



**Euro-Mediterranean Foundation of Support  
to Human Rights Defenders (EMHRF)**

# **Third Consultation of the Council of Representatives**

2 June 2012 - Copenhagen

*Minutes*

**[www.emhrf.org](http://www.emhrf.org)**

# TABLE OF CONTENTS

<b><u>1. OPENING OF THE THIRD CONSULTATION OF THE COUNCIL OF REPRESENTATIVES BY CHRISTINE M. MERKEL, VICE-PRESIDENT .....</u></b>	<b><u>3</u></b>
<b><u>2. REPORT ON ACTIVITIES AND FINANCES FOR THE PERIOD 2009-11 BY ANNE-SOPHIE SCHAEFFER, PROGRAMME DIRECTOR .....</u></b>	<b><u>4</u></b>
2.1 MAJOR ACTIVITIES UNDERTAKEN DURING THE PERIOD.....	4
2.2 OVERVIEW OF FINANCIAL IMPLICATIONS .....	19
<b><u>3. SUGGESTIONS FOR THE FOUNDATION’S FUTURE STRATEGIC ORIENTATIONS BY MERVAT RISHMAWI, EXTERNAL CONSULTANT.....</u></b>	<b><u>21</u></b>
3.1. THE FOUNDATION’S GEOGRAPHIC MANDATE .....	21
3.2. THE FOUNDATION’S PROFILE .....	21
3.3. PRESENCE OF THE FOUNDATION IN THE REGION.....	22
3.4. ACTIVITIES OF THE FOUNDATION FOCUSED ON CAPACITY BUILDING .....	22
<b><u>4. DISCUSSION ABOUT THE ACTIVITIES AND ORIENTATION OF THE FOUNDATION WITH MEMBERS OF THE COUNCIL OF REPRESENTATIVES .....</u></b>	<b><u>23</u></b>
4.1 PRAGMATISM IN THE EVOLUTION OF THE FOUNDATION’S ACTIVITIES .....	23
4.2 VISIBILITY OF ITS ACTIVITIES.....	23
4.3 SELECTION OF APPLICATIONS AND DECISION-MAKING PROCESS.....	24
4.4 MONEY TRANSFERS .....	24
4.5 PREFERENCE FOR SUPPORTING SMALL AND EMERGING LOCAL ACTORS .....	24
4.6 DRYING UP OF FUNDING SOURCES BENEFITING LOCAL NGOs .....	24
<b><u>5. CLOSING OF THE THIRD CONSULTATION OF THE COUNCIL OF REPRESENTATIVES .....</u></b>	<b><u>26</u></b>
<b><u>ANNEX 1: AGENDA, THIRD CONSULTATION OF THE COUNCIL OF REPRESENTATIVES .....</u></b>	<b><u>27</u></b>
<b><u>ANNEX 2: LIST OF PARTICIPANTS, THIRD CONSULTATION OF THE COUNCIL OF REPRESENTATIVES.....</u></b>	<b><u>28</u></b>

# 1. Opening of the Third Consultation of the Council of Representatives by Christine M. Merkel, Vice-President

The Vice-President of the Foundation, Christine M. Merkel, opened the third consultation of the Council of Representatives on Saturday, 2 June 2012, by welcoming all participants on behalf of the Board.

She then introduced Board members attending the meeting: Lynn Welchman, Bahey El Din Hassan and Kamel Jendoubi, as well as the members of the Secretariat staff in attendance: Anne-Sophie Schaeffer, Rami Salhi, Roger Jalkh and Katrine Høybye Frederiksen. Apologies for their absence due to professional commitments were made on behalf of the President of the EMHRF, Driss El Yazami, and the other Board members, Leila Rhiwi, Hanny Megally, Khémaïs Chammari and Eskil Trolle.<sup>1</sup>

The Vice-President also introduced Mervat Rishwami, an external consultant who had been asked by the Board to provide analyses and advice on the future orientations of the Foundation.

The Vice-President stressed the importance that the Board attaches to the Consultation with the Council of Representatives as a platform to share ideas and listen to advice on the Foundation's past activities and future endeavours in light of its experience and of developments in its environment.

In the past few years, the Foundation has attempted to focus its strategy on strengthening the human rights movement while adjusting it to the transformation of Arab societies.

---

<sup>1</sup> Participants were notified that the terms of Board members ending this year (Eskil Trolle, Lynn Welchman, Hanny Megally and Bahey El Din Hassan) had been renewed for six years on 12-13 May 2012, given the need to bolster the Foundation's strategic and structural orientations in the current period of major transformations.

## 2. Report on activities and finances for the period 2009-11 by Anne-Sophie Schaeffer, programme director

### 2.1 Major activities undertaken during the period

In introducing her subject, Anne-Sophie Schaeffer drew attention to several principles and activities that validate the relevance of the Foundation's approach. The Foundation maintained its presence and continued to intervene in the context of the developments that took place in the Arab region between 2009 and 2011.

- The Foundation gave particular emphasis to **supporting individual defenders** by financing medical care and basic needs. Individual defenders account for about 70 percent of all beneficiaries.
- The human rights situation in **Syria** remained a central concern of the Foundation. A number of interventions were focused on protecting defenders and documenting the repression waged by the regime in an environment where major donors often do not have the mechanisms in place to transfer funds with the speed and creativity imposed by the situation, nor the means to make a large number of small individual grants. The Foundation's intervention in Syria accounted for 34 percent of all its grants in 2009-11.
- Before the fall of the regime in **Tunisia**, priority had been given to sustain the activities of civil society organisations (CSOs). Beginning in 2011, the Foundation organised an exploratory regional mission to focus its actions on supporting defenders and emerging initiatives undertaken by new actors in remote regions. In this capacity, the Foundation is increasingly acting as an interface for international actors, including donors, in providing effective, sustainable support and meeting the needs of defenders and CSOs.
- In the Foundation's interventions, particular emphasis was given to **especially vulnerable groups** – minorities (including LGBTQ), prisoners of conscience, women, etc. – and to **core thematic concerns in the region**: fighting impunity; strengthening the protection of economic and social rights; protecting the rights of migrants, refugees and asylum seekers; strengthening women's leadership and protecting women's rights, etc.
- The Foundation decided it was essential to proactively adapt its action to **developments and new dynamics in the region** by organising regular field visits. This focus was also given tangible form by the organisation of a "think-tank" seminar in early 2011 as a complement to the Foundation's usual support activities. This gathering – one of the first to take place against the background of the dramatic events that were shaking the region – proved to be decisive by favouring the sharing of ideas and reactions as a prelude to the development of strategies aimed at promoting democracy and strengthen the protection of human rights.

- In response to the needs expressed by local actors in these evolving settings, the Foundation, in addition to providing financial support, gave pride of place in its intervention strategy to its **partnerships with major actors at the national, regional and international levels.**

As a result of this evolution, the Foundation's role in supporting human rights defenders has developed further, with priority being given to ethics, responsiveness, complementarity and action at the community level. The position adopted by the Foundation during the period 2009-11 is a reflection of this emphasis, which was given tangible form in actions centred around the two poles described below – namely, direct and indirect support provided to defenders.

### **2.1.1. Direct interventions in support of human rights defenders in the short and medium terms**

The support it received from its main donors<sup>2</sup> made it possible for the Euro-Mediterranean Foundation of Support to Human Rights Defenders (EMHRF) to allocate direct financial support on 121 occasions, in the timeframes and with the flexibility needed, to **204 defenders**<sup>3</sup> (specifically 146 individuals and 58 groups or NGOs) to assist them in overcoming their difficulties and strengthening their capacities to act in the countries of the South-East Mediterranean

During the period 2009-2011, the total amount involved reached **€ 1,383,118**, accounting for 55 percent of the Foundation's total budget.

The beneficiaries of those interventions were members of the civil society acting in the following countries: Morocco, Algeria, Tunisia, Libya, Egypt, Lebanon, Syria, Jordan, Palestine and Israel.

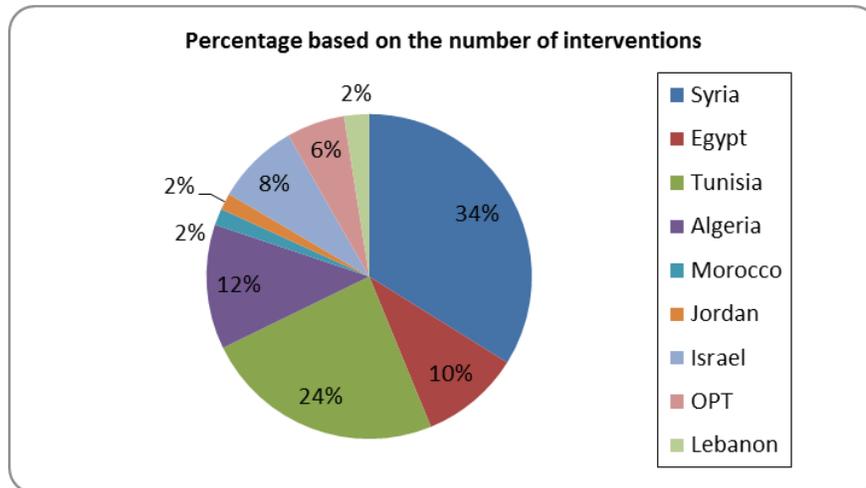
The Foundation also monitored closely changes that are taking place in other Arab countries, such as Yemen and Bahrain, to refine its approach and its assessment of the impact of these changes on the southern Mediterranean.

Within the framework of its direct support actions, the Foundation gave special consideration to the **countries of the region where needs were deemed to be particularly important due to the context in which civil society operates.**

---

<sup>2</sup> The EMHRF was able to undertake these actions during 2009-2011 thanks to the support of, inter alia, the Swedish Agency for Development and Cooperation (SIDA), the European Union (EIDHR and IFS), the Danish Agency for International Development (DANIDA), the Open Society Foundations (OSF), the Sigrid Rausing Trust, the French Ministry of Foreign and European Affairs (MAEE) and a number of private funds.

<sup>3</sup> <sup>3</sup> Out of 624 information and funding requests from human rights defenders that were received and processed by the staff of the EMHRF, 17% led to emergency or strategic interventions for the period under study. Most requests were submitted directly by defenders who had heard of the EMHRF by word of mouth (defenders, partners) or during visits, through members of the EMHRN or through the EMHRF website. About 16% of the final beneficiaries approached the Foundation through an intermediary, either an individual or an association; they all concerned individual cases from Syria and were either due to the sensitivity of the matter or the fact that the applicant was imprisoned. About 12% of the final beneficiaries were members of the Euro-Mediterranean Human Rights Network (EMHRN).



The financial support allocated by the Foundation falls into three broad categories. These however are not static and evolve with developments and needs expressed by the defenders.<sup>4</sup>

#### 2.1.1.1. Urgent financial support to human rights defenders facing difficulties or at risk

The EMHRF conducted timely, short-term, tangible and discreet interventions in order to provide emergency support to human rights defenders in the region that were facing difficulties or at risk. The interventions were carried out by way of 61 secure electronic consultations.<sup>5</sup>

These emergency actions provided support to, *inter alia*:

- Sixteen defenders (two Egyptian, one Algerian, one Tunisian and twelve Syrian) or their families whose lives were at risk due to **severe health problems** in order to allow them to obtain suitable medical treatment and medication in their country or abroad. In granting this support, the Foundation took into consideration the seriousness of the violations of the beneficiaries' rights and/or their incapacity to meet these expenses.
- Six Tunisian defenders, nine Syrian defenders and the family of one Israeli defender, who faced threats to their lives or continuing harassment and arbitrary legal proceedings in their country, in order to sustain their **basic personal and professional needs** to enable them to overcome their plight, eventually ensure their safety or develop prospects for pursuing their human rights work in their countries.
- Six **Syrian defenders living in exile** because of their activities in favour of democratisation and human rights in their country. This support was granted in consideration of the death threats

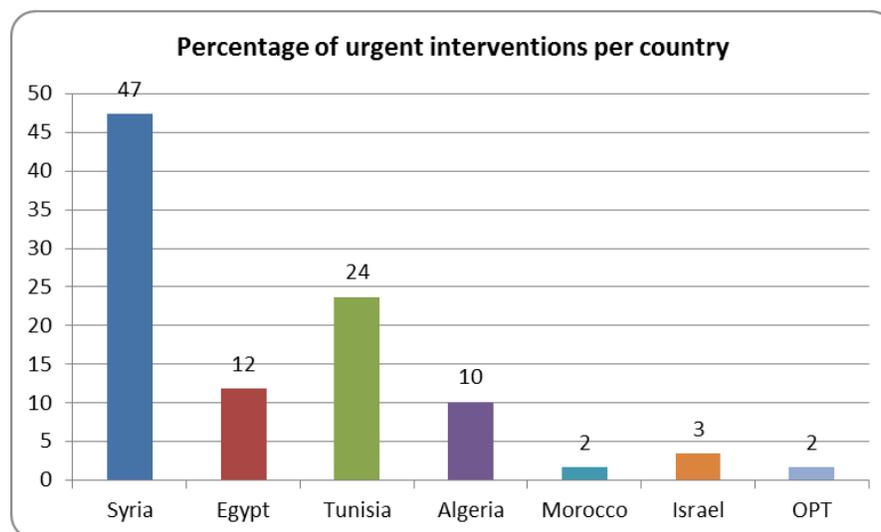
<sup>4</sup> Two mechanisms have been established by the Foundation to respond flexibly to the needs expressed by human rights defenders: an urgent-response mechanism, allowing the Board to take a decision on an application the threshold of which is around € 5.000 within maximum 10 days and a regular consultation mechanism on the occasion of the annual meetings of the Board, where proposals which can amount to € 40,000 are discussed.

<sup>5</sup> The Foundation maintained a policy of confidentiality regarding most of the information related to the beneficiaries of its funding. This policy was adopted and implemented because of the serious risks to which the activities and persons applying for funding, the recipients of funds or other human rights defenders in the region could be exposed.

these exiled defenders had received and to sustain their basic living needs as well as that of their families until their situation stabilised.

- The material, operating and rental costs of eleven human rights groups or organisations that were facing **sudden or unforeseen administrative, legal or financial obstacles**, in order to allow them to refine their strategy to promote respect for human rights in Syria, Algeria, Tunisia, Egypt and Morocco.
- Eleven urgent projects, carried out by ten human rights groups and organisations, **for which time was of the essence** to ensure respect for human rights or to prevent further deterioration of the human rights situation in Tunisia, Egypt, Algeria and Israel. These projects made it possible to organise key strategic meetings or awareness campaigns at the national or international level to highlight human rights violations occurring in these countries. This support was granted in consideration of the difficulty for the defenders to secure funding from other donors in a safe and timely fashion.

The following chart indicates the percentage of urgent support allocated by the EMHRF per country during the period 2009-2011:



Since one of the main objectives of the Foundation is to support defenders facing difficulties over the medium and long term, the EMHRF has strived to **coordinate its action with key partners** to ensure effective complementary support for several of those defenders and their families.

More specifically:

- The EMHRF was instrumental in arranging for seven international partners to bear the additional costs associated with medical treatments for six human rights defenders, the reimbursement of the rental and operating costs of one human rights organisation facing difficulties, two emergency projects, the participation of two Tunisian defenders in a key strategic meeting abroad, and the basic living expenses of four Syrian defenders and their families. In three cases, the Foundation acted as a direct intermediary.

- The EMHRF has coordinated its actions with a specialized non-governmental organisation so that six Syrian defenders facing serious medical problems could receive suitable **rehabilitation services**.
- The Foundation has coordinated its urgent actions in favour of twelve defenders with several regional and international organisations as part of their **solidarity activities** (campaigns, press releases, trial observation missions, field visits, letters to the authorities, training, etc.).
- The Foundation has played and continues to play **an advisory role** to one defender and six associations, newly-created and/or facing difficulties, by outlining the steps to take in project methodology and in raising funds from outside sources; it also forwarded a list of potential donors that might be approached to support future projects.

On the whole, the **outcome** of the urgent interventions conducted by the Foundation was positive:

- These interventions resulted in the noticeable **improvement of the physical and psychological capacities** of one Algerian, seven Tunisian and twenty-two Syrian defenders who experienced living conditions that were particularly difficult either because of health problems, ongoing harassment or arbitrary legal proceedings, or because of an important increase in their activities due to major political changes in their countries.
  - Sixteen of the defenders were able to receive in their country or abroad suitable medical treatments which, had they not been administered, might have endangered their lives. Eight of them were able to resume their human rights activities. Unfortunately, three defenders were unable to overcome illness over the long term because of a serious immune deficiency.
  - One Egyptian and seven Tunisian defenders experienced an improvement in their professional life (in the political or associative field) during the period of transition thanks in part to the support received from the EMHRF. Four of these defenders actively prepared the renewal of the structure and positioning of one major human rights group in the new transitional context in Tunisia.
  - Ten Syrian defenders who had received death threats, including one recently released from jail, are now safe outside the country and are able to continue their human rights activities from abroad. Five others were able to avoid further deterioration of their personal safety and are now pursuing their action while in hiding inside the country.
- The actions of the EMHRF have **helped securing the means** for eleven human rights groups or organisations to pursue their activities in promoting and defending human rights in Tunisia, Algeria, Egypt and Morocco. Without this bridging support, they would have been unable to do so. Two of the Algerian organisations were also able to restructure and review their programmes. Finally, thanks to this action, a new group of defenders began its operations documenting mass human rights violations in several Syrian towns from May 2011 onward. At the present time, the financial position for the majority of those groups and organisations is positive, with the exception of four groups that still need the support of the Foundation.
- Thanks to EMHRF initiatives, five **urgent awareness-raising campaigns** were undertaken at the national, regional and international levels to promote respect for fundamental rights and to counter the adoption of a repressive law criminalising Israeli citizens who support and participate in boycotts against the occupation, to condemn the demolition of unrecognized

villages in the Negev and to denounce the conditions of detention of Tunisian migrants in Italy as well as arbitrary detentions and torture in Tunisia. The results of these emergency interventions have been mixed due to public policies adopted on both shores of the Mediterranean (EU Member States policies on immigration and asylum; the Knesset adopted the anti-boycott law on July 11, 2011; and the demolition of unrecognized villages continues in the Negev, the last demolition having taken place on July 25, 2011). However, they did raise the awareness of national and international public opinion on these issues, and helped document the plight of the Tunisians detained at Lampedusa and Gorizia and ensure their legal representation. They also allowed the documenting of the repression of non-violent demonstrations in the mining area in Tunisia before the collapse of the regime, and reduced the pressure and trauma felt by scores of women and children living in unrecognized villages in the Negev.

- The Foundation's interventions also allowed three organisations to undertake **emergency actions related to the upheavals underway in Tunisia, Egypt and Algeria**. Their goal was either to raise awareness among young people and women about challenges and reforms at stake in Tunisia and Algeria, or to document violations committed by the former regime against protesters in remote areas of Egypt from January 25 onward.
- Finally, thanks to the actions, three defenders were able to take part in **key strategic meetings with international bodies** (both NGOs and inter-governmental organisations) in the course of which they promoted their independence, promoted respect of the rights of independent Tunisian journalists and attempted to find a satisfactory solution to the plight of a number of migrants and refugees in Egypt.

#### 2.1.1.2. Solidarity funds in support of defenders, current or former prisoners of conscience in Tunisia and Syria

During 2009-2010, the Foundation established and renewed **two solidarity funds** intended to support 107 Syrian and Tunisian defenders, current and former prisoners of conscience, as well as their families.

The main purpose of those two funds was to sustain the basic needs of human rights defenders who, because of their activities, have been arbitrarily imprisoned or dismissed from their jobs and thus were unable to attend to the basic needs of their families.

Consequently, more than one hundred defenders and their families have been able to develop future prospects for their actions, which have been and still are instrumental in bringing about the transformation processes underway in Syria and Tunisia.

During a visit to Tunisia in October 2011, members of the Foundation were welcomed by a delegation of some thirty trade union leaders, former prisoners and representatives of Redeyef and Gafsa civil society. This was the first official meeting between members of the Foundation and the leaders of the peaceful protest movement in the mining region, which received support from the EMHRF since 2008.

During this meeting, union leaders expressed their thanks to all the members of the Foundation for the assistance provided by the Foundation during times of harsh repression and imprisonment, as well as later. This invaluable support had helped the resistance and the militant movement. It was both an

honour and a historic moment for the Foundation to be able to meet the leaders and activists of the mining basin movement, who were the forerunners of the Tunisian revolution. The rights to health and to life, among others, are basic rights of each individual, and the Foundation's role consists precisely in defending these rights and those who protect them.

### **2.1.1.3. Interventions aimed at strengthening the capacities of defenders to develop and implement programmes dealing with sensitive and innovative issues**

The Foundation has granted support primarily aimed at bolstering the capacities of defenders and independent human rights associations to develop and implement programmes and projects focussing on sensitive and innovative issues in the regional context.

Following decisions taken in the course of its seven meetings during 2009-2011, the Board has granted support to 50 NGOs, groups and defenders in the region.

The goals of these strategic interventions were the following:

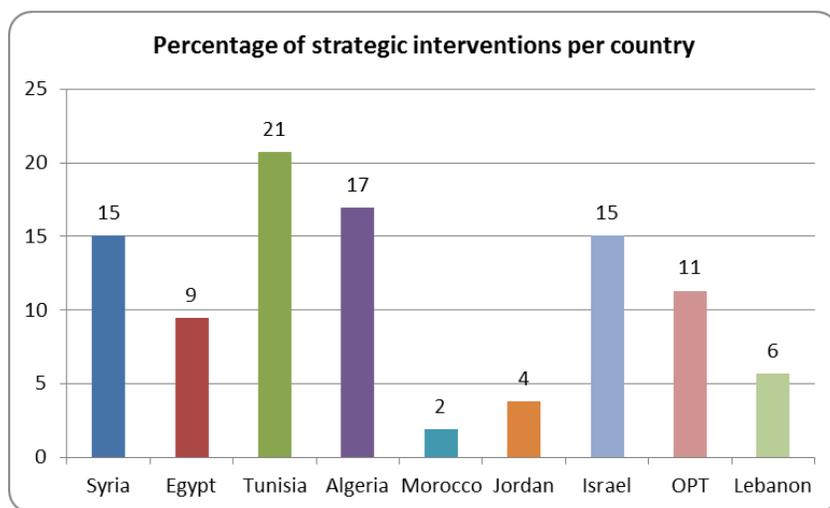
- ***Increase ability to provide legal, psychological and humanitarian aid and represent the victims of human rights violations*** by seventeen human rights groups and organisations, in particular organisations dedicated to defending the rights of marginalized women, migrants and refugees, minorities, victims of torture and labour union activists facing arbitrary administrative and judicial proceedings in the region.
- ***Enhance monitoring of human rights violations through the publication of comprehensive, factual reports*** by thirteen organisations seeking to raise the awareness of civil society and local authorities about sensitive issues, in particular on issues related to the human rights situation in Syria and Israel, the need to fight against torture and defend economic and social rights as well as the rights of migrants, refugees and stateless persons, women and handicapped persons in the region.
- ***Strengthen advocacy efforts in favour of respect for human rights*** aimed at national, regional and international bodies, in particular on issues related to enforced disappearances, women's rights, the rights of minorities and refugees, by thirteen associations in the region. The advocacy activities of seven of these associations were made possible in part, thanks to the publication of detailed reports and the provision of legal aid to victims of violations.
- ***Strengthen the institutional capacities and strategies of NGOs to deal with human rights issues through networking and training activities.*** These initiatives have been undertaken by seventeen local associations and have reached human rights associations, journalists, women, young people, LGBTQ and the general public. These networking and training activities have focused on the human rights instruments, the protection mechanisms applicable at the national and international levels, the development of communication tools and coordinated strategies.

In pursuing these objectives, the Foundation has subsidised operating costs (including physical and human resources), legal costs, costs of translating and publishing and travel costs to organise training sessions or attend meetings at the local or international levels.

When reviewing standard funding requests, greater emphasis was placed by the Board on projects targeting groups that can be seen as particularly vulnerable or needing special assistance, as well as projects focusing on subjects that are particularly significant and sensitive in the regional context, such as the following:

- Protecting civil and political rights, including the promotion of citizenship and the fight against impunity (thirteen initiatives in Syria, Algeria, Tunisia, Egypt and Israel).
- Protecting economic and social rights (seven initiatives in Syria, Tunisia, Palestine and Algeria).
- Protecting women’s rights and strengthening their leadership (nine initiatives in Algeria, Israel and Palestine, Tunisia and Egypt).
- Protecting the rights of minorities (seven initiatives in Syria, Israel, Lebanon and Egypt)
- Protecting the rights of migrants, refugees and asylum seekers (eight initiatives in Lebanon, Morocco, Tunisia, Egypt, Syria, Jordan and Israel).
- Defending freedom of expression and the right to cultural and artistic creativity (seven initiatives in Israel-Palestine, Algeria and Tunisia).
- Combating homophobia and promoting the rights of LGBTQ (one initiative in Palestine)
- Combating corruption (one initiative in Jordan).

The following chart illustrates the percentage of strategic interventions allocated by the EMHRF per country during the period 2009-2011:



In its role as intermediary and advisor to the beneficiaries of its grants, the EMHRF:

- Encouraged twenty one organisations to **establish and maintain contacts** with other associations in the country or abroad and with networks that are active at the regional and international level. The purpose of these contacts was to enable the organisations to share information on their experience, to examine the potential for synergies and coordinated actions, and as a result to benefit from non-financial support that contribute to the resonance and sustainability of their activities.
- Encouraged and assisted twenty associations, including nine newly-created ones, in **developing annual or multiyear action plans, backed by a fundraising strategy**, to enable the Foundation,

in consultation with partners, to respond strategically to the needs of these organisations over the long time.

- In eighteen cases, facilitated contact, acted as intermediary, forwarded a list of potential donors and/or helped in **the submission of funding requests**.

The main **results** of these support actions to 50 groups and NGOs have been particularly positive. On the whole, the interventions which are either completed or at an advanced stage, have made it possible:

- For eight human rights groups and associations active in countries where the context is particularly difficult (Syria, Egypt, Algeria) to **maintain a physical presence** and activities; to increase the **visibility** and capacities of twenty new initiatives (Tunisia, Israel, Palestine, Egypt, Algeria) and nineteen other associations (Lebanon, Israel, Palestine, Algeria, Morocco, Egypt, Tunisia, Jordan) to work on **innovative and sensitive issues** in the regional context;
- For a human rights group to organize a first-time advocacy campaign by way of publications and travel. Thanks to this campaign, **some thirty prisoners of conscience who had been arbitrarily sentenced and jailed were released**;
- For a women's rights organisation to define a **national strategy to combat the increased political harassment human rights defenders are facing**;
- For ten groups and associations to publish **quality documentaries, analyses and detailed studies on issues that were not broached before in their country**, such as on the situation of stateless persons, the commodification of women's bodies, etc. Four of these groups have documented enforced disappearance and torture cases that occurred before the dictatorship was toppled in Tunisia, and in Syria at the moment;
- For seven organisations to put in place **new care structures for marginalized persons and victims of violations** and, for one of these organisations, to receive the support of a national network to increase its visibility and engage in long-term activities;
- For **nine quality initiatives carried out by new civil society actors in Tunisia - youth, women, former military personnel, etc. - to launch new actions aimed at promoting and protecting respect for human rights** in the transitional context early 2011. The interventions were intended to strengthen the organizational capacities of these groups to promote citizenship, respect for economic, social and cultural rights, freedom of expression and of the press as well as the rights of women, migrants and refugees in the region;
- For local actors to launch with an international organization **an accusation proceeding as well as a complaint on the basis of the universal jurisdiction against an Algerian official**, accused of inciting torture, committing murders and other acts of inhumane treatments;
- For two organisations to prepare the ground for the **first networks focusing on support to and the protection** of the economic and social rights of women in the private sector in Palestine and to combat corruption at the regional level;

- For more than **10 000 citizens and associative actors to receive training** from seventeen NGOs on the issue of citizenship and its central role in the transitional contexts at work, on relevant human rights instruments and mechanisms (human rights in general, women's rights, rights of journalists, fight against corruption, etc.), on the development of communication tools and on project management;
- For thirteen human rights organisations, which have been advised by the Foundation, to **secure prospects for funding from other donors**, and thus to increase their autonomy and ensure the sustainability of their activities in the medium term;
- For a dozen groups and NGOs to **bolster their administrative and financial management capacities**, thanks to the advice and follow-up provided by the EMHRF staff as part of the preparation of the financial and activity reports;
- For **several regional and international actors to receive detailed information on the human rights situations and violations**, thanks to the statements and publications issued by nine groups and NGOs receiving support from the Foundation, among others. The actors thus conducted solidarity initiatives in support of Syrian, Tunisian and Israeli defenders.

Despite the positive results detailed above, the results of some of the initiatives can be considered as ***mixed*** on the long term due to policies adopted by countries on both shores of the Mediterranean (in particular policies of EU member states on migration and asylum, and the reforms/laws adopted by countries such as Algeria, Israel and Egypt recently). Moreover, the long-term results of support to five beneficiaries might be qualified as negative due to lack of transparency on their initial objectives as well as a lack of analytical and organisational capacities needed to fulfil their mandate.

### **2.1.2. Indirect interventions to strengthen the actions of human rights defenders in the long term**

During 2009-2011, the Foundation undertook a certain number of actions - other than financial - to support human rights defenders. The purpose of these actions was not only to regularly assess the developments occurring in the region, the impact of the assistance provided and, if appropriate, to consider adapted support actions but also to strengthen partnerships with key actors geared to supporting human rights defenders over the long term.

Three activities were devoted to achieving this goal.

#### **2.1.2.1. Reinforced local presence of the Foundation and field visits**

The purpose of this action being to regularly assess the impact of support and study the possibility of longer-term support for defenders, five field visits as well as follow-up meetings with defenders in Europe were conducted during the period 2009-2011.

- 1. Several follow-up meetings, in particular with Syrian, Algerian, Egyptian and Tunisian defenders in Europe in 2009-2010.** During those two years, representatives of the Foundation organized 10

follow-up meetings with defenders facing difficulties and/or beneficiaries of support. Aside from a regular follow-up on the situation of defenders from countries undergoing difficult circumstances, these meetings (held in Europe due to security preoccupations) aimed at encouraging collaboration with other regional and international partners of the Foundation with the intent to provide complementary non-financial assistance to the defenders. The results of these follow-up and coordination meetings were very encouraging as the Foundation could consider closer follow-up action and additional measures for ten defenders and NGOs facing difficulties in order to secure a complementary support for their action. It is to be noted that several recommendations made in relation to these meetings were communicated to several close partners of the Foundation at the international level. Several defenders entered into partnerships with some of these actors in the framework of advocacy and solidarity missions in 2011.

2. **A visit to Algeria in 2009.** The objective was to meet civil society groups and human rights defenders to take the pulse of the situation on the ground and make recommendations to the Board about potential strategic actions in support of civil society actors. The visit gave the opportunity to meet international organisations and foreign delegations in order to apprise them of the Foundation's activities and discuss possible information exchange between these actors and the Foundation's local partners. The report of the visit and the recommendations on actions and follow-up were discussed during a regular Board meeting. As a result, a follow-up on five partners was carried out; support was provided to a defender at risk as well as to two organisations to embark on their innovative and sensitive projects in the country. In addition, the report and some of the recommendations were shared with international partners of the Foundation, including some international delegations.
3. **A visit to Syria in 2010.** The objective of the visit was to meet key defenders facing hardships as well as foreign representations (EU delegation, embassies of France, the Netherlands and Sweden) in order to discuss cases of Syrian defenders at risk and to explore ways to support them effectively. The report of the visit and the recommendations on actions and follow-up to undertake was discussed during a regular Board meeting and shared with a number of partners working on that country. As a result, a follow-up on the situation of six defenders was carried out in partnership with the Euro-Mediterranean Human Rights Network, the International Commission of Jurists and Amnesty International.
4. **A visit to Egypt in 2011.** In light of the current threats faced by human rights NGOs and worrying developments occurring in Egypt, the EMHRF decided to organize a short visit in order to assess the situation of new initiatives and main human rights groups faced with increasing threats and changing political realities as well as identifying the most pressing needs with respect to the EMHRF mandate in an attempt to effectively adjust and respond to the latter in the short and medium term. The visit of the delegation took place at one of the most critical and challenging times for civil society organizations, political and human rights activists in Egypt. Many consider that the revolution failed in overthrowing the regime and bringing about a democratic transition. While the revolution shed light on new political and civil society dynamics in Egypt, many activists recognized that they missed an important opportunity to adapt their own strategy and methods to the new challenges and political realities. Most of the NGOs met during the visit believe that the pressures exerted will continue escalating and that the prosecutions against some of the major figures and NGOs will actually occur. Although this might take a long time, they are confident in the results taking into consideration, among others, that the judiciary is showing a different attitude compared to the past. In the meantime, however, most of them consider adapting to the

situation by reducing their operations; thus surviving, rather than thinking of other plans and strategies; thus potentially expanding. A pessimist view could thus easily foresee an even weaker Egyptian civil society movement in the years to come than under Mubarak's era. Recommendations of possible actions to be considered by the EMHRF were discussed at the beginning of 2012.

- 5. *Launching of a regional presence and visits to remote areas of Tunisia in 2011.*** Thanks to the work and consolidated presence of a regional consultant in Tunisia, the Foundation has been able to meet with civil society actors operating in different cities and remote areas of Tunisia, in particular Kasserine, Cap Bon, Jendouba, Ras Jdir, Dhiba, Zarzis, Tataouine, Remada, Menzel Bouzayen, Sidi Bouzid, Sfax, Gafsa and Redeyef. During these visits, discussions have been held with over a hundred NGOs. Overall, these visits mainly aimed at engaging a dialogue on problem areas in remote regions and on the support needed by civil society actors. Aside from listening to and coaching civil society representatives, the Foundation allocated financial support to leverage nine promising emerging initiatives, the work of which is focused in remote areas of Tunisia.

#### **2.1.2.2. Increased cooperation with networks of foundations in the field of human rights**

Since the start of 2009, the EMHRF has developed new contacts and intensified its cooperation with organisations and foundations supporting human rights defenders in the United States, Europe and in the Arab region in the framework of its membership in the International Human Rights Funders Group (IHRFG)<sup>6</sup>, the Arab Foundations Forum (AFF)<sup>7</sup> and the Ariadne network of European foundations working in the human rights field.<sup>8</sup>

Aside from participating in their activities with the aim of raising awareness on the events unfolding in the region and their repercussions on defenders and their work, the main objective of the Foundation's membership in those networks is to assess the role that the donor community can play in supporting human rights defenders at a time where great expectations coexist with instability and uncertainty about the future. During these meetings, the Foundation particularly raised the importance of providing flexible support to human rights defenders in order to meet the new challenges emerging in the region. It also recommended exploring the possibilities of setting up coalitions of donors interested in supporting human rights defenders and contributing to the Arab region to discuss and coordinate more fully efforts to provide financial support in the region.

To that effect, the Foundation, together with the Fund for Global Human Rights (FGHR), the Urgent Action Fund for Women's Human Rights (UAF) and the American Jewish World Service (AJWS)

---

<sup>6</sup> The IHRFG is a network of international foundations which currently has more than 650 members representing approximately 275 organisations that provide human rights-related grants around the world. The EMHRF became a member of IHRFG in 2010.

<sup>7</sup> The AFF is a pan-Arab grouping of foundations that seeks to strengthen dialogue, networking, training and cooperation among its members and with partners, with a view to bolstering the ability of Arab philanthropy to implement its vision. At the moment, the Forum serves as a platform for dialogue for 16 foundations in the region and beyond. The EMHRF became a fellow member of AFF in 2010.

<sup>8</sup> Ariadne was created by a number of European foundations in 2010 in an effort to facilitate coordination among decision-makers, donors and foundations with both a general and a specific interest in human rights issues and, more broadly, social justice issues. The network currently has more than 150 members in Europe, mainly based in the United Kingdom and the Netherlands. The EMHRF became a member of Ariadne in 2011.

initiated the establishment and organised the first meeting of the working group on human rights defenders within the IHRFG's network in January and July 2011.

In addition to becoming a forum for dialogue on human rights defenders issues, this working group should contribute to promoting cooperation, the sharing of information and networking – including interactive exchanges and learning – on strategies for providing financial support to human rights defenders.

During these meetings, among the main suggestions and recommendations expressed with regards to the mandate and future activities of the working group were the followings:

- To provide the space to discuss different political realities and how these affect the work of human rights defenders;
- To coordinate and share resources on specific issues and programmes related to human rights defenders. Donors and human rights defenders could thus have access to mechanisms they had not developed or didn't know about;
- To develop Guidelines/Principles/Best Practices/Pro-active models for grantmakers to maximize the effectiveness of donors in ensuring the safety of activists, as well as guarantee that they are aware of the resources available to them in times of need. Advised by human rights defenders, the working group will prioritize prevention, protection and funding needs;
- To serve as a platform to leverage interest on human rights defenders issues to funders outside the human rights circle.

The working group has been following up on these suggestions and recommendations, in particular through sponsoring a telebriefing and a round table on the issue of protection of human rights defenders and scheduling a member sponsored session on the occasion of the IHRFG conference and meeting in San Francisco in January 2012, entitled: *Faced by changing political realities: From Latin America to the Arab region, frontline rights defenders talk about their needs!* At this meeting, two activists from Tunisia and Egypt were invited by the EMHRF as speakers for the session.

On the whole, the results of these meetings are positive and the Foundation, together with its partners, will endeavour to strengthen collaboration and exchange of information on the issue of support to human rights defenders in the South-Mediterranean region in the future.

Greater cooperation with those partners is essential to avoid duplication of efforts, to reinforce exchange of information, discuss and coordinate strategies that will contribute to effectively support defenders in the region.

#### **2.1.2.3. Regional seminar on “Democratic Change in the Arab Region: State Policy and the Dynamics of Civil Society”**

On April 2-3 2011, the EMHRF decided to complement its regular support activities with a discussion seminar on *Democratic change in the Arab region* in Brussels. This seminar was among the first of its kind to be organized in the wake of the pivotal uprisings that have taken place in the region. In spite - and maybe precisely *because* - of the uncertainty and fluidity of the current environment in the Arab region, it was deemed fundamental to provide the space for a preliminary exchange and reflection

between key academics, civil society actors, donors, and government representatives working on and in the region, and who, in particular, are involved in the promotion of democracy and the protection of human rights.

Discussions focused on four major axes: the logics of local state actors, of international actors, of civil society and non-governmental actors, and of the donors' community.

The **logics of local state actors** focused on the dynamics between these actors (the army, the business elite, the old regime, among others) and the way in which these dynamics are constructive or destructive to democracy and democratic transition. The uprisings in the Middle East have been both the consequence and cause of the emergence of a new Arab individual and citizen – bringing onto the political scene a new actor which has until now been ignored. While this is in itself revolutionary, it is not yet clear the extent to which countries in the region will experience actual democratic transition and in the formulation of future policies and strategies one should be cautious of the possibilities for democratic reversals and obstacles. Where democratic reform is possible, special attention should be placed on creating a democratic structure which will empower citizens and protect their political, economic and social rights.

The discussion on the **logics of international actors** focused on the policies of the United States (US) and the European Union (EU), despite the importance of other actors, such as China and Russia. Both the United States and the EU bear an important duty in this new era of Middle East politics – both need to move away from their prioritization of security and stability in the Arab region and towards policies that reflect a commitment to human rights and democratic values. The international community will have to accept the inevitable instability that accompanies any democratic transition and be willing to compromise short term stability for a long term one rooted in democracy rather than authoritarianism. In this era of transition for the Arab region – even in countries that have not experienced full regime change – international actors will have an important role in supporting the reforms and transitions taking place, without *imposing* democracy. Finally, the US and the EU, among others, should prioritize the promotion of universal values over the promotion of their geo-strategic interests; they should understand, moreover, that in the long run the two are not mutually exclusive.

The **logics of civil society actors and non-governmental actors** focused on the role of Islamists, NGOs, and the media in Arab societies today. The discussions placed the current uprisings in a historical context of a revival of civil society activism that has occurred over the past decade in Tunisia, Egypt, and several other countries of the region. NGOs - though they have been undeniably weakened over the years – have played an important role in fostering the space for protests. Islamist actors, for their part, have demonstrated a far more complex identity than that which has been ascribed to them in the West. Not only have they demonstrated an increased willingness to collaborate with secularists over the past years, but they also decided to support the protests without co-opting the non-religious discourse of protesters. While the Islamist agenda is unclear – and their democratic aspirations always in doubt – it is evident that the identity of Islamists is shifting and becoming ever more complex. The media, for its part, is an important agent in the Arab world – not only has state media come to the forefront as a government tool to mitigate protests, but the recent uprisings have underlined the potentially powerful roles of Facebook and Twitter, as well as the central role of Al Jazeera and other independent media in spreading news about the protests and increasing the interest of citizens throughout the region. An important question that must be addressed is the impact of the revolutions and reforms on the role of non-governmental actors. While some actors will choose to enter politics, others will reformulate their

mandate – in all cases, civil society must continue to be reinforced and supported in this era of drastic change.

Finally, the discussion on the *logics of the donor community* focused on the changing role of donors in an era of Arab transformation. Major state donors such as the US and the EU have an important obligation to re-assess their goals and re-consider the incoherence of their funding strategies, where they have simultaneously funded oppressive authoritarian governments and civil society actors. Conditionality needs to be reinforced to ensure the respect of fundamental rights. For all donors more generally, there is a need to re-assess funding strategies and ensure that the funds are not only spent, but spent in an effective manner to encourage real and sustainable change in the region. The explicit needs and demands of defenders need to be taken into account by funders when making decisions, and greater communication with those receiving funds is necessary.

It is difficult to predict the result of the protests. However, in all cases - though in some more than in others – there is a need to consolidate efforts and invest in the national projects of reconstruction and transformation, and this on many different issues: that of gender equality; the generational transformation of Arab societies; constitutional reforms; institutional reforms, in the field of justice in particular; the social aspirations and rights of Arab populations; the intersection of history, memory, and transition in the settlement of past violations; and of pluralism and diversity. Actors working on the region have the responsibility to contribute to these national projects, to support them, and to create the necessary space for reflection and cross-national exchanges amongst key groups and individuals.

The EMHRF published the report presenting the discussions and conclusions of the seminar on July 5, 2011.<sup>9</sup> The report provides a strong base upon which to build policies and strategies to promote and protect democracy and human rights, and is highly relevant to all those involved in the Middle East and North Africa, whether as donors, government representatives, academics or civil society actors.

At a time when people have great aspirations in a climate of instability and uncertainty about the future, ***the following priorities have been established*** in an effort to strengthen the human rights movement:

- Human rights defenders continue to be at risk, not only in the distressing situation that persists in Syria but also in transition environments, and the issue of rehabilitation remains critical.
- The gender equality agenda and generational renewal will be core elements in the process of democratisation, and so will the launching of major constitutional, social and institutional reforms, especially in the justice sector.
- Groups that are particularly at risk, especially minorities, as well as issues of pluralism and diversity.
- The right to freedom of expression and freedom of association and assembly.
- Issues of the death penalty and freedom of thought.
- The intersection of History, memory and transition in the settlement of violations of the past, and the issue of transitional justice.

---

<sup>9</sup> Link to the report: [http://www.scribd.com/full/59127297?access\\_key=key-2kvxq3fz0wim07987e8c](http://www.scribd.com/full/59127297?access_key=key-2kvxq3fz0wim07987e8c)

## 2.2 Overview of financial implications

In submitting the annual financial statements, Anne-Sophie Schaeffer drew attention to the steady 25 percent increase in the intervention budget and in the Foundation's overall budget between 2009 and 2011.

Direct interventions in support of human rights defenders accounted for two thirds of the Foundation's overall budget; administrative expenses were maintained at 7 percent.

Anne-Sophie Schaeffer also noted that funding sources were diversified between public and private donors during those three years, as shown by the summary of annual statements.

The table below, summarising the annual statements for 2009, 2010 and 2011 as audited by Deloitte, auditors of the Foundation, was submitted to the Council of Representatives.

**ANNUAL REPORTS 2009-2011 (in EUR)\***

**EURO-MEDITERRANEAN FOUNDATION OF SUPPORT TO HUMAN RIGHTS DEFENDERS**

<b>Income</b>	<b>2011</b>		<b>2010</b>		<b>2009</b>		<b>2009-2011</b>	
<b>Subsidies</b>								
Swedish International Development Cooperation Agency (SIDA)	215.914	21%	292.876	35%	238.464	35%	747.254	29%
European Union (EIDHR)	332.705	33%	278.241	33%	370.567	54%	981.513	39%
European Union (IFS)	55.427	5%	0	0%	0	0%	55.427	2%
European Union (Service contract for Seminar)	10.000	1%	0	0%	0	0%	10.000	0%
Royal Danish Ministry of Foreign Affairs (DANIDA)	240.934	24%	185.758	22%	19.002	3%	445.694	18%
Dutch Ministry of Foreign Affairs	0	0%	0	0%	22.274	3%	22.274	1%
French Ministry of Foreign and European Affairs	45.000	4%	0	0%	0	0%	45.000	2%
Open Society Foundations (OSF)	31.693	3%	32.243	4%	22.760	3%	86.696	3%
Private funds in Denmark	0	0%	13.423	2%	3.356	0%	16.779	1%
Amnesty International	4.190	0%	0	0%	3.900	1%	8.090	0%
Sigrid Rausing Trust	79.850	8%	44.579	5%	0	0%	124.429	5%
<b>Total Subsidies taken to income</b>	<b>1.015.714</b>	<b>100%</b>	<b>847.119</b>	<b>100%</b>	<b>680.322</b>	<b>100%</b>	<b>2.543.155</b>	<b>100%</b>
<b>Expenses</b>								
<b>Actions in Support of Human Rights Defenders (HRDs)</b>								
Emergency support to HRDs	120.940	12%	92.869	11%	55.448	8%	269.257	11%
Flexible and Strategic support to HRDs	402.392	40%	446.093	53%	265.375	39%	1.113.861	44%
Follow up on the situation of HRDs	5.480	1%	16.201	2%	14.463	2%	36.144	1%
Board meetings	27.243	3%	31.464	4%	20.816	3%	79.523	3%
Meetings with partners and fundraising	14.398	1%	18.643	2%	15.571	2%	48.611	2%
Regional discussion seminar	65.864	6%	0	0%	0	0%	65.864	3%
Consultation of the Council of Representatives	0	0%	0	0%	0	0%	0	0%
<b>Sub-total Actions in Support of Human Rights Defenders</b>	<b>636.317</b>	<b>63%</b>	<b>605.270</b>	<b>72%</b>	<b>371.673</b>	<b>55%</b>	<b>1.613.259</b>	<b>64%</b>
<b>Other Services related to the activities</b>								
Membership fees to Foundations' Networks	1.393	0%	2.521	0%	1.000	0%	4.914	0%
Maintenance of a secure forum and website	14.622	1%	8.114	1%	6.738	1%	29.474	1%
Translations	26.601	3%	21.305	3%	20.783	3%	68.689	3%
Information, Publication	1.250	0%	1.128	0%	3.927	1%	6.305	0%
External evaluation	0	0%	0	0%	53.466	8%	53.466	2%
<b>Sub-total Other Services related to the activities</b>	<b>43.867</b>	<b>4%</b>	<b>33.067</b>	<b>4%</b>	<b>85.914</b>	<b>13%</b>	<b>162.848</b>	<b>6%</b>
<b>Staff wages</b>								
Activities staff	152.608	15%	99.317	12%	94.893	14%	346.818	14%
Administrative staff	111.050	11%	54.156	6%	70.747	10%	235.953	9%
Social charges	2.176	0%	1.460	0%	949	0%	4.585	0%
<b>Sub-total Staff wages</b>	<b>263.658</b>	<b>26%</b>	<b>153.473</b>	<b>18%</b>	<b>165.639</b>	<b>24%</b>	<b>582.771</b>	<b>23%</b>
<b>Administrative expenses</b>								
Audit	12.332	1%	12.215	1%	15.615	2%	40.162	2%
Rent	21.141	2%	17.871	2%	17.618	3%	56.630	2%
Office expenses and stationary	21.578	2%	13.776	2%	12.449	2%	47.803	2%
Bank fees	3.307	0%	1.205	0%	3.422	1%	7.934	0%
Staff development	1.177	0%	3.570	0%	0	0%	4.747	0%
Depreciations	2.328	0%	926	0%	926	0%	4.179	0%
Others	8.065	1%	5.748	1%	7.442	1%	21.255	1%
<b>Sub-total Administrative expenses</b>	<b>69.927</b>	<b>7%</b>	<b>55.310</b>	<b>7%</b>	<b>57.473</b>	<b>8%</b>	<b>182.709</b>	<b>7%</b>
<b>Financial items</b>								
Financial income and expenses	-1.821	0%	1.498	0%	2.170	0%	1.848	0%
Tax	0	0%	0	0%	0	0%	0	0%
<b>Sub-total Financial items</b>	<b>-1.821</b>	<b>8%</b>	<b>1.498</b>	<b>7%</b>	<b>2.170</b>	<b>10%</b>	<b>1.848</b>	<b>8%</b>
<b>Total Expenses</b>	<b>1.015.590</b>	<b>100%</b>	<b>845.621</b>	<b>100%</b>	<b>678.528</b>	<b>100%</b>	<b>2.539.740</b>	<b>100%</b>
<b>Operating Profit</b>	<b>123</b>	<b>0%</b>	<b>1.498</b>	<b>0%</b>	<b>1.794</b>	<b>0%</b>	<b>3.415</b>	<b>0%</b>

\* This document presents a summary of the audited financial reports 2009-2010-2011.

### **3. Suggestions for the Foundation’s future strategic orientations by Mervat Rishmawi, external consultant**

Mervat Rishmawi began by describing the support and advice role that the Board asked her to undertake with a view to propose recommendations for the future orientation of the Foundation. She indicated that as part of her mission, she met and discussed with human rights defenders in the field, as well as partner organisations, and some of the members of the Board and the Secretariat.

The consultant then outlined the main findings of her analysis (summarised below) in order to obtain the comments of the Council of Representatives.

#### **3.1. The Foundation’s geographic mandate**

On the subject of the broadening of the Foundation’s geographic mandate to include all member countries of the Arab League, Mervat Rishmawi stated that the Foundation should give priority to strengthening its activities in the countries covered in its current geographic mandate. Requests emanating from countries outside this mandate can be dealt with on a case-by-case basis, as the Foundation does at present. The Foundation could intervene in specific cases where no other organisation is able to support the defender or NGO facing imminent needs.

The Foundation should explore options that would enable it to reinforce its support to organisations based in remote and neglected regions, as it has already done efficiently in Tunisia with the opening of its office.

To that end, the consultant also recommended that strategic partnerships with organisations sharing the same ethics and with similar mandates be strengthened.

#### **3.2. The Foundation’s profile**

From her meetings and interviews, Mervat Rishmawi identified a need to clarify the identity of the Foundation relative to outside organisations and persons. The finding is that the Foundation is perceived not only as a donor institution but especially as an organisation which supports and strengthens the human rights movement.

Based on the testimonies received and on the activities carried out, Mervat Rishmawi recommended that the Foundation expands its range of activities to become a centre of expertise on the human rights situation in the region and on the needs of the human rights movement. Because of the Foundation’s mandate and of the low profile of its activities for security reasons, a substantial portion of the resources, the knowledge and the expertise acquired in recent years is not shared with others. If this suggestion is adopted, the Foundation should not only strengthen its capacities in order to, among other things, organise a “think tank” seminar similar to the seminar on democratic change in the Arab region (April 2011), but also develop a multi-year strategy for the purpose.

In line with activities that are already largely conducted by the Secretariat, the Foundation should also:

1. Expand its ability to conduct local monitoring of the situation of its funding beneficiaries beyond the initial funding period;
2. Strengthen its strategic partnerships with key organisations at the national, regional and international levels that work in the same field.

### **3.3. Presence of the Foundation in the region**

The instability of the environments in which civil society operates requires a greater presence of the Foundation in the countries of the region. Given the particularly positive results of the Foundation's physical presence in Tunisia, the establishment of an office in Egypt should be considered in the longer term.

Until security conditions make that possible, field visits, both short- and long-term, in particular to remote regions of priority countries, should be increased.

Finally, Mervat Rishmawi recommended that notes on developments in the situation of human rights and defenders in the Foundation's priority countries be regularly updated and made available to the public.

### **3.4. Activities of the Foundation focused on capacity building**

In view of the Foundation's mandate, which is to contribute to strengthening the capacities of defenders and civil-society actors by providing financial support and hands-on approach, Mervat Rishmawi suggests that this facet of the Foundation's work be strengthened and be structured more in the areas of good resource management, democratic governance and institutionalisation of NGOs' work.

If the Foundation adopts this suggestion in favour of developing itself as a centre of expertise and decided to share its knowledge more broadly, it will have to look for additional funding and assign adequate human and physical resources to the successful achievement of this new activity.

## 4. Discussion about the activities and orientation of the Foundation with members of the Council of Representatives

Following these presentations, Christine M. Merkel, Foundation vice-president, opened the discussion with the Council of Representatives on the EMHRF's main activities and on the orientations proposed by Mervat Rishmawi.

*Several representatives – in particular from Syria, Tunisia and Algeria – wanted to express their deep appreciation and gratitude for the work done by the Foundation in recent years. They drew attention to the effectiveness, responsiveness and fundamental nature of the Foundation's action in support of defenders and their families who have been, and in many cases still are, victims of the repression waged by authoritarian regimes. In Tunisia, the Foundation's activities not only enabled defenders and their families to survive and resist repression and torture, but they are considered in large part to have been at the source of the protests that began in December 2010. In Syria and Algeria, the Foundation's support has allowed, and continues to allow, independent associations to exist and continue their activities despite a repression that grows ever harsher.*

***The main comments made and questions raised by the representatives are summarised below.***

### 4.1 Pragmatism in the evolution of the Foundation's activities

In light of the orientations outlined by Mervat Rishmawi, several representatives drew attention to the importance for the Foundation to remain pragmatic with regard to potential changes in its mandate and its development. The specific mandate consisting in allocating funds and conducting quality monitoring of the evolution of the situation of beneficiaries, as well as flexibility and responsiveness are assets that the Foundation should seek to preserve and strengthen before embarking upon activities aimed at capacity building that other actors might be in a position to support.

### 4.2 Visibility of its activities

Several representatives expressed the desire to receive concrete examples and details on the support interventions conducted by the Foundation in the region. Examples were cited, in particular that of a new Tunisian NGO, unique in the Mediterranean region, composed mainly of former armed forces personnel dedicated to combatting impunity and seeking justice in cases of human rights violations perpetrated in the past. Board members pointed out, however, that the Foundation has adopted as a basic principle the need to protect the identity of its beneficiaries in order to avoid jeopardising their wellbeing and their activities, and that the amounts granted are also kept confidential.

### 4.3 Selection of applications and decision-making process

Several representatives enquired about eligibility and selection criteria as well as the documentation used in making decisions about funding beneficiaries. Board members reminded participants that clear criteria have been established and that they can be consulted on the Foundation's website ([www.emhrf.org](http://www.emhrf.org)). The criteria used in the definition of human right defender are flexible, whether it is a single person or a group, provided the defender seeks to protect the rights of third parties using peaceful and ethical means. The criteria used to assess the activities of beneficiaries are the principles embodied in regional and international instruments devoted to the promotion and protection of human rights. And finally, the activity or project for which funding is requested must not be supported or capable of being supported in the same conditions by another donor. The cumulative experience and expertise of Board members, combined with internal and external assessments conducted by the Secretariat, including in consultation with representatives, are also elements that are considered and documented in the decision-making process.

### 4.4 Money transfers

While complying with the legal obligations associated with the nature of its work, the Foundation has put in place creative and flexible mechanisms to ensure that the money granted does reach beneficiaries, even those living in the most repressive conditions. For example, the Foundation relies on trusted "middlemen" in countries around the Mediterranean and encourages groups operating in particularly challenging environments to register abroad. The recipient must not only sign a funding agreement but must also sign an acknowledgment of receipt when the money is transferred through an intermediary.

### 4.5 Preference for supporting small and emerging local actors

The Council of Representatives sought the views of the Board regarding small organisations that operate mainly on the basis of volunteer work. These groups respond to genuine needs, as opposed to other actors that are becoming more institutionalised, giving priority to securing funding for their operations while in effect giving little or no consideration to local needs. Board members indicated they were very concerned by this issue because the Foundation's mandate and intervention criteria do not allow it to support organisations that are in a position to approach major donors, except when they face sudden and unforeseen financial problems and they have demonstrated their commitment to quality and ethical values.

### 4.6 Drying up of funding sources benefiting local NGOs

Regional and international organisations that have set up shop in countries of the South have a tendency to dry up funding sources for the benefit of local NGOs because they have been active for years and have professional operations and large capabilities. The Council of Representatives expressed the wish that the Board consider this issue in collaboration with other donors. The Board pointed out that this was an important issue and that recipients of EMHRF funding are precisely those who cannot receive funding from the major donors present in the region. After the wave of protests and uprisings that swept across the Arab world, the international movement of solidarity with the people of the region, while it must be commended, has also resulted in perverse outcomes, including the

development of competition among national and international actors, the drying up of funding sources initially dedicated to helping local groups in the region, and a policy of financial “dumping” that risks damaging the NGO environment. The Foundation is very aware of these developments and has opened lines of cooperation and mutual advice with other international actors with an interest in the situation of human rights defenders and in the region. To that end, the Foundation is involved in several networks of donors in the human rights area at the national and international levels. It plays an important role by providing advice and coordinating support with several other donors on the issue of defenders in general and on the more specific issues associated with Syria, Tunisia, Algeria, Egypt or other countries.

## 5. Closing of the third consultation of the Council of Representatives

Following the discussions, Vice-president Christine M. Merkel brought the third consultation of the Council of Representatives to an end, thanking all the participants for their constructive and helpful questions and contributions.

She noted that the next consultation would take place in 2015 in conjunction with the General Assembly of the EMHRN, which is a close strategic partner of the Foundation in this exchange.

Ms Merkel also thanked the staff of the Foundation and the interpreters who have been working with them for several years.

\*\*\*

# ANNEX 1: AGENDA, THIRD CONSULTATION OF THE COUNCIL OF REPRESENTATIVES

## AGENDA Consultation of the Council of Representatives

**15.30-15.45 Opening of the Consultation by Christine M. Merkel, Vice-president**

**15.45-16.30 Briefing on the Foundation's operations and activities over the past years**

- Presentation of the main actions undertaken during the period 2009-2011
- Overview of financial implications

**16.30-17.15 Briefing on the reflections with regards to future orientations by Mervat Rishmawi, External Consultant**

**17.15 -.18.30 Discussions of the activities and orientations with the Representatives**

**18.30-18.45 Miscellaneous**

**18.45-19.00 Closure**

## ANNEX 2: LIST OF PARTICIPANTS, THIRD CONSULTATION OF THE COUNCIL OF REPRESENTATIVES

### FOUNDATION BOARD

Christine M. Merkel  
Lynn Welchman  
Kamel Jendoubi  
Bahey El Din Hassan

### REGULAR REPRESENTATIVES

#### National

- ACSUR Las Segovias, Association for Co-operation with the South, Mr Isaias Barrenada
- ADALAH, The Legal Center for Arab minority Rights in Israel, Mr Odeh Bishara
- Al-Haq, Mr Shawan Jabarin
- Amman Center for Human Rights Studies, Mr Nizam Assaf and Ms Amal Al Shawahneh
- Arab Association for Human Rights (HRA), Mr Fahim Dahoud
- ARCI, Mr Filippo Mirafliia and Ms Rafaella Bolini
- Association Démocratique des Femmes du Maroc (ADFM), Ms Oumnia Alaoui
- Association Marocaine des Droits Humains (AMDH), Mr Abdelkhalek Benzekri
- Association Tunisienne des Femmes Démocrates (ATFD), Ms Monia Ben Jemia
- Beirut Bar Association, Mr Walid Nakib
- Cairo Institute for Human Rights Studies, Mr Moataz El Fergiyer
- Collectif des familles de disparus en Algérie, Ms Nasséra Dutour
- Comité pour le Respect des Libertés et des Droits de l'Homme en Tunisie (CRLDHT), Mr Mouhieddine Cherbib and Mr Kamel Jendoubi
- Committees for the Defense of Democracy, Freedoms and Human Rights in Syria (CDF), Mr Danial Saoud
- Damascus Center for Human Rights Studies, Mr Radwan Ziadeh
- Damascus Center for Theoretical and Civil Rights Studies, Mr Mounzer Halloum,
- Danish Institute for Human Rights, Ms Annali Kristiansen and Mr Mu'ayyad Mehyar
- Espace Associatif, Mr Abdelhakim Chafiai
- Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos, Mr Emilio Ginés Santidrián
- Fédération des Tunisiens pour une Citoyenneté des Deux Rives (FTCR), Mr Tarek Ben Hiba
- Fédération Nationale Solidarité Femmes (FNSF), Ms Françoise Brié
- Greek Committee for International Democratic Solidarity (EEDDA), Ms Eugenia Papamakariou
- Greek Council for Refugees, Mr Kenneth Brant Hansen
- Human Rights Association (Turkey), Mr Emrah Seyhanlioglu
- KVINFO, Ms Lisbeth Pilegaard
- Kvinna til Kvinna, Ms Sofia Zitouni
- Libyan League for Human Rights, Mr Mohanad Hussein
- Ligue Algérienne pour la Défense des Droits de l'Homme (LADDH), Mr Kamel Daoud
- Ligue des Droits de l'Homme (LDH), Mr Michel Tubiana

- Mouvement franco-libanais SOLIDA, Mr Wadih Ange Al-Asmar
- Organisation Marocaine des Droits Humains (OMDH), Mr Mohamed Neshnash
- Palestinian Centre for Human Rights (PCHR), Mr Daragh Murray
- Palestinian Human Rights Organisation in Lebanon (PHRO), Mr Ghassan Abdallah
- Public Committee Against Torture in Israel, Mr Ishai Menuchin
- TAPRI Mediterranean Studies Project, Ms Anitta Kynsilehto, Ms Outi Tomperi and Mr Tuomo Uolevi Melasuo
- Women’s Centre for Legal Aid and Counselling (WLAC), Ms Maha Abu-Dayyeh Shamas

### **Regional**

- African and Middle East Refugee Assistance (AMERA), Ms Barbara Harrell-Bond
- Andalus Institute for Tolerance and Non Violence Studies, Mr Ahmed Samih
- Arabic Network for Human Rights Information (ANHRI), Mr Gamal Eid
- Arab Institute for Human Rights (AIHR), Mr Mohamed Salah Kherigi
- Centre for Media Freedom (CMF MENA), Mr Saïd Essoulami
- Collectif 95 – Maghreb Egalité, Ms Alia Chérif Chammari
- European Association for the Defence of Human Rights (AEDH), Mr Serge Kollwelter
- Human Rights Institute of Catalonia (IDHC), Ms Lidia Serrano Tur
- Mediterranean Institute of Gender Studies (MIGS), Ms Georgina Christou
- Mizan Law Group, Ms Lubna Dawany
- Rehabilitation and Research Centre for Torture Victims (RCT), Ms Sus Nissen, Mr Sune Segal, Ms Lamia-Louisa Chehabi Madsen, Mr Morten Koch Andersen, Mr Giorgio Caracciolo and Ms Elna Søndergaard
- Solidaritat Desenvolupament i Pau (SODEPAU), Ms Blanca Caps Febrer
- Solicitors International Human Rights Group (SIHRG), Ms Trudy Morgan

### **HONORARY REPRESENTATIVES**

- Ms Anna Bozzo-Curti

### **ASSOCIATE REPRESENTATIVES**

- International Federation for Human Rights (FIDH), Ms Souhayr Ben Hassen
- University of Malta, Ms Ruth Farrugia

### **OBSERVERS**

- Amnesty International, Ms Stinne Bech
- Open Society Institutes (OSI), Mr Ammar Abu Zayyad and Ms Hanan Rabbani
- CKU, Ms Camilla Wass
- Ms Mervat Rishmawi
- SNAPAP, Mr Rachid Malaoui
- Mr Mokhtar Trifi

### **STAFF**

- Programme coordinator, Ms Anne-Sophie Schaeffer
- Regional officer, Mr Rami Salhi
- Project assistant, Mr Roger Jalkh
- Administrative secretary, Ms Katrine Høybye Frederiksen
- Accountant, Mr Poul Collemorten