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Sida Decentralised Evaluation

Hilde Hey

Supporting Human Rights Defenders: Analyzing Short Term Results

Final Report

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**Final Report
December 2014**

Hilde Hey

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The views and interpretations expressed in this report are the authors' and do not necessarily reflect those of the Swedish International Development Cooperation Agency, Sida.

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Table of Contents

- List of Abbreviations 3
- Executive Summary 4
- 1. Introduction 7
- 2. EMHRF at Work: Relevance and Results 8
 - 2.1 Overview 8
 - 2.2 Emergency funding 11
 - 2.3 Strategic funding 15
 - 2.4 Non-financial support..... 17
 - 2.5 The structure that supports the work..... 18
- 3. Conclusions and recommendations 20
- Annex I: List of People Interviewed 24
- Annex II: List of Documents Reviewed 25

List of Abbreviations

CNSHBM	<i>Comité National de Soutien aux Habitants du Bassin Minier</i>
DANIDA	Danish International Development Agency
EIDHR	European Instrument for Democracy and Human Rights
EMHRF	Euro-Mediterranean Foundation of Support to Human Rights Defenders
EU	European Union
FTDES	<i>Forum Tunisien pour les Droits Économiques et Sociaux in Tunisia</i>
HRD	Human Rights Defenders
LFA	Logical Framework for Action
NGO	Non Governmental Organization
PHRO	Palestinian Human Rights Organization
SIDA	Swedish International Development Cooperation Agency

Executive Summary

The Euro-Mediterranean Foundation of Support to Human Rights Defenders (EMHRF) is a small, dynamic funding organization for human rights defenders in the Southern Mediterranean region. The Foundation has substantially evolved since 2009. The 2011 revolutions in the Middle East and North Africa have provided human rights defenders and human rights organizations with new opportunities and diverse constraints to which the Foundation has responded rapidly. The Foundation has strengthened its operations and increased the number of grants provided. Both emergency grants for human rights defenders and human rights organizations at risk, and strategic grants to human rights organizations have expanded over the years.

The present report contains the findings of the evaluation of the Foundation's work. The present evaluation builds on the previous evaluations undertaken and specifically analyzes the period 2009 to 2012. EMHRF has fully implemented the mapping of grantees and applicants as recommended in the 2009 evaluation. Furthermore, the Foundation has standardized reporting mechanisms by its grantees and works closely with them to ensure the quality of reporting to EMHRF. The present evaluation has therefore been able to concentrate on the results the work of the Foundation brings about and on the achievements in relation to the overall objectives of EMHRF. As a means to analyze results, this evaluation has engaged in case study analysis of selected projects supported by the Foundation.

Overall it can be said that through financial support and non-financial support EMHRF is furthering the work of human rights defenders in the Southern Mediterranean region. By 2012, EMHRF was supporting more human rights defenders in the region, through its grant giving than determined in its logical framework for action defined in 2009. Also in terms of non-financial support EMHRF engaged in more activities than planned. As a result, EMHRF fulfills its specific objectives.

Relevance

Providing emergency and strategic funding to human rights defenders is still highly relevant in the Middle East and North Africa. Small **emergency funding** in a timely and secure manner to human rights defenders is essential under political volatile circumstances. Human rights defenders are at the forefront of taking initiatives to address human rights violations in a peaceful manner. However, in unstable political situations they face threats and repression and are often at high risk of prosecution, also affecting their families. The relevance and effectiveness of emergency funding for human rights defenders provided by EMHRF lies in the fact that under political insecure circumstances human rights defenders obtain legitimacy for their work and can more easily continue carrying out their human rights activities. Furthermore, emergency funding brings human rights defenders into contact with foreign like-minded organizations allowing them to build an international network of support, thereby diminishing potential risks.

In **Algeria** and **Egypt** human rights organizations are restricted in their access to foreign funding and often face the consequences of closure. In these cases timely and secure emergency funding has been very relevant for human rights defender organizations to remain operative. Through **emergency funding** authorities fail to curb the voice or activities of human rights defenders.

Strategic funding supports human rights defender organizations that do not have the capacity to apply for mainstream donor funding. On average these are small-scale projects, often outside of capital cities, undertaken by individuals united by similar experiences of human rights violations, but with little or no contact to national, regional or international human rights networks of like-minded organizations. Through intense contact of the grantees with the Foundation during application, implementation and reporting procedure, each initiative is guided to improve its strategy and project management skills. If appropriate EMHRF functions as an intermediary with national, regional and international established human rights groups. Together this makes human rights defender organizations a stronger actor of civil society, more capable of engaging in international advocacy and more skilled in seeking mainstream donor funding.

Results

Results of **emergency** and **strategic funding** by EMHRF are short-term. For this evaluation results have been analyzed on a case-by-case basis. The evaluation has shown that emergency funding to human rights defenders in **Syria** brings about information on human rights violations, internationally used. This information will also be vital for the process of transition once the armed conflict has stopped. The emergency funding to the human rights defender in Syria also made it possible that the work became known internationally (the human rights defender received international awards) and diminishing risks to the human rights defender. On the whole, contributing to the continuation of the human rights work.

The **emergency funding** to a human rights defender organization in **Egypt** is also an example of what emergency funding in a timely and secure manner can bring about. The emergency funding provided by EMHRF in Egypt allowed the human rights defender organization to remain open and thereby remain a voice of civil society. Furthermore, the emergency funding enabled the organization to engage the Egyptian authorities in a legal process over foreign funding for NGOs. This legal process sets a precedent for future cases in which, foreign funding access is denied by the Egyptian authorities.

Strategic funding provided to a human rights defender organization over a longer period in **Tunisia** has had a positive outcome. The Foundation supported a social movement in the Southern Tunisian mining area for some years. This human rights defender organization used a human rights based approach to make its case before the revolution and was able to adapt and develop into a new human rights organization which addresses economic and social rights in all of Tunisia with support from mainstream donors. This is precisely what the Foundation was set-up to do, provide financial and non-financial support for human rights defenders and human rights organizations at an early stage of the organization and accompany (coach) them to obtain funding for their initiatives from mainstream donors.

Non-financial support is a central part of EMHRF's work with its grantees. The main activities undertaken are coaching grantees in terms of their management and strategic planning, networking with local civil society organizations which address the same themes as grantees, coordinating solidarity activities with other international NGOs and intermediary services with potential donors for grantees. This work has substantially expanded over the years as the number of grantees has also expanded. The work is very labor intensive and requires close contact with the grantees. In countries where NGOs can operate more freely, as in **Tunisia** presently, employing a local consultant is vital to enable a more hands on approach.

The expansion of the Foundation's granting capacity has also increased the overall work of the secretariat and the board. Especially the Foundation's reporting obligations and networking capacity are important but very time consuming. Nevertheless, EMHRF is very diligent in making grant giving its main task.

Recommendations

As restrictions for NGOs to receive foreign funding in **Algeria** and **Egypt** remain in place, the Foundation needs to acknowledge that emergency funding requirements for human rights defender organizations will be called upon more frequently and that the maximum of grant allocation will not suffice in emergency support to human rights defender organizations. The Foundation is recommended to consider adopting within the category of emergency funding an appropriate maximum funding for human rights defender organizations.

EMHRF is recommended to encourage human rights defender organizations in **Egypt** and **Algeria** to engage the legal system to question the legality of restrictions on foreign funding for NGOs where appropriate and continue to strengthen human rights defender organizations' advocacy work with international actors.

The Foundation is recommended to continue expanding its reporting on **results**, both of emergency and strategic funding and to continue working with the grantees to report on the short term results they have achieved with regards to human rights change.

EMHRF should continue its cooperation with **like-minded funding organizations** in Europe and the United States. Cooperation amongst funders will reinforce strategies towards human rights defenders in the Southern Mediterranean region and therefore strengthen the position of human rights defenders in the countries themselves.

The Foundation is recommended to seek **local consultants** as partners, at a time when local political situations allow NGOs to operate more freely. This will allow the secretariat to concentrate on those countries where NGOs cannot operate freely and allow the local consultant to have a hands-on approach with newly developing local human rights initiatives.

The reporting burden on the **secretariat** is rather high because of its expanded granting budget, however the secretariat has not expanded substantially. The Foundation is encouraged to engage

in a dialogue with its European donors to seek a more coordinated reporting mechanism. This will contribute to keeping the EMHRF's secretariat focused on grant giving to human rights defenders.

In 2014, EMHRF will celebrate its tenth anniversary. During the past ten years the initial nine **board** members have very successfully institutionalized a secretariat and standardized grant making procedures. To retain successful grant making to human rights defenders in the Southern Mediterranean region and for the continuity of the Foundation it is vital that board members initiate a process of designating new board members. Herewith the sustainability of the Foundation as an institution will be guaranteed and allow for the incorporation of new human rights dynamism to be represented on the board.

1. Introduction

The Euro-Mediterranean Foundation of Support to Human Rights Defenders (EMHRF) has substantially evolved since 2009.¹ EMHRF continues to promote and strengthen human rights in Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine, Syria and Tunisia by providing financial grants and non-financial support to human rights defenders (HRD) and novel human rights organizations working in these countries. Today, the Foundation has expanded its work in terms of the number of human rights defenders supported and the overall funding allocated. Furthermore, EMHRF has become an eminent player in the region because of its trustworthiness and extensive human rights knowledge about the region. As a trusted and knowledgeable Foundation, the request to provide informative advice on human rights in the region has increased. The 2011 'Arab Spring' revolutions in the region continue to evolve, therefore human rights defenders are confronting new opportunities and diverse constrains. As a result, EMHRF is faced with the challenge as to how the Foundation can best support (financially and non-financially) human rights defenders in the region during this period of uncertain and often violent transitions.

Human rights defenders are those who engage "individually and in association with other, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels."² As States become more democratically governed, the task of human rights defenders is by no means over. Rather, their work now really begins. In the Southern Mediterranean region a process of democratization has been initiated. However, caution remains necessary for human rights defenders. In some countries the democratization process is more fragile than in others and in some countries armed conflict is still the norm. As a result the spectrum of threats under which human rights defenders are now working in the Middle East and North Africa greatly varies. Therefore, such as EMHRF is required to stay attune to the often rapidly shifting political circumstances and to maintain flexibility appropriate in these quickly changing environments.

¹ EMHRF was established in October 2004 in Copenhagen. The first external evaluation the Foundation's work covered the period 2005 to 2008. (Report: COWI, External Evaluation of EMHRF, 2005-2008, December 2009.)

² UN Doc. A/RES/53/144, 8 March 1999, Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

The present evaluation reports on the Foundation's funding period 2009-2012, building forth-on three evaluations already held.³ Therefore, this evaluation does not address the origin of the Foundation. Rather, the evaluation specifically looks at the relevance of financial and non-financial support in the changing political environment and looks at the short-term results obtained by means of the support. Results of the support are specifically addressed by means of case-study analyses of selected grants in different countries, as defined in the inception report for this evaluation. Furthermore, the report addresses the extent to which the Foundation is reaching its overall objectives. The methodology of the evaluation has been a desk study analysis. This encompassed reviewing the documentation of the Foundation between 2009 and 2012 and analyzing nine HRD cases in five countries that received financial support from the Foundation between 2009 and 2012. In order for the report to remain compact, five cases are highlighted below. Furthermore, Skype interviews were held with EMHRF staff and some board members. Also, at the meeting of the board in May 2013 a presentation was held regarding the initial findings of this evaluation, allowing for a discussion and input from staff and board members. Skype interviews with HRD had been planned, but were not held, not all could be reached because of language and security reasons. Therefore, it was decided not to interview any, but rather to look at the grant files the secretariat maintains on these specific grants.

The evaluation report contains an overview of the work of the Foundation and is further divided into a section on emergency funding, strategic funding, non-financial support and the structure that support the work accomplished. The last section contains the evaluation's conclusions and recommendations. The annexes contain a list of the people spoken with and the documents reviewed.

2. EMHRF at Work: Relevance and Results

2.1 Overview

In comparison with the period 2005-2008, between 2009-2012 the Foundation has seen a doubling of the number of grants and funding allocated.⁴ The increase has been the most significant in 2012. With an increase in quality applications the Foundation has also sought more funding. For the period 2009 to 2012, the Foundation received a total funding of just over 4 million euros. This funding has come from an increased number of donors, these are: DANIDA, SIDA, EIDHR, European Commission, French Ministry of Foreign Affairs, EU Delegation in Tunisia, Open Society Foundations, Sigrid Rausing Trust, Amnesty International, and *Frimodt Heinecke Fonden*.

The mandate of the Foundation remains the same; it is to support human rights in the Euro-Mediterranean region by means of financial and non-financial assistance to human rights defenders. The statute of the Foundation specifies that financial assistance can be provided to

³ COWI, External Evaluation of EMHRF, 2005-2008, December 2009; Evaluation and Recommendations on EIDHR support to Human Rights Defenders, FWC Contract no. 2009/226296, BENF 2009-lot nr; Mervat Rishmawi, Strategic Direction for the Work of the Euro-Mediterranean Foundation of Support to Human Rights Defenders, 2 July 2012; 7-Governance and Home Affairs, EuropeAid/127054/C/SER/Multi, Final Report, 6th May 2010.

⁴ In 2008, 42 grants and 709.970 euros were provided [evaluation report], in 2012, 81 grants and 1.057.982 euros were provided. (Data for 2008 are from 2009 evaluation report and data for 2012 are from EMHRF's 2012 flash report.)

human rights defenders as individuals or as a group. The uniqueness of the mandate, as stated in the statute of the Foundation, lies in the fact that particular funding is granted for:

- “Urgent relief for HRD under pressure or attack;
- Funds to support initiatives, the timing of which is crucial for their success;
- Funds to cover basic costs and activities of organisations and groups that work in countries where explicit support by foreign donors may endanger these vis-à-vis their own authorities;
- Funds to support innovative projects;
- Funds to build capacity of on-going (often innovative) activities or the setting up of structures by individuals or organizations who;
 - Have not yet gained mainstream donor recognition,
 - Do not have the capacity to maintain relations with these.”

The above criteria are categorized by the Foundation into two funding types, emergency and strategic funding, each with their own application procedure and funding cycle.⁵

During the period 2009-2012 a total of 202 grants have been provided for a total of 2.456.927,11 euros. A total of 103 emergency grants were provided for a total of 485.17,55 euros and a total of 99 strategic grants were given for a total of 1.971.749,56 euros. (For details see Table 1).

Table 1: Grants Allocated between 2009 - 2012⁶

Years	Number of Grants	Type of Grant		Amount in euros	Type of Grant in euros	
		<i>Emergency</i>	<i>Strategic</i>		<i>Emergency</i>	<i>Strategic</i>
2009	34	12	22	319.591,58	55.448,00	264.143,58
2010	37	21	16	539.668,93	92.868,93	446.800,00
2011	50	28	22	540.070,15	120.940,15	419.130,00
2012	81	42	39	1.057.596,45	215.920,47	841.675,98
Total	202	103	99	2.456.927,11	485.177,55	1.971.749,56

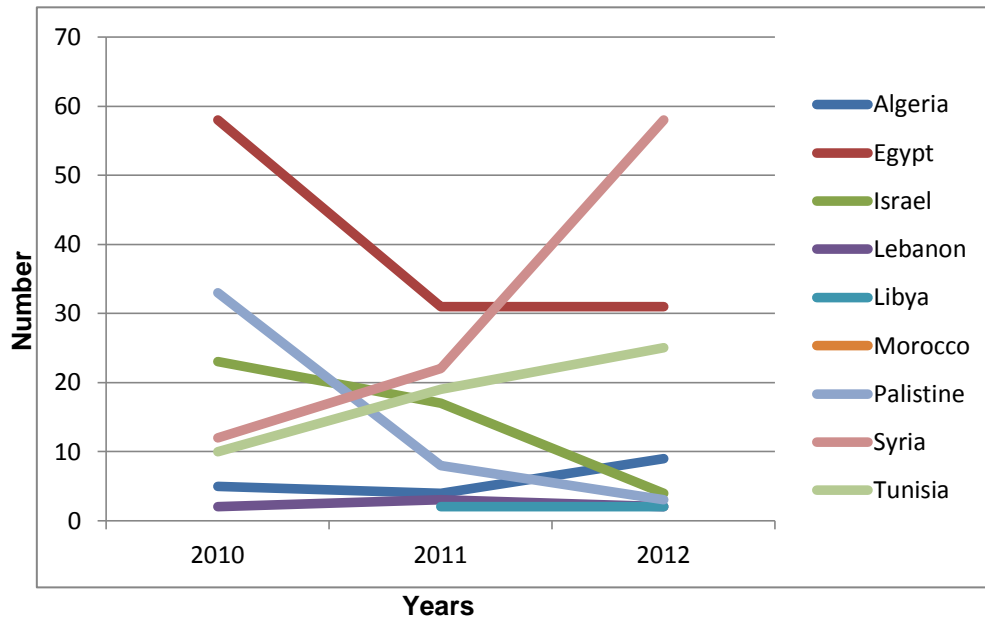
The increase in applications starts in 2011, and continues to rise in 2012 the majority are from Syria and Tunisia. (See: Figure 1)⁷

⁵ These two funding categories are classified in the logical framework of action (LFA) and on the web page of the Foundation www.emhfr.org. Throughout the documentation of the Foundation different terminology is used, in this report I use emergency and strategic as this evaluation reflects on the overall objective defined in the LFA of the Foundation.

⁶ The data for this table is compiled by means of the Foundation's yearly Flash reports.

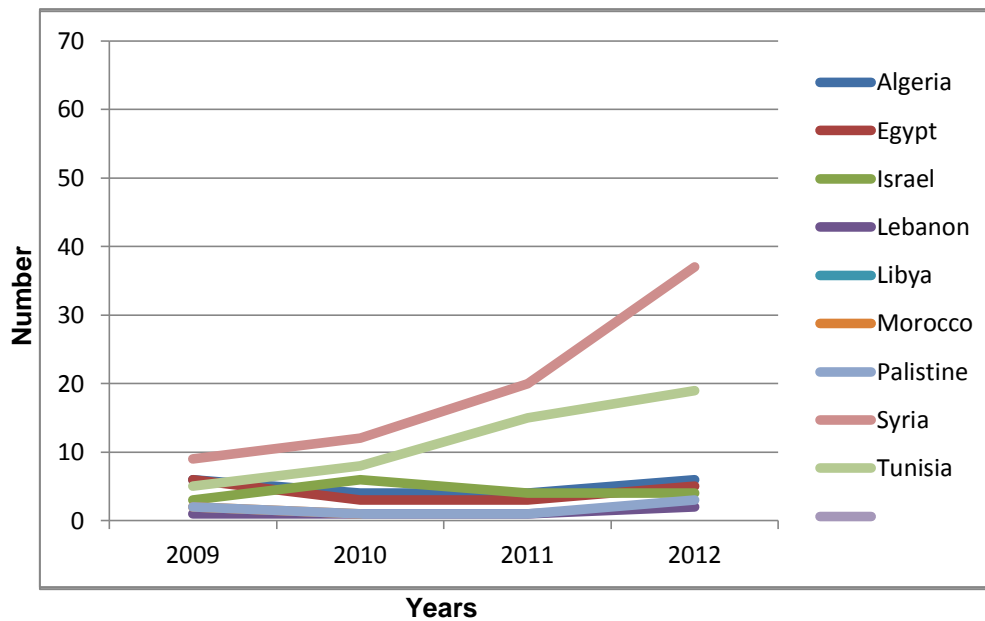
⁷ Data on application could not be aggregated for 2009 as no excel database is available for that year.

Figure 1: Total applications per country



Specifically, for Tunisia and Syria the Foundation has obtained increased funding,⁸ facilitating increased grant giving for both countries as is shown in Figure 2.

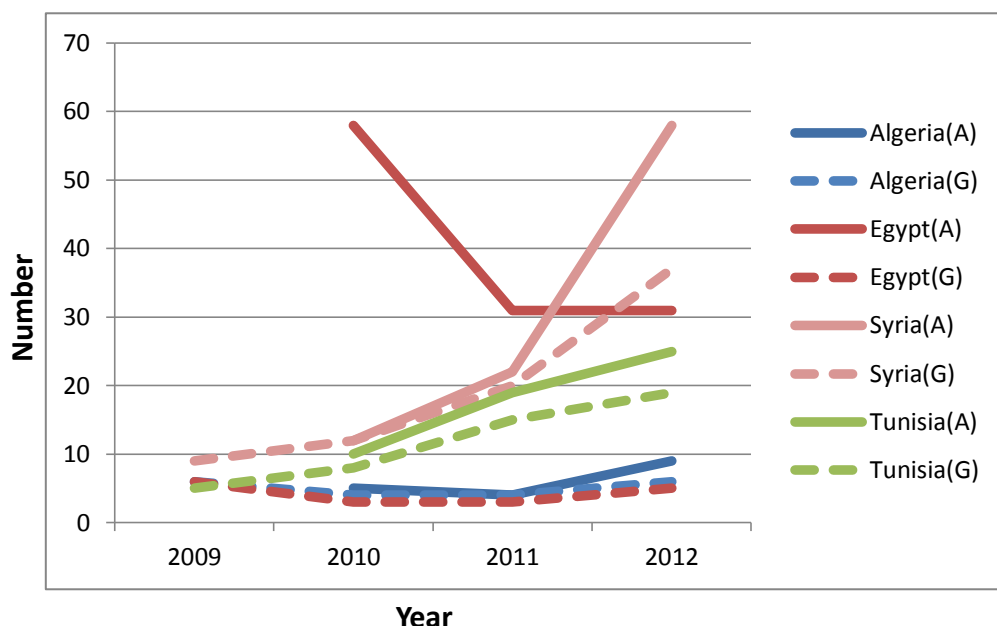
Figure 2: Total grants per country



⁸ Foundation Open Society Institute, contract 20035622, letter 29 March 2012, and Delegation of the EU in Tunisia (IFS-RRN/2011/267-589).

What is striking is that applications from Egypt have declined during the period under review and the total number of grants allocated per year is rather low even though Egypt is a priority country for the Foundation. (See Figure 3) According to the Foundation, Egypt has well-established non-governmental organizations (NGOs) including HRD, which are active and have access to mainstream funding. Furthermore, applications received from Egypt are weaker compared to other priority countries, focusing mainly on training (capacity building) and having little innovative or strategic approaches.⁹

Figure 3: Total applications (A) & grants (G) in priority countries



The Foundation is presently considering the best way it can strategically support HRD in Egypt and Algeria and expand its financial and non-financial support to innovative HRD projects.

2.2 Emergency funding

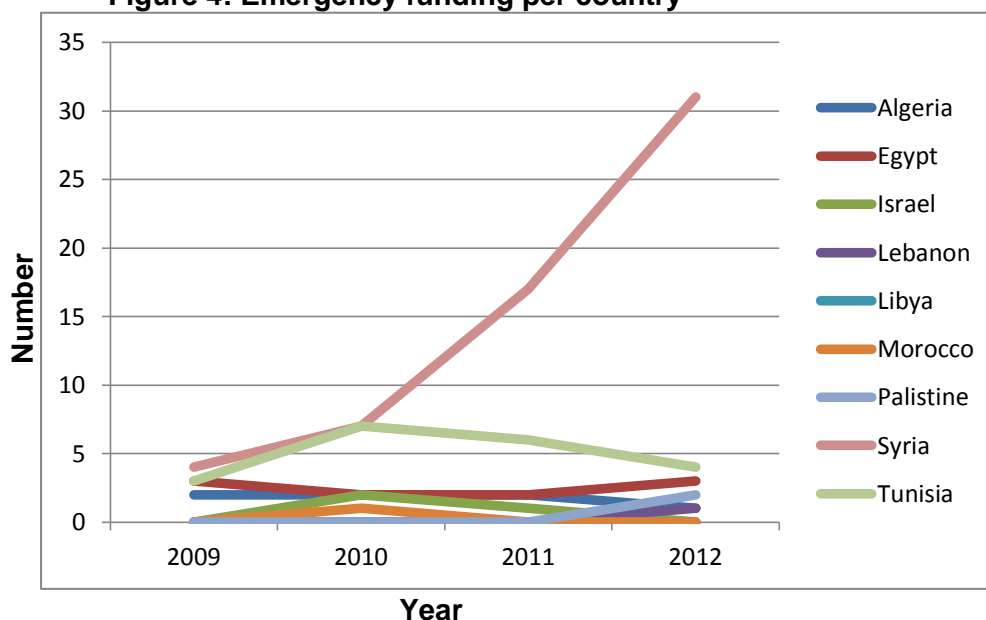
Emergency grants (also named urgent funding or urgent interventions) can be granted to HRD if they can show that a funding intervention by the EMHRF can lessen the risk against them or their family members, strengthen their visibility or aid their human rights activities at a strategic timing. According to the EMHRF web page and the statute, emergency funding is limited to 5.000 euros for a period of 6 months. Emergency funding applications can be submitted all year round and have no application deadline. These applications are received and managed by the secretariat, however the decision for funding rests with the board and decisions are taken within 10 days.

The maximum of 5.000 euros for emergency funding in some cases is surpassed. In some cases this is because another funder provides the funds and EMHRF is merely an intermediary. In other cases, especially in the case of medical treatment, 5.000 euros would not cover the entire costs

⁹ Interview with EMHRF Board members and members of the Secretariat.

needed. Other grants, which exceed the 5.000 euros maximum include a larger number of individual HRD on one and the same application, this has been the case in Syria. In 2012, the Foundation agreed that it may fund beyond 5.000 euros, however this is decided on a case-by-case basis by the board and the internal guideline for maximum funding is set at 5,000 euros (with a maximum 20% overhead, i.e. 6,000 euros).¹⁰

Figure 4: Emergency funding per country



For the period 2009-2012 a total of 103 emergency grants were provided. These are very small grants, which have enabled HRD to obtain medical treatment, support for the families when HRD are in jail, allowed HRD to travel when at risk and temporary leave their country. In other cases emergency grants have facilitated HRD to have access to funding and continue with their activities at a time when they have not been able to access funding due to local restrictions.

From Figure 4 it is clear that there has been an increase in emergency funding for HRD in Syria during the period 2009 to 2012 and a decline in emergency funding for HRD in Tunisia. In both Syria and Tunisia, the political situation plays an important role in explaining this trend. As a result of the armed conflict in Syria the situation for HRD has become extremely dangerous and all sides in the conflict reproach those involved in human rights activities. Furthermore, HRD organizations are not allowed to be registered legally in Syria and thus have difficulty receiving international money transfers. Therefore, they are dependent on receiving cash or individual wires which, mainstream donors have difficulty providing. The decline in emergency funding in Tunisia is also the result of the political situation; NGOs can now operate more freely and without legal restrictions from the government. Therefore, emergency funding is less needed, as HRD and human rights organizations are less at risk from repression.

¹⁰ EMHRF, Activity Report 2012 (draft).

Relevance

There are few organizations or foundations that have the mandate or capacity to provide small emergency funding in a timely and secure manner for HRD.¹¹ Especially supporting individual HRD and their families who are under threat or at risk is not very common. This type of funding is very important in the defense of human rights. Human rights defenders are at the forefront of taking initiatives to address human rights violations in a peaceful manner. As a result they face threats and repression and are often at high risk of prosecution, also affecting their family. Providing emergency grants to families of HRD who are in jail enables a HRD family to sustain their livelihood. More importantly, it provides solidarity with the HRD and their family with the consideration that the work and efforts have not been in vain. Funding under these types of circumstances provides legitimacy to the work, which the HRD engage in. This makes emergency funding highly relevant and effective because in many cases it facilitates HRD to continue with their work under very strenuous situations.

Increasingly emergency funding has been provided to human rights organizations. As a result of the revolutions in the Middle East and North Africa the status of NGOs and the receipt of foreign funding are under reconsideration often with negative outcomes. The cases of Algeria and Egypt are relevant here. In these two countries by law non-governmental organizations are restricted from receiving and in the case of Egypt the government needs to approve the use of foreign funding by national NGOs.¹² In these cases EMHRF has been able to provide funding in a timely and safe manner to human rights organizations so that they can remain operative and their voice can still be heard. Also here the relevance and effectiveness of the funding lies in the fact that the human rights work can be continued and those who are vocal about human rights violations cannot be silenced. The result of such funding is discussed below.

Results

Understanding the results that emergency funding brings about in terms of human rights change is difficult to quantify. However, on a case-by-case basis it is possible to qualify the changes emergency funding sets in motion in the immediacy of the funding. Below two case studies are highlighted.

Syria

A woman HRD,¹³ former executive director of a NGO and editor of a website, has received emergency funding from the Foundation on different occasions. In 2010, a grant of 5.900 euros was provided for 12 months and in 2011, a grant of 2.500 euros for 4 months. The funding supported her basic living and working expenses. As a lawyer and journalist, she is instrumental in monitoring human rights violations in Syria. She took part in the defense of HRD imprisoned

¹¹ An organization that does provide emergency grant funding for human rights defenders around the world is Front Line Defenders in Ireland. <http://www.frontlinedefenders.org>.

¹² At the time of writing a new law on NGOs has been sent by the Egyptian Authorities to the Shoura Council (Egyptian Parliament) according to the EU the new draft law "still contains elements that can unnecessarily constrain the work of NGOs in Egypt...", and the draft law "has to be in line with international standards and obligations of Egypt." Ashton on new NGO law in Egypt: draft law has to be in line with international standards, 3 June 2013, http://enpi-info.eu/mainmed.php?id=33309&id_type=1&lang_id=450.

¹³ The name of the individual HRD has been withdrawn for security reasons.

because of their support for the Damascus Declaration¹⁴ and as a result she has been harassed by the authorities and today is in hiding, however remains very active in documenting human rights violations in Syria.

Through the emergency funding from the Foundation, she has been able to remain in hiding and active in documenting human rights violations. The information compiled has been used by the United Nations on the human rights situation in Syria. The funding supported her and gave her legitimacy to continue with her work. She also became known internationally and has been awarded numerous prestigious prizes (...). These awards recognize the important work she has done and continues to undertake and it gives legitimacy to her work under very precarious circumstances. Through these prizes she has obtained funding for herself and for her work and she is not dependent on the Foundation any longer. Furthermore, she has become internationally known and as an at-risk HRD this international recognition gives her some form of protection. Because of her international recognition, in Syria people will more likely provide her with information because they know it will get out. In the Syrian context of armed conflict the result of the emergency funding has made it possible that the international community receives information in detail about the human rights situation in Syria. This information will also be vital for a process of transition once the armed conflict has ended.

Egypt

The emergency funding for a women rights NGO¹⁵ in Egypt is also an example of what funding in a timely and secure manner can bring about for a human rights organization. In 2012, the NGO received 10.000 euros in emergency funding for 3 months to bridge a period in which the organization was not able to access the foreign funding it had received from several funders.¹⁶ In early 2012, in Egypt NGOs were still governed by the Law on Associations and Community Foundations from 2002 and the Implementing Regulation for Law 84 of 2002. Through this law NGOs have to register with the Ministry of Social Affairs and need to obtain approval for using foreign funding. In February 2012, the Ministry of Social Affairs refused the NGO's request to use its foreign funding. The NGO had no funds to pay salaries, rent or its planned activities. The funding from EMHRF allowed the NGO to continue its operations while initiating legal action against the Ministry of Social Affairs and filing a complaint with the Conflict Resolution Committee. In terms of human rights result the emergency funding provided by the Foundation has enabled the NGO not to be closed down and thereby remain a voice of civil society. More importantly, the NGO had funding available to engage the Egyptian authorities in a legal process over foreign funding for NGOs. The NGO was finally granted access to its funding after important delays but this is a positive step for the organization to have further funding for its activities. Furthermore, the legal process sets a precedent for future cases in which, foreign funding access is denied by the

¹⁴ The Damascus Declaration (DD), drafted in 2005 by individuals and various opposition groups demanded a multiparty democratic system in Syria. Many of DD signatures have convicted for their political work and the majority has been jailed. Carnegie Middle East Center, <http://carnegie-mec.org/publications/?fa=48514>, 28 May 2012.

¹⁵ The name of the NGO has been removed for security reasons.

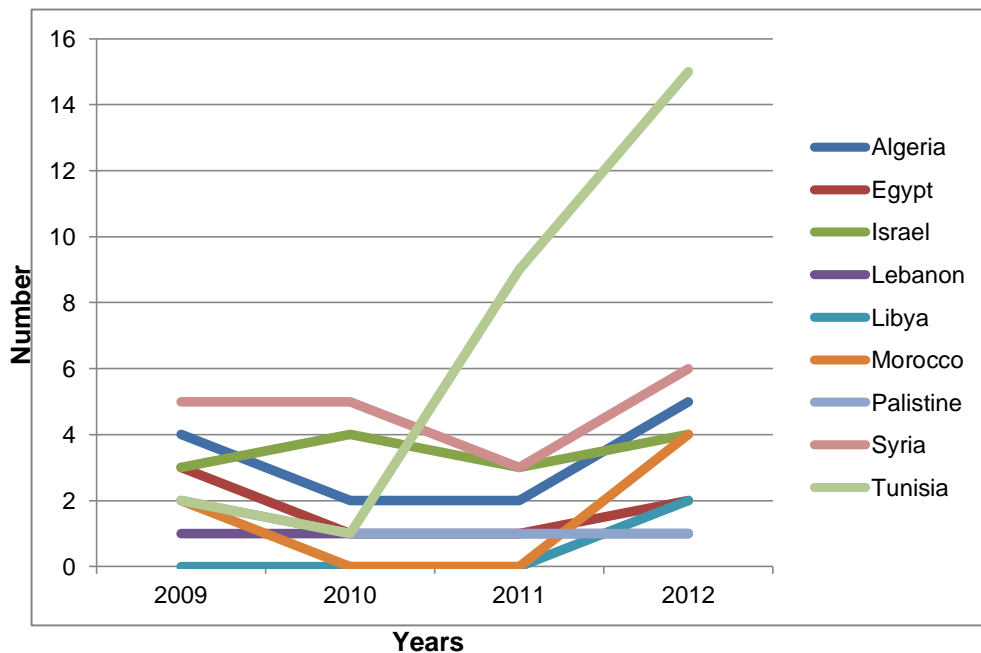
¹⁶ In instances where emergency funding is higher than the norm, EMHRF consults and secures the funding with its donors. In the case of this NGO, the funding was secured with a funder that is the original sponsor of the NGO and a donor of EMHRF.

authorities. Without the emergency funding the operations of the Egyptian NGO would have been shut down and the NGO would not have failed to engage the authorities in a legal process.

2.3 Strategic funding

Strategic funding, also referred to as standard funding,¹⁷ can be provided by EMHRF to HRD to initiate their work and to build their capacity when they have no funding from other national, regional or international funding institutions for their innovative project, or do not yet have the recognition from mainstream donors. Decisions on applications for strategic funding are made twice a year by the board. A maximum of 40.000 euros can be applied for, for a maximum duration of 18 months. The EMHRF secretariat prepares and presents the applications at the board meeting twice a year and the board decides.

Figure 5: Strategic funding per country



For the period 2009-2012, EMHRF granted 99 strategic grants for a total of just fewer than 2 million euros. As Figure 5 shows there has been an increase in strategic funding in all countries with the main increase occurring in 2011 and 2012, especially in Tunisia. The Foundation received specific funding for HRD in Tunisia from the EU Delegation in Tunisia in 2011-2012 and from Oxfam Novib in 2013. This increase in strategic funding can be understood as a result of a change in the political situation. Most importantly, under the new law, civil society organizations including human rights organizations can operate freely without need for authorization from the government. However, no

¹⁷ The wording emerging and reinforcement also feature in this category throughout the documentation of the Foundation.

legal framework is yet in place in Tunisia to specifically protect HRD, and this is encouraged internationally because of the vulnerable position HRDs hold.¹⁸

Relevance

Strategic funding supports HRD and their initiatives that do not have the capacity to apply for mainstream donor funding. On average these HRD initiatives are small-scale projects, often outside of capital cities, undertaken by individuals with little or no project management experience. Furthermore, these human rights organizations have little or no contact with national, regional or international human rights networks of like-minded organizations. These HRD groups arise because they are affected by human rights violations they wish to halt or because they wish to contribute to the future building of a real and sustainable democratic State. Applications by these HRD groups often contain ideas that are very pertinent to the human rights situation in the area, but the applications often require more thorough development. For this reason precisely, mainstream donors are reluctant to finance these projects. EMHRF is able to accompany (coach) these groups to strengthen their applications in terms of strategy and management. The human rights areas that are specifically supported by EMHRF are civil and political rights including the fight against impunity, economic, social and cultural rights, migrants, refugees and asylum seekers, women's rights and empowerment, and minorities.

Results

To address results of strategic funding the case study of the *Forum Tunisien pour les Droits Économiques et Sociaux in Tunisia* (FTDES) and the Palestinian Human Rights Organization (PHRO) is highlighted.

The FTDES was set-up in 2011 to promote economic and social rights. FTDES obtained a 40.000 euros grant from EMHRF for the duration of eight months to initiate its work. The FTDES is the outcome of a social movement active in the mining area in Southern Tunisia. Also this movement was supported by the EMHRF for various years. Already in 2008, EMHRF supported the *Comité National de Soutien aux Habitants du Bassin Minier* (CNSHBM)¹⁹ and in 2010 the *Comité pour le Respect de Libertés et des Droits de l'Homme en Tunisie*. These two organizations supported those imprisoned because of their involvement in advocating for labor rights in Redeyef. The organizations documented the legal proceedings, provided awareness about the human rights situation in the area both for national and international actors, and supported the families of those who were imprisoned. The social movement, which developed in the mining area to advocate for labor rights specifically and for human rights generally, is often seen as a forerunner of the revolution in Tunisia. Once the revolution in Tunisia succeeded and NGOs could operate more freely, FTDES²⁰ was formed to address economic and social rights for the whole of Tunisia. The Foundation's long established relationship with the labor leaders in the mining area enabled these leaders to seek advice from the Foundation both with regards to strategy development of the organization and in seeking support with approaching and securing mainstream donor funding. The

¹⁸ The need for governments to take steps to protect HRD is once again reinforced in the resolution adopted by the Human Rights Council, 12 April 2013, UN Doc. A/HRC/Res/22/6.

¹⁹ EMHRF, Annual Report 2011, p. 14

²⁰ FTDES is an initiative between different human rights NGOs and labor union leaders from CNSHBM.

FTDES has been successful in receiving funding from the Open Society Foundations and the Fund for Global Human Rights. In March 2013, FTDES was the main organizer of the Social Forum in Tunisia and today it has offices in the capital and in the mining area, among others.

In terms of human rights results the case study of FTDES and its forerunner CNSHBM makes clear that the Foundation has supported a social movement in Tunisia, which used a human rights based approach to make its case²¹ and was able to adapt to the developments and develop into a new organization, active at the national and local level, today with support from mainstream donors. This is precisely what the Foundation was set-up to do, provide financial and non-financial support for human rights defenders and human rights organizations at an early stage of organization and accompany (coach) them to obtain funding for their initiative from mainstream donors.

The case study of the Palestinian Human Rights Organization (PHRO) is also indicative of the work of the Foundation. PHRO was the only NGO active in promoting, protecting and defending the human rights of Palestinian refugees in Lebanon.²² Set up in 1997, the organization had been able to secure funds from mainstream donors, however in more recent years PHRO has had difficulty obtaining mainstream donor funding as donors shift their funding policies and Palestinian refugees in Lebanon are no longer a priority. Nevertheless, the human rights situation of Palestinian refugees remains pertinent as long as they are not given the same rights as citizens of the State of Lebanon. As a means for the organization to remain operative in 2009, the Foundation granted 30.000 euros. This allowed PHRO to seek further funding which it was able to obtain. In 2012, a grant of 39.000 euros was granted as a way for PHRO to consolidate its work. The PHRO is in need of adapting to the political changes in the Middle East and this requires the organization to restructure and broaden its mandate, especially with regard to Palestinian refugees in Syria. These are slow processes, which other organizations have difficulty funding. EMHRF has the mandate and the capacity to accompany often politically very sensitive processes for organizations to restructure and consolidate their work. In this case the result of the funding is supporting the only NGO, which continues to bring forward the human rights situation of Palestinian refugees in Lebanon. The abominable human rights situation of these refugees exists now for over 65 years.

2.4 Non-financial support

Non-financial support is a central part of EMHRF's work with its grantees, and especially important in the context of strategic funding. In 2012, EMHRF for the first time qualified non-financial support.²³ The main activities undertaken are to accompany (coach) grantees in terms of their management and strategic planning, networking with local civil society organizations, which address the same themes when appropriate, coordinating solidarity activities with other international NGOs and intermediary services with potential donors. This work has substantially expanded over the years as the number of grantees has also expanded.

²¹ The prisoners were eventually freed in 2009 without further process. However, their economic and social situation remained precarious.

²² Palestinian refugees make up about ten percent of the population in Lebanon according to UNRWA. In some cases the fourth generation is been born in a refugee camp.

²³ EMHRF, Activity Report 2012, (draft).

For all strategic funding, applicants need to briefly describe the project and activities for which funding is requested and describe the objectives and expected results.²⁴ Furthermore a budget for the project needs to be presented. Once determined that the proposed project is within the mandate of the Foundation, the secretariat engages in a background check and considers whether the proposal is viable and innovative. In this process the secretariat is in contact with the applicant requesting information on the organization and the project. Once the project has been approved for funding a contract is made and the HRD organization is committed to report to the Foundation on the implementation of the project. During the reporting period EMHRF staff accompany the HRD organization by aiding them in their reporting capacity, requesting information on future steps in terms of project and funding, on the results achieved and the networks developed. Through intense contact during the application, implementation and reporting procedure, each initiative is guided to improve its project management skills. The accompaniment process of the HRD by EMHRF, gives these HRD a greater chance of success with obtaining mainstream funding resulting in a continuation of their human rights work.

As the Foundation supports small innovative initiatives, providing managerial and strategic planning services is vital for the success of these initiatives. Nevertheless, the work is very labor intensive and requires close contact with the grantees. In countries where NGOs can operate more freely as in Tunisia presently, undertaking non-financial support is more viable and less risky than for example in Egypt or Algeria.

2.5 The structure that supports the work

In 2014, EMHRF will celebrate its ten years anniversary. The Foundation has remained a small organization. At the time of writing, EMHRF is composed of the nine initial board members and it employs three full-time and one part-time staff members in Copenhagen and one part-time consultant and one full-time staff member in Tunisia. The full board and staff meet twice or three times a year. At the board meeting the main business of the board is to allocate strategic funding and to discuss past and future activities undertaken by the secretariat in order to facilitate financial and non-financial support. This includes discussing the political and economic situation in the region, potential country visits, donors' funding for the Foundation, structure of the secretariat and budget for the upcoming year. Increasingly, the Foundation organizes seminars or debates by scholar activists to provide insight onto the socio-political situation in the region as a means to remain well informed and broaden its network of contacts. The Foundation's board members engage in country visits to inform themselves about the local situation and come into contact with HRD and their organizations and engage with possible future partners. With the establishment of the office in Tunisia, the Foundation's capacity to engage with HRD more directly and provide non-financial support is enhanced.

During the period under review the Foundation undertook country visits to Algeria (2009), Syria (2010), Egypt and Tunisia (2011), and Libya (2012). In 2012, the Foundation also held a retreat with 15 Tunisian associations who at the time were new partners of EMHRF. The retreat had the function for the associations to present their work and specify their priorities, furthermore the retreat enabled the associations to get to know and learn from one another and seek possibilities for

²⁴ EMHRF has a standardized application form for Strategic and Emergency funding available on its Web site.

cooperation. Also a seminar was organized on democratic changes in the Arab region and the role of civil society in April 2011. The seminar brought together academics and activists, active in the region in the area of human rights allowing for exchange of strategic information and networking.

Since 2010, the Foundation has also expanded its funding advocacy work with like-minded foundation networks in the United States, Europe and the Middle East - the International Human Rights Funders Group, the Arab Foundation Forum and the Ariadne Network of European Human Rights Foundations. Information is exchanged about the socio-political situation in the region and the situation of HRD specifically. The aim of this exchange of information is to obtain a common strategy to support civil society initiatives and in cases of emergency situations for HRD to respond rapidly. In the case of the controversy over foreign funding for NGOs in Egypt and Algeria, the Foundation fosters HRD to strengthen their funding advocacy with international funding institutions. As the Foundation is well informed about the situation of HRD in the Middle East and North Africa, increasingly the secretariat is receiving requests for information on the human rights situation in the region and this work is taking up more and more time.

A burden on the secretariat today is the quantity of individual reporting requirement for its donors. During the last half of 2013, EMHRF will complete 16 separate reports: including narrative, financial and progress reports just for the European State donors (DANIDA, SIDA, Norwegian Ministry of Foreign Affairs²⁵ and the European Commission). At a time when aid is maximized for results and harmonization is looked upon favorably, 16 reports in 6 months for European donors seems disproportionate for such a small Foundation.

The political changes that occurred in the Southern Mediterranean countries has shown that a very small Foundation, such as EMHRF is very capable of responding quickly to changing political situation. Both with regards to the Foundation's funding and the structure of the secretariat, EMHRF rapidly adapted to the needs and possibilities of HRD in the region. In 2011, as soon as the 'Arab Spring' materialized, EMHRF was considering having a representative in Tunisia as a means to have more direct access to emerging HRD initiatives. At the board meeting in April 2011 the Board decided to hire a local Tunisian consultant to be its representative in Tunisia, and by May the person was employed. Through local presence the Foundation is very well informed about the developments affecting HRD, new initiatives that arise and the reaction from governmental institutions and other non-governmental entities. Thereby, the Foundation is able to respond rapidly to financial needs which may arise for HRD and it is able to accompany emerging HRD and their organizations in their aim to mobilize international support, seek funding from mainstream donors and make alliances with local NGOs who have similar goals and aims.

²⁵ EMHRF has received funding from the Norwegian Ministry of Foreign Affairs for 2013.

3. Conclusions and recommendations

The EMHRF remains a small, dynamic funding organization for human rights defenders in the Southern Mediterranean region. The Foundation has substantially evolved since 2009. The 2011 revolutions in the Middle East and North Africa have provided human rights defenders and human rights organizations with new opportunities and diverse constraints to which the Foundation has responded rapidly. The Foundation has strengthened its operations and increased the number of grants provided. Both emergency grants for human rights defenders and human rights organizations at risk, and strategic grants to human rights organizations have expanded over the years.

Through the financial support and non-financial support EMHRF is contributing to the overall work of human rights defenders in the Southern Mediterranean region. By 2012, EMHRF was supporting more human rights defenders in the region, through its grant giving than it had set out to do in its logical framework for action defined in 2009. Also in terms of non-financial support EMHRF engages in more activities than aimed for. As a result EMHRF fulfills its specific objectives.

EMHRF has fully implemented the mapping of grantees and applicants as recommended in the 2009 evaluation. Furthermore, the Foundation has standardized reporting mechanisms by its grantees and works closely with them to ensure the quality of reporting to EMHRF. The present evaluation has therefore been able to concentrate on the short-term results the work of the Foundation brings about and on the achievements in relation to the overall objectives of the EMHRF.

Relevance

Providing emergency and strategic funding is still highly relevant in the Middle East and North Africa. Small **emergency funding** in a timely and secure manner to human rights defenders is essential under political volatile circumstances. Human rights defenders are at the forefront of taking initiatives to address human rights violations in a peaceful manner. However, in unstable political situations they face threats and repression and are often at high risk of prosecution, also affecting their families. The relevance and effectiveness of emergency funding for human rights defenders provided by EMHRF lies in the fact that under political insecure circumstances human rights defenders obtain legitimacy of their work and can more easily continue carrying out their human rights work. Furthermore, emergency funding brings human rights defenders into contact with foreign like-minded entities allowing them to build an international network of support, thereby diminishing potential risks.

In **Algeria** and **Egypt** human rights organizations are restricted in their access to foreign funding and often face the consequences of closure. In these cases timely and secure emergency funding has been very relevant for human rights defender organizations to remain operative. Through **emergency funding** authorities fail to curb the voice or activities of human rights defenders.

Strategic funding supports human rights defender organizations that do not have the capacity to apply for mainstream donor funding. On average these are small-scale projects, often outside of capital cities, undertaken by individuals bound by similar experiences of human rights violations, but with little or no contact to national, regional or international human rights networks of like-minded organizations. Through intense contact of the grantees with the Foundation during application, implementation and reporting procedure, each initiative is guided to improve its strategy and project management skills. If appropriate EMHRF functions as an intermediary with national, regional and international established human rights groups. Together this makes human rights defender organizations a stronger actor of civil society, more capable of engaging in international advocacy and more skilled in seeking mainstream donor funding.

Recommendation on relevance

As restrictions for NGOs to receive foreign funding in **Algeria** and **Egypt** remain in place, the Foundation needs to acknowledge that emergency funding requirements for human rights defender organizations will be called upon more frequently and that the maximum of grant allocation will not suffice in emergency support to human rights defender organizations. The Foundation is recommended to consider adopting within the category of emergency funding an appropriate maximum funding for human rights defender organizations.

Results

Results of **emergency** and **strategic funding** by EMHRF are short-term. For this evaluation results have been analyzed on a case-by-case basis. The evaluation has shown that emergency funding to human rights defenders in **Syria** brings about information on human rights violations, internationally used. This information will also be vital for the process of transition once the armed conflict has stopped. The emergency funding to the human rights defender in Syria also made it possible that the work became known internationally (the human rights defender received international awards) and diminishing risks to the human rights defender. On the whole, contributing to the continuation of the human rights work.

The **emergency funding** to a human rights defender organization in **Egypt** is also an example of what emergency funding in a timely and secure manner can bring about. The emergency funding provided by the EMHRF in Egypt allowed the human rights defender organization to remain open and thereby remain a voice of civil society. Furthermore, the emergency funding enabled the organization to engage the Egyptian authorities in a legal process over foreign funding for NGOs. This legal process sets a precedent for future cases in which funding access is denied by the Egyptian authorities.

Strategic funding provided to human rights defender organization over a longer period in **Tunisia** has had a positive outcome. The Foundation supported a social movement in the Southern Tunisian mining area for some years. This human rights defender organization used a human rights based approach to make its case before the revolution and was able to adapt and develop into a new human rights organization which addresses economic and social rights in all of Tunisia with support from mainstream donors. This is precisely what the Foundation was set-up to do, provide financial and non-financial support for human rights defenders and human rights

organizations at an early stage of the organization and accompany (coach) them to obtain funding for their initiatives from mainstream donors.

Recommendations on results

EMHRF is recommended to encourage human rights defender organizations in **Egypt** and **Algeria** to engage the legal system to question the legality of restrictions on foreign funding for NGOs where appropriate and continue to strengthen human rights defender organizations' advocacy work with international actors.

The Foundation is recommended to continue expanding its reporting on **results**, both of emergency and strategic funding and to continue to work with the grantees to report on the results they have achieved in terms of human rights change.

Non-financial support

Non-financial support is a central part of EMHRF's work with its grantees. The main activities undertaken are coaching grantees in terms of their management and strategic planning, networking with local civil society organizations which address the same themes as grantees, coordinating solidarity activities with other international NGOs and intermediary services with potential donors for grantees. This work has substantially expanded over the years as the number of grantees has also expanded. The work is very labor intensive and requires close contact with the grantees. In countries where NGOs can operate more freely, as in **Tunisia** presently, employing a local consultant is vital to enable a more hands-on approach.

Recommendation on non-financial support

The Foundation is recommended to seek **local consultants** as partners, at a time when local political situations allow NGOs to operate more freely. This will allow the secretariat to concentrate on those countries where NGOs cannot operate freely and allow the local consultant to have a hands-on approach with newly developing local human rights initiatives.

Structure that supports the work

The expansion of the Foundation's granting capacity has also increased the overall work of the secretariat and the board. Especially the Foundation's reporting obligations and networking capacity are important but very time consuming. Nevertheless, EMHRF is very diligent in making grant giving its main task.

Recommendations on the structure that supports the work

EMHRF should continue its cooperation with **like-minded funding organizations** in Europe and the United States. Cooperation amongst funders will reinforce strategies towards human rights defenders in the Southern Mediterranean region and therefore strengthen the position of human rights defenders in the countries themselves.

The reporting burden on the **secretariat** is rather high because of its expanded granting budget, however the secretariat has not expanded substantially. The Foundation is encouraged to engage in a dialogue with its European donors to seek a more coordinated reporting mechanism. This will contribute to keeping the EMHRF's secretariat focused on grant giving to human rights defenders.

In 2014, EMHRF will celebrate its tenth anniversary. During the past ten years the initial nine **board** members have very successfully institutionalized a secretariat and standardized grant making procedures. To retain successful grant making to human rights defenders in the Southern Mediterranean region and for the continuity of the Foundation it is vital that board members initiate a process of designating new board members. Herewith the sustainability of the Foundation as an institution will be guaranteed and allow for the incorporation of new human rights dynamism to be represented on the board.

Annex I: List of People Interviewed

Name	Date
EMHRF Secretariat	
Améline Jaskowiak	13 March 2013
Anne Sophie Jouanneau	21 March 2013
Ramy Salhi	21 March 2013
Anne-Sophie Schaeffer	1, 28 February 2013 7, 27 March 2013 26 April 2013 28 May 2013
Samy Lendval	14 March 2013
EMHRF Board Members	
Bahey eldin Hassan	15, 20 April 2013
Christine Merkel	15 April 2013
Lynn Welchman	12 April 2013
EMHRF Board Meeting	11, 12 May 2013
SIDA Representatives	
Kim Zanders	26 April 2013
Conference Meetings	
Yvonne Jensen, Améline Jaskowiak, Anne-Sophie Schaeffer, Kim Zanders (Inception report)	22 March 2013
Yvonne Jensen, Améline Jaskowiak, Anne-Sophie Schaeffer, Kim Zanders (Summary of Evaluation report presented at Board Meeting)	23 May 2013

Annex II: List of Documents Reviewed

EMHRF web-page: www.emhrf.org

EMHRF Statutes

EMHRF Logical Framework

EMHRF Methodology

Annual Activity Reports 2009, 2010, 2011, 2012

Annual Audited Reports 2009, 2010, 2011

Minutes Consultation of the Council of Representatives 2012

Report from the Discussion Seminar, April 2011

Working paper, EMHRF Interventions in Algeria, 2010

Actions in Tunisia, 2010 - 2012

Actions in Syria, 2010 - 2012

Actions in Egypt, 2010 – 2012

Proposed response by the EMHRF to the developments in the Arab region, April 2011

Opportunities to Strengthen Strategic Partnerships, November 2012

Secretariat Structure and Staff Brainstorming, December 2011 and 2012

Board meetings and Secretariat Reports

Summary of decisions or Minutes – Board Meetings 2009-2012

Secretariat Reports 2009, 2010, 2011 and 2012

Flash Reports on Grants Allocated 2009, 2010, 2011, 2012

Databases of applications 2010, 2011, 2012

Field visits reports

Minutes from the retreat with EMHRF partners in Tunisia, June-July 2012

Report Visit to Libya, April 2012

Report Visit to the Mining Area, Tunisia, October 2011

Report, Meetings with foreign representations and NGOs in Tunisia, October 2011

Report, Visit to Egypt, October 2011

Report, Visit to Syria, October 2010

Report, Visit to Algeria, January 2009

EMHRF Files grantees

CNSHBM, FTDES, PHRO and two other NGOs.²⁶

Donor Contracts

DANIDA 2010, 2011; EIDHR 2008, 2011; EU Delegation Tunisia 2011; French Ministry of Foreign Affairs 2011; Foundation Open Society Institute 2009, 2012; The Norwegian Ministry of Foreign Affairs 2012; Oxfam Novib 2012; SIDA 2009, 2010; The Sigrid Rausing Trust 2010, 2011

Evaluations

COWI, External Evaluation of EMHRF, 2005-2008, December 2009.

Evaluation and Recommendations on EIDHR support to Human Rights Defenders, FWC Contract no. 2009/226296, BENF 2009-lot nr 7- Governance and Home Affairs, EuropeAid/127054/C/SER /Multi, Final Report, 6th May 2010.

²⁶ The names of these two NGOs have been withdrawn for security reasons.

Mervat Rishmawi, Strategic Direction for the Work of the Euro-Mediterranean Foundation of Support to Human Rights Defenders, 2 July 2012.

Dr. Hilde Hey is a Human Rights Consultant, presently based in the United States of America. She has completed evaluation and research assignments for NGOs, IGO and European Governments. She is reachable under hhey@compuserve.com



Supporting Human Rights Defenders: Analyzing Short Term Results

The Euro-Mediterranean Foundation of Support to Human Rights Defenders (EMHRF) has worked since its establishment in December 2004 to promote human rights and support human rights defenders in the countries of the South Mediterranean. The evaluation of the Foundation's performance for the period from 2009 to the end of 2012, mandated by the Swedish International Development and Cooperation Agency and the Danish Ministry for Foreign Affairs, indicates that the Foundation was able to respond quickly to a changing political situation. The conclusion was that the Foundation succeeded in tailoring its support to meet civil society needs and adopting strategies depending on the political and security situation in each of the South Mediterranean countries. Furthermore, the Foundation succeeded in providing financial and non-financial support - ranging from flexible funding to defenders, both individuals and organisations, to providing coaching and networking support – even to civil society actors facing increasing restrictions, such as in Algeria and Egypt, and those in armed conflict situations, including Syria and Libya. Such support, according to the evaluation, resulted in the continuity of the work of human rights defenders in areas of conflict or those facing increased repressive measures.

A number of recommendations were made to the Foundation to further improve its work, including calling for increasing the emergency funding in support of human rights defenders in light of the growing needs arising from political and security changes in the region.

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