



Corporate Accountability

18 Nov 2024

AfriSIG 2024 - Addis Ababa





QUESTION 1

WHAT WAS THE NET INCOME OF
META IN 2024?

ANSWER

As of September 30, 2024, Meta Platforms reported a net income of \$55.54 billion for the preceding twelve months, marking an 86.8% increase compared to the same period in 2023.

For the first three quarters of 2024, Meta's net income was as follows:

Q1 2024: \$12.37 billion

Q2 2024: \$13.47 billion

Q3 2024: \$15.69 billion

QUESTION 2

WHICH OF THESE COMPANIES
HAS THE LARGEST MARKET
CAPITALIZATION?

- A) NVIDIA
- B) AMAZON
- C) MICROSOFT
- D) META

ANSWER

WHICH OF THESE COMPANIES
HAS THE LARGEST MARKET
CAPITALIZATION?

- A) NVIDIA
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- C) MICROSOFT
- D) META

TRUE OR FALSE

THE LARGEST TECH COMPANIES
(ALPHABET, APPLE, META, AMAZON, MICROSOFT AND
NVIDIA), MENTION
IN THEIR PUBLIC HUMAN RIGHTS POLICIES THAT THEY
ARE COMMITTED TO OPERATING IN ACCORDANCE
WITH THE
CONVENTION ON THE ELIMINATION OF ALL FORMS OF
DISCRIMINATION AGAINST WOMEN.

TRUE

FALSE

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TRUE

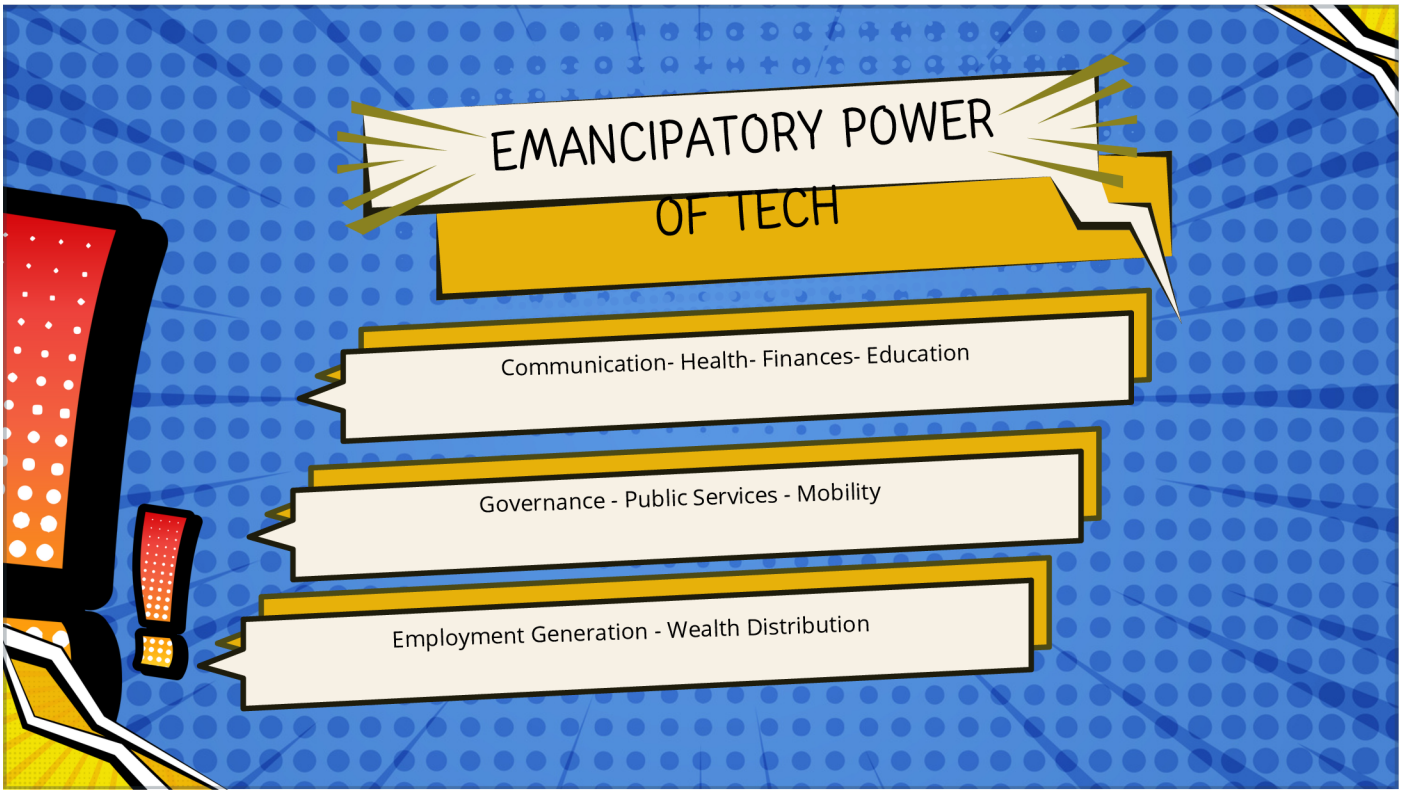
FALSE

Objectives

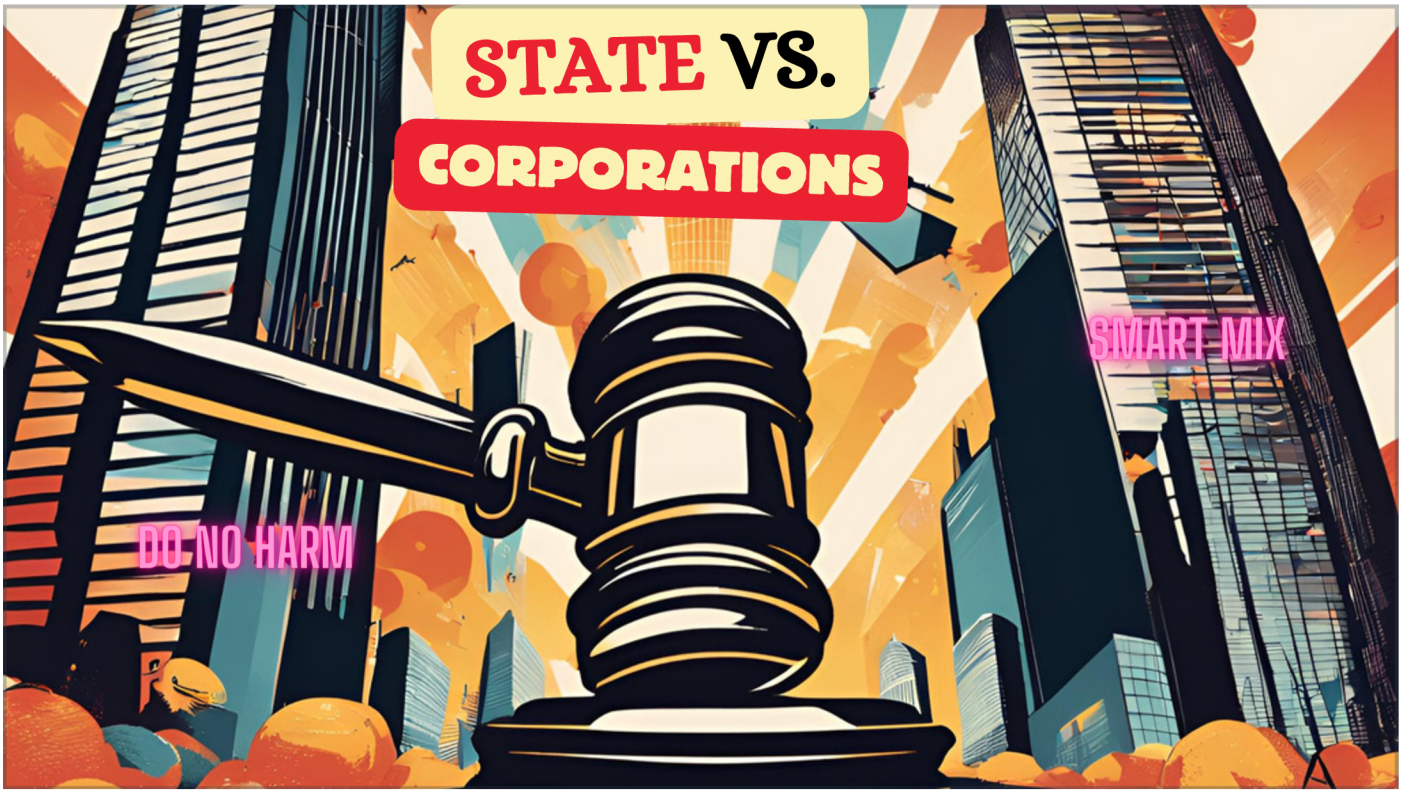
- 1 **Understanding Corporate Actors**
- 2 **Actors in the ecosystem**
- 3 **Responsibilities under UNGPs**
- 4 **Challenges with engaging this sector**
- 5 **Way forward**

CORPORATE ACCOUNTABILITY









Materiality

Financial Harm

Legal Harm

Reputational Harm





Key Elements

Human
Rights Due
Diligence

Transparency

Policies

Value chain
and
Business
Relationships

Stakeholder
engagement

Grievance
Mechanism

Remediation



State & Regulatory Controls

Corporate compliance and accountability laws

Labour Laws

Intermediary Liability

Jurisprudence

Taking CTRL: Pathways to effective investor engagement



Advocating for state action to mitigate investment into rights-abusing spyware

Working in coalitions to push for effective embargos on companies with problematic track records

Leveraging Celebrite's IPO to push for accountability

Coordinated campaigns targeting key moments of financial importance to companies and leveraging the momentum to address regulatory gaps.

Advocacy campaign landing Sandvine on a US Government blacklist

Leveraging evidence to effectively cause companies to end relations with states abusing technology and be placed on a blacklist.

Engaging with Limited Partner investors

Focusing on specific class of investors and building on public awareness of challenges

Protecting .ORG from being bought by private equity

Defending the right to use key infrastructure for civil society by advocating with different decision makers.

Creating explanatory materials for an investor audience

Enabling better understanding of measures and checks investors must take to ensure respect for rights.

Working with investors to harness the power of benchmark data

Pushing for specific changes in company practices based on findings in key benchmarks.

Addressing human rights risks associated with Palantir and its Initial Public Offering (IPO)

Targeting key financial moments of companies and learning the need for more candid engagement.

BRUSSELS EFFECT

01

Digital
Services Act

02

Digital
Markets Act

03

AI Act

04

*Corporate
Accountability
Due Diligence
Directive*



Accusations and actions: A decade tracking tech company responses to human rights allegations



Key findings

- We have invited 339 tech companies to respond to 722 human rights allegations.
- We received responses to only 347 (48%) of these allegations, leaving 357 (52%) without a company response.
- 70% of the allegations concerned affect vulnerable groups (migrants, children, workers, women, LGBTQI+ individuals, and human rights defenders, among others.)
- 77% of the tech companies associated with human rights allegations worldwide are headquartered in Global North countries.
- Nearly (30%) of the invitations to respond to allegations involved technology companies in conflict-affected zones
- Positive correlation between the presence of human rights policy commitments and transparency with respect to responsiveness to allegations of abuse.
- Lower response rate than other sectors like apparel and textile, natural resources, and agriculture, food, drink and tobacco



Key challenges

- Opaque business practices
- Inaccessible company structures
- Limited capacity
- Lack of whistleblower protection
- Discriminatory practices



Roadblocks with states and international platforms

- Pace of change
- Agenda of preservation and force
- Security
- Imbalance of power among states
- Resource intensive
- Gatekeeping

Roadblocks for states

- Competing interests
- Unrealistic asks
- Timelines
- Security and the responsibility to protect
- Public opinion
- Budgetary and practical realities

Challenges tech companies face with stakeholder engagement

- Need to know what civil society wants specifically (not just “transparency”)
- If engagement is early and not product-specific, difficult to report back to colleagues
- High level of technical expertise needed to provide useful feedback on products
- Timing - don’t want to start too early or too late
- Civil society capacity



Corporate engagement



What we've learned

- Information is power - know the company you are trying to change
- Have a solid evidence base and clear, specific asks
- Anticipate how the company may respond and know their pressure points
- Form alliances and use a diversity of strategies





Incident Reporting Template

Being developed by the
Business & Human Rights
Resource Centre and
Heartland Initiative

[Link to draft](#)

Incident reporting template for investors - Version 1
Surveillance tech

This document is intended to help report on incidents of human rights violations linked to the investor or their portfolio companies. This is meant to be a guide and you can edit the contents based on your needs and expected outcomes.

- 1. Organizational details**
 - Name of organization / person submitting:
 - Link to organizational website:
 - Description about you and your work:
 - Contact details (optional):
 - How did you connect with impacted rightsholder (if it someone other than yourself):
- 2. General details about the incident or ongoing situation**
 - Nature of the incident or situation: Describe what happened, or what is still happening (if an ongoing situation).
 - Timeline: When did this happen, or when did it begin? Are there any important dates/events to note since the deployment of the technology?
 - Location: Where did this occur / or where is it occurring, e.g. name of village, town, country, significant landmarks.
 - Type of surveillance technology deployed: Describe the product or service causing the harm in more detail. Was the surveillance technology connected to mass or targeted surveillance? What are the technical abilities of the technology that are fuelling the harm, if known?
 - How the surveillance technology was deployed: Describe how the surveillance technology was used against the impacted rightsholder.
 - Device or deployment: Was a particular device implicated in or affected by the deployment of surveillance technology? Was the surveillance technology deployed through a particular type of government or private infrastructure (e.g. border crossing security, citywide security system, smart cities)?
 - People affected: Who has been impacted? How many rightsholders have been or could potentially be affected? Are you able to directly name the impacted parties?
 - At-risk groups: How has the deployment of the technology impacted particularly at-risk individuals or groups? Is this impacting historically marginalized or at-risk groups (e.g. women, children, human rights defenders, indigenous groups, other minority groups)?
 - Impact on communities: How has it affected the larger community? Is this impacting democratic processes? Has the deployment of the technology impacted underlying social tensions or driven or conflict related risks?

Corporate Information & Tools



Finding Relevant Corporate Information



The Company name is not always the same as its brands.



Pegasus = NSO Group

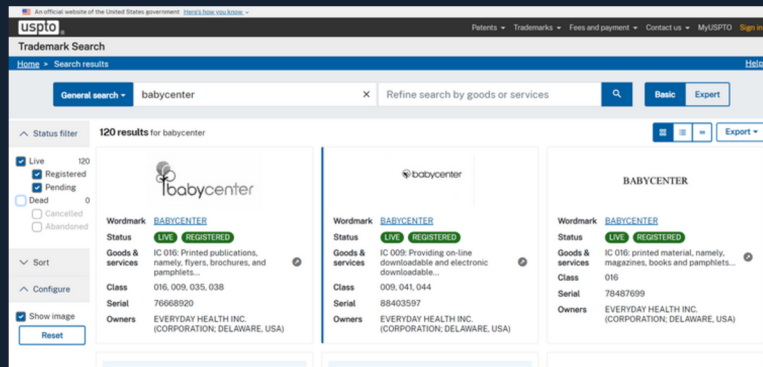
Clue

Babycenter = EVERYDAY HEALTH INC.



Clue = BioWink GmbH

How can we find the companies behind the brands?

- Read Policies on the official website.
- If it is an App, check the information about the developer in Applications Markets (e.g., App Store & Google Play).
- Search in Trademarks Databases (e.g. <https://tmsearch.uspto.gov/search/>).
- Check ICANN's Registration data lookup tool (<https://lookup.icann.org/>).



The screenshot shows the USPTO Trademark Search results for the query 'babycenter'. The page displays 120 results, with three results visible in a grid. Each result shows the trademark name, status (LIVE REGISTERED), goods and services, class, serial number, and owner (EVERYDAY HEALTH INC. (CORPORATION; DELAWARE, USA)).

Trademark	Status	Goods & services	Class	Serial	Owners
	LIVE REGISTERED	IC 016: Printed publications, namely, flyers, brochures, and pamphlets...	016, 009, 035, 038	76668920	EVERYDAY HEALTH INC. (CORPORATION; DELAWARE, USA)
	LIVE REGISTERED	IC 009: Providing on-line downloadable and electronic downloadable...	009, 041, 044	88403597	EVERYDAY HEALTH INC. (CORPORATION; DELAWARE, USA)
BABYCENTER	LIVE REGISTERED	IC 016: printed material, namely, magazines, books and pamphlets...	016	78487699	EVERYDAY HEALTH INC. (CORPORATION; DELAWARE, USA)



Corporate Information

- Ownership & Investors
- Corporate Structure
- Financial and Non-Financial Reports
- Allegations against the Company (News & BHRRC Tools)

This information can help us understand a company's history, business relationships, money flows, and the scope of the human rights implications of a company



Finding the Right Contact



- Visit the company website:
 - To find the most appropriate contacts, look in the sections About Us, press releases/news (media contacts), Contact Us, Investor Relations, and Corporate Responsibility, or look for financial or non-financial reports on the company website.
- Visit the company's LinkedIn page:
 - In the People tab, Use the search engine to find the employee who works in the department or has a relevant role in the company.
- Contact searching tools: e.g. RocketReach and Hunter
- Consider understanding the email structure of a company
- Call the Company

Manage security risk: When searching contact information (e.g. LinkedIn), and when sending emails. (e.g., Generic Emails, Team members out of high-risk zones, etc.) consider the risk of engaging with the companies.



TOOLS



Business & Human Rights Resource Centre



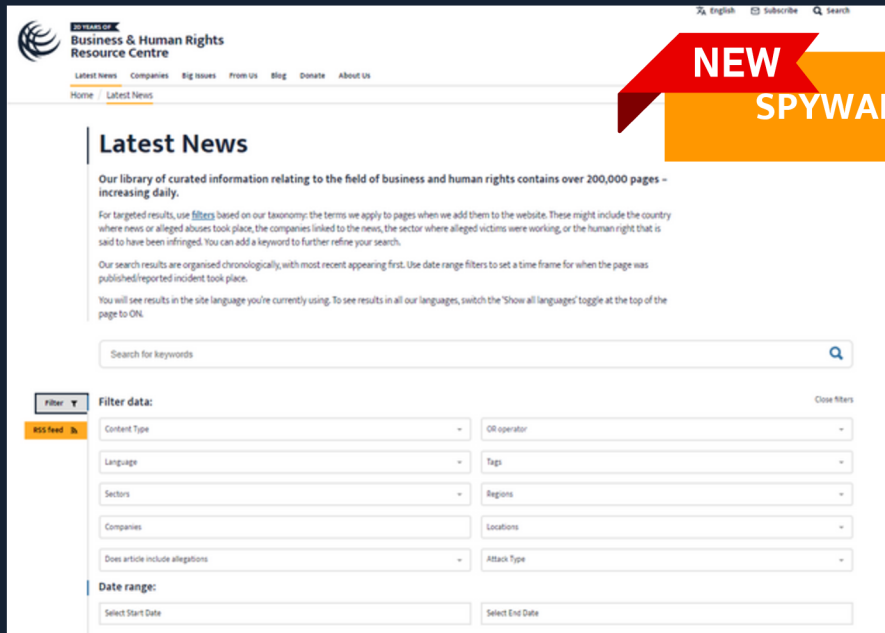
10,000+

Data on Tech sector
human rights
implications



BHRRC's DataBase

<https://www.business-humanrights.org/en/latest-news/>



The screenshot displays the 'Business & Human Rights Resource Centre' website. At the top, there is a navigation menu with links for 'Latest news', 'Companies', 'Big issues', 'From us', 'Blog', 'Donate', and 'About us'. The main heading is 'Latest News'. Below this, a paragraph states: 'Our library of curated information relating to the field of business and human rights contains over 200,000 pages – increasing daily.' It then explains the use of filters and search results. A search bar is provided with the placeholder text 'Search for keywords'. To the left, there is a 'Filter' section with an 'RSS feed' button. The 'Filter data' section includes dropdown menus for 'Content Type', 'Language', 'Sectors', 'Companies', 'Does article include allegations', 'OR operator', 'Tags', 'Regions', 'Locations', and 'Attack Type'. A 'Date range' section at the bottom has 'Select Start Date' and 'Select End Date' fields. A red and orange banner on the right side of the screenshot reads 'NEW SPYWARE TAG'. The BHRRC logo is visible in the bottom right corner of the screenshot.

Using our Tech Company Dashboards

The screenshot shows the Business & Human Rights Resource Centre dashboard for Oosto (formerly AnyVision). The page features a navigation bar with '20 YEARS OF Business & Human Rights Resource Centre' and a search bar. The main content area includes a company profile for Oosto, a 'From the Resource Centre' section with five circular metrics (Response Rate: 0%, Response Requests: 2, HRD Attacks: N/A, Lawsuit Profiles: N/A, Allegations: N/A), and a 'Stories with associated response requests' section with two article cards. A central 'Associated top issues' section lists five categories: Surveillance, Right to Privacy, Migrants & Immigrants, Freedom of Association, and Racial, ethnicity, caste or origin discrimination. A right-hand sidebar titled 'Oosto (formerly AnyVision) latest news' shows two news items with dates and refresh buttons. The Resource Centre logo is visible in the bottom right corner.

20 YEARS OF Business & Human Rights Resource Centre

English | Subscribe | Search

Latest News | Companies | Big Issues | From Us | Blog | Donate | About Us

Show all languages

Home / Companies / Oosto (formerly AnyVision)

Oosto (formerly AnyVision)

Artificial Intelligence (AI)
Israel
<http://www.anyvision.co>

From the Resource Centre

0%	2	N/A	N/A	N/A
Response Rate	Response Requests	HRD Attacks	Lawsuit Profiles	Allegations

Stories with associated response requests

- Privacy and discrimination concerns over AnyVision facial recognition technology at Palestine checkpoints; company did not ...
This story contains 2 items
- Access Now raises concerns about the sale of surveillance technologies in Latin America & calls ...
This story contains 24 items

Associated top issues

- Surveillance
- Right to Privacy
- Migrants & Immigrants
- Freedom of Association
- Racial, ethnicity, caste or origin discrimination

Oosto (formerly AnyVision) latest news

Updated: 12 Dec 2023, 12:24 Refresh

- Access Now calls on mass surveillance tech companies operating in Latin America to respond on human rights concerns
Article 7 Oct 2022
- Scrutinising migration surveillance: Human rights responsibilities of tech companies operating in MENA
Briefing 28 Sept 2022

Company Response Mechanism

Company Response Mechanism

9,790

Total Company Responses tracked in the portal

[Explore the database](#) →

Since 2005, Business & Human Rights Resource Centre has invited companies to respond to allegations of misconduct raised by civil society, when we find no evidence that they have otherwise responded to the concerns. This process encourages companies to publicly address human rights concerns, and provides the public with both the allegations and the company's comments in full. In some cases this process helps to bring about resolution of the issues. In other cases it has led to dialogue between the company and those raising the concerns. In all cases it has increased transparency.

We indicate response rates in the [company sections](#) of the site. While this is not a reflection of a company's actual conduct, and while the quality of responses varies, it is an important indicator of a firm's openness to engaging with human rights concerns being raised by civil society.

Find Company Responses

Type search terms here

Search 

Download All Company Responses

Sectors

Regions

Countries

Date range

[Download filtered data](#) ↕

[Download all data](#) ↕



SOMO

<https://www.somo.nl/the-counter/>



The Counter is a global help desk providing corporate research and information to activists working to hold companies accountable for societal and environmental harms.



What sort of company information does The Counter provide?


The Counter aims to provide information on company finances, ownership, investors, corporate and capital structures, subsidiaries, supply chains, governance and operations if this information is accessible and available. The Counter team will provide the information and data found, the sources used in the search, a summary of the findings, and, if requested, possible suggestions for further action. If we cannot find or access this information, we cannot provide it.

Tools & Guides to Investigate Corporations



- Organize Crime and Corruption Reporting Project (OCCRP)
 - Provide a collection of public data sources by country
<https://id.occrp.org/databases/>
- Follow the Money: A digital guide for tracking corruption
 - <https://exposingtheinvisible.org/en/guides/follow-the-money-handbook/>
- OpenCorporate
 - Database that aims to gather information on companies worldwide <https://opencorporates.com/>
- Yahoo Finance <https://finance.yahoo.com/>
 - Information Public Trade Companies:
 - Major holders
 - Key executives





What can we do to Strengthen Tech Accountability from Africa?

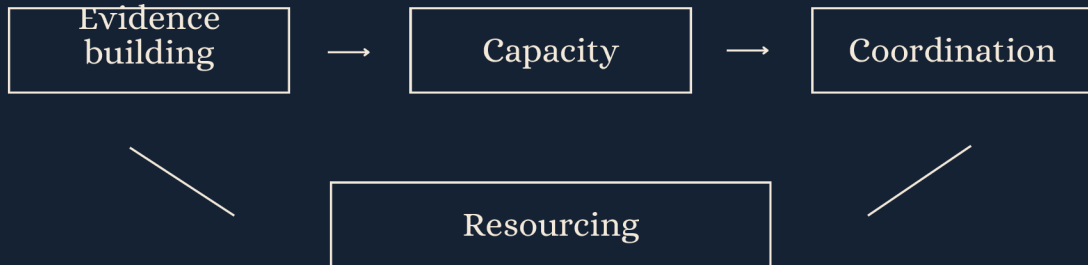
<https://www.forbes.com/sites/bernardmarr/2019/12/16/the-10-best-examples-of-how-ai-is-already-used-in-our-everyday-life/>



Ways Forward

- Further capacity building and knowledge sharing
 - For example: Sharing tips on messaging that may resonate with different types of corporate actors
- Improve coordination and resource sharing
 - For example: Using an 'inside' and 'outside' approach to influencing corporate policies, procedures and material risk
- Develop more targeted, corporate-specific advocacy and awareness raising materials
- Explore new spaces for engagement or adapt procedures for existing ones

Areas for strengthening



THANK YOU FOR PARTICIPATING!

Feel free to send in any questions to khandhadai@business-humanrights.org



20 YEARS OF

**Business & Human Rights
Resource Centre**