing cases to be dismissed before discovery, and allowing SLAPP targets to recover costs from the litigation. Although this can be discouraging, these legal battles are also central to securing the democratic space needed to combat harmful narratives about protests and protesters, such as that all individuals should be held responsible for the actions of all other participants in a protest. The session also highlighted the importance of the community coming together to provide support to each other while facing these legal challenges.

## **BLOCK 3: REFUSING TO BE SILENCED | BREAKOUT SESSIONS**

**SLAPPs: Legal, Policy, & Movement Based Approaches to Risk-Mitigation & Fighting Back.** This session discussed the tools that activists have or wish they had in combating SLAPP suits. First, participants discussed risk-assessment and mitigation strategies. Although different groups face different kinds of threats, we should create better channels for sharing our tactics in mitigating risks. The session then turned to discussing the importance of detecting SLAPP threats as they occur. Participants discussed having a standalone body and dedicated funding to detecting and addressing SLAPPs. Finally, participants discussed how to defend against SLAPPs once they happen. In general, participants noted that although there are a lot of tools that exist, SLAPP targets run up against the issue of a lack of resources and the imbalance of power between advocates and corporations.

**Protest Restrictions: Legislative Trends & Their Impacts.** This session explored anti-protest bills passed in recent years, their use against protestors, and trends to be aware of in the fight to protect freedom of speech. Participants discussed the ways that anti-protest laws chill speech and deter participation in protests, noting that current protest repression is a part of the larger struggle against the neoliberal status quo. The session then turned to solutions, highlighting the ways that civil society has been successful in combating anti-protest laws. There was also a lot of discussion about the need to build solidarity across protest movements, including through sharing strategies, educational resources, as well as wins and successes that can inspire growth. Participants also discussed the need for building structures not only for immediate legal support, but also other types of support, for example, for protesters who may be facing job or housing loss as a result of exercising their right to protest. Additionally, narrative reframing of protesters in the public consciousness as human rights defenders or as reflecting the American spirit of revolution may also be useful in combating anti-protest sentiments. Participants were also optimistic that although we are seeing unprecedented repression of protests, we are also seeing continued unprecedented levels of protesters, indicating that we may be at a tipping point.

**Anti-SLAPP Tools & Strategies: Assessing Effectiveness & Developing New Approaches.** This session aimed to explore the available and emerging tools for fighting SLAPPs, assess their effectiveness, and reflect on other tactics that may be at our disposal. First, participants discussed the fact that SLAPPs are often not only a legal struggle, but a political struggle as well where a critical component is a communications plan. Common playbooks and communications resources would be helpful to SLAPP targets, especially ones that address the stigma that SLAPPs create. The session also highlighted the need for additional expertise and resource sharing across the movement. Lastly, the session discussed the role of international law in the fight against SLAPPs and the suppression of civic space, arguing for including SLAPPs as a standalone human rights violation, recognizing not only the individual harm but the public harm. Moreover, a strong consensus and body of principles internationally could feed into domestic litigation fighting SLAPPs and the way we understand anti-SLAPP law reform by recognizing the immense harms of SLAPPs and allowing for appropriate damages.

### **LOOKING FORWARD: QUESTIONS & NEXT STEPS**

- Build structures that allow for the sharing of resources, communications strategies, and urgent support requests across movements facing suppression of civic space
- Consider creating standalone institutional bodies for detecting and addressing SLAPP threats
- Further explore how to direct the public narrative around protests and protesters
- Develop the international legal framework related to SLAPP suits

## BLOCK 4: BUILDING A CORPORATE ACCOUNTABILITY MOVEMENT

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### Panel: Building a Corporate Accountability Movement

**Summary:** Corporate interests have consistently pushed their own agenda—and with relative success. We have seen the slow erosion of the right to unionize, the de-regulation of corporate operations, and the unchecked consolidation of corporate political power. But to build a rights-based economy that works for everyone, we need a coordinated effort across progressive movements that recognizes our shared interests in holding corporations accountable. This session discussed different pieces of how to make our shared vision of a just, rights-based economy a reality—or, how to build and strengthen a corporate accountability movement.

The panel began by discussing what lessons could be learned from past successful campaigns that the corporate accountability movement can implement to bring our agenda to the forefront. The panelists emphasized the importance of recognizing that this will be a long process that will require us to collaborate and work together. Corporate interests are not as unified as we often think, but we as a corporate accountability community have the opportunity to work together to fight corporate power. Panelists also highlighted that throughout this work, it is also crucial to center the voices of workers and impacted communities, ensuring that they are at the core of the movement. The session also emphasized the importance of having a clear, targeted vision of what we want to accomplish. When combined with time-bound solidarity and mass public advocacy, we can be a powerful community pushing for corporate accountability.

Panelists turned to discussing how we can build a better coalition for corporate accountability and strengthen our coordination to build out a successful movement. Panelists discussed the importance of having structures to not only convene members of the coalition, but also work through conflict when it inevitably arises. Setting aside time to build consensus, define terms, and agree on goals is essential to ensuring that members of the coalition can work together. There is also a lot of administrative work involved in building effective coalitions like sending emails, setting up meetings, as well as funding the work. Moreover, centering the voices of impacted communities must also go beyond virtue signaling, meaning that time and funding has to go into ensuring that Global South voices are present. That includes translation, stipends for work and travel, and other types of support. There also needs to be alliances built between grassroots organizers and policy CSOs because both are needed for an effective movement. Connecting corporate accountability and human rights with the climate justice movement and seeing these issues as inherently intertwined will also be key to movement success.

Finally, panelists discussed that to create a sustained movement from these distinct ingredients, we will need structure and funding for convening spaces and dedicated working groups to work through different issues. As we continue to work on campaigns across corporate accountability issues, we will continue to build more infrastructure and consensus for a sustained movement, but we will also need the tenacity to continue to move it forward.

## **BLOCK 4: BUILDING A CORPORATE ACCOUNTABILITY MOVEMENT | BREAKOUT SESSIONS**

**Taking Stock: Communications Strategies within the Corporate Accountability Movement.** This session discussed the challenges and priorities of communications strategies within the corporate accountability movement. Participants discussed what stakeholders matter in corporate accountability communications and whether those stakeholders are the same as our organizations' top audiences for our communications efforts. Often, the top audiences that we aim to persuade in our communications are decision makers. Participants also highlighted the various ways that they are using owned media, like social media and blogs, and earned media, such as more traditional publications like newspapers and magazines, highlighting the importance of multiplying our reach with multi-channel engagement by conveying our messaging across various types of media, not just one or the other. The session also discussed the need to target pitches to journalists based on their specific beat, highlighting key data from reports as well as the human, narrative element underlying our policy priorities. Participants also emphasized that although pitches need to be timely, we can also tie past reports, legal wins, and other events to current news stories, which can make them more relevant.

**Implementing Our Legislative Agenda.** This session explored what tools we need to build a corporate accountability movement and push our legislative priorities forward. Participants discussed the challenges to implementing our legislative agenda, such as getting to and agreeing on a piece of legislation that is final enough for everyone to support, and with sufficient buy-in that we feel ready to move it forward. This is, in part, a product of our community's deep commitment and interest in this work, as well as perceived political limitations of our legislative efforts. The session also discussed the various ways to hold those types of discussions to build support for pieces of legislation and identify where there is agreement and opportunity. Participants also explored what, practically, may be needed to implement our agenda, such as whether a certain organization or individual lobbyist should be tasked with advocating for our legislative priorities on the Hill. Additionally, there are added challenges to funding lobbying work which needs to be taken into account when building out the structure needed for implementation. Participants came to a general consensus that the community should establish at least a small working group to further explore these questions and move our priorities forward.

**Coalition Building and Inclusive Rightsholder Engagement.** This session explored how coalitions are essential in ensuring that the design and implementation of corporate accountability efforts are guided by rights-holders, particularly environmental and climate defenders. These coalitions bring together diverse stakeholders, connecting the frontlines with advocacy efforts at the global level. Participants highlighted the need to place rights-holders front and center in these coalitions, avoiding paternalistic, top-down approaches. This particularly includes prioritizing Indigenous coalition leadership and creating the structures and funding in place to do that. The session also discussed challenges to coalition-building, such as managing divergent viewpoints across the coalition and financing necessary convenings.

### **LOOKING FORWARD: QUESTIONS & NEXT STEPS**

- Create working groups tasked with further exploring key pieces of the corporate accountability agenda and movement, including developing consensus on legislative priorities
- Put additional resources into ensuring that workers, impacted communities, and Global South voices are at the center of the corporate accountability movement and coalitions

## NEXT STEPS DISCUSSED FOR THE CORPORATE ACCOUNTABILITY COMMUNITY

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### **BLOCK 1: ENACTING LEGAL SAFEGUARDS**

- Build consensus on the essential elements of mHREDD & unify our messaging, ensuring participation of affected communities in determining best practices
- Bring in other movements like climate & labor to the corporate accountability community to collectively leverage our strength toward our advocacy goals
- Explore U.S. government enforcement of WSR remediation
- Explore the creation of additional transparency mechanisms and increased information sharing across government agencies to streamline enforcement
- Explore creative framings of “consumers” for consumer protection suits

### **BLOCK 2: COMBATING CORPORATE POWER**

- Create additional spaces for strategic collaboration around fighting corporate power
- Integrate targeted lobbying into our advocacy strategies
- Further explore and unpack alternative corporate models
- Consider the opportunity to ally with smaller businesses in fighting corporate power

### **BLOCK 3: REFUSING TO BE SILENCED**

- Build structures that allow for the sharing of resources, communications strategies, and urgent support requests across movements facing suppression of civic space
- Consider creating standalone institutional bodies for detecting and addressing SLAPP threats
- Further explore how to direct the public narrative around protests and protesters
- Develop the international legal framework related to SLAPP suits

### **BLOCK 4: MOVEMENT-BUILDING**

- Create working groups tasked with further exploring key pieces of the corporate accountability agenda and movement, including developing consensus on legislative priorities
- Put additional resources into ensuring that workers, impacted communities, and Global South voices are at the center of the movement and its coalitions

## **2024 ICAR ANNUAL MEETING RESOURCES LIST**

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Several people asked about how we managed the hybrid aspects of the ICAR Annual Meeting. For event planning and/or virtual support, we recommend Jenna Yockim. She can be reached at [jryockim@gmail.com](mailto:jryockim@gmail.com).

The Impact of Strategic Human Rights Litigation on Corporate Behaviour, recently published by the Freedom Fund:

[https://www.freedomfund.org/app/uploads/2024/03/LitigationImpactReport\\_2023.pdf](https://www.freedomfund.org/app/uploads/2024/03/LitigationImpactReport_2023.pdf)

ICAR's Capitol, Inc. Campaign, which uses AR artwork to unveil the invisible force of corporate influence in DC and around the globe: <https://www.capitol-inc.org/>

Lewis Powell Memo:

<https://www.greenpeace.org/usa/democracy/the-lewis-powell-memo-a-corporate-blueprint-to-dominate-democracy/>

Building a Rights-based Economy: A Corporate Accountability Agenda:

[https://icar.ngo/wp-content/uploads/2023/12/ICAR\\_CorporateAccountabilityReport\\_v4.pdf](https://icar.ngo/wp-content/uploads/2023/12/ICAR_CorporateAccountabilityReport_v4.pdf)

Oxfam America's webpage on corporate driven inequality:

<https://www.oxfamamerica.org/explore/issues/corporate-power-and-accountability/corporate-driven-inequality/>

This recently published report provides a good primer for anyone new to anti-monopoly work *Taken, not earned: How monopolists drive the world's power and wealth divide*:

<https://www.globaljustice.org.uk/news/new-report-taken-not-earned-how-monopolists-drive-the-worlds-power-and-wealth-divide>

The Roosevelt Institute's recent Series on Taxing Monopolies:

<https://rooseveltinstitute.org/publications/taxing-monopolies-series/>

SOMO research from this year that provides a sector specific example, covering monopoly power in agricultural commodity trade and the need to tax their excess profits:

<https://www.somo.nl/hungry-for-profits/>

Fourth Pillar Initiative Website: <https://fourthpillarinitiative.com/>

The Counter Webpage: <https://www.somo.nl/the-counter/>. Eligibility Criteria and Submit a Request for Corporate Research: <https://www.somo.nl/the-counter/submit-your-request/>

### **Gwynne Skinner Human Rights Award Ceremony**

Announcement of the 2024 Award Recipient Centre d'Aide Juridico-Judiciaire (CAJJ):

[https://www.canva.com/design/DAGCrv6RZbo/aRZi8QIVCCZ\\_0Pgu9TzXyw/view?utm\\_content=DAGCrv6RZbo&utm\\_campaign=designshare&utm\\_medium=link&utm\\_source=editor](https://www.canva.com/design/DAGCrv6RZbo/aRZi8QIVCCZ_0Pgu9TzXyw/view?utm_content=DAGCrv6RZbo&utm_campaign=designshare&utm_medium=link&utm_source=editor)

CAJJ's website: <http://www.cajj-rdc.org/public/home>.