

SAVING THE WORLD, ONE MEANINGLESS BUZZWORD AT A TIME

How corporations, activists, and politicians turned the language of human rights into meaningless babble.

**BY MICHAEL HOBBS
ILLUSTRATIONS BY ADAM SIMPSON**

From the outside, the U.N.'s Palais

des Nations in Geneva looks like a dental hospital, stacks of grey stucco connected by skybridges. From inside, it's more like a hotel lobby. Open spaces, comfy chairs, a museum-silence where your heels echo on the marble. The guts of the building, the reason it's here, is the meeting rooms: Some square, some circles or ovals, all trimmed in wood paneling as flat as the expressions on the people sitting in them.

This is the U.N. Annual Forum on Business and Human Rights. More than 1,000 people have gathered here with the same purpose: Prevent multinational corporations from violating human rights.

It is a big deal. Representatives of some of the world's

biggest multinationals — Shell, Coca-Cola, Unilever — are here to show off their sustainability projects. Ministers from governments admirable to appalling — Colombia, Kazakhstan, Canada — are here to present their procedures for labor inspections, the progress on their five-year development strategies. Civil society activists, some of them wearing #StopCorporateAbuse armbands, have come to take notes on them both.

You are here because you are one of these people. You've been doing this since 2004, when you got an internship at a human rights NGO and rode it into a job, a promotion and, eventually, what Europeans refer to as a "background." You are here to find out which countries and which companies need the most help, then offer to give it to them.

The U.N. organizes each session like a silent disco. The room is full to the walls with people, but it's so quiet you can hear the buzz of the fluorescent lights. The presenter at the front, speaking into a little *Price is Right* microphone, isn't amplified over the PA. The only way to hear him is to sit down, put on a stiff clamshell earpiece, turn the dial to English and crank up the volume.

But the point isn't really what happens in the sessions. It is what happens between them, and after all this is over. You have been coming to the Forum every year for five straight, and in that time nearly everything about what you do has changed.

It used to be, companies and NGOs and governments

stayed in their respective corners, shouting into the void in between. Now, you all sit at the same table. You speak directly to each other. Sometimes, you even listen. Corporations no longer tell you that human rights are none of their concern. Governments no longer plead that they couldn't possibly enforce their own laws. NGOs have gone from shouting down corporations to sitting next to them, working for them, applauding their efforts to improve — even when those efforts fail.

Every year you watch people lean into those little microphones and say the same thing: It is getting better out there. Multinational corporations declare their support for human rights. They adopt policies on climate change and fair pay and women's empowerment, and coin acronyms like CSR. (That's "corporate social responsibility.") They hire NGOs to carry out impact assessments. They speak with communities before digging into the minerals below their land. Speech after speech, you hear that companies are better now, that you, the human rights advocate and your little armband, are winning.

So why doesn't it feel that way?

In the years since you started doing this, as your field has transformed

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around you, you cannot help but notice that the world has not. The sweatshops are still humming alongside dusty roads. Mining companies are still scooping out rocks in places where villages used to be. Autocrats still assess investors by the thickness of the envelopes they provide.

Here, this week, you start to think about why. You got into this field this because you thought you could make things better, that you could give back. Over the next four days you realize that you, like everyone else here, have failed.

Everyone comes in traditional dress.

Africans wear dashikis, Buddhists wear robes, indigenous peoples' activists wear wool parkas. Three years ago, a guy stood up in a huge feathered headdress to address the plenary. It's safe to assume the guy with the earring and the \$5,000 watch is head of sustainability for a multinational; the guy he's chatting to, no tie and a combover, must do green procurement for Belgium.

Samantha is in a blazer, heels and gold earrings, pure corporate. She's sitting on the lip of a big leather chair, leaning forward so you can hear her. The panels are taking place in the meeting rooms, but the "café" — the marble foyer right outside them — is humming like happy hour. The veterans catching up, the newbies squinting at each other's name tags, a queue of people

clutching their phones, waiting to make small talk with Joseph Stiglitz.

This is where most of the action takes place here, away from the anodyne speeches and rehearsed questions of the panel sessions. It's wide open, the only fixed objects the carpet and big stone pillars. Around you, people in suits are scooching leather barca loungers and glass coffee tables into little clusters.

Samantha introduced herself by sliding her business card across the table. She's the head of sustainability for a chain of pet stores. Her company buys dogs and cats from Asian breeders and sells them into American homes. She's in charge of making sure the suppliers abide by local laws and the company's code of conduct.

"Shouldn't you be at an *animal* rights and business conference?" you ask.

She shakes her head. "We already have partnerships with every major animal rights NGO," she says.

She tells you about an animal rights NGO that was her nemesis for decades. They campaigned against the company, told their members to send e-mails to its shareholders, pored over its annual reports looking for weaknesses.

"Five years ago, their funding started to dry up," she says. "Their members got older and moved on. They knew that, to survive, they had to start working with us rather than against us."

Now, the NGO's logo is on her company's website. They host joint conferences, she says. The NGO's director comes to her Christmas party.

"That's why I'm here," she says. "I'm hoping human rights NGOs want to engage, too."

You tell her that's a safe bet. Around you, consultants are cruising between the big glass tables, passing out business cards like blackjack dealers.

It wasn't always like this. In the early days, the '90s, when advocacy organizations were chasing down Nike in Indonesia and Shell in Nigeria, the relationship between NGOs and multinational corporations was adversarial, zero-sum, ranks of cavalry lined up waiting to charge.

Globalization was still new — in 1992, half the clothing sold in the United States was made there; by 1999, just 12 percent of it was¹ — and Western consumers were still capable of being shocked by the conditions under which their shoes and their cars and their Coke were produced.

So NGOs told them. The boycott campaigns and protest signs almost wrote themselves. Just juxtapose a company's gleaming marketing message — Just Do It, Can't Beat The Real Thing, Have You Had Your Break Today? — with images of the stone-faced workers suffering behind it.

¹For example, in 1992, nearly half (49 percent) of all retail apparel sold in the United States

"It's not the wrongdoing," your old boss used to say. "It's

was made in the US, but by 1999, just seven years later, the proportion of domestically produced retail apparel had fallen to 12 percent (Rabon 2001 cf. UNIDO Report 2003:7). By 2003, developing countries accounted for nearly three quarters of the export flows in apparel which constituted more than half (57%) of the \$408 billion in global textile and apparel trade that year.

Source:
The Role of Price
And
Cost
Competitiveness
in
Apparel
Exports,
Post-
MFA: A
Review,
Meenu
Tewari,
November
2005

the hypocrisy.”

As the campaigns piled up, the corporations started doing what the protesters demanded. Clothing companies adopted codes of conduct, oil companies trained their managers, beverage brands inspected their farms. They looked for things like child labor and human trafficking in their supply chains and, when they found them, made their contractors prove that they wouldn't happen again. Entire sectors started implementing the same environmental standards in Cambodia that they followed in Cleveland.

After a decade of this, an industry formed to help the growing number of companies making human rights commitments. Fair trade certifications, “socially responsible investment” criteria, human rights impact assessments — all of a sudden, it was easy to feel like companies and NGOs were playing for the same team. Local activists started receiving invitations to audit factories. Charities brokered meetings between corporations and their own workers. The researchers who used to investigate companies were hired by them, paid to provide them with an inside

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look at their own weaknesses. The grassroots NGOs are still around, they're at the Geneva forum too, but every year it seems like there are fewer of them.

You slide your card to Samantha and tell her there's a lot your NGO can offer. You are part of this ecosystem, a consultant at a think tank dedicated to preventing the private sector from violating human rights. Companies come to you and they tell you that their suppliers won't stop hiring children, that government inspectors have been asking for bribes, that their factory managers slap employees for showing up late. You sign a non-disclosure agreement. You bill them 18 months of your salary for a 4-page memo telling them how to fix it.

The first year you came to the Forum, you thought of it as a professional conference, a place to learn about what the smartest people in your field were doing in the most desperate places on Earth. Now, you come here for what it is: A trade show.

Samantha asks if you offer certification, a stamp her company can put on its website declaring that it complies with human rights.

"We prefer to work behind the scenes," you say, kicking off a spiel that has started to sound less natural lately as you have delivered it more. "Complying with human rights is complicated. It's relevant to all your operations, all your suppliers, all your relationships with governments. We recommend that

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companies do this privately, and focus on delivering real improvements to their employees and their customers, before they communicate it publicly.”

“Right,” she says. “But we can still put your name on our website, right?”

“Well of course,” you say.

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You’re in a glass and steel building in

a European capital, elbows on a conference table, wearing a suit that has, as you’ve aged, gone from comfy to fitted to tight. There’s a platter of fresh croissants on the table in front of you next to bottles of fizzy and non-fizzy water.

Across from you is the head of sustainability for the company with its name on the building. His suit fits him perfectly. You reach for the croissants before he does.

You are here to tell him about all issues he should care about — forced labor in his factories, corruption in his suppliers, HIV in his dormitories. As you speak, you watch him separate them into two categories: Breaking the Law, and We Should Look Into That.

We’ve received reports that workers in your factories

may be inhaling chemicals, you tell him. Without masks and respiratory tests, they might be subject to health problems five, ten years down the line. He nods sympathetically, his pen untouched next to his glass of fizzy water. You can almost mouth the words along with him: “We should look into that.”

We’ve also heard reports, you tell him, that workers at your Vietnamese factories are regularly working up to 60 hours a week without overtime pay. He reaches for his pen; he knows where you’re going with this. According to Vietnamese law, employees can’t work more than 48 hours per week without overtime pay. Plus, Vietnamese law requires a **24-hour rest period** between shifts.

He looks up from writing: “So you’re saying that’s a compliance issue,” he says. Compliance is the polite way of saying that his company might be breaking the law. You nod solemnly, victory yours.

He’s writing, and you’re smiling, because you both know the same thing: Publicly traded companies can’t break the law where they operate. They might avoid regulations (tax loopholes, export processing zones) or try to change them (lobbying, funding astroturf NGOs), but ignore them altogether? No one who has to face a hotel lobby full of shareholders at the end of the year can afford do so knowingly.

But you also both know that the Breaking the Law issues are not the worst things happening in his factories.

BUT YOU

Your colleague just returned from his company's compound in Southeast Asia. Three-quarters of the employees there worked under contracts with labor brokers. They got paid below the minimum wage, and worked without overtime pay. That's illegal under local law too, but for the brokers, not the guy sitting across from you. Liability laws mean that his incentive is not to bring these issues into the company, but to push them further away.

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And that is what you do now, together.

You came here with a list of 28 human rights violations that his company is contributing to. One by one, it has dwindled to six. You're down to the most direct, the most visible, the most undeniable.

The croissants are gone. You try breaking character.

"Guess this is a pretty tough job," you say.

The hardest part, he says, is the countries where it's illegal to do the things you're telling him to.

Establishing independent unions in communist countries. Not handing customer data over to dictators in Central Asia. These are not issues that he can manage. They are simply ways in which his company is making the world a worse place. And that you are both equally powerless to do anything about.

He tells you he's trying, that he's worked on setting

some union-ish structures in his factories in Asia. We're not doing it for our reputation, he says, but because it's the right thing to do. You even maybe believe him.

"In China," he says, "our factories have worker committees, these forums where workers meet, talk about common problems and, eventually, take them to management."

Last time he visited, he says, they were electing committee representatives, deciding which workers would be in charge of negotiating with the bosses. Since most of workers weren't used to doing this, he gave out candy to everyone who cast their vote. It seemed to be working. Turnout was huge, they chose representatives, they kicked off the negotiation process with no snags.

But then he started asking workers what they thought of the committees and what they wanted to get out of them.

"No one had any idea what they were even supposed to be doing," he says. Negotiating over salaries, conditions, hours, none of the workers even knew it was happening, or that it was supposed to.

"They just voted," he says, "to get the candy."

"It feels like we've graduated from

all that naming and shaming stuff.”

This is Lucy, you were colleagues together, your first job, a decade ago. Now she works in the consulting unit for a celebrity-backed charity. You’re both waiting outside one of the plenary sessions to catch contacts as they file out.

“These days, it’s about being ‘critical friends,’” she says. “The point is to help, not to stand on the sidelines and shout at the people playing the game.”

Lucy did her fieldwork on cotton farms in India, then some grassroots advocacy stuff in Australia, then got this consulting gig. Somewhere along the line, she says, she found herself working with companies rather than against them.

“Younger-me thinks, wow what a sell-out,” she says. “But the fact is, these companies, for the first time ever, are actually paying attention to their broader impacts. I go into those meeting rooms and I tell them where they can direct that attention to do the most good in the world. I feel pretty good about that.”

She is telling you something you have been telling yourself for years: The shift in your field, the one you both watched in slow motion, did not happen because companies have co-opted you into collaborating with them. It happened because the world became too complicated not to.

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None of the old tactics work anymore. Consumers have heard the sweatshop story too many times to find it galvanizing of much more than a few Facebook shares. Supply chains have stretched too far, with too many zig-zags, to trace transgressions back to a single company. The worst violations — slavery, human trafficking — are too intertwined with the economies and the policies of the places where they happen to find a villain behind them. You have stopped demanding changes because you do not know what to demand anymore.

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Take child labor. Solving it sounds simple, as straightforward as the catchphrase on one of your advocacy campaigns: Stop hiring children. In reality, however, it is a process that can take years. Employees show up with forged birth certificates. Suppliers lie about how many sites they have. Auditors sign off on factories without visiting them. Even when a company finds 15-year-olds working at its conveyor belts, what is it supposed to do, fire them? A lot of those kids are from rural areas, districts where there's no school past eighth grade. Pushing them out of that factory means, in practice, sending them back to a place where there is nothing else for them to do.

Lucy's been working with a mining company in the former Soviet Union. Every year it gives \$1 million to the regional governor, funding that's supposed to go to

adult literacy programs, schools, hospitals. Last year Lucy found out most of it went to the regional capital, five hours' drive from the mining site. It has an opera house, an ice-skating rink, a new art museum. Meanwhile, she says, this winter she found out that almost half of the company's local staff lived in buildings without heating.

This is why she still does this, Lucy says, why the shift from advocacy to consultancy feels like a difference in degree rather than in kind: The things we ask of companies are difficult. In a complicated world, the businesses that will do the most good, and reduce the most misery, are those that are efficient at untangling it.

Some days you believe this too. Others, you wonder if the good you do with companies will ever outweigh the bad they do without you.

"Fine, it's hard, boo hoo, congratulations." This is David. He's the one handing out the #StopCorporateAbuse armbands. "You know what else is hard? Getting oil out of the ground at the bottom of the fucking ocean. Producing 30 million identical pairs of shoes. Making a smartphone as powerful as a roomful of computers." If these companies were so serious about protecting human rights, they wouldn't need NGOs to help them. They would just get on with it.

David coordinates a network of small advocacy NGOs in the developing world. He used to be a consultant for corporations, researching their policies, giving them trainings, visiting their work sites. Then, after 10 days

on an oil company compound in West Africa, he quit, moved to Myanmar. He hasn't worked with companies since.

"You know what I realized?" he says. "It all comes down to budgets." The way companies do it is, they create a department in charge of "sustainability" — or human rights, or corporate citizenship, or social responsibility, pick your buzzword — whose job is to keep the NGOs at bay. That's who hires you, asks you for help, sends you to their factories in dictatorships. The 15 other departments of the company, meanwhile, do exactly what they always did. Only now, they've got a guy whose job is to dress it all up as "sustainability" and sell it to consumers.

The way to tell how seriously a company takes something, he says, is to ask them how much they spend on it. The mining company that paid Lucy \$40,000 to research their social investments? They spent \$500 million on marketing last year. The pharmaceutical retailer you've been working with, the household name? Their "social issues" department is exactly one guy. He's

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outnumbered by tax lawyers 40 to 1.

“I left because I kept asking myself, what happens to our advice after we give it?” David says.

That oil company compound, the last one he visited before he quit?

“I asked the head of sustainability, ‘So what is your CEO going to say about all the work we did here?’”

“He told me he had no idea,” he says. “They had never even met.”

You are at a fancy hotel, a rooftop
bar, above Nairobi.

Kuende is an old colleague, you were interns together years ago, just starting out. He’s Kenyan, he’s back home now, he works at a small NGO — him and a few interns, basically — that tries to keep oil companies from kicking rural Kenyans off their land.

“So you want to be our local partner on this?” you ask him. You’re applying for little over a million dollars from a Western government. The tender specifies that most of the work should be done by Kenyan NGOs.

“Sure, why not?” Kuende says.

You both know how this works. International donors put out a tender for the issues and the countries they want fixed. Women's rights in Zambia. Agricultural productivity in Malawi. Forced resettlement in Bangladesh.

You scan the tender for nouns — sustainability, empowerment, “learnings” — you can regurgitate back in your proposal. You calculate a budget in Excel. You make PDFs of your CV, printouts of your LinkedIn headshot. You contact African NGOs, ask them to be boots on the ground.

That's where Kuende comes in. Donors these days don't want to pay Dutch and British and Belgian people to fly to Kenya, attempt to solve its problems and fly home. They want local expertise, researchers who know the country, projects that have a life beyond one fortnight, one conference at the Nairobi Intercontinental.

Whenever a big tender comes out, Kuende says, his phone starts ringing. European and American NGOs fishing for a local partner. They e-mail him the “statement of support” he needs to sign, blanks awaiting his signature, his logo already at the top.

“You know how many proposals we're a local partner for this year?” he says. “Probably a dozen.”

The D.C. think tanks are the worst, he says. They send him the paperwork before the proposal. They know they need a local NGO in their pitch to the donor, but they don't actually know what they want to do yet.

“I just sign them,” Kuende says. “Most of the projects turn out the same anyway.”

The Europeans, the Americans, they end up taking most of the funding, doing most of the work themselves. Kuende gets maybe \$10,000. Enough to pay his own salary for almost a year. Usually, that’s enough. He spends half his time doing stuff for the donors — a village consultation, some fieldwork, a bit of legal research — and the rest of it working on things he actually wants to do, the kind he thinks will make a difference.

This is, in fact, what you do too. You are in Nairobi because your donor wants you to hold a training for a Kenyan NGO, four days downstairs in the lobby of the hotel you’re sitting on top of. You’re here to train local NGOs to work with companies like you do — visit their buildings, congratulate them on their sustainability projects, identify Breaking the Law issues for them to solve.

You realized years ago that these trainings are more of a burden for local NGOs than a benefit. Mostly, they are theater. Organized by donors 3,000 miles away, the attendees already well-versed in what you have been sent here to teach them. Between sessions, you ask participants what you should really be working on together, what they were doing early this morning at the office before you arrived. When the training is

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over, you stay an extra week so you can do some actual work together.

You ask Kuende what he'll do with the extra time, the spillover if the funding comes in. He tells you he's working with green bean farmers in rural Kenya.

Last year he went to London, texted them pictures of their produce on grocery store shelves. When the farmers picked them, they were worth about for 55 shillings per kilo. In London, they were selling for nearly 2,000.

The farmers were incensed. They complained to their buyer — a middleman, another U.K. company — who agreed to push the price up to 150 shillings per kilo. Then, three months later, he came back to them and said other farmers, a few fields over, were still selling them for 55. They could either drop their price back down or lose the contract entirely.

There is no human rights violation here, Kuende says, nothing in the interest of an international donor to fund or the ability of a domestic politician to fix. Kuende is trying to form a union for farmers to negotiate better prices, but they're scared. Won't the company just start buying from Ugandan farmers, right next door?

"All these NGOs you're partnering with," you ask, "are they doing anything to help?"

"Next week," he says, "they're coming down to give us a training."

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“Fuck if I know.”

This is Steven. It is the last day of the Forum and you are standing outside, squinting against the blue of the sky and the green of the grass. Most of the attendees have given up on the sessions entirely by now and so have you, and you're all mingling on the steps. Steven does something for the U.N., you're not quite sure, and he's answering the question you just asked him, the one you're asking everyone: *Are we winning?*

“We don't have the information,” he says. “Are there fewer sweatshops now than 15 years ago? Are there more land grabs by mining companies? Nobody has any idea.”

There are only two kinds of U.N. employees: Kool-Aid Drinkers, and Get Me Outta Heres. Steven appears to be one of the latter. He added you on LinkedIn three days ago, about 15 minutes after you met him.

“Without information,” he says, “we resort to narratives. There's the hopeful narrative and there's the cynical one.”

“Give me hopeful first,” you say.

“Since the Industrial Revolution,” he says, “companies have been held responsible for an expanding circle of

impacts. Child labor, worker housing, environmental pollution, health and safety, overseas corruption, they're all things that companies used to say weren't their problem. And now they are."

The circle keeps expanding. Soda companies are the target of campaigns to tax their products and pay for anti-obesity programs. Apparel companies, now that they've started auditing their factories and reporting their supply chains, are under pressure to buy cotton from countries without child labor. Jewelry companies and cellphone manufacturers have to certify that their raw materials don't come from conflict zones. Yesterday you traded business cards with a guy who works for a big pension fund in Northern Europe. His job is to check their investments to make sure they're "climate-sensitive."

"Every time the circle expands," Steven says, "the world gets a little bit better."

"What's the cynical narrative?" you ask.

"Look around," he says. "It's the same companies, year after year."

He's right. You go to enough of these things and you start to see the same faces. The corporate citizenship guy for Shell is down on the grass, chatting to a former head of state. The De Beers lady, the one who raises her hand in all the side sessions every year and tells the room about Botswana, is typing into her Blackberry. The water guys from Nestlé and Coca-Cola are jingling

their coins in their pockets as they wait in line for paninis. One of your colleagues calls it “human rights prom.”

This is why it’s so easy to feel triumphant, to congratulate yourself, to applaud all the effort that brought these people into these rooms.

“With these companies,” Steven says, “we’ve won.”

This is what your field has achieved, the outcome of all those consumer campaigns 20 years ago. You’ve created a class of companies that audit their factories, that retweet NGO reports and that say, and even, with enough cajoling, do, some of the right things on social responsibility.

This allows you, an NGO person, cozy in your argyle, to tell yourself that you have changed the world. These companies are here, eager to shake your hand and give you their sustainability report and join you in complaining about the coffee. You shake hands back, give them your own annual report, joke that that the UN cafeteria is a violation of your right to food.

“But as soon as one of these companies stops making the world a shittier place,” Steven says, “three others start.”

Most of the world, after all, is not companies you’ve heard of. There are no state-owned enterprises here, no business-to-business firms, no steel

**THE
COMPANIES**

smelters or brandless megasuppliers. The companies here, the ones that are scared of you, are just a tiny sliver of the global economy, a few billion in revenue, a few hundred thousand workers. The rest of it is firms no one knows, that no one is watching, that do not produce marketing messages that can be turned against them.

“The biggest companies now,” Steven says, “are based in Brazil or China or South Africa. And there’s nothing we can do about them.”

“What are you even doing here?” you ask.

“Networking,” he says.

You go back inside, your heels echoing on the marble, then silent on the carpet, as you join one of the final sessions. It’s about halfway finished, everyone sitting with their little earpieces on, the speaker leaned into his microphone. You think you can make out the word “Bangladesh.” You sit down, grab the earpiece, turn the speaker to English. But it’s broken, no sound comes out.

You fiddle with it for a few seconds, trying to get it to work. Then you give up, put it back on the desk in front of you, lean back, and listen to the fluorescent lights.

All the names and identifying details of individuals and

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companies in this story have been changed.

Michael Hobbes was a human rights consultant from 2006 to 2016. He's now a contributing editor and producer at Highline.