



SEMI-ANNUAL CONFERENCE
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Funding Human Rights and Natural Resources

Tuesday, January 29, 2008, 3.00 – 5.00 pm

Facilitator:

Mona Khan, Director of Programs, Fund for Global Human Rights

Panelists:

Nikhil Aziz, Executive Director, Grassroots International

Patricia Jones, Program Manager, Environmental Justice, Unitarian Universalist Service Committee

Anne Leonard, Coordinator, Funders Workgroup for Sustainable Production and Consumption

Overview: Framing the discussion around human rights, the speakers will discuss funding around sustainable consumption/ environmental management, the right to water and the right to food. Each will share how donors can strengthen rights work in these areas. Speaker will identify "tipping points" (such as particular movements, regional momentum, exciting campaigns at country level) where funders have an immediate opportunity to support such work and maximize potential for impact.

Mona Khan, the Session Facilitator, began the session by noting that we regularly hear the same story played out in different parts of the world: corporations silence the voice of communities. She recently returned from a trip to India where the government is increasingly acting for the benefit of multinational corporations at the expense of the people (i.e., displacing people from their land, subsidizing agribusiness at the expense of sustainable industry, etc.).

She recalled the debate between Aryeh Neier and Philip Alston at the IHRFG conference in June of 2007 over whether economic, social, and cultural rights are, in fact, rights. For many of us, she commented, the debate has been over for a long time.

Mona Khan asked members in attendance why they're here, what they would like to learn, and any issues regarding resource rights related funding they would like to have the panel address. Audience members offered their suggestions and ideas:

- Recognize the ways in which disabilities issues come up in discussion about the environment and conflicts over resources.
- How can a foundation officer fund resource rights when program guidelines don't focus on this?
- How we can convince consumers of the value of sustainable consumption/
- How can we build cross-movement ties?

Ann Leonard started with a discussion of her work with the Environmental Working Group, which looks at the environmental, social, and human rights issues surrounding how we consume and dispose. The “environment” is where we live, work and play and thus protecting the environment is protecting our lives, livelihood and fulfillment.

Twenty years ago, Leonard worked for an environmental NGO that followed a strategy of developing deep expertise on single issues. When she moved to Bangladesh, she admits having a patronizing attitude about advocates working on a wide range of issues. But she rapidly learned that a narrow issue focus was a handicap and impediment. Only by building bridges and seeing connections can you make a difference. Uniting across silos and sectors is key to a vibrant movement.

You can’t make distinctions between various rights, she argued. You would be hard pressed to find an environmental right that is not a human right.

- Right to life: think Bhopal or “the slow-motion Bhopals” happening every day.
- Right to health: toxic chemicals find their way into human breast milk (she called this “gradual chemical trespass”).
- Right to property: loss of land and property due to toxic development, displacement by megadams (10 million people in recent years).
- Right to know: there is a lack of transparency and accountability regarding polluters.
- Right to bear and raise a child: toxics harm ability to have a child.
- Right to compensation for harm.
- Right to a livelihood.

Increasingly, environmental rights as human rights are being codified into law. Leonard showed a list of constitutions around the world that recognize environmental/human rights. Many organizations are now working on environmental rights as human rights.

Nikhil Aziz began by recalling two recent days spent with activists from world social justice movements. He agreed that if we listened to our grantees more we’d break out of our silos, as they’ve done that already.

Aziz focused his comments on the right to food. Article 25 of the Universal Declaration of Human Rights lists food under the right to a standard of living. Article 11 of the Covenant on Economic, Social, and Cultural Rights recognizes a right to “adequate food.” And General Comment 12 defines it a step more: “The right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement. The *right to adequate food* shall therefore not be interpreted in a narrow or restrictive sense which equates it with a minimum package of calories, proteins and other specific nutrients.” This underlies the concept of food sovereignty, articulated by the Via Campesina movement as the right of people to define their own food systems.

Aziz commented on emerging threats to the right to food such as climate change’s impact on availability of arable land and the increasing focus on biofuels. The latter risks undermining the global food supply. Issues of trade and agricultural policy are at the nexus of this issue, requiring greater attention to our domestic agricultural policy as well as bilateral international agreements.

There are signs of hope, however. Aziz pointed to the global movement for food sovereignty (including groups like Via Campesina), links between indigenous movements and the Campesina movement, mobilization against AGRA in Africa (including support from unnamed funders), work by groups such as Food First and the Oakland Institute, and public interest litigation in the Indian subcontinent where the major issue is defense of public distribution system against privatization

In response to a question posed by Mona Khan about the connection between immigrant rights and the right to food, Aziz commented that without understanding the root causes of migration, you can't address the issue of immigration. Food is a major cause of mass migration. For instance, in Mexico since the passage of NAFTA, two million farmers have been thrown off of their land. If you're funding immigrant rights, why not fund it in a way that makes those connections or consider joint funding across dockets?

Patricia Jones focused her comments on the right to water. She has framed her "water justice" work with human rights language. With an anti-privatization focus: water is a right, not a commodity. In discussions of natural resource conservation, human rights framework has also succeeded. A New Hampshire coalition proved an interesting success story, using human rights language in supporting and passing a law making it illegal to extract local water and sell it for a profit.

The idea of a human right to water has sparked controversy. The US has come out against it. But we can challenge harmful policies at the local level. Mass Global Action collected info on water shutoffs ("discontinuances") due to unpaid bills. In these situations if there are children in such a home, they are typically subject to removal by child protective services and property can be condemned. Thus, lack of access to water raises human rights issues relating to parenting and housing.

Mona Khan asked the panelists how to convince consumers of the value of sustainable consumption. Ann Leonard said we lack the political language to talk about consumption as there is either policy wonkery or judgmental/scolding/overly marginalized tones. She is concerned by the "green consumer" sloganeering (i.e., "the more you buy the cooler it gets") as it appeals to people as consumers, not citizens. Choices in the supermarket are limited and predetermined by outside forces.

She sees more promise in analyses that connect consumption and other issues – forests and fisheries; the relationship between consumption and happiness. But it needs to involve things that people "get" at a basic level. We also need to deliver funding to support the infrastructure of movements, as the relationship between groups is perhaps more important than any specific program. For instance, support groups that connect legal strategies and grassroots. These have less tangible measurable outcomes, but are ultimately more valuable.

Nikhil Aziz urged audience members to take a wide angle view of funding and attempt to reach the different wings of the movement. Funders should consider directing support on multiple levels, from grassroots activism to legal services to research. Research, in particular, tends to be underfunded even though it is vital for advocates to document and demonstrate the realities they see. Funders should fund globally, nationally, regionally and locally if they can – trying to build synergies, making sure organizations are not isolated. For those who can fund only in the US, why not fund in a way that addresses root causes and has global implications? Funders should also work with other funders to make sure your support is coordinated and strategic. Finally, regarding cross-movement building, it's best to avoid being heavy handed. It's good to listen to what activists want and can benefit from the most.

Patricia Jones made a pitch for funding legal work. There is no legal framework for right to water in the U.S. yet there is a need for this. Many countries (e.g., South Africa, India) have constitutional and legal provisions for water. But in the U.S. we have seen Bush veto bills on water appropriation. But this issue will only grow with drought in the Southern U.S. The human right to water could be a breakthrough right as it is an issue that people “get.”

Mona Khan asked about the role of the emerging “fourth sector” of socially responsible businesses. Ann Leonard cautioned that some recent developments constitute “greenwashing” and are overly reliant on the market rather than civil society. But there are businesses doing exciting things. She pointed to the need to leverage citizen power to transform the system as it currently operates (i.e. Business Alliance for Local Living Economies), challenging the way corporations do business to push fundamental systemic reform. Nikhil Aziz pointed to the growing Community Supported Agriculture movement as a promising approach to resource conservation and development. Patricia Jones pointed to the need for socially responsible investing in the water sector (i.e., public utilities rather than private).

An audience member raised a dilemma. Since the global economy depends of production of “stuff,” how do we deal with the fact that reducing personal consumption inevitably affects economic well being?

Ann Leonard challenged the idea that growth is inherently good. Growth is not always good – displacing people, clearing forests, adding toxic chemicals and creating single use products are not good. Income growth doesn’t always add to increased wealth and happiness. Inexorable growth is not going to be possible as the planet can’t sustain it. She admitted there will be trouble in the transition.

Europe and the U.S. have taken different paths. Europe traded increased gains in productivity for more leisure time, better health time, etc. Americans opted for more stuff, bigger houses, more stress, etc.

Patricia Jones pointed to the inefficiencies in our current model of consumption, using as an example the fact that it takes two gallons of water to produce one gallon of bottled water.

Audience members offered a series of comments and questions. One member argued that while there exist “beautiful constitutions” in global south laying out rights, there is a real disconnect between law on the books and law in action. One way to get to the point where these rights are implemented is to support local public interest litigation to get these rights enforced. Mona Khan pointed out that litigation has more impact when it works in tandem with a sustained public education campaign to support the legal demands.

Another audience member suggested that funding infrastructure is difficult because it is difficult to say what the “program” is. This is not appealing to funders. Another pointed to the difficulty of convincing utilities about respect for the right to water.

In response to a question about communications strategies, Ann Leonard pointed to her experience in making *The Story of Stuff* video. Nothing in the movie was new. It was all in books. But people don’t read books anymore. She learned the importance of talking to diverse groups outside your usual circles. She also said you must speak to people’s hearts and experiences. She also urged people to use new technologies (Internet, YouTube, etc.) while not being exclusively focused on them.

Leonard spoke about her experience in the Rockwood Leadership program. There she received authentic feedback from colleagues about her work. She learned to speak in everyday language and to tell her story from the beginning (where the audience is), rather than “starting in the middle.” – i.e., where the movement is now. She learned to show people connections between areas and show people where they are in the consumption flow.

Another audience member pointed out that the division between political and civil, and economic, social and cultural rights arose in the Cold War context, but that we are at a moment when we can move away from that framework. The move we challenge that paradigm, as well as neo-liberal economic concepts that undergirded that false dichotomy, the more unified our solutions to human rights and resource issues can be. The audience member also challenged the idea that funding “law” necessarily entails funding litigation. We need to do more to support the view that non-lawyers can do legal work, as law happens in everyday social action, not simply in the court room or legislature.

An audience member asked those in attendance about efforts to make foundations and grantees more environmentally conscious and responsible. Ann Leonard pointed to the Environmental Grantmakers Association’s good practices guide, “Green Beyond Grants” (available at <http://ega.org/news/index.php?op=read&articleid=1925>). Another audience member pointed to the “catalog choice” program as a way to promote reductions in paper consumption due to unwanted catalogs (<http://www.catalogchoice.org/>).

Another person in the audience asked about tradeoffs. Can we introduce green measures that don’t require repressive measures by the government? Are we truly facing up to the negative economic, social, and political impacts of efforts to safeguard the environment? For instance, if we reduce consumption, what happens to jobs in poor countries? Ann Leonard responded that we will have to give some things up (not all bad). But we have a surplus of stuff and a deficit of leisure, family, community. Look to systemic solutions – better use of transit, decentralized economic structures, etc.

But the audience member responded that this doesn’t factor in the impacts on people in countries such as China and India, where people have benefited from economic development. We also need to recognize that ways in which tradeoffs involve coercion. Who are the actors who will make these decisions about winners and losers? Ann Leonard responded that while the state has that regulatory role, the ideal is a vibrant participatory democracy.

In closing, Mona Khan suggested we need to get human rights advocates and economists together for a deeper dialogue on these issues.