



Meeting Proceedings

January 9-10, 2006, San Francisco, CA

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AGENDA

Semi-Annual Meeting – January 9-10, 2006

Ramada Plaza Downtown
1231 Market Street
San Francisco, CA 94103

“Human Rights and the Media: Threats and Opportunities”

Independent and strong media are essential to the protection of human rights and democracy. In numerous countries, however, the media continue to be muzzled, either overtly by intimidation, arrest or even killing of journalists and reporters, or more subtly, through self-censorship, corporate monopolies that own media outlets, or political interests that promote a particular bias. In response, NGOs, funders, and media professionals in many parts of the world have developed innovative and vibrant initiatives to get human rights messages out “to the people,” encouraging civil society to participate in the protection of rights. Meeting participants will look at the challenges facing independent media worldwide, the role of the media in promoting or impeding human rights, and how we can support efforts to effectively use the media to promote and protect human rights.

Monday, January 9

8:30-9:00am *Breakfast* – sponsored by the Global Fund for Women

9:00-9:30am **Welcome**
John Kowal, Open Society Institute
Shalini Nataraj, Reebok Human Rights Foundation

9:30-12:00pm **Education panel: Human Rights and the Media**

Facilitator:

Ann Cooper
Executive Director, Committee to Protect Journalists
New York, NY

Mallika Dutt
Executive Director, Breakthrough
Queens, New York

Maria (Masha) Lipman
Op-ed columnist, The Washington Post, Editor-in-chief, Pro et Contra Journal
Moscow, RUSSIA

Josh Silver
Executive Director, Free Press
Northampton, MA

12:00-1:15pm **Lunch and Discussion Groups**

Sponsored by the Global Fund for Women

Interested members can form discussion groups around issues, ideas, geographic interests, or continued exploration of morning discussions.

Breakouts (meet concurrently)

1:15-4:15pm

**Sexual Rights:
Self-expression, Bodily Integrity and Civil Liberties**
Sexual Rights Working Group

Whitcomb

Co-sponsored by Funders for Lesbian and Gay Issues and Funders Network on Population, Reproductive Health and Rights

Rapporteur: Heidi Dorow, Wellspring Advisors

United Nations' bodies such as the World Health Organization and the Human Rights Commission have recently begun to address the issue of sexuality and rights. While there is no international treaty on sexual rights, rights such as freedom from violence, the right to bodily integrity, the right to choose your sexual partner, and the right to pursue sexual pleasure are already recognized in national laws, international human rights documents and other consensus statements. This session will include small group discussions and interactive participation.

Facilitator: Barbara Klugman, Ford Foundation

William Smith, *Vice President for Public Policy*, Sexuality Information and Education Council of the United States (SIECUS)
Washington, DC

Zonibel Woods, *Senior Advisor*, International Policy, International Women's Health Coalition
New York, NY

1:15-2:45pm

Becoming a (or Becoming a Better) Human Rights Grantmaker

Union Square

Leveraging Project Committee

Rapporteur: Michael Hirschhorn, Jacob and Hilda Blaustein Foundation

Join an engaging conversation with four grantmakers who have led recent efforts to launch, intensify, redefine or integrate human rights funding into their institutions' grantmaking priorities. The session will explore the strategies, motivations, "how to's" and hoped-for outcomes underlying their institutions' recent decisions as well as the approach to "leading the change" taken by these four grantmakers.

Stephen A. Foster, *Executive Director*, The Overbrook Foundation
New York, NY

Susan Freundlich, *Vice President*, Strategic Partnerships and Communications, Women's Foundation of California
San Francisco, CA

Michael Hirschhorn, *President*, Jacob and Hilda Blaustein Foundation
Baltimore, MD

Katrin Wilde, *Executive Director*, Channel Foundation
Seattle, WA

**Evaluating Human Rights Grantmaking:
Are We Making a Difference?**

Ghirardelli

Fund for Global Human Rights Working Group

Facilitator and Rapporteur: Regan Ralph, Fund for Global Human Rights

Progress in human rights work is notoriously difficult to measure. Strong human rights advocates working in highly repressive environments may run strategic campaigns only to see human rights conditions deteriorate. Campaigns to improve respect for the rights of indigenous peoples, women, or workers may take years to build sufficient pressure to change policies and practices. This session will grapple with the challenges of evaluating the work of human rights organizations: what models exist for evaluating human rights work? How do human rights activists and those that fund them know when their tactics and strategies are effective? How can human rights funders evaluate grantees' work given the many variables outside grantee control that influence the results of their efforts? Bring your experience and your questions.

2:45-4:15pm

Human Rights and the Environment Working Group

Union Square

Rapporteur: Valentine Doyle, Lawson Valentine Foundation

Join this brainstorming session to discuss how human rights and environmental grantmakers can work together to strengthen both movements.

Hearing from Frontline Activists Committee

Ghirardelli

Rapporteur: Shalini Nataraj, Reebok Human Rights Foundation

The Hearing from the Frontline Activists Committee aims to bring the voices and concerns of frontline human rights activists directly to members of the IHRFG in a variety of ways. We invite you to participate in thinking through strategies for this committee to derive the greatest benefit to both the funding community and frontline activists.

4:15-4:45pm

Breakout sessions: reports back

7:00pm

Dinner and multi-media presentation

Whitcomb

Sponsored by The Overbook Foundation

Introduction by Stephen A. Foster, Executive Director of The Overbrook Foundation

The potential of tactical media for human rights
Gillian Caldwell, Executive Director, WITNESS

Tuesday, January 10

8:30-9:00am

Breakfast – sponsored by the Global Fund for Women

9:00-10:30am

Business Meeting

10:30-10:45am *Break*

10:45-12:45pm Networking Panel: Human Rights and the Media

Facilitator: Larry Cox, Ford Foundation

Helen Brunner

Director, Media Democracy Fund (Proteus Fund)
Washington, DC

Stewart Chisholm

Senior Program Manager, Network Media Program, Open Society Foundation
London, UNITED KINGDOM

Harlan M. Mandel

Deputy Managing Director, Media Development Loan Fund
New York, NY

12:45- 2:15pm *Lunch ... and **The Funders' Soapbox!***

Sponsored by the General Service Foundation

Facilitator: Valentine Doyle, Lawson Valentine Foundation

An opportunity for participants to speak extemporaneously on their philanthropic passions (people, projects or programs), promote a favorite organization, appeal for advice, etc.!

2:15- 2:30pm *Update on Treasury Guidelines*

Conrad Martin, Stewart R. Mott Charitable Trust

2:30- 4:45 Breakouts (meet concurrently)

Corporate Social Responsibility

Union Square

Co-sponsored by Funders Network on Trade and Globalization

Facilitator and Rapporteur: Ann Strimov, Wellspring Advisors

Aron Cramer, *President and Chief Executive Officer, Business for Social Responsibility*
San Francisco, CA

Mele Lau Smith, *Board Member, CorpWatch*
Oakland, CA

Marco Simons, Esq., *Legal Director, EarthRights International*
Washington, DC

This session will explore the convergence of human rights and corporate social responsibility (CSR). Panelists will discuss methodologies that the human rights and business communities are developing and employing to ensure that corporations respect human rights and successfully balance competing economic, environmental, and social priorities. As international rights mechanisms increasingly acknowledge corporate complicity in gross human

rights violations, CSR may offer new ways to promote and protect human rights.

Re-Connecting Civil Rights with Human Rights
US Human Rights Working Group

Whitcomb

Rapporteur: John Kowal, Open Society Institute

This session will explore the history behind the fractured relationship between human and civil rights movements in the United States and the how funders can support advocacy and organizing that re-integrates these movements. Participants will discuss how to engage in bilateral funding and strategies for cross issue advocacy with regards to human and civil rights. As a precursor to Close to Home: Bringing Human Rights to California, which takes place on January 11, presenters will also discuss utilizing a human rights framing within domestic social justice advocacy in order to advance civil rights within the United States. Participants will discuss how to engage in bilateral funding and strategies for cross issue advocacy with regards to human and civil rights.

Facilitator: Idelisse Malavé, Tides Foundation

Carol Anderson, author of *Eyes off the Prize: The United Nations and the African-American Struggle for Human Rights*
Columbia, MO

Wade Henderson, *Executive Director*, Leadership Conference on Civil Rights
Washington, DC

4:45-5:00pm

Breakout sessions: reports back

5:00pm

Closing Cocktail Reception

Sponsored by Horizons Foundation

Remarks by Roger Doughty, Executive Director

Monday, January 10

Welcoming Remarks

I. Human Rights Education Session: “Human Rights and Media”

Facilitator: **Ann Cooper**, *Executive Director*, Committee to Protect Journalists (New York, NY)

Speakers:

- **Mallika Dutt**, *Executive Director*, Breakthrough (Queens, New York)
- **Maria (Masha) Lipman**, *Op-ed columnist*, *The Washington Post*, *Editor-in-chief*, *Pro et Contra Journal* (Moscow, RUSSIA)
- **Josh Silver**, *Executive Director*, Free Press (Northampton, MA)

The panel was introduced by facilitator Ann Cooper (AC), Executive Director of the Committee to Protect Journalists (CPJ). Cooper noted that Article 19 of the Universal Declaration of Human Rights protects the rights of free expression, including freedom of the press. CPJ, which just celebrated its 25th anniversary, engages in research and advocacy to support the rights of journalists to report news freely and independently. CPJ's reports are distributed and read worldwide, performing a “naming and shaming” function. In addition, indigenous freedom of expression organizations are spreading around the world.

There has been an explosion of media outlets around the world, Cooper said. This began with the break-up of the Soviet Union. The United States and other countries spent significant amounts of money to foster independent media in the countries of the former East bloc. This spending was intended to foster democracy, which cannot thrive in the absence of independent media – to demand accountability, ensure that elections are fair and competitive, and to expose human rights abuses.

But in transitional societies, a distinctive pattern has emerged. Newly elected leaders promise respect for human rights and an independent media. But when press coverage turns out to be unfavorable, the government clamps down on independent media. Uzbekistan and Russia are two examples of this phenomenon.

Masha Lipman (ML), the Editor in Chief of the *Pro et Contra Journal* in Moscow and op-ed columnist for *The Washington Post*, discussed the state of media freedom in Russia, which has entered “a new and different era of repression” under President Vladimir Putin. Shortly following his election in 2000, the Kremlin launched a campaign to undermine Media Most, an independent media conglomerate owned by Vladimir Gusinsky, a “media oligarch” who came to prominence during the administration of President Boris Yeltsin. The flagship of the Media Most empire was NTV Russian Television, the nation's first (and most successful) independent television network. Now, NTV – and all Russian television – is under government control, in a country where 90% of the population depends on television for news.

Lipman noted that Putin does not believe in a free press, but rather control of information. Indeed, access to information has been sharply curtailed under Putin. Under the current administration, government officials rarely, if ever, subject themselves to question and

answer sessions with the media. And the crackdown on television continues, despite its already weakened state.

When local TV outlets covered policy failures (e.g., the botched rescue of student hostages in Beslan or the failed intervention in Ukraine's elections), repercussions have followed. Those networks that followed the Kremlin line simply stopped covering those stories after things went wrong. There was no analysis, no public discussion, no interviews with those involved.

The campaign against the free press uses sophisticated techniques that target the owners of media outlets, demonizing them as "oligarchs." Since the oligarchs are unpopular with the public, they make easy targets.

One bright spot is Russian print media, which continues to have some latitude in criticizing the government. However, independent Russian newspapers have very small circulations (70,000 – 100,000 copies daily) and are found only in Moscow and a few of the larger cities. In addition, there still some "pockets of professional journalism" in Russia. There are good training programs for journalists, and Open Russia and Internews are doing important work. In closing, Lipman said it was imperative that these organizations continue to exist.

Josh Silver (JS), Executive Director of Free Press, then spoke about his organization's efforts to put media reform on the US policy agenda. Silver said there has been a "profound deterioration of journalistic quality" in the US. He provided three statistics to illustrate the point:

- Over 70% of President Bush's supporters in the 2004 election had fundamental misconceptions of the existence of weapons of mass destruction in Iraq.
- In 1968, a typical sound bite lasted 40 seconds. Today, it is 9 seconds.
- In its coverage of the debate over the 2001 Bush tax cuts, USA Today ran over 200 stories on the topic. But only one of those stories analyzed the distributional impact of those tax cuts.

Silver noted that television is by far the primary source of news for Americans. Even the top Internet news sites are affiliated with TV news. Radio continues to have a small but significant share of the market for news (17%) with a decidedly right wing slant. Meanwhile, print media is declining.

The deterioration of journalistic quality, he explained, was "entirely logical" and could be explained by two factors: (1) business considerations that have led to budget cuts and the closing of press bureaus; and (2) media policy and regulatory issues that have led to larger media conglomerates, shrinking competition and "corrupt" policymaking on media issues. As Silver put it, "the media won't bite the hand that feeds it" and mega-conglomerates like Clear Channel Communications and Rupert Murdoch's News Corporation now enjoy a symbiotic relationship with government.

Silver said that media policy choices have led to a scarcity of alternatives. There are now five companies that dominate the media landscape and only a tiny percentage of media is minority-owned. But the recent experience with proposed changes in media ownership rules – changes that would allow even further media consolidation – engendered significant resistance from the grassroots. After over 3 million letters and e-mails were submitted to the Federal Communications Commission objecting to the changes and blocking these rules. This, according to Silver, represented a sea change in the area of media policy, sparking a nascent media reform movement.

Media reform activism now targets four main areas. These include media ownership, with the goal of blocking further consolidation and devising legal arguments to force the break-up of today's oversized conglomerates; support for non-commercial media, including efforts to depoliticize public television and radio; efforts to expose government-funded propaganda and PR masquerading as independent journalism (a growing problem in the US); and support for community Internet access.

Mallika Dutt (MD), Executive Director of Breakthrough, noted that in the 21st century, we have few global value systems. Yet, the normative value of human rights value system has endured. While the critiques are valid: the UN doesn't work; there is too much focus is on words rather than adherence – its normative value endures. Rather than as an education and value system, too often human rights are seen in the context of violations and law/policy.

In the context of media, human rights information does not just include the press, but rather the many different ways of exchanging information. How can we expand the values of dignity and justice via the media? Breakthrough works in the US and India, the world's two largest democracies and the new electronic methods of communications had vast implications for their work.

Mallika introduced the video, "What Kind of Man Are You?" The project's challenge was to frame (or reframe) sensitive issues. How do you get people to talk about women's rights violations and new violations against people with HIV/AIDS and reach 50-70 million people? The "What Kind of Man Are You?" campaign sought to generate a conversation about human rights. How do you talk about *respect* in the context of relationships?

In addition to getting the material into the media, Breakthrough sought to generate media coverage of the campaign.

Question and answers:

Q: Why is it so much more challenging to get messages out in the US rather than India?

MD: In India, \$100,000 in production costs leverages \$5-7 million in coverage.

While it's very important, it's not enough to rally around your human rights issue. We need to connect human rights issues with intersectional approaches. We need to create human rights conversations in everyday conversations and not only rely on big media, such as I-tunes and Starbucks.

Q: What makes a difference? I saw a program on press freedom in Russia, but wonder who's listening. What do people understand from the words "freedom of the press"?

ML: Due to decades of state repression, Russians are generally sympathetic to government control of the media. They also don't believe that one person can make a difference. Part of this is the historical legacy that freedom of the press only concerns journalists.

AC: Do you think the pressure on Putin is keeping him from signing the restrictive NGO legislation?

ML: This pressure factors into why he may not be signing.

Q: What has been the impact of the Internet and blogs in India, Russia etc? And why have companies like Yahoo and Google been complicit with government repression?

MD: Reality TV is very big in India and blogs are also starting. 21 languages are spoken in India. India has an incredibly vibrant media industry.

ML: In Russia, the number of Internet users is growing, but the Internet is not enough. The problem is not necessarily restrictions on the Internet, but the lack of interest in independent websites.

JS: In China, companies are catering to the whims of repressive regimes because they are drooling over profits. The concept of network neutrality [http://en.wikipedia.org/wiki/Network_neutrality] does not yet apply to the Internet. It's ironic that these companies are some of the biggest allies concerning press freedoms, yet they still are exercising control over content.

Q: What are the various uses of new media – use of Internet as organizing tool? Are we using new media to move the human rights agenda?

MD: Unfortunately, the human rights community has not embraced new media and is more focused on getting pieces published in op-ed columns. In the US, new media is segmented.

Q: Have international instruments been useful? The UN lacks a rapporteur for press freedoms.

AC: The Special Rapporteur for Freedom of Expression for the Inter-American Commission on Human Rights has been quite effective.

Q: There are three perspectives on this panel: 1) repression of journalists; 2) media policy and 3) creative uses of popular media. Are these organizational perspectives talking to one another?

JS: It's really hard and takes enormous capacity to expand our networks.

MD: "Siloization" is a problem across the board not just in large US media organizations. It's a capacity question – human rights and the media are not usually in the same room in the same way.

Q: Mallika, tell us more about what you've learned about the impact and responses to your messaging? And what are your perspectives of the track record of the funding community?

MD: A.C. Nielson looked at the preliminary response for the campaign in India with some interesting findings. The "What Kind of Man Are You" campaign generated a very different response among men depending on region, while it received near universal approval by women.

II. Breakouts

Sexual Rights: Self-expression, Bodily Integrity and Civil Liberties

Facilitator: **Barbara Klugman**, Ford Foundation

Speakers:

- **William Smith**, *Vice President for Public Policy*, Sexuality Information and Education Council of the United States (SIECUS) (Washington, DC)
- **Zonibel Woods**, *Senior Advisor*, International Policy, International Women's Health Coalition (New York, NY)

This session was organized in three parts:

- 1) conceptual exploration of sexual rights;
 - 2) presentation by Bill Smith regarding abstinence only sexual education domestically and exportation of these programs abroad
 - 3) presentation by Zonibel Woods regarding sexual orientation resolution at the UN Human Rights Commission
- Sexual Rights is an emerging field. However, many rights related to sexuality are related to existing rights found in international instruments (i.e. treaties) and recognized by international bodies.
 - Others rights, however, such as the right to choose sexual partners, right to a satisfying sex life, rights of sex workers, sexual rights of young people, issues related to sexual orientation, gender identity and expression, remain aspirational.
 - The group recognized that there are activists in both the South and North working on a range of sexual rights issues. They agreed that the notion that this is a northern driven agenda is an opposition strategy that must be rejected.
 - Participants focused on a need for greater conceptual clarity on the definition of sexual rights, which would inform more effective advocacy across sectors and between international and domestic groups.
 - Neither funders nor activists recognized sexual rights as a field.
 - Attendees agreed that there is a need for more work and discussed the possibility of establishing a working group within IHRFG. A group of five participants will start exploring that and make recommendations to the steering committee of IHRFG.

Becoming a (or Becoming a Better) Human Right Grantmaker

Panelists:

- **Stephen A. Foster**, *Executive Director*, The Overbrook Foundation (New York, NY)
- **Susan Freundlich**, *Vice President*, Strategic Partnerships and Communications, Women's Foundation of California (San Francisco, CA)
- **Michael Hirschhorn**, *President*, Jacob and Hilda Blaustein Foundation (Baltimore, MD)
- **Katrin Wilde**, *Executive Director*, Channel Foundation (Seattle, WA)

This session was designed as a conversation with four grantmakers who have led recent efforts to launch, intensify, redefine or integrate human rights funding into their institutions grantmaking priorities. The session set out to explore the strategies, motivations, how to's and hoped-for outcomes underlying each of their four institutions' recent decisions as well as the approach to leading the change taken by the four panelists. Stephen Foster, president of the Overbrook Foundation, based in New York City, explained that the Foundation has undergone a very significant reorganization of its grantmaking in the last several years around the central theme of human rights. Overbrook trustees arrived at the conclusion that this uniquely was a body of values that could unite its otherwise disparate grantmaking priorities. Leadership for this transition was shared by Steve and several trustees.

Susan Freundlich, vice president for strategic partnerships and communications of the Women's Foundation of California, based in San Francisco, described the evolution of human rights to its current central role in Women's Foundation grantmaking. As a reflection of these changes, Susan cited – and urged everyone in attendance to attend a full day conference sponsored by the Women's Foundation taking place two days later on human rights in the United States.

Katrin Wilde, executive director of the Channel Foundation, based in Seattle, described her current efforts to restructure Channel to create a new strategic focus on promoting and supporting leadership in women's human rights around the globe. Katrin explained that leadership for these changes played out as a partnership with the Foundation's donor.

Michael Hirschhorn, the fourth panelist and the session's moderator, is president of the board of trustees of the Jacob and Hilda Blaustein Foundation, based in Baltimore, MD. While human rights have been a longstanding interest and commitment of this family foundation, Michael explained that until as recently as a few years ago there was no active human rights grantmaking. In the last two years the trustees have agreed to add human rights as a fifth priority area, to which approximately 10% of the Foundation's grant dollars are committed. Their more specific focus is defined as women's and reproductive rights, and the right to education, especially for women and girls. Questions and comments from attendees focused on issues ranging from: ways to support social movements; how to make human rights a more effective mechanism in the US; how to respond to criticism from existing grantees if your institution changes its priorities toward human rights; and how to link human rights standards to outcome measures.

Evaluating Human Rights Grantmaking

Facilitator and Rapporteur: Regan Ralph, Fund for Global Human Rights

Regan Ralph started the discussion by talking about the interest of the Fund for Global Human Rights in developing an approach for evaluating its funding and the skepticism of many in the human rights community about whether the evaluation tools that are being used now will be helpful to human rights activists and funders.

Organizations are often asked by funders and others to evaluate the impact of their work; policy makers rely increasingly on measurement in their decisions and have forced human rights issues into ill-fitting boxes—these and other factors lead groups to explore the possibility of evaluating their work more systematically. On the other hand, many of the evaluation tools that currently exist seem inappropriate or of uncertain usefulness. They may oversimplify the work or its context or allow for facile and incorrect analysis and conclusions.

Other participants shared their experience with and skepticism about evaluation; all indicated interest in moving this conversation forward in a way that would be useful to the field. One participant noted that, as funders, we need to value strategy and the ability and willingness of grantees to respond to problems. We shouldn't pretend that assessing grantees can be scientific nor set unrealistic timetables for social change work. Another suggested that a goal of this group should be to provide tools and/or a framework that is helpful to grantees in thinking through whether their tactics are serving their aims.

Yumi Sera briefly discussed her experience with evaluation managing a small grants fund that originated at the World Bank. Amanda Berger, from the Women Donors Network, spoke about the six indicators of change they use in a tool called, "Making the Case: A Learning

and Measurement Tool for Social Change.” Regan also gave a brief overview of a project currently underway at Harvard University’s Carr Center for Human Rights Policy on bringing evaluation to human rights work, and participants indicated interest in finding out more about this and other parallel efforts. The group felt strongly that the conversation should continue and perhaps be expanded.

Human Rights and the Environment

Rapporteur: Valentine Doyle, Lawson Valentine Foundation (Hartford, CT)

This new group discussed how human rights and environmental grantmakers can work together to strengthen both movements. The group is still in the process of deciding what kind of work it would like the working group to focus on. Some participants’ foundations already support environmental issues using a human rights framework, while others are looking for new approaches. The group also discussed investment strategies, regrants or intermediaries, and connecting with other related issues, such as population or chemical trespass.

The group decided to begin with a listserv to continue the discussion.

Hearing From Frontline Activists

Rapporteur: Shalini Nataraj, Reebok Human Rights Foundation (Boston, MA)

The group discussed the launch meeting of the Frontline Activist Committee at the Nathan Cummings Foundation in New York, and agreed that the approach of working with intermediary organizations to facilitate exchanges between donors and activists was sound.

The group agreed to begin an informal mapping project to gather information on meetings that will take place during 2006 and bring activists to the US, and then work with IHRFG to arrange donor briefings in four key cities.

The group also hopes to work closely with the US Human Rights working group to organize briefings for US activists. The Committee will consider organizing briefings during the Commission on the Status of Women meeting in New York in March and the UN General Assembly in September.

Tuesday, January 10

I. Business Meeting

Facilitator: Michael Hirschhorn, Jacob and Hilda Blaustein

Andrew Park, Coordinator of IHRFG, introduced the business meeting, explaining that rather than a strategic discussion, this meeting would focus on programmatic issues. Andrew explained that transitioning IHRFG from the Mertz Gilmore Foundation to Wellspring Advisors went smoothly and that during the last six months he has sought to maintain IHRFG operations, rather than institute change.

Andrew explained that IHRFG is peer-operated with a voluntary dues structure. These two elements underpin the financial and programmatic work of IHRFG.

Looking at the 2005 report, Andrew highlighted several areas:

- The growth in attendance at the Semi-annual Meetings with the accompanying need to use hotels, rather than donated meeting spaces, was the cause of the increased cost.
- A significant part of the apparent budget growth from 2004 to 2005 was the careful tracking of in-kind contributions to capture the full cost of IHRFG activities.
- The Human Rights Information Series is substantially reduced in the budget.
- IHRFG has three income sources: dues, in-kind contributions from the Mertz Gilmore Foundation and Wellspring Advisors and in-kind contributions from other members.

Andrew then reviewed the programmatic work of IHRFG, highlighting work described in the 2005 report (to be sent shortly to all IHRFG members). Like other affinity groups our size, we're run by a Steering Committee that has meets regularly. According to the Council on Foundations, affinity groups have three main functions: networking and conferences; internet communications—website and email; resources and research products. IHRFG focuses on the first two, mainly because our staff is small.

IHRFG holds two meetings a year, which are held in San Francisco in January and New York in July. Each meeting focuses on a theme that guides the plenary sessions. The cost of the meetings is largely determined by the number of participants, as food is the main expense.

Attendees are not asked to pay a conference fee, which encourages participation by new attendees and grantmakers who may not have an explicit human right program focus. Participants discussed the idea of voluntary payment for meeting attendance. Some suggested a modest fee, while others thought that individuals could attend one to two meetings at no cost and then would be required to pay a meeting fee. After some discussion, the group seemed to agree that the “barriers to entry” should remain low and any fees for meeting attendance should be voluntary.

Website: Kari Suzuki Bardy led last year's website redesign along with Catherine Townsend. The website now has thousands of visitors per month. We are now looking for a new volunteer to work on the website committee. If you are interested, please email us at info@ihrfq.org.

Affinity groups: IHRFG will continue to expand and grow upon our collaborations with other affinity groups. In particular, we are co-sponsoring activities, such as a film screening at this year's CoF meeting, and several events at this meeting – sexuality rights with Reproductive and Population Funders and LGBT, and Corporate Responsibility with the Funders' Network on Trade and Globalization.

Geneva trip in 2007: About 20 funders attended the IHRFG trip last April, and we are already beginning the process of choosing a date for 2007. We are interested in expanding the dialogue this time with European funders, including representatives of governments that fund human rights. Please contact John Kowal at OSI if you are interested in planning or attending the next trip. [We started an e-mail planning group at the meeting.]

Meeting with Steve Gunderson, CoF President and CEO: IHRFG will be arranging a meeting with the new CoF President. If you would like to be involved in that meeting, please let us know.

Reports from Committees and Working Groups¹

Committees:

Hearing from Frontline Activists—Shalini Nataraj, Reebok Human Rights Foundation
Julia Greenberg, American Jewish World Service

The group is now an official committee and held its first event last fall. This committee helps activists visiting the US find speaking engagements and meet with funders as they travel – and helps funders learn from them. Julia encouraged interested members to attend the session later in the day to talk about the group's activities.

Website—Catherine Townsend, IHRFG

Catherine discussed the usage of the site, explaining that the majority of users are NGOs looking to learn more about human rights and sources of funding for their work.

Nonprofit Taxonomy—John Taylor, Wellspring Advisors

- The NTEE taxonomy is flawed and does not capture the field of human rights, whether domestic or international.
- All human rights are lumped together under civil rights and all international organizations are lumped together in the “international” category.
- We have contacted other affinity groups, submitted our suggestions for revisions to the Urban Institute and will continue to meet with them.

Leveraging Project—Michael Hirschhorn, Jacob and Hilda Blaustein Foundation

IHRFG has been submitting sessions to other affinity groups' conferences, and distributes, “Funding Human Rights: an Invitation” to foundations interested in exploring human rights.

Working groups:

Get Off Your Assets! (GOYA)—Jay Beckner, Mertz Gilmore Foundation

GOYA helps educate grantmakers on how to use proxy voting to influence corporate governance and decision-making. It is not necessary to vote all your proxies. For example, the Moriah Fund began their initiative by reviewing the proxies held by just one manager. Meeting participants suggested that IHRFG members could share information on key corporate proxy votes via the listserve.

Disability Rights Working Group—John Taylor, Wellspring Advisors

An ad hoc committee is currently drafting a new UN treaty on the Rights of Persons with Disabilities. Even if you do not focus on this issue, the treaty should be of interest to many of us because it a) is a dynamic example of how human rights treaties develop and b) many of the issues being negotiated intersect with women's rights, children's rights, reproductive rights, etc.

U.S. Human Rights Working Group—John Kowal, Open Society Institute

As we heard in this session, Civil Rights and Human Rights diverged as concepts in the '40s and only now are getting back together. John spoke about how the group is continuing to grow and stabilize. They have a listserve, but primarily focus on organizing stimulating sessions with renowned activists at IHRFG meetings.

¹ A committee focuses on tasks which are long-term, cross-cutting and concern grantmaking and philanthropy. Each committee is chaired or co-chaired by a member of the steering committee. A working group involves tasks work particular to a sector, issue or project, and may or may not be lead by a steering committee member.

Fund for Global Human Rights—Regan Ralph, Fund for Global Human Rights
The Fund will be holding its last meeting as an IHRFG working group at the July 2006 meeting. It has outgrown that status – it gave away \$2.2 million to 140 organizations in 13 countries, and this year its budget will be \$4 million!

Human Rights and the Environment—Valentine Doyle, Lawson Valentine Foundation
This group will be looking at the intersection of health, labor, and indigenous rights and the environment. Being a new group, it raised a good many issues and not a lot of strategy, so decided to begin with a listserv.

Treasury Guidelines—Conrad Martin, Stewart R. Mott Charitable Trust
The new proposal makes compliance easier, but looks more like regulation. Once we learn more, we will need to decide about next steps. Is the working group model sufficient or do we need more aggressive advocacy?

Human Rights on the Hill—Conrad Martin, Stewart R. Mott Charitable Trust

- Human Rights on the Hill will be held on April 25-27, 2006 and will include briefings with members of Congress mirroring other affinity groups similar meetings. The meeting will provide an overview of the legislation being considered by the 109th Congress. We are inviting legislative analysts and Human Rights Caucus members to brief us on their work.
- On the evening of the 25th we are hoping to secure a Supreme Court Justice member as a speaker. Dana Fried has agreed to be the luncheon speaker.
- The 26th will be a full day.
- On the 27th, we will have a half-day tactical discussion for grantmakers only.

Future meeting topics – A survey on future topics was distributed to all participants and there was discussion about ways to make meeting themes intersect with the interests of as many members as possible.

Next meeting

July 10-12, 2006 in New York (Three-day meeting!)

Topic: *Human Rights and Armed Conflict*

II. Networking Session: “Human Rights and the Media”

Facilitator: **Larry Cox**, Ford Foundation

Speakers:

- **Helen Brunner**, *Director*, Media Democracy Fund (Proteus Fund) (Washington, DC)
- **Stewart Chisholm**, *Senior Program Manager*, Network Media Program, Open Society Foundation (London, UNITED KINGDOM)
- **Harlan M. Mandel**, *Deputy Managing Director*, Media Development Loan Fund (New York, NY)

Helen Brunner, Director of the Media Democracy Fund at the Proteus Fund focused her remarks on the progressive media, democratizing media policies, and engaging the corporate media (see handouts in the appendix to these minutes). She highlighted the need to protect emerging technologies from state regulation and constraints.

A valuable report, entitled “Deep Focus: A Report on the Future of Independent Media” (<http://www.namac.org/category.cfm?id=4&cid=38&monly=0>) helps filmmakers and

media centers position themselves in relation to emerging technologies. Helen noted that the media environment is increasingly noisy, which presents both opportunities and challenges. It could lead to increasing segmentation, but it also provides greater access for those with limited resources.

Democratizing media policy is where it's really important to stress media reform and media justice, the protection of freedom of expression, etc. This work takes place in the legislative and regulatory arenas at the local, state, national, international levels. Helen stressed the need to fund initiatives and advocacy to protect the space for public discourse.

Stewart Chisholm, Senior Program Manager of the Network Media Program at the Open Society Foundation, focused his remarks on international efforts to promote media development.

How do you define media development? Is public diplomacy becoming a substitute for media support? It is difficult for funders to think strategically, especially in post-conflict and high risk contexts. Yet, it's incredibly important to support media in unstable climates as well (because it's crucial for building a human rights infrastructure in transitioning countries).

Stewart wondered whether funders overemphasize sustainability in their support. Funding has gone to a plethora of outlets in many post-conflict societies, but now the expectation is that these media organization become self-sustaining. There is a continued need to support media even where it may be unsustainable (i.e., Roma media). If it's unsustainable, the question then is how to evaluate success? OSI brought together 800 organizations from media outlets to media advocacy organizations around the issue of how to prove the value of supporting media.

Stewart mentioned an upcoming Global Congress for Media Development to evaluate the role of the media in promoting social change – e.g. achieving the Millennium Development Goals.

He noted the differences in approaches between the US and Europe – support for private vs. public media. In Europe, there is more support for public media services.

At OSI, there is growing interest to have more debate globally around issues of licensing fees, new technologies and how they impact community-owned media outlets and the challenge of concentration of media ownership. The issues of press freedom and media law reform in many transitional countries, and providing legal defense for the media are also areas of interest.

Stewart also mentioned that there is growing support to establish a global fund that would be designed to support journalists through justice-seeking mechanisms. This fund would be set up to defend the media through supporting groups of competent lawyers (cover client costs, etc). Such a fund would provide a means of increasing interaction with regional and international justice mechanisms. In addition to issues such as impunity around the killing of journalists or press censorship, there are broader issues of access to information and information rights. There is also a network of Freedom of Information advocates now monitoring how governments are responding to information requests.

Harlan Mandel, Deputy Managing Director of Media Development Loan Fund focused his remarks on the process used to fund media outlets. He noted that freedom of expression is a fundamental right, but also a means to generate political pressure from within a country

to change public policies. Democracies need to have a free press that can impact democracy and justice.

Harlan identified the follow elements needed for a viable media sector:

- Sound government policies (legal framework, equitable use of state advertising budget, non-competition from state media, protection of journalists from attack);
- Responsible media culture (professional associations; journalism ethics);
- Access (access to infrastructure—distribution channels, printing, etc, access to capital);
- Skills (journalism, media management);
- People (media leaders; committed journalists); and
- Independent news organizations

People (media leaders, independent journalists) and independent news organizations are preconditions for the other conditions, as they are the major drivers of change in all the other areas (with help from funders like us).

The Media Development Loan Fund focuses on institution building and sustainability to help support and build a viable independent media. He noted that loans are not a panacea for independent media, as there are many worthwhile and important media outlets that are not sustainable on their own revenues and require grants to survive.

Many funders are reluctant to provide funding to independent media companies because they are organized as for-profit companies. Despite their organization, Harlan emphasized that they are value-based organizations integral to civil society. Some characteristics of these media companies include:

- An established reputation for promoting democratic institutions and practices and exercising the principles of free, independent, and responsible press;
- Significant portion of editorial content or programming is devoted to fact-based news and documentaries;
- Coverage of different political opinions and promotion human rights, the rights of ethnic minorities, and inter-ethnic co-existence; and
- Independent ownership. They are not owned by the government, a state agency, a foreign legal entity or an oligarch business interest that may interfere with editorial policy for its own interests.

During the grant application process, the Media Development Loan Fund assesses the content of independent media entities (e.g., analyzing a week of issues). The Fund also commissions troupe of lawyers to research the ownership structure. Harlan noted the importance of understanding who is really controlling the media outlet.

Harlan identified three fundamental types of support for developing independent media outlets:

- capacity building;
- equipment funding; and
- technologies.

He then discussed the essentials for effective media trainings:

- Tailored to the specific needs of each media outlet;
- Solution-oriented and in-depth;
- Located within a larger, long-term strategy for the company's institutional development;
- Developed with the organization's leaders;

- Western methods are not transplanted, but adapted to the unique environments; and
- Peer-to-peer knowledge transfer of effective solutions born in emerging market environments.

Harlan noted that it's important for trainings to target the executives of the independent media outlets, as trainings are far less successful when they target staff rather than leaders. This approach carries over to a lot of different types of media training (writing articles, implementing an online strategy, etc)

Harlan pointed out the problem of the pack mentality, as most international media funding is from USAID, Western governments, and OSI. This money usually flows into crisis points (i.e. incorporated into regions of interest in US and European foreign policy). Harlan encouraged donors to explore areas that fall under the radar but still need help, as these are the places where private donors can really make an impact. For example, in Chile post-Pinochet the thriving independent media has completely disappeared as funding has dried up

Question and answers:

Q: How do substantive issue funders support media outlets for the purpose of empowering the issues they support?

A: The answer is unique to what issue you're working on and we need to be sensitive about what these groups really need. For example, you can support the training of journalists on particular issue-areas that they're interested in covering.

You cannot get issues into the media in a serious way in the US because the large media outlets are not interested (sexual and reproductive rights, etc). We need to support technological infrastructure at the same time as we support the independent voices that are taking on these issues (connecting key voices with amplification technologies).

Blogging is another way of getting messages across in a serious way...technology in and of itself is a shell – it needs the issues to survive. The blog is a new venue that has legitimacy and demonstrates how we can leapfrog over current technologies (where even computers aren't necessary anymore).

The examples that the US is setting in terms of media policy are having tremendously negative impacts on media worldwide. On the positive side, you have the Guerilla News Network working on the suppression of the black vote in the 2004 election. But what's really criminal is that the government is now reducing access to CSPAN, too; CSPAN provides significant footage for documentaries (e.g. the Black Caucus walking off).

Q: What about the use by NGOs around the world of media tools? As funders, most of us won't be able to give direct, large grants to media-specific organizations, but we would be able to develop the media/messaging of organizations that we support.

A: You can have a huge impact with a \$5000 grant; it doesn't have to be a huge grant in order to support media-related work and/or capacity building.

Q: Is the traditional rallying tool of freedom of expression relevant to campaigning right now (when what we're really talking about is *hearing* and empowering individual voices in an environment where they don't have access to the public because of constrained or limited

media outlets)? We need to breach the gap between the media policy crowd and the human rights crowd. Isn't there a way to develop the rallying call of a right to effective communication? We want our voices to be heard and to be represented in the media. Seeing the same faces and hearing the same opinions should be perceived as a violation of the right to communication.

A: There is more funding available on an international level for these kinds of issues, but minority voices are not being heard; not even on public television.

The "right to communicate" is language that is just starting to be used, and resonating in the US media justice community. The various media communities need to try to shift more towards this discourse. We have to think about this right very broadly in terms of how we talk about outreach and dialogue.

We can also borrow terms from environmental activists (common goods, common assets); we need to talk about corporate accountability when it intersects with media because many of the multinationals that own media are committing human rights violations as well. It's not just governments anymore.

III. Lunch ... and The Funders' Soapbox!

Facilitator: Valentine Doyle, Lawson Valentine Foundation

The Funders' Soapbox is a time when attendees share a philanthropic passion (people, projects or programs), promote a favorite organization, and/or appeal for advice.

Ken Grosinger announced the upcoming two day meeting that the FCCP and GFEM are organizing, March 13 and 14th, 2006 at OSI in New York City. Day one will broadly examine innovative efforts to build capacity and infrastructure at the state level. Day two will focus on state-based strategies for media reform and media justice. For more information, contact Lynn Stern at Lynnstern@aol.com

Denise Shanon: On Nov. 17, 2005, the United Nations Human Rights Committee (UNHRC) decided its first abortion case, Karen Llantoy v. Peru. The decision establishes that denying access to legal abortion violates women's most basic human rights under the ICCPR. This is the first time an international human rights body has held a government accountable for failing to ensure access to legal abortion services. The Human Rights Committee monitors countries' compliance with the International Covenant on Civil and Political Rights.

In 2001, Karen Llantoy, a 17-year-old Peruvian woman, was fourteen weeks pregnant when doctors at a public hospital in Lima diagnosed the fetus with anencephaly, a fatal anomaly in which the fetus lacks most or all of a forebrain. After much soul searching, Llantoy decided to have an abortion. Abortion is legal in Peru for therapeutic reasons, however, because Peru failed to adopt clear regulations, women whose health is endangered by such pregnancies are left at the mercy of public officials. Llantoy was denied access to the procedure by the hospital's director, and was compelled to carry the fetus to term. She was forced to breast-feed for the four days the infant survived.

The ruling specifically establishes violations to the right to be free from cruel, inhumane, and degrading treatment, privacy, and special protection of the rights of a minor.

Chad Wheeless: There will be a funder briefing on transgender issues, co-hosted by OSI, Funders for Lesbian and Gay Issues and the Paul Rapoport foundation in New York City on February 3. It will be an introduction to the issues that transgender people face in the U.S., including discrimination in housing and work, limited access to health care and disproportionate entanglement in the criminal justice system. An announcement will be circulated on the IHRFG email list.

In addition, the Civil Marriage Collaborative (CMCF), funds state-level efforts to win marriage rights for same-sex couples in the U.S. and is a project of the Proteus Fund. Several IHRFG funders are members of the CMCF, including OSI and the Overbrook Foundation. Contact representatives from these foundations if are interested in more information on the collaborative.

John Taylor – John updated funders on the UN Convention on the Rights of People with Disabilities. It now appears that the working group that is drafting the convention may complete its work by this fall. The next meeting of the working group is to take place in New York from January 16 to February 2. Daily updates regarding the progress of the negotiations can be found at http://landminesurvivors.org/news_disability.php. Various organizations are organizing briefings and events surrounding the working group meeting – please stay tuned to the IHRFG web site for details.

Ann Strimov – Ann spoke about a Funders Guide to Children and Armed Conflict, which explores the human rights and humanitarian dimensions of the problem and the various needs to be addressed. The document identifies a number of different funding strategies, and provides summary information about a many of the organizations doing work in this field. Copies of the guide are available at the literature table. To request an electronic copy, please contact Ann Strimov at astrimov@wellspringadvisors.com.

IV. Treasury Guidelines

Presenter: Conrad Martin, *Executive Director*, Stewart R. Mott Charitable Trust (Washington, DC)

Senate legislation

The Senate recently adopted tax reconciliation legislation with potentially serious consequences for foundations. The bill, which includes a package of charitable giving incentives and reforms, now goes to conference as the House version does not contain these provisions. OMB Watch and others are working on these issues.

One of these provisions places special restrictions on donor-advised funds and calls for the barring of grants from donor-advised funds to non-US charities unless the foreign organization is determined to be the equivalent of a US 501(c)(3).

Even if you don't utilize donor-advised funds, you should care about this issue. If enacted, this bill could have a devastating impact on international grantmaking, restricting the flow of philanthropic support to the global South. At the same time, reform is needed to address the abuse within our sector. Together, however, we would suggest more meaningful reform.

The Grantmakers without Borders website has valuable information on this issue:
http://www.gwob.net/legislative_alert.htm

Post-9/11 regulation

The government's actions after 9/11 to establish the Treasury Guidelines highlighted the importance of coming together as a sector to support our own work.

- A working group within IHRFG comprised of Regan Ralph, John Harvey, Mary Ann Stein and Conrad Martin has been charged with collecting information on this issue.
- We choose OMB Watch to be the repository of funds collected from several IHRFG members to work on this issue.
- CoF thought that Treasury would do the right thing and incorporate our recommendations.

The new guidelines make compliance much easier, as foundations can simply check the U.S. Treasuries Specially Designated Nationals List (SDN). However, the revised guidelines look more like regulation. Unfortunately, the "inside" strategy did not deliver results and the working group's efforts were less effective than expected. We need to have a more aggressive approach to this issue.

Conrad proposed that the working group look at a more complete approach regarding the development of a constituency around these guidelines.

For more information on this issue see:
http://www.usig.org/whatsnew/TGWG_Comments.asp

IV. Breakouts

Re-Connecting Civil Rights with Human Rights

A working meeting of the U.S. Human Rights Working Group

Facilitator: Idelisse Malavé, Tides Foundation

Speakers:

- **Carol Anderson**, author of *Eyes off the Prize: The United Nations and the African-American Struggle for Human Rights* (Columbia, MO)
- **Wade Henderson**, *Executive Director*, Leadership Conference on Civil Rights (Washington, DC)

Building on our July meeting in New York, this meeting of the working group featured an engaged discussion with Carol Anderson and Wade Henderson on the origins of the civil rights / human rights split in the U.S. and what activists are doing today to overcome it. The meeting also featured reports and discussion from our members on relevant activities and updates within their institutions.

Part 1: A conversation with Carol Anderson and Wade Henderson

Facilitator: Idelisse Malavé

Carol Anderson, author of *Eyes Off The Prize: The United Nations and the African-American Struggle for Human Rights*, spoke about the rift between human rights and civil rights in the United States. She began by touching on the U.S. legacy of white supremacy, and its connection to post-World War II politics, including the formation of the United Nations and

the willful separation of human and civil rights. In relating the history of this separation, Anderson began with the NAACP's recognition that the founding work in human rights during the 1940's was a means to address the crisis of unequal rights and entrenched poverty and marginalization amongst African American communities in the U.S., and its subsequent decision to launch an international struggle to bring human rights into the U.S.

Anderson contrasted the NAACP's efforts to bring human rights into the U.S. with the approach of various members of the U.S. government, including the Southern Democrats, the State Department, and Cold War liberals. They, like their British and Russian allies, wanted to be on the side of human rights internationally, but did not want these rights extended within their own borders. Anderson noted that the Southern Democrats controlled over sixty percent of Congressional committees, including the Senate Foreign Relations Committee, and that the State Department required their backing and support in order to avoid a debacle similar to the post World War I failure to ratify the Treaty of Versailles. The Southern Democrats offered their support only if they received assurance that U.S. membership in the United Nations would not change their own "way of life," a coded reference to the existence and practice of Jim Crow laws.

Within this context, the United States delegation attended the meeting in San Francisco to create and adopt a U.N. Charter. Anderson described how delegates at the meeting aspired to create a document that eliminated tyranny and embodied the principles of freedom for fear and want; and therein included provisions to guarantee universal education, regardless of race or sex or class. The Southern Democrats actively resisted provisions of this sort, and succeeded in eliminating universal education from the U.N. charter. Meanwhile, the NAACP and the American Jewish Congress leveraged their official consultant status and large membership bases to demand that a Human Rights Commission with enforcement powers be included in the U.N. Charter.

Anderson described how, in order to appease Southern Democrats and ensure that human rights standards such as freedom from discrimination on the basis of race were not enforced in the U.S., John Foster Dulles embedded a clause in the U.N. charter specifically stating that nothing in the charter gives the U.N. the right to intervene in matters that are essential to domestic jurisdiction, and threatened to pull out of the international system unless the domestic jurisdiction clause was retained. Alongside these efforts, the State Department weakened the reach of the Subcommittee on the Protection of Minorities and Prevention of Discrimination by excluding Asian and African Americans from the definition of "minority," as well as led efforts to actively split civil and political rights from economic, social and cultural rights by casting the latter as "mere aspirations" and "communist in nature."

The NAACP, however, resisted U.S. efforts to keep human rights out of the country, and ultimately filed a petition charging the U.S. with human rights violations. In reaction, Eleanor Roosevelt resigned from the NAACP board and NAACP members were branded as communists, while Senate Democrats introduced the Bricker Amendment, which proposed a change in the treaty ratification process that would require all forty-eight state legislatures to also ratify treaties before they became law. Within this hostile climate, the NAACP opted to abandon its efforts to use human rights to achieve racial equality, and opted to craft solutions within a strictly civil rights framework. Reflecting on the fifty years following *Brown vs. Board of Education*, and the injustices surrounding Hurricane Katrina, Anderson noted that this strategy "did not work."

Wade Henderson, Executive Director of the Leadership Conference for Civil Rights, began by recalling how he was once the NAACP Washington DC Bureau Director, the third of four people to hold that position, and that – having been a marathon runner – he was used to

the idea of being in for the long haul. He also spoke briefly about the founding of the NAACP, in 1909 on the centennial of Lincoln's birthday. The organization began as a coalition of African American and Jewish leadership, and was borne out of a desire to end modern day lynching and secure voting rights for all.

Henderson briefly described the work of the Leadership Conference on Civil Rights, a coalition founded in 1950 to be the federal legislative arm of the civil rights movement. Its membership has grown from 30 member organizations in 1950 to 191 member organizations today.

The Leadership Conference's work on human rights in the U.S. began in 2003 with collaboration between human and civil rights organizations and the establishment of a human rights task force within its coalition (in response to member demand). The goal of the task force is to build domestic constituencies that frame racial discrimination as human rights violations and seek redress in international human rights forums.

He highlighted the following initiatives that have taken place through the human rights task force:

- 2000 "Call to Action": A document delivered to Mary Robinson by leaders in the U.S. civil rights community, framing U.S. racial disparities within an international context. The document highlighted racial profiling as a violation of human rights and called for an end to racial disparities in sentencing and incarceration, as well as urged for full compliance by the U.S. of its obligations under CERD.
- 2001 World Conference Against Racism: Henderson noted that although the conference was controversial, it was also an important event that condemned the slave trade as a violation of human rights for the first time. It thus laid the foundation for reparations lawsuits in the U.S.
- 2001 CERD report: The U.S. gave its first report to the Committee, and in conjunction LCCR submitted an NGO shadow report.
- 2004-5 Office of Security and Cooperation in Europe (OSCE): Meetings on anti-Semitism and racism.

Henderson then gave an overview of the Leadership Conference's current human rights work, which focuses on: hate crimes legislation; incarceration disparities (such as crack/cocaine), racial profiling, and police brutality; and DC voting rights. (See the handout, "Reconnecting Civil Rights with Human Rights: The Human Rights Initiative of the Leadership Conference on Civil Rights," included in the appendix to these minutes.)

Henderson concluded his remarks by emphasizing the value in exposing the disparity between what the U.S. preaches abroad and what it practices at home.

The speakers' remarks were followed by a lively and engaging discussion.

On the question of how this split between human and civil rights disappeared from the public debate, Anderson referenced the assassinations of leaders such as Malcolm X and Martin Luther King who advocated for human rights, and the power of the Cold War in creating the "depth of amnesia" that we witness today. She also cited the power of the Cold War as forcing activists to make heart-wrenching decisions, and gut a lot of what they were trying to achieve. In addition, she described how the NAACP at the U.N. made the fatal mistake of overestimating its allies and underestimating enemies, which ultimately led to its weakened position. She noted we must be cognizant of this history of cowing to dissent, narrowing the frame of reference, and masking internal injustice during the current "War on Terror."

Henderson added that the Leadership Conference's 2000 Call to Action was done on 50th year anniversary of W.E. Du Bois' original "Call to Action," in order to revive the memory of what had transpired before. He also reflected on that historical period as one of brutality and smothering of institutions, and noted that events such as the 1955 "Operation Wetback" and murder of Emmett Till scarred a generation of activists, forcing them to make decisions to split human and civil rights as a matter of survival.

On the question of why historic efforts like "We Charge Genocide" received significant press in Black media, while almost nothing is heard about CERD and shadow reporting in contemporary times, Anderson spoke of the disintegration of a large and independent Black press, and the need now to seriously reconsider how we communicate with these communities. Henderson added that the "We Charge Genocide" depiction of a failure to address and secure rights as genocide was very bold, and that – while during the early NAACP years the U.N. was new and was open to being defined – human rights implementation has since been bureaucratized and is now a process that has limits. Henderson stressed that now is the time to incorporate human rights into our domestic rights work, to reestablish the human/civil rights link, and that part of this process is taking advocacy to international bodies.

On changes in the media and current media strategies, Henderson described a recent survey that found that about 25% of the population still relies on ethnic media, and stated that any strategy for bringing about social change in this country must be connected to ethnic media. He also spoke about the racially coded difference in perception in the world today, citing a recent AARP survey asking whether Martin Luther King, Jr.'s goals were achieved. The survey found that 38% of Hispanics, 56% of whites, and only 21% of blacks said yes, highlighting these differences in perception and the importance of effective communications strategies and public education efforts.

On the question of how the Internet, which both separates and unites people, has changed civil rights work, Henderson explained how the Leadership Conference's website is a portal for all organizations in the coalition, and discussed how podcasters and bloggers are helping fuel an honesty in information campaign. He noted that if we do not utilize new technologies, grassroots efforts will fail. At the same time, we must make a special effort to reach constituencies that may have limited or no Internet access.

On the question of reparations, and the partnership between African Americans and Jews in the early days of the civil rights movement, Henderson noted that principles of equity and reparations figured heavily in post-World War II settlements, including the creation of Israel itself. He described the brilliance of Prof. Charles Ogletree's litigation strategy to seek reparations for the living survivors of the little remembered 1921 race riot in Tulsa, Oklahoma, noting that the stories of the riot's survivors gave the lawsuit credibility. He connected this to the role international law played in establishing the slave trade as subject to review in court with legal remedies. He also discussed contemporary reparations and the expectation that Jewish organizations might work more closely in an international setting on this issue, but that they had yet to do so.

In response to a question of how the Leadership Conference came to use human rights in its advocacy, Henderson spoke about the frustration the organization experienced as it reached the limits of civil rights-based remedies in specific issue areas (given an increasingly conservative judiciary), and the subsequent need to expand beyond its current available tools. He cited the problem of disproportionate incarceration and drug laws, and the related wall that his organization encountered in its civil rights advocacy, as some reasons they

were prompted to use international bodies to promote their work. He noted that through their international advocacy they enjoyed temporary success in securing Sentencing Commission guidelines that eliminated the sentencing disparities between crack and cocaine related drug offenses. He also recalled that in October 1995, on the day the Million Man March took place in Washington, DC, Congress voted to overturn those sentencing guidelines on crack/cocaine. No one at the march mentioned that vote or took note of the devastating impact it would have on African American men – an important opportunity lost. He urged organizations to set aside that type of parochial analysis, and instead incorporate a broader framework of human rights.

Part 2: Reports from members on relevant activities and noteworthy developments

John Kowal introduced and moderated this part of the session.

Susan Freundlich, Women's Foundation of California, gave a brief preview of the next day's conference on "Human Rights at Home: Building the Human Rights Movement" – a day-long convening focused on the application of a human rights frame in the US. The convening is co-sponsored by the Ford Foundation, Libra Foundation, Rosenberg Foundation and the U.S. Human Rights Fund. She invited all working group members to attend.

Larry Cox, Ford Foundation, briefly described the series of "Bringing Human Rights Home" events that have been organized to date in New York, Chicago and now San Francisco. He said there were plans to host one additional session in a city in the South.

Karen Starr, Otto Bremer Foundation, asked the group to think about knowledge sharing with regard to domestic human rights funding, and its utility in moving the work forward and understanding what human rights grantmaking entails. She distributed and briefly discussed two handouts: (1) a diagram of a "Human Rights Continuum: An Emerging Theory of Community Change," suggesting a theory of change implicit in Bremer's domestic human rights funding; and (2) "An Integrated Human Rights Grant Review Model" chart which serves as a tool to help analyze the human rights capacity of grant applicants from conceptual, operational, and community outcomes/impact points of view, and which they are currently turning into an article for public consumption. There was strong interest in having Starr do a more detailed presentation, with actual case studies, at our July meeting. (See the appendix for the documents mentioned above.)

Puja Dhawan, U.S. Human Rights Fund, Public Interest Projects, gave an update on the launch of the U.S. Human Rights Fund, including an overview of the number and kinds of LOIs that the Fund received this fall, and the priorities and timeline for the Fund moving forward. The open LOI process brought in 350 LOIs from a range of issue areas, sectors, and geographic locales. For its first round of grantmaking, the Fund has invited 22 organizations to submit proposals, and expects to choose 12-15 organizations for \$1.5 million in grants this April, focused on capacity building and networking/collaboration. The following docket will focus on communications and legal knowledge. The Fund also recently received a grant from Atlantic Philanthropies for a field assessment on capacity building needs in the areas of human rights framing, policy advocacy, communications/messaging, and evaluation, and will be used to inform the Fund's grantmaking in these strategic areas.

Jay Beckner, Mertz Gilmore Foundation, added that a range of groups were seeking capacity building assistance on what human rights is and how to apply it to their work, and that while the Fund will offer some training on this, there is also an opportunity for funders who work in various issue sectors to do a training on human rights within their issue areas. The Fund can provide lists of applicant names by sector.

Beckner also gave a brief report on the December 2005 funder briefing on human rights treaty reporting, hosted by the JEHT Foundation in New York. The briefing included a discussion on the US's recent and pending treaty compliance reports to the UN (May 2005 CAT Report, Oct 2005 report on Civil and Political rights to the Human Rights Committee, and a 2006 CERD report) and coordinated NGO responses, such as coalition shadow reports. Margaret Huang and Cindy Soohoo identified funding needs: including 1) coordinator for coalition efforts; 2) media and communications; and 3) training to explore how groups will use this document / process when UN committees respond. Andrew Park, Wellspring Advisors, has this proposal and is organizing a conference call the week of January 16th for interested funders.

John Kowal, Open Society Institute, briefly previewed the IHRFG "Hill Briefing," scheduled for April 2006 in Washington, DC.

In closing, we discussed ideas for the USHR session at the next July IHRFG meeting. In addition to hearing more from Karen Starr about the Bremer model, there was general interest in the following: bringing in more educational panels with NGOs, including frank conversation of failures and challenges in US human rights activism; treaty reporting and international law, including strategic communications to counter attacks by the right; and a workshop on how to apply human rights to domestic work in practice.

Corporate Social Responsibility

Facilitator: Ann Strimov, Wellspring Advisors

Speakers:

- **Aron Cramer**, *President and Chief Executive Officer*, Business for Social Responsibility (San Francisco, CA)
- **Marco Simons, Esq.**, *Legal Director*, EarthRights International (Washington, DC)
- **Mele Lau Smith**, *Board Member*, CorpWatch (Oakland, CA)

This session's speakers provided an introductory exploration of the growing field of human rights work around the issue of corporate social responsibility (CSR). Operating at the point of convergence between business, human rights, and development, CSR is generally seen as the business contribution to sustainable development, and is generally understood to be the way a company achieves a balance or integration of economic, environmental, and social imperatives. CSR commitments and activities typically address aspects of a firm's behavior (including its policies and practices) with respect to such key elements as: health and safety, environmental protection, human rights, community development, labor protection, and business ethics.

From organizations monitoring the illicit exploitation of natural resources to litigation advocacy groups fighting for justice in domestic courts to cooperation initiatives engaging human rights advocates and corporate leaders in policy-shaping dialogue, the human rights community has developed an array of tools for ensuring that corporations respect human and environmental rights (and are held accountable when they fail to do so). This session's panelists discussed the various methodologies and strategies, including the Alien Tort Claims Act, used to promote corporate cooperation in the advancement of human rights worldwide.