STRENGTHENING AND SCALING TOOLS FOR CORPORATE ACCOUNTABILITY

SUMMARY OF KEY LEARNINGS AND OPPORTUNITIES

CONVENING, 28-29 JANUARY 2020, MEXICO CITY
**INTRODUCTION**

In January 2020, the SAGE Fund brought together a cross-section of organizations that have developed research and advocacy tools for strategic corporate research, investment and supply chain mapping, and financial sector advocacy. The overall objective of the learning convening was to explore the ways in which these tools equip affected communities and civil society organizations (CSOs) to identify more powerful pathways for holding corporations and other economic actors accountable for human rights and environmental harms from their investments. Based on this stocktaking exercise, the meeting sought to identify opportunities for further strengthening the impact of these tools and scaling their use.

Ahead of the convening, an initial mapping was carried out to identify the strategic corporate research, investment chain mapping and financial sector advocacy tools currently available. The mapping was further developed with input from the participants at the convening and is available on SAGE’s website.

During the convening, tool developers and funders assessed the outcomes to date as well as the untapped potential of the tools to further advance strategies to prevent and remedy corporate-related harms. Participants were challenged to reflect beyond their own experiences of developing and using a specific tool, situating themselves within a broader “field” in order to collectively examine the tools. Toward this aim, participants engaged in a substantive exchange about the impacts of their tools, identifying gaps that would need to be met to make them more accessible and effective. Collectively, they reflected on opportunities for greater collaboration, innovation, development and dissemination across the set of tools represented. The convening was a first step, recognizing the need to broaden the scope of reflection and to engage the users and ultimate beneficiaries of these tools at a later date for a more comprehensive assessment.

This briefing is divided in two sections: the first one summarizes the principal insights drawn from the collective assessment of impacts and needs across the set of tools discussed during the convening; the second one highlights the key opportunities identified by participants for further tool development and dissemination, as well as for enhanced collaboration among the developers and users of these tools.
I. Collective Assessment

The tools examined during the convening seek to follow the money and flows of power in and among economic actors in order to identify pressure points that can be leveraged to remedy – or ideally prevent – the negative impacts of business operations and investment on communities and territories. The tools create leverage by investigating and identifying the range of actors behind a harmful project (such as the sources of financing, providers of necessary goods and services, as well as decision-makers and others with influence over the projects’ operations or permits). In turn, they can be used to assess the different mechanisms, strategies and fora for holding the actors accountable or applying pressure from the ground up. The information and analysis produced can be leveraged to turn the harms communities face into financial, legal or reputational risk for economic actors.

**Distinguishing between Intended Beneficiaries and Users**

*Given the wide range of users and intended beneficiaries of the tools, it is important to clarify who are the different “communities” of users and beneficiaries. For the organizations that participated in the convening, the word “communities” may be used to refer to a wide range of groups with shared characteristic or interests, as well as specific populations. In this summary document, we use “affected communities” to refer to populations of people or workers who are harmed by or at risk of harm from different types of investments. These are the ultimate intended beneficiaries we have in mind when assessing these tools for impact.*

*Affected communities also participate as users in some of the tools we examined, such as InformAcción and Follow the Money. For many tools, however, the users are more often CSOs of varying size and reach, journalists, unions and consumer groups. In the case of the financial sector advocacy tools, users may also include banks, shareholders, investors, fund managers, financial advisors, government officials and regulators. Among such wide-ranging groups of users for these tools, the learning needs and priorities, as well as worldview, language, positioning in terms of power and marginalization, knowledge, skills, time and resources vary substantially. These considerations are central to assessing the appropriate design of any tool to maximize its accessibility and effectiveness.*

The range of participants and the diversity of tools they developed allowed for a constructive assessment of the main strengths, impacts, gaps and needs associated with individual tools, as well as across the set of tools. The key learnings from this discussion are summarized below.
A. CORPORATE RESEARCH & INVESTMENT CHAIN MAPPING TOOLS

Tools for corporate research and investment chain mapping have been developed to enhance access to information and strengthen strategizing by CSOs in collaboration with affected communities facing human rights violations linked to investments in the Global South.

These tools take diverse approaches. In some cases, such as at the Centre for Research on Multinational Corporations (SOMO), an in-house research team responds to a request from another CSO or grassroots group, providing targeted research and information for their partners to use and act on. The degree of follow-up advice or advocacy from the research team varies, relying principally on those who initially made the request. In others, such as Follow the Money, an in-house research team at Inclusive Development International (IDI) leads on research and the identification of pressure points that are then discussed and further developed in close coordination with one or more partner CSOs and affected communities. A third approach, such as InformAcción, involves sharing a methodology among organizations and grassroots partners to collaborate throughout a process of research, analysis and action planning. Each of these tools may be applied in more than one way.

A number of organizations have also developed databases, such as Repórter Brasil and PODER, taking advantage of open-government policies and the digitization of public records. These databases bolster the research and advocacy work of their own organizations and allies in the broader field, including notable collaborations with media.

KEY INSIGHTS

FROM DATA TO USEFUL INFORMATION: ENSURING GREATEST IMPACT REQUIRES INVOLVING THE END USER AND INTENDED BENEFICIARY IN THE DESIGN AND DEVELOPMENT OF A TOOL

Putting data or research findings into the hands of affected communities, CSOs, journalists or even investors is not enough to ensure these groups are equipped to use it in meaningful ways to advance human rights claims and struggles. Ensuring the information has impact requires clarity about who is the intended end user and taking that into active consideration when designing a tool or undertaking research. The tool or methodology needs to be crafted to align with the user’s learning needs and take into account what other skills or knowledge they might need to utilize or leverage change with the tool or findings. Additional skills or knowledge needed may include how to bring complaints using accountability mechanisms, approaches to financial sector advocacy, as well as community
organizing, media work, storytelling, and alliance building. For grassroots-level work, information needs to be shared and discussed in the local language and in a culturally appropriate way. In the case of databases, even when data is “cleaned up” and displayed in accessible online formats, making use of such information requires further research and offline collaboration in order to effect change, such as raising attention on a given issue, informing local decision-making, or developing an advocacy campaign.

**The Value of Networking: Allies are vital to ensure that tools have greater reach, and for affected communities to use the findings and strengthen their struggles**

If the organization conducting the research or mapping is not involved in direct follow-up advocacy with the users or affected communities, or cannot provide it, then building collaborations with others is vital. Working with regional or national organizations with financial and analytical skills, advocacy and communications capacity, as well as relationships with grassroots groups, may be needed to ensure such tools can be leveraged to their full potential. To implement strategies with affected communities that go beyond the local sphere, building relationships with a range of allies is also crucial, especially when confronting a large transnational corporation. Allies may include other affected communities, as well as journalists, a broad range of CSOs, and groups or individuals with specific expertise.

**Good Communication is Key: Effectively sharing findings, whether for affected communities or a broader audience, deserves time and attention**

Research findings produced by these tools should be timely, relevant and manageable in length and complexity. This may mean foregoing bulky reports. It also means allotting time and resources for producing effective communications materials based on the research undertaken, including giving attention to good storytelling. Whether for media distribution or for use at the local level, communications materials should be culturally appropriate, translated into local languages, and well-designed with a preference for audiovisuals when possible. For example, IDI once disseminated research findings on videotapes that could be played on karaoke machines, which are widely available within some communities where they work. To sustain media interest, it may be helpful to follow up reports on research findings with success stories.

**B. Capacity Building Tools**

Our discussion of capacity building tools involved a uniquely positioned set of tools and resources developed by media organizations and CSOs. These include handbooks and trainings for strengthening research skills among CSOs, investigative journalists, and newsrooms, with special
focus on strengthening capacity in the Global South. Notably, there is substantial overlap between the skills, knowledge, and resources that investigative journalists need to research the companies and financial actors behind a story exposing corruption or corporate malfeasance, and those that CSOs working with affected communities need to undertake strategic corporate research or investment chain mapping.

The trainings cover a range of skills such as understanding corporate accounts, tax avoidance, data reporting, investigating corruption, fact-checking, and understanding reports about extractive sector payments to governments. Media organizations also provide training in storytelling and digital security.

Additional accompaniment and follow-up with those receiving training often happens informally through relationships built between trainers and participants. It may also be incorporated into a tool or service, such as in the case of Finance Uncovered, which has established a Help Desk to respond to regular requests.

Some of the organizations providing strategic research or investment chain mapping services mentioned above, such as SOMO, also provide specific trainings in corporate and supply chain research, tax avoidance, and how to use corporate conduct standards in advocacy strategies. IDI and groups involved in InformAcción provide tailored capacity building to support CSOs that are learning to use their strategic corporate research tools.

**SYNERGIES WITH MEDIA ORGANIZATIONS**

Recent leaks, like the Panama Papers, have amplified the work and role of investigative journalism and spurred collaboration between CSOs and journalists. Journalists’ limited capacity and challenges with editorial independence present additional incentives to further strengthen collaborations between media and CSOs.

**KEY INSIGHTS**

**ENHANCING CAPACITY BUILDING: TAILORED TRAININGS CAN BOLSTER THE USE OF TOOLS, NOT ONLY TO UNDERTAKE RESEARCH, BUT ALSO TO MAKE BEST USE OF THE FINDINGS**

Trainings tend to be most effective when they are hands-on and “embedded” in specific pieces of work that are part of a collaboration between the organization providing the training and the group learning the new skills. This ensures that new skills are put into practice soon after they are shared, reinforcing learning through doing, and making it more likely that the skills will be incorporated into a participant’s ongoing work. It also provides greater opportunities – and potentially needed
resources – for follow-up between the supporting organization and participants after training sessions.

To ensure that participants get the most out of trainings, it is important to ensure a similar starting point of knowledge and skills among trainees. For example, it is unwise to combine novice researchers with tax experts to learn about tax avoidance.

Given that financial data can be intimidating for many people, the research process should be demystified so that novice researchers feel encouraged to gain new skills and feel that crunching financial data is within their reach.

BUILDING CAPACITY FOR ADVOCACY: LEARNING HOW TO APPLY RESEARCH FINDINGS MAY BE A BIGGER PRIORITY THAN LEARNING HOW TO DIG THEM UP

Capacity building is important, but there are inevitably limits to how much time journalists, CSOs, and affected communities have to undertake in-depth investigations. In this vein, for example, in order to enable more organizations to make use of Follow the Money, IDI has principally focused on capacity building in advocacy skills, rather than research, having found that the greatest challenge is in ensuring that the information can be used. Also, when Reporté Brasil provides trainings on how to make use of their database on cattle farming in Brazil, they also strategize with partners about how to influence supply chain management, develop campaigns, and put pressure on certain companies.

CAPACITY BUILDING INSIGHTS FROM EQUITABLE CAMBODIA

Capacity building is an important facet for implementation of a number of strategic corporate research and investment chain mapping tools. IDI and its partners have been working on building the capacity of communities and allied CSOs in the Global South to use Follow the Money. Eang Vathy, the director of Equitable Cambodia, spoke about these efforts in an interview in advance of the convening. Vathy described the role of on-the-ground organizations as vital to ensure that information gets into people’s hands and is enriched with local knowledge, as well as their role in facilitating a collaborative process that enables local groups and communities to learn how to use the findings. In Equitable Cambodia’s experience, the local organization needs to have a commitment to using the tool and ensuring its members are equipped with the requisite knowledge and skills to understand the revolving door of economic actors in a project and related advocacy strategies. On-the-ground organizations also need the skills, time, and resources to facilitate community meetings and to share research findings in ways that community members will be able to engage. Through this process, local organizations over time may also develop the capacity to bring their own complaints to financial institutions and other economic actors, or to undertake related advocacy strategies.
KNOWLEDGE AND SKILLS NEEDED TO LEVERAGE USE OF THE TOOLS

TO UNDERTAKE CORPORATE RESEARCH AND INVESTMENT CHAIN MAPPING, GROUPS NEED TO HAVE:

- Strong research skills approaching investigative journalist level;
- The know-how and means to access and understand company filings;
- A degree of financial literacy and/or access to resource people with this knowledge;
- An understanding of technical/business English, which can be a challenge for both native speakers without the technical knowledge and for non-native English speakers who otherwise have a high level of English comprehension;
- The necessary time and resources to undertake the research process, which should not be underestimated; and
- Access to private databases which can be helpful, although not a requirement given the wealth of information often available in the public sphere.

KNOWLEDGE AND SKILLS THAT ARE HELPFUL TO ACT ON INFORMATION GATHERED THROUGH STRATEGIC CORPORATE RESEARCH AND INVESTMENT CHAIN MAPPING INCLUDE:

- Ability to identify potential pressure points;
- Knowledge of the international financial system or the specific economic sector under consideration and its modus operandi at local, national, and international levels;
- Knowledge of the local/national legal and regulatory framework;
- Experience using or leveraging accountability mechanisms and/or related advocacy strategies; and
- Country-specific knowledge and related advocacy strategies, particularly concerning the country-of-origin of the investment capital.

C. FINANCIAL SECTOR ADVOCACY TOOLS

Financial sector advocacy tools may be CSO-led, or involve CSOs in collaboration with unions, consumer groups, and affected communities to pressure financial actors to change their policies or practices with the aim of having impact on a given project, company, sector, or issue. One example is the Fair Finance Guides’ network of country-based coalitions that undertake research on specific financial institutions. Using this information, they then coordinate their advocacy strategies to pressure these financial sector actors to change their investment policies and practices. Another example is highlighted by the Centre for Environmental Rights’ series of Full Disclosure reports, which aim to reveal information that will persuade investors to scrutinize company reporting and subsequently question their investments, as well as to pressure regulators into greater enforcement of environmental regulations.

TOOLS & ORGANIZATIONS

- Tool Development/Forests & Finance Database (Profundo)
- Fair Finance Guides (Oxfam Novib)
- Full Disclosure (Centre for Environmental Rights)
- Shareholder Advocacy (As You Sow)
- Shareholder Advocacy (Just Share)
These tools may also target financial sector actors more directly to get them to take action to influence corporations to change their policies or practices. Organizations such as As You Sow and Just Share seek to mobilize pension plan members or institutional shareholders to take coordinated action to pressure a pension fund or a given company. These same organizations may also become shareholders in order to engage with corporations directly. They employ advocacy strategies that include raising a complaint or issue directly with a company through correspondence, participating in annual general meetings, submitting shareholder resolutions, and engaging in shareholder litigation.

Certain organizations, such as Profundo, support the development of financial sector advocacy tools. Profundo helped develop the methodology behind the Fair Finance Guides. They also develop databases that support financial sector advocacy targeting a variety of economic sectors and the harms they generate. For example, the Forest & Finance Database provides information about the principal financial institutions invested in commodity-driven deforestation in Southeast Asia, which has been used by CSOs, journalists, pension funds, and government agencies.

**Key Insights**

Usefulness and Limitations of Financial Sector Advocacy Tools: Applying Pressure to Economic Actors When Legal and Regulatory Enforcement Falls Short

A challenge at the core of this work is that financial disclosure rules and regulation are not designed to ensure that investors take responsibility for the impacts of their investments on people and the planet. There are efforts underway to set or strengthen standards for Environmental, Social and Governance (ESG) reporting, as a possible route for holding investors and companies to account. However, a number of participants at the convening raised concerns about how ESG reporting can be used to cover up the harms from investments without providing means for true accountability. They argued that ESG reporting is a poor substitute for obligatory financial disclosure rules that would ensure greater consistency in reporting and access to company accounts.

For financial sector advocacy tools to be effective in preventing or addressing harms to affected communities, there needs to be a possibility of legal action or the threat of sanctions for lack of compliance. In recent decades, a trend toward deregulation in many countries together with cutbacks in regulatory enforcement has undermined the efficacy of leveraging financial sector advocacy tools. It is much harder to assert a material risk to investors around environmental and human rights harms if there is not a realistic change of enforcement – and penalty – by the state.

Remaining Aligned with Affected Communities: Trying to Influence Financial Sector Actors by Persuading Them That Meeting Community Demands Is in Their Interest

The process of translating environmental and human rights harms into material risk for financial sector actors is complicated when harms cannot be quantified or directly attributed to a company. Some human rights harms, such as threats to the safety of human rights defenders, do not translate easily or clearly into material risk.
The knowledge and experiences of communities may inform financial sector strategies, but the needs and interests of investors drive the approach. In particular, the culture and fiduciary duty (real or perceived) of investors can influence mediation processes. Frequently, advocacy organizations become a mediator, speaking on behalf of communities. The mediating group tries to convince the company or financial sector actor that change is in their interest. This may lead the mediating group to accept incremental changes without clarity about when or if this will effect change on the ground, with the risk that the economic actor will use the opportunity as a public relations win for their business. Great care needs to be taken to manage this tension.

**A Deeply Asymmetrical Field: Confronting Dominant Financial Sector Actors that Have Technological Advantages and Economic Influence**

The financial sector currently has the upper hand in terms of access to data, which tends to be skewed in favor of corporate interests. New ESG funds are using data harvested online by artificial intelligence and algorithms that give a distorted picture about the serious social and environmental impacts of investments. In contrast, affected communities and CSOs expend considerable time and energy to document the impacts of individual projects and then must struggle to have their findings taken seriously.

Making a dent in financial sector policies and practices is a global challenge, especially in major markets, including China, the U.S. and the U.K., as well as with large private funds (e.g. Blackrock, Vanguard) and mutual funds. As a result, advocacy strategies tend to focus on pension funds, development finance institutions, international finance institutions and socially responsible investing groups, such as faith groups and others.
D. ADDITIONAL REFLECTIONS

Transparency – All of the tools evaluated rely on corporate and government disclosure and related transparency rules in order to gather and analyze the data and then identify pressure points. In countries or sectors where there is little transparency and disclosure, or where the quality of disclosure is compromised, the usefulness of these tools is limited.

Security – Security considerations always need to be taken into consideration and informed by frontline communities and organizations who best understand their context and possible risks. Notably, in the course of interviews ahead of the convening, some interviewees from grassroots organizations noted that while security risks can arise from the use of these tools, their use can also provide important information that help communities make better decisions with which to protect themselves. Building strategic alliances is critical, including with legal support groups. When it comes to database infrastructure, security measures must be taken to avoid cyber-attacks, such as server location and related support. These are expensive, but necessary considerations.

Collaboration – It is helpful to know who else is developing similar tools to avoid duplication and facilitate greater information-sharing, support, and training. The investment of time and resources that it takes to develop appropriate methodologies, build research teams, and establish online databases is significant. As a result, it is worthwhile to foster opportunities to collaborate, build on existing tools, and learn among tool developers and groups of users. Notably, as collaborations mature, the responsiveness and timeliness in using tools improves. For example, the Fair Finance Guides network has found that in countries where they have been working for years, local organizations are more prepared to utilize media moments that arise over a controversial project to mobilize quickly and say to investors, “It’s your money in there.”

Capacity – CSOs and media organizations are limited by available time and resources, leading to tradeoffs. Time dedicated to urgent demands that may be more reactive can take away from work on long-term organizing, legal and regulatory reform, or enforcement strategies that may have sustained or systemic impacts. Limits in capacity also restrict the number of local organizing processes and campaigns that any one organization can support, as well as the breadth of training programs or time for further tool development.

Communications – The need for effective communications to disseminate research findings or stories arising from local struggles was raised as a common challenge, opening up the possibility for further strategizing and skill-sharing between CSOs and media organizations. This includes how to communicate most effectively to a broad audience and sustain interest in a story over time, such as through reporting on successes.

Evaluation – Evaluation should be built into a tool, including regular feedback and exchange with users and intended beneficiaries, leading to updates and adjustments as needed. After five years of using their Follow the Money tool, IDI undertook a process of evaluation to better focus their efforts.
and to be more effective in the face of increasing demand. They were surprised to find that CSO partners were interested in all of the information that they could provide. As a result, they provide a detailed and lengthy report, as well as a concise memo for affected communities, which is translated into the local language with lots of visuals.

**Broadening the Use of Tools** – The question was raised about whether the tools examined during the convening may have a specific niche or whether their use could be significantly expanded, in order to reach more affected communities and CSOs. More in-depth consideration of specific tools, their range of users, as well as their needs and goals need to be weighed to further explore this issue.

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**II. OPPORTUNITIES FOR COLLABORATION**

**Convening participants were invited to brainstorm ways to collaborate as a community of practice, including potential next steps to further strengthen the reach and impact of individual tools and across the ecosystem of tools. Some of the key insights from this discussion include:**

**Foster collaborations to bolster financial literacy and other skills**

- Organizations with training programs and materials in financial literacy and other skills could help enhance the capacity of legal, environmental, media and community-based organizations supporting affected communities. Priority should be given to groups in the Global South with strong grassroots connections. Doing so requires more multi-lingual trainers.
- Recognizing that not every organization has the time or will to prioritize building in-house capacity of this sort, it would be helpful to establish a hub of multi-lingual resource people and organizations with these skills who could offer research support.
- Further evaluation of training programs may be helpful for ensuring their relevance to groups in the Global South.
Cultivate relationships between media organizations and CSOs to build on synergies

➢ Foster collaborations for building research skills, as well as storytelling and dissemination strategies, especially to sustain stories over time and to connect local stories with broader issues.
➢ Beyond counting the number of media hits or breadth of circulation, further explore the utility of media coverage to meet campaign objectives.
➢ Expand understanding of the role and potential of different media actors, such as investigative editors and local news outlets, to enhance collaborations with media.

Expand the mapping and assessment of financial sector advocacy

➢ Further evaluate the impact and utility for affected populations of financial sector advocacy tactics, including naming and shaming, divestment, litigation, engagement, finding choke points to prevent project financing, as well as multi-pronged approaches. Consider possible tensions that may arise between the aims and analysis of grassroots groups organizing in resistance to investments and those of organizations principally seeking to improve investment practices and policies overall.
➢ Create a global directory of financial disclosure rules to identify best practices and take advantage of opportunities for advocacy to improve or avoid erosion of these standards, whether at the international or national level.
➢ Undertake a fuller mapping of financial sector actors to identify where further leverage could be gained. Actors include public and private sources of equity and debt capital, as well as related actors such as bond rating agencies, export credit agencies, insurance providers, and commodity traders.
➢ Taking into account the considerable challenges and limitations of confronting financial sector actors, explore possible strategies in major markets, such as China, the U.S. and the U.K., as well as mutual funds and large private funds, such as Blackrock.
➢ Discuss possible responses to address the financial sector’s control over the information that financial sector actors currently rely on using artificial intelligence and algorithms to harvest online data.

Foster further collaboration between research groups

➢ Facilitate greater sharing of research findings that civil society groups are amassing, such as those who participated in this convening. This could contribute to identifying patterns among corporate and financial sector actors to avoid duplication of research, as well as to bolster related communications and advocacy efforts.
➢ Provide opportunities for further evaluation and strategizing between tool developers, including how best to share information with affected communities and local partners and improve the effectiveness of different advocacy strategies.
➢ Explore how to have greater impact with these tools beyond firefighting on specific cases to support efforts at prevention and systemic change. Among other possibilities, this could be
fostered by strengthening relationships between frontline groups, campaigns, and organizations working with policy makers or other decision-makers.

**Assess tools from the perspective of affected populations and frontline organizations in the Global South**

- When seeking to leverage work on local struggles toward change at the structural level, caution was raised about the need to ensure clarity and synergy between the goals of frontline groups and allied organizations to avoid a breakdown later on. In particular, many affected populations and frontline organizations are saying no to investments and the prevailing economic order altogether, rather than trying to improve the behavior of economic actors. In this context, organizations seeking to reform the investment practices or policies of economic actors could come into conflict with those struggling for a different economic model altogether.

- While recognized as beyond the scope of this convening, participants proposed that further exploration is needed concerning the usefulness of these tools from the perspectives of affected populations and frontline organizations in the Global South. This should include examining the intersection between these tools and local organizing, the influence of geopolitical context on the impact of tools, as well as challenges of working in languages other than English.

- Provide opportunities for further evaluation and strategizing between affected communities and frontline organizations who are making use of these tools.