

## Through the Lens of Brazil: The Changing Dynamics of Human Rights and Global Philanthropy in Emerging Powers

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### Civil Society and Emerging Powers

*Economic liberalization and expansion have undoubtedly impacted the composition, role, and size of civil society in the BRICS and other emerging countries. How has the landscape of civil society—organized and unorganized—changed in light of these countries’ growth? Civil society practitioners from Brazil and South Africa will share observations from their own contexts. What is the tradition of human rights and social justice in these societies? With the rise of restrictive legislation stifling the operation of NGOs, how is civil society responding? What are the caveats for international private funders? Participants were encouraged to offer analyses and perspectives from their own experiences.*

Speaker: **Sergio Haddad**, Founder and Chairperson, Brazilian Association of NGOs (ABONG); President, Brazil Fund for Human Rights

**Regan Ralph**, Executive Director, Fund for Global Human Rights

**Hanif Vally**, Deputy Director, Foundation for Human Rights (South Africa)

Moderator: **Heloisa Griggs**, Senior Program Officer, Latin America Program, Open Society Foundations



- Regan said that the line from Dickens’ *A Tale of Two Cities*, “It was the best of times; it was the worst of times” describes the state of civil society today. Human rights activism in Brazil and other emerging powers is at an inflection point.
  - “In countries with high levels of poverty and inequality, democracy can help ensure inclusive growth.” This observation doesn’t factor in a vibrant civil society. Will the BRICS lead the way?
  - Challenges of human rights activism include:
    - **Resources:** As economies grow, international donors pull out amid the perception that local resources will make their way to civil society.
      - Brazilian civil society’s growth has petered out since the mid 1990s.

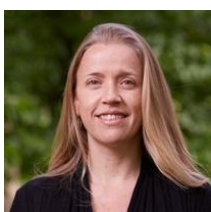
- Russian civil society, unable to receive international funding due to foreign agent laws, has turned to government grants and crowd-funding, which are not enough to sustain a vibrant movement.
  - **Shrinking space for civil society:** This is a deliberate global trend to silence critics of governments.
    - Russia's repression is increasing, but the situation is more complex in India, South Africa, and Brazil.
    - In addition to cracking down on protesters, governments are characterizing human rights activists as defenders of criminals.
  - Legal frameworks are changing to make it more difficult for NGOs to operate, both by making it more difficult to establish NGOs and by placing restrictions on foreign funding.
  - Change brings opportunities.
    - Even in China, there is openness to unregulated NGO activity.
    - All of the BRICS have more locally-rooted activism.
    - Civil society is key in these equations to ensure that governments are responsive to citizens.
  - Funders should be asking the following questions:
    - Is philanthropy enough to sustain thriving civil societies in the BRICS?
      - Philanthropy is unpredictable and has finite resources.
      - Should donors look to leverage other source of revenue, such as crowdfunding, corporate funding?
    - Is the political alignment of the BRICS an opportunity for funders, or will it be a place where activism is closed down?
    - What will civil society need to become the model the world expects?
- Sergio described the landscape of civil society in Brazil
  - The economic strength of Sao Paulo stands in contrast to the number of civil society protests, as exemplified by major protests yesterday by transit workers and activists demanding affordable housing.
  - Sergio is arranging a workshop and an activist sent this message: "I can't attend the workshop. I need to be on the streets. Either we build sustainable change, or I can't stay in this country any longer."
  - Young people are committed to the protests, though perhaps not to the work that needs to be done
  - Brazilian society is complex and difficult to define. The nation needs an organized civil society, but it has organizations on one hand and movements on the other
    - Traditional philanthropy here is not on the political radar, providing services to the needy rather than engaging in controversial issues
    - NGOs are still young in this field. They emerged alongside Brazil's democratic reforms to promote rights and democratization. Businesses, social responsibility initiatives, and institutions are growing as well.
      - These diverse organizations can be local, regional, or national and are generally devoted to mobilizing and raising awareness.
      - Some movements and organizations can represent different classes or social groups, from trade unions representing their own needs to social movements, associations, and collective groups such as youth groups or the landless movement.
        - These movements have a long tradition in Brazil. What's been happening more recently?

- These organizations and movements have come to depend on funding from the state or corporations, which places restraints on their activities
  - The organizations have a lack of experience working in human rights and in fundraising. The movements represent many of the nation's emerging consumers who still lack basic necessities
- Brazil is increasingly a donor rather than a recipient of funds.
- Brazil's role in international institutions has forced Brazil to become a more strategic international actor.
- Funders must set up an autonomous field of social support for movements and organizations that doesn't depend on government or corporate sector. The role of international philanthropy is important
- Hanif described the changes that took place in South African civil society as the country transitioned from apartheid to democracy.
  - The transition from apartheid to democracy was not altogether peaceful. However, human rights activists were excited to play a part in the development of a new constitution.
  - The constitution defines South Africa as being a non-discriminatory society devoted to rights and equality. It also enshrines enforceable social and economic rights (food, water, etc.)
  - South Africa is the most unequal country in the world according to the Gini Coefficient.
    - We are failing to meet people's socio-economic rights.
    - There have also been violent crackdowns on protests, problems maternal and child mortality, and failures in education
  - Civil society was very active in the anti-apartheid movement, and many of those leaders hold government positions today.
    - International attention on apartheid meant NGOs received more funding from international donors
    - With the advent of democracy, funding for civil society became much tighter. The government has developed a growth, employment and redistribution plan that gave rise to social movements such as landless peoples or campaigns for anti-retroviral HIV treatment drugs
  - Government is obligated to cooperate with civil society:
    - The Non-Profit Act states that the government must create an environment in which non-profit organizations can flourish.
    - A national lottery was set up to fund non-profit organizations (raising \$120m), along with a national development agency to grant funds to CSOs.
      - However, a limited percentage of those funds made their way to NGOs
  - The Foundation for Human Rights was set up by the EU to ensure that money made its way to NGOs.
    - Initially, the EU funded the foundation as a re-granter, but the Foundation now receives its funds through the Justice department, adding complexity to their autonomy as an independent NGO.
    - The Foundation is now unable to litigate against government, though it can still support civil society campaigns.
  - SA has now been declared a middle-income country, and there isn't a big tradition of philanthropy for human rights. Less wealth goes to philanthropy than in other countries, and civil society is struggling

## Discussion and Q&A

- What is the relationship of political parties to civil society in Brazil? Do they have the trust of the population?
  - Sergio: In Brazil, it is mandatory to vote. There is a specific phenomenon in Brazil and Latin America where there are illusions of prospects and a future, and young people take to the streets trying to change the world.
    - Center-left governments grew out of the struggles for social inclusion, and many movements are now allied with governing parties. The possibility for change must be integrated with social movements
    - Russia and China are key actors in Africa as rights violators, as they African nations are allied with Russia and China because of their development support
  - Regan: There is a need to reimagine the alliances in activism. Funders are often hesitant, but should explore transnational alliances for human rights activism.
    - Funders must also support the vertical integration of human rights activism (regional to national to local level)
- Can you share an example of an unusual or unexpected alliance moving the cause forward?
  - Hanif: when GW Bush put money into fighting AIDS in Africa
- Are CSOs creating themselves in the image of the oppressor?
  - Hanif: As human rights funders, we must be aware of this dynamic. In Africa, when the International Monetary Fund introduced neo-liberal programs cutting social and agricultural services, NGOs were used as a safety net to deflect the macroeconomic policies of the state
    - The World Movement for Democracy was an effort by the National Endowment for Democracy to bring CSOs together
    - CSOs ask what kind of society we want and fight to create more equal societies
    - Civil society has been an agenda-setter, but perhaps it is now more of a follower. Is civil society defining where communities are moving, or is it jogging behind the market and state?
  - Regan: The answer to that question differs depending on where you look. We are seeing new initiatives to hold government officials to account. The movement to challenge mining as a development strategy has brought together environmental and indigenous groups.
    - Human rights activists have traditionally oriented themselves in a backward way, thinking about violators, but more of us are thinking forward now
  - Sergio: the tension between civil society, the market and state is permanent. Social inclusion can only come from civil society. However, vigilante justice and protests indicate profound disbelief in institutions.
    - Civil society is a complex place
- Can you share your own observations on how the newly wealthy are investing in initiatives to support social justice? Are they facilitators or inhibitors?
  - Sergio: Culture is a limitation on this. In Brazil, as parents age, children are thinking of their inheritance. The transfer of wealth to causes doesn't happen in Brazil. Much has been done – the Fund for Brazil has managed to raise money from wealthy donors – but much remains to be done.

**Panelist Biographies:**



**Heloisa Griggs**  
 Senior Program Officer, Latin America Program, Open Society Foundations

Heloisa Griggs is a senior program officer for the Open Society Foundations' Latin America Program, focusing on human rights and citizen security. Prior to joining OSF, Griggs worked as an associate in the São Paulo, Brazil office of the law firm Simpson, Thacher & Bartlett LLP. From 2007 to 2010, she served as counsel to Senator Richard J. Durbin on the U.S. Senate Judiciary Committee, advising Senator Durbin on human rights, criminal justice, and immigration. Previously, Griggs worked for human rights nongovernmental organizations in Washington, D.C., Timor-Leste, and Angola. Griggs received her law degree from Yale Law School, where she served as student director of the Lowenstein International Human Rights Law Clinic. She graduated from Yale University with a Bachelor's degree in history and international studies.



**Sérgio Haddad**

**Founder and Chairperson, Brazilian Association of NGOs (ABONG); President, Brazil Fund for Human Rights**

Trained economist and accredited educator, Sérgio Haddad is the Founder and Chairperson of the Brazil Association of NGOs (ABONG), President of the Brazil Fund for Human Rights, and the Coordinator of Development and Innovation of *Ação Educativa - Assessoria, Pesquisa e Informação*, a non-profit non-governmental organization in São Paulo. He has a Master's degree and doctorate in history and sociology of education from the University of São Paulo and previously taught education at the graduate level at the Pontifical Catholic University of São Paulo. He formerly served as Director and President of International Relations of ABONG, and was a founding member of the Organizing Committee of the World Social Forum. He is a researcher for the National Research Council. He is also a member of the board of several national and international civil society organizations: Greenpeace International, Transparência Brasil, São Paulo Justice and Peace Council, AKATU (consumer awareness), IDEC (consumer rights), and the Brazilian Association for Leadership Training. He was a member of the High-Level Group on Education for All for UNESCO, and the Editorial Commission of Scientific Reviews, both national and international. He has authored eight books, over 40 articles in the field of public policies for education and popular education, and a novel, *Apartamento 34*.



**Regan E. Ralph**

**Founding Executive Director, Fund for Global Human Rights**

Regan E. Ralph is Founding Executive Director of the Fund for Global Human Rights, which supports frontline human rights activists in seventeen countries across the globe. Prior to launching the Fund, Regan was Vice President for Health and Reproductive Rights at the National Women's Law Center in Washington, D.C. where she led advocacy, policy, and educational strategies to promote the quality and availability of health care for American women. From 1992-2001, Regan helped build and ultimately directed the Women's Rights division of Human Rights Watch. She serves on the boards of EG Justice and WITNESS, the advisory council of the Women's Law and Public Policy Fellowship Program at Georgetown University Law Center, the advisory committee of The Council for Global Equality, and the global practitioner council at Stanford University's Program on Social Entrepreneurship. Regan is a graduate of Harvard University and Yale Law School, and studied international law at the London School of Economics and Arabic at the American University in Cairo.



**Hanif Vally**

**Deputy Director, Foundation for Human Rights**

Hanif Vally has over 30 years of experience in leadership and strategic policy development on human rights for international organisations, legal bodies and

non-governmental organizations. Often referred to as the “people’s lawyer”, Hanif was a National Legal Officer for the Truth and Reconciliation Commission of South Africa (TRC) from 1996 to 1998 where he acted as in-house consul, leading a team that provided national level advice for all legal matters relating to the Commission. Hanif subsequently became the Head of Human Rights Unit for the Commonwealth Secretariat in London from 1999-2005. After having been detained for 9 months without trial and subsequently detained and convicted under terms of the then "Riotous Assemblies Act" in 1981 for organising and participating in a peaceful demonstration against unequal education and apartheid, and eventually being granted amnesty, Hanif served as an attorney in political cases during apartheid for approximately 15 years. He also acted as an adjudicator during the first democratic elections in South Africa. Hanif is a senior member of Commonwealth Election Observer Groups to Zimbabwe, Nigeria, Pakistan, Maldives, Zambia, Ghana, and Malawi. He was appointed as an Acting Judge of the High Court of South Africa in September 2013 and February 2014. In addition to his extensive career championing human and legal rights, Hanif also possesses comprehensive knowledge of grantmaking to civil society organizations and assessing, monitoring, evaluating and determining impact.