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Monday, July 12

Welcoming Remarks

Michael Hirschhorn, Jacob and Hilda Blaustein Foundation

Welcome, I am a member of the Steering Committee of the International Human Rights Funders Group and the president of the Jacob and Hilda Blaustein Foundation. We have many returning attendees as well as a fair number of new comers – almost one third of the participants. Ten are from countries outside the United States. On behalf of the Steering Committee members, I'd like to welcome you. We hope you'll find the next two days as stimulating and important as the Steering Committee and staff did in constructing it.

The overall focus of the meeting is a new model: we now have an overall theme plus a broader interest area. We'll discuss the current status and future direction of the international human rights movement and the interconnection between human rights efforts focused on the US and those focused on other nations/regions. We'll look at this from the perspective of grantmakers and what we can do to help the international human rights movement and a young US human rights movement move to the next stage. In addition to this overarching theme, there will be plenty of opportunities to delve into many other areas, such as making the funders group more effective and networking with colleagues,

On this interconnection between human rights international and what happens in the US, I'd like to open with something a little personal – and something that falls squarely in the category of “the more things change the more they remain the same.”

As I mentioned, I am president of the Jacob and Hilda Blaustein Foundation. This is a family foundation, one of quite a number represented in the room. Jacob Blaustein and Hilda Blaustein are my maternal grandparents. They were the ones in the family with the big bucks who set up the foundation nearly 50 years ago. In addition to his role as an industrialist, Jacob Blaustein was deeply involved in the early stages of the formation of the United Nations and in ensuring that human rights played a critical role in this body, which was not a sure thing, as you'll hear shortly.

He was asked by President Roosevelt nearly sixty years ago to serve as one of a handful of “consultants” to the conference in San Francisco that aimed to set up the UN Charter. The following quote is from a speech Jacob Blaustein gave at Columbia University more than 40 years ago in December 1963. Please bear with me as this is a little long – this is definitely in the more things change the more things stay the same category.

“There is little reason for believing that any appreciable number of governments would be ready to vote for such a solution in the General Assembly, let alone ratify a treaty which would subject them to the possibility of being hauled before an international tribunal by an individual or nongovernmental organization. And yet the time has come when the United Nations should face the immediate problem of transition from mere promotion of human rights to implementation of human rights.

It has been clear for the past ten years that the United States government has not been prepared to assume any such obligation. Indeed, the official position of the government of the United States in the matter of the covenants on human rights has been that it does not favor them and will not ratify them. Just over ten years ago the late Secretary of State John Foster Dulles appeared before

the Senate Committee on the Judiciary and said that the United States government “did not intend to become a party to any such covenant or present it as a treaty for consideration by the Senate.”

I do not agree with the position that our government has taken in this matter, and think that it should be changed. Indeed, from statements by our late President Kennedy and by President Johnson, one is encouraged to feel that perhaps, at least as far as the executive branch is concerned, it may be in process of some transition in its position.

The policy of the past ten years has been a complete reversal of previous policy, a retreat from the position of leadership which this country had assumed in the matter of the international protection of human rights ever since the San Francisco Conference. It is a denial of express promises made when this country took the leadership in obtaining the creation of the United Nations Commission on Human Rights for the express purpose of drafting these covenants, and a capitulation in the face of agitation by a minority which comprises some of the most reactionary elements in the country.”

Michael then reviewed some logistics and the overall agenda of the meeting.

Human Rights Education Session: Advancing the International Human Rights Movement: Views from Around the World

Facilitator: Dorothy Thomas, Shaler Adams Foundation

Speakers:

- **Ajamu Baraka**, *Executive Director*, US Human Rights Network (Atlanta, GA US)
- **Irene Khan**, *Secretary General*, Amnesty International (London, UNITED KINGDOM)
- **Craig Mokhiber**, *Deputy Director*, Office of the High Commissioner for Human Rights (New York, NY, US)
- **Felix Morka**, *Executive Director and Founder*, Social and Economic Rights Action Centre *Board Member*, International Network for Economic, Social and Cultural Rights (ESCR-Net) (Lagos, NIGERIA)

Dorothy Thomas: This is a critical moment in the history of the human rights movement – we have issues that are deeply entrenched. It is a time of incredible pressure on the international human rights movement, but also of incredible opportunity – pre-emptive war, security environment, crackdown on dissent and debate, increased secrecy, persistent and gross economic inequities affecting our country and the world as a whole. At the same time, there are incredible opportunities and exciting things happening – growing numbers of groups claiming human rights as the base of their work, linking of human rights with other social movements such as women’s rights and labor rights. The International Criminal Court initiated its first prosecution with a very interesting judgment denying impunity to US security forces. We are privileged and lucky to discuss these pressures and opportunities with these panelists.

There are four main questions we would like panelists to answer:

- Speak to the current moment
- Address the chronic/persistent issues that underlie this moment
- Identify some of the opportunities that exist for growth of the human rights movement and system and
- Lay out what might be the priorities and next steps for the movement.

Irene Khan:

- 1) Human rights are on the global agenda – they are everywhere. Even governments are using the language. Human rights have been mainstreamed, at least in rhetoric, but rights are not being delivered and are being manipulated by the debate. For example, in Afghanistan and Iraq the reasoning for intervention was based on human rights, but no actual work has been done to improve the human rights situations and build human rights institutions. In the case of Darfur, we have a sustained attack on the human rights framework by governments and armed groups in the context of terrorism and counter-terrorism. The rule of law is being challenged and torture is being discussed as a possible use of interrogation despite its abolishment 20 years ago. All this is used to cover strategies of suppressing political dissent. The UN is turning its back.
- 2) While looking at a dramatic picture, we should understand the background: human rights are strong on promise, but beaten on delivery. Human rights are actually very weak in implementation.
- 3) On the positive side, the human rights movement is strong and here to stay – a spontaneous response by people to failed promises. It's dynamic, but vulnerable to threats by governments, armed groups, and traditional leaders, with limited capacity to deal with these threats. The international human rights movement is still very limited (not many organizations) even after 50 years. The growing links with other movements, such as the environment and development, represent a global civil society in the making. Government and economies have failed human rights and the people have responded.

Craig Mohkiber: Irene summarized the current situation with the needed balance. Essentially, the international human rights movement is an experiment, an incomplete movement. We've seen measurable advances since 1945 and the founding of UN.

There was an explosion of standard setting in the 40s and what we have today is a detailed body of rights – prisoners, women, children, etc. that produced consciousness at the end of process. The question is about how to implement the rules. In the 70s and 80s, there was an explosion of mechanisms – new treaty bodies, special rapporteurs and working groups on a full range of human rights (right to food, health, etc.) to monitor the *implementation* of standards.

We now need to help build institutions to monitor, prevent and punish human rights violations. In 1993 in Vienna, a consensus emerged, including the United States, on key human rights issues such as CPR [civil and political rights] and ESCR [economic, social and cultural rights] and the interconnection of rights and development. This represented the peak in the modern human rights movement that now faces dramatic reversals and a real effort to undercut the human rights system by governments and non-state actors (ideological organizations such as Al- Qaeda, etc.). This represents a crisis for the human rights movement.

Felix Morka: I'm African and most countries on the continent are or have been under brutal dictatorships that are giving way to some form of democracy. Instead of a moment to celebrate opportunities, I see a roll-back of democratic space and freedoms and the inability of people to use newfound institutions to address rights violations. Rights that were supposedly guaranteed and agreed upon such as torture are now open to debate. There's a question whether a national labor rights movement has the right to organize (case of Nigeria) – arguments that the NLC (Nigeria Labor Congress) are terrorists destroying the fabric of the country. Sometimes the human rights lens talks about figures and denies the essential humanity of people – human beings are at the center of statistics. 260 million people are afflicted with easily treated maladies. There are no international tribunals to bring perpetrators to justice. A movement which proclaims the right to life provides economic opportunities to the richest 10% who hoard over 80% of world's

resources. This is a moment in which the context of growing inequalities/insecurity forces us to re-assert the core values of human rights – to demonstrate again the indivisibility of human rights. They are indispensable in any effort to maintain human and military security.

Ajamu Baraka: In the grand narrative, it's important that we take a second look at human rights movement and the re-centering of the "human." In 1945, the organizations involved in the official consultation to create the UN understood the potential and kinds of discussions that would shape this new organization. People suffering under the yoke of colonialism (and racism) understood that they could use the institution to help their struggle and link them to other people's around the world. The Cold War greatly impacted the history of this norm setting. Significant progress could have been made on ESCR, but these issues were put on the back burner due to the Cold War. In the US, people who articulated the human rights language were labeled radicals and took up the language of civil rights instead. The potential of the human rights framework is still seen with the fall of communism. There is now political space to expand its potential, contest its current form and make progress for the world's people.

It's not a coincidence that the significance and decisions out of Vienna are debated. There has been a shift to the people. People are re-appropriating and defining the human rights framework for social change. At the 1995 meeting in Beijing, women's rights were defined as human rights. Delegates organized and agitated to press the potential of this framework to provide real opportunities on issues that impacted people in this country and worldwide. Globalization has helped create linkages and the commitment on the part of many organizations to develop instruments to coordinate and communicate with others around the world and bring organizations together in this country. It's now impossible to disconnect the US and global human rights framework. Human rights provide the language to link them.

Question: What gaps do you see in standards?

Craig Mokhiber: Gaps remain in disability rights and children's rights. The Convention on the Rights of the Child has been accepted by everyone (except the US). Seniors (the elderly) also remain a vulnerable group.

Question: The UN set the framework in 1945, but there has been a steady erosion of UN support, particularly from the US. What is needed for civil society to again support UN standards?

Dorothy Thomas: Why is this fallback occurring? There's an impotence of civil society despite its strength.

Irene Khan: Impunity and impotence are the reasons why people have so little faith in the UN. Governments can violate the rules, set them aside and get away with it. The UN can subcontract almost all of its responsibilities, but it cannot subcontract human rights. Disillusionment comes with the UN's inability to act. We need to work with local groups to pull power from the grassroots, since that's where action can happen.

Craig Mokhiber: There are all kinds of power imbalances. The UN is a club of governments. The member states, General Assembly, Security Council, and OHCHR (Office of the United Nations High Commissioner for Human Rights) all have different power systems. If governments understood the extent of NGO influence, they would lock the doors to them. NGOs draft the bulk of some human rights mechanisms, sometimes conceiving the ideas. They often set the agenda. They don't vote, but they have a great amount of influence in the corridors of the

UN. There's movement now to expand NGO participation. However, the human rights movement is an unfinished experiment with a very thin veneer. When we define national participation we need a broad swath of society, not just government. We need to build the influence of NGOs at the national level and reform UN mechanisms.

Ajamu Baraka: National organizations feel locked out of the process – there's an opportunity for them to link to one another. We need to strengthen the participation of constituencies whose rights are being violated.

Felix Morka: There's something we can't lose sight of – after 50 years, governments have learned a great deal. They can maneuver and be smart in using the rights language, but undermine the system. People have been denied the platform of ESCR. The UN is an amazing bureaucracy in which institutions that are charged with responsibilities do little. Governments' inability to acknowledge this difficulty is discouraging. There's a vicious circle – we're increasing voices in a system that is being undermined and attacked.

Dorothy Thomas: There seems to be an attempt to engage civil society in the UN system, which is being assaulted at the same time.

Question: In this framework of government and civil society, where is the analysis of corporate power? Human rights abuses often center on the control of resources. Profit-making enterprises impact government. Where do they fit in?

Comment: The framework within which human rights operate (CPR and ESCR) is a period of redefinition (after the Cold War). Ordinary people need the backing of powerful states. The framework under terrorism is questionable, as it's become very difficult to articulate human rights abuses in any country signed onto the "coalition" – they're shielded from attack. Many instruments of human rights, such as small arms proliferation don't gain traction.

Question: Back to the "moment." What are the consequences within global civil society when we separate human rights from the environment, children, etc.? Does the clarity of the human rights framework get diluted when we make these connections? How do we maintain clarity about the human rights framework with the growing investment (expansion) without undermining it at the same time? What has produced the organized assault and withdrawal from human rights mechanisms?

Felix Morka: There are chronic issues – paramount issue is lack of access to effective remedies for violations, whether they are local law or regional mechanisms. Historical social and economic exclusion mean that individuals who suffer violations have no mechanism to even express their grievance. Once a government is elected, the assumption is that human rights are guaranteed – if the courts, executive branch, legislative branch are there, then every resource will be used to ensure human rights. For example in Nigeria, no one can question the human rights problems under the current president, since the president was imprisoned once himself. Courts give injunctions, and governments ignore them – the judges defer to the governments. In December, the courts issued an injunction on the Niger Delta issue, but the government has done nothing to implement the decision.

The second issue is HIV/AIDS, a serious human rights question. Only 30,000 patients in Nigeria have access to treatment. This lack of treatment access prevents victims from seeing themselves as active citizens. Sophisticated systems and mechanisms become meaningless when there is no access.

Irene Khan: We can't divorce what's happening in the human rights scene from what's happening in the rest of the world. Interdependence has led to spread of global human rights values, but other things have created "insiders and outsiders." 9/11 brought a certain acuity by creating a sense a fear in the way we look at the world. That fear has allowed governments to introduce fear based on the other: racism, language, religion, sexuality, Islam phobia, hostility toward immigrants. This impacts how we engage public opinion to support human rights. Large populations are left out of the discourse – it's not just poverty, but disparity. In Brazil 50% of people have access to 1% of the land. We also see the feminization of poverty.

There is a crisis in international governance. There is also a crisis in domestic governments – attacks by armed groups and response from governments both violate human rights. There is a crisis of disappointment with democracy. Economic factors impact human rights, but there is no accountability. The gaps are not in the standards, but in accountability, especially of non state actors. Cultural relativism is back on the agenda with a severe negative impact on women's rights. Advocacy related to armed groups is key. There is a challenge to protect human rights defenders. There are problems of credibility of NGOs, but they are also under increasing scrutiny. The impact of human rights has to be measured in the short term and long term; tools need to be developed. Fear, fragmentation, new actors, failures of governments, new challenges and new ways of working on human rights all create a challenge of constant renewal.

Ajamu Baraka: The identification of human rights with western neo-liberal values is a problem. ESCR have been marginalized by Western powers and there is a perception that human rights are an instrument of Western hegemony. There is a disconnect between human rights and the pro democracy movement and global justice movement. Anti-democratic developments have shifted power from the public sphere to the private sphere – corporations, trade agreements, etc. In the US, we lack coordination of disparate groups working on common issues, knowledge of human rights standards and the capacity to counter this lack of information. The lack of a human rights policy has created isolated issue organizing.

Craig Mokhiber: We have only a veneer of human rights – the roots of human rights are not down into the culture. Torture, considered a won battle, is now open to debate again. [New York Senator] Charles Schumer is defending torture. We didn't root the culture of human rights deep enough, so we find everything trumping human rights – chauvinism, patriotism.

The allocation of resources in the UN to promote and protect human rights is only 1% of the budget. Political will is moving backwards – you can't wake a man who's pretending to sleep. Who's influencing the agenda? There are power imbalances with ideologically-driven groups on the rise often defending governments. Mass media is not on our side. No one inter-governmental body is bringing groups together around human rights. In Durban, we saw governments horse-trading votes to hold human rights issues, such as the Dalits, the Palestinian issue, and slavery reparations – off the agenda. Negotiations and unusual blocks are forming on all kinds of issues, because it works. It has become a numbers game (you vote with me on this and I'll vote with you on that). A strong dichotomy between human rights and security has been created with the belief that emphasizing human rights undercuts security. There's an absolute lack of a rights-sensitive view of globalization and it's kept out of meaningful discussions. There is a lot of anti-human rights and anti-UN propaganda that undercuts the work of the Human Rights Commission. The Commission has very real problems, but not the ones reported. The UN Charter created a coherent organization on peace and security with human rights and development designed in parallel. Many resist mixing these approaches arguing that human rights complicate the others – they resist mainstreaming human rights.

Question: Why are states failing, mainly in the South? Also, no one has talked about the military-industrial complex, the role of corporations.

Comment: In the peace and security field, an information policy intelligence report that just came out highlights cooked intelligence. The process was done in secret. With torture memos – what you have is a culture of secrecy. We have to start to look at where we can get people to come forward – the way in which a lot of these policies get developed.

Comment: Governments have started using human rights as a PR tool to serve military and political goals – using the language to rebuff scrutiny of their actions. The framework is called into question. What are the important responses?

Comment: We need to put the remedy for human rights violations into the larger context of the global privatization of resources. In terms of remedy, I think of economic remedies. If a government does something wrong and has to pay for it – it becomes costly. Could this be internationalized? How can we advance links between human rights and corporate responsibility?

Comment: The language of human rights is not at the grassroots level – there's no constituency. There is a constituency for "a better life." Cheap consumer goods made in China have displaced small/medium businesses. The rights-based approach to social change will not have pressure to change things unless there is constituency-based ownership of human rights advocacy.

Comment: There are connections between human rights and the global justice movement. We need to see where links are and why we are talking about disconnects.

Question: In terms of reaching remote grassroots groups, is human security an effective use of language to counter-act military security and create a coalition of different social movements? What are the structural problems of the human rights framework?

Irene Khan: Human security is a repackaging of human rights, but I think it's a good thing. Human security is person-centered and means freedom from fear and freedom from want. It also leads to mainstreaming human rights into other fields. State security is old-fashioned and not sustainable. Norms for human rights are indicators to see how secure a person really is – they are enormously important.

We have only a veneer of constituency-building – human rights is a very incestuous movement. There's a lot of preaching to the converted. We need human rights constituencies inside police departments, parliaments, community groups, not just international human rights organizations.

Ajamu Baraka: The constituency is growing around the world and the language has gotten to the grassroots. There is a broader discussion of the interconnections of social justice and human rights and how these forces can link up to struggle for social change. The human rights framework is a political instrument – this is a political struggle. People who are being impacted have the power to change their realities. There are attempts to coordinate activities and the shift to the grassroots has happened.

Felix Morka: In Nigeria, the reality on the ground is that Nigeria was combating the military until 1999. Before 1999, the concern was about bread and butter issues – issues essential to survive. Afterwards, no one acknowledged the forces that led to the collapse of the military

junta. We have to rethink democracy – once elections occurred everything was assumed to be OK and the economic agenda was taken for granted with no say by the people. We need to look at the assumptions that underlie democracy.

In terms of human rights compliance, there's no price to pay for governments or non-state actors who violate human rights. Shell continues to operate and is not paying any price. Nigeria does not have the capacity to make Shell accountable. People need to understand the message and language of human rights. The lack of access to health – it's the responsibility of governments to provide these services. Collaborative arrangements are needed to hold governments accountable.

Irene Khan: National security is a divider, while human security connects (common social interests). It's not just another packaging of human rights – what is its value-added to the human rights debate?

The rule of law is based on justice. The hijacking of rights language by governments is dangerous – human rights need nothing if they don't focus on the victim. Human rights are too much about law, too UN-related and elite. Now the focus has to come back to the people and the values have to be real. For example in polling, people thought of Amnesty International equaling justice. What is the essence of human rights? We need to move towards something bigger. Human rights education needs review.

The notion of constituency-building built Amnesty as a movement – involving individuals in helping other individuals. Becoming an activist is as important as the action you take, because it redefines human rights away from the “elite.”

In terms of corporate accountability, sovereignty is in transformation and economic entities are becoming more powerful. We don't need corporate philanthropy – we need corporate accountability with international systems to level the playing field and translate accountability into something real. Corporate complicity needs to be looked at. The UN Human Rights Norms on Business are only embryonic. Corporations can influence so much both for good and for bad. We need to close the gap between impacting people's lives and their ability to do something about it.

Dorothy then asked the panel to focus on opportunities to address the current challenges, particularly building constituencies, corporate accountability, strengthening the UN system and building links among local, regional and international human rights organizations.

Ajamu Baraka: So many sectors have been negatively impacted by recent events and trends that this creates new opportunities to link such sectors as labor and the environment. There is a real opportunity to link issues and sectors and to utilize the language of human rights for cross-sectoral work. For example, in the US it is important to use what happened in Iraqi prisons as a context to introduce humanitarian law and international human rights to the American public. This is a “teachable moment” regarding the laws of war, torture etc. People are embracing the power of human rights language and recognizing its ability to transcend ideological and political divisions of the social change movement. There is now an opportunity to build multi-generational, multi-class efforts for change. In addition, new communications technologies provide a tool to better connect constituencies – a tool which we must take advantage of. We must also engage on the international level to counter governmental efforts to keep human rights issues off the agenda. While issue organizing is important, there is also a need to concentrate power in networks and international organizations. We need to get the people who are impacted at the table to provide a counter-balance to governments.

Felix Morka: Human rights rhetoric has been, and can continue to be, employed for a wide variety of objectives. However, we must employ human rights and its very transformative potential to appeal to and sharpen social consciousness of human rights values and their relevance in less well off societies. There is a need to shed our defensiveness about economic, social, and cultural rights. The legal approach remains important for advancing human rights because it can demonstrate to people how a human rights framework can be used to engage the state. However, people need to feel that they themselves can take action and affect change. The legal approach is inaccessible for most people and as a result denies them a platform for their rights. We need to create a process whereby human rights can be a scaffolding for those at the bottom to find their voice, find their power and engage the state. The current period presents an opportunity to harness growing energy around human rights at the grassroots and link it to the global movement. For the momentum to be sustained, energy must come from the grassroots. Smaller groups can feed into larger groups – and we need to close the gaps between the various levels.

Irene Khan: Some opportunities are being realized, like the synergy between local and global action. As a result of the Internet and other communications technology, there is healthy “pollenization” underway. Global standards are legitimatizing work at the local level and the local level is reinforcing the global standards. Both are coming together to work on national governments. Human rights defenders are under pressure and there is a need to protect them, even to the point of evacuating them for a period of time.

The campaign to stop violence against women is a great example of the local-global synergies. The global movement has begun working with local groups, which is a very positive development. The local groups are critical to fighting the argument that the “local” culture is simply different than western human rights standards. There is power in coalitions, such as those focusing on the ICC, landmines, small arms, and child soldiers.

Increased awareness of ESCR is creating new opportunities to do constructive work that was not previously possible. Jointly working to address impunity issues, both at the international level and locally in efforts to reform justice systems, is important.

We must also continue to invest in international justice, such as the ICC, recognizing that the reform of the justice system is good for the poor as well as the rich.

Craig Mokhiber: There is some good news. The Universal Declaration of Human Rights is the most translated publication in the world – evidence that it is reaching a wide audience. The number of countries ratifying human rights instruments is increasing, and governments are issuing more invitations for missions to investigate human rights issues.

Integration has been an important trend with the mainstreaming of human rights. Development groups, for example, are at least claiming human rights in their work, if not actually pursuing actions. The rhetoric is important as it shows a shifting recognition of the importance of human rights.

Over the past decade, political and economic empowerment and greater participation has occurred – and such trends are increasingly linked to international human rights. The issues are now being defined differently. Poverty now is not only viewed from the perspective of income, but of exclusion and discrimination. It’s no longer just about supplementing income, but about supplementing security and power; the way we define problems largely contributes to the way the solutions are found.

UN human rights work has long been separate from the work of the Security Council. Yet, human rights notions are now being increasingly integrated with security. The barriers between human rights and the Security Council are eroding. In an historic development, the newly created genocide post in the UN will be the first formal link between the UNHCHR [UN High Commissioner for Human Rights], the Security Council and the Secretary General.

The notion of human sovereignty is now related more to international law and the responsibility of governments to people. The ICC and advances in international law are seen as strengthening international human rights – not just in the South. The Commission is looking at 68 countries – north, south, east, and west. Another positive trend is the expanding participation in international human rights fora. Some 3500 NGOs have participated in the Commission's work – dwarfing the participation of governments. Also, NGOs are shifting the focus away from a reliance on international mechanisms to national protection systems, which hopefully are a more effective way to protect human rights at home.

Discussion of the need to clarify priorities at various levels.

Question: One priority needs to be youth because kids today are growing up in cynical times. There is a need to build a culture of human rights, but what models exist for dealing with youth? Are we reifying elitism?

Comment: It is important to determine if NGOs are representing the voice of people at the UN. Some NGOs are divorced from the grassroots.

Comment: Corporate accountability and the weaknesses of states are now on the agenda. Twenty years ago, states were viewed as too strong, particularly in Latin America and Africa. Now they are too weak. The privatization of security is an element that complicates the issue.

Comment: Human security is a useful approach, particularly regarding business practices.

Comment: The legal strategy is important but must be used with other strategies. For example, on the one hand there is the recent ICJ ruling on the Israeli-built wall/barrier and on the other is the mass movement in Palestine. It should not be an either/or question.

Comment: There is a problem of “non-ownership” at the local level. Lawyers can bring international law to the local level, but there are differences of opinion about priorities regarding the UN system, regional mechanisms and national channels.

Dorothy Thomas: To what do people attach their activism?

Ajamu Baraka: The new network I represent is one example of a mechanism to bring to the table those directed impacted by human rights violations. But there is tension between the old and new voices, with the new voices seeking to redefine various conceptions. There is a need to find ways to empower organizations to advance their own agendas. We brought two US grassroots organizations to the Commission in Geneva. And although available resources limited us to bringing only two groups for a few days, the response was extremely positive and the groups felt empowered speaking for themselves. There is a great need for capacity building in the US and around the world.

Comment: We focus too much on the “violations approach.” Other approaches, like budget analysis relating to economic, cultural and social rights, would be useful to explore. Coalitions working on an issue enable more proactive and less defensive work.

Comment: We need to deal proactively instead of always reacting to violations, which by definition have always occurred.

Felix Morka: It is important to build the capacity of local institutions. Many governments have established human rights commissions, but they are removed from events. It is important to deal with the increased sophistication of states to avoid compliance with human rights law. We need to question the integration of human rights by looking at outcomes not just statements. The Human Rights Commission in Nigeria was established – out of the blue – and it was unclear who was responsible. Although its legal status is unclear, it is a needed tool. Having people attend case deliberations can be very empowering, as participation often demystifies the process. At a different level, no one is prescribing what powerful institutions like the World Bank need to do to promote human rights. More effort needs to be put in this direction.

Irene Khan:

- Human rights are universal and need to be seen as such. Nonetheless, there are some grey zones of universality that need to be addressed such as migrants and violence against women. One in three women will suffer sexual assault in their lifetime.
- Capacity building is important at all levels. The strength of regional organizations and their impact on countries varies from region to region. The notion of “strong” or “weak” states is less important than the notion of promoting good governance.
- Economic, social, and cultural rights and civil and political rights are indivisible. Amnesty International is now conducting training to advocate for ECSR and new skills like budget analysis, trade and investment expertise are needed among human rights advocates.
- Youth need to be an important focus of efforts to promote human rights. AI [Amnesty International] is intensifying its efforts to increase membership among youth and is exploring different ways to engage youth. In Brazil, AI is looking at ways to discourage youth away from guns and violence and toward music, the arts etc. Generally, we need to further exploit web-based and other communication technologies in efforts to advance human rights.
- It is important to gauge where the human rights movement is going. Civil society is the fuel of this movement, but how do we sustain its energy. An AI effort, entitled Human Rights 2020, is just beginning. It includes a massive consultation to diagnose problems, understand the direction of the movement, discuss values, and engage individuals to promote change. Among other things it is looking at new approaches to advocacy—how to “get the message out” and increase its impact. The findings of this initiative will be fed back into AI, but will also be made available to the broader human rights community.

Craig Mokhiber:

- Human rights standards are universal, but the means of implementation are necessarily customized to country, and cultures.
- With regard to national protection systems, there is a rejection these days of the importing foreign models. Instead, we need to redefine our role as facilitating the real consultations on how systems can be shaped. The international community cannot substitute its wisdom for that of people living in various countries, but we can support actions in solidarity.
- The “legal-only” approach to advancing human rights is limited, but it is important to maintain and consolidate legal strategies, while at the same time working hard to root human rights into cultures and society in more sustainable ways; we need to blend the tools.

- Corporate responsibility—discussions are underway about draft norms for corporations and the Global Compact is a positive step forward. However, there is some very powerful opposition to this.
- The Human Rights 2020 initiative is also a positive step. We cannot continue to just do more of what we have been doing. We need a strong, critical self-assessment to expand the toolbox (interest-based human rights and diplomacy), but also perhaps throw some away.

Programming Trends Session

The “International” in IHRFG

Facilitator: Chet Tchozewski, Global Greengrants

Chet explained that the session topic – the meaning of *International* in the International Human Rights Funders Group – was intended to give guidance to the Steering Committee as it plans IHRFG’s future work. He noted that the Group decided in 2001 to redefine its identity from “a group of funders who support international human rights” to “an international group of human rights funders.” Currently, about 12% of IHRFG’s members are from outside the US.

Chet also noted that other funder affinity groups employ variations on the term international, including “global” and “crossborder.” His own organization, Global Greengrants, was formed ten years ago by environmental funders who realized that successes by the US environmental movement were creating incentives for polluting industries to relocate to the global South.

By way of background, Chet explained that the Council on Foundations has official guidelines for affinity groups. Their traditional role has been the creation of a forum within the Council for members who share common interests and see value in sharing knowledge. Affinity groups are primarily regional (i.e., RAGs) or issue focused. In the 1970s, the Council created an international program within its organization (as opposed to an affinity group), but the staff remains small and it has not evolved into a participatory network.

Several international networks do exist, however. Examples include Africa Grantmakers' Affinity Group (AGAG); Grantmakers Without Borders (formerly the NNG International Network); the Global Philanthropy Forum; Worldwide Initiatives in Grantmaking Services (WINGS); a small international committee of the European Foundation Center; international intermediary organizations like Global Greengrants and the Fund for Global Human Rights; and a growing sector of donor circles.

International giving constitutes approximately 11-12% of US foundation giving and 1.8% of US charitable giving overall. While giving has recently increased to 15%, the entire jump is related to the Gates Foundation. About half of IHRFG members fund outside the US and many are headquartered in US.

Comment: In 1997, the European Convention on Human Rights integrated human rights into British law and changed the way people conceive of rights. The broadest definition of human rights is used and debates over “what are human rights” and civil and political rights versus economic, social and cultural rights seem surreal. The bigger challenge is how human rights are delivered. The downside is that with so many reports alleging human rights abuses politicians are let off the hook. Also, if “it’s all human rights,” what inspires people?

We are at a tipping point. The traditional human rights movement worked to correct clear abuses. Now, the work is about achieving justice (which is how younger people conceive of human rights). Traditional activists have had to change their approach with ESCR. Yet, if everything is human rights then nothing is. Many trends have forced changes in the movement, such as learning more about Islamic culture, dealing with human sexuality and the AIDS epidemic and justice in an age of terrorism.

Comment: It is important to know what “international” means for our purposes. How local can “international” be? From a US perspective, does international mean “foreign”? Or does it necessarily invoke multilateral agreements and the international treaty system? Are we international funders, funders doing international work, or US funders using international human rights? US exceptionalism may act as a barrier to a broader definition. And what about a funder who only focuses on West Virginia? If we exclude US work, isn’t that also a form of US exceptionalism? Funders engaged in domestic human rights work in the US clearly benefit from hearing about international work and applying it to US work.

Comment: The US is integral. IHRFG evolved from a group that cared about rights “out there” to an international group of funders including those funding in the US. But if we are an international group, what does that look like? Some possibilities include: (1) merely being open to members from outside the US; (2) making active efforts to recruit funders from outside the US (which raises questions of cost for funders from the global South); and (3) supporting similar affinity groups outside the US.

Comment: International should describe “how we think” as funders not “how we act” or “where we live.” It’s unfair to judge a foundation by its passport. Language plays a limiting role as well, since IHRFG conducts its work in English.

Comment: From an African perspective, there are only a handful of indigenous funders. Northern organizations define issues and funding priorities, but linkages should exist with those in the South to help redefine issues. We need more sophisticated relationships, where for example, a larger funder active in the global South can act as a referral for smaller donors.

Comment: International means working in “solidarity” with indigenous funders all over the world.

Comment: It should be of concern that only 12% of US foundation support goes abroad. The US uses 80% of the world’s energy. There is an urgent appetite in the world for a different kind of American foreign policy. The IHRFG is a part of the American presence globally and could play a role in creating a better face of America in the world.

Comment: At a recent trip to the European Foundation Center (EFC) conference, I was struck by the opening presentation, which was dedicated to helping NGOs implement the UN Millennium Goals. It is tempting to secede from the Council on Foundations and apply as an EFC affiliate, but the reality is that US foundations are products of the US Tax Code. We need to focus on accountability here in the US and join the debate over international grantmaking. In addition, European funders have a great amount of interest in US government policies.

Comment: The EFC events are valuable, but the discussion of human rights issues in Europe is very different. People in the EFC network are interested in cross-collaborations, but differences in philanthropic structures make it difficult to see how it would work. Surprisingly few Americans participate and there are far fewer individual philanthropists. Almost half of the

attendees are from quasi-government organizations (like operating foundations), which have big budgets (~\$150 million). There are alliances to be built. Language is also a real problem. For those who are interested, the 2005 meeting will be in Romania.

Question: If IHRFG is truly an international group of funders, then why not invite community foundations from Ireland? What would be the benefit of their participation? What are the common interests? It may offer opportunities to leverage funding into your area. We do need a dialogue about very different concerns around the globe.

Comment: We desperately need to fill out participation from funders who fund human rights regardless of where they fund. If it doesn't make sense to focus on building an international membership, we cannot afford to fund human rights without engaging more thoroughly with everyone who is doing it. We need to have that conversation. The addition of foreign staff from US foundations is a positive forward. We can also use invitations, meetings and convenings and see how it sorts out based on participation.

Comment: While there is value in having diversity in the room, it doesn't depend on numbers or percentages, but by the diversity of the voices. There is always the concern of losing the warm connection of the group if we invite more international funders. The richness of the conversation, however, may offset these concerns.

Comment: GWOB [Grantmakers Without Borders] decided from the outset that it wanted to be a global network focusing on the South. Based on the GWOB experience, we should talk about the numerous challenges in working with an international membership. It is logistically difficult (e.g., scheduling Steering Committee conference calls across many time zones, dealing with poor phone systems in many countries). It is costly. Language and cultural differences must be overcome. Foundations are often at different stages of development and may need to develop skills, such as fundraising, that we do not discuss. It is difficult to bring in people without making everyone equal members. It is also difficult to identify foundations that share common goals and values. The US modus operandi tends to dominate. There are travel and visa issues. Let's keep to what we know. The pool of international funders may also be quite small. This decision has to be about strategy and what we're NOT going to do. What are our goals and how should we meet them? Should we create an IHRFG in Europe or focus on increased dialogue resource sharing?

Comment: IHRFG goals determine where energy is directed. The goal to increase IHRFG's international membership will mean that our limited time and energy will be allocated towards meeting that objective at the expense of other activities.

Question: I agree. Are there other ways to gain the participation of non-US funders, short of a membership approach?

Question: While the benefit of having non-US funders join the Group is obvious, we need to consider what's in it for them. What do we have to offer to make it worth their while?

Comment: We should distinguish between membership and programming – do we work in similar issues or are we similar funders?

Comment: Looking around, we are not a very global looking group.

Comment: European funders would be happy to participate in programs that were relevant to them. They're movement people.

Comment: This is a strategic opportunity to define IHRFG as global network of funders of human rights and mirror the human rights movement itself, specifically the politics/values of inclusiveness.

Comment: There is value of a global conversation in delivering resources to grassroots organizations. We need to discover groups and models and alliances may be the only place to do so.

Comment: Perhaps we need to consider the structure of meetings as a practical way to forge links with non-US funders. One example would be a joint meeting with EFC every other year.

Comment: We also need to be cognizant of the US funder who funds domestically. They may be interested in human rights and have an international consciousness, but not fund internationally from a geographic perspective. We don't want to lose them.

Question: What do we want to accomplish? I have two concerns: (1) will expanding the pool of donors take away from the mission? and (2) is diversity in our membership the best method? We should invite more activists and non-US funders to our meetings, but work to sustain the current intimacy of the group. Perhaps, one meeting a year would have greater involvement by activists?

Comment: It would be useful for IHRFG members to be exposed to funding in Europe and European funders might want to attend meetings in the US. They don't have the same kind of network in Europe and it's interesting for them to get the US perspective.

Question: Perhaps we should consider organizing funder delegations to travel abroad and report back to the membership?

Comment: There is intrinsic value in having additional, varied voices in the room. Unfortunately, we cannot only focus on institutions as many of the people who share IHRFG values do not have institutional backing.

Comment: The analysis here is very valuable, but it's important that program priorities drive structural questions. What do we want to do programmatically? It doesn't make sense to do it on a plane of abstraction. Perhaps we should invite people for specific discussions based on issues that make sense to address.

Question: The growth of US unilateralism might be a good theme for programming. What is our responsibility as international funders?

In closing, Mona Younis offered a few wrap-up points. She said we will be launching an initiative this fall with EFC aimed at building a transatlantic dialogue on human rights. She also noted that the sessions on the second day of this meeting were an opportunity to further address these questions. Finally, she said the observation made earlier, that "international is a mindset," was a valuable notion which is inclusive of domestic funders.

Cross-issue Working Groups - Breakouts

Leveraging New Funds to Support Human Rights

Facilitator: Michael Hirschhorn, Jacob and Hilda Blaustein Foundation

The break-out group offered a definition of leveraging and six ways to increase funding for human rights:

- 1) Financial contributions to support human rights;
- 2) Programming and advocacy through a human rights lens;
- 3) Knowledge sharing and exchange;
- 4) Landscape of the donors and grantees in the field;
- 5) Mechanisms for larger donors to refer grantees' requests, which are outside their guidelines, to a collaborative group; and
- 6) Mechanisms for smaller donors looking to lower their grantmaking risk by partnering with larger/other donors with decentralized programming.

The group also debated the marketing approach of the IHRFG and suggested exploring two avenues:

- i) Identify two or three issues (e.g., development, education, health) and invite new partners to discuss how human rights approaches could be part of the solution; and/or
- ii) Identify or highlight two or three human rights tools/resources that could be used or mobilized to solve a given issue;

The group also discussed promoting human rights through foundation assets and creating a systematic way to help members raise this issue within their organizations. The new working group, Get Off Your Assets, will be working precisely on this.

Communicating a Human Rights Message

Co-Facilitators: Conrad Martin, Stewart R. Mott Charitable Trust
Melanie Oliviero, Consultant

Conrad Martin introduced the discussion about: 1) Treasury Guidelines (TG); and 2) show-and-tell of other initiatives to take back the human rights message.

Melanie Oliviero provided an overview of the developments around the Treasury Guidelines since the IHRFG meeting last July. She clarified the voluntary versus mandatory guidelines (the details can be found at: <http://www.gwob.net/advicegm/911.htm#requirements>) as well as the sector response. She emphasized that we the need to communicate that the philanthropic sector is not a source of terrorist funds. The examples of charities involved in terrorism involve foreign monies being laundered, which is more about tax impunity than lax regulation.

A group of charities is working on an alternative to the Treasury guidelines, but has not yet circulated its draft to anyone at Treasury. At an April 28, 2004 meeting with Treasury, members from the field left feeling co-opted by the process. A sense emerged that Treasury may present the guidelines as “shaped” by the sector. Instead, the group would prefer to shape its own voluntary guidelines.

The groups discussed a number of strategies for moving forward.

1. Conrad suggested that a group of funders could fund an analysis of the power dynamics and the main stakeholders. An insider such as David Dryer could undertake it, parallel to the sector's drafting of voluntary guideline. A power analysis could be used as way to reconvene the sector and develop a consensus on next steps.

Another participant commented that the “outside strategy” of influencing the Treasury seems to be stalled by the challenges of building a coalition. On the other hand, the “inside strategy” of looking at power structures would pull in partners outside the sector who are also concerned about OFAC [Office of Foreign Assets Control]. This strategy would also deflect concerns that the sector is only concerned with its own interests. Melanie remarked that the funder approach “outside strategy” is mostly defensive. A number of attendees supported the idea of a power analysis. A study from an outsider could also generate recommended steps for the sector to self-regulate – a more objective assessment than the sectors' own suggestions.

2. Conrad also suggested that the group could act as an information clearinghouse. The clearinghouse could collect data that would be less anecdotal and more quantifiable.

The group then discussed our communication around human rights needs. A participant noted that we need to improve messaging and pull together polling data on messaging. A number of immigration groups have done this type of work and found that the values (though not terminology) of human rights resonated with focus groups. Participants mentioned several examples of groups that may have undertaken such research and attendees expressed interest in having this information collected as a resource. Others suggested a session on the topic at the next IHRFG plenary.

Reaching Remote Places and Activists – What Difference Can We Make?

Co-Facilitators: Regan Ralph, Fund for Global Human Rights
 Heather Ryan, Global Greengrants Fund
 Amelia Wu, Global Fund for Women

The discussion focused on three areas: (1) what is/is not happening with support for grassroots human rights activism, (2) how recent developments such as increased US government scrutiny of international grantmaking might affect efforts to direct greater financial resources to ‘remote’ groups, and (3) what more can be done to facilitate grants to such organizations.

It was noted that various re-granting organizations—e.g. Fund for Global Human Rights, Global Greengrants Fund, American Jewish World Service and the Global Fund for Women—have developed effective mechanisms and models for making grants to small organizations with limited access to funding. The group suggested that such organizations explore ways to coordinate resources in order to bring down the cost of administering small grants programs. A number of participants underscored the importance of funding grassroots activism as part of facilitating sustainable social change. Others shared strategies for funding grassroots activism in combination with more nationally or internationally focused organizations.

Special Event and Dinner

Diane Weyermann, Director, Sundance Institute Documentary Film Program and Sundance Institute Documentary Fund

Welcome by John Kowal, Open Society Institute

Diane presented clips from the three films listed below. She introduced each clip and offered commentary on the development of the films.

1. A CRY FROM THE GRAVE, **Director:** Leslie Woodhead
<http://www.pbs.org/wnet/cryfromthegrave/about/intro.html>
2. FARMINGVILLE, **Directors:** Catherine Tambini and Carlos Sandoval
<http://festival.sundance.org/filmguide/popup.aspx?film=F4458>
3. BORN INTO BROTHELS, **Directors:** Zana Briski and Ross Kauffman
<http://festival.sundance.org/filmguide/popup.aspx?film=F5695>

For more information on the Sundance Documentary Fund, please visit:

http://institute.sundance.org/jsps/site.jsp?resource=pag_ex_programs_sdf_generalinfo&sk=g1Y3Zg3kTPRPVRcT. The site provides guidelines for funding as well as a list of the films supported by the Fund.

Tuesday, July 13

Business Meeting

Facilitator: Mona Younis, Mertz Gilmore Foundation

Old Business

We've incorporated the suggestions that were made during our January meeting. The business meeting is now in the morning, the Networking Session went from three hours to two, and the session on Human Rights in the US is now four hours. We need to hear what you think, so that we can adapt the meetings to suit members' needs.

Conferences

The Family Foundations conference in February was a great success. We submitted a proposal for a 90-minute session, and the conference asked us to expand it to three hours! Our session at the Council on Foundations conference in April was excellent. A number of people signed up to join IHRFG.

For next year's Council on Foundations meeting, John Kowal and Shalini Nataraj have submitted a proposal for a session entitled, "Bringing Human Rights Home: A Declaration of American Interdependence."

The American Sociological Association has invited us to organize a session on human rights for their conference in August. They expect 5,000 attendees. We have a panel of five sociologists from Canada, Geneva, Uganda, Peru and the US, who are also human rights practitioners and will speak on how sociologists can contribute to human rights. We also arranged for the ASA to have Mary Robinson and Arundhati Roy for two of their evening events.

National Network of Grantmakers (NNG) did not accept the proposal we had submitted to them.

If you are members of other affinity groups, we urge you to consider submitting proposals for sessions on human rights to them. We will help you put the proposal together, so let us know.

We have been exploring through FunCNet the possibility of holding a joint event/conference of rights-based affinity groups. If you are interested in more information, please contact Mona Younis.

Staffing

Mijoung Chang has left us for northern California. Catherine Townsend (20 hours/week) and Paul Bennett (10 hours/week) have joined us. This should free up the Steering Committee to follow up on other work between the semi-annual meetings.

Reading group

Miriam Porter is no longer able to carry this activity. The idea was to hold conference calls every two months to discuss a publication on human rights. If anyone would like to take this on, please let us know.

Progress Review

After three years, the Steering Committee decided it was time to review our progress, which you will find in the paper before you: "IHRFG Progress Review, 2000-2003." We were surprised at how far we'd come, but also noted remaining gaps. On June 17th, we held a membership meeting in New York to review a draft of the report and we received valuable feedback from the attendees. Some very busy people took the time to study the documents. We received excellent comments and suggestions from this very thoughtful body of funders.

Our accomplishments can be summarized as follows:

- We've created a forum where energetic visionary members can share, explore and test new ideas with a variety of colleagues.
- We have become a resource for grantmakers interested in exploring human rights funding.

Our strength lies in the gradual and organic evolution, and the way we listen to members. IHRFG is highly participatory and very dependent on a high level of volunteerism. Some of our most important achievements have been a result of such volunteering: Michael Hirschhorn was instrumental in finalizing the booklet on funding human rights; Mary Ann Stein took the lead to make the Fund on Global Human Rights happen; and Larry Cox, Dorothy Thomas and John Kowal have done fantastic work on launching the US Human Rights Working Group.

So our strengths are:

- The gradual and organic way we have evolved, making as able to try new things.
- High level of volunteerism.
- A particular culture: while we take our mission and work seriously we do not take ourselves too seriously!

Some notable weaknesses are:

- We can not yet claim to be genuinely an international network; only 12% of our members are funders from outside the US.
- Our activities remain largely centered around semi-annual meetings; there is much for us to do in between the two meetings.
- Our leveraging activities to bring new funds to the field have been slow to take off.
- We need to develop IHRFG's relationship to the field of human rights NGOs. After all, we are advocates for the *field* of human rights, the human rights movement and the NGOs that comprise it.

Comment: The human rights funding tradition has a different tradition from the domestic civil and political rights tradition. It was a revelation to domestic funders that problems are similar elsewhere – we needed to look over our own fence.

Comment: We need to have a dialogue around advocacy and strengthen our work – have meetings with legislators and develop relationships that allow for ongoing dialogue. There is no voice in Washington for human rights. The closest thing is InterAction, but that's all humanitarian aid.

Comment: With the article in the *New Yorker* on the Abu Ghraib abuses, it's important that we take advantage of the awareness it has raised. We need to work with the Hill, develop legislative advocacy and make sure the lessons of Abu Ghraib are not lost.

Comment: Nurturing the specialized working groups presents a challenge to us in terms of how to do that while maintaining the Group's cohesiveness. This will require creativity on our part in terms of maintaining the overarching connections even when people spin off specialized working groups.

Moving Forward

Michael presented the “Recommendations for Moving Forward, 2004-2007,” which the Steering Committee prepared for consideration, and asked participants to breakup into small groups to discuss what they considered as priorities. Members then reconvened and shared their opinions. Comments follow.

Comment re item #3: “*Work with the Foundation Center to improve the categorization of human rights funding*”: We should have a strategy around the Foundation Center's categorization of funding areas. There is one individual who is the “Keeper of the Taxonomy,” and we're not the only ones who have problems with it. Our strategy could be to collaborate with others to reform the taxonomy: this person may cave if bigger foundations say, “It doesn't work for us.”

Comment: We need a more ruthless strategy. Perhaps we should hold back grants to the Foundation Center until they institute such changes.

Comment: I see confusion between outcome and process. We're trying to be everything to everyone. Maybe the real value of the group is to bring together US funders. We could diminish the connection the group has if we become too broad. We could facilitate networking among funders and leverage funding. There should be visits by funders to regions of crisis to see what they could do.

Comment: There is no human rights philanthropy in my region. Perhaps we should be visiting groups outside the network and learning what they do. We need to learn more about what each funder is doing.

Comment: I think our objective should be to link with other networks, rather than expand this network.

Comment: We're an essentially North American network that tries to work collaboratively with international funders.

Question: Why is the intention to support the international human rights *movement* and not just human rights *work*?

Mona Younis: Ultimately, the work has to add up to a movement to accomplish the declared objectives. Our definition of “movement” is inclusive of all types of human rights work, at all levels (local, regional, international).

Comment: How about instead of the "we support the International Human Rights Movement?" saying we support "the Human Rights movement internationally"? In South Africa, we talk about human rights without a qualifier.

There was enthusiastic approval for the suggestion. The change was adopted.

Question re item #4: “Identify ‘services’ needed by human rights NGOs and the human rights movement”: What do we mean by "services"? Grantmaking? Travel resources? We need to identify key issues affecting the human rights community.

Michael Hirschhorn: We should not just measure our effectiveness in terms of our capacity to help funders. We’re not sure what the services for activist would be yet. We need to identify the key issues facing activists – recognize that as well as the need for a forum for funders.

Comment: I like the fact that we don’t have a million handouts to read instead of focusing on the work. On Point #6, “Develop a communication strategy,” I’m concerned about the message. We don’t want to reduce our human rights statements to clichés. For the sake of our goals we need a clear message - maybe we need a Human Rights 101 approach. We need to have the ability to talk to human rights activists in a language that’s bridging. What’s the one message?

Comment: On the organization of the meetings: In the breakout sessions, there should be a balance between methodological sessions and those organized around topical issues, say, child soldiers or disability rights. You can hit the jackpot with a plenary and there’s the soapbox and working groups. However, a working group is a high hurdle to expose someone to an issue. In topical sessions we could provide an opportunity to bring activists from the field and hear how different people are handling different problems.

Comment: It would be helpful to draw up guidelines about how we get speakers to the meetings. For example, there are a lot of people in town on fellowships.

Comment: With regard to point #10, “Continue to expand and update the Funders Database”, who is the audience?

Mona Younis: In principle both grantees and funders, though in practice it appears to be mostly helpful to grantseekers. We’re receiving all sorts of messages of appreciation for making that information available for groups around the world.

Question: In terms of including human rights NGOs (Item #4), what kind of services can we legitimately offer? We should be careful not to overreach. How do we outreach to those who aren’t human rights funders now? To the banking community, for example. I think we should focus on new funders.

Comment: It’s important not to try to see the Funders’ Group as all things to all people. We should see ourselves in a population ecology model. (*Michael Hirschhorn:* We should stay

focused on our core work.) We're still unpacking what our goals are – for example, we need more discussion of the "international" in IHRFG. Is the Funders' Group trying to be too much? Could we prioritize the list of 10 recommendations for moving forward? Items regarding Foundation Center coding and developing the Funders Database on our website, perhaps we can connect the two instead of recreating the tool on our web site? Do we want to keep updating ours?

I'd be cautious about how much we try to act as a service provide to human rights advocates – it could be overwhelming and individual members are doing some of that already.

Michael Hirschhorn: If you didn't have a chance to air your points, please speak with me. Also, just a note of interest - in the CoF's newsletter on their conference in Toronto, they devoted two of the fourteen paragraphs to IHRFG's session.

Governance

Steve Riskin presented the governance document prepared by the Steering Committee, and lead the discussion.

I was present at the birth of IHRFG and when the office went from the Jackson Foundation in Seattle to Mertz Gilmore. The governance has evolved organically in response to members' interests and needs.

We are still looking for one addition to the Steering Committee. Please let us know if you are interested.

In terms of dues ... please pay them. They are voluntary, but we still need \$57,000 for the year. We do not charge for meetings and would like to keep it that way.

Next two Meetings

- January 10-11, 2005 in San Francisco
- July 11-12, 2005 in New York

Geneva visit

Shalini Nataraj: The visit is an opportunity for funders to learn about the workings of the United Nations and the role it plays to protect human rights in the international system. The topic for the meeting will be, "How can we support and supplement the UN's work?" We had a meeting date set last year, but the death of the Human Rights Commissioner forced us to postpone. A new commissioner has been appointed, a Supreme Court justice, Louise Arbour, who has a reputation as brave and daring. The human rights community welcomed her appointment immediately. This is an important moment for us to increase our engagement with UNHCR. The office is severely under-funded, and perhaps deliberately so.

We are planning a two day visit with a half day at the High Commissioner's office. Since the High Commission meets in March 2005, the timing of the trip will coincide with their meetings. They would welcome an opportunity to talk to a group of funders. We can see the workings of the Commission. On the next day we can visit international NGOs based in Geneva. We can also visit the High Commissioner for Refugees. Last time, eleven people signed up, including several from the EFC. We need to get 15-20 people who are interested. Please look for email postings as the details develop.

Comment: It would be a good opportunity to reach and work with European funders.

Question: There could also be a visit to the ILO. Are the conventions being undermined for labor rights, especially as China moves into domination of manufacturing?

Question: What about a structured exchange with European colleagues?

Shalini Nataraj: Yes, we will definitely meet with the ILO. And if a structured exchange with European colleagues would be helpful, that could be built into the agenda.

Comment: We could meet with the Special Rapporteurs.

Shalini Nataraj: Yes. The funding for Special Rapporteurs is way down. They don't even get paid to do this work.

Question: Is this an advocacy meeting? We might meet with the US human rights caucus or a representative of the UN Human Rights Commission.

Comment: 15-20 individuals might be an ambitious number to sign on. Let's not make the trip depend on a particular number of participants, as any number will provide benefits to us all if they report back to the group.

Comment: I'm a strong advocate of working with the EFC on this.

If you are interested in joining the committee planning the trip to Geneva, please contact Shalini Nataraj at Shalini.Nataraj@reebok.com.

Networking Session: International Partnerships to Support the International Human Rights Movement

Facilitator: Regan Ralph, Fund for Global Human Rights

Speakers:

- **Martín Abregú,** *Program Officer*, Ford Foundation (Santiago, CHILE)
- **Abdel-Fatau Musah,** *Program Officer*, Open Society Initiative for West Africa (Dakar-Fann, SENEGAL)
- **Martin O'Brien,** *Programme Executive*, Atlantic Philanthropies (Belfast, NORTHERN IRELAND)
- **Emma Playfair,** *Representative*, Ford Foundation (Cairo, EGYPT)

Regan Ralph introduced the panel of human rights practitioners-turned human rights funders. She began by noting our need to learn what works and what doesn't in international partnerships, and asked the panel to address the gaps and opportunities for human rights funding from their perspective.

Emma Playfair: While gaps and opportunities vary from place to place, the diversity of funders is critical. There is a need not only for more donors, but for donors to fund a variety of issues. This provides protection for organizations when funders drop program areas. The Middle East is viewed as a difficult region in which to fund, but it is not. There is a need for more work on economic, social and cultural rights and there is an opportunity to mobilize funding from diaspora communities.

Abdel-Fatau Musah: Human rights work in Africa has concentrated on quick impact efforts, such as test cases, particularly high visibility cases. These cases can resolve particular problems but deeper issues remain. We need to strike a balance between clear projects and strengthening the delivery of human rights services. Similarly, there's a serious gap between beautifully crafted constitutions on the one hand and implementation on the other. Much work needs to be done on this front. The interconnection between security and human rights is critical and we need to tease out human rights and their infusion into the security environment.

Martin O'Brien: There appears to be a gap between support for large US-based human rights groups who consume a larger proportion of funding resources and support for human rights work on the ground around the world. How do we address this funding discrepancy?

- Explore the link between human rights and conflict resolution. There is a tendency among large foundations to support academic/theoretical work that is not based on practice. The work would be more relevant for both fields if there was a better marriage between theory and practice.
- Address the continual problem of under-resourced organizations. While many exciting and effective projects for change are underway, there is little funding that will enable that experience to travel. Cross-pollination is needed around tactics and mechanisms that are effective for practitioners. Networking among practitioners is critical, but is at the bottom of the list of funding priorities; it will not occur unless it's resourced effectively.

Martín Abregú: We need to focus attention on international organizations and bodies and judicial reform. International human rights groups focus on specific countries, but they need to concentrate more attention on the IDBs [International Development Banks], the World Bank and other international policymaking bodies. There is also a lack of funds for overseas/local organizations to voice their concerns in international fora. Money is going to governments, but not to civil society to participate in judicial reform.

Regan then asked the speakers to provide examples of partnerships. How do funders and advocates respond? What are the lessons and experiences?

Martin O'Brien: While working for an NGO in Northern Ireland, I was involved with a particularly effective partnership when a group of the leading international human rights organizations visited Northern Ireland to work out a shared agenda and how to raise the issues in the international arena. Marrying local experience with international experience, this was an extremely effective way to advance a concerted/coordinated human rights agenda. At the same time, they could not find funding, as it didn't fit within the funding guidelines of major foundations.

Abdel-Fatau Musah: Impunity continues, but we need to support NGOs that bring marginalized victims to come before the truth commissions. We need to support media coverage, particularly community radio, of the commissions. It's important to deepen links with diaspora organizations that can help dig up the past and bring information to truth commissions in West Africa.

Another critical issue is resource management. In Chad, Cameroon, Nigeria, and Ghana and oil extraction greatly impacts human rights. The environmental and budgetary impacts on communities, as well as the problems of transparency and accountability are important. OSI doesn't normally fund Northern organizations to work in the South, except when it involves training activities. Yet, it has been problematic when some organizations in the South have

accused governments of corruption without sufficient factual support. Northern organizations can help solidify their cases by providing factual resources for their southern counterparts.

Martín Abregú: Partnerships are very useful, including partnerships between foundations. For example, there were many donors funding activities associated with the truth commission in Peru. Now, after the commission's report has been issued, donors are picking up different pieces with some activities falling through the cracks. It's important for foundations to work together to identify those cracks. Ford has promoted social justice philanthropy by bringing together donors in the region. In addition, education around local fundraising and philanthropists is raising a lot of interest.

Emma Playfair: It's important to keep action at the level closest to human rights violations. Regional organizations can also play a critical role in providing resources and sharing information. Regarding local philanthropy in the Middle East, foreign funding is critical, but groups often get criticized for relying on funding from abroad, thus it is important to establish local funding sources and mechanisms. OSI and Ford are trying to mobilize local sources of funding and in the long run this is the most important thing. Ford has funded task forces around such issues as HIV/AIDS and female genital cutting and local donor groups have been established to support these efforts.

Question: How does one identify local donors?

Martín Abregú: When working in the region, you just sort of know through the work and some research.

Emma Playfair: Philanthropy in the Arab world is largely done anonymously through religious channels. The challenge is to encourage them to support human rights work without threatening institutions in which they have a stake.

Abdel-Fatau Musah: Some of the wealth is gained illegally and it's a challenge to channel this money to human rights. In addition, local philanthropy is not just about private donors, but also governmental funders.

Comment: Exchanges for activists are an extraordinary capacity-building tool, but they are difficult to execute well. There is a need to get local individuals and organizations together, document the exchanges and then share at the international level.

Comment: The Minnesota-based Center for the Victims of Torture collects, publishes and disseminates successful tactics used by human rights groups around the world. This group has also prepared training materials and will be convening activists from around the world for training and networking purposes.

Question: In establishing local philanthropic structures based on the North American model, aren't we merely exporting our structures rather than building local capacity to marshal resources locally? Why not support the building of indigenous models?

Question: Why is networking so difficult?

Martin O'Brien: A feature of life for those working in small NGOs, particularly in conflict situations, is that you must respond to the immediate crises. Networking requires you to lift your head and share experience – it's a real luxury. They don't have the capacity operating in crisis

mode. That is why people reinvent the wheel. There's a definite need to explore how networking can be done more effectively.

Comment: Raising funds locally for social change is not just about sustainability, but also legitimacy. The Global Fund for Women is trying to promote a culture of philanthropy within local and regional contexts.

Question: Have there been shifts in funding requests as a result of the establishment of the International Criminal Court (ICC)?

Comment: There has been some experimentation with co funding groups in the US with money in Mexico.

Regan then asked panelists to address some of the issues raised.

Abdel-Fatau Musah: (*models of resource mobilization*) With regard to setting up a human rights fund Africa, it is difficult to identify NGOs as *human rights* NGOs, since many work on cross-cutting issues. Thus, in order to be effective a fund must be issue-based and not toward human rights generally.

(ICC) No one has presented a case yet for the ICC in West Africa. Courts in the region are being set up to address impunity and other issues. If petitioners exhaust these courts, the ICC will be a growing focus of attention.

Martín Abregú: (ICC) The ICC is made up of international organizations and those who worked to create it were international. Eventually domestic groups, related to the ICC, will develop at the regional level. It was a Northern process that has become a Southern asset and provides an interesting lesson.

(*networking*) There's simply no time.

Emma Playfair: (*raising local funds*) The point about exporting our structures rather than building local capacity is well taken. Ford is setting up some local funds and we've had as many failures as successes. There is no perfect model. Human rights funders do not exist in the Middle East. People in the region wanted to establish a human rights institution and the Arab Human Rights Fund was supported by, but not driven by Ford, and will hopefully take on more local culture. Ford's experience in this realm can be helpful. It is complicated in the Middle East with funds coming from outside the region and offices based in the region.

The ICC is a good example of trying to get the local connected to the international.

Question: Based on my experience in the United States, it's almost sacrilege to be paid for your time to go somewhere [meetings]. We should pay activists for the time they spend at meetings. It is important – that's time in the field.

Have you done any assessments of the culture of local philanthropy? The North American model is philanthropic institutions. How do we support and promote that model?

Comment: (*networking*) "You can't network because you're involved in it." That's code for operating in a mode of crisis management and lacking a long-term plan.

Comment: (*networking*) Some people need time out because they're so burned-out. They need a support structure.

Question: Have any of us considered innovative ways to use remittances to stimulate local philanthropy?

Regan Ralph turned to the speakers again to reply to the comments and move on: We started by identifying gaps, and now we're looking at possible responses. What kinds of partnerships are useful? In answering, it would be useful if you could refer to your original points to address these.

Emma Playfair: (*on the culture of philanthropy*) We have done studies on indigenous philanthropy and how they can be used to support social change. We did a comparative study of philanthropy in six predominantly Muslim societies. In Egypt we're also looking at Coptic philanthropy.

(*on remittances*) Remittances are particularly difficult now with the worry of terrorist money laundering. Diaspora funding is difficult, but we are looking at it now. We need to connect with funders on the ground who know a range of locals.

We're always happy to help by introducing people to a range of organizations and donors. Donor networks help in hearing who is supporting what and identifying the gaps. We should reassess our approach – in Palestine, for instance, we have donor consortiums (at the request of grantees). They meet once a year to share evaluations – NOVIB, Christian Aid, etc.

Martín Abregú: You are absolutely right about crisis management and the lack of a planning process. Groups are under funded. Ten years ago, The Ford Foundation looked at the ten largest human rights organizations in South America. Only one had a budget of more than a million dollars. The rest were less than a half million, some only \$100,000. We need to build a human rights infrastructure, but most of the funding is for projects. No one wants to fund planning – the groups are professional but less strategic.

Comment: We're too obsessed with tangible results.

Comment: We should be very serious about overhead contributions. If you impose 15% overhead on an institution with a 30% overhead, they're subsidizing *our* work and we're compromising their sustainability. We need to encourage grantees to say no to donors who make these demands. Some donors don't give a damn about sustainability, they just want bragging rights.

Martín Abregú: This is a key issue. These groups are under funded. You need to work with them to focus on the outcome.

Comment: You should give enough overhead not just for the project but to stabilize the organization. I've always believed there is not enough core support. The work on the ground is too much donor-driven – we decide what we're interested in funding and organizations tailor their work. New projects are constantly being developed when we haven't completed the underlying tasks. There's been a proliferation of organizations in civil society. Are they growing too fast? Could you look to strengthen existing organizations so money doesn't get spread too thin? Are mergers an option?

Abdel-Fatau Musah: (*diaspora funding*) In many countries there is no social security system, so relatives abroad must support their dependents. Since the South receives the monies, any ideas would have to occur in the North. We could target Western Union or other transfer organizations, which charge very high interest. In Mali, one community with relatives in France has invested heavily in their city – it's a model that looks much like foreign direct investment.

Many of our grantees are donor-driven. Sometimes they seem to know our strategic plans better than the program officers.

In West Africa there's a lot of rivalry among NGOs, mostly among women's NGOs. Many organizations want to be a big fish in a small pond and are less likely to build networks.

Grantmaking institutions in the South could work with parties in the North as a referral group. The human rights environment in West Africa is very problematic. The governments become legitimate targets for human rights advocacy, but they're shielded because they've joined the War on Terror.

The sub-region is becoming a major center for alternative energy – Niger, Equatorial Guinea – and they're treated with kid gloves. Human rights organizations find it hard to balance attacks on the government. We need constant dialogue between partners in the South and the North to put pressure on governments.

Comment: Southern NGOs have no monopolies in rivalry, backbiting, competition, or donor-driving – these tendencies are universal.

Martin O'Brien: (*donor-driven agendas*) Atlantic Philanthropies has gone through a process of change where it's now less interested in funding *organizations* and more interested in funding *outcomes/partnerships*. The challenge is: are the partners genuinely interested in the collaboration?

Comment: I work with an organization that got a Ford grant to look at multinational development banks. The organization really understands this issue, but it didn't come together – the organization didn't have Global South partners. Part of the grant needed to be devoted to having southern partners.

Martín Abregú: One of the challenges is how we create this kind of division of labor. It's difficult to know who's funding what. We do need to be sure that if we're funding international work that someone else is funding Global South participation. Southern organizations are often so fragile they cannot focus on bigger, more strategic concerns.

Question: How do we partner with intermediary funders in ways to ensure we're responding to the needs of organizations and resisting donor driving? How can we help construct sustainable, strong organizations that can fundraise and pursue the issues of the day?

Martín Abregú: We should strengthen the dialogue. In all of South America, there are 8-10 key organizations. It would not be that hard to make them secure for five years. As a group, if you decided you wanted to strengthen Southern human rights advocates, the groups are easy to identify as it's a small universe of people. They're so fragile that they don't know where their next paycheck is coming from. And that's the flagship organizations!

Emma Playfair: I agree. One approach is for donors funding in a region or issue-area to identify the organizations working in the space, though not necessarily the biggest ones. One of the best questions for grantees is: “What would make the most difference to your organization?” We also need to convey that bad mouthing other organizations is counterproductive, damaging their work and the field. It's frustrating. “Stars” who appear here and speak good English get funding.

Abdel-Fatau Musah: We use funding organizations on the ground as a source of information about trends and specific organizations. We exchanged information with funders in the North and discovered that some groups were applying for the same project to two organizations, and we needed to confront them. I agree with Emma – the biggest organizations are not necessarily the most effective. Some of the newer ones are still on fire with enthusiasm, while the larger groups are not as controversial

Comment: The duplication of proposals is sometimes related to the problem of core support and transparent conversation. I'd like to offer a friendly amendment – not all Northern NGOs are well capacitated either. Human rights organizations in the US face many of the same capacity problems as their southern counterparts

Question: In terms of intermediary organizations – would more be better, or *should* we be funding those smaller organizations? Groups like the Global Fund for Women, etc., are in monopoly position for supporting small grassroots organizations. Your organizations are all giving large grants but not reaching the lower level. Should we have more, or would it damage the ones we have?

Emma Playfair: The ones that grow organically, in response to a demand, are best.

Comment: There's an important role for US, as groups of funders, to do our own networking regionally. Intermediaries have grown to meet specific needs. For instance, so little philanthropic money went to women's organizations. The Fund for Global Human Rights developed because individual donors and large donors couldn't make the small grants. Intermediate organizations have the staffing to do the due diligence and find the groups who need the support.

Martín Abregú: My whole life's work was with the same organization. Most of my experience was with a flagship organization in the region [Latin America]. They are good at fundraising, which allows them to attract all the funds even if they don't get help to be sustainable. There aren't domestic donors [in the region] as there are in the US. We need to find ways for these groups to continue their work and at the same time to allow new organizations to enter the field.

Emma Playfair: Donors have an important role to play to ensure organizations, small and large, have adequate funding.

Abdel-Fatau Musah: Human rights work, the human rights movement is more critical than it has ever been. We need to continue the work we are doing, but add partnerships and networking. We need different sets of intermediaries – funders based in the sub-region, or even a big NGO. CBOs and grassroots organizations do not go into this human rights work *because* they are advocates, but because an issue directly affects their lives. We need to build a human rights community and find innovative ways to do it.

Martin O'Brien: I come from a place where working on human rights was extremely unpopular. It was important to have donors who'd stick with you – not just write a check but who were prepared to open doors, get involved in the issues and use their unstated power and clout. There could be a lot more thinking around how donors could do that. When times get tough, those donors won't walk away. The space in which human rights activists work is narrow and vulnerable. Money buys you things like credibility. External funders can play a critical role in places where people will be silenced.

Lunch ... and The Funders' Soapbox!

Facilitator: Valentine Doyle, Lawson Valentine Foundation

Alison Giffen: *Connect US* is a funding collaborative managed by Tides Foundation and supported by The William and Flora Hewlett Foundation, Open Society Institute, the Rockefeller Brothers Fund and Charles Stewart Mott Foundation. It is an emerging network of organizations that are working together to promote action in the US on global issues that will be strengthened by concurrent, cross-issue efforts to advance a broader vision of a positive, pragmatic, cooperative, and internationalist US global engagement. *Connect US* seeks to provide a network, list serves and a calendar of events. The Fund (\$1.5 million) has recently announced the Request for Proposals for its first cycle of grantmaking. The initiative is field-led with an NGO review panel to provide grant recommendations and an on-line survey to determine needs. You can also contact Alison for more information at agiffen@osi-dc.org.

John Taylor: The issue of disability rights needs greater awareness. The creation of a UN Draft Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities is progressing. Last year, an ad hoc committee was formed to draft the convention. In January, it circulated the first draft. The current divide is whether a nondiscrimination clause or a broader, more proactive affirmative of rights should be incorporated. The drafting has helped build a global movement and the global South and non-western countries are leading the process. The United States has chosen to play a neutral role – neither opposing nor supporting the convention, which is seen as a victory compared to its opposition to most recent treaties. Unlike other delegations, the US delegation does not have any NGO representation.

Andrew Park: Often we focus on a field or a particular group, rather than rights. Wellspring Advisors is seeking other funders who want to discuss how to structure funding programs around particular rights. The Right to Information is a prime example of a specific human right that cuts across identities, docket areas and political perspectives.

In addition, Wellspring and the Mertz Gilmore Foundation are sponsoring an informal workshop for foundation employees interested in an overview of the international human rights mechanisms. Contact Wellspring for more information.

Alice Brown: My “pet project” is a woman's group in South Africa. The WHEAT Trust (Women's Hope Education And Training Trust) is a community-based fund for women in rural western cape, started by middle class women who decided to use their spare change on good work, rather than on another piece of jewelry. For example, they started providing small amounts of money to home-based healthcare workers of AIDS patients. As they grew, they became qualified for government grants and expanded to serve more people. They are ambitious, economical, smart and spunky. They have received money from Global Fund for Women and are a great example of social justice, indigenous philanthropy that is *not* donor-driven.

Ann Bastian: There is much to report on the Right to Organize. The Phoenix Fund at The New World Foundation has put together a global worker justice docket that covers 40 NGOs in Latin America, Asia and Africa supporting frontline labor rights organizations that intersect significantly with democracy movements and rights for women and youth. They are also gathering information on strategies for setting human rights and labor standards as major production shifts to China. The Europeans are using selective tariffs to leverage negotiating points to ensure labor rights. For more information, contact Ann via her assistant Chad Jones at cjones@newwf.org.

Shalini Nataraj: Grassroots International is planning a funders' delegation to Israel and Palestine in September. They will be meeting with peace NGOs and local individuals working to build bridges between Israelis and Palestinians and working to stop the demolition of homes and the construction of the wall.

On diaspora funding: She told the story of how she approached a mainstream campus-based group focused on funding education in India and convinced them to fund an activist organization working for the human rights of the Dalits, using education as an entry point. This project has now become a flagship project for this student group. Others might look at this experience and perhaps approach other campus-based groups focused on countries or issues and get them interested in a human rights angle.

William Kennedy Smith: He would like to start a new working group that explores the connection between disability rights and human rights. Disability rights are often framed in medical terms, denying individuals the right to question doctors' judgments. In addition, many argue that the cost of providing more access and guaranteeing the rights of the disabled is too great. He believes these are rationalizations to avoid exploring the protection and provision of these rights, which has been ignored for too long. He will be coordinating an IHRFG working group on disability rights.

Joo-Hyun Kang: The Astraea Foundation is coming out with a "Lavender Paper," which will discuss strategies to promote building the LGBT movement in the US and worldwide. If members have ideas, feedback and ways in which you've encountered obstacles to funding gay, lesbian, bisexual and trans-gendered issues, Astraea would be interested in your thoughts. Joo-Hyun can be contacted at jkang@astraeafoundation.org.

Vincent McGee: Building on our conversation of diaspora funding, Vincent shared a project he's working on with a friend, which was initially called the "babushka project." Vincent serves on the Board and they began by distributing money to destitute seniors in Russia. The organization turned into a St. Petersburg-based funding group – often supporting youth and training human rights lawyers. Their work helped spawn the access to information law. Recently, they made their first grant to a lesbian organization. In the long-term, they are working on a project along with Bard College and the University of St. Petersburg to establish a human rights degree major and an accompanying human rights library in at the University of St. Petersburg. Anyone who might be interested in supporting the project can contact Vincent at nyc.mcgee@verizon.net.

Meghann Mulherin: The McCormick Tribune Foundation has a Journalism program for press freedom that focuses on monitoring abuses in the US and Latin America. IHRFG members may be interested in an affinity group, called the International Journalism Funders Group. For more information, contact Meghann at mmulherin@tribune.com. The following members signed up

for the group: Amreeta Niveknand-Rej, Alain Berranger, Chet Tschozewski and Melanie Oliviero.

Narimon Safavi: Nari is an individual philanthropist who sold a business several years ago and has been traveling and exploring new projects. After visiting West Africa, he and a partner discovered that they could license a diamond mine and they decided they would produce a socially responsible brand of diamond. The diamonds will be mined according to several principles: 1) the diamonds will not be sourced from countries where there is civil strife; 2) the mining practices will try to minimize the impact on the environment; 3) the employees will be compensated fairly (i.e., living wage and benefits) and 4) the company will reinvest part of its earnings back into the community for human rights. Nari is interested in setting up an advisory group on formulating a code of conduct for the diamond mining business. In addition, Nari funds independent film makers in Iran.

Chet Tchozewski: Chet reported that the Global Greengrants Fund (GGF) has made important progress toward its goal to establish a global network of grassroots environmental funds by helping launch three independent local environmental funds in Mexico, Brazil and Indonesia. Later this year these re-granting intermediaries will help build indigenous environmental philanthropy by beginning to raise money in their own countries, as well as working closely with GGF to leverage more international environmental support in Europe and the US. Together with the International Network of Women's Funds this "Greengrants Network" will help fill the gap in funding for grassroots social change groups working in parallel global movements.

In addition, they have submitted a proposal to the Council on Foundations, along with another group on *intuition*, the open secret of good grantmaking.

Mary Ann Stein: Julia Greenberg, an IHRFG member from the American Jewish World Service, has written a musical to be shown at the Vineyard Theater in New York. More information will be sent to members and can be found at <http://www.vineyardtheatre.org/season.htm>.

Jay Beckner: A new working group, "Get off your assets" is forming to explore the leveraging of foundation assets to promote a human rights agenda. One strategy under discussion is the filing of corporate proxies. If you are interested in joining, please contact Craig Cramer at ccramer@earthlink.net. The following members have signed-up for the group: Steven Viederman, Craig Cramer, Jay Beckner, William Smith, Betsy Brill, Valentine Doyle and Alain Berranger.

Thematic Working Groups - Breakouts

International Partnerships – Next Steps

Facilitator: Mary Ann Stein, The Moriah Fund

The group generated several suggestions on how to deepen international partnerships.

1. Undertaking joint evaluations with international partners: Perhaps an IHRFG session on grant evaluation, Europeans' approach, grantee benefits, different methods and outcome maps would be beneficial. In addition, funders could pool technical assistance funding.
2. Building networks and exchanges across geographic regions and issue areas.
3. Sharing information about issues and funding to best serve the field.

4. Partnering on the Treasury Guidelines: We need regular updates on what is happening on this front.
5. Creating a dialogue with policy makers.
6. Relating better with European and other funders.
7. Deploying the power of donors to become advocates for more resources, improved policies, etc. in support of human rights.
8. Developing a more self-critical perspective: We can begin by evaluating our worst failures (e.g. Darfur) and talking about what we could have done better. Ford is undertaking this project.
9. Develop mechanisms to discuss and share information on particular regions, such as urgent actions, to get results. Include grantees in this process.
10. Leveraging the experience of re-granters as advocates on this concept and sharing methods that have been successful.
11. Creating monthly “E-version” of the Funders Soapbox.
12. Developing break-out sessions on the basis of regions, countries and subject areas at IHRFG meetings.
13. What projects need versus donors’ desires. Poll projects re needs and obstacles.
14. Working on trust development with grantees.

Fund for Global Human Rights – Focus Group

Facilitator: Regan Ralph, Fund for Global Human Rights

Participants brainstormed about effective issue campaigns and different ways to communicate the significance and power of human rights to donors new to the issues. The Fund was set up, in part, to attract and facilitate new donors’ involvement in funding on-the-ground human rights work. Session moderator Regan Ralph circulated a variety of issue ads with messages relating to the environment, HIV/AIDS, human rights, reproductive rights, civil rights, and the like, and asked for reactions and evaluations. Participants ranked the ads and discussed which ads/images resonated the most; which words or images draw them in, and which really turned people off. The group then circulated a number of human rights messages and critiqued them in terms of content and the power of the message. Much of the language used to describe human rights issues or by campaigns was criticized as too abstract. The messages to which people responded favorably were specific about the problem and actions to take in response. Participants identified a number of other campaigns or movements that have developed broad-based support with powerful, successful messages—for example, the campaign to ban land mines, fair trade, and the campaign against clothing produced in sweatshops.

US Human Rights Working Group

Facilitator: Dorothy Thomas, Shaler Adams Foundation

This was the second formal session of the US human rights working group, which is being co-convened by Larry Cox, John Kowal and Dorothy Thomas. The meeting began with a general discussion followed by two presentations from Ajamu Baraka, the Executive Director of the new US Human Rights Network (focused on developments in the field) and from Jay Beckner, Executive Director of the Mertz Gilmore Foundation (spoke about how the Foundation created its new program on human rights in the US). The working group closed with a final general discussion and brief identification of next steps.

Several issues were raised in the opening discussion. Participants noted that this was an unprecedented moment for US human rights work, given developments such as the recent decisions of the Supreme Court referencing international human rights law and upholding the

Alien Tort Claims Act. The way more domestic activists are reconnecting to the global human rights movement. *Close to Home*, Ford's US human rights case study book, is the fastest moving publication in the Foundation's inventory. The events at Abu Ghraib and subsequent revelations of the "torture" memos only underscore the cost of US non-compliance with international law. Hopefully the Abu Ghraib incident will also raise consciousness around abuses within US prisons. Several participants underscored the need to act assertively in a relatively narrow period of time and noted the constant pressure to compromise rights in the name of fighting terrorism, including proposed legislation to introduce significant curbs on rights to freedom. To a certain extent, this has increased the interest in building a culture of human rights in the US

Participants expressed a range of questions about and/or interests in human rights in the United States, including: whether or not to frame a given program in human rights terms? How to create a sustainable human rights movement in the US? How to build a sustainable human rights constituency? How permanent the damage is to the US government's human rights role? If Democrats are elected will it be rolled back? If not, will human rights organizations be completely marginalized? How is human rights impacted by social justice? Does social justice provide another dimension than human rights – outcomes not just access? How to link funding domestically (civil) and internationally (human rights) and go after US exceptionalism? US jurisprudence is so self-referential that it's a limitation. If we don't adapt our system to incorporate human rights, won't we have inadequate tool box? How do movements abroad and here mirror and differ from one another?

Ajamu Baraka, US Human Rights Network

Ajamu stressed the domestic need for a broader and more critical framework for domestic social justice advocacy, noting that the conditions we face are systemic. If we aren't empowering those groups directly impacted, we are not helping. Republicans emphasize unilateralism and hegemony, while Democrats also seek to maintain US hegemony, but in a multilateral fashion. There is a need to create space in order to get the people affected at the table. For human rights to have value it must transfer power. The struggles for social justice and human rights are the same thing. We need to develop instruments to help those most affected to fight these injustices effectively. In his presentation he noted:

- Something significant for domestic groups about reframing in human rights terms – connect up our struggles, enhance our power.
- Gathering in Mill Valley in 1999, organized trainings to deepen our understanding of human rights. July of 2002 came together again at Howard University Law School and decided to organize, to build a network.
- Launched the Network on December 10, 2003. Its caucus structure is both issue and method based. For example, caucuses are currently active on: documentation, education, organizing and workers rights, ESCR, housing, immigrant and refugee rights.
- Structured to relate to groups with similar interests beneath one umbrella.
- In order to be different, the Network has to be committed that those organizations directly impacted by violations have a place at the table and their voices will be dominant. The Network brings the grassroots voice to the table.

The U.S Human Rights Network activities include:

- Organizing capacity building trainings by issue and human rights method;
- Organizing a biannual conference;
- Facilitating groups' participation at international gatherings;
- Facilitating the work of member organizations;
- Providing effective media support; and
- Assisting a wide-range of organizations to come together and build a movement.

Ajamu noted an example of the Network's work. The Network coordinated a delegation to travel to Geneva to engage in the Commission's process and participate in the debate focusing on war on terror and human rights. The Network provided training logistics and assistance with crafting groups' statements at the UN.

Discussion:

Participants focused on the pros and cons of using international fora to influence domestic advocacy. Some noted the way nation states work together to censure the opinions of such bodies. Others noted the need to influence US foreign human rights policy – by having an international presence of US activists. For too long the US has received a pass in respect to its human rights violations. If domestic activists do not engage at the international level, then the issue is not even raised. International activity will not replace the domestic advocacy already in place, but supplement it. Human rights are not a substitution but an addition or a frame to help people look at the situation in a different way. Questions included the extent to which legal education is being revved up in this area and how to build capacity at all levels.

Participants also identified several resources that would be useful for the Network to create:

- Map of where these groups are working
- Gaps in funding for the network
- Process map for organizations/foundations who want to incorporate human rights into their work

Jay Beckner, Mertz Gilmore Foundation

Jay opened with a review of MGF's history of international human rights funding, begun in 1984 and focused soon thereafter on US-based organizations working globally to promote civil and political rights. In 1987, the Foundation started two programs in the US – Immigrant Rights and Lesbian & Gay Rights – under the rubric of human rights and concerned with improving the conditions of marginalized communities. By 2001, the Foundation perceived an opportunity in its international program to promote efforts that bridge work on civil and political rights with work on economic, social and cultural rights and bring them to the same level, and funding began in 2003. Unfortunately, financial circumstances soon thereafter crystallized the necessity of significant restructuring of the Foundation's programs, with funding levels dropping from \$10 million per year to \$6.5 million.

Weighing its capacity to continue to grant internationally, but with less money, against opportunities that existed in the US, the Foundation made the difficult decision to terminate its International Human Rights program (as well as its Israel/Palestine program) and to replace its current US "human rights" programs. Charged with creating a new program that had political relevance and the potential to catch fire, and that would employ a short-term strategy but have long-term implications, Jay spoke of his initial inclination to do economic justice work aimed at countering the ever-growing economic divide in the US. Mona Younis, MGF's Human Rights Program Officer and IHRFG Coordinator, not surprisingly advocated an overt human rights approach.

In keeping with the Foundation's tradition of being as field-responsive as possible, Jay and Mona engaged in a series of conversations with a variety of social justice NGOs (grassroots-, policy-, legally-oriented, etc) in New York, DC, and San Francisco, among others. Some of the groups centered their work on a human rights approach and some very consciously did not. Many "strategically" used a human rights approach when it seemed practicable, but all reported that some of their staff/Board/or coalition members were currently advocating within their

organizations for an overtly-focused human rights approach. The discussions were illuminating and often provocative, and revealed that there was a growing interest in the US at many different levels in exploring what a human rights approach might add to traditional social justice work. Several factors were especially important to staff: that this was bubbling up from the field (especially at a grassroots level) and that young people were particularly drawn to the human rights framework; that the framework had the potential to connect disparate groups in the US as well as US activists with others internationally; that there were some concrete “success stories” already; and that activists felt empowered at long last to be *for* something, to have a positive message to put forward, and to not always be on the defensive fighting *against* something.

In the end, staff decided to recommend a program that would advance human rights in the US and focus on using a human rights framework across the full spectrum of civil, political, economic, social and cultural rights (with special consideration given to efforts that further the last three). Jay then discussed how staff engaged the Board, noting that many members initially expressed the “usual” questions/hesitations regarding the application of human rights to the US. Examples included:

- There is no human rights culture in the US ... we have civil rights.
- Too much education involved.
- Relationship of positive versus negative rights ... too expensive ... won't you water down the “real” rights?
- I'm in favor, but it's utopia you're describing.
- Economic rights are aspirations, not rights.
- Everything is a human right. What is not a human right?
- What is the strategy for change? Not going to be effective.

Jay stated that it was very important to give Board members the time, space and “permission” to express their hesitations. He said that no Board member ever raised an objection that he himself hadn't had considered at some point and that we should acknowledge that there is a lot we don't know in the US about the human rights framework. There are a lot of questions that need to be answered and there is a process that people need to go through. Education and training will be important components of any human rights movement in the US. Several books were provided to Board members, including *Eyes Off The Prize* by Carol Anderson (exploring the U.N. and the African American struggle for human rights), *A World Made New* by Mary Ann Glendon (an account of the writing of the Universal Declaration of Human Rights), and the Ford Foundation's *Close to Home* (case studies of human rights work in the US). Speakers were brought in to the Board meeting to provide outside perspectives. Loretta Ross, Executive Director of the Center for Human Rights Education in Atlanta, spoke about what's going on at the grassroots level; Rick Wilson, Professor of Law and founding director of the International Human Rights Law Clinic at American University's Washington College of Law, spoke on how human rights developed in the US and internationally; and Dorothy Thomas, independent consultant, described other philanthropic efforts around human rights work in the US.

In April of 2004 the Board approved the Foundation's new Human Rights in the US program which will support:

1. **Projects** that demonstrate *what* and *how* human rights can contribute to social justice in the US
2. **Networks** and **coalitions** that build and strengthen cross-issue and/or cross-constituency linkages.

3. **Capacity Building** through human rights training.

An initial round of grants will be made in November 2004. The Foundation envisions this work as a collaborative learning process for itself, for the field and for interested grantmakers. It will include an assessment component right from the start and hopes to return to the field some knowledge about what works and what doesn't.

Discussion:

Participants expressed great interest in MGF's process. It prompted discussion about the degree to which funders' in the group did or did not want to incorporate an human rights frame and the degree to which such a frame needed to be explicit. Some believed it did not and that making it so would exclude work that is human rights work even if it isn't explicitly called that. Others felt that it was necessary to be explicit about the human rights dimension of US funding (or activism) as human rights has specific and important meanings. One participant suggested creating an "I am a Human Rights Funder" button. Another cautioned that it's not just naming that creates human rights funding – we need to build infrastructure and the field. We need to exercise the human rights system domestically to strengthen it.

The participants agreed on several follow up steps:

- Small group work to plan the next working group session
- "Process" materials for funders (i.e., the MGF process) and some support for internal human rights discussions
- Use of listserv
- Further discussion of explicit versus inexplicit approaches to human rights
- Regional US human rights briefings modeled on the June 21st event at Ford
- Some collaborative effort, perhaps around human rights messaging
- More and shorter case studies of US Human Rights work
- More panels at foundation gatherings
- Section for US Human Rights on IHRFG web site