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**Beyond the Rhetorical Flourish:  
Partnering with Bilateral Agencies on Human Rights and Development**

Wednesday, January 29, 2014

3:15-5:00 pm

**Session Organizers:**

- Chloe Schwenke, Vice President of Global Programs, Freedom House
- Aaron Myers, Program Officer, Freedom House

**Facilitator:**

- Robert Herman, Vice President for Regional Programs, Freedom House

**Panelists:**

- Erica ten Broeke, Partnership Development Manager, Security and Justice, Cordaid
- Sarah Mendelson, Deputy Assistant Administrator, U.S. Agency for International Development (USAID)
- Diana Samarasan, Executive Director, Disability Rights Fund
- Hugo von Meijenfeidt, Consul General of the Kingdom of the Netherlands

**Sponsor:**

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This plenary session explored the relationship between governmental donors and independent funders. An informal poll of funders in the room showed that many had worked with governmental agencies, some through formal partnerships. A few said they would never consider it.

Robert Herman, Vice President for Regional Programs at Freedom House, shared his institution's model as an introduction. Freedom House manages two emergency response funds – the Lifeline Embattled CSO Assistance Fund and the Dignity for All LGBTI Assistance Program – which receive funds from the government as well as independent donors.

Robert provided an overview of funding from countries and international bodies in the Organization for Economic Cooperation and Development (OECD). These bi- and multi-lateral donors gave a total of \$89 billion in official development assistance (ODA) in 2012. Less than 1% of that – about \$900 million – was

designated as support for human rights. In comparison, total funding for human rights from independent foundations was \$1.2 billion in 2010. Robert noted that less than 1% of the U.S. federal budget goes to foreign affairs, and less than 1% of that promotes just and democratic government, with the majority concentrated in Afghanistan, Pakistan, the West Bank/Gaza, and Mexico.

Robert noted that authoritarian regimes across the world are closing space for civil society organizations (CSOs) and characterizing them as terrorists or foreign agents. Ethiopia, for example, passed a strict law regulating foreign funding for CSOs. Regimes have also launched attacks against multi-lateral institutions designed to make them ineffective in carrying out their goals.

Both governmental donors and the philanthropic community want to ensure that their funding has impact in this context, and collaboration could be a path forward. However, the many in the funding community question whether governments are truly committed to democracy and human rights or whether rights will take a backseat to strategic considerations.

Diana Samarasan, Executive Director of Disability Rights Fund, introduced her organization with a brief clip about their work as a pooled fund of governmental and independent donors. Erica ten Broeke, Partnership Development Manager for Security and Justice at Cordaid, spoke briefly about Cordaid's work in fragile settings, helping communities to engage directly with government representatives.

Sarah Mendelson, Deputy Assistant Administrator at USAID, explained that the global crackdown on civil society has had a profound effect on the agency and its in-country missions. At a meeting convened by President Obama, representatives from government, philanthropy, and civil society agreed to try to strengthen domestic policies, work with multi-lateral organizations, and think about how to make civil society sustainable. USAID seeks to get its representatives engaged in building on-the-ground support for CSOs, which many of them lack.

Diana explained that disability is not always viewed as a human rights issue, which can be helpful in this case: disability rights advocates are not targeted as other human rights activists are. Sarah emphasized the need for a long-term view, noting that disability groups could be touched by closing civil society space in the future, though they aren't now.

Hugo Meijenfeidt, Consul General of the Kingdom of the Netherlands, said that the Dutch government previously took democracy and human rights for granted. It now tries to streamline human rights into other policies, such as trade, in addition to traditional legal mechanisms. Erica agreed that streamlining works within Cordaid's work, with human rights and development goals complementing one another.

Sarah described USAID's new strategy to apply a rights lens to development work. USAID's new rights-based Democracy, Rights, and Governance approach makes advancing democracy a development goal. USAID emphasizes inclusive development, has human rights as a development objective in itself, and integrates democratic governance into all development work. Sarah explained that USAID works with organizations across the rights landscape, and encouraged funders to hold them accountable and track changes in the field.

Hugo said self-interest and global trade helped drive Europe's historical transition toward rule of law. The European South, for example, moved past dictatorships to join the European Union. In the Netherlands and throughout Europe, governments are more willing to collaborate with CSOs and act to support rule of law.

Both Cordaid and Disability Rights Fund have collaborated with bi-lateral donors. Cordaid has been receiving funds from the Dutch Ministry of Foreign Affairs since the 1970s, and the relationship hinges on regular consultations and mutual respect for each other's roles. The Ministry offers diplomatic connections and funds, while Cordaid has local contacts and on-the-ground perspectives. Cordaid's work to rebuild fragile states offers natural opportunities for collaboration with the government, but challenges arise when geopolitical interests do not align with development needs. As a result of this uncertainty, Cordaid no longer provides multi-year funding and offers programmatic, not core, support.

Disability Rights Fund has worked with bi-lateral donors such as the UK Department for International Development and the Australian Agency for International Development (AUSAID) throughout its existence. Diana said that human rights funders are often hostile to the idea of government collaboration, but it is key to engage and learn from them. She noted that getting government funding can be bureaucratic, and situations can change unexpectedly. For example, Disability Rights Fund built a relationship with AusAID, which no longer exists.

She explained that government funds come with accountability mechanisms and standards for transparency. Article 32 of the Convention on the Rights of Persons with Disabilities (PWDs) mandates that development programs include and benefit PWDs. Governmental donors who ratify the treaty are therefore forced to reexamine their funding and ensure it incorporates PWDs. Australia's government lists enhancing the lives of PWDs as one of its 10 development objectives, requiring other program areas to devote a portion of funding to PWDs. Disability will also be included in the post-2015 development agenda. Diana explained that though governmental donors are now accountable for PWDs, they haven't yet built relationships on the ground. Disability Rights Fund is able to provide those networks.

Sarah encouraged donors and civil society, especially in the Global South, to push for a rights lens within the post-Millennium Development Goals process, which could drive increased ODA for rights. She offered a few examples of USAID's rights partnerships, including:

- a \$55 million partnership with Hivos to enable citizen engagement and government responsiveness on [Making All Voices Count](#)
- working with Humanity United on the [Tech Challenge for Atrocity Prevention](#)
- a partnership with the Swedish International Development Cooperation Agency to leverage funds for rights

The Dutch Ministry of Foreign Affairs channels \$34 million through embassies that work with non-governmental organizations (NGOs), striking a balance between working solely through the government and disbursing all funds to NGOs. Hugo advocated for enshrining human rights in treaties and laws to ensure that regime changes and political shifts cannot undo progress.

A participant agreed that the Netherlands is held accountable by a strong civil society but expressed concern that it may be losing ground. The Dutch aid budget, especially for civil society, has been cut because of the economic recession. The Dutch are now struggling with finding a balance between human rights and trade interests, for example, by participating in the Sochi Olympic Games despite concerns about LGBT rights violations in Russia. Hugo agreed, framing aid as an investment to be included in trade agreements. He said that it is questionable how to engage in situations like Sochi; actors must find a middle road between boycotting and ignoring rights violations.

Another participant asked about USAID's funding for legal defendants, noting that governmental donors often work to build judiciary and prosecutorial processes rather than support defendants. USAID has spoken with the Open Society Foundations about using transitional justice as a driver of development, which Sarah said might be a space for engagement. She also advocated for learning partnerships, emphasizing the importance of gathering evidence to find out what types of funding work.

One participant asked if governmental funders are able to engage with smaller funders who have limited budgets but vast grassroots connections. Sarah explained that USAID does so through its in-country missions, working on projects well under \$1 million a year with implementing partners, including cutting-edge CSOs in places where civil society space is closing. Diana agreed, saying that Disability Rights Fund is not large but often acts as an intermediary between bi-laterals with large grants and grassroots organizations with limited capacity to absorb them. Cordaid has started this conversation with the Dutch government as well.

Erica mentioned that she has not heard grantees express concern about receiving funds from a specific government, but one participant said human rights defenders (HRDs) would be hesitant to receive funding from certain governments. The participant noted that governments' behavior does not always match their rhetoric on human rights, pointing to the U.S.'s mass surveillance programs as an example. The Irish Prime Minister recently praised the Saudis for their rights record during a trade visit, which illustrates the complications in integrating rights into trade agreements. Sarah emphasized that a good foreign policy is underlain by human rights, challenging the false dichotomy between rights and security and agreeing that the U.S., European Union, and other governments haven't gotten it right yet. She also noted that donors have not devoted enough attention to security for HRDs. Hugo explained that there is no harmonized policy on trade and rights, expressing hope that the U.S. and European Union can work together to include sustainability and rights in the trade agenda.

A participant noted that CSOs are often characterized as illegitimate for receiving foreign funds, but many African governments receive funds from foreign governments, so it is natural that CSOs would receive foreign support as well. Sarah said that pointing out this hypocrisy is a good strategy, especially among CSOs in the Global South. She also raised questions about the efficacy of multi-lateral funds.

Returning to the poll from the beginning of the session, a funder explained why their foundation would never accept government funds. Though many of their grantees do accept bi-lateral funds, the foundation sees it as a matter of principle. Much of their work beyond grantmaking is advocacy, and accepting government funds could tie their hands and undercut their legitimacy with grantees. Diana

and Robert shared that Freedom House and Disability Rights Fund are always willing to criticize their governmental donors, which has garnered respect among their grantees.

Hugo closed by reiterating that it is in developed nations' self-interest to adopt a rights-based approach. Erica said that collaboration with the Dutch government gives Cordaid greater impact in achieving social change. Diana noted that the language of "poverty alleviation" used by many bi-laterals doesn't align with traditional civil and political human rights. She encouraged more conversations to build a consensus that rights-based development and poverty alleviation are indeed human rights work. Sarah shared that USAID may be building a grand challenge around human rights and supply chains, asking interested funders to get in touch. Robert closed the session on an optimistic note, saying that civil society space is closing precisely because CSOs are more galvanized, effective, and able to actively question the legitimacy of their governments.