THE LAST MILE
Charting the Path to Justice
2019-2020 Annual Report
A LETTER FROM OUR FOUNDER

Dear Friends,

It’s been a year of forcing mechanisms – people’s votes have laid bare deep racism in society, alongside social movements fervently rejecting that racism and protesting police brutality; a pandemic and economic crisis driving disparities in our world even further apart; and a forced look at the longstanding climate crisis. At Accountability Counsel, this year has sharpened our focus too. We emerge from 2020 with a dedicated team working alongside social movements fervently rejecting racism and protesting police brutality; a pandemic and economic crisis driving disparities in our world even further apart; and a forced look at the longstanding climate crisis. At Accountability Counsel, the immediate work ahead will enshrine the principle that “if you contribute to harm, you contribute to remedy.” When an accountability office delivers on its work of investigating an institution that broke the rules and caused harm, or when its mediators help parties in conflict to reach agreements, people should be protected and supported to see those findings and agreements result in action.

Every day, we collaborate with farmers, workers on plantations, Indigenous and traditional forest dwellers, and families – all of whom maintain struggles for justice and dignity in the face of corporate and institutional abuse. Now they are doing so amidst even greater odds. We emerge with laser-like focus on our mission and our commitment to supporting these communities through the “last mile” of their struggles.

Over a decade ago when I started Accountability Counsel, we couldn’t share an annual report about the last mile – the process of supporting communities from the point of vindication of their rights on paper, to vindication in practice so that they achieve a righting of wrongs. There were too few human rights and environmental victories on paper to even begin to explore that process. But today, Accountability Counsel cases have reached that stage in Haiti, India, Mexico, Mongolia, Nepal, and Papua New Guinea. We can now share both a picture of the collective effort that has produced clear wins for some communities in practice, and a better understanding of the barriers that exist to remedy harm in communities where struggles persist.

People who put their faith in accountability offices have the right to support, not only through law and policy, but also through institutional cultures and incentives that make these accountability systems meaningful. That is our urgent goal.

Over the past year, our Research program team launched the Accountability Console, a game-changing database that demonstrates the impact of accountability offices for communities, policy makers, investors, and the public.

Our team is expanding the learning from the 1,600 cases that have been brought to date – from each hard-fought victory to each that resulted in impunity – to make those lessons available and actionable.

We also produced a number of reports this year, including a major new report about financial flows and accountability in Africa, as well as other tools that are changing the way communities and their advocates can directly interact with governments, global institutions, investors, and accountability offices to be heard.

Amidst the pandemic, our whole team working from home, unexpected homeschooling while working (still!), protests, forest fires, and major elections, our organization has continued to evolve.

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WHAT WE DO

VISION
We envision a world in which:
- Communities take part in decisions that affect them and secure remedy to realize their human rights
- Effective and robust accountability systems deter abuses
- International institutions and corporations respect communities and prevent abuses.

MISSION
Accountability Counsel amplifies the voices of communities around the world to protect their human rights and environment. As advocates for people harmed by internationally financed projects, we employ community driven and policy level strategies to access justice.

COMMUNITIES
Community-led lawyering to defend rights and amplify voices.

POLICY ADVOCACY
Strengthening avenues for accountability and advocacy to create systems change.

RESEARCH
Understanding, influencing, and sustaining the global movement for accountability.

INFLUENCING 66 ACCOUNTABILITY MECHANISMS FROM OUR 4 GLOBAL OFFICES

TRACKING 1,400 COMMUNITY COMPLAINTS

15 GLOBAL ADVOCATES

Opposite: Accountability Counsel team members, board members, and community partners celebrate our tenth anniversary in Fall 2019.
**Fellows and Interns**

Bamisope Adeyanju
Post-Graduate Policy Fellow, Fall 2020

Caroline Anderson
Executive Intern, Fall 2020

Chinnaya Andukuri
Data Intern, Fall 2020

Kelly Armijo
Research Fellow, Fall 2019 - Summer 2020

Catherine Chang
Research Intern, Fall 2019

Trillium Chang
Law Fellow, Spring 2020

Courtney Christensen
Policy Fellow, Fall 2019

Kelly Cruchett
Executive Intern, Summer 2020

Maggie Dougherty
Policy Intern, Summer 2020

Rebecca Dresner
Law Fellow, Fall 2020

Jane Everett
Policy Fellow, Fall 2020

Alanna Flores
Data Intern, Summer 2020

Reema Ghabra
Policy Fellow, Summer 2020

Piper Goeking
Executive Intern, Summer-Fall 2020

Jacob Goffin
Research Fellow, Fall 2018-Spring 2020

Asthura Guragain
Executive Intern, Spring 2020

Merrell Guzman
Research Intern, Fall 2020

Lydia Hanson
Policy Fellow, Fall 2019

Saiidah Herrera
Law Fellow, Fall 2020

Sumaya Hussaini
Policy Intern, Fall 2020

Zac Johnson
Research Intern, Summer 2020

Nyambu Kiarie
Post-Graduate Policy Fellow, Fall 2020

Jessica Lu
Law Fellow, Asia, Summer 2020

Lea Main-Klingst
Policy Fellow, Spring 2020

Eliza Mcdullough
Research Intern, Fall 2019

Shelby McGuire-Smith
Policy Fellow, Summer-Fall 2020

Claire O’Brien
Research Intern, Spring-Summer 2020

Kathryn Pettit
Law Fellow, Summer 2020

Snigdha Ravulapati
Law Fellow, Spring 2020

Rocío Trujillo Sosa
Policy Fellow, Summer 2020

Maria Wong
Research Intern, Summer 2020

Communities Fellow, Fall 2020

**O U R  T E A M**
“Throughout her tenure on Accountability Counsel’s Board of Directors, Paru has been a champion for the communities we serve and a true partner in our work. Her leadership on the Board’s Strategy Committee and her contributions to our strategic planning process in particular have been invaluable and have contributed meaningfully to Accountability Counsel’s development and mission. On behalf of our Board, I extend our deepest thanks and wish Paru the best in her new ventures and adventures.”

Board Chair Erica Gould, recognizing outgoing Board Member Paru Desai (pictured opposite page)
Accountability Counsel’s Communities team uses its expertise to amplify locally led movements for human rights and environmental justice, partnering at the request of communities harmed by internationally financed projects. Our last mile approach is guided by a commitment to translating wins on paper into remedy in action. We work alongside our client communities to ensure that compliance findings result in remedy and ultimately right the wrongs caused by international financial flows.
The Kolektif Peyizan Viktim Tè Chabè (“the Kolektif”), a collective of hundreds of Haitian farmers and their families, represents nearly 4,000 people who were forced from their farmland to make way for the Caracol Industrial Park. In December 2018, the Kolektif signed an historic agreement with the Inter-American Development Bank (IDB) and the Haitian government focused on restoring the farmers’ livelihoods after years of advocacy successfully demonstrated that initial compensation provided in 2013 had not enabled the affected community to sustainably reestablish its living conditions.

Accountability Counsel is working to ensure implementation of the agreement, which allows impacted families to benefit from a range of redress measures related to employment, land, farm equipment, training, education, and microenterprise funding.

Despite social distancing regulations, bureaucratic hurdles, and economic contraction caused by the COVID-19 pandemic that created new obstacles to implementation, Accountability Counsel closely collaborated with Kolektif members and local partners to make significant progress this year. As a result of persistent advocacy, organizing, and problem-solving, the agreement is being implemented piece by piece – 2020 saw the distribution of motorized irrigation equipment; the launch of the microenterprise program; and formal, paid training for employment at the Industrial Park.

Accountability Counsel is dedicated to ensuring that the agreement translates into tangible results that achieve the promise of restored livelihoods for impacted farmers.

“This agreement brings more hope for the future. This doesn’t mean we got everything that we expected, but the main components of the agreement provide a way to be more confident, to have more hope for the future. One of the most important things now is the landing [implementation] of the agreement. The negotiation of the agreement was just the first phase, but what’s more important is the implementation of the agreement and the ways that it will bring positivity to our lives. We have something really strong if all the parties properly put the agreement into practice – if they land it – then the situation will be better for the people.”

Eva Jean Baptiste
a leader of the Kolektif
"As a community, we are very happy to see development projects come up, but this development should not cause friction or be in conflict with our way of life and other communities around us."

Jarso Mokku
Drylands Learning and Capacity Building Initiative

I
n Kenya, we are building accountability ecosystems so communities can effectively use accountability offices and craft the types of campaigns required to sustain often multi-year struggles. In September 2020, we led a knowledge sharing workshop for community organizations in Northern Kenya to learn how to use independent accountability mechanisms to demand justice for harm caused by internationally financed projects. In a region flooded with international investment, where communities are often remote from sources of advocacy support, these organizations and communities are now equipped to pursue complaint options. These Accountability Counsel partners have already contributed to conversations about policy issues at international financial institutions where decisions about accountability directly affect them.

"I think it is important for us to seek and make use of other strategies and processes that are available to get justice for communities. As we monitor and document, let us also advocate and demand from different stakeholders."

Maryama Farah
Natural Justice
DEFENDING SACRED GROUND IN INDIA

Indigenous Activism for Accountability in Jharkhand

In two villages in Jharkhand, India, a World Bank-funded water supply project is harming Indigenous Adivasi people in violation of World Bank policy. Project construction started amidst beatings of women and children by police, and continues to threaten sacred Adivasi historical, cultural, and spiritual sites, including gravesites. Project construction is continuing absent consent of impacted Adivasi communities through a mandated process protected under Indian law.

Accountability Counsel supported our partners in Jharkhand as they complained to the World Bank Inspection Panel, which completed its investigation in 2020. However, for villagers in Giddhijhopri and Sarjamda Purana Basti, the struggle is far from over: COVID-19 delayed the final stages of the accountability process, even as project construction has continued, and community members remain anxious to see their complaints translate into real – and long overdue – steps to address the water project’s harmful impacts.

Sukhram Kisku, a Santhal community leader from Giddhijhopri

“Why should Adivasi people always suffer? How justified is it to inflict pain upon us, destroy our ancient land without valid Gram Sabha [village council] consent?”

Community members draw water from a well
In Nepal, local communities have come together to demand that project authorities in charge of the internationally financed expansion of the hydropower sector respect their rights, including by seeking the free, prior, and informed consent (FPIC) of Indigenous Peoples. Accountability Counsel is supporting the FPIC & Rights Forum, a community coalition of both Indigenous and non-Indigenous Peoples from Lamjung and Manang districts, concerned that their traditional forests and lands along the Marsyangdi River will be harmed by the development of a European Investment Bank (EIB)-financed high-voltage transmission line.

Alongside other community partners, we supported the FPIC & Rights Forum with their new FPIC protocol, outlining a framework for community consent that the Marsyangdi Corridor transmission line must follow. The protocol outlines the steps authorities must take, including sharing all project information in local languages; ensuring an environment free of coercion; and fully abiding by decisions of impacted Indigenous communities.

“I am calling on the EIB to ensure a rights-based community decision making process, wherein communities are provided information and consultation about this project, and receive fair community-level and individual-level compensation for any impacts they will suffer.”

Khem Jung Gurung
Chairperson of the FPIC & Rights Forum
and a local Gurung leader

Communities are concerned about the EIB funded Marsyangdi Corridor’s cumulative impacts, with many other hydropower projects already in Lamjung district, including the SinoHydro 50 MW Upper Marsyangdi A dam (pictured below)
Our Policy Advocacy program adapts best practices gleaned from our work with communities to ensure that strong accountability systems exist to prevent harm and provide communities with effective avenues to challenge corporate and institutional power. We work on financial flows at a global level in deep partnership with civil society groups in every world region.

While the first decade of our work focused on cementing an understanding of the best practices that communities can use to elevate their grievances, this next decade focuses on making those processes matter during the last mile.
NARROWING ACCOUNTABILITY GAPS
Progress With Chinese Overseas Finance and Impact Investment

While multilateral development banks have well-established accountability systems, gaps persist. Two major segments of international finance that flow into communities with the risk of unaccountable harm are Chinese overseas finance and impact investment, with a wide diversity of public and commercial financial actors involved.

We are seeing hopeful signs in our longstanding advocacy around the Chinese overseas finance accountability gap, where there are now concrete steps to create an accountability office at the level of a major Chinese financial regulator. Our work is reflected in the accountability framework now being advanced, and this year we are focused on the details of the accountability policy that will govern this new system.

NEW OPPORTUNITIES AT A NEW MECHANISM

Big Changes in US Development Finance

After years of sustained advocacy by Accountability Counsel and partner organizations, the new US International Development Finance Corporation (DFC) created its independent accountability mechanism in September 2020. The DFC is a massive new US agency financing investment in a variety of sectors around the world that replaces the Overseas Private Investment Corporation (OPIC) and part of USAID. As a result of Accountability Counsel’s advocacy, this new institution is taking an important first step toward creating a platform for accountability for the impact of its investments on local people and the environment. Building upon our longstanding effort to hold USAID and OPIC accountable for abuses these agencies financed in Haiti, Liberia, and Mexico, our team brought a community-centered perspective to our DFC policy recommendations. We continue working alongside our partners to ensure that this new DFC mechanism becomes an accessible and effective tool for communities.
SPOTLIGHTING THE ACCOUNTABILITY REFORMS AT THE IFC AND MIGA

An External Review Charts the Path, With IFC Leadership Now Needed

The World Bank Group’s two private-sector arms, the International Finance Corporation (IFC) and the Multilateral Investment Guarantee Agency (MIGA), have one of the world’s leading accountability offices – the Compliance Advisor Ombudsman (CAO). We have supported communities from India, Mongolia, Panama, Peru, and Ukraine to use this mechanism for compliance investigations and dispute resolution. Our experience with these cases, and the research we conduct in the field broadly, demonstrates that reforms are required at the IFC and MIGA to ensure that the CAO can deliver on its promise of accountability. This year, an External Review validated many of Accountability Counsel’s policy recommendations to address problems within the World Bank Group’s accountability system.

While the External Review report is strong, the review process was unnecessarily opaque. Accountability Counsel’s Policy Advocacy team pushed for transparency and community inclusion, successfully demanding the public disclosure of the final report and creating a crucial window for public feedback in July 2020. We are now advocating that the IFC and MIGA work to implement the External Review’s roadmap of reforms, including a key advance needed throughout international institutions: where there is harm from an institution’s actions, that institution must support and fund the remedial measures required to repair damage and make communities whole.
A NEW ACCOUNTABILITY FRAMEWORK AT THE WORLD BANK

Transforming the World’s First Accountability Office, the Inspection Panel

In a watershed moment, the World Bank announced in March 2020 a set of sweeping changes to its accountability framework that governs the Bank’s public-sector activity. Throughout the drafting process, Accountability Counsel’s Policy team drew on key relationships to both protest and navigate a closed-off and non-transparent process. Drawing on direct experience with communities who use the World Bank’s accountability office, our input guaranteed that the new framework included several key recommendations designed to expand the role of dispute resolution and to prevent restrictive time limits from impeding communities’ ability to access accountability. As implementation of this new accountability mechanism begins to affect communities in practice, Accountability Counsel is committed to engaging in proactive policy advocacy to protect and strengthen this new World Bank accountability framework.
In November 2019, Accountability Counsel launched the Accountability Console, the world’s most comprehensive database of community complaints filed with independent accountability mechanisms (IAMs) about the impacts of internationally financed projects. In the following year, hundreds of community members, advocates, investors, policy-makers, and researchers have used the Console to track and compare trends across the accountability ecosystem, allowing for new insights and data-driven advocacy that come directly from community complaints.

In addition to the complaint data itself, the Console provides critical information on the investments, projects, and actors about which communities have filed complaints. The Console aggregates projects with investments across multiple banks, and traces and identifies the public and private implementers of these projects. All this information can be cross-referenced with IAM policies, and searchable through thousands of scanned and processed documents. New features and capabilities are being added regularly, and we expect the Console to continue to be a powerful tool for accountability and transparency in the years to come.

A TRANSFORMATIVE TOOL: THE ACCOUNTABILITY CONSOLE

Transparency, Access, and Insight

In a space where information remains inaccessible to many, Accountability Counsel is working to create transparent, easily navigable tools that empower community campaigns for justice and allow all stakeholders to make informed choices to prevent and redress harm. This year, we launched a major new tool that exposes patterns in harm from international finance and shows advocates, policy-makers, corporations, and institutions where action is needed. Our Research team’s tools also promote innovative ways to track developments in the accountability sphere so that we can monitor the implementation of agreements, ensuring that commitments on paper translate into real results for communities.
Innovating Communication and Transparency Tools

Accountability Counsel has developed a suite of innovative tools to respond to challenges in access, communication, and community consultation. In close collaboration with partners in Haiti, the Research team developed Zwazo, a surveying and messaging tool that enables community feedback and promotes two-way access to information. Already, Zwazo has allowed us to communicate in real time with client communities facing environmental and human rights abuses – even in areas with no internet access, limited adult literacy, and low smartphone adoption rates. Mobilizing this tool during the COVID-19 pandemic has enabled communication with communities about ongoing cases, as well as health and safety, public service, and official pandemic responses.

The Research team has also developed a new implementation tracker called LastMile, in order to better coordinate the fulfillment of agreements and action plans. LastMile is currently tracking over 200 action items across 93 commitments in several of our cases, identifying bottlenecks, overdue implementation steps, and expected timelines. The system allows for community feedback directly into monitoring processes, providing a shared repository for testimonials, photos, and survey responses.

“We’ve been fighting since 2014 and we signed this agreement [in 2018] but we didn’t know we’d have that result. At the beginning of the distribution we could see the happiness in the eyes of the people. For me it was a success. We’d like to thank AC for the wonderful work they’ve been doing. For me it was a success because I could see the joy in the eyes of the first person who received the equipment last Wednesday. We are so happy – we were so blessed because we have these advisors who we have been working closely with.”

Wilson Menard
a leader of the Kolektif, Haiti
**FINANCIAL SUMMARY**

**FY20 REVENUE**

- Foundation Grants $2,298,646
- Individual Donations $83,680
- Corporate Contributions $15,995
- Pro Bono & In-Kind Support $49,234
- Earned & Other Income $18,794
- **Total Revenue** $2,466,349

**FY20 EXPENSES**

- Communities $684,457
- Policy Advocacy $460,327
- Research $348,617
- Administration $180,808
- Fundraising $165,018
- **Total Expenses** $1,839,315

**DONORS**

**Foundation**
- 11th Hour Project
- Anonymous
- The Christensen Fund
- David & Anita Keller Foundation
- Foundation to Promote Open Society
- Luminate
- NoVo Foundation
- Open Road Alliance
- JaMel and Tom Perkins Family Foundation Fund at The Chicago Community Foundation
- JaMel and Tom Perkins Foundation
- Sall Family Foundation
- Sigrid Rausing Trust
- Trust for Mutual Understanding
- Wilson Sonsini Goodrich & Rosati Foundation
- Woodcock Foundation

**Individual**
- Eduardo Abbott
- Emelia Pappoe Amoako
- Kwadwo Amoako
- Anonymous (10)
- Nadia S Nassib Araabi
- Elisa S Nathan Armstrong
- Anne Bellows
- Michelle & Richard Bellows
- Lauren & Joshua Benjamin
- Anna Benson
- Richard Bissell
- Tanya Nauenberg & Tim Blakeslee
- Eve Bogle
- Diane Bridgeman
- Tess Bridgeman & Beth George
- Edith Brown Weiss
- Clayton Burke
- Sandy Coliver

*Alison Cooke
Gary Cookhorn
Celia Cummings
Carolyn & Paul Daniel
Stephen Diamond
Nancy Quinn & Thomas Driscoll
Roo & Tim Duncan
Orlando Economos
Leanne Farrell
Lisa & David B. Fields
Mary Fields
Natalie & Carter Fields
Jacqueline Lainez Flanagan
Florrie Forrest
Jonathan Fox
Jonathan Freese
Lyndsey Garcia
Bryce Gee
Erica Gould & Timothy Be
Alexandra Grayner
Amanda Greco
Kenneth Greenstein
Jason Haggins
Mary Hardin
Cynthia Hunter Lang
Linda Arnold & Ned Hearn
Kristen Hite
Chen Yek Hong
Brent Horowitz
Elizabeth S Peter Horowitz
Matthew Horowitz
Margaret Bowman & David Hunter
Anitha Ibrahim
David Ibsister
Brian Jaffe
Richard Jaffe
Sarah Jornsay-Silverberg
Michael Kaufman*
“Our last mile approach is guided by a commitment to translating wins on paper into remedy in action.”