

IN FOCUS  
*Human Rights Philanthropy and the Ten-Year Legacy of 9/11:  
Where From Here?*

*Synopsis of the Opening Plenary of IHRFG's Conference  
on July 12, 2011 in New York City*

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As we approach the ten-year anniversary of the terrorist attacks of September 11<sup>th</sup>, human rights funders are reflecting on how the human rights landscape has been transformed over the last decade, and on the successes and lessons we've learned in responding to emerging human rights challenges. The opening plenary session of IHRFG's New York Conference in July 2011 explored "*Human Rights Philanthropy and the Ten-Year Legacy of 9/11: Where From Here?*"



Facilitated by Dimple Abichandani, Program Officer of the Security and Rights Collaborative at the Proteus Fund, the conference's opening plenary first featured advocates' assessments of the human rights landscape. Advocate panelists included: Elisa Massimino, President and CEO of Human Rights First; Faiza Patel, Co-Director, Liberty and National Security Program of the Brennan Center for Justice; and Charlie Mantel, Staff Director of the Task Force on Detainee Treatment of The Constitution Project. Next, funders shared insights on how philanthropy as a sector has responded to "post-9/11" human rights challenges and their grantmaking strategies for the future. Funder panelists included Kica Matos, Head of the U.S. Reconciliation and Human Rights Program at Atlantic Philanthropies; Tim Parritt, Programme Officer of The Oak Foundation; Fulco van Deventer, Policy Advisor at CordAid; and Monona Yin, Director of the Capacity-Building Initiative at the Four Freedoms Fund.

**THE HUMAN RIGHTS LANDSCAPE SINCE 9/11**

Human rights advocates provided insights on how the civil liberties and human rights discourse has shifted since 9/11, with rights issues being framed through a "national security lens." Elisa Massimino of Human Rights First stressed that 9/11 "revealed the fragility of the consensus around human rights norms." Massimino also struck a hopeful note on opportunities to rebalance security and rights priorities. One issue that has been affected is immigration policy and the treatment of immigrants. The creation of the Department of Homeland Security in the United States has led to implementation of policies that exclude protection of immigrants and refugees and that have stymied comprehensive immigration reform. Instead, a global counterterrorism agenda has pervaded policy discourse, leading to a number of human rights violations in the treatment of immigrants.

An increased focus on counterterrorism has also undermined minority rights, due process rights and religious freedoms. A rise in "Islamophobia" and a narrative around "homegrown terrorism" (or "radicalization") has led to policies that lead to profiling and discrimination of Muslim and other ethnic communities, and to the spread of fear and hatred. Faiza Patel of the Brennan Center for Justice noted that law enforcement remains heavily dependent on theories of how one becomes "radicalized," even

though these theories lack empirical evidence. The use of powerful intelligence tools to conduct surveillance and monitoring, as well as the use of informants in mosques, has had a chilling impact on the exercise of religious freedom.

The human rights community also experienced setbacks this past decade in the treatment of detainees and the use of torture as a result of post-9/11 national security policies. In the first week of President Barack Obama's administration, a promising start to restoring human rights and reversing the culture of government secrecy came in the form of three national security-related executive orders: banning torture, closing the Guantanamo Bay Detention Center, and trying terrorism cases in civilian courts. Charlie Mantel of The Constitution Project's Task Force on Detainee Treatment further emphasized the importance of bipartisan support – finding unlikely allies and “validators” -- on issues of accountability and transparency. As fear-mongering continues, many core civil rights issues remain unsolved and the three executive orders remain inconclusive.

### ***FUNDING STRATEGIES SINCE 9/11***

***The second half of the plenary featured a roundtable of funders reflecting on their funding strategies over the past decade and what they have learned about securing human rights in the context of a global “war on terror.”***

### ***Government Transparency and Access to Justice***

Tim Parritt of the Oak Foundation described their grantmaking strategy as one that has evolved with time, ultimately deciding to make significant funding investments in U.S.-based human rights organizations working on counterterrorism and human rights issues. Securing a prohibition on torture as well as the closure of secret detention camps were important achievements. Another critical achievement was the affirmation by the U.S. Supreme Court that terrorism suspects do in fact have a Constitutional right to challenge their detention (*habeas corpus*). Parritt contended that this right should be pursued and promoted more aggressively both within and outside of the United States.

### ***Capacity Building and Collaboration***

Kica Matos of the Atlantic Philanthropies shared the history and evolution of the National Security and Human Rights Campaign, founded by Open Society Foundations and the Atlantic Philanthropies, as a three-year grantmaking effort to restore key rights that had been lost in the name of the war on terror. As part of the campaign, the partners seeded the Security and Rights Collaborative of the Proteus Fund as a donor collaborative to support capacity-building, awareness-raising, and advancing policy goals that address the affects of counterterrorism policies. A key learning has been the importance of working with affected communities on the ground and supporting efforts to create a counter-narrative to fear-based messages. Matos also highlighted the importance of *not* ignoring the conservative voices on these issues. Creating conversations between “opponents” facilitates greater strides towards realizing rights.

### ***Overcoming Stigma and Suspicion***

Fulco van Deventer of CordAid in The Netherlands explained how the global war on terror has affected international development aid, a significant source of human rights funding internationally. After 9/11, many development aid organizations were no longer seen as neutral, and the political climate in which they operated shifted to one of increased scrutiny. Organizations that work closely with stigmatized individuals in regions that are perceived to be “terrorist centers” are viewed with suspicion. For example, after the floods in Pakistan, one of the world's worst natural disasters as declared by the United Nations, there emerged many opportunities for funders. Many people voiced uncertainty about CordAid's role as a Catholic organization potentially helping Muslims in a country that was perceived as

harboring terrorists. CordAid had to prove that money was not going to terrorist groups. This was essential in gaining credibility and success. Van Deventer also noted with irony -- as a reflection of the pervasiveness of the after-effects of 9/11 -- that some Dutch policymakers today advocate withdrawing public funding from the Dutch weather agency because it supplies data to the United Nation's climate change agency.

### ***Field-building for Immigrants Rights***

Monona Yin of the Four Freedoms Fund (FFF) cited "field-building" in the area of immigrant rights as the Fund's core strategy. Their focus is on "investing in core organizations that could play a very strong offense or very strong defense, depending on the need that arises," and their ability to take successes to scale. By investing in the capacity of community organizations in the gateways and heartlands of the United States, they are able to adapt advances at the local level to the state level. FFF is also supporting the passage of comprehensive immigration reform at the federal level. In its absence, investment is necessary to continue building momentum against abusive bills in states around the country.

*\*The opening plenary of IHRFG's New York Conference was organized by Dimple Abichandani of the Proteus Fund's Security and Rights Collaborative, and was sponsored by the Proteus Fund, Atlantic Philanthropies, Oak Foundation, Open Society Foundations, and Wellspring Advisors.*

### **Resources for Funders**

- "America's Challenge: Domestic Security, Civil Liberties and National Unity After September 11": [http://www.migrationpolicy.org/pubs/Americas\\_Challenge.php](http://www.migrationpolicy.org/pubs/Americas_Challenge.php)
- "Friend not Foe: Opening Spaces for Civil Society Engagement to Prevent Violent Extremism": [http://www.sanctionsandsecurity.org/wp-content/uploads/Friend-not-Foe\\_Fnl\\_May.pdf](http://www.sanctionsandsecurity.org/wp-content/uploads/Friend-not-Foe_Fnl_May.pdf)
- Summary of the opening plenary session, in the "Member Area" of IHRFG's website: [www.ihrfg.org](http://www.ihrfg.org)