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

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1. Introduction

More than a year has gone by since the beginning of the Arab uprisings in December 2010, but the upheavals that have shaken the southern Mediterranean region are far from over. Three dictatorships have been toppled so far – in Tunisia, Egypt and Libya – and Syria remains in the throes of a deep crisis that is unfolding amidst an explosion of violence. The shockwaves have been so powerful that other countries – Morocco, Jordan and Algeria, in particular – have taken pre-emptive measures by introducing reforms and improvements to living conditions which have succeeded to some extent in appeasing demands from the street. Despite the fluidity of developments and the different dynamics that play out in each country in the region, it is possible to draw some region-wide conclusions from the unprecedented eruptions that have taken place.

The revolutions have highlighted the emergence of a new dynamic between political powers and civil society. They have also given rise to the appearance of a new major actor of political change: the Arab citizen, whose opinions and whose social leverage can no longer be discounted. The revolutions have also, through the voting booth, given the Islamist movement a major influence as a political force in the transition process, but it is a movement whose agenda is unclear while its democratic aspirations remain unproven. These are the new dynamics that are now at play, and their interrelationships will have a major impact on the human rights situation in those countries and beyond.

Broadly speaking, governments have attempted to respond to the pro-democracy demands, and reforms have been announced in most cases. It is too early, however, to determine whether these reforms will have any effect beyond the initial period and whether they will bring about real changes based on respect for all human rights as universally recognised. In some cases – Syria and Algeria, for example – the repeal of the state of emergency has had no discernible impact on the treatment of dissident voices. In Egypt, the scope of the new law has been widened both de jure and de facto. In Algeria, the political reforms that have been enacted have turned out to provide new opportunities to further restrict the activities of civil society. In formulating future policies and strategies, therefore, it is important to remain vigilant about potential obstacles being raised against democratic progress and about potential setbacks.

Without exception, demonstrations were met by an excessive use of force, resulting in large numbers of fatalities and injuries. And yet, the security forces responsible for these abuses have not been held to account for violations committed during demonstrations. Although they have officially been dissolved in Egypt and Tunisia, security forces continue to use the same heavy-handed tactics against demonstrators exercising their right to assemble and demonstrate peacefully. Generally speaking, the only steps to fight impunity that were recorded in 2011 were the court proceedings launched against a few people involved in corruption cases or violent crackdowns against demonstrators, in Tunisia especially.

The enjoyment of the rights to freedom of expression, opinion and association remains under threat in the region, and today these rights are neither confirmed nor guaranteed. Some practices that run contrary to internationally accepted human rights standards, such as the use of military trials for civilians, torture and humiliation, have continued to be used to obstruct the activities of social and revolutionary forces. In Egypt, the Supreme Council of the Armed Forces (SCAF) has decided to prosecute more than 12,000 civilians in

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1 The geographic scope of the Foundation’s interventions is the southern Mediterranean region – more specifically, Morocco, Algeria, Tunisia, Libya, Egypt, Jordan, Palestine, Israel, Lebanon and Syria.
military courts and continues to use the media and the judiciary as tools in the unprecedented campaign it has been waging in total impunity against civil society organisations.

The processes at work in the region are drawn out and convoluted, making it difficult to predict the eventual outcome. However, the fact remains that human rights abuses continue across the region, with vulnerable groups being especially affected. Women and minorities continue to be the targets of various types of discrimination. At the same time, the conflicts in Libya and Syria have resulted in large cross-border movements of migrants and refugees whose living conditions and access to basic resources are limited – a situation brought about by the lack of a rational approach to migration issues at the regional level and by major political trends at the international level.

In this context, the Foundation focused its strategy on strengthening the human rights movement in the South-Mediterranean region while adapting to transformation processes in Arab societies. Several actions can be highlighted, confirming the relevance of the approach of the Foundation which remained active and present in these developments in 2011.

The deep crisis in Syria has been at the core of the Foundation’s concerns. The Foundation continued to give priority to protecting defenders and documenting rights violations in a context where major funders neither have the mechanisms to act quickly and creatively move resources nor the capacities to make lots of small and individual grants.

In response to the new dynamics at work, the Foundation also decided to deepen its understanding of national and international dynamics in order to proactively adapt its work to the needs of non-governmental actors in the region. This orientation materialised in the holding of a seminar in early 2011, to complement the Foundation’s regular support activities. This seminar, among the first of its kind to be organized in the wake of the pivotal uprisings, was critical in providing the space for a preliminary exchange and reflection to build strategies to promote and protect democracy and human rights.

As a result, the Foundation decided to launch a regional presence in Tunisia. Its objective is to support the development of the actions of defenders and emerging civil society actors, especially in remote and marginalised areas. It also plays an advisory role to provide effective and sustainable support to these local actors.

In 2011, given the number of requests received, the Euro-Mediterranean Foundation of Support to Human Rights Defenders (EMHRF) has thus expanded its support activities on behalf of human rights defenders, giving priority to ethics, responsiveness, collaboration and local involvement. The needs expressed by local actors in this ever-changing setting have been at the forefront of the Foundation’s interventions.

2. Executive Summary

Regarding the fundamental tendencies of these Arab uprisings and how these have affected the Foundation’s mission and position in the region in 2011, a few preliminary observations can be made:
1. The **Arab countries continue witnessing a lot of disturbances, uncertainties and violence.** In this context, pre-existing divisions are often instrumentalized. Crackdowns on dissidents, extra-judicial killings, harassment, deprivation of freedom and ill treatment continue in the region. Many defenders in the region have been arrested, detained and ill-treated; many have decided to flee their country in fear for their lives, in particular in Syria. As a result, a number of defenders not only faced serious health problems but also a very precarious situation. The Foundation has increasingly come to the assistance of these defenders to help them obtain the medical treatments they need and to help them cope with basic expenses. Besides its financial interventions, the Foundation has – to an important extent – coordinated its actions with other regional and international actors to secure complementary means of support to these defenders.

2. **A significant number of new and emerging initiatives** are being set up across the region, especially in countries which witnessed uprisings in 2011, not only in the capital but also in remote areas. A qualitative approach focused on the local level is needed to understand and leverage these new initiatives, the majority of which lacks a clear and strategic vision, contacts and experience in order to sustain their actions. Since May 2011, the regional presence of the Foundation in Tunisia favoured such approach not only by identifying valuable emerging initiatives but also by reinforcing their operational capacities and closely advising them on drawing strategic collaborative plans, necessary to sustain their actions in the long term.

3. **Major human rights NGOs - though they have been undeniably weakened over the years – have an important role to play** in upholding the demands of the population, protecting their civil, political, economic, social and cultural rights and fostering the space for real and sustainable reforms. In most cases, these major NGOs are faced with structural challenges not only to position themselves in the current context but also to manage the new funding that has been made available to them. The Foundation continues to support these major NGOs mainly in the form of strategic advice to sustain their actions and positions that are adapted to different stages of the transition.

4. **A substantial number of international NGOs, including funding agencies, is trying to position itself to support the transition to democracy in the region.** While this influx must be welcomed, there is a risk for one-off actions which may have a destabilizing impact on civil society organizations, not only in the countries which witnessed uprisings but also in other countries, which may receive less attention and support in the future. In this context, the Foundation has favoured collaboration with and between these new partners as much as possible. It intends to reinforce such approach in the future with a view to maximise the interventions in support of the organizational and strategic development of the civil society movement in the region.

In view of the foregoing, the Foundation not only increased its actions in support of individual human rights defenders at risk in highly repressive environments but also adapted its interventions to support the organizational capabilities of defenders to launch urgent projects and sustain emerging initiatives aimed at promoting genuine and lasting human rights reforms in transitional contexts. Moreover, one of the main objectives of the Foundation being to ensure the sustainability of the actions carried out by civil society organizations across the region, the EMHRF followed up closely on the situation of human rights defenders and strengthened partnerships geared to supporting them over the long term.

In its strategy, 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 is operating** while monitoring 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.
3. Actions in Support of Human Rights NGOs, Groups and Defenders

In the context of the broad trends outlined above, the Foundation undertook 50 interventions aimed at supporting 50 human rights defenders (25 NGOs and 25 individual defenders) who foster, support, protect and monitor respect for human rights in the South-Mediterranean region. The total amount involved reached more than ½ million Euros.

The following issues were given special consideration by the Board during the year 2011:

- Protecting and reinforcing civil and political rights including the promotion of citizenship;
- Protecting and reinforcing economic, social and cultural rights;
- Protecting the rights of minorities, migrants, refugees and marginalized groups;
- Empowerment of women and youth;
- Fighting against impunity;
- Freedom of expression and of the press;
- Fighting against corruption.

The support provided to defenders in the region can be divided into three broad categories, as set out below. These however are not static and evolve with developments and needs expressed by the defenders. 3

3.1. Urgent actions in support of individual defenders at risk in highly repressive and volatile environments

The EMHRF provided urgent financial assistance on 19 occasions in order to assist 20 individual human rights defenders overcoming difficult circumstances and, at a critical moment, reinforce the visibility of their work and their prospects for pursuing their human rights activities under highly repressive and volatile conditions, especially in Syria.

In particular, these interventions targeted the following situations for emergency support:

- One Egyptian, one Tunisian and three Syrian defenders and their families whose lives were under threat as a result of serious health problems were given assistance so they could seek proper medical treatments in their country or abroad. The decisions to grant support were based on such factors as egregious violations of the defenders’ rights or their inability to assume the costs involved because of their on-going struggle in favour of human rights;

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2 The EMHRF received 212 funding proposals and inquiries from human rights defenders during the year 2011. Based upon a thorough due diligence process, the Board decided to grant urgent, flexible or standard support to 24% of them, in compliance with the principal selection criteria which can be consulted on the EMHRF website. The majority of the requests directly comes from defenders, who have heard of the Foundation by word of mouth (defenders, partners), through field visits, EMHRN members and the EMHRF’s website. 8% of the beneficiaries of the Foundation’s interventions comprise EMHRN members.

3 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, during which proposals amounting up to € 40,000 are discussed.
Five individual defenders, mainly from Syria, facing life threats, arbitrary judicial proceedings, legal obstacles and/or constant harassment because of their position in favour of respect for human rights received support to meet their **basic needs and those of their families** in order to enable them to overcome their plight, eventually ensure their safety and/or develop prospects for pursuing their human rights work in their countries;

Ten Syrian **defenders in exile** who fled the country due to serious threats for their lives as a result of their actions in support of democratization and respect for human rights received support to meet subsistence needs due to their precarious situation and in the absence of other means of support.

Since one of the main objectives of interventions is to ensure that defenders facing difficulties or at risk can be supported over the medium and long term, the Foundation has sought to engage in coordinated actions with partners in order to ensure that a number of defenders and their relatives would receive effective support. More specifically:

- The Foundation coordinated seven of its urgent interventions in support of human rights defenders with several regional and international organisations, including the Euro-Mediterranean Human Rights Network, as part of their solidarity actions (campaigns, urgent appeals, press releases, trial-monitoring missions, field visits, letters and meetings with public officials, etc.).
- The Foundation was instrumental in arranging for four international partners or foreign representations to bear the additional costs associated with the medical treatments, the basic personal and professional expenses of five Syrian defenders and their families. In one case, the Foundation acted as an intermediary.

On the whole, the outcome of the emergency support provided to these 20 individual defenders is positive:

- Five human rights defenders were able to receive proper medical treatments at a crucial timing. Four of them have been able to resume their work due to improvements in their health conditions. However, despite the psychological and physical impact of the assistance received at a given moment, one defender was unfortunately unable to overcome illness over the long term because of a serious immune deficiency.
- The urgent support provided by the Foundation also prevented a deterioration in the safety of fourteen human rights defenders, who have - in the majority of cases - been able to secure the means to pursue their work, either in their countries of operation or abroad. By the beginning of the year 2012, however, one of these defenders has been arbitrarily arrested and still remains detained.

### 3.2. Flexible interventions in support of emerging initiatives in transitional contexts

With a view to adapt its interventions to the new dynamics at work, the EMHRF also provided **flexible financial assistance, both on an urgent and regular basis**, on 19 occasions in order to assist 19 human rights defenders (4 individuals and 15 groups or NGOs) to launch urgent projects and emerging initiatives aimed at documenting human rights violations during the uprisings and at promoting respect for human rights at a crucial juncture in Tunisia, Egypt, Algeria and Syria.
In particular, these interventions targeted the following situations for support:

- Four individual defenders and five groups or NGOs whose actions in the transitional contexts of Tunisia, Egypt, Algeria and in Syria had to be strengthened received support to carry out urgent projects aimed at promoting respect for human rights at this crucial juncture. These actions not only aimed at documenting and raising awareness about rights violations occurring during the uprisings but also at restructuring the actions of human rights NGOs and preparing the groundwork for their new positioning in the region.
- Ten emerging initiatives received flexible support in order to establish and consolidate the groundwork for their new strategic actions aimed at promoting genuine and lasting human rights reforms in the region, the majority of which are based in Tunisia. These actions mainly aimed at building organizational capacities of these emerging initiatives in promoting respect for civil and political rights, economic and social rights, cultural rights, freedom of expression and of the press, women, migrants and refugees’ rights in the region.

In its role as intermediary and advisor to the beneficiaries of its support, the Foundation:

- Encouraged and assisted all emerging NGOs in developing strategic action plans and proposals to enable the Foundation, in consultation with other partners, to respond strategically to the needs of these newly-formed NGOs.
- Encouraged all emerging NGOs to establish or maintain contacts with other groups at the local, national and regional levels. The purpose of these contacts was to enable these initiatives to share information and experiences, to examine the potential for synergies and coordinated actions, and as a result to benefit from non-financial support that contributes to the resonance and sustainability of their activities.
- Facilitated contacts, acted as intermediary, forwarded a list of potential donors and/or helped in the submission of funding requests for all emerging NGOs.

It is difficult, at the moment, to measure the results of all flexible grants provided by the Foundation, mainly because the political processes at work are lengthy and circuitous and because some of the partnerships established between the Foundation and the recipients are still on-going. Nonetheless, the Foundation’s interventions that are finalized or have reached an advanced stage have made it possible:

- For four individual defenders to actively prepare the renewal of the structure and positioning of one major human rights group in the new transitional context, which would have been difficult without a flexible intervention from the EMHRF.
- For two human rights groups, falling outside mainstream donors’ categories, to document rights violations from the very beginning of the uprisings in remote areas in Syria and Egypt. Several local, regional and international actors thus received early detailed information on the human rights situation and violations, thanks to the videos, testimonies and publications issued by these groups.
- To organize three urgent raising awareness campaigns aimed at preventing a deterioration of the dramatic situation confronted by migrants from the Arab region at the time of the uprisings and at educating youth and women on issues related to the democratic transition in general and on the importance of citizenship and participation in the electoral processes at work in particular, reaching more than 500 rural women and up to 200 youth.
For ten emerging initiatives to establish and consolidate the groundwork for their new strategic actions that encompass sectors and include projects that are adapted to different stages of the transition, thanks to the initial support and close follow-up provided by the Foundation. Projects supported included educating citizens about their fundamental rights and promoting constitutional and legislative reforms in the field of minority’ rights, migrant and refugee’ rights, economic, social and cultural rights, freedom of expression and gender equality, among others. At this stage, besides becoming major interlocutors in their field of expertise before the authorities, these emerging initiatives mobilized more than 5000 citizens to raise awareness about democratic principles and values, and respect of fundamental rights, especially in Tunisia’s remote regions.

With the advice of the Foundation, and thanks to the credibility, the on-the-ground commitment and the reputation of these emerging NGOs, it is worth noting that four of them have been able to secure additional financial support from other like-minded donors by the beginning of 2012, thus ensuring – at least in part – the sustainability of their actions in the future.

3.3. Standard interventions aimed at strengthening capacities of defenders to develop sensitive projects

Finally, the Board allocated 12 standard grants to 12 human rights defenders (1 individual defender and 11 NGOs) in order to reinforce monitoring and documentation on human rights violations, legal actions, legislative and media campaigns as well as training in order to promote respect for sensitive human rights issues in the South Mediterranean region.

In particular, these grants targeted human rights organizations that faced serious difficulties in securing funding for their actions in Israel, Palestine, Syria, Algeria, Egypt, Lebanon and Jordan.

Strategic support aimed in particular at:

- **Monitoring and documenting human rights violations** by one individual and four NGOs, in order to raise awareness about these violations among civil society, the local authorities and the international community. The documentation carried out by local groups covered cases of torture, enforced disappearances and violations against human rights defenders, individuals with disabilities, and women;

- **Reinforcing legal actions** of three human rights NGOs to fight against impunity and launch civil, administrative and criminal proceedings in case of human rights violations before national jurisdictions or abroad;

- **Conducting legislative and media campaigns** led by three NGOs in order to raise awareness about the consequences of the possible adoption of restrictive bills in Israel and to promote respect for human rights at the local and regional levels. The campaign conducted by one NGO was made possible due to the publication of a comprehensive survey to stimulate political change and institutional reforms regarding the status of Palestinian women who are citizens of the state of Israel;

- **Providing trainings on human rights aimed at empowering marginalized groups** at the local level by three human rights NGOs. Training workshops conducted by one NGO were organized due to the publication of comprehensive reports on the housing and health rights of individuals with disabilities.
In pursuing these objectives, the Foundation subsidised the following costs: core expenses including rent and operating costs (physical and human resources); legal and training fees; costs of translating and publishing reports and the costs associated with training and launching websites.

In its role as intermediary and advisor to the beneficiaries of its support, the Foundation:

- Encouraged four NGOs to establish or maintain contacts with key regional and international actors in their field of work. The purpose of these contacts was to enable these organizations to benefit from the advice and experience of these actors at the international level, to examine the potential for synergies and coordinated actions and as a result to benefit from non-financial support that contributes to reinforcing the capacities and visibility of the work carried out by these NGOs.
- Encouraged one association to undertake an internal assessment to allow it to adapt to changing circumstances on a more durable basis.
- Facilitated contacts for one organization with specialists on specific rights issues for the benefit of its regional activities.
- In three cases, facilitated contacts, acted as intermediary, forwarded a list of potential donors and/or helped in the submission of funding requests.

It is difficult to measure the long term results of these standard grants, not only because most of the partnerships are still on-going but also and primarily because political will – from inside and outside the region - is at the core of these results. Nonetheless, ten of the Foundation’s interventions that have reached an advanced stage have made it possible:

- For two human rights organisations to deploy a physical presence on the ground, especially in remote areas, which would not have been possible without the Foundation’s assistance. It thus enabled them to renew their structures, to open local offices and strengthen their legal and awareness raising activities on human rights issues in a country where current conditions are particularly difficult;
- For two newly established initiatives to launch educational projects in marginalized areas using human rights as an empowerment tool, reaching more than a hundred individuals with disabilities and youth facing persistent violations of their rights;
- For local actors to launch with an international organization an accusation proceedings 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 treatment;
- For a Syrian NGO to submit more than 300 cases of enforced disappearances, mostly from South-Western Syria, to the UN Working Group on Enforced and Involuntary Disappearances (WGEID) and to organize meetings between victims’ families and relevant United Nations officials;
- For two human rights groups - that faced difficulties - to launch campaigns aimed at denouncing the adoption of restrictive bills and promoting respect for human rights in the worsening context in Israel. The results of these initiatives can be considered as mixed in the long term due to recent bills adopted by the Knesset. However, they have been able to raise public awareness more broadly of the consequences of these policies and gave visibility to the important work carried out by human rights defenders under such circumstances;
- For the public at large to learn more about the suffering endured by a Syrian writer and former political prisoner during 13 years of imprisonment and torture in the security and interrogation wings of Al-Hassake and Adra prisons as well as in the military prison of Tadmor in the desert, given the strategic importance of highlighting testimonies and of learning from the past in the region;
For a group to address the issue of corruption in a regional and international context attended by key speakers, including Egyptian, Palestinian, Jordanian and Romanian journalists, politicians, parliament members, actors, filmmakers, lawyers and civil society actors and to widely publicize the discussions through social media, reaching up to thousands of people. As a result of this initiative, possibilities of establishing a network of anti-corruption activists on a global level are currently being explored.

4. Following-up on the situation of human rights defenders and strengthening partnerships geared to supporting them over the long term

In 2011, monitoring the situation of defenders and strengthening collaboration in favour of long-term support was conducted primarily through the holding of the regional seminar; establishing and maintaining regular contacts with recipients of funding in the framework of field visits; and meetings with regional and international funders who are involved in the promotion of democracy and the protection of human rights.

The purpose of these actions was not only to 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 during the year, as set out below.

4.1. 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 environment in the Arab region, it was extremely important to provide a space for 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 donor 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 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 reassess their goals and re-consider the incoherence of their funding strategies, which in the past involved simultaneously funding 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 reassess 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 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.\(^4\) 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.

4.2. Strengthened presence at the regional level and field visits in view to adapting to changing circumstances and local needs: Tunisia and Egypt

As part of its actions aimed at closely following up on the situation of human rights defenders and at adapting its strategy to the dynamics at work, the EMHRF established a regional presence in Tunisia and organized field visits in the region.

4.2.1. The launching of a regional presence in Tunisia and visits to remote areas (June-December 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.

During the visit to Redeyef and Gafsa in October 2011, the Foundation was greeted and hosted by a delegation of more than 30 trade union leaders, former prisoners and representatives of Redeyef 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 had received support from the EMHRF since late 2008.

During this meeting, union leaders expressed their thanks to all 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 activism movement, as many of its members were imprisoned, unemployed and had no income. 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. It was thus 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 inspiring other movements in the Arab world.

\(^4\) 500 copies of the report have been distributed and the latter is published in English, French and Arabic on EMHRF website. The original version in English can be found on the following link: [http://www.scribd.com/full/59127297?access_key=key=2kxq3f0wim07987e8c](http://www.scribd.com/full/59127297?access_key=key=2kxq3f0wim07987e8c)
Overall, these visits mainly aimed at engaging a dialogue on problem areas in remote regions and on the support needed by civil society actors. The main concerns associated with the activities of NGO actors and the environment in which they operate revealed that:

- There is an important need for projects and investment in the remote regions, in particular with respect to marginalised groups. Civil society actors are particularly concerned about the lack of interest and the inaction of the government and the administration in this regard.
- Civil society is confronted by the need to be more creative and at the same time to cope with the need to adapt to the changing environment while taking regional particular situations into account.
- Civil society must also face the task of defining its focus (refining new missions/methods in the current environment, with a variety of actors present). What is needed are improvements in understanding, in defining roles and in bringing together the government, the administration, the political parties, the NGOs and trade unions.
- Civil society faces start-up problems. NGOs need offices and equipment in order to launch their new and innovative actions.
- For civil society actors to be able to exert more meaningful pressure, they must be offered sustained training on the role of civil societies, in association management, mission definition, statute drafting, and project management.
- Last but not least, dialogue and cooperation between NGOs at the local level are essential, as is the building of bridges with regional and international organisations in order to benefit from their experience with activities focused on specific subjects.

The current role and dynamic of civil society are essential during this transition phase in Tunisia. Among the key messages communicated during these meetings are the basic needs associated with start-up costs, sustained training on the role of civil societies, and with coordination and networking. It is important to encourage debate on the nature of the relationships between NGOs and political parties and to define actions geared to the different agendas. Associations must take advantage of this period to foster a new ‘geometry’. In parallel to listening, coaching and providing strategic advice to these civil society actors, the Foundation allocated start-up grants to seven valuable emerging initiatives during the period June-December 2011, the actions of which are focused on the remote regions of Tunisia.

4.2.2. Visit to Egypt (October 2011)

In light of the threats faced by human rights NGOs and developments 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. While the revolution shed light on new political and civil society dynamics, many activists recognized that they missed an important opportunity to adapt their own strategy and methods to the new challenges and political realities.
In addition to the founding of new political parties and trade unions, the revolution shed light on the creation of several informal civil society coalitions in Egypt, asking for democratic changes and dignity for all citizens. These coalitions were mostly formed by the forces of the revolution, followed by a large number of citizens – through new means of communication and media - and they are, for the vast majority, disconnected from the established human rights groups and political parties, and functioning with local contributions and dues. While being quite active and reactive, these coalitions, the newly-formed political parties and trade unions recognised that they were too disorganized and divided to play the role that they should have played.

On the contrary, the NGO movement could be considered as better organized, but was faced with a significant expansion of its work during and after the revolution, without having the operational resources needed. Some were/are rather active at the grassroots’ level while others were/are more active on the legal and political reforms agenda. These NGOs were mainly faced with the challenges of both adapting to the changing political reality while respecting earlier commitments and have thus been adopting a “work-around” strategy rather than a “deployment” strategy. Some activists consider that these forces missed an important opportunity to strongly and jointly raise awareness and bring about stronger solidarity among the grassroots population about democratic and human rights principles.

This can mainly be explained by the volatile context and increasing threats, the growing number of demands that the NGOs were and are still answering and by the unpredictable arbitrary positions adopted by the authorities during this period and after. In an effort to counter and respond to the political and judicial challenges that they are confronted with, several of the former coalitions of NGOs have been revived, such as coalitions on freedom of association (consisting of more than 80 NGOs), on freedom of the press etc.

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. They all indicated that they are ready to go ahead in this fight against the authorities, even if it leads to actual prosecution and detention. 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 rather than thinking of alternatives.

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 Foundation were discussed at the beginning of 2012.

4.3. Reinforced collaboration with international actors in favour of long term support to human rights defenders

As part of its actions aimed at strengthening collaboration in favour of a long term and sustainable support to human rights defenders, the EMHRF actively took part in meetings with regional and international foundations involved in human rights issues during the year 2011.
In particular, the Foundation was actively involved in four important meetings organised by the International Human Rights Funders Group (IHRFG) and Ariadne, the European Human Rights Funders Network. It also organised meetings with representatives from diplomatic missions, international foundations and organisations in Tunisia.

4.3.1. Participation in meetings organised by regional and international networks of human rights funders

The main aim of the Foundation’s membership and participation in the events organised by the IHRFG and the Ariadne network is not only to discuss developments occurring in the region and how these affect local human rights actors but also to discuss the role that the donor community could play in supporting the latter in a context where high hopes coexist with an unstable situation and an uncertain outlook for the future.

During these meetings, the Foundation particularly raised the importance of 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 Fund for Global Human Rights (FGHR), the Urgent Action Fund for Women’s Human Rights (UAF), the American Jewish World Service (AJWS) and the Euro-Mediterranean Foundation of Support to Human Rights Defenders (EMHRF) 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, main suggestions and recommendations expressed with regards to the mission and future activities of the working group were - among others - the following:

- 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 programs 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 grant makers 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 strengthen interest on human rights defenders issues to funders outside of the human rights circle.

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5 The International Human Rights Funders Group (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.

6 The Ariadne network currently has 270 grant-making members across. Ariadne comprises all funding agencies and donors, including hybrid foundations (supported by public funds) and, like IHRFG, is exclusively made up of donors. The EMHRF joined the Ariadne network in February 2011, based upon the recommendation of the Sigrid Rausing Trust.
The working group has been following up on these suggestions and recommendations, in particular through sponsoring a telebriefing and 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: \textit{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 information on the issue of support to human rights defenders in the future.

\textbf{4.3.2. Meetings with representatives from diplomatic missions, international foundations and organisations in Tunisia}

The Foundation organised a series of meetings with embassies, foundations and international organisations in Tunisia during the period 5-13 October 2011. The purpose of these meetings was not only to inform about the Foundation’s work with civil society organisations in Tunisia, but also to gain an appreciation of the activities undertaken by these bodies, with a view to exploring opportunities for strengthening cooperation between them and the Foundation, to the benefit of the Tunisian civil society organisations.

Generally speaking, most of the officials met have a positive view of the transition and the activities of civil society in Tunisia since 14 January, even though the latter remain largely disorganised. Few of them have direct contacts with emerging civil society groups or have only selective contacts. The main reason for this is the lack of representation in the regions (exceptions include the presence of cooperation agencies in Kasserine, Sfax and Sousse), and the lack of experience, or limited experience, in dealing directly with independent civil society organisations in Tunisia in the past. All the foreign officials acknowledged and welcomed the value added by the Foundation’s activities in identifying, guiding and supporting valuable initiatives undertaken by emerging actors in civil society, especially in remote regions of the country.

With a few exceptions, most of these actors were in the process of overhauling their future intervention strategies, priorities and budgets in support of democratic transition and civil society in Tunisia. The current programmes offered by foreign missions to Tunisian civil society consist mainly of the following: indirect support provided through international organisations and UN agencies; the forthcoming launch of calls for proposals at the local level; training and technical assistance (management skills, association project cycles, drafting of funding applications, etc.); and the installation of resource centres.

Coordination among these actors takes place at the local level through a ‘group of technical and financial partners of civil society’, mainly under the leadership of the European Union delegation. The results of this coordination remain limited at this stage because of the partners’ differing policy priorities, of the redefining of their intervention strategies and of the limited frequency of the meetings. Note that a subgroup focusing on capacity-building efforts aimed at civil society has recently been set up, an initiative that received strong backing and support from the Foundation during these meetings. These meetings revealed the importance of dialogue and inclusiveness towards Tunisian civil society in developing funder’s future intervention strategies.
5. The 2011 interventions in figures

The following graphs present the Foundation’s support for human rights defenders in 2011.

5.1. Types of intervention

The proportion of urgent interventions increased relative to 2010 because of the deteriorating human rights situation in Syria, and because major funders often neither have the mechanisms to act quickly and creatively move resources nor the capacities to make lots of small and individual grants in particularly repressive contexts.

The Foundation’s flexible and strategic grants, which amounts are generally higher than urgent grants, benefited a larger number of NGOs, mainly as a result of the new dynamics at work and the reinforced local presence of the Foundation in Tunisia. This support proved to be crucial in this era of major transformations to assist NGOs launching urgent projects and consolidating emerging initiatives aimed at documenting human rights violations during the uprisings and at promoting respect for human rights at a crucial juncture, while most of the donors were still in the process of overhauling their future intervention strategies, priorities and budgets in support of democratic transition and civil society.

The average amount of grants provided in 2011 was EUR 10,467 per defender, which is double that in 2010. This figure reflects the increasing needs expressed by defenders in this era of major changes.
5.2. Thematic focus

In 2011, the Foundation was particularly concerned with strengthening actions aimed at fighting against impunity due to its strategic importance in transitional contexts, without neglecting the promotion and protection of all human rights (civil, political, economic, social and cultural) in countries of the region where human rights conditions are particularly volatile and difficult.

The number of interventions related to the promotion of the right to freedom of expression show an increase relative to previous years because of the large number of journalists and writers who received arbitrary prison sentences and threats because they had expressed support for democratisation and respect for human rights, especially in Syria.
5.3. Activities of recipients

The actions undertaken by recipients of the Foundation’s financial assistance cover a broad range of activities; only the more representative categories supported are illustrated here and below.

Basic living and working expenses are the most important category with regard to the number of grants and beneficiaries because of the larger number of defenders who received funding under emergency requests in 2011.

Human rights information and publication, advocacy campaigns and legal aid to the victims of human rights violations are the main categories of activities carried out by beneficiaries in terms of the amounts provided, which can be explained by the higher amount needed and requested by local NGOs to consolidate timely human rights initiatives responding to changing needs and circumstances across the region.

To enable independent NGOs to build up their capabilities and heighten the visibility of their activities over the medium and long term, the Foundation essentially financed their operating expenses, including rent and overheads, human resources, equipment and supplies, as well as the costs of publishing detailed reports on the human rights situation in countries of the region.

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7 Some interventions, by their nature, fall under more than one activity category. Thus an intervention may have been allocated to different categories as appropriate, in order to generate a comprehensive and relevant overview. As a result, the total for all categories may exceed 100 percent.
5.4. Types of expenditure covered

Some interventions, by their nature, may have served to meet more than one type of expenses. Thus an intervention may have been allocated to different categories as appropriate, in order to generate a comprehensive and relevant overview. As a result, the total for all categories may exceed 100 percent.
5.5. Types of follow-up

More than one type of follow-up may have taken place in the context of the Foundation’s interventions. Thus an intervention may have been allocated to different types as appropriate, in order to generate as comprehensive and as relevant as possible an overview. As a result, the total for all types may exceed 100 percent.

As mentioned in the report, besides the provision of financial assistance, one of the main goals of the Foundation is to help defenders in the region pursue their activities in the long term. To that end, the Foundation has reinforced its actions allowing for an active follow-up with beneficiaries, especially through its consolidated presence at the regional level and its reinforced partnerships with other like-minded regional and international actors.

This follow-up activity consists mainly in closely advising human rights defenders, especially emerging initiatives, on drawing strategic collaborative plans and on exploring possibilities of funding from other donors, to secure additional means to strengthen their activities over the long term.

More than 10% of the recipients have developed prospects for pursuing their activities either through concluding new partnerships or through securing additional funding by recommended donors.
The gender dimension is an integral part of the Foundation’s intervention strategy.

The situation and specific role of women in the protection of human rights require special attention, and the Foundation accordingly attaches great importance to projects that are specifically intended to deal with gender equality and strengthening the involvement and leadership of women.

This is the more relevant in the current circumstances, where women are highly excluded from the transitional processes at work while they were at the forefront of the uprisings.

The percentage of interventions dealing with gender remains unchanged from previous years and it approximately reaches 20% of all interventions.

Considering that the issue of gender equality will be central to the democratization process, the Foundation intends to reinforce its actions toward the promotion of gender equality and women’s rights in the future.

\[10\] More than one intervention may have been intended both to strengthen the leadership of women defenders and support a project on women’s rights. The interventions were allocated between these two categories as appropriate in order to generate a comprehensive and relevant overview.
5.7. Countries

The deep crisis in Syria has been at the core of the Foundation’s concerns in 2011. The Foundation continued to give priority to protecting defenders and documenting rights violations in a highly repressive context where major funders often find it difficult to act.

Moreover, in response to the new dynamics at work, and given the experience and credibility gained by the Foundation in the past, the Foundation decided to launch a regional presence in Tunisia. Its objective is to reinforce the civil society movement, especially emerging actors acting in marginalised areas, to promote human rights reforms at this crucial juncture.

Syrian and Tunisian defenders thus remained the main recipients of EMHRF funding in 2011.

At the same time, the Foundation didn’t neglect the particularly difficult environments in which human rights defenders act in Algeria, Egypt and in Israel over the course of 2011.
6. Organisational Matters

6.1. Financial Partnerships

In 2011, the Foundation enjoyed the trust of, and received generous contributions from the Swedish International Development Cooperation Agency (SIDA), the European Commission through the European Instrument for Democracy and Human Rights (EIDHR) and the Instrument For Stability (IFS), the Danish International Development Agency (DANIDA), the Open Society Foundations (OSF) and the Sigrid Rausing Trust (SRT), as well as from Amnesty International regarding a specific defender’s case.

At the same time, the Foundation sought to diversify its funding sources in an effort to bolster its prospects for pursuing and expanding its activities in light of the changes taking place in the region. To that effect, the Foundation received generous support from the French Ministry of Foreign and European Affairs during the year.

6.2. Information and Communications

In 2011, the Foundation maintained its 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. At the same time, the Foundation ensures that its activities are transparent by providing detailed information to its main donors about its interventions and activities in support of organisations, groups and individual defenders in the region.

The Foundation has also developed and updated a new website, with clear explanations about the rules governing the presentation of emergency and regular funding requests, as well as deadlines for submissions, in the three working languages of the Foundation (English, French and Arabic), so as to make this information and these basic documents easily accessible: http://www.emhrf.org/.

6.3. Evaluation

In 2011, the Foundation decided to deepen its internal reflection on developments occurring in the Arab region with the intention to contribute to the Foundation’s strategic and organizational directions. Besides the holding of the regional seminar, the Foundation decided to ask the services of an external consultant to accompany and help the Board in shaping its discussions, with a view to developing strategic orientations and the necessary means to put in place in the future.

The priority areas discussed during this strategic review are the followings:

- The Foundation’s role and intervention strategy in response to the needs expressed by defenders and emerging civil-society actors in light of changing circumstances:
  - Current and future geographic mandate and intervention priorities;
Current and future intervention mechanisms and criteria;
Current and future cooperation role with other regional and international actors.

The Foundation’s structure, to ensure that it is in harmony with its intervention strategy:
Current and future operational team;
Current and future regional mission(s).

The findings and recommendations from the external consultant were discussed with the Council of Representatives of the Foundation in June 2012.

6.4. Risk Analysis and Sustainability

The following are the major risks that have been identified by the Foundation with respect to the granting of financial assistance to human rights defenders in countries of the southern and eastern Mediterranean:

- **A risk of increased repression of recipients of funding from the Foundation.** Assistance received from the Foundation has not, until now, led to physical, legal or psychological repression against defenders because the principle of confidentiality has been strictly enforced in the review of applications, in the decisions to grant support and in the transfer of funds to recipients. Confidentiality rules govern all documents that are made public. These documents mention neither names nor any amounts. Communications are made secure. At the same time, the Foundation informs its main donors about all of its activities and applies the principle of transparency with extreme vigilance.

- **A risk associated with the freezing or interception of funds by someone other than the beneficiary defender.** The outcomes have been satisfactory during the year 2011. Vigilance in this area is on-going. Precautionary steps are taken and various types of information are collected from the recipient before, during and after the transfer.

- **A risk that funding could have an unintentional destabilising impact on civil society (a worsening of rivalries, disinformation), and the potential consequences of misuse or fraudulent use of the funding (diversion, corruption).** These risks have been avoided until now, but vigilance remains constant in this area. The small amounts granted represent a significant limit on the risks of misuse. A strict assessment made prior to the decision and the recipient’s commitment also tend to limit the risks. Recipients must meet a number of accountability rules and the Foundation monitors them on a regular basis. The Foundation also reserves the right to request that the funds be reimbursed when the purpose of the contract has not been met.

The sustainability of the Foundation’s actions is based on the following elements:

- Access to flexible, quick and localised assistance is necessary; it also bolsters significantly the ability of human rights defenders to work in the region.

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11 The Council of Representatives of the Foundation consists of more than 60 human rights NGOs and defenders who are regular and associate members of the Euro-Mediterranean Human Rights Network (EMHRN). Its important role and deep knowledge of on-the-ground developments in the Arab region is highly valued by the Board to reinforce the quality and targeting of the Foundation’ actions.
Overall, major funders neither have the mechanisms to act quickly and creatively move resources nor the capacities to make lots of small and individual grants.

Thanks to the composition of its Board, which includes leading figures from international and regional organisations as well as acknowledged experts in affairs of the region, the Foundation has direct access to NGOs and defenders, which enables it to benefit from a unique and highly qualified source of knowledge and to obtain quickly reliable and detailed information needed for its work, thus improving the quality and targeting of its activities.

The Foundation remains attentive to its partners and to civil society on an on-going basis through its monitoring activities, its reinforced regional presence and its regular visits to the region, which enable it to react to changes in local and regional conditions and to respond to the needs that are expressed.

The Foundation concentrates its work on a region that is clearly circumscribed, which means that it can develop a specific image and be a preferred partner in its field of activity.

The Foundation encourages, as needed, the participation and mobilisation of other national, regional or international organisations in efforts to provide long-term political and institutional support to defenders.

The Foundation takes a carefully calculated risk by granting modest levels of funding to defenders at risk, small emerging organisations and ground breaking activities.

Thanks to the close contacts it maintains with civil society actors and organisations, the Foundation is in a position to offer advice and act as an intermediary between defenders and international donors in those cases where a funding request is a clear candidate for support by another organisation.

The Foundation actively seeks to secure funding and diversify sources of funding in support of its activities aimed at providing assistance to human rights defenders in the region.

Last but not least, the Foundation grounds its intervention strategy in the right to freedom of association.

6.5. Internal Governance

The composition of the Foundation’s Board remained unchanged in 2011. The Board is made up of nine members who fulfil their mandate on a volunteer basis.

In 2011, the Secretariat of the Foundation included the following staff members:

- Anne-Sophie Schaeffer (graduate in international public law), employed full-time as programme manager in Copenhagen;
- Rami Salhi (graduate in sociology), employed full-time as regional consultant in Tunis since May 20, 2011;
- Amélina Jaskowiak (graduate in international economics), replacing Katrine Høybye Frederiksen during her maternity leave (graduate in foreign languages), employed full-time as administrative secretary in Copenhagen;
- Roger Jalkh (graduate in communications), employed full-time as project assistant in Copenhagen;
- Nadine Morgan (graduate in business administration), employed full-time as administrative assistant in Copenhagen;
- Shadia El Dardiry (graduate in international relations), employed as an intern in Copenhagen for a six-month period.

The Foundation also hired accounting and IT services on a part-time basis during the year. The audit of its accounts was performed by the Copenhagen office of Deloitte.