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The Normative Implication of the B Corp Movement in the Business and Human Rights Context (abstract)

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International Corporate Accountability Roundtable

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2015 Conference of the University of Dayton Human Rights Center

Oct. 2-3, 2015, Dayton, Ohio

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Research Panel: Advocacy – Global and Local

Presenter: Cindy S. Woods, Georgetown University Law Center

Title: The Normative Implications of the B Corp Movement in the Business and Human Rights Context

Abstract: Over the past decades, issues of corporate accountability and social responsibility have risen to the forefront of international debate. The U.N. Guiding Principles on Business and Human Rights (Guiding Principles), endorsed by the U.N. HRC in June 2011, lays out authoritatively the state duty to protect and the corporate responsibility to respect human rights. In an effort to operationalize the Guiding Principles, the U.N. Working Group on Business and Human Rights has called on all states to develop a National Action Plan (NAP) regarding domestic implementation of the Guiding Principles. A key first-step in the creation of a NAP is the completion of a national baseline assessment, a taking of stock of the current conditions affecting the protection and promotion of human rights by the state and businesses alike. With over twenty-five countries now committed to the creation of a NAP, it is increasingly important to evaluate the existing corporate landscape, specifically structures that claim to be socially and ethically motivated.

The B Corp movement began in 2006, through the work of California based non-profit B-Lab. A B Corp is a business certified by B-Lab as committed to creating and supporting social and environmental rights. The B Corp movement has grown in size and stature, spreading into over thirty countries and garnering a reputation for excellence. Boosts to the movement have recently come from the certification of large multinational companies, and the interest of others that followed. As the B Corp movement continues to proliferate, it's normative value on the business and human rights field merits analysis. What are the normative implications of the B Corp movement?—Is it a tool that should be embraced by business and human rights activists or one that undermines the movement by enabling corporations to claim an inability to take into account ethical considerations without adoption of a special corporate form?

Keywords: Corporate Social Responsibility, Shareholder Wealth Maximization, B Corps, UN Guiding Principles, Corporate Accountability

Biography: Cindy Woods is a third year student at Georgetown University Law Center, interested in corporate social responsibility and accountability and international human rights law. She currently serves as a Legal intern at Human Rights Watch in their Business and Human Rights section, working on international financial institution accountability. Cindy has previously worked at the International Corporate Accountability Roundtable (ICAR), EarthRights International in their Lima, Peru office and as a human rights columnist for Pulsamerica. Cindy holds a master's in Latin American Studies from Cambridge University and bachelor's degrees in International Security and Spanish, summa cum laude, from the University of Oklahoma. She is fluent in Spanish. Her most current research, into the need for binding international human rights obligations for corporate actors is being published in the Georgetown Journal of International Law in March 2015.