

**CHALLENGING**

**CORPORATE**

**POWER**

**Struggles for women's rights,  
economic and gender justice**

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**AWID and the Solidarity Center gratefully acknowledge the courage of all the Cross Movement Dialogue participants who shared their stories and thank each and everyone for their contribution.**

### **2016 Association for Women's Rights in Development (AWID) and Solidarity Center**

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**This research is dedicated to** the women human rights defenders challenging corporate power globally. The women fighting for land, territory and the protection of the Earth; the women trade unionists and workers' movements fighting for rights and dignity; the women fighting for their self-determination and freedom against hetero-patriarchal capitalist imperialism. This research is dedicated to Berta Cáceres, who was murdered on the last day of the cross movement dialogue that birthed this paper, and who, on that day, multiplied.

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**TOGETHER WE ARE STRONGER.**

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# ACRONYMS

Addis Ababa Action Agenda .....	<b>AAAA</b>
Antiretroviral .....	<b>ARV</b>
Beer Selling Industry Cambodia .....	<b>BSIC</b>
Cambodian Food Service Workers Federation .....	<b>CFSWF</b>
Chief Executive Officer .....	<b>CEO</b>
Council of Indigenous Peoples of Honduras.....	<b>COPINH</b>
Corporate Social Responsibility .....	<b>CSR</b>
Export Processing Zones.....	<b>EPZ</b>
Gross Domestic Product .....	<b>GDP</b>
Independent Democracy of Informal Economy Association – Cambodia .....	<b>IDEA</b>
Inter-American Commission of Human Rights .....	<b>IACHR</b>
International Financial Institutions .....	<b>IFIs</b>
International Labour Organization.....	<b>ILO</b>
International Monetary Fund .....	<b>IMF</b>
Investor-state dispute settlements .....	<b>ISDS</b>
International Trade Union Confederation .....	<b>ITUC</b>
Lesbian, Bisexual, Trans, Queer, Intersex .....	<b>LGBTQI</b>
Millennium Development Goals.....	<b>MDGs</b>
Organisation for Economic Co-operation and Development.....	<b>OECD</b>
Public-private partnerships .....	<b>PPP</b>
Public Services International.....	<b>PSI</b>
Trade in Services Agreement .....	<b>TISA</b>
Trade Union Workers’ Federation of Progress and Democracy .....	<b>TUWFPD</b>
Trans Pacific Partnership.....	<b>TPP</b>
Transatlantic Trade and Investment Partnership.....	<b>TTIP</b>
Treatment Action Campaign – South Africa .....	<b>TAC</b>
Trade Union Workers’ Federation of Progress and Democracy .....	<b>TUWFPD</b>
United Nations Framework Convention on Climate Change.....	<b>UNFCCC</b>
World Economic Forum .....	<b>WEF</b>
World Trade Organization.....	<b>WTO</b>

# EXECUTIVE SUMMARY

Women and other oppressed peoples have been, and continue to be, at the forefront of struggles worldwide to challenge inequality and economic and political systems based on natural resource extraction, labour exploitation and multiple forms of discrimination. The rising power and extended reach of corporations in the current era of globalization and extreme inequality is an urgent challenge confronting women and oppressed peoples today.

‘Corporate power’ refers to the excessive control and appropriation of natural resources, labour, information and finance by an alliance of powerful corporations, and global elites, in collusion with government. The immense size and extensive scope of corporate power in comparison to nation states is difficult to comprehend. Research shows that 63% of the top 175 global economic entities are transnational corporations, not countries. The revenues of the three largest corporations, Royal Dutch Shell, Exxon Mobil and Wal-Mart were higher than the gross domestic product of 110 countries - 55 % of nation states.<sup>1</sup> In 1965, CEOs in the United States earned 20 times more than their employees; in 2014, CEOs of the 350 largest corporations earned, on average, 303 times more than their employees.<sup>2</sup> This reflects the growing divide between the owners of capital and workers evident across the world.

Corporate actors are part of a business sector, which include small and medium enterprises, cooperatives, and larger national and transnational corporations. The concentration of power within the hands of a few large national and transnational corporations distorts economic, political and social structures in the interests of a few; and entrenches the extraction and exploitation of labour and natural resources. Rooted in a history of colonialism and imperialism, corporate power depends on, and reinforces, longstanding and interlocking systems of domination based on gender, class, race, caste, and ethnicity. Women and oppressed groups in both the global North and South feel the brunt of corporate power through deplorable working conditions, the appropriation of their land and natural resources, a lack of access to quality public services, and the invisibility of their unpaid and low paid informal work.

In early 2016, AWID and the Solidarity Center convened a Cross Movement Dialogue facilitated by Just Associates (JASS) in São Paulo, Brazil, which brought together women trade unionists, women workers, feminists, Indigenous and Black women, lesbian, bisexual, trans, queer, Intersex (LBTQI) activists, and women human rights defenders to discuss, debate and share understandings of corporate power, and what it means to their struggles and their lives. The reflections, insights and theoretical frameworks explored during the dialogue shape and inform this report. In discussions participants sought to understand how corporate power functions, its impacts on women and oppressed peoples, and the ways in which social movements are challenging and confronting corporations and governments acting in their interest.

Drawing on an analysis of power, exclusion and inclusion the report outlines the ways in which large national and transnational corporations exert formal, shadow and invisible power.<sup>3</sup> Governments, influenced by large corporations, set the rules through national and international legislation that privileges these corporate interests over and above agreed international human rights and labour law. The 1980s mark the consolidation of neoliberal economic policies that led to changes in the laws allowing for trade and financial liberalization, the deregulation of labour, and the privatization of natural resources and basic services. This gives corporations the **formal power** to degrade working conditions, pay low wages, avoid tax, and sue sovereign states for violations of trade agreements. Corporate lobbying of governments is a way to exert **hidden power** as it gives corporations a seat at the table in decision-making processes where they can set the agenda.

Similarly, corporate social responsibility is used to obscure and mask the negative practices corporations adopt to gain power and revenue such as corporate lobbying, union-busting, aggressive tax avoidance, environmental pollution and violence against workers and communities. Corporations are gaining more influence and visibility in setting international development priorities for example by directly funding UN initiatives and civil society programs.

Corporations are also exercising their **invisible power** to mould and shape social norms and people's beliefs. Global media ownership, for instance, is increasingly concentrated in the hands of a few transnational corporations.<sup>4</sup> It is used to disseminate and reaffirm the key principles of market fundamentalism and has become a powerful tool in determining whether or not political leaders are elected and remain in power. The media drives over-consumption and lulls people into a false sense of wellbeing especially in the global North.

The multiple ways in which corporate power is practiced and exercised depicts a system of extraction and exploitation of natural resources and labour with its roots in the ideologies of white supremacy, capitalism and patriarchy.<sup>5</sup> The impacts on women's and oppressed people's lives is pervasive and devastating. Women from racially and ethnically marginalized groups and migrant women worldwide, including those living in the global North, have limited access to education and skills training, are responsible for an unequal share of domestic and unpaid work, and are more likely to be in low paid and informal employment without social security benefits.<sup>6</sup> The privatization of public services such as health and education make them inaccessible to the most marginalized women. Women are overrepresented amongst the lowest tier of public sector workers such as teachers, nurses and healthcare workers who are likely to lose their jobs or earn lower wages on more precarious contracts as a result of privatization.

The privatization of land and natural resources displaces women farmers and indigenous communities and violates their right to land, food, water and a livelihood. The extraction of natural resources through agribusiness, hydropower, and mining leads to ecological damage and contributes to climate change that will disproportionately affect women in the global South. Finally, the militarization and criminalization of social movements and the working class by corporate power is expressed through systemic violence against women and oppressed groups.

Confronted with escalating corporate power, women and other oppressed groups are continuing to resist through their movements. There are 70 million women organized in trade unions today, and many millions more in cooperatives and other worker rights associations.<sup>7</sup> There is a call to scale up struggles of resistance, build bridges between different social movements, and foster and grow people's power to build new forms of production, consumption and distribution of the world's social and economic resources.

The five stories of struggle captured in this report were shared during the Cross Movement Dialogue and illustrate that women and oppressed groups around the world have the **power to** challenge the dominance of corporations. Each struggle, whether focused on labour rights in Cambodia, access to medication and public healthcare in South Africa, or the preservation of natural resources against large corporate mining and energy projects in Nigeria, Brazil and Mexico, uses cross movement collaboration in some way to defy corporate power. The recommendations and reflections emerging in the last moments of the Cross Movement Dialogue speak to how women trade unionists, LGBTQI activists, feminists, indigenous women and women human rights defenders can sustain their victories by consolidating the **power within** their movements, nurturing collective **power with** other social movements, and exerting **power over** corporations and governments acting in their interest.

<sup>1</sup> White, D. S. The Top 175 Global Economic Entities. 2012 <http://dstevenwhite.com/2012/08/11/the-top-175-global-economic-entities-2011/>. Cited in Pingeot, L. Corporate influence in the Post-2015 process. *Global Policy Watch, MISEREOR and Brot für die Welt*. 2014 (accessed 23 January 2016)

<sup>2</sup> Mishel, L. and A. Davis. *Top CEOs Make 300 Times More than Typical Workers Pay Growth Surpasses Stock Gains and Wage Growth of Top 0.1 Percent*. Economic Policy Institute. USA, 2015.

<sup>3</sup> VeneKlasen, L. and Miller, V. A New Weave of People, Power and Politics: The Action Guide for Advocacy and Citizen Participation. *World Neighbors*. USA, 2002.

<sup>4</sup> Arsenault, A. and M. Castells. The Structure and Dynamics of Global Multi-Media Business Networks. *International Journal of Communication*. 2, 707-748. 2008

<sup>5</sup> Hooks, B. *Talking Back: Thinking Feminist, Thinking Black*. South End Press. USA, 1999

<sup>6</sup> UN Women. *Progress of the World's Women: Transforming Economies Realizing Rights*, USA, 2015.

<sup>7</sup> Global Unions. *Global Unions Statement to the 60th Session of the UNCSDW. United Nations Commission on the Status of Women*. 18 March 2016 <http://www.world-psi.org/uncsw/news/global-unions-statement-60th-session-uncsw> (accessed 11 April 2016)

# INTRODUCTION

The rising power and extended reach of corporations in the current era of globalization and extreme inequality<sup>1</sup>, is an urgent challenge confronting women and oppressed peoples. Corporate power impacts gender justice, women's rights and lives through its influence on policies that shape the global economy. Consumption and production patterns, labour rights and employment practices across all sectors are determined by the corporate drive for more and more profits. The growing influence of corporate power on government and multilateral policies, through the United Nations and private foundations, is transforming international development debates directly affecting women and girls.

Corporate actors are part of a business sector, which include small and medium enterprises, cooperatives, and larger national and transnational corporations. This sector is fuelled by –and can generate benefits for– workers and consumers, and is an important source of innovation, production and distribution in the global economy. At the same time, however, the concentration of power within the hands of a few large national and transnational corporations distorts economic, political and social structures in favour of the interests of a few; and entrenches the extraction and exploitation of labour and natural resources. In this paper, the term 'corporate power' refers to this excessive control and appropriation of natural resources, labour, information and finance by an alliance of powerful corporations, and global elites in collusion with government.

Today's pervasive corporate power has its roots in longstanding and interlocking systems of domination based on gender, class, race, caste and ethnicity that pervade from colonialism and imperialism. For example, in many ways, the lives of impoverished women of color in the global North more closely resemble those of impoverished women from lower castes or marginalized ethnic and racial groups in the global South.<sup>2</sup> The rise of emerging powers such as China, India, Brazil, South Africa and Russia, while challenging the social, economic and political dominance of western nation states and societies, has not challenged corporate power. Indeed, corporate power in these countries uses the same forms of extraction and exploitation. The resulting human rights violations and environmental devastation continue to be felt most acutely by impoverished and marginalized women and oppressed groups in the global South and North.



Women and other oppressed peoples, faced with deepening inequality and the widespread impact of corporate power on their lives, continue to fight for their rights and for their own vision of development and progress. Through their struggles they are protesting against human rights violations and the ecological damage brought on by large corporations in search of rising profits and influence. For example, women within trade unions and workers' associations are fighting against women's segregation into low paid, informal and increasingly precarious work. Feminists and LGBTQI movements are challenging the privatization of healthcare systems and the high price of medication to secure women's and LGBTQI peoples' rights to health and sexual and reproductive health and rights. Indigenous peoples and peasant movements are standing against large corporations that are seeking to take away their ancestral lands and pollute the water and soil on which their livelihoods depend.

**In this paper, the term 'corporate power' refers to this excessive control and appropriation of natural resources, labour, information and finance by an alliance of powerful corporations, and global elites in collusion with government.**

In early 2016, AWID and the Solidarity Center convened a Cross Movement Dialogue facilitated by JASS in São Paulo, Brazil, which brought together women trade unionists, LGBTQI activists, feminists, indigenous women and women human rights defenders to discuss, debate and share what corporate power is, and what it means to their struggles and their lives. The reflections, insights and theoretical frameworks explored during the dialogue shaped and informed this paper. In the first section, the paper explores how corporations in collusion with elites and other powerful actors are exerting their power to transform economic and political systems. The report then illustrates how this power impacts women and oppressed peoples. The final section looks at the power women and oppressed peoples are exercising through five stories of resistance shared during the Cross Movement Dialogue. The recommendations and reflections at the end of this report are informed by the conversations within and across different movements.

# I. CORPORATE POWER AND HOW IT OPERATES TODAY

## SCALE AND SCOPE OF CORPORATE POWER

Corporate power today is overwhelming and pervasive. The immense size and extensive scope of corporate power in comparison to nation states is difficult to comprehend. Research shows that 63% of the top 175 global economic entities are transnational corporations, not countries.<sup>3</sup> The revenues of the three largest corporations, Royal Dutch Shell, Exxon Mobil and Wal-Mart, were higher than the gross domestic product (GDP) of 110 countries, 55% of nation states. Shell is one of the largest investors in Nigeria's Niger Delta and earned total revenue of USD484 billion in 2011. This is almost double Nigeria's GDP which was USD 235 billion in 2011, and at the time Africa's second largest economy.<sup>4</sup>

**63% of the top 175 global economic entities are transnational corporations, not countries.**

Though large corporations are accumulating more revenue, corporate power is increasingly consolidated and concentrated in fewer and fewer transnational corporations. Research in 2011 looked at the ownership structure of the existing 43,060 transnational corporations worldwide. Ownership is determined by the percentage of shares owned in a company. Of the 43,060 transnational corporations, 40% are owned by a core group of 147 transnational corporations. Most of the 147 transnational corporations are commercial and investment banks and pension funds headquartered in the global North.<sup>5</sup> Despite increased presence of corporate entities in emerging economies, corporate power is disproportionately held in North America and Europe. The concentration of ownership and control of these 147 transnational

corporations presents an "international 'super entity'" that dominates markets in both the global North and South and can threaten global financial stability as was seen in the 2008 financial crisis.<sup>6</sup>

## Corporate power in numbers



Of the 43,060 transnational corporations, **40%** are owned by a core group of 147 transnational corporations. Most of the 147 transnational corporations are commercial and investment banks and pension funds headquartered in the global North.



### **110 COUNTRIES**

The revenues of the three largest corporations, Royal Dutch Shell, Exxon Mobil and Wal-Mart, were higher than the gross domestic product (GDP) of 110 countries, 55% of nation states.

### **484 BILLION (USD)**

is the total revenue earned by Shell, one of the largest investors in Nigeria's Niger Delta. This is almost double Nigeria's GDP which was USD 235 billion in 2011, and at the time Africa's second largest economy.



### **62 INDIVIDUALS**

owned as much wealth as

**3.6 BILLION PEOPLE**



### **44%**

is how much of the wealth of these individuals rose by over the past five years.

The increasing concentration of corporate power is also strikingly visible in global inequality data. Oxfam notes that in 2015 62 individuals owned as much wealth as 3.6 billion people, and the wealth of these individuals rose by 44% over the past five years.<sup>7</sup> To put this in perspective, Bill Gates was the wealthiest man in the world in 2015 with a net worth of USD 79.2 billion.<sup>8</sup> This is more than the GDP of countries such as Kenya, at USD61 billion or Uruguay at USD57 billion.<sup>9</sup> The wealthiest people in the world have accumulated their fortunes through the transnational corporations they own, enhanced by the capital they are able to shift to tax havens to avoid taxation. The release of the “Panama Papers” by the International Consortium of Investigative Journalists in April 2016 unmasked hidden offshore wealth in the billions.<sup>10</sup> The data on tax avoidance and corrupt dealings of some of the wealthiest individuals and companies is but the tip of the iceberg of a system that relies on financial secrecy to allow corporate power to flourish.



## CORPORATE POWER AND ECONOMIC POLICY

In order to make sense of this rapid and intense accumulation of corporate profits and influence, it is useful to understand the layered web of power that sustains the dominance of corporate power by using the power analysis developed by JASS.<sup>11</sup> Drawing on the analysis of power, inclusion and exclusion, power can take different forms; **formal power** is the visible and defined aspects of power through formal rules, structures, authorities, institutions and decision-making. What makes corporate power difficult to analyze and confront is that it does not always operate in visible ways. **Shadow power** in this context refers to the capacity of large corporations to determine who sits at the decision-making table and what is put on the agenda. Unlike formal power, shadow power is not institutionalized through laws or policies, but is just as important to ensuring that large corporations' interests dominate decision-making processes. **Invisible power** is the power corporations have to shape beliefs and acceptance of people's own oppression and privilege. These multiple dimensions of power are important to understand and consider in order to assess how corporate power impacts women and oppressed people as discussed in the second part of this report. It is only by reflecting on these multiple forms of power that activists can strategize and organize across different movements to confront corporate power.

## Formal power to change policy and laws

The sheer wealth of transnational corporations allows them to set the rules through national and international legislation that privileges their interests over and above agreed international human rights, labour laws and environmental commitments<sup>12</sup>. Large corporations in consultation with governments have crafted the laws that structure our economic institutions today. The 1980s mark the consolidation of neoliberal economic policies with the elections of Ronald Reagan in the United States of America and Margaret Thatcher in the United Kingdom. Both leaders were staunch supporters of market fundamentalism – the belief that free market competition is the most efficient way to distribute resources for production and consumption. Neoliberalism claims that interference by the state through taxes, subsidies, or trade tariffs and regulations, distorts the market and leads to inefficiencies and poor social outcomes<sup>13</sup>. Removing impediments to companies allows them to expand and hire more employees, while a more competitive market brings down the prices of goods and services benefitting consumers. In this way, neoliberals argue, the wealth and profits that companies accrue trickle down to the population, increase economic growth and lift people out of poverty.

As part of this approach, legal reforms enabling the accumulation of capital and natural resources by large corporations were pushed by northern governments in their own countries, and imposed on countries in the global South through a variety of institutions and processes including International Monetary Fund (IMF) loan agreements, free trade agreements, labour deregulation, international tax rules and financial liberalization.

**Formal power** is the visible and defined aspects of power through formal rules, structures, authorities, institutions and decision-making.

**Shadow power** in this context refers to the capacity of large corporations to determine who sits at the decision-making table and what is put on the agenda.

**Invisible power** is the power corporations have to shape beliefs and acceptance of people's own oppression and privilege.

## IMF LOAN AGREEMENTS

The US government, the World Bank and the IMF encouraged high levels of external borrowing under state-led development in the 1950s – 1970s. The logic was that with more money at their disposal, countries in the global South could consume more products made by US companies and transnational corporations.<sup>14</sup> Then, in the 1980s the debt crisis hit countries in the global South and they were forced to turn to the IMF as the lender of last resort. IMF structural adjustment programs in Africa<sup>15</sup> were a clear turning point in economic policy making in the region. Neoliberal economic policies were presented as a solution and an alternative to state-led development that would reduce high and unsustainable debt levels in Southern countries by cutting back on public spending; while also creating a more conducive regulatory environment for the private sector.

IMF loans had numerous conditions forcing countries to adhere to neoliberal economic policies. These include trade and financial liberalization, restrictive monetary and fiscal policies, privatization of basic services, breaking labour unions and deregulating labour laws, and slashing corporate taxes. If countries did not adhere to these conditions, they would lose the IMF's 'seal of approval' and subsequent access to funds from multilateral banks, such as the World Bank, and donor aid agencies.<sup>16</sup> Global credit rating agencies also give lower ratings for countries without IMF support, making it harder for these countries to take out loans from private banks and investment firms. Therefore, in order to access the funds needed to build basic infrastructure and develop their economies, governments in the global South - many in Africa that were emerging from direct colonialism - had to adjust their national budgets and change labour laws, tax codes, and trade and investment policies.

A key component of IMF loan agreements are **restrictive macroeconomic targets** intended to bring down public spending and keep debt and inflation levels low. Such fiscal and monetary targets translate to lower public expenditure on education, healthcare, infrastructure and public sector workers' salaries including teachers and nurses.<sup>17</sup> This in turn is reflected in national budgets, which are usually legally binding once approved by a government's legislative body.<sup>18</sup>

International financial institutions (IFIs) open the door for large corporations to access new markets through privatization. As countries are unable to meet the need for basic services, governments are encouraged to privatize. A 2015 International Labour Organisation (ILO) review of 616 IMF country reports from 183 countries shows that over 55 countries, 40 low and middle income countries and 15 high income countries are planning to privatize public assets and services such as energy, water, infrastructure, banking and telecommunications between 2010 - 2020.<sup>19</sup> The World Bank and regional investment banks come in and provide additional loans to governments in the global South that go towards creating the physical and financial infrastructure for new privatized healthcare, education, among other services.<sup>20</sup> In 2015, the world's largest education multinational corporation, Pearson, made USD 4.5 billion in annual sales.<sup>21</sup> It is estimated that the top 20 education transnational corporations are worth USD 36 billion.<sup>22</sup>

**Financial liberalization** was included as a condition in IMF loan arrangements and encouraged further privatization.<sup>23</sup> Key legal reforms ensured that national currencies could be freely exchanged and that capital controls were removed. This was fundamental in ensuring that foreign investors could bring in and take out their capital and profits from countries in the global South. Financial liberalization went hand in hand with the privatization of the banking sector, media, public utilities and services, and state-owned enterprises. Greater freedom of movement of capital both in the global North and South allowed wealthy individuals, political elites and large national corporations to borrow and invest their wealth abroad detaching their personal welfare from that of the rest of the population. Recently the IMF acknowledged that financial liberalization over the past 30 years contributes to rising income inequalities within countries, reduces the share of income that goes to labour, and leads to financial crises that hurt the poorest most.<sup>24</sup>

## TRADE LIBERALIZATION

These legal and economic policy reforms are reaffirmed through legally binding bilateral and multilateral trade agreements. In the last two decades there has been a four-fold increase in the number of free trade agreements and there are currently approximately 3,200 international investment agreements in place.<sup>25</sup>

Previously, many of these agreements were discussed through the General Agreement on Tariffs and Trade, which later became the World Trade Organization (WTO). New multilateral trade agreements such as the Transatlantic Trade and Investment Partnership (TTIP), Trade in Services Agreement (TISA) and the signed Trans Pacific Partnership (TPP) are not always negotiated at the WTO, but behind closed doors excluding key stakeholders such as trade unions, women's rights and LGBTQI organizations, indigenous peoples and environmental protection groups. The free trade agreements under negotiation today are pushing the deregulation of labour and the trade and financial liberalization agenda further than in previous negotiations under the WTO.<sup>26</sup> Once agreed, States ratify these trade agreements, leading to changes in national legislation.

**Veolia, a French transnational corporation is suing the Egyptian government for raising the minimum wage, arguing that it increases the corporation's production costs and thus impacts their profit.**

Trade agreements seek 'regulatory harmonization' forcing countries involved to agree to common legally binding investment and competition policies as well as intellectual property regimes. Upon signing onto trade agreements, governments cannot provide preferential treatment to domestic companies over foreign companies that are seeking to invest in their countries. This allows for unfair competition as transnational corporations, with their far greater access to technologies and financial capital, are able to dominate markets in the global South where local companies are smaller and may have less capacity. Moreover, low-income countries that embrace trade liberalization see their markets flooded by goods and services produced by large corporations in high and middle income countries.

Multilateral and bilateral trade agreements also include **investor-state dispute settlements** (ISDS) designed to protect investors from what's called "arbitrary expropriation". In essence they allow transnational corporations to sue national governments for protecting, for example, labour rights, land rights or ecological diversity, if it in any way impacts to future profits of the transnational corporation. ISDS are not settled in national courts but taken to three independent arbitrators who in confidential proceedings hear the case and pronounce a verdict. Governments are forced to use public funds to defend their case against transnational corporations at exorbitant costs. The Independent Expert on the promotion of a democratic and equitable international order finds that

*64 per cent of the awards [from ISDS] went to companies with over \$10 billion in annual revenue and 29 per cent to companies with between \$1 billion and \$10 billion in annual revenue, or to individuals with a net wealth of over \$100 million, indicating that the primary beneficiaries of financial transfers in Investor-State dispute settlement awards have been ultra-large companies and super-wealthy tycoons'<sup>27</sup>*

The ISDS acts as a direct threat to national governments acting to fulfill their human rights obligations – as required under international law - or respond to the demands of their electoral base, as required in a democratic system. For instance, Veolia, a French transnational corporation is suing the Egyptian government for raising the minimum wage, arguing that it increases the corporation's production costs and thus impacts their profit. In Germany, a Swedish energy provider is demanding USD 5 billion in lost revenue due to the elected government's decision to phase out nuclear energy.<sup>28</sup> ISDS is a devastating example of the impact of corporate power, and the ways in which it has subjugated state power to serve its interests.

## LABOUR DEREGULATION

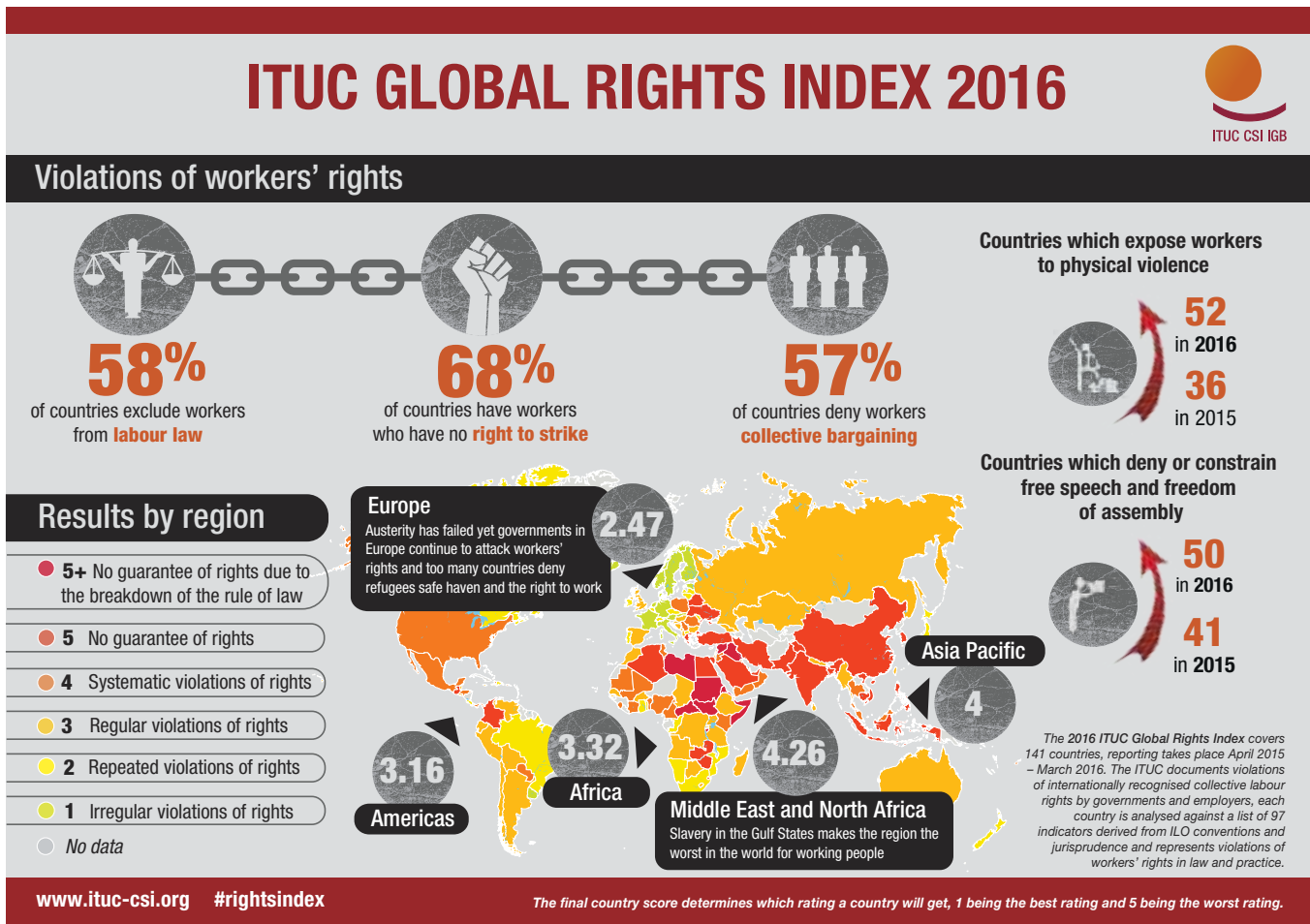
IMF loan agreements include labour market deregulation as conditions, which weaken key worker rights protections such as minimum wages, benefits, pensions, the rights to organize and bargain collectively in order to create "flexible" labour markets.<sup>29</sup> This is reinforced by World Bank lending, which encourages countries to ease labour regulations to attract foreign investment.<sup>30</sup> The International Trade Union Confederation (ITUC) notes that in 2016



*58 percent of countries exclude groups of workers from the labour law, 70 percent of countries have workers who have no right to strike, 60 percent of countries deny or restrict workers collective bargaining and 52 percent of countries deny workers access to the rule of law.<sup>31</sup>*

Over the past thirty years, across the world, the active and systematic attack on trade unions through criminalizing their activities, undermining the internationally-recognized rights to freedom of association and collective bargaining, and administrative manipulations related to elections, registration, and dues collection, leaves little counterweight to corporate power and is a contributing factor to rising inequality within and between countries.

Legally binding bilateral and multilateral trade agreements also push governments to weaken labour regulations as part of an **export-led growth model**. International financial institutions, governments in the North and transnational corporations encouraged many low and middle-income countries to set up export-processing zones (EPZ) as a way to attract foreign investments and promote export-led growth. The number of countries using EPZs increased from 25 in 1975 to 130 in 2006.<sup>32</sup>



A key design feature of EPZs is the weak and limited application of labour legislation. Workers are frequently denied the right to freedom of association and collective bargaining through trade unions or workers' associations.<sup>33</sup> In countries such as China, Nigeria, Pakistan, Zimbabwe, Kenya, and Namibia governments explicitly change the law to suspend the right to unionize in EPZs.<sup>34</sup> Workers' wages agreed between the government and the investors remain low in order to attract more investors and workers are expected to work overtime to meet the demands of global production schedules. The World Bank notes that one of the successes of China's EPZ is due to the "flexibility in hiring and firing workers."<sup>35</sup>

According to ILO estimates there are currently around 3,500 EPZs throughout the world operating in around 130 countries and territories and employing over 66 million people. More than 85% of all EPZ workers work on the Asian continent.<sup>36</sup> Women continue to constitute the core of the labour force in EPZs, and in some regions and in specific sectors, women can account for 100% of the workforce in EPZs.<sup>37</sup>

Trade agreements are opening up new services for privatization, which further erodes labour laws. For instance, the TISA currently under negotiation between 23 countries including the USA and the European Union, representing 70% of world trade, will liberalize services in "essentially all modes and sectors" and governments will only be able to restrict a limited number of services from this agreement.<sup>38</sup> TISA will include a vast array of services such as banking, insurance, telecommunications, infrastructure, water and sanitation, education and healthcare. The global union federation, Public Services International argues that privatization leads to job losses as private companies lay off employees to increase profit margins. The terms of workers' contracts can change leading to further casualization through short or fixed term contracts and subcontracting. Workers lose out on their public pension schemes, and it is harder for unions to organize workers who are separated to work for different employers. The majority of public sector workers affected are women as the service sector is generally key source of women's employment.

The ILO argues that economic policies and the legal environment have led to a substantial decrease in the share of profits returning to workers through wages, while the returns to corporate capital are increasing.<sup>39</sup> The attack on labour unions has meant workers are less able to bargain collectively for higher wages, better working conditions, and social protection for all. A review of 20 high and middle-income countries found that in North America, Australia, New Zealand, United Kingdom, Ireland, China and India there is a sharp increase over the past thirty years in the proportion of salaries going to the top 0.1% - 1% of the population.<sup>40</sup> In 2014, CEOs of the 350 largest corporations in the United States earned on average 303 times more than their employees.<sup>41</sup> In 1965, CEOs earned 20 times more than their employees and by 2000 CEO salaries were 376 times higher than their employees. The fall in CEO-to-worker compensation ratio in 2014 to 303-to-1 is still higher than recorded levels in the 1960s, 1970s, 1980s, or 1990s.<sup>42</sup>

## TAX REFORM AND GLOBAL TAX RULES

Pressure from large corporations, complicit governments and IMF loan conditions have contributed to a fall in corporate tax rates by 15 to 20 percentage points over the past three decades in low, middle and high income countries.<sup>43</sup> Governments enact specific tax laws in favour of corporate elite, and turn a blind eye to tax dodging. Legally binding trade agreements and IMF loans led governments to remove trade tariffs. This reduced the costs to corporations exporting their products, but represented a significant loss of tax revenue for low and middle-income countries.<sup>44</sup> In pursuing an export-led growth model, governments try to attract transnational corporations by offering tax incentives such as low corporate tax rates or tax holidays. Tax incentives are agreed between governments and transnational corporations and are legally binding, though are rarely discussed in public debates or parliaments.

As transnational corporations operate in many countries, they can take advantage of multiple tax loopholes and tax havens to reduce the amount of tax they pay. Today, transnational corporations are not obliged to declare how much revenue they make in each country where they operate. The lack of international regulation and transparency in transnational corporations' accounting systems makes it possible for them to avoid and evade their taxes. Though efforts are underway at the Organisation for Economic Co-operation and Development (OECD) to improve international tax regulation and transparency, the OECD represents the interests of its rich member states most of which are home to these same transnational corporations. Low- and middle-income countries from the global South are not adequately represented in these negotiations, nor do they have any decision-making power. Efforts to create a more representative global tax body at the United Nations during the Financing for Development negotiations in 2015 were thwarted by northern governments representing their interests and those of transnational corporations headquartered in their countries.<sup>45</sup>

The ability to avoid or evade taxes through company subsidiaries puts transnational corporations at an unfair advantage over national companies. An OECD report found that some transnational corporations were able to pay as little as 5% in corporate tax rates, while smaller companies had to pay as much as 30%.<sup>46</sup> According to the IMF developing countries lose USD 212 billion per year in direct revenue from various cross-border tax avoidance techniques.<sup>47</sup> It is also estimated that USD 138 billion in revenue is lost annually in harmful tax incentives in the global South.<sup>48</sup>

Tax dodging by transnational corporations results in fewer resources for public services, social protection and infrastructure necessary for the fulfillment of economic and social rights.<sup>49</sup> In response, governments are making up for lost tax revenue by increasing and expanding the reach of consumer taxes, such as the value-added tax, which is a regressive tax disproportionately borne by impoverished women and men.<sup>50</sup>

## REVOLVING DOOR

Legal reforms are also made possible through the **revolving door** between transnational corporations, international financial institutions and senior government positions. Once elected or appointed into government positions, former CEOs and former IMF or World Bank staff can write into law economic policies that protect corporate interests. For instance, in South Africa, Cyril Ramaphosa, a former anti-Apartheid activist and trade unionist, is now the Deputy President and one of the country's richest men. His wealth comes from his investments in financial institutions, mining companies and McDonald's and Coca-Cola's South African subsidiaries. In Argentina, the newly elected President Macri appointed Alfonso Prat-Gay as the finance minister, who once ran the currency research unit at J.P. Morgan Chase & Co. in London. Similarly, the country's new Energy & Mining Minister Juan Jose Aranguren is the former CEO of Shell Argentina. The revolving door exists in all countries both in the global North and South and is increasingly normalized. In the United States, Henry Paulson, the US Treasury Secretary at the time of the 2008 financial crisis was formerly the CEO of Goldman Sachs, one of the largest global investment banks whose activities contributed to the global financial crisis. As US Treasury Secretary, Paulson negotiated the bailout of large banks, which directly benefited his former employer Goldman Sachs.<sup>51</sup>

## Shadow and invisible power to set the agenda

There are multiple ways in which large corporations exert shadow and invisible power; the examples provided below are not an exhaustive list but build on the reflections from the Cross Movement Dialogue.

## CORPORATE LOBBYING

Transnational corporations spend millions on funding political campaigns and lobbying politicians to ensure legislation is in their favour. In the United States the Supreme Court ruling *Citizens United v. Federal Election Commission* allows corporations to fund electoral campaigns. In Brazil, corporations donated over 3 billion real (1.3 billion USD) to the 2014 electoral campaigns for the presidency, senate and congress.<sup>52</sup> Rampant corruption resulting from this kind of corporate influence led to the Brazilian Supreme Court ruling in 2015 banning all donations to politicians and political parties during electoral campaigns.<sup>53</sup> However, politicians and political parties remain heavily influenced by the corporate interests that funded their campaigns – supporting these interests above and beyond the demands of voters and the constituencies they are meant to represent.<sup>54</sup>

Corporate campaign donations and lobbying comes from across all industry sectors challenging labour laws, financial reform, climate and environmental standards. In 2013, Walmart spent USD25 million lobbying the US government to pressure the Indian government into opening up its readymade garment market.<sup>55</sup> In Brussels, the European Chemical Council spent 6 million euros a year lobbying against EU policies to reduce carbon emissions.<sup>56</sup> Following the 2008 financial crisis when the Obama administration threatened to reform the financial sector, the industry spent USD 344 million lobbying the US congress to weaken the legislation.<sup>57</sup> The result is that no significant changes have been made to curb financial liberalization and prevent another global financial crisis that will hit women and oppressed groups hardest in both the global South and North.

Lobbying not only ensures that transnational corporations set the agenda, but that they are at the decision-making table. Corporations, and the lobby groups that represent them, influence closed-door trade negotiations, while trade unions and other civil society organizations are excluded. The content of the TISA trade negotiation itself is a result of advocacy and lobbying by transnational corporations in various service industries through lobby groups such as the US Coalition of Service Industries and the European Services Forum.<sup>58</sup> Transnational corporations also leverage their lobbying power in Washington and Brussels to deter national trade and investment policies.

## CORPORATE LOBBYING



**1.3** BILLION (USD)

In Brazil, corporations donated over 3 billion real (1.3 billion USD) to the 2014 electoral campaigns for the presidency, senate and congress.



In the **United States** the Supreme Court ruling *Citizens United v. Federal Election Commission* allows corporations to fund electoral campaigns.

In **Brazil**, a Supreme Court ruling in 2015 banned all donations to politicians and political parties during electoral campaigns.

In 2014 leaked email correspondence between transnational drug companies showed that they were mounting an attack to delay the South African government's review of the national patent law that would make medication more affordable and further strengthen the right to health. The email published in South African newspapers outlined plans to build a coalition called 'Forward South Africa' and hire a public affairs consulting firm in Washington headed by James Glassman, former executive director of the George W Bush Institute and US Ambassador.<sup>59</sup> By influencing policymakers in Washington and Brussels to exert external pressure on the South African government, the coalition hoped to strengthen intellectual property rights in favour of pharmaceutical companies.<sup>60</sup> In response to the actions taken by these transnational corporations the South African health minister, Aaron Motsoaledi commented, *"I am not using strong words; I am using appropriate words. This is genocide."*<sup>61</sup>

## THE THREAT OF CAPITAL MOBILITY

The mobility of capital in a globalized world is a constant threat for governments in the global South seeking foreign direct investments from transnational corporations. Today, even without IMF loan conditions or the pressure of free trade agreements, countries compete with each other to attract and retain foreign capital. Export-led growth and financial and trade liberalization undermine local production making countries more dependent on foreign investments and imports. In certain industries such as light manufacturing, the ready-made garment sector and some service or IT based sectors, transnational corporations can more easily relocate their activities to other countries offering lower tax rates or fewer labour regulations.<sup>62</sup> As labour is not as mobile as capital, a loss in foreign investment can lead to rising unemployment and political instability. This gives corporations the upper hand in negotiating investment agreements and allows them to set the agenda. But while the IMF warns governments against harmful tax incentives for transnational corporations, it remains a common practice.<sup>63</sup>

## CORPORATE SOCIAL RESPONSIBILITY AND CORPORATE BEST PRACTICES

A review of the 2013 Fortune Global 500 companies shows that the world's largest corporations spent USD20 billion on corporate social responsibility (CSR).<sup>64</sup> In 2012, these same corporations made a profit of USD 820 billion. More than 62% of corporate social responsibility spending is through in-kind donations usually by giving out the products the company makes or owns; only 24% is through cash contributions through corporate foundations and trusts.<sup>65</sup> Spending on CSR serves many purposes for large corporations. CSR can raise consumers' confidence in the brand, maintain a good corporate reputation, open new markets and increase competitiveness.<sup>66</sup> CSR programs can also obscure and mask the negative practices corporations use to gain power such as union-busting, aggressive tax avoidance and corporate lobbying. Through CSR and corporate best practices corporations portray themselves as a force for good and make it easier for governments and multilateral agencies to give them a seat at the table when discussing social, environmental and governance issues.

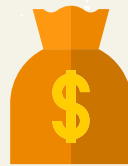
For workers, Indigenous groups and communities directly impacted by harmful corporate behaviour due to ecological damage, pollution or low wages and poor working conditions, CSR can be a way to assuage communities' complaints and concerns and divide dissent. It can act as a smokescreen so that corporations are not held accountable for human rights violations resulting from their activities. In addition to this, corporations often cite their involvement in CSR to justify tax exemptions to governments.

Corporate 'best practices' can also be used to divide movements. In 2014 Walmart ran a public relations campaign in the United States to show that it does not discriminate against LGBTQI staff and supports their leadership within the corporation.<sup>67</sup> Yet from 2001-2011 1.5 million Walmart women employees in the United States filed a class action lawsuit against Walmart for gender discrimination on salaries and bonuses, training and union-busting.<sup>68</sup> Whether or not this was the corporation's intention, the double standards presented appear to pit LGBTQI workers' rights and women's workers' rights against each other. This can create tensions amongst workers, trade unions and LGBTQI activists that weaken attempts to work across movements.

## CORPORATE SOCIAL RESPONSIBILITY



**820 BILLION** (USD)  
Profit made by 2013  
Fortune Global 500  
companies in 2012



**20 BILLION** (USD)  
Corporate social  
responsibility (CSR)  
spending by 2013 Fortune  
Global 500 companies



**62%**  
In-kind donations



**24%**  
Cash contributions  
through corporate  
foundations and  
trusts

## MEDIA

Global media ownership is concentrated in the hands of an increasingly small number of transnational corporations.<sup>69</sup> Trade and financial liberalization opened up new markets for media transnational corporations and smaller national companies were quickly bought up by larger corporations.<sup>70</sup> The media is an important tool to mould and shape social norms and people's beliefs and values. It is used to disseminate and reaffirm the key principles of market fundamentalism – that the market, not the government, can deliver economic growth and prosperity. The corporate-controlled media has become a powerful tool in determining whether or not political leaders are elected and remain in power<sup>71</sup>. Political corruption scandals make the headlines leaving voters disillusioned in their political leaders. Yet the corporate media remains largely silent on the astronomical amounts spent on corporate lobbying, or the egregious human rights violations committed by large corporations.

**The corporate-controlled media has become a powerful tool in determining whether or not political leaders are elected and remain in power.**

Corporate power uses the media to encourage and fuel consumption. Activists present at the Cross Movement Dialogue spoke of how consumerism brings reprieve for many in the global North and increasingly the global South. Images of upper class lifestyles in advertisements give impoverished and oppressed peoples a false sense of hope that their material conditions can change. Yet, as trade unionists from Brazil's Central Única dos Trabalhadores explained at the Cross Movement Dialogue, trade unions and other social movements compete with consumerism and religious fundamentalism to capture people's imaginations. The business of

religious fundamentalism is itself hugely lucrative; the fortune of Edir Macedo, head of the Universal Church of the Kingdom of God, in São Paulo – is estimated at more than USD 1 billion.<sup>72</sup>



# CORPORATIONS AND THE CAPTURE OF INTERNATIONAL DEVELOPMENT DEBATES

## Corporate funding for the UN

Within the UN system, corporations exert formal power through the ILO's tripartite structure in which employers, workers' and states are represented. Outside of the ILO transnational corporations are not directly involved in UN negotiations as these are only between governments and other multilateral agencies. Yet, corporations are gaining more influence and visibility in setting international development priorities for example by directly funding UN initiatives and civil society programs.

Chronic underfunding of the UN and its dependence on a limited number of donors has led it to look towards transnational corporations and philanthropic foundations for funding. The UN Foundation – a private foundation - raises funds from corporations and other private foundations to support the UN system and also brokers 'global partnerships' between UN agencies, transnational corporations, governments and civil society. This is earmarked funding that goes towards specific issues such as the Secretary General's 'Every woman, every child' initiative. Adams and Martens argue that the lack of core funding at the expense of global partnerships and specific programs undermines the UN system as a whole.<sup>73</sup> It leads to fragmentation, competition and overlap between UN agencies; and elevates priorities set by the corporate sector over and above those set by intergovernmental bodies.

In 2013, philanthropic foundations, NGOs and corporations, as an aggregate, were the main contributor to the UN development system.<sup>74</sup> However, the overall contributions directly from corporate funds remain limited. Some of the transnational corporations that have established partnerships with the UN include the Bank of America, BP, Coca Cola, Goldman Sachs, Anglo American, Nestlé, Shell, and Wal-Mart.<sup>75</sup> Such partnerships can spur reputational risks for the UN through their affiliation with transnational corporations that may have faced legal proceedings for labour rights abuses, violation of environmental standards or aggressive tax avoidance. At the 59<sup>th</sup> session of the Commission on the Status of Women trade unions, feminist and women's rights organizations, and international non-governmental organizations opposed UN Women's proposed partnership with Uber, forcing the UN agency to end the partnership.<sup>76</sup> The increasing role of transnational corporations in UN processes and funding compromises the multilateralism of the UN system and reinforces asymmetries of power skewed in favour of the global North.

For instance, the 2030 Agenda and the Addis Ababa Action Agenda (AAAA) gives a privileged role to multi-stakeholder partnerships that include governments, the UN system, civil society and the private sector. Though the private sector includes small and medium sized enterprises, the reference here speaks to transnational corporations and the role they can play in achieving the 2030 Agenda. There is even a specific target set on public private partnerships (PPP) under Goal 17. PPP define any collaboration between the public and private sectors to achieve a public policy goal. This marks an important departure from the Millennium Development Goals (MDGs), which defined a global partnership as principally between States. Although the AAAA and the 2030 agenda acknowledge the existence of human rights standards and norms including ILO labour standards, environmental safeguards and the UN Guiding Principles on Business and Human Rights, they fail to acknowledge the need for a binding instrument that will provide a mechanism to truly hold corporations accountable.<sup>77</sup> Moreover, the increasing promotion of PPPs, means that public funds are used to finance big development programs, that are actually implemented by corporations. Yet governments continue to bring more financial resources than the private sector to develop PPPs, and the implementation and ongoing costs of PPPs are more expensive than traditional government procurement processes.<sup>78</sup>

The AAAA is criticized for portraying women's economic empowerment principally as a driver of economic growth and not giving sufficient emphasis to the ways in which current economic policies contribute to human rights violations for women and other oppressed peoples. The Women's Working Group on FfD responded by condemning the

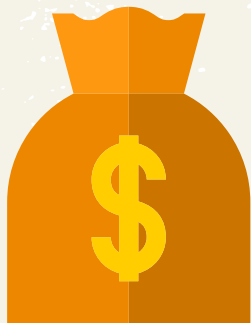
*instrumentalization and commodification of women, where women's empowerment, and women's full and equal participation and leadership in the economy are vital to significantly enhance economic growth and productivity or to promote market access for financial services.*<sup>79</sup>

Through multi-stakeholder engagements or PPPs at the UN, transnational corporations are invited as speakers, supplanting the place historically held by representatives from the women's movement and women leaders. For instance, only one women's rights organization is represented on the first UN high-level panel on women's economic empowerment, while six representatives from either corporations or private foundations are included.<sup>80</sup> The panel, which was launched by the UN and the World Bank with the backing of the UK government and the IMF, is co-chaired by the CEO of IKEA Switzerland. The dominance of corporate and private foundation voices may likely stifle the space to question current economic policies and interrogate abusive corporate practices that contribute to women's economic, social and political marginalization.

## Corporate funding for civil society

Both declining donor aid levels up until 2014, and the growing focus on trade and development programs leaves less and less funding available for civil society organizations.<sup>81</sup> The OECD is pushing for donor aid in low-income countries “to be used more as a lever to generate private investment and domestic tax revenues in poor countries.”<sup>82</sup> Private foundations and corporate sponsorships increasingly fill part of the gap left by cuts in bilateral and multilateral aid. Recent AWID research shows that interest in investing in women and girls has never been greater. Corporations and private foundations have launched programs and pledged large amounts targeted at the empowerment of women and girls. Indeed, around USD14.6 billion was committed through new initiatives between 2005 and 2020. Notably however, only around 27% of the 170 initiatives supporting women and girls actually engaged women’s organizations as partners, and only 9% directly funded them.<sup>83</sup> Corporations, private foundations and increasingly donor agencies tend to privilege larger non-governmental organizations instead of women’s groups. This reinforces power dynamics and strengthens already powerful actors such as international non-governmental organizations. Funds from private donations are instrumental in the short term in providing support to thousands of women and girls, but they do not go far enough in challenging the economic system that perpetuates the rights violations faced by many more women, LBTQI persons, and racially and ethnically marginalized groups.

### CORPORATE FUNDING FOR CIVIL SOCIETY



**14.6 BILLION** (USD)  
was committed through  
new initiatives between  
2005 and 2020



**27%**  
of the 170 initiatives supporting  
women and girls actually engaged  
women’s organizations as partners



**9%**  
directly funded  
women’s  
organizations

Source: Miller, J. et al. “New actors, new money, new conversations. A Mapping of Recent Initiatives for Women and Girls”, AWID. Canada, 2014

## Subverting multilateral governance

Corporate power is being used to redesign international governance structures altogether. The World Economic Forum (WEF) proposed the 'Global Redesign Initiative' as a system of multi-stakeholder governance that would in part replace the UN system.<sup>84</sup> The report argues that states no longer are "the overwhelmingly dominant actors on the world stage" and that "the time has come for a new stakeholder paradigm of international governance."<sup>85</sup> Examples of multi-stakeholder engagements already exist such as the Global Fund to Fight AIDS, Tuberculosis and Malaria. A more recent example is the 'Mission Innovation' launched by Bill Gates in collaboration with 20 governments including the US and India at the 21<sup>st</sup> session of the United Nations Framework Convention on Climate Change (UNFCCC) Conference of the Parties (COP21) summit in 2015, to increase public spending on clean technologies.<sup>86</sup> As public funds will be limited, a group of 25 billionaires including Bill Gates also started the 'Breakthrough Energy Coalition' to put their fortunes towards finding a technological solution to climate change.<sup>87</sup> These sector-specific organizations bring together transnational corporations, governments and civil society to address a global challenge. They do not require approval by an intergovernmental body.

The WEF proposes to take these multi-stakeholder engagements and transform them into a multi-stakeholder governance system.<sup>88</sup> This would dislodge governments as the only formal decision makers in multilateral processes, and PPP would become the norm. The power asymmetries between transnational corporations and other actors in this proposed governance system means that transnational corporations will be able to define global priorities and their solutions as they will provide the funds. This proposal overthrows the multilateral governance system between States grounded on democratic principles and binding international human rights agreements. As transnational corporations are largely from the North and supported by their governments, states in the global South will be more severely contained and repressed in global decision-making.

## II. IMPACTS OF CORPORATE POWER ON WOMEN AND OPPRESSED PEOPLES

**B**uilding on the multiple forms of corporate power, the second part of this report assesses the ways in which corporate power intensifies gender and heterosexist, class, race and ethnic inequality. As discussed during the Cross Movement Dialogue, the emergence of transnational corporations, their consolidation of power, dominance and way of working today cannot be divorced from colonial and imperialist histories. ‘Development’ defined by this extractive model is based on the exploitation of labour and natural resources.

The impetus to ‘develop’ like the global North denies other ways of being and reinforces the superiority of colonial and imperial power. The vision of the world upheld by corporate power is based on the extraction and exploitation of labour and natural resources with its roots in the ideologies of white supremacy, capitalism and patriarchy. Drawing on bell hooks’ work, the dialogue identified “white supremacist, capitalist patriarchy” as an interlocking system of domination based on gender, class, race and ethnic discrimination.<sup>89</sup> Corporate power, as Mohanty explains, ‘depends on and exacerbates the racist, patriarchal and heterosexist relations of rule.’<sup>90</sup> This defines who holds power in a society, and who is seen as powerless.

At the Cross Movement Dialogue, four key spheres of corporate power and their impact on women and oppressed peoples emerged: labour rights, privatization of basic services and natural resources, ecological damage and, the corporate capture of political systems. This is not intended to be an exhaustive review, but rather the beginning of an ongoing dialogue between women human rights defenders, feminists and activists engaged in different social movements.

**The vision of the world upheld by corporate power is rooted in the ideologies of white supremacy, capitalism and patriarchy.**

## WORKERS' RIGHTS

The ILO estimates that 1.5 billion people are in vulnerable employment, and in Southern Asia and Sub-Saharan Africa, over 70% of workers are in vulnerable employment.<sup>91</sup> The incidence of vulnerable employment is declining at a lower rate than prior to the 2008 financial crisis.<sup>92</sup> Women from racially and ethnically marginalized groups and migrant women worldwide, including those living in the global North, have less access to education and skills training, are responsible for an unequal share of unpaid work and domestic chores, and are more likely to be in low paid and informal employment without social security benefits.<sup>93</sup>

Trade liberalization, the fragmentation of production across different countries, and capital mobility open the door for a myriad of complex global supply chains, designed to provide a cheap labour force for transnational corporations.<sup>94</sup> The ITUC estimates that only 6% of the workforce of 50 of the world's largest transnational corporations, are directly employed. The remaining 94% remain hidden within global supply chains.<sup>95</sup>

Women experience segregation in the labour market not only on the basis of their gender, but also on the basis of their class, race and ethnicity, sexual orientation, disability and migrant status. Women are concentrated in sectors dominated by precarious employment, from export-oriented agriculture and low-skill manufacturing to part-time or on-demand work such as informal home-based work.<sup>96</sup> It is an explicit strategy by transnational corporations to maintain gender, class and racial or ethnic segregation in the labour market to pay certain workers less than others. The dominant male-breadwinner model justifies paying women lower wages than men; while racist and xenophobic attitudes justify paying certain women even less than others.<sup>97</sup> Ready-made garment factories across Asia rely on the labour of young migrant women from rural areas who work for low wages and under harsh conditions. The pressure to keep wages low in order to compete in the global market has led to a fall in wages for garment workers in real terms between 2001 – 2011.<sup>98</sup> Women bear the burden of globalized market competition in exactly the sector that under an export-led growth model should lead them to better jobs, pay and working conditions.<sup>99</sup>

The services sector today employs 61.5% women workers.<sup>100</sup> Gender stereotypes of women's role as care providers leads more women than men to work in this sector, for instance, women account for 80% of all domestic workers.<sup>101</sup> The 'feminization' of certain sectors such as domestic work, care services and subsistence agriculture renders these women workers invisible. Many lack basic labour protections because they are informal workers and not recognized as workers under national labour codes.<sup>102</sup>

Yet this low paid or unpaid work sustains households and allows other people to earn a living. Through global care chains domestic workers from low-income countries provide their labour to high- and middle - income countries. This enables wealthier people to work, and maintains a healthy labour force for the private and public sector. Domestic workers also fill the gap brought on by the lack of adequate public childcare and healthcare services due to privatization. In return, many migrant domestic workers and racially oppressed women are faced with low wages, poor working conditions, and lack access to social security.<sup>103</sup>

Women are also less likely to be part of organized labour associations; the high rates of informal employment and segmented production chains make it difficult for women workers to organize against a common employer or transnational corporation.<sup>104</sup> Union-busting and the threat or use of violence against union members act as a further deterrent to unionizing. Working class women, migrant workers, women from marginalized racial and ethnic groups, and LGBTQI persons, are also less likely to claim their labour rights from governments that do not act to protect or respect them otherwise. The intersection of women workers' gender, class, race and ethnicity, sexual orientation and nationality makes them more prone to physical, verbal and sexual violence by employers and the state.<sup>105</sup>



## COMMODIFICATION OF LIFE

**T**he 'commodification of life' describes the process of commodification of services and natural resources. In a capitalist system value is measured in monetary terms that can allow for the sale or purchase of a service, property or information. The process of commodification of land, natural resources, energy and knowledge started well before neoliberal economic policies in the 1980s. However, neoliberal economic policies have intensified commodification through trade and financial liberalization and the privatization of basic services and natural resources. The commodification of life as discussed by activists is deepening inequalities. White supremacist and patriarchal norms shape what is valued, how much it costs, and in turn who benefits and who loses most in this capitalist system.

The '**commodification of life**' describes the process of commodification of services and natural resources. In a capitalist system value is measured in monetary terms that can allow for the sale or purchase of a service, property or information.

If a service or a natural resource cannot be sold or purchased, then it is not captured in national accounting systems. It is, therefore, given little value in the capitalist system. It is not considered either as an input or cost for corporations and governments, or a benefit for society. Women's unpaid care and domestic work is not captured in national accounting systems, nor are natural resources such as water, air or biodiversity.<sup>106</sup> Turning a blind eye on women's and girls' disproportionate responsibility for cooking, cleaning, collecting water

and the care of dependents, means governments and corporations do not participate in the costs of reproducing the labour force. It entrenches gender, class, race and ethnic inequalities. Similarly, refusing to assess the ecological damage brought on by the intensive extraction and consumption of natural resources exempts corporations from any responsibility. Yet, communities that depend on the natural resource or land are left to deal with the consequences, while society as a whole, experiences, albeit to varying degrees, the effects of climate change.

## PRIVATIZATION OF BASIC SERVICES

Privatization creates an immediate financial barrier to accessing essential basic services in the global South and North. The World Health Organization and the World Bank estimate that 400 million people do not have access to essential health services and 6% of people living in low and middle income countries are pushed into extreme poverty due to the cost of healthcare.<sup>107</sup> This figure underestimates the gravity of the situation as it is based on the World Bank's unrealistic poverty line set at USD 1.25 a day in 2015.<sup>108</sup> The High Level Taskforce for the International Conference on Population and Development, states that in 2011 private consumers in low and middle-income countries paid over USD 34 billion out-of-pocket for family planning, reproductive health and HIV and AIDS-related expenses alone.<sup>109</sup> For women living in poverty, LGBTQI persons, people living with HIV and AIDS, sex workers and migrant workers, these private health care costs are prohibitive leading to a violation of their sexual and reproductive rights and right to health. Similarly, in the education sector, the UN Special Rapporteur on the Right to Education notes that the increasing rate of privatization disregards the fundamental principle of equality of opportunity in education. Girls from low-income backgrounds are less likely to attend schools than boys if education is privatized.<sup>110</sup>



Women are overrepresented in the lowest tier of public sector workers, such as teachers, nurses and healthcare workers, who are the worst affected by privatization.<sup>111</sup> Two thirds of the 20 million public sector workers who are part of the trade union federation Public Services International (PSI) are women.<sup>112</sup> Outsourcing to private providers leads to more precarious working arrangements including lower wages, longer working hours and fewer social security benefits, if any. It also makes it more difficult for trade unions to organize workers in similar jobs due to different contract arrangements in the private and public sectors. PSI research shows that privatization is leading to increased workloads, while cuts in labour intensive activities such as social care leads to labour force reductions, lower wages and poorer quality healthcare overall.<sup>113</sup>

When healthcare services are privatized, people delay treatment or stay at home to be cared for primarily by women and girls. Through privatization the state shifts an unequal responsibility for social reproduction to women and the household. Women end up working longer hours overall in paid work, unpaid work and domestic work, violating their rights to leisure, and to participate in political processes and organizing.

## PRIVATIZATION CREATES A FINANCIAL BARRIER



**400 MILLION**  
people do not have access  
to essential health services

**6%**  
of people living in low and  
middle income countries  
are pushed into extreme  
poverty due to the cost of  
healthcare.

**34 BILLION (USD)**  
out-of-pocket for family  
planning, reproductive  
health and HIV and AIDS-  
related expenses alone

## PRIVATIZATION OF LAND AND NATURAL RESOURCES

Women produce 80% of household food, but globally control less than 2% of the land.<sup>114</sup> Both customary and formal titled tenure systems discriminate against women's rights to access and control land. Research shows that privatization leads to the concentration of land in the hands of a few.<sup>115</sup> Landless women and smallholder farmers lack the capital to purchase land and discriminatory gender norms prevent women from owning or inheriting land. This is compounded by the corporate takeover of land for agribusiness through land grabs. Large land grab deals dispossess women smallholder farmers, peasant and indigenous communities of the land, water and forests they need to grow food, collect water and firewood, and gather medicinal plants and herbs.<sup>116</sup>

**Large land grab deals dispossess women smallholder farmers, peasant and indigenous communities of the land, water and forests they need to grow food, collect water and firewood, and gather medicinal plants and herbs.**

The land is instead used for large-scale export-oriented agribusiness, renewable energy production, or mineral extraction, which do not benefit local communities. Attempts to address climate change by increasing private investments in clean energy such as wood, biomass, wind, solar and hydropower, entrenches the appropriation of natural resources into private hands.<sup>117</sup> Large-scale private sector driven 'clean energy' projects can lead to the displacement of peasant and indigenous communities, and the destruction of natural resources and biodiversity, while corporations make significant profits. Activists called this a form of 'green imperialism' at the Cross Movement Dialogue.

Land grabs raise the incidence of food insecurity for women and their communities and increase the time and energy women must spend on social reproduction.<sup>118</sup> Via Campesina's Women's International Manifesto explains the impact of transnational corporations on peasant women as such:

*[the] capitalist invasion in the fields and the appropriation of food systems by the multinational companies have led millions of peasants to incorporate themselves into paid labour, causing severe migration processes, forced displacements and land losses, precipitating many changes inside families where women must assume the greatest responsibilities for the economic support of the family. The emigration of women from the countryside is closely related to the impoverishment and the levels of violence that women and girls suffer, and this situation is more severe because of the discrimination they also suffer in the recipient countries.<sup>119</sup>*

The privatization of energy and water also impacts women differently due to their disproportionate responsibility for unpaid care and domestic work, and their concentration in informal low paid and unpaid work. Water privatization leads women and girls in impoverished households to travel longer distances to find free sources of water. It poses health risks as households turn to water that is not treated and may contain water-borne diseases. There is a long history of failed water privatization programs – between 2000 and 2014 there have been 180 cases of water re-municipalisation in both the global North and South.<sup>120</sup>

The high cost of water and electricity not only make household chores more difficult, but can compromise women's economic activity if they are home based workers or smallholder farmers. Furthermore, corporations make use of intellectual property rights to appropriate and commodify communal knowledge of seeds, biodiversity and medicinal plants.<sup>121</sup> Indigenous knowledge is developed and shared collectively among members of a community. In contrast, transnational corporations seek to patent and privately own this knowledge.<sup>122</sup> Intellectual property rights enshrined in WTO agreements in turn protect transnational companies when they sell their patented products back to smallholder farmers in the form of seeds, agricultural inputs or medication.



## ECOLOGICAL DAMAGE AND CLIMATE CHANGE

**G**overnments and transnational corporations push for large-scale industrial agriculture as the solution to global food insecurity. Global programs such as Gates Foundation's Global Alliance went towards 'modernizing' the agricultural sector in Africa through the use of technologies such as hybrid seeds, genetically modified organisms and synthetic fertilizers, rather than supporting existing sustainable agriculture systems.<sup>123</sup> Most of the greenhouse gas emissions in agriculture are attributable to industrial agriculture and not small-scale agriculture.<sup>124</sup> Yet, climate adaptation and mitigation strategies in agriculture, such as the promotion of agro-ecology, do not receive the necessary public investments due to the powerful corporate lobbies selling hybrid seeds, chemical fertilizers and pesticides that pollute waterways and erode soil quality.<sup>125</sup>

**Climate adaptation and mitigation strategies in agriculture do not receive the necessary public investments due to the powerful corporate lobbies.**

In the extractive sector, the immediate impacts of large-scale mining in the quest to maximize profits lead to water and air pollution. As with land appropriation, ecological damage makes it more difficult for women who are responsible for food provision to meet the basic needs of their families. Pollution, water contamination, and unhealthy working conditions in the extractive sectors lead to illnesses amongst workers. As primary caregivers, women and girls are left to care for ill household members when healthcare systems are lacking and corporations do

not offer any form of compensation.<sup>126</sup> Moreover, for many indigenous and peasant communities' extractive industries and large agribusiness destroy land that is considered sacred. As such, communities' struggles extend beyond food security to preserving the integrity of their belief systems and self-determination.

In urban areas it is working class women, migrant women and racially or ethnically marginalized women who find themselves living in the poorest neighbourhoods next to large waste dumps, polluting industries, and are most affected by floods and other climate disasters. Without the financial resources, social security systems and access to quality public services they are unable to cope with the resulting health complications and lack of livelihoods.

# CORPORATE POWER AND DEMOCRATIC PROCESSES

The concentration of power and income within transnational corporations threaten policy space, sovereignty and self-determination. As the statistics above show, many transnational corporations have more revenue than entire countries in the global South. The formal and shadow power they exert in shaping national and international economic policies, laws and incentives undermines decisions made by democratically elected governments and the people they are expected to represent.<sup>127</sup> In the 1980s, the neoliberal economic doctrine portrayed the state as ineffective, inefficient and at times corrupt. Academics, researchers, religious groups, trade unions, women's rights and LGBTQI activists, peasant and indigenous leaders, who oppose this narrative are in many cases marginalized, repressed and silenced.

At the Cross Movement Dialogue in São Paulo, trade unionists explained the ongoing political crisis in Brazil where corporate funding for electoral campaigns and outright corruption of politicians is giving large corporations and the media the political power to overthrow a democratically elected left-wing government.<sup>128</sup> Activists from various countries spoke of the violence and human rights violations they face while mobilizing their communities to speak up against corporate power. The State, in collusion with corporate power, is at times the principal perpetrator of this violence and no longer represents or serves the interests of the people. The past thirty years of market fundamentalism have in effect weakened the State, emboldened corporate power and hollowed out democratic political processes.

## Militarization and criminalization

The **militarization** of conflicts over natural resources and economic rights translates to the use of violence against women, indigenous peoples and other oppressed groups. Large corporations often act together with governments to protect their economic interests. The state uses militaristic ideologies to justify the use of violence against impoverished women and men, LGBTQI peoples and racially and ethnically marginalized groups.<sup>129</sup> This was evident in South Africa during the week-long miners' strike that led to the Marikana Massacre in 2012 where 34 miners were killed.<sup>130</sup> Police shot at, injured and killed miners who were calling for a living wage.<sup>131</sup> In 2011, 11 women from the Mayan Q'eqchi' community in Guatemala filed a lawsuit in Superior Court in Ontario against a Canadian mining company, Hudbay Minerals Inc.<sup>132</sup> The plaintiffs claim they were gang raped by police, military and the company's private security forces in 2007. This case sets an important precedent, as it is the first against a Canadian corporation's conduct in another country that will be tried in Canada.<sup>133</sup>

Women human rights defenders, women labour rights activists, indigenous leaders and LGBTQI activists experience violence not only because they resist corporate power, but because in their resistance they are transgressing gender norms. In a patriarchal society, women are vulnerable to harassment, threats and political violence against them and targeting their families and communities.<sup>134</sup> The UN Special Rapporteur on the Rights of Indigenous Peoples notes with concern the incidence of violence against indigenous people and groups who oppose extractive projects. Their protests are met with intimidation or violence, at times resulting in death.<sup>135</sup> Global Witness found that at least 116 environmental activists were murdered in 2014 – 40% were indigenous peoples who died amid disputes over hydropower, mining and agri-business. Nearly three-quarters of the deaths were in Central and South America.<sup>136</sup> Similarly, Black women in Colombia have been at the forefront of in defending land and territory in Northern Cauca, staging permanent assemblies and peaceful protests that have been met with militarized violent responses by the police.<sup>137</sup>

The Honduran Lenca women human rights defender Berta Cáceres and her organization, Consejo Cívico de Organizaciones Populares e Indígenas de Honduras (COPINH, Honduras' Civil Council of Grassroots and Indigenous Organizations) lobbied against the hydroelectricity project of the DESA-Agua Zarca company, which they believe will destroy their natural resources and livelihoods.<sup>138</sup> Cáceres experienced multiple attacks, including threats, arbitrary arrests and criminalization by those linked to the private company DESA-Agua Zarca, and also by Honduran police officers and entities. The Inter-American Commission of Human Rights (IACHR) granted precautionary safety measures in response, but Cáceres was murdered in her home on 3rd March 2016<sup>139</sup>. For indigenous and peasant women human rights defenders, as well as women labour rights defenders, physical, sexual and verbal abuse and harassment are used by the state and transnational corporations to silence narratives that challenge dominant economic development policies. In defending their rights and way of life, indigenous groups and peasant movements are calling for an alternative development model.

The **criminalization of poverty** is another way in which States and corporations silence resistance.<sup>140</sup> Criminalization can take various forms, from displacing people living on the streets, making it illegal for informal workers to occupy public spaces, or submitting social assistance beneficiaries to drug-testing and criminal record checks. In the United States and Brazil, the criminalization of poverty is evident through the mass incarceration and militarized policing of young Black people.<sup>141</sup> Of the 56,000 homicides in Brazil every year, 30,000 are of young people between the ages of 15-29. Amongst these young people, 90% are men and 77% are black.<sup>142</sup> Criminalization, or simply being unable to pay the fines for non-criminal infractions, prevents women and oppressed groups from finding ways out of poverty and actively blocks their attempts at organizing for change.

The lack of legal regulatory frameworks protecting informal workers leaves them vulnerable to violence and criminalization. Informal workers are often not recognized as workers and therefore not protected by national labour codes. Their right to access public resources such as urban spaces, waste or natural resources is fundamental to their ability to work and earn an income. Legal reforms are pitting property rights and privatization against informal workers' rights to a livelihood, social security and an adequate standard of living.<sup>143</sup>

**The production and sale of weapons, surveillance systems, and the privatization of detention centers and penitentiaries reaps significant profits for large corporations.**

As women and oppressed groups are more likely to find themselves in informal employment, they face the brunt of criminalization. In India, women waste pickers are threatened by the privatization and mechanization of waste management by municipalities. Larger corporations are pushing for legal reforms that could limit waste pickers' access to waste and criminalize their livelihoods in order to guarantee higher corporate profits. Women waste pickers face sexual harassment and extortion by police forces because they are seen as low caste women engaged in low paid and 'dirty' work.<sup>144</sup>

The militarization and criminalization of dissent is itself a profit-making industry. The production and sale of weapons, surveillance systems, and the privatization of detention centers and penitentiaries reaps significant profits for large corporations. The army of lawyers and consultants needed to wage legal battles against trade unions, workers' associations and women human rights defenders make money from transnational corporations. The union-busting industry in the United States has grown into a multi-million-dollar industry since the 1980s.<sup>145</sup> The industry hires consultants, law firms, industry psychologists and strike management firms to represent corporate interests. Sadly, escalating violence and criminalization generates greater demand for these products and services.

## Human rights law

Militarization and violence undermine people's trust and faith in their governments, not only to defend their interests against those of large corporations, but also to protect their basic human rights. This is compounded by the economic, social and cultural rights violations women and oppressed groups face as a consequence of large corporations' activities. Transnational corporations have the revenue and political influence to protect themselves behind the laws that they helped to create, while undermining agreed international human rights treaties. The resulting impunity of large transnational corporations calls into question the State's role as the primary duty bearer to respect, protect and fulfill human rights.

Given this context, it is not surprising that a resolution submitted to the Human Rights Council in 2014<sup>146</sup> to assess the feasibility of legally binding human rights guidelines for transnational corporations was met with vehement resistance by governments in the North. Representing the interests of transnational corporations headquartered in their countries, Northern governments argued that legally binding guidelines were unnecessary, as progress was being made through voluntary human rights guidelines for business. In 2014, the government of Ecuador in collaboration with other governments from the global South<sup>147</sup> successfully advocated for the adoption of the UN Human Rights Council resolution to develop a legally binding instrument *'to regulate, in international human rights law, the activities of transnational corporations and other business enterprises.'*<sup>148</sup>

There are still many hurdles ahead before such legally binding instruments can be applied, but the efforts of Southern governments and social movements, trade unions and civil society organizations that are supporting this treaty process are a reaction to the overwhelming power of transnational corporations to subvert states' human rights obligations. When transnational corporations can dictate terms to sovereign states both in the global South and North, people's voices are no longer heard or reflected despite seemingly democratic political processes.



# III. THE POWER OF RESISTANCE

In the face of dominant corporate power, what power do women and oppressed peoples have to challenge, confront and overcome this power? Despite an interlocking system of domination based on the ideologies of white supremacy, capitalism and patriarchy, women and oppressed groups are able to shift power. This is evident through multiple expressions of power outlined in each of the five stories of resistance shared herein.

## Expressions of Power

**Power over:** Power is seen as a win-lose kind of relationship. Having power involves taking it from someone else, and then, using it to dominate and prevent others from gaining it.

**Power with** has to do with finding common ground among different interests and building collective strength. Based on mutual support, solidarity and collaboration, it multiplies individual talents and knowledge.

**Power to** refers to the unique potential of every person to shape his or her life and world. When based on mutual support, it opens up the possibilities of joint action, or power with.

**Power within** has to do with a person's sense of self-worth and self-knowledge; it includes an ability to recognize individual differences while respecting others. Power within is the capacity to imagine and have hope; it affirms the common human search for dignity and fulfillment.

VeneKlasen, L. and Miller, V. *A new Weave of People, Power and Politics: The Action Guide for Advocacy and Citizen Participation. World Neighbors. USA, 2002.*

In each story of resistance, women and oppressed groups acting within their movements and in alliance with other movements challenge transnational corporations' formal, shadow and invisible power. These struggles demand accountability for labour rights violations, ecological damage, abusive trade liberalization and privatization. Women workers in Cambodia, LGBTQI people and people living with HIV and AIDS in South Africa, and women within Indigenous and peasant communities in Brazil, Nigeria and Mexico are at the centre of these struggles.

## Cambodia beer promoters fighting for a living wage

The beer industry in Cambodia has been growing rapidly, and due to globalization there has been a rise in the consumption of foreign owned beer brands. Beer promoters are important to the profit of their brands, as they increase the total amount of product sold. Overall there are an estimated 6000 beer promoters working in Cambodia.<sup>149</sup> The largest and most successful brewery company is Cambrew Ltd which produces Cambodia's best selling beer – Angkor beer. The Danish beer company, Carlsberg, owns the majority share of Cambrew Ltd.

In Cambodia, young women are hired by beer companies to promote their beers in restaurants and bars. Their job is to serve and sell as much of the beer brand as possible. They normally work in bars, restaurants, and beer gardens late in the evenings and against the norms of what society deems decent hours or decent workplaces for women. Beer promoters are paid by commission or by a set salary per month.

Set salary beer promoters receive a fixed amount, despite how much they are able to sell. Commission based beer promoters are paid based on what they sell. Beer promoters who have a signed contract with a beer company are formal sector workers and are protected under the Cambodian Labour Code, while those working without a contract and on commission are informal workers and not protected by existing labour legislation. The Cambodian Labour Code entitles workers to one day off per week, overtime pay, maternity leave and paid leave.

In 2006 the Cambodian Food Service Workers Federation (CFSWF) started organizing beer promoters to protest against poverty wages, sexual harassment and violence, long working hours and toxic working conditions in bars and restaurants. CFSWF activities with beer promoters include organizing workers into new trade unions to become members of the Federation. The Federation supports strike actions, provides legal assistance, dispute resolution, occupational health and safety training on HIV and AIDS, and educates workers about alcohol abuse, and how to deal with sexual harassment.<sup>150</sup> In 2007, CFSWF was recognized as a trade union federation, but Cambrew Ltd. refused to negotiate with CFSWF and privileged its relationship with the Trade Union Workers' Federation of Progress and Democracy (TUWFPD). TUWFPD is a government-affiliated trade union and the manager of the company is at the head of the union. It therefore represents the interests of management, rather than the brewery workers and beer promoters.

As profits increased for Cambrew Ltd. beer promoters saw no improvement in their working conditions and pay. Mounting pressure on transnational beer companies from the Australian Council of Trade Unions, ITUC, workers' associations such as the Independent Democracy of Informal Economy Association (IDEA), allied worker-support organizations such as the Solidarity Center, and international NGOs (such as CARE) pushed them to set up voluntary guidelines for all companies that are part of the Beer Selling Industry Cambodia (BSIC).<sup>151</sup> Trade union pressure and negative media associated with their brands prompted the BSIC companies to offer contracts with a minimum wage set at USD 50 per month for all beer promoters. As many more beer promoters gained formal sector status, it created the legal conditions for a trade union to organize them and fight for their rights under the Labour Code.

After countless attempts to negotiate with Cambrew Ltd., CFSWF called for a national strike and boycott of Angkor beer, with support from international press and the International Union of Food Workers (IUF). Because they were now covered by the Labour Code, beer promoters demanded that the company provide them overtime pay for all weekends and public holidays they had worked. Following the month-long strike, the company agreed to pay USD15,000 in overtime pay to beer promoters and raise the minimum wage in the sector from USD50 to 150 per month.

Women's mobilization as trade union members of CFSWF and their courage to strike despite intimidation from the company and the State, brought about this significant change in wages. National action was complemented by the support of international allies. The ITUC called on the Danish Confederation of Trade Unions (LO-Denmark), to lobby Carlsberg regarding the treatment of workers in Cambodia. International media attention and pressure from NGOs, workers' associations and global trade union federations pushed both the government and the beer companies to accept workers' demands.

But according to Ou Tep Phallin, vice president of CFSWF who explained at the Cross Movement Dialogue, despite these victories, the struggles continue. The union is still fighting for a living wage of USD177 per month.<sup>152</sup> In January 2016 Cambrew Ltd. announced a change in working hours that would force women to leave work at 11:00 p.m., rather than 9:00 p.m. Beer promoters went on strike because the CFSWF was not consulted before the new working hours were instated, and because they fear for their personal safety travelling home after 11:00 p.m. The change in working hours makes it impossible for beer promoters to use the childcare centers set up by the company, because they do not want their children to return home with them so late at night. The company's actions squeeze women's labour to increase their profit margins. Cambrew Ltd. is also offering short-term contracts as a way to discourage beer promoters from joining the union – a form of union busting. Union leaders are given morning shifts where they cannot make additional wages through overtime or larger sales. And the fear of police brutality and dismissal threaten trade union activism and mobilization.

## Treatment Action Campaign against big pharma

**It is estimated that the government's denial between 2000 and 2005 led to the needless death of 330,000 primarily Black South Africans, while 35,000 babies were born with HIV, as drugs curbing mother-to-child transmission were not accessible.**

The Treatment Action Campaign (TAC) is a South African social movement and organization working to ensure that people living with HIV and AIDS are treated with dignity, and have access to effective treatment through the public health system. TAC was set up in 1998 at a time of intense change in South Africa, and its founding leaders were part of the LGBTQI rights and anti-apartheid struggle during the 1980s and 1990s.

In 1995, South Africa joined the WTO and signed the Trade-Related Aspects of Intellectual Property Rights, agreeing to provide 20-year patents on medicines. In

1996, Mandela's government adopted the new South African constitution premised on human rights and non-discrimination. Yet South Africa's economic and social plans were impinged by the debts acquired under previous apartheid governments. For instance, in 1993 the apartheid government agreed to a USD 850 million IMF loan, which called for cuts to public spending.<sup>153</sup> During transition, it became evident that there was a tension between achieving the social justice goals set out in the anti-apartheid struggle, and the neoliberal economic policies promoted by the IMF, World Bank and large corporations eager for a stake in the South African market.

In 1997, the South African government passed the Medicines and Related Substances Control Amendment Act, which allowed for the substitution of brand-name medicines with generic medicines once a patent had expired, the importation of generic medications, and a transparent pricing mechanism. Transnational pharmaceutical corporations understood the Act as a threat to their drug patents and profits<sup>154</sup>. The Pharmaceutical Manufacturers' Association (PMA) and 40 transnational drug companies took the South African government to court to stop the Act. This delayed the implementation of the law for three years and denied affordable antiretroviral treatments to people living with HIV and AIDS.

In response, TAC launched one of its first campaigns to support the government against the court case. TAC worked in close collaboration with the Congress of South African Trade Unions (COSATU) to mobilise communities, and ran popular education campaigns against the actions of the transnational corporations. Medecins sans Frontières (MSF) supported this campaign by launching a global 'Drop the case' petition against the pharmaceutical companies. In 2001, PMA dropped its lawsuit against the South African government.

TAC, as Phumi Mtetwa explained at the Cross Movement Dialogue, was the first mass-based movement in post-Apartheid South Africa engaged in mass mobilization. It was a challenging time for TAC leaders who had to quickly learn about complex trade and investment policies in the midst of a court case; while also battling with the government to fix a public health system that had been destroyed by apartheid.

In 1999, Nelson Mandela came to the end of his term and Thabo Mbeki was elected President. According to Mtetwa, this new ANC government radically shifted its position on HIV and AIDS by denying that the disease even existed or that it required antiretroviral (ARV) treatment. It is estimated that the government's denial between 2000 and 2005 led to the needless death of 330,000 primarily Black South Africans, while 35,000 babies were born with HIV, as drugs curbing mother-to-child transmission were not accessible.<sup>155</sup>

TAC took to the streets to oppose Mbeki's denialism and the high costs of ARV treatments. Using a combination of political and economic education and mass-based actions such as pickets and marches, TAC was able to mobilize 200,000 people, many of whom were living with HIV and AIDS. TAC sought to highlight the feminization of the HIV and AIDS pandemic, as it was Black South African women who were most at risk<sup>156</sup>. 'HIV positive' t-shirts worn by TAC members and demands for medication to prevent mother-to-child transmission were a way to give a face to the pandemic, break the myth that HIV and AIDS primarily affected white gay men and to reduce the stigma associated with HIV and AIDS. It was important for TAC to build alliances with faith-based organizations and trade unions to show that HIV and AIDS was a major public health issue.

The specific experiences of women took time to find a voice within the movement. TAC was initially created and led by male LGBTQI rights activists, and the movement was later criticized for a lack of focus on women's empowerment and rights. Women living with HIV and AIDS did not have a safe space within TAC to speak of the gendered experience of being HIV positive, and the resulting difficulties in accessing treatments. In response, TAC rolled out a women's rights program and brought more women into leadership positions to overcome sexism within the movement.

The price of ARV treatment in South Africa remained unaffordable during Mbeki's presidency so TAC and the AIDS Law Project lodged a complaint against two of the largest pharmaceutical companies GlaxoSmithKline and Boehringer Ingelheim.<sup>157</sup> TAC members testified to the South African Competition Commission that the high price for ARVs made it impossible for them to access treatments.<sup>158</sup> In October 2003, the Commission found evidence supporting these allegations and threatened to take the case further. This brought GlaxoSmithKline and Boehringer to the negotiating table with TAC and the AIDS Law Project. The two transnational companies agreed to allow generic companies to sell their medicines both in South Africa and other African countries. The use of the legal system against these large transnational drug companies proved effective in reaffirming the right to health over corporate profits and set an international precedent.

TAC was clear to not only focus on access to antiretroviral treatments, but to also call for a stronger public healthcare system, clean water to take medication, and access to electricity and a fridge to store medication. The movement raised the particular needs of Black people living in poverty who were most affected by the HIV and AIDS pandemic.

The use of the law in combination with mass mobilization and direct action contributed to the campaign's success. TAC consistently referred to the principle of non-discrimination embedded in the 1996 South African Constitution to assert the right to health care and ARV treatment for all, regardless of race, class, gender and sexual orientation. In calling for these economic and social rights, TAC activists deepened and extended civil and political rights in post-apartheid South Africa by exercising the right to freedom of expression, non-violent protests, and access to information and the judicial system.<sup>159</sup>

## Movimento dos Atingidos por Barragens (MAB)

The "*Movimento dos Atingidos por Barragens*" (MAB) - Movement of People Affected by Dams - is a national grassroots social movement in Brazil. The movement rose out of popular protests across the country in the 1970s and 1980s against the construction of hydroelectric dams. These mega-infrastructure projects led to the displacement of thousands of communities in order to generate cheap electricity for electro-intensive industries. MAB estimates that more than one million people have been forced from their lands, homes and communities due to the construction of dams.<sup>160</sup>

In 1991, the first congress of people affected by dams met and established MAB as a national social movement. MAB is present in 19 Brazilian states and includes peasants, small farmers, the landless, indigenous people, fisher folk, miners, "*quilombolas*" (black communities), and urban populations. The movement fights for environmental sustainability and peoples' rights to land, housing and community life. Access to energy should not be a commodity but a common public good, available to all without speculation and profit only for a few. MAB agitates to lower extortionate energy tariffs that are based on international prices. The movement calls for a new energy model, and an entire overhaul of the energy production, transmission, distribution and commercialization system in Brazil.

For MAB the struggle of people affected by dams is part of a wider class, gender, racial and ethnic struggle in Brazil. The privatization of water and electricity only benefits large national and transnational making these goods unaffordable for working class households, and peasant and indigenous communities. Women's unpaid care and domestic work becomes more difficult because they end up making up for the lack of electricity at home, and travel long distances to collect water. MAB is calling for a sharp reduction in electricity prices by promoting equal energy tariffs for the general population and large corporations, free electricity for rural households below a minimum energy threshold, and the application of a low-wage tariff for low-income households.<sup>161</sup> The movement is proposing an alternative energy model that puts women and oppressed peoples at the centre and gives them a voice in the decision-making process.

The movement building work reflects this alternative model through its emphasis on popular political education and leadership training for women and oppressed groups. All MAB local grassroots groups must have an equal number of women and men in the group's leadership<sup>162</sup> In order to address gender discrimination within the movement, MAB also created autonomous spaces for women to meet and strategize about their demands and actions. The movement is calling for national legal reform to secure equal compensation for men and women workers in cases of displacement, retrenchments and ecological damage.

MAB is trying through its advocacy to address gender discrimination in the labour market and recognize women's unequal role in social reproduction. Policy changes can take time, so the movement also works to secure concrete achievements that improve women's lives, such as access to electricity, incentives for the production of healthy food through organic gardens, and water storage and heating technologies. This also frees up women's time to participate in mobilizations and decision-making processes at all levels within the movement.

In November 2015 the tailing dam of an iron ore mine in Mariana burst unleashing a torrential flow of mud and toxic mining waste. This was the worst mining disaster to have occurred in Brazil. Thousands were displaced and the mud contaminated the Rio Doce – Brazil's fifth largest river that runs across the states of Mina Gerais and Espírito Santo before entering the sea. The Doce basin is 853 km long with approximately 3.4 million people living in the region.<sup>163</sup> Water contamination has stopped people from fishing and destroyed the means of rural subsistence production. 20 people were killed, and a pregnant woman had a miscarriage as a result of being carried down the mud river for more than half a mile. The company refuses to recognize her as a victim that lost a family member denying her right to compensation.

The scale of the environmental and human catastrophe in Mariana sparked protests across the country. Samarco – a joint venture between Vale, a Brazilian mining company, and BHP Billiton, an Australian transnational corporation - operates the mine. Trade unions, the landless and peasant movements, progressive religious groups and other civil society organizations supported MAB members in Mariana to call for compensation and reparations from the corporations. Brazilian courts ruled that Samarco should pay 4.4 billion reais over the next three years to clean up the environmental disaster.<sup>164</sup>

Women are at the forefront of protests in Mariana and across Brazil. On International Women's Day in 2016, women members of MAB and other social movements blocked Vale's railway for 24 hours disrupting the exportation of iron ore.<sup>165</sup> At Vale's headquarters in Rio de Janeiro protesters threw mud from the spill on the building entrance. In other states women and oppressed peoples organized marches and sit-ins against rising electricity prices and water privatization. In their demands women call out the violence they experience within their own households due to increasing rates of alcoholism amongst men following environmental disasters such as Mariana. Women also face violence from police forces and women leaders at MAB, such as Nilce de Souza Magalhães, have been murdered.<sup>166</sup>

Corporations are pushing the government to criminalize social movements activities. In response, MAB and its broad alliance with other social movements and trade unions in Brazil are putting pressure on the government to establish legal provisions that will guarantee people affected by dams have a seat at negotiating table. Today, big corporations use their power to define who is, or is not, affected by dams. They set the legal standards that are then ratified by the Brazilian Council for the Defence of the Rights of the Human Person. It is therefore important to create a national compensation policy for people affected by dams through participatory and transparent processes.

## Women's mobilization in the Niger Delta

The petroleum sector in Nigeria is a joint venture between the State and oil companies<sup>167</sup>. Both corporations and the government are part of the devastation and oppression of the people in the Niger Delta. The companies have actively pitted different communities against each other over who should receive the royalties from the oil drilling resulting in bloodshed. This has led to militarization through government security forces and corporations' private security firms patrolling the region against youth militancy groups. Women experience violence, rape and theft at the hands of these multiple armed groups. The brutal killing of thousands of Ogoni people including leaders such as Ken Saro-Wiwa in the 1990s brought international attention to this region, but the cycles of violent protest and state repression resulting from oil extraction persist.



Following the violent conflict in the 1990s many social networks were decimated leading to economic hardship. The pollution resulting from the oil spills contaminated creeks and rivers killing off fish, a source of livelihood for women and a food staple in the region. There is a lack of clean drinking water as a result. Women are engaged in small-scale agriculture, but this too is no longer viable as the oil seeped into the ground. Unlike the men who found work in the oil refineries, women have few alternative livelihoods to turn to. Sex work has become an alternative source of income for young women as the number of foreign oil workers grows. Power inequalities between young women sex workers and their clients make it difficult for them to negotiate the use of condoms. While the lack of information regarding HIV and AIDS also contributes to rising prevalence rates in the region and amongst women.

After multiple failed attempts to negotiate with corporations' liaison officers, women's community groups adopted a more disruptive form of protest, which also contributed to uniting the communities. Between July and August 2002 various women's groups across the Niger Delta occupied oil platforms bringing raw food, cooking utensils and tents to sustain themselves for weeks.<sup>168</sup> 600 Itsekiri women occupied Chevron's 450,000 barrels a day export terminal and tank yard for 10 days.<sup>169</sup> When threatened with violence by the security forces women invoked the traditional taboo of stripping naked. It is believed public nudity shames and sets a curse on an entire society.<sup>170</sup> This was a response both to the failed attempts by young men to take up arms against corporations - who the state now characterizes and dismisses as 'terrorists', and the need to express the gendered nature of women's own marginalization and exclusion arising from oil extraction.<sup>171</sup> Responding to the demands of the women, Chevron's public affairs general manager went to Warri to enter into talks with the women. Only two women were included in the negotiations which were taken over and dominated by men - chiefs, youth leaders and government representatives.

By 2004 the Niger Delta area was in crisis with government forces fighting against militia groups to control the oil platforms. In 2009 an amnesty was signed between the government and militants, but it did not provide any compensation for the sexual and physical violence, and trauma women and girls experienced during this period.

Following the armed conflict, Chevron and Shell initiated the Global Memorandum of Understanding as part of their corporate social responsibility programmes. Chevron set up regional development councils and Shell set up Cluster Development Boards to engage communities. Though there are a few women in these councils and boards, patriarchal attitudes and power structures mean that they have no real power to make decisions. The men who are part of the development councils are suspected of unjust enrichment causing tensions with other community members. It is believed that the two companies influence community elections by supporting chiefs and youth militants who they can control. According to Emem J. Okon, founder of the Kebetkache Women Development & Resource Centre,

*Corporate power has wreaked havoc; they have destroyed the traditional leadership system. They have destroyed the unity of the people in the Niger Delta. They have destroyed the ecosystem and they have even destroyed people's lives – there are high rates of maternal mortality due to the impact of inhaling poisonous gases that are released in the atmosphere.*

Organizations such as Okon's are supporting women to speak for themselves. They are creating platforms and building women's capacity to make their demands towards both the state and the transnational corporations. Okon represented the concerns of women in the Niger Delta at two of Chevron's annual shareholder meetings. Following these engagements, Chevron promised to meet with women leaders to hear their demands, but never followed through. In their 2011 annual corporate social responsibility report, Chevron stated that it pledged USD 50 million over a five-year period<sup>172</sup> to its Niger Delta Partnership Initiative a U.S.-based nonprofit established to "empower economic entrepreneurs and peace advocates by working to improve their livelihoods and string for greater harmony in their diverse communities" where Chevron has considerable business interests.

Women claim there is little evidence showing that these funds are translating into real changes for women specifically, or communities more generally, given persistent levels of poverty and inequality. Corporate social responsibility programs have built schools, but there are no teachers or school materials so they remain empty. A participatory rural appraisal conducted in 2009 revealed Shell water project in Ebrass community, Ahoada West Local Government area, provided water tankers that were unused because the company did not openly discuss the services needed with the community. This resulted in conflicts and disagreement between community members and the Shell contractor.<sup>173</sup>

## Liberated Zones

Liberated zones represent spaces and places where forms of production, consumption and distribution outside of capitalist economic norms and state political structures are maintained or created. It is impossible today, with what we know about climate change, to divorce transnational corporations' activities in the extractive sector, agribusiness and manufacturing from a broader discussion of alternative development models and system change.

**Liberated zones** represent spaces and places where forms of production, consumption and distribution outside of capitalist economic norms and state political structures are maintained or created.

In the Niger Delta women were clear in their demands that they wanted the oil extraction to stop and return to a subsistence livelihood. In effect the women defended their subsistence livelihoods against dominant global capital.<sup>174</sup> Indigenous, peasant and landless people's movements present diverse conceptions of our relationship with nature, and a fervent critique of the dominant development model. Concepts such as 'Buen Vivir' (living well) inspired from indigenous peoples' Cosmo vision, give value to nature, solidarity, cohesion and recognize the important contribution of women's work in subsistence agriculture and social reproduction.<sup>175</sup> This is not expressed in monetary terms, but instead is valued through the structures that organise the community – leaving time and resources for the sustainable production of food and the care of community members.

Liberated zones attest to the plurality of economic, social and cultural structures that can exist outside the reach of corporate power. Yet in order to survive, liberated zones, such as indigenous communities protecting their way of life, peasants practicing agro-ecology on their lands, or community cooperatives organizing their own production, must confront corporate power and the constant threat it presents to their livelihoods and their movements. Communities also have to tackle the white supremacist and patriarchal norms that have seeped into their movements in order to build liberated zones that allow for greater gender, class and racial or ethnic equality.

## Indigenous groups challenging green imperialism in Mexico

Lucila Bettina Cruz Velázquez shared the following story of struggle was during the Cross Movement Dialogue. Cruz Velázquez is from the Isthmus of Tehuantepec in Oaxaca State, Mexico. She is an Indigenous *binniza* (Zapotec) woman and co-founder and member of the Assembly of Indigenous People of the Isthmus of Tehuantepec for the Defence of Land and Territory. Five different indigenous peoples interact in the Isthmus of Tehuantepec and have their own languages, religious beliefs and legal systems.

In Cruz Velázquez's region, the majority of the population depends on fishing and agriculture for their livelihoods. As Cruz Velázquez explains, preparing for a celebration stimulates their own local market – women engage in weaving and garment making, they produce tortillas with “zapalote chico”, a variety of maize adapted to the high winds in the area. In the lagoon uphill, men fish and women trade their catch. In this way they are not entirely reliant on the external market even if they remain connected through cellphones and banking services.

*We are poor just like everyone and yet we are perhaps not the poorest. Our children are not malnourished. We do not depend only on the market and on a salary. There are brothers and sisters who eat fish and shrimp every day.*

Cruz Velázquez explains that *“The power of our community derives from the collective, it is not just ours as women. It comes from the family; men, children and our extended families.”* Women and men make decisions together on the production and distribution of food and other goods. Women are respected as *“constructoras de la vida”* (builders of life). The power women have within the community depends on their participation in leading the production, distribution and reproduction of communal life.

This way of life is under threat due to the construction of the Southern Windfarm Energy megaproject by European transnational corporations. The government of Mexico passed legislation calling for greater investment in renewable energy and the Isthmus of Tehuantepec region was identified as an ideal site for wind power production due to the strong winds in the area. Transnational corporations, such as Electricite de France and Walmart, received financing from the World Bank's Clean Technology Energy Fund to invest in the Isthmus.<sup>176</sup> Communities claim that transnational corporations are dishonest and threaten community members into selling or renting out their land in unfair contracts, even though the land is under a communal regime. In addition, the communities say they were never informed, consulted nor gave their consent for the establishment of the wind farm.

The impact of these wind farms includes the nonstop buzz of construction and the death of millions of bats and migratory birds that are crucial to the ecological equilibrium in the area. Forests and agricultural land are destroyed to make space for the base of generators that take up half a hectare each. As Cruz Velázquez explains, *“It is energy that is imposed on us and it is neither green nor sustainable.”* The production of clean energy in the Isthmus region does not mean that Mexico will become less reliant on fossil fuel energy production; the government projects fossil fuel production to increase and significantly surpass wind energy.<sup>177</sup>

Cruz Velázquez calls this a new form of *“green imperialism”*, as Mexico, rather than becoming more autonomous in its energy production, depends primarily on European transnational corporations to produce and export its electricity. The wind energy will not go towards the electrification of local communities. Instead, it will be sold to other transnational corporations such as Walmart Mexico, Arcelor Mittal Steel Lazaro Cardenas and Grupo Modelo amongst others,<sup>178</sup> and exported to countries in the Central American region.<sup>179</sup> Higher energy production is expected to fuel the growth of a new maquiladora zone (EPZ) in Oaxaca.<sup>180</sup> Transnational corporations reap the profits from these electricity sales while the privatization of electricity in Mexico has seen high electricity tariffs—up to USD 500—imposed on indigenous communities by the Comisión Federal de Electricidad (CFE), a government body.<sup>181</sup>

Cruz Velázquez is a member of the movement of Civil Resistance against High Electricity Prices, and has been organizing and mobilizing her community against mega wind energy projects since 2007. Her activism has made her a target for state repression. She was arrested, assaulted and arbitrarily detained in 2012 and again in 2013 following peaceful protests against the CFE's complicity in handing out allegedly illegal wind farm contracts on indigenous land.<sup>182</sup> She was acquitted of all criminal charges in 2015 after lengthy judicial proceedings. Cruz Velázquez is part of the Mesoamerican Women Human Rights Defenders Initiative (IM-Defensoras) and like many other indigenous women leaders her actions to protect her community are criminalized and she continues to face violent threats.<sup>183</sup>

***"It is energy that is imposed on us and it is neither green nor sustainable."***

In 2015, the Indigenous communities from the Isthmus of Tehuantepec put forward a legal motion to stop the Southern Windfarm Energy megaproject. A petition signed by 1665 members of the *binniza* indigenous community opposed the windfarm project on their communal lands. The Seventh District Court suspended all the authorizations, permits, approvals, licenses, and land-use changes awarded by local and federal officials. They argued that the rights of the communities, recognized in the Mexican constitution, to self-determination and the preservation of their habitat had been violated. However, these rights continue to be ignored or violated to the benefit of corporate power.

Transnational corporations coming into Oaxaca, one of the poorest states in Mexico, promise development and progress through jobs and cash payments for land. Yet this would force indigenous groups to migrate to urban areas, lose the land that sustains them and live in abject poverty. An alternative understanding of development and progress as Cruz Velázquez affirms, is to continue defending their culture as an indigenous community because it is these traditions, passed on from one generation to the next, that have allowed them to live in the Isthmus sustainably.

*To live our lives that we have inherited from our ancestors is a form of resistance. We have resisted colonialization and different forms of domination. At this moment it is much more overwhelming, but we will continue to resist.*

# CONCLUSION

For over 40 years, corporations and the state structures that facilitate them have and continue to build an architecture of impunity. Their growing monopoly has created opportunities for capturing of political power and control over the judicial systems resulting to appropriation of community wealth and rights. The growing resistance is evidence of people's lack of faith in the state and international organs tasked with the oversight role, a sorry state of affairs that was well articulated during the cross movement dialogue. Therefore in order to defeat corporate power and the system that facilitate their plunder, it is necessary to build an alternative society where the people are the drivers and determiners of their own growth, development and well-being. Not only is it important to recognize and respect the alternatives, but there must also be a deliberate effort to unite experiences and struggles across different movements.

**To scale up struggles of resistance against the excesses of corporate power and the dominance of a corporate vision of development, we need to build bridges across multiple social movements to foster and grow people's power.**

To scale up struggles of resistance against the excesses of corporate power and the dominance of a corporate vision of development, we need to build bridges across multiple social movements to foster and grow people's power. There are 70 million women organized in trade unions today, and many millions more in cooperatives and other worker rights associations. The scale and potential of women and feminist power to challenge corporate power and build liberated zones is significant but the gains and losses in the struggle can feel and appear cyclical. Corporations' strength in exerting formal, shadow and invisible power in collusion with the State and other powers is a

constant threat to our organizing and movements. Shifting corporate power is about sustaining and expanding people's power.

This paper does not purport to recommend a specific way forward as that would disregard the diverse ways that different communities have challenged corporate power. Instead it recognizes the determination by communities to dismantle and resist corporate capture in all its diverse forms. The hope is that through the experiences of the participants that attended the cross movement dialogue, this paper will encourage a deeper analysis, conversations and collaborations across different movements.

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