

An Overview of Recent Trends and Issues in the Human Rights Field

I have been meeting with representatives of private, U.S.-based foundations currently funding human rights activities and a number of practitioners to discuss developments in the human rights field. This paper, which addresses both substantive and procedural issues associated with human rights grantmaking, reflects some of what I have gleaned from those discussions. It provides a brief sketch of some of the recent trends in the field and presents issues and questions raised by foundation representatives. I have attached program- and budget-related information about several of the more active U.S.-based foundations engaged in human rights work. I have also attached a list of foundations and the totals of their rights-related funding for FY 1992. It was compiled by staff at the Joyce Mertz-Gilmore Foundation.

Recent Trends

All of those interviewed agreed that a series of global events in the past several years has reshaped the perceptions and approaches of many engaged in supporting and implementing human rights activities. The end of the cold war, the establishment of newly independent states in Eastern Europe and the former Soviet Union, the resurfacing of dormant conflicts and civil wars, economic and political dislocation in the former Eastern bloc and elsewhere, and the growing number of refugees around the world have altered the context of human rights work.

Accompanying the end of the cold war and the emergence of the United States as the major power on the international scene has been the growing emphasis on the United Nations and multilateral bodies to address conflicts and human rights concerns. Wars and civil conflict in such countries as the former Yugoslavia, Iraq and Haiti have raised profound questions about the nature and extent of national sovereignty and the responsibility for intervention by the international community. In addition, in an increasingly interdependent global economy, the decrease in bilateral aid from the United States as a primary lever of influence and the growing emphasis on international trade relations represent recent contextual changes affecting human rights work. Finally, over the past two decades, technological advances, particularly in communications, and the growth of human rights organizations in all regions of the world have contributed to the increase of information on human rights conditions worldwide. Reports produced by local, regional and international organizations are now available in greater numbers than ever before. Unfortunately, despite the increased availability of human rights reports and information, their reach is limited--a situation that may require new approaches to strengthening respect for human rights.

This paper was written by Steven M. Riskin, former Program Officer for the Middle East at the Ford Foundation. He is currently a consultant to the Ford Foundation, which funded the preparation of this paper, and other foundations.

These events and trends together with the continuing--if not growing--disparities between rich and poor nations and within nations, and the deteriorating environment all pose formidable challenges for funders in the human rights field. They also offer new avenues for philanthropic initiatives.

The Expanding Human Rights Agenda

While some donors have remained focused on addressing core human rights concerns, others have broadened the scope of their rights-related work. Indeed, one trend emerging in recent years has been the expansion of the human rights agenda. Although rights enshrined in the Universal Declaration of Human Rights are indivisible, a long-standing tendency among Western donors has been to focus on civil and political rights rather than economic, social and cultural rights. Over the past several years, however, an increasing number of nongovernmental organizations and donors around the world have initiated or have enhanced activities to promote economic, social and cultural rights.

Before the end of the cold war the debate about economic and social rights was tainted by the U.S.-Soviet rivalry. While the West attempted to promote democracy and individual civil and political freedoms, primarily in communist countries, the communist world championed economic, social and cultural rights. Human rights became a political weapon of the cold war's competing ideologies. Since the end of the rivalry between the superpowers and the obsolescence of the cold war political vocabulary, there has been greater overlap in the discussion on human rights and other related concerns such as economic and social well being, poverty alleviation, the environment, health, education, cultural rights of ethnic minorities, as well as democratization. Despite this overlap, the work of internationally-focused nongovernmental human rights organizations in the United States remains largely centered on civil and political rights.

This broader understanding of the human rights agenda is viewed by some as an important advance in the field--offering new and creative opportunities to promote human rights. Such an evolution is particularly useful for foundations who have been reluctant to fund human rights work, particularly civil and political concerns. (Some foundations have considered human rights work too sensitive or controversial or have been concerned that supporting such work might interfere with existing funding programs in other fields. It should also be noted that the small number of U.S. foundations funding human rights activities support organizations largely based in the United States and that few appear to base their work explicitly within the framework of the universal standards provided for in international human rights law.) Staff of those foundations who were interested in developing human rights-related programs often did so under different themes--health, religion, international security, refugee assistance, democratic development, etc.--in existing programs, although not necessarily explicitly in human rights terms. Building on existing lines of work has, over the years, been a common approach of several foundations seeking to enter the human rights field.

At the same time, others engaged in the human rights field have felt that extending the human rights agenda carries with it the danger of weakening if

not undermining efforts to address core civil and political rights, key components of any human rights agenda. As the parameters of human rights work and the scope of funding broaden, there is the risk that there will be less clarity of purpose and that donors might divert funds away from programs promoting civil and political rights.

Democratization

Accelerated by the fall of the Soviet Union, foundations, governmental funding agencies and multilateral donors have expanded programs to strengthen democracy in the newly independent states in Eastern Europe and the former Soviet Union and, to a lesser extent, in the developing world. This reflects a growing trend in the United States and Europe toward linking human rights and democratic initiatives. In the United States in particular, human rights have been increasingly viewed in terms of free markets, democracy and elections. The World Bank, the U.S. Agency for International Development (AID), the National Endowment for Democracy (NED), and many private and public foundations have increased their work or formulated new programs targeting governmental bodies, the public sector and the economy.¹ Such initiatives attempt to broaden participation in government, improve the functioning of political parties, trade unions and electoral processes, and develop and expand free market economies.

There is considerable debate among human rights practitioners and those advancing democratization programs around the world about the compatibility and/or complementarity of promoting human rights and democratic development. Some human rights practitioners and foundations are concerned that the surge of interest in funding programs to build democracy--largely through governmental agencies--is coming at the expense of efforts to uphold universal standards of human rights enshrined in the Universal

¹ AID is now undergoing a major reorganization, if not a struggle for its existence. Under the Peace, Prosperity and Democracy Act of 1994, it hopes to pursue work that encourages broad-based economic growth, protects the global environment, supports democratic participation, and stabilizes world population growth. AID's democracy-related programs seek to support several lines of work: respect for human rights and the rule of law; an expanding role for nongovernmental and citizens' organizations; the enhancement of citizen access to public information; the ability of all citizens to freely choose their leaders; the growth of a free and independent media; the advancement of legal, social and economic equality for women, workers and minorities; and promotion of tolerance among and within religious and ethnic groups.

The National Endowment for Democracy (NED) is a private not-for-profit organization funded by the United States Information Agency with additional funds from the U.S. Agency for International Development (AID). It seeks to strengthen democratic institutions, electoral processes and democratic pluralism around the world through private, nongovernmental efforts. Under its Democratic Governance and Political Processes Program, NED supports projects under the rule of law and administration of justice themes. In recent years, NED has funded several organizations seeking to promote and protect human rights. They include the Maniema League of Human Rights and the Voice of the Voiceless in Zaire, the Civil Liberties Organization in Nigeria, the Myrna Mack Foundation in Guatemala, the National Coordinating Committee for Human Rights in Peru and the International Committee for Human Rights in the Gulf and Arabian Peninsula. In FY 1992, NED allocated over \$20 million for grants, a small fraction of which was directed to human rights activities.

Declaration and other international instruments.² Similarly, others question the promotion of a political ideology (democracy), "free and fair" elections and free markets, particularly if it diverts attention from the need to address ongoing human rights violations, promote "core" rights such as freedom of expression, access to information and freedom of association, or advance social and economic rights which are of growing concern in the human rights community.

Related concerns focus on the utility and appropriateness of foreign governments or private philanthropies becoming involved in the political process by funding political parties. There are also questions about the appropriateness of private funds being used to support training programs for the judiciary or police, such as those to strengthen the courts in Peru or train police in Haiti. And although programs that enhance national security or strengthen military courts might be part of a broader governance or institution-building strategy, such programs may not necessarily be in the best interest of advancing human rights. Indeed, while such funding might enhance prospects for greater adherence to international human rights norms, it might also increase the recipient government's capacity to pursue nondemocratic practices or commit (or provide excuses for) human rights violations. Finally, increased government funding directed to nongovernmental human rights organizations overseas has created dilemmas for some organizations in need of funds and that wish to remain independent and avoid becoming a target of criticism in their own countries.

Donor Concerns

Almost every foundation representative with whom I spoke felt somewhat isolated from his/her colleagues working on international human rights at other foundations--this at a time of pressing needs in the field and a rapidly evolving human rights agenda. Most expressed a strong interest in learning about the goals, strategies and programs of others active in the field. Since few foundations have a tightly defined set of funding guidelines, strategies or approaches, most expressed an interest in sharing information on funding in the field--a process that could help increase the knowledge about and "comfort level" for human rights programming. Similarly, since few foundations have the staff or capability to develop and implement longer term human rights programs overseas, donors currently engaged in or open to funding outside the United States were particularly keen on acquiring and sharing information about individual practitioners, human rights groups, opportunities and strategies.

From the contextual issues and trends cited above and my discussions with foundation representatives, several theoretical and practical questions

² The West Bank and Gaza Strip are reflective of this trend. Funds from foreign agencies that have previously supported nongovernmental human rights and development initiatives in the occupied territories will, to a significant degree, be directed to establish effective and accountable public institutions. While this may be important for strengthening democratic governance, there is deep concern that such a shift will weaken the nongovernmental sector--a sector that includes public interest law organizations and other groups that are essential for defending human rights and increasing government awareness of, accountability for and responsiveness to human rights concerns.

about methods, approaches and strategies of foundation funding in human rights have emerged. They include:

How do foundations and practitioners conceptualize human rights?

How can foundations better assess the needs and effectiveness of human rights organizations? How can they better design and pursue grant programs in the context of an expanding human rights agenda?

Given the availability of information about and reports on human rights conditions, what additional strategies might be considered to strengthen respect for human rights? Can other levers of influence, such as international trade, be brought to bear on countries violating human rights? If so, what criteria should be applied? And what are the risks inherent in this approach?

In what ways has the expanding support from government and bilateral and multilateral aid agencies, primarily for democratization and economic development, affected foundation strategies to promote human rights and the field in general? How can foundations best coordinate their grantmaking to complement the work of other donors including governmental agencies? Are there areas of human rights activities for which government funds are unavailable or inappropriate, or in which private sources can play a key role? What is the potential for increased corporate funding and what are the risks for human rights groups that obtain such funding?

How can foundations best meet the short- and long-term needs of human rights organizations? Should foundations focus a grants program on specific rights (freedom of expression), activities (such as training or monitoring), themes, or geographic areas? What is the most effective or useful balance between funding an organization's operating costs and/or capacity-building activities and specific projects? What role might foundations play in enhancing training opportunities for staff in human rights?

What is the status of local overseas organizations and what other sources, beyond U.S.-based philanthropies, are available to these groups?³ To increase programming effectiveness, might foundations consider establishing a data base of human rights groups around the world and/or an affinity group or umbrella organization that would provide an avenue for sharing information about (or proposals from) the field?

How can interested U.S.-based donors without field staff fund more effectively overseas? Could a fund to which foundations might contribute be established to support overseas projects and organizations? Is there a need for U.S.-based 501(C)(3) fiscal agents to facilitate funding overseas organizations?

What is the relationship between the internationally focused human rights organizations based in advanced industrialized countries and locally-based human rights groups working to secure human rights in their own societies? Is there a role for foundations to enhance the presence of local groups in the international arena and to strengthen the ability of First world

³ With support from the Swedish NGO Foundation, the Washington-based International Human Rights Internship Program is conducting a study of the needs and training capacity of human rights organizations in Sub-Saharan Africa. The study also assesses contextual issues affecting the work of these organizations.

institutions to reinforce and complement the work of local organizations? What are the implications of operating foundations that undertake both grantmaking and advocacy activities?

In contrast to the environmental and women's movements, the human rights field continues to have a narrow base of support in the United States. What role can foundations play in enhancing public awareness of and building broader support for human rights principles, organizations and concerns, particularly in communities of influence, such as business, which have not generally been part of the human rights debate? Can domestic civil liberties groups become more involved?

Finally, several of the foundation representatives with whom I spoke voiced concern about the already small and declining number of U.S.-based donors working on human rights. Although budget allocations for human rights activities at some foundations have increased, (for example, Joyce Mertz-Gilmore allocated some \$3 million in FY 1993 for rights-related work--approximately \$1.5 million for international human rights, \$350,000 for international refugee rights--and expects to earmark \$3.5 million in FY 1994, and the rapidly expanding Soros Foundations/Open Society Fund plans to allocate approximately \$10 million covering a broad range of human rights-related issues), the spending down of the Aaron Diamond Foundation and shifts away from human rights programming by other donor institutions are expected to reduce the amount of funds available for human rights activities on the international level. Moreover, staff changes and a reevaluation of funding guidelines at the J. Roderick MacArthur Foundation may result in an additional and substantial loss to the pool of funds (and funders) in the field. In that context, what can foundations do to encourage additional donors to become active in the international human rights arena?

May 1994