

**International Human Rights Funders Group  
January 22-23, 2002 Meeting  
The James Irvine Foundation  
San Francisco, CA**

**TUESDAY, JANUARY 22**

**Welcoming Remarks from the Steering Committee**

Steven Riskin, U.S. Institute of Peace

Steve welcomed everyone, thanked our host, the James Irvine Foundation, and the following foundations for covering the costs of the meeting: Lawson Valentine Foundation; Henry. M. Jackson Foundation; Stewart R. Mott Charitable Trust; and Samuel Rubin Foundation. Steve also expressed the Group's thanks and appreciation to former Steering Committee members Melanie Oliviero and Steve Cheifetz, whose important and valued professional input and personal warmth will be sorely missed.

**I. HUMAN RIGHTS EDUCATION SESSION: "Human Rights in the Aftermath of the Sept. 11<sup>th</sup> Attacks"**

Facilitator: Maureen Aung-Thwin, Open Society Institute

*Barbara Olshansky of the Center for Constitutional Rights opened the session by addressing the implications of the September 11 attacks for human rights in the U.S. Anuradha Mittal of Food First provided a perspective from the global South by speaking to human rights in Central and Southeast Asia and the Middle East. The session then turned to the Honorable Lloyd Axworthy to explore the international justice system as a vital framework for addressing the new challenges to human rights both at home and abroad.*

**Barbara Olshansky**

**Assistant Legal Director, Center for Constitutional Rights**

- The state of domestic civil rights before 9/11: Organizations have been gravely concerned about the state of our democracy. Right wing activists have taken to dismantling our civil rights law and the US judiciary through the packing of courts. Anti-discrimination laws have been undermined. Only blatant violations are being corrected. Supreme Court decisions have been shrinking anti-discrimination laws. Recent examples show a lack of compassion, a contraction of Congressional power to legislate, doctrinal assault on injunctive relief and inconsistent application of federalism. Cases of discrimination based on race, gender, disability, etc. have become difficult to pursue. There has been a general shrinking of laws to challenge discrimination.
- Domestic civil rights since 9/11: Two legal methods have been used to detain people: immigration violations and federal violations. People can be held indefinitely under prosecution for federal case. At least 1,200 people remain in detention; we don't know the full extent. In New York, detainees have been denied both legal representation and contact with their families. Where lawyers have been in contact with detainees they are under strict gag orders.
- The U.S. Patriot Act blurs the lines between foreign intelligence gathering and regular criminal investigation. This act removes the *probable cause* requirement. It also allows for internet regulation; roving wire tapping; home and workplace searches without a warrant or notification; blank warrants to be filled out by agents (FBI, Dept of Justice). Non-citizens easily can be detained and deported, despite their current legal status. The definition of terrorist activity has expanded. The federal U.S. Patriot Act has created mini-state acts, for example in New York.
- The Presidential Order on Military Commissions is by far and away the greatest amount of power given to a single person -- the President. It allows the President to set most procedures in a case with no mechanism for accountability.

**Anuradha Mittal**

**Co-director, Food First - Institute for Food and Development Policy**

- While speaking from the perspective of the global South, we need to recognize that a South exists in the U.S. as well.

- How has the global South reacted to 9/11? In India, people say that “the U.S. is behaving as though it has a monopoly on tragedy.” Global South is responding to double standards practiced by the U.S. as the U.S. is unconstrained by global governance; it has rejected every treaty it finds inconvenient and permits deadly embargoes to continue.
- In Afghanistan, 300,000 children were dying each year before the bombing. Now a catastrophic refugee crisis is compounding the poverty.
- There has been a revival of the military industrial complex. With the U.S. belief of “either you are with us or you’re against us” other nations’ own abuses in their countries have been ignored. The Indonesian military, Israel, Algeria, Russia, and China benefit from U.S. assistance, but all these countries which are in the coalition with the U.S. have histories of grave human rights abuses.
- There has been an increase in national egoism. The clash of civilizations has begun.
- Free trade for corporate-driven globalization has been revived. The IMF and the World Bank have been playing a key role in the fight against terrorism but forgetting about “non-strategic” states.
- How to respond to 9/11? It was an international crime against humanity. The vision of human rights is not the absence of war but a call to justice everywhere, including the US and its double standards vis-à-vis other countries; respond to lack of health insurance; etc. at home.

### **Honorable Lloyd Axworthy**

#### **Director, Liu Center for the Study of Global Issues**

- We need to go beyond grief (taking a lesson from the Healing Circle held recently with Aboriginal people on Vancouver Island). There is a role for the human rights community to guide accountability and justice.
- 9/11 was an attack on human rights (right to life, liberty, individual security, etc). Basic human security was at risk and this time it was recognized because it happened in North America. As the environment and economics have been melding into “sustainable development”, so are human rights and security linked.
- How do you respond to 9/11? There is a new architecture to deal with international crime – protocols on children, land mines, the International Criminal Court (ICC). These have been promoted by a broad-based human rights constituency from around the world and the U.S. has to work with them.
- If we accept repression as a legitimate response, then we’ll have many more Talibans and terrorists.
- There has been widespread camouflage of crime in the name of fighting terrorism. State terrorism has killed more people than non-state terrorism, and it is more acceptable. People have been latching onto anti-terrorism to justify their violations of human rights. There is no forum for critique and response. The human rights constituency is having a hard time mobilizing.
- Terrorism should be treated as a criminal act, not an act of war, and dealt with accordingly. The ICC is the first new international institution of the Twenty-first Century; its capacity needs to be built.
- In a recent and historic statement on the report from the Commission on Intervention and Security, UN Secretary General Kofi Annan declared the need for a new definition of sovereignty, which is to protect people. If a government cannot do this, then international law can be used for intervention.
- Afghanistan represents a test case for reconstruction. People are talking about a new infrastructure, but no one is talking about how to deal with the perpetrators of crime within Afghanistan; there is no mention of constructing internal judicial structures. With the US failure to recognize the detainees as prisoners of war it risks the Geneva Conventions being ignored for its own people. Similar shredding of international refugee and asylum norms are being ignored. No one is monitoring. The media is complicit.
- This is the time to support the architects and plumbers, the thinkers and the doers in the human rights community. In dealing with issues of justice and responsibility, the problem has been that the HR community doesn’t have the tools with which to respond. We need to figure out how to set up proper networking and communication to share cases and hold debates within the HR community.

### **Q & A**

#### **Q: How has the U.S. been dealing with India?**

AM: The U.S. has replaced sanctions against Pakistan and India. There has been an internationalization of U.S. foreign policy in fighting terrorism, stirring up jingoistic emotions and diverting attention from poverty.

LA: If the first human right is the right to survive, then nuclear proliferation on the Indian subcontinent is a global human rights issue.

#### **Q: Human security and reliance on individual rights—pull between civil rights as individual rights and communitarian rights (to food, etc). How do you reunite the indivisibility conflict?**

LA: The Canadian Charter on rights and Freedoms proves that a focus on individuals is human security.

BO: CCR injects HR issues into cases they bring, and try to inform judges about international human rights law. Discussion of basic human values has been co-opted by the right. We need to take back the meaning and use of these terms. We have access to these information but how do we get it out there to the public? We need to get this information everywhere to change the tide.

- We need to fund and find a way for these issues.
- Overwhelming issue of Palestine and Israel. HR community needs to do much more on this issue.
- Need to do more with alternative media, not corporate media, which doesn't show peace actions and people's movement.

LA: The 9/11 terrorists grew from a disenfranchised group in Egypt, building resentment upon resentment. Oil wealth in Saudi Arabia and other states has created much of the resentment, bringing gunships and armies. An energy policy on self-reliance in the US would be a good start.

**Q: Given this new globalization of repression [by the US] we have been talking about, what is the price of saying “No”?**

LA: The answer for Canada is that a billion and a half dollars crosses the border in trade each day. The US could live without it, but not Canada. The consequences to border controls and immigration, the fear of a fortress mentality, all are risked. The media has the power to incite. We are witnessing a convergence in media ownership – broadcast and print. There are fewer gatekeepers for information, and they are more beholden. We need information-sharing and coalition-building.

AM: The outpouring of compassion among others than Americans has been under-reported, as have the numbers of people marching for peace. We need to separate the elites and the government from ‘the people’. Take back the language the way the “right to life” has been given a different meaning in the US from elsewhere in the world. Among poor landless people, like the Masai, there is no food, no medicine but there are Coke bottles everywhere.

**Q: How do we bridge the gaps? Are these accounts you're talking about really the reality? Shouldn't they be presented in a more believable way to people; remind us of the legitimate/illegitimate line?**

BO: The lack of press coverage is one problem. Yes we need to react, but the tentacles of these laws against anti terrorism are so broad, and not directed to finding the terrorists.

LA: International human rights law is mutual, otherwise there is a breakdown in the system.

AM: It is not easy to undo these denials of rights.

**Q: What about the economic aspect where corporations and country elites rule; how do you pretend to protect democracies when you condone state terrorism?**

LA: There are institutions where states are answerable –the Commission on Human Rights, other UN and EU bodies.

BO: Make them transparent and open about these acts. Transparency and whistle-blowing are powerful tools. Put information on the web for lawyers all over the world.

**Q: The US is faced with balancing liberty with security; how do we find that balance?**

BO: Our existing criminal justice system is already capable of handling the current situation without secret tribunals. Need to use other international structures. Internal security is more difficult issue to tackle and resolve. The use of misinformation by the government is making it more difficult to understand what is happening.

Q/Comment: Things have been convoluted. We have become more vulnerable and gained the feeling that things we have now are not enough, not good enough, and this situation is being taken advantage of by the government. We need to support not only international organizations but local NGOs who are working on these issues. Look for our allies in this struggle.

Q/Comment : There is a tension between an institutionalized siege state and being reactive. How do we say we need to protect ourselves and also look at our roles in the current situation? Does this become the next Cold

War? We need an examination of how powerful constituencies can be cultivated to ss their self-interest in international law (especially corporations).

Q/Comment: What is the strength of the human rights movement and of the connections between international NGOs and local groups?

Q/Comment: What does security mean? Context is important. We can never be fully secure. Need to look at U.S. reliance on oil, food, and other things in other parts of the world that get us involved in geo-political disasters and take a self-critical look at our entrepreneurial, market driven approach.

## **Final Words**

BO: The Center for Constitutional Rights has been active in lobbying (with little success) against these actions from Congress and the Executive. The needs are for public education to organize grassroots and national groups. It is working with individuals, cases of people detained, educating and training other groups and people on their rights (such as Arab and South Asian groups), working with national organizations (such as ACLU) on specific case. All this work is on top of their long-term efforts of building civil societies in other countries (working with Nigerian doctors, lawyers from Sierra Leone). Enhancing these relationships will build on the architecture. What are the needs? Establishing connections among local, national, and international groups, supporting various publication efforts, having discussions on these issues. It depends on us to advocate on a better balance that what we are seeing now. We believe in democratic principles.

AM: Challenging oligarchy in the world by U.S. foreign policy needs to be reflected upon, and what democracy means, as well as domestic security. Us foreign policy needs to be based on the same principles that the US holds dear. Hungry people are angry people. International Criminal Court is placed and need to be used. We need to look at HR in this country (such as with people of color in prison) and support the movement.

LA: Evidence, good analysis, exchange are critical. The notion of security is going through a different transformation from security of the nation state to the people in it. We are moving from a progression from traditional concept of security, to an environmental risk of security. There is an over reliance on the military response to things, than civil responses, which is what criminals are faced with. The International Criminal Court is the court of last resort. It sets up norms and a whole network of judicial forces, prosecutors, evidence-collectors, etc. Why should the US deny foreign aid to other countries who do think the ICC works for them (the Helms bill)? The response has to be global.

## **II. SPECIAL PROJECTS SESSION**

Facilitator: Larry Cox, Ford Foundation

### **Leveraging New Funds to Support Human Rights**

**Presenter: Dorothy Thomas, Shaler Adams Foundation**

The Group hired two consultants who reported in July 2001. A follow-up committee (see below) met in November and January in New York to discuss the Project and develop the following leveraging materials for new funders, which were handed out at the session:

- IHRFG brochure for potential members (**enclosed**)
- HR grantmaking statement (describing what IHRFG human rights grantmakers fund) (**enclosed**)
- Two case summaries of successful application of a HR approach
- A template for case summaries (**enclosed**)
- Talking points for approaching funders who do not currently fund human rights
- FAQ about human rights funding

Funding for HR is growing. HR is being used to add a legal or international dimension to existing work. Activists are coming to HR for a global framework, to link international and local work. HR encompasses a wide range of rights that are legally enforceable. And as the HR grantmaking statement makes clear, HR funding covers a wide range of activities.

Three areas that need to be considered for this Project:

- materials required for the implementation of the Project (i.e., reaching new funders);

- identification of potential HR funders and strategies for reaching them; and
- outreach and making the IHRFG more visible in the philanthropic community.

### **Discussion**

- Does the current human rights situation present us with a special opportunity as HR funders or is it a setback?
- We need to include peace as a human right in the statement.
- What is human rights? We need to talk about what it is, and give examples, instead of just using the term.
- HR community needs to talk about HR as what we believe and what we stand for. There are opportunities. We are just recovering from the shock of 9/11, and slowly responding to the event.
- Take our existing membership and strengthen it. This is already happening with organizations but needs to happen in the donor community.
- Host a discussion on such a topic. Tom Leney may be interested in hosting such a discussion.
- Need to be careful how we expand our membership, so we can still focus on what we do. Because we are leveraging, we need to find specific foundations to attain new money for HR funding.
- HR framework has helped tremendously and there has been a great shift in the women's rights movement.

### **Next Action**

Dorothy explained that these materials need to be further developed and found the following volunteers:

- *Talking points*  
For related fields: Chet Tchozewski (Environment), Tom Leney (Peace and Security), Nicky McIntyre (women's rights and gay rights)  
For methodology: Sharon Miller
- *Case summaries*  
Warren Allmand (ESCR), Larry Cox (anti-poverty in Argentina), Cora Weiss (women, peace and security), Miriam Porter (criminal justice system), Josh Mailman (environmental justice and land rights), Tom Leney (peace and security)
- *Identifying new potential HR funders (funders in related fields, transnational donors, individual philanthropists, and others)*  
The entire group agreed to provide a minimum of two names with identifying information and a suggested approach to help create a list of new funders with which to launch the leveraging project. Mona will send out an e-mail to everyone with a deadline for providing names.
- *Outreach*  
Two people are needed to work on this: identify venues, create a calendar of conferences and meetings and submit proposals for panels or joint meetings at a variety of events. Consider submitting an article to the CoF's newsletter or magazine. Participants can send event notices to Mona.

Please send case summaries, event notices, and suggestions/comments for leveraging project materials to Mona Younis via e-mail at [myounis@jmgf.org](mailto:myounis@jmgf.org).

### **Final Thoughts**

- All venues need to be reached to let people know of the IHRFG's existence and importance of HR funding.
- We should attend family foundation conferences, which can bring in new sources of funding.
- The Case Summaries, which highlight success stories of the application of human rights approach, will make an effective booklet with which to reach new funders.

[IHRFG participants and friends who attended the New York Leveraging Project meetings: Maureen Aung-Thwin (OSI), Jay Beckner (JM-GF), Steve Cheifetz (Mott), Larry Cox (Ford), Bob Crane (JEHT), Chris Harris (Ford), Karen Kolvard (Guggenheim), Ruth Messinger (AJWS), Conn Nugent (Kaplan), Miriam Porter (OSI), Joe Pierpont (formerly Family Foundations), Sandy Silverman (Scherman), Dorothy Thomas (Shaler Adams), Cora Weiss (Rubin), Mona Younis (JM-GF)]

### **Fund for Global Human Rights**

**Presenter: Mary Ann Stein, The Moriah Fund**

Committee: Maureen Aung-Thwin (OSI), Michael Gibbons (Banyan Tree), Larry Cox (Ford), Josh Mailman (Rausing), Jesse Margolin (Diamondston), Mike Posner (LCHR), Chet Tchozewski (Global Greengrants), Mona Younis (JM-GF)

### **Purpose and Description of the Fund for Global Human Rights**

This is an intermediary group for direct funding to grassroots human rights organizations around the world. Funding will be based on needs and challenges of organizations struggling for justice, civil rights, and against human abuses and which have extremely limited resources and don't have capability to raise funds. The Fund is an opportunity to put together a match between funders and organizations. International human rights organizations have stated that there needs to be a way to get funds to these local organizations (small, often underground groups). The Fund can step in for the following situations: for funders who find it inefficient to make small grants to organizations; for private foundations that don't want to work outside the U.S. (due to complications of giving grants to groups without 501(c)(3) status); and for private donors who cannot donate money outside the U.S.

The Fund intends to become an international expert on the regions it funds and human rights funding to local, grassroots organizations. It also plans to establish a network of advisors who work on international human rights. It also will offer other types of support to organizations, such as obtaining the technical assistance they need. It will work with international human rights organizations to obtain information on grassroots organization, identify advisors (and create a network) for information sharing and get proposals from groups. We will depend heavily on regional advisors.

### **Grants and Fundraising**

The Fund's initial budget will be about \$1 million. Organizations will get one time grants between \$10-\$30K. The range for the grants is where they are because of where groups are now, working mostly on a national level in their countries. Grant amounts may be subject to increase in the future.

Much of the money will come in the form of donor-directed funding for which guidelines will be set. Once staffed, the Fund can raise more money by working with other foundations as a group with 501(c)(3) status.

### **Accomplishments and Future Goals**

Since it becomes too broad to begin by funding globally, the group decided to start small and in selected regions. Currently, the Fund has bylaws and will soon obtain 501(c)(3) status. To date, the group has raised over \$1 million. Bob Crane of JEHT Foundation (formerly of Joyce Mertz-Gilmore Foundation) has agreed to provide office space and the use of telephones and other equipment. Next steps for action include: creating a job description for an executive director; hiring an executive director; finding a consultant to assist in researching the regions to fund and learning procedures of other intermediary groups; and creating an initial international board. The group will also work with smaller foundations and opportunities to fund these organizations for mutual benefit.

As a product of the IHRFG, it will have a very specific focus. It will give smaller grants to small, local human rights groups. Eventually, some of these organizations will get to a point of being able to reach larger foundations and networks. This is a chance to do more daring funding than a big foundation normally does, and a chance to fill a niche that no one else is filling.

## **WEDNESDAY, January 23**

### **III. BUSINESS SESSION**

Coordinator: Mona Younis, Joyce Mertz-Gilmore Foundation

Mona began the session by speaking of the important contributions that the Steering Committee members had made to the work of the IHRFG over the course of the previous year, and bid farewell to Melanie Oliviero and Steve Cheifetz who, regrettably, will not be continuing in this capacity.

#### **➤ IHRFG Mission and Brochure**

Revisions have been made based on comments from last July's meeting and the leveraging project meetings in fall. The brochure presented at the meeting (purple brochure) is for current participants. Another version of the brochure (ivory) is available for potential participants. Mona explained that the leveraging project meeting

participants suggested that two brochures were needed; a less formal version was needed for potential participants while a more detailed informational brochure was required for current participants.

### ➤ **Membership in Council of Foundation**

Julie Richardson distributed a list of the pros and cons of membership in the CoF based on interviews with three affinity groups: one that is already a member, another that decided not to join, and another that hasn't thought about joining.

<b>Advantages</b>	<b>Disadvantages</b>
Reach large number of foundations	Inability to screen members-must be open to all Council members
Support services offered by CoF <ul style="list-style-type: none"> <li>❑ Especially helpful for organizational questions</li> <li>❑ Assistance w/publicity &amp; setting up sub-meetings at CoF conferences</li> <li>❑ Annual meeting for affinity groups gets rave reviews</li> <li>❑ Affinity group list-serve provides forum for asking questions (how do other groups handle conflict of interest policy for board members?)</li> <li>❑ Affinity group office reported to be very helpful and responsive</li> </ul>	(Africa Grantmakers response—groups tend to be self-selecting—they welcome different points of view and the ability to discuss and sort through controversial issues)
Easy access to CoF meetings for outreach <ul style="list-style-type: none"> <li>❑ Gets the word out about IHRFG</li> <li>❑ Broadens the audience</li> <li>❑ Attracts people that would not travel for IHRFG meeting</li> </ul>	May bring in folks who are not committed to the issues
Meet/network with new peers	Feeling that the Council is not worth it—the meetings are ponderous and big
	Not independent

### **Discussion**

- The inability to screen members who want to join: Do we have an example where this would be a problem? The Working Group for Lesbian and Gay Issues stated that they never had difficulty with this. Environmental Grantmakers Association had concerns about corporate members becoming involved in their group so they don't publicize themselves in corporate circles.
- For our group, it is unlikely that notoriously immoral groups would want to spend time with us.
- One foundation has been a member for over 20 years, attended about 5 meetings but gave up since their proposals for session panels were constantly turned down. Joining wouldn't give IHRFG a guarantee of a session or panel, but it might be given priority over non-members.
- We would never have such a rich discussion at the CoF conference as we do here. It would be more about networking and outreach, than having discussions of substance.
- The Council has services and facilities, and there is no cost involved. Not much to lose from joining, and we can always leave if we don't like it.

### ➤ **Registering as a 501(c)(3)**

Participants held a preliminary discussion on the issue:

- Would be worth doing it for administrative reasons (to receive funds from IHRFG participants), since the Group does not collect dues and participants must contribute to covering costs. HM Jackson Foundation, a public foundation, has acted as a passthrough up until now but it is proving quite taxing for the foundation.

- Nancy Cunningham of the Working Group on Gay and Lesbian Issues recommended registering while we are small, since in all likelihood we'll eventually want to register to obtain grants.
- Creating 501(c)(3) status is simple. Can operate out of your house if you want. Just file taxes.
- A problem of growing administration; would argue against doing it now while we're small. Wait until we are bigger.
- Once we become a 501(c)(3), it doesn't cost more to maintain our status after initial costs.
- At some point, JM-GF will no longer contribute Mona and we may have to pay for staff. Then we will have payroll and things will become messy. We'll require an accountant.
- SC should present pros/cons of registering at the July meeting.
- What are the main costs for meetings? Speakers' travel and accommodation costs, meals; at some point we should begin giving honoraria.
- Although it's a hassle, it would be a good thing to think about doing—for future activities.
- There are lawyers who do pro bono work for 501(c)(3) status. We don't really need this service, as we can probably get the assistance of a foundation participant's lawyer.

## ➤ **Subgroup Reports**

- **Economic, Social, Cultural Rights** - Warren Allmand (Rights and Democracy)

This subgroup grew out of a Human Rights Education session two meetings ago, with Warren, Mark Rand, Larry Cox and others expressing interest at the time. Since then there hasn't been high interest expressed in this subgroup, although many individuals are involved in this area of human work. Therefore, we might rethink the need for this subgroup. Still, it's useful to review some accomplishments in the area of economic, social and cultural rights:

China has ratified the Covenant on Economic, Social and Cultural Rights (ESCR); neither the U.S. nor Canada have done so. ESCR should not be considered less important than civil and political rights. NGOs working on ESCR have been active in the globalization movement. Trade treaties must be read along with human treaties, so that human rights, not profits, are the goals of these treaties.

The subgroup may get together on an ad hoc basis, and report progress back to the Group. A possibility would be to have a lawyer and client discuss how they used international human rights law in a local case as a case summary [for the leveraging project]. We can build on this and have a speaker talk about why they moved in this direction, and have an opposing view-point.

- **Human Rights and the Environment** - Valentine Doyle (Lawson Valentine Foundation)

The group has been talking about the abuses of human rights and environment: destruction of terrain, destruction of people's livelihoods (fishing, rural/farming life). Much of human rights work overlaps with environmental work. A possibility is to do leveraging of environmental funders; they too are doing human rights work. If there are people interested, we can go several ways: spread the word to other environmental funders; have a listserve; refer applicants to other foundations; etc. Since they keep hearing that human rights and environmental issues are two different things, maybe a major activity should be educational work.

A point was raised about growing concern of how grants from foundations expose the grantees to risk in their region. How do you deal with the unintended risk? A participant responded that they talk to grantees first and discuss potential consequences. Not sure how great of a problem this is for grantees, though it seems these organizations understate the risks they face to the funders.

- **Human Rights and Peace** - Tom Leney (United Nations Foundation)

Tom spoke instead of Cynthia Ryan (Schooner Foundation) who heads the subgroup and who was unable to attend the meeting. The subgroup focuses on issues related to human rights, peace and security. In order to reach other funders, the group can contribute discussions regarding the value of a human rights approach to security (as in early warning of deteriorating security situation) and engage people who believe these two things – human rights and security -- are separate. Tom and Cynthia envision the subgroup as activity-based, holding events that are open to the public, showcasing activities that are being sponsored by the IHRFG on key issues, and utilizing this group for outreach to other funders. They would like to explore the possibility of a program for the July meeting. Current participants in the subgroup include Cora Weiss (Samuel Rubin), Melanie Greenberg (Hewlett) and Josh Mailman (Rausing).

## ➤ **Web site and Database**

Mijoung Chang, a new program assistant at the Joyce Mertz-Gilmore Foundation, whose work includes 50% time for the IHRFG, demonstrated the Group's Web site that is currently being developed – [www.HRfunders.org](http://www.HRfunders.org). The



Web site is expected to be online at the end of February. Funders who haven't sent in their questionnaires, or who need another copy of the questionnaire so that their funding is included in the online database should contact Mijoung at mchang@jmgf.org. The General Service Foundation was thanked for covering the cost of the consultant who is constructing the Web site.

#### ➤ **Next IHRFG Meetings**

The next meeting will be held on **July 15-16, 2002 in NYC**. Possible venues are Ellis Island (since participants liked the space when the meeting was held there in January 2001) and the Open Society Institute.

Next year's January meeting will be held on **January 13-14, 2003**, and will be in San Francisco again by popular demand. An effort will be made to attract even more funders from this area. It was suggested that the Group consider devoting the Human Rights Education Session to Human Rights and the Environment as it will no doubt interest many West coast funders, and because it's an extremely important area. It was also suggested that we should coordinate with the Northern California Grantmakers' meeting.

#### ➤ **Topics for July Meeting**

As usual, IHRFG participants will be asked to choose from a list of five topics that will be circulated. Attendees contributed the following topics, which are to be added to list compiled from previous meetings:

- HR Education Session: HR and security (evolving concept of human security); HR and the UN; HR and alternative sources of media (getting the word out and HR education); the right to water
- Networking Session: Helping grantees to greater resource independence; funding exit strategies
- Other suggestions:
  - invite a headlining speaker, such as HCHR Mary Robinson, for an evening event
  - hold a function for outsiders to attend

#### ➤ **Costs of July Meeting**

The following participants offered to cover the July 2002 meeting expenses: The John Merck Fund, United Nations Foundation and Open Society Institute.

#### ➤ **Steering Committee**

Tom Leney of the United Nations Foundation was welcomed as the newest member of the Steering Committee.

## **IV. PROGRAMMING TRENDS SESSION**

Facilitator: Anna Nygaard Yelk, Henry M. Jackson Foundation

A brief overview was provided on a recent survey conducted by the Human Rights Funders Group, asking 114 human rights NGOs to reflect on how they were responding to and being impacted by Sept 11 and the subsequent war on terrorism. Based on the 36 survey responses, Anna described 3 levels of impact on the human rights community: (1) concerns with changes in overall foreign policy environment and resulting setbacks to human rights situation globally; (2) operational challenges and opportunities (such as obtaining visas for exchange programs, or the emergence of new programs in response to new demands); and (3) a clear strategy of focusing on advocacy and public education in a time of heightened public awareness of these issues.

At this session, some of the funders talked about how Sept 11 impacted their funding priorities, if at all:

- MacArthur Foundation awarded \$5 million to existing grantees for public awareness raising, media work (to groups like National Public Radio, Human Rights Watch) after 9/11. Their response was more immediate, rather than a fundamental change in funding strategy.
- UN Foundation is currently seeking partners to fund projects on 9/11, particularly as they relate to the linkage between human rights and security.
- Open Society Institute is expanding in new areas and countries, and has recently started new foundations in Turkey and Indonesia. It was already working on issues of racial profiling and the question of balancing human rights and security. OSI has been conscious of channeling its post-Sept 11 funding to efforts that are

not already receiving other support (such as the September 11<sup>th</sup> Fund). There has been non fundamental shift in strategy.

- Banyan Tree Foundation is developing an education program on nonviolence, an area of growing interest. It is working with the U.S. Institute of Peace to teach that change can happen through conflict but without violence. Banyan Tree primarily funds the right to education and has supported a school for girls in Afghanistan.
- Ruben & Elisabeth Rausing Trust awarded a grant to a Pakistan-based organization working on supporting women living under Muslim law. It has also contributed matching funds to support civil society in the Middle East.
- US Institute of Peace is currently conducting a number of programs on the aftermath of 9/11, sponsoring panels, lectures, and research. It is currently accepting applications to fund research on anti-terrorism.
- Shaler Adams Foundation provides funding domestically to small, rights-focused organizations. Because of the tight economy, Shaler Adams is making small, emergency grants to existing grantees, and is also looking at economic implications of 9/11.
- Lawson Valentine Foundation makes small grants to small organizations. The most important thing they can do is not desert their current grantees, since other funding sources are shifting. Government funding is being cut back, impacting federal, state, and local services.
- Greenville Foundation realized there was a need for diversity in the messages sent to the public, aside from the mainstream media. It has supported different voices on important issues such as the Israeli-Palestinian conflict. This is a new strategy of foundation funding.
- Hewlett Foundation is also focusing on media initiatives, especially non-commercial media outlets. It is also funding issues of crimes of war, educational projects, and international crisis groups (anti-terrorism work).

## **Discussion**

- Is this a season of great danger or great opportunity for HR? It could be a combine of both. We are finding ways to explore opportunities; our understanding of security is deepening, beyond military and nation state power, with a focus on individual, human security. Making sure that we protect human security is a new way forward that can be embraced by the human rights community. Let's use this time as an opportunity to bring HR from the margins to the center.
- We can use our Web site to discuss this topic and unify our thinking.
- The challenge will lie in explaining how human security cannot be protected through military intervention alone, that essential to the protection of the individual is to secure rights to housing, health, and the environment. If you don't address root causes, just the symptoms, you are not going to cure problems of security.
- In talking about biological terrorism, we also need to look at the right to health.
- We need to do a better job linking the work of activists in the U.S. to the work of human rights activist abroad. There has been an opening of consciousness and interest, accelerated by 9/11 and the World Conference on Racism in South Africa.

## **V. FUNDERS' SOAPBOX**

Facilitator: Valentine Doyle, Lawson Valentine Foundation

### **Melanie Oliviero (MacArthur Foundation)**

- When the Funders' Soapbox was tried at the last meeting, we had really good results: concrete connections were made through presentations as well as with follow up activities. This is a signal of a real catalytic tool, linked to our aim to expand leveraging opportunities. Since members of this group are part of other funders group, it would be great to export this idea of a funders soapbox to other funder groups. It allows funders to change hats for a few minutes and talk about the multiple things they are involved with.

### **Warren Allmand (Rights and Democracy)**

- Rights and Democracy has intervened in the Gosland class action case in Canada, which has gone to the

Supreme Court, contending that if Canada is a signatory to UN treaties, provincial laws must comply. It's a very exciting case for economic, social and cultural rights that we'll keep you informed about.

#### **Chet Tchozewski (Global Greengrants)**

- Environmental justice—to raise consciousness of conservation groups about rights issues.
- Global Greengrants has added Heather Ryan who comes with a human rights background as a lawyer.
- Conference of Global Philanthropy Forum will be held at Stanford in March. Attendance is by invitation only. The Conference aims to attract new wealthy philanthropists to support international work. This is a project of the World Affairs Council of N. California, along with Hewlett Foundation and TOSA Foundation (which used to be Morgridge Foundation).

#### **Steven Riskin (U.S. Institute of Peace)**

- USIP is funded by Congress but with an independent board. The Institute's programs and activities include:
  - a human rights volume soon to be coming out
  - fellowships program for 12-15 people per year. (Broad qualifications are considered and Steve encouraged people to apply.)
  - grants of \$30-40,000 per projects (no core support)
- USIP is currently searching for a program officer for South Asia (with academic background).

#### **Maureen Aung-Thwin (Open Society Institute)**

- Programs and developments at OSI: The Burma project has expanded and is now the Southeast Asia Initiative. The Southwest Asia program is being run by Anthony Richter. OSI will also have an "illiberal Islam" focus.
- A new environment program will also be starting. They are also planning exit strategies in development funding. With Burma, OSI is already planning to prepare for a post-military regime—considering what the situation will be like, and not to repeat the experience of UN peacekeeping work in Cambodia or East Timor.
- Encouraged participants to consider ways to diversify our meetings, to include all ilk of views, various points of views.
- Welcomed help to move George Soros and his big business to take a more active role in human rights funding, such as by proposing conditions as having a percentage of profit going to human rights funding.

#### **Cora Weiss (Samuel Rubin Foundation)**

- Peace Education which includes human rights education, gender sensitivity, democracy, disarmament, alternative security arrangements and human security should be integrated into all curricula in all schools all over the world. Peace funders might take a look and no matter what else they fund, they could consider one grant to help prepare the next generations for non-violence.
- The MacArthur Foundation helped fund a new coalition—the NGO Working Group on Women, Peace and Security. Women, representing 5 organizations (Hague Appeal for Peace, International Alert, Amnesty International, Women's International League for Peace and Freedom, Women's Commission for Women Refugees and Children) came together to draft and lobby for a Security Council Resolution that was unanimously adopted on Oct 30, 2000, on Women Peace and Security. SC Resolution 1325 is now international law and calls for women, not one woman, at all levels of governance, in all UN missions, gender sensitivity in working with refugees, protection of women and girls in conflicts, and especially, more women at the negotiating tables. The coalition is now monitoring the resolution and training women to help get it implemented.
- Cora spoke of the importance of supporting organizations doing cross border peace making in areas of conflict (eg. India/Pakistan/Kashmir and Israel Palestine). These organizations take all the risk and need support. For example, Middle East Children's Association holds encounter sessions between Israeli and Palestinian teachers in third countries (they can only meet on email or abroad) and then uses the experiences in classrooms. They also do textbook rewriting—all in order to erase stereotypes, hate thinking, and to build peaceful relations among children.

#### **Dorothy Thomas (Shaler Adams Foundations)**

- An update on women's human rights work: activism is building globally, but at local level, the lessons are not being used. This observation is based from Shaler Adams experience with U.S. groups over six years, who are not using what they learned.
- Fear that a divide is developing between U.S. and the rest of the world. The U.S. is being placed in opposition to the rest of the world, which brings a divide between civil rights and HR. There are intentional U.S. effort to reinforce this divide.

**Miriam Porter (Open Society Institute)**

- At this year's annual meeting in Chicago, the Council on Foundations is hosting "Emerging Issues for Grantmakers: Human Rights in the United States" on April 30, 2:30-4pm. A number of IHRFG participants are responsible for organizing this session. IHRFG participants are invited to attend.

**Valentine Doyle (Lawson Valentine Foundation)**

- Also on the agenda at the Council of Foundations's meeting in Chicago is the issue of food security.
- Pitch for Grantmakers Without Borders ([www.internationaldonors.org](http://www.internationaldonors.org)).

**VI. NETWORKING SESSION: "Funding Grassroots Human Rights Organizations"**

Facilitator: Melanie Oliviero, MacArthur Foundation

[N.B. The format of this session has the facilitator "interview" the panelists. Apart from a few general questions directed to all, different questions are asked of each as the conversation evolves. Thus, the respondents vary from question to question.]

**Jenny Byers**

**Executive Director, Donor Services**

**Charities Aid Foundation**

**London, UNITED KINGDOM**

**Misti Sangani**

**Vice President, Programs and Evaluation**

**Global Fund for Women**

**San Francisco, CA**

**Joe Wilson**

**Program Officer**

**Public Welfare Foundation**

**Washington, DC**

**Q: Can you talk about your organization's approach to funding grassroots groups and how it does it?**

MS: Global Fund for Women has been supporting indigenous work of women's groups (small, grassroots) for general operating support the last 15 years, in places like Mexico, Nepal, and the Ukraine. They set the priorities. We are also helping to set up indigenous funds, to re-grant back into their own communities for independence. We have an international board of directors and an international advisory council (which bring groups and proposals to the foundation, makes recommendations). Many of our past grantees have become advisors. Also unique in having discretionary grants available for conference travel.

JW: Public Welfare Foundation is a private foundation that was established 54 years ago. It has been funding organizations that provide services, and that seek improvements for basic needs, "service advocacy empowerment". An organization's needs must be connected to larger efforts, particularly elevating economic, social and cultural rights, as well as civil and political (reproductive health, criminal justice, environmental, all HR work). Funding for HR and global security program include: organizing work by immigrant communities (mostly in U.S.); work addressing hate motivated crimes by communities, international HR work (especially in Central & South America). The foundation targets countries that it has historical connections (via with their board, etc) and makes long term commitment to profound popular movements which represent ideas outside of mainstream.

JB: Charities Aid Foundation has a long history in UK from 1924. It aims to be innovative, increase resources to nonprofit sector, fiscal and legal field, and be a source of knowledge for donors and nonprofits. We have a community foundation, a national and international bank, and manage finances of organizations' social investments. It works with many individual, corporate, and nonprofit donors. It has an international network of like organizations with offices in Moscow, D.C., and has sister organizations in Delhi, Sydney, Johannesburg, and Sophia. It serves as a re-grantor for other organizations and has strong links with nonprofits and intermediaries around the world. In area of HR, our work in Russia and Eastern Europe is significant, as well as India. It gets funds from government, donors, and through partnership.

**Q: How and why do you select grassroots organizations?**

JB: Issuing funds can create more danger. The approach is you need to go directly to grassroots. Provide or identify support framework, like through local offices for organizations. It is different from country to country, some are more organized than others. Ethnic groups are more informal; it's a question of cultural groups more than country.

JW: Communities are being marginalized. Our foundation believes that people living through situations know best. We support work in El Salvador. The approach is to address basic needs with vision, and organically: a civil war that is also a philosophical war. Communities most excluded are leading socialist visionary struggle and their work is supporting agricultural cooperatives, women's organizing, etc. Their work is philosophically connected to other efforts. We avoid funding at top level, versus grassroots.

**Q: How do you deal with the possible risks involved for grantees?**

MS: In Afghanistan, we've been funding over 50 groups for 8 years. Many are along the border, going to the home schools for girls. We were wiring funds and communicating through Pakistan. Cell phones have freed up activists of dangers. We have to be very careful when publishing annual reports, and talking to media. We always ask the grantees first. Many want to be exposed, many don't.

**Q: How do you leverage more money?**

JW: We want to help guide these organizations and build their capacity to attract other funding. The idea is to have the organizations have common support.

**Q: What are strategies for sustaining the groups?**

MS: Provide technical assistance. Tap into indigenous philanthropy; there is a lot of money in these countries (tap into the business community folks, expatriate community). A lot of women's groups ask for consultants, so we refer some from our international advisory council. It's a way to make links.

**Q: What have been the challenges and what are the lessons you have learned?**

JB: It is a labor-intensive approach. Most grantees work quite leanly, depend on few people in the organization. We aim to deepen capacity.

JW: The biggest challenge of working in 6 different countries is language. We have Spanish speaking staff, but there is miscommunication. We were supporting an organization in South Africa but had difficulty communicating and staying in touch.

MS: We discuss immediately about expectations and accountability with the grantees. It has been difficult wiring funds to regions where, due to U.S. policy, there might be a ban. Another challenge is selecting advisors, to get a real sense of politics on the ground, and to understand what situation it puts advisors. We have term limits for advisors.

**Q: How do you select advisors?**

MS: Majority are grantees, activists, some are program staff of other foundations, to get different lens in grantmaking. Some are academics, politicians, board nominated.

**Q: Where is the ceiling between when you're successful building a grassroots organization and being a larger organization?**

MS: It's a struggle. We have funded some groups for 4 or 5 grants. We look to see if they have grants from other foundations. We try our best to move to the bottom layer. We ask about their funding sources and help guide diversification of support.

JW: We see the developments of the organization's work.

JB: We look at the stage of development.

**Q: How do you know how long to stay with funding an organization?**

JB: We look at the project proposal. More people are looking at just making grant.

JW: Staff person recommends. There is no formula.

MS: It's a line in the sand. Because we make small grants, we make them strategically. We try to get a sense of funding diversity for the organization and continue the relationship.

**Q: What about small groups that choose to stay small, and not grow?**

JW: Growth in vision is more important than growth in size. So not charitable effort by organizations but them making more links.

**Q: How is the organic nature of work being "projectized" by donors?**

MS: Certain groups report to us about changing their project and checking if that is ok, even though our fund is for general operation support. So it's ok.

JW: Role in challenging ourselves; in-house we must make the case for 'expenditure responsibility'; grantee views the grant as 'general support'.

**Q: What is the relationship between community-based groups with more elite ones?**

JW: Always support work that connects to larger issues. Should recognize grassroots basis.

MS: Ask about decision making. How does decision making work? Have a discussion with them about their relationships with others groups.

**Q: Groups form from a leader. Or other times a group builds a leader. How do you address the situation when there is this lack?**

A: Capacity building. Make grants to deliberately encourage this leadership. This is the grassroots problematic. Is it a project goal or movement goal? It depends on this. Donors impose their own judgment all the time.

**Q: How comfortable are you coming in as the sole, or majority donor?**

JB: We look to fund as a single funder or as multi funders.

JW: It's not an issue.

MS: In many cases, we are the sole funder.

**Q: How important are site visits?**

MS: We rely on our international advisors on the field. Not very much site visits.

JW: Site visits are essential. Our Board would not consider any grant unless staff has visited.

JB: It depends on the environment, the size of grant, etc.

**Q: How do you measure success?**

MS: We use final report, which is reviewed by staff. Lot of self-evaluation of the groups.

JB: That they continue to exist!

JW: Public Welfare's process is ad hoc. By sitting down and getting the context of community, and have local discussion, see who they are working with. We also send in-house evaluations to our Board.

**Q: Do you calculate a cost per transaction? Can you take total overhead and divide by number of grants?**

[Discussion among participants: if you make a small grant to India and a site visit costs \$12,000, its not cost effective to make small grants! An external evaluation can cost \$30,000. For Global Greengrants, the cost per grant is \$1,000. Numbers of fungible; look at how foundations calculate the 5% pay-out required by IRS law with all sorts of administrative costs related to making the grant deducted.]

**Q: Who are we serving with these evaluations, grantees or our boards? Move away from technocratic "evaluation and monitoring", and fund long term process. How do we find a way to make groups accountable not to funders or board, but to its constituency and its community?**

A: We're not thinking about the growth of relationship that is made. There is contract and trust. A different cost of value over time. Different from isolated projects. Narrow minded understanding of costs. Need to understand it in different, complex ways.

Creative ways of budgeting that we understand. How do grantmakers value the social cost?

**Q: How many organizations can you manage to give grants? What is your budget?**

JW: Eighty active grants at about 10 new a year at \$3million.

MS: \$4 million. 106 advisors. 400 proposals per cycle (total of 6 cycles), about 60% renewal and 40% new.

### **Discussion**

- Things for future agendas: look at ways individuals can make tax-deductible donations easily.
- How does partnership and collaboration work in IHFRG? This should be a topic for future meeting! Can be part of our Web site (discussion forum)! Participants who have a project who want to involve others can put it on Web site. Use the Web site also to vent grants.
- Calvert Trust (part of Calvert Foundation): clients can move their funds to donor advised funds, can choose to give to any U.S. nonprofit organization. Maybe an idea for the Fund for Global HR?
- Is there a way we can do social research for leveraging? Should we encourage/research this? How do we measure this? Lisa Jordon at Ford Foundation has some materials. A chapter is being written by Melanie Oliviero and Adele Simmons for a new Global Civil Society yearbook by the London School of Economic. A 1982 book by Alan Schneider on civil society , Striking a Balance, was recommended. Another paper was recommended which is on places where riots broke out in India ("Ethnic Conflict and Civil Society").