Euro-Mediterranean Foundation of Support to Human Rights Defenders

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1. Introduction

Almost three years after the onset of its “Revolutions”, the Arab region continues to bear stark contrasts within its democratic track. Whereas a new constitutional era has been instigated and elections have been held in five countries: Tunisia, Morocco, Egypt, Libya and Algeria,\(^1\) major violations of human rights persist on multiple levels and by different actors including non-governmental players.

Within a context dotted by variant political, social and cultural challenges, more often associated with regional and international interferences, the current transformational phase remains decisive for the future of democracy and human rights in the region. Throughout the stages of violent tensions, peaceful popular struggle and contentious negotiations which characterize the transformational and fragile environments in the region, the promotion and protection of human rights represents “the main indicator to assess progress in the implementation of a democratic and citizen-driven model for living together”.\(^2\)

The situation in Egypt, which has been shaken by new waves of violence, reveals the extent of difficulties faced in the process of ensuring respect for human rights in a region undergoing transition. Freedoms of expression, conscience and association are under threat and remain neither fulfilled nor assured by the new government in place. The model of society sought after by the people of the region will essentially determine, shape and define the process of socio-political transformation currently in place.

Moreover, the continuation of the civil war in Syria and the sequels of the revolution in Libya will most probably have major repercussions on the long-term human rights situation and consequently on the work of human rights defenders and non-governmental organizations in these countries.

The civil society movement continues to prove to be extremely dynamic and significant – especially in Tunisia – in guaranteeing respect for fundamental freedoms and preventing any appropriation of the popular revolutions’ demands. However, human rights defenders remain highly cautious and vigilant in face of the violent and obscurantist drifts currently enveloping the region. Nonetheless, this movement is weakened by a number of elements including threats, financial difficulties and obstacles to join forces and efforts. These elements remain at the core of the Foundation’s concerns and constantly shape its scope of interventions and strategies.

Indeed, defenders continue to be exposed to arbitrary measures, i.e. deprivation of freedom, extrajudicial killings and kidnappings. They also face intimidation and physical and psychological harassment, often worsened by ill-treatment and administrative measures of dismissal – especially in Syria, Libya and Algeria. In several countries, including Egypt and Algeria, judicial persecution against defenders has also continued while their scope of action has been increasingly threatened and limited by restrictive legislative measures which directly obstruct their rights to freedom of association and assembly.

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\(^1\) The geographical scope of the Foundation’s interventions is the South-Mediterranean region – in particular Morocco, Algeria, Tunisia, Libya, Egypt, Jordan, Palestine, Israel, Lebanon and Syria. Developments taking place in other Arab countries – such as Yemen and Bahrain – have been the subject of special attention to refine the Foundation’s approach and analyze the repercussions they have had on the South-Mediterranean region. They are however not taken into consideration in the current report.

\(^2\) Mohamed Sghir Janjar, “Arab Revolutions, confronted with the challenge of living together democratically”, contribution at the EMHRF’s Board meeting in Paris, 11 May 2013.
In these contexts, women human rights defenders have been increasingly exposed to public acts of violence and largely excluded from the transition process taking place in the region despite positive measures being adopted in some countries, including ensuring gender balance in electoral lists in Tunisia or listing it as a Constitutional objective in Morocco. In Egypt, infringements against women have been worsened by the Constitution which was adopted after a hasty referendum in December 2012. Women rights are marginalised in the constitution while discrimination against them is not explicitly forbidden. In Syria, women, who very often take sole responsibility for their children, also suffer severely from the physical and psychological consequences of the war. Various reports and testimonies indicate cases of rape and sexual abuse, forced and early marriages, prostitution and crimes of honour as well as repudiation. This is particularly the case for internally displaced persons as well as refugees inside and outside refugee camps in neighbouring countries.\(^3\)

In some countries where progress has been recorded but uncertainties persist – notably in Morocco – the Foundation has focused its strategy on consolidating the movement to strengthen dialogue and advocacy efforts – with regard to efforts of advancement and transformation in areas such as equality, pluralism and diversity. Constitutional and institutional reforms – first and foremost in the area of justice – together with the economic and social aspirations of young people in Arab societies – have also been at the forefront of the Foundation’s concerns.

In other countries where new and increasing threats are being confirmed, such as Syria, Egypt and Algeria, the Foundation has tried to protect defenders and enable them to continue their activities of documenting and fighting against impunity, defending and increasing awareness relating to the respect of universally recognized human rights.

The Foundation has thus given priority to ethics, reactivity, partnerships and proximity in order to support eighty-three defenders,\(^4\) whether acting individually or in association, to fend off the possibility of democratic setbacks and to promote the implementation of real and lasting human rights reforms.

2. Executive Summary

Against a backdrop of fluid developments and different dynamics being played out in different countries of the region, the Foundation focused its strategy on protecting and strengthening the human rights movement while adapting to transformation processes in Arab societies.

Several principles and actions can be highlighted with regard to the Foundation’s specific approach to these developments in 2012.

2.1. The Foundation gave particular emphasis to supporting \textit{individual defenders at risk} by financing medical care and basic protection needs, and assisting \textit{emerging civil society groups} by financing their core expenses.


\(^4\) Out of a total of 222 requests for financing and inquiries received from human rights defenders in 2012.
Individual defenders and emerging non-governmental organisations (NGOs) respectively accounted for 38 percent and 37 percent of all beneficiaries in 2012.

2.2. The human rights situation in Syria remained a central concern of the Foundation. The foundation undertook a number of interventions focused on protecting defenders, documenting the repression, securing shelters and raising awareness about citizenship. Such interventions took place in an environment where major donors often do not have the mechanisms in place to transfer funds in a rapid and creative way as demanded by the situation, nor the means to make a large number of small individual grants. The Foundation’s interventions in Syria accounted for 44 percent of its interventions in 2012.

2.3. In Tunisia, the Foundation has consolidated its regional presence. Priority was given to leveraging and sustaining the activities of emerging civil society organisations (CSOs) in remote areas, by ensuring constant mobilisation for respect of human rights and basic freedoms to fend off potential democratic setbacks. In this capacity, the Foundation increasingly acted as an interface for international actors, including donors, in providing effective and sustainable support in order to meet the needs of defenders and CSOs.

2.4. The Foundation initiated work in Libya where a number of interventions aimed to identify and support emerging initiatives dealing with citizenship and women empowerment. Given the numerous needs expressed by Libyan civil society actors, going well beyond financial support, the Foundation will also promote exchange visits, consultations and coaching missions of Libyan defenders to Tunisia.

2.5. In 2012, particular emphasis was given to strengthening women’s leadership and protecting their rights. The percentage of interventions dealing with gender reached 28 percent in 2012. The Foundation also gave priority to core thematic concerns in the region, such as combatting impunity and promoting transitional justice as well as fostering domestic efforts to adopt and implement reforms in the areas of civil, political, economic, social and cultural rights.

2.6. In addition to providing financial support, the Foundation prioritised reinforcing cooperation and partnership with like-minded actors at the national, regional and international levels. Greater cooperation with these partners is essential to avoid duplication of efforts, to reinforce exchanges of information and to discuss and coordinate strategies that can effectively support defenders over the long term.

2.7. As a result of these developments, the Foundation’s role in supporting human rights defenders has expanded and its annual budget has increased by 50 percent. Direct interventions in support of human rights defenders accounted for more than two thirds of the Foundation’s overall budget whereas administrative and staff expenditure was maintained at 23 percent.

The course of action followed by the Foundation in 2012 is a reflection of these emphases, which was given tangible form in activities centred on the two areas presented below — namely, direct and indirect support provided to human rights defenders.
3. Direct Support to Human Rights NGOs, Groups and Defenders

The Foundation undertook 81 interventions aimed at supporting 83 human rights defenders (47 NGOs or groups and 36 individual defenders) who foster, support, protect and monitor respect for human rights in the South-Mediterranean region. The total amount involved of the grants to these defenders was over one million euros.

The chart shows the overall percentage distribution of grants per country, with Syria and Tunisia, priority countries of intervention for the Foundation, standing out:

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

3.1. Urgent interventions to protect individual defenders at risk in highly repressive and volatile contexts

The Foundation offered urgent support to 36 individual defenders facing difficulties or were at risk as a result of their actions in support of democratisation and respect for human rights in the South-Mediterranean region in 2012.

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5 The Foundation received 222 funding proposals and inquiries from human rights defenders during the year 2012. Following a thorough due diligence process and in compliance with the principal selection criteria which can be consulted on the Foundation’s website, the Board granted urgent, flexible or standard support to 36 percent of applicants. The majority of the requests came from defenders, who had heard of the Foundation by word of mouth (from other defenders or partners), through field visits, from members of the Euro-Mediterranean Human Rights Network (EMHRN) or on the Foundation’s website. Among the beneficiaries of the Foundation’s assistance, 7 percent were EMHRN members.

6 The precise amount was €1,057,982.19.

7 Two mechanisms have been established by the Foundation to provide flexible responses to the needs expressed by human rights defenders: an urgent-response mechanism, allowing the Board to make a decision on an application in the amount of €5,000 (with a maximum 20% overhead, i.e. €6,000) within a maximum of 10 days, and a regular consultation mechanism employed at annual meetings of the Board, during which proposals amounting up to €40,000 each are discussed.
As indicated in the chart below, the vast majority of these interventions were focused on the consequences of the escalation of the conflict in Syria.

In particular, the Foundation’s actions targeted the following situations for emergency support:

- Five defenders in Syria, Egypt and Algeria, whose lives were under threat as a result of serious health problems, were given assistance so they could seek **proper medical treatment** in their own 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.
- 10 Syrian defenders facing constant harassment or arbitrary detention because of their position in favour of human rights received support to meet their basic needs in order to **protect their safety** and enable them to overcome their plight and pursue their human rights work in the country.
- 21 **defenders in exile** and their families, who fled their countries because their lives were threatened as a result of their work and faced grave economic difficulties, received support to meet their basic needs and to allow them to continue their work abroad.

Since one of the Foundation’s main objectives is to ensure that defenders facing difficulties or at risk can be supported over the medium and long term, it 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 its urgent interventions in support of 16 Syrian human rights defenders with several regional and international organisations, including the members of a core group of international NGOs active on Syria, as part of their solidarity actions (campaigns, urgent appeals, press releases, trial-monitoring missions, field visits, letters and meetings with officials, etc.).
• The Foundation wrote proposals aimed at exploring possibilities of longer-term protection for three human rights defenders at risk. As a result, protective fellowship opportunities were awarded to a Palestinian and a Syrian activist.
• The Foundation was instrumental in arranging for six international partners to bear the additional costs associated with the medical treatments and basic personal and professional expenses of seven Syrian, Algerian and Palestinian defenders as well as their families. In four cases, the Foundation acted as an intermediary.

In general, the outcome of the Foundation’s emergency interventions was positive:8

• Five human rights defenders were able to receive crucial medical treatment in timely fashion. Four of them have been able to resume their work due to improvements in their psychological and physical conditions. Unfortunately, one defender was arrested in 2012. His current fate is unknown.
• The urgent support provided by the Foundation also enabled 29 human rights defenders to avoid threats against their lives and a decline in their safety. The majority of them were able to secure the means to pursue their work in raising awareness about human rights violations, either in their own countries or from abroad.
• By the beginning of the year 2013, however, three of these defenders were in detention and had not been able to resume their work. In addition, six Syrian defenders were unable to develop long-term prospects for securing their safety and livelihood; as a result, they may require in-depth follow-up and renewed support from the Foundation in 2013.

3.2. Flexible interventions in support of emerging NGOs and sensitive projects in the regional context

With a view to adapting to the different situations and dynamics at work in the region, the Foundation also allocated flexible support, both on an urgent and on a regular basis, to 47 human rights groups and NGOs that faced difficulties in securing funding or fell outside mainstream donors’ categories.

These interventions focused on the following situations:

• leveraging and sustaining 27 emerging human rights groups in the face of rapidly changing developments;
• reinforcing the capacities of 20 human rights groups and NGOs to enable them to develop sensitive projects in their countries.

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8 All human rights defenders and NGOs acknowledged receipt of the funds in a timely manner. The urgent financial assistance provided by the Foundation did not increase security threats to the recipients, thanks to the confidentiality rules applied prior, during and after the transfer of the funds.
Note that 76 percent of all flexible interventions in 2012 targeted remote areas in the countries appearing in the chart below:

![Distribution of grants to NGOs/groups per country](image)

The following issues were given special consideration by the Board during the year 2012:

![Thematic areas of intervention](image)
The Foundation sought to respond to specific needs expressed by civil society actors in contexts where events moved quickly and national dynamics were different from one country to another. To simplify the presentation of the Foundation’s activity, five main contexts of intervention are described below.

3.2.1. Civil War in Syria

In a context of escalating violence, increased militarisation and radicalisation of the conflict in Syria, the Foundation’s interventions sought to support 9 human rights initiatives focused on the following objectives:

- **Reinforcing the monitoring and documentation of human rights violations by all sides in the conflict**, by four human rights associations and groups that have important networks of activists inside Syria. The goal is to raise awareness about these violations in local civil society, the media and the international community. In one case, the goal is to protect legal documents inside court buildings.
- **Providing legal aid and representation** to prisoners of conscience and victims of the repression appearing before domestic tribunals in Syria.
- **Providing shelter and raising awareness about citizenship and inter-religious dialogue** to vulnerable and afflicted people, in particular women, youth and children, by two newly established groups acting mainly in remote, war-torn cities in Syria.
- **Responding to the growing influx of exiled Syrian activists living in difficult conditions in Europe**, by monitoring and advising them, and advocating for their legal protection before the European authorities.

3.2.2. Transition Contexts in Tunisia, Libya and Egypt

Against a background of unstable political conditions associated with the lack of institutions guaranteeing the exercise of basic rights and freedoms, the interventions of the EMHRF targeted 22 initiatives in the transition contexts of Tunisia, Libya and Egypt.

These initiatives mainly sought to bolster domestic reconstruction and transformation efforts and to promote the adoption and implementation of human rights reforms in order to fend off the possibility of democratic setbacks.

The Foundation however monitored a significant deterioration of the human rights situation and increasing threats to women's rights in Egypt in the course of 2012. Defenders and NGOs have increasingly been perceived not only as political adversaries but also as ideological enemies. In view of the continuing patterns of violations, the Foundation thus also focused its interventions on the protection of activists and NGOs in Egypt.

- **Strengthening the advocacy efforts** of 11 NGOs aimed at **promoting constitutional, legislative and institutional reforms** in the field of human rights at the national level, in particular in the areas of women’s rights and gender equality, economic and social rights, migrant and refugee rights, and the fight against impunity (including the issue of transitional justice). In seven cases, these new actors
submitted legislative proposals and recommendations; in four cases, the NGOs documented human rights violations with the goal of eventually launching formal proceedings or filing legal complaints.

- **Raising awareness about respect for human rights at the grassroots level** through training sessions and networking activities directed at civil society actors and the public at large, by 10 NGOs. The issues dealt with are related to citizenship, women’s rights and leadership (including combating violence against women), freedom of expression and the right to access information, environmental rights, the rights of minorities, and the fight against corruption.

- **Protecting an NGO in Egypt whose activities were hindered by arbitrary legal procedures**, so as to enable it to pursue its activities in support of women’s rights at a crucial juncture.

### 3.2.3. Restrictive Environment for Civil Society in Algeria

In an environment where political reforms perversely provided new opportunities to further restrict the activities of civil society, the Foundation’s interventions in Algeria were aimed at supporting 5 initiatives to strengthen the protection of defenders and prevent further deterioration in the situation of human rights, with a specific focus on economic and social rights as well as women’s rights:

- **Providing pro-bono legal aid and representation** for Algerian human rights defenders and independent trade unionists, who have increasingly become the targets of arbitrary arrests and detention because of their on-going struggle in favour of democratisation and respect for human rights.

- **Protecting freedom of association and assembly of independent unions and NGOs** to promote and protect respect for economic and social rights in the current context.

- **Raising awareness on women’s rights and reinforcing the participation and leadership of women** in civil society organisations, especially in the remote areas of Blida and Tamanrasset as well as Oran.

### 3.2.4. Threats facing Civil Society in the Israeli-Palestinian Conflict

Civil society in Israel and Palestine witnessed a number of setbacks in the past period. Civil society actors operating in Israel have voiced concerns with regards to securing funds for activities related to the defense of the Palestinian rights as well as migrant and refugees’ rights due to increasingly vitriolic government rhetoric and legal conduct. In the West Bank and Gaza, politically-driven crackdown on civil society actors and activities also continues by the Palestinian Authority and Hamas’s security apparatus.

The Foundation’s interventions thus aimed at addressing these challenges faced by 5 NGOs. In two cases, NGOs received bridging funding in order to allow them to pursue their sensitive activities focused on the following situations:

- **Reinforcing the advocacy efforts** conducted by local NGOs with legislators and the government in their attempts to secure the implementation of rulings with respect to the rights of internally displaced Palestinians, and the adoption of reforms of the Personal Status Law applied in Sharia courts in Israel.
• **Raising awareness actions** to the public at large aimed at stopping the commodification and trafficking of women’s bodies in Israel.

• **Offering direct support to women victims of violence**, particularly vulnerable women victims of sexual abuse and discrimination.

### 3.2.5. Challenges facing Civil Society in Morocco and Lebanon

In Morocco and Lebanon, where civil society organisations enjoy relative autonomy and operational freedom, the Foundation’s interventions were mainly aimed at consolidating the activities and boosting the professionalization of 6 NGOs that have faced difficulties in securing funding because of the sensitive nature of their work or because mainstream donors have refocused their strategies on countries of the region experiencing drastic changes.

The interventions in these countries thus focused on the following situations:

• **Reinforcing the advocacy efforts** conducted by local NGOs with legislators and the public at large to promote the adoption of justice reforms in accordance with international standards and treaties, to abolish the death penalty and to combat violence against women in Morocco.

• **Offering direct support to migrants and refugees as well as rehabilitation services to victims of torture**, both in Morocco and in Lebanon.

In two cases, NGOs received bridging funding in order to allow them to pursue their activities because new policies and procedures adopted by donors jeopardised the sustainability of their work.

### 3.2.6. Follow-up on Flexible Interventions

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

• provided encouragement and assistance to all 27 emerging groups and NGOs, especially those located in Syria, in Tunisia and in Libya, 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 groups and NGOs;

• provided coaching to all these new partners, especially those working in remote areas of Tunisia, by offering strategic advice related to the nature of their work and to the democratic management of an association;

• encouraged 32 NGOs to establish or maintain contacts with other groups and institutions working in the same thematic areas at the local, national and regional levels; the purpose of these contacts was to enable these NGOs to share information and experiences, to explore the potential for synergies and coordinated activities, and as a corollary to benefit from non-financial support that contributes to the impact 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 26 NGOs.

It is difficult to measure the long-term results of the support provided to these groups and NGOs, not only because most of the partnerships are still on-going but also and primarily because political will — from both inside and outside the region — is often a precondition to achieving long-term results.

Nonetheless, some of the main achievements of the Foundation’s work can be highlighted:

- All 27 emerging groups and NGOs were able to sustain their activities, thanks to seed funding and regular coaching provided by the Foundation. In Tunisia, 17 of these new actors have not only become important contacts for the authorities and other actors in their fields of expertise, but have also succeeded in creating awareness and in mobilizing and educating more than 20,000 citizens about democratic principles, values and basic rights, especially in remote regions of the country.
- The first major civil-society platform was held in Tunisia under the title “Societal Project of Tunisian Civil Society”, on 20-23 December 2012. The event was attended by approximately 600 participants representing more than 300 organisations, who debated proposals for reforms in a number of strategic areas: economic and social development; reform of the education system and the promotion of arts and culture; political system, decentralisation and participative democracy; respect for human rights and basic freedoms; and the primacy of international law. The Foundation, together with national and international partner NGOs, was instrumental in supporting this event. The main recommendations emanating from the conference will be discussed in Tunisia’s 24 governorates, and will then be published in the first half of 2013.
- In Syria, two NGOs became primary sources of information on human rights violations for the media, quoted by news wires (such as AFP and Reuters) and by media outlets (CNN, BBC, Le Monde, Al Jazeera, Al Arabiya, etc.). In addition, their data were used in a statistical analysis of the documentation of killings in Syria, commissioned by the U.N. Office of the High Commissioner for Human Rights and released in early 2013. As well, in light of the escalating sectarian violence affecting the most vulnerable populations, new initiatives were launched to secure shelters for the families of the victims, benefiting more than 350 women, young people and children in remote areas, and to spread and promote the culture of citizenship and its values.
- Pro bono legal assistance and representation was provided to more than 350 human rights and political activists, trade unionists and young people who had been arbitrarily arrested and brought before the courts because of their views on human rights in Syria and in Algeria, where repression has become ever harsher.
- Bridging support provided to five NGOs in Egypt, Lebanon, Israel and Palestine not only prevented their closing down by covering their core expenses but also allowed them to take action to avoid financial difficulties in the medium term.
- Four NGOs in Lebanon and Morocco, facing a shift in donors’ priorities, received support enabling them to employ staff members with a view to developing a more professional leadership, seen as a prerequisite to ensuring the consolidation and sustainability of the NGOs’ work in promoting and protecting human rights.

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• Thanks to the Foundation’s closer cooperation with international partners, several of its beneficiaries, both individuals and associations, were able to benefit from capacity-building trainings and are cooperating with the Euro-Mediterranean Human Rights Network (EMHRN), the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), the Arab Institute for Human Rights (AIHR), the Centre of Arab Women for Training and Research (CAWTAR), the International Centre for Transitional Justice (ICTJ), the Office for the High Commissioner for Human Rights (OHCHR), Kvinfo and the delegations of the European Union, among others.

• Thanks to its intermediary role and the advice provided by the Foundation, 46 percent of NGO beneficiaries were able to obtain complementary and additional financing from other institutions, thus ensuring, at least in part, the sustainability of their activities.

Despite these positive results, one recipient NGO has unfortunately been facing internal issues and remained largely inactive in 2012.

4. Indirect Support to Human Rights NGOs, Groups and Defenders

Beyond providing financial assistance, the Foundation took other steps to support human rights defenders — namely by strengthening its regional presence and by meeting with regional and international funders involved in the promotion of democracy and the protection of human rights.

The purpose of these activities was not only to assess the developments occurring in the region, measure the impact of the assistance provided and, if appropriate, consider additional support, but also to strengthen partnerships with key actors whose focus is on supporting human rights defenders over the long term.

Two activities were devoted to achieving this goal in 2012, as set out below.

4.1. **Strengthened presence in the region: Tunisia and Libya**

The Foundation increased its presence in Tunisia and Libya in order to adapt more quickly to changing circumstances and the needs of local defenders in the course of 2012.

4.1.1. **Reinforced Presence in Tunisia**

Having strengthened its physical presence in Tunisia, the Foundation has been able to meet with representatives of more than two hundred NGOs who are working in a variety of towns and regions that have been neglected in the past, including Kasserine, Cap Bon, Jendouba, Ras Jdir, Dhiba, Zarzis, Tataouine, Remada, Menzel Bouzayen, Sidi Bouzid, Thala, Sfax, Siliana, Le Kef, Gafsa, Moularès, Metlaoui, Redeyef and Greater Tunis. These visits have enabled the Foundation to carry out exploratory work.
Overall, the aim of these field visits was to discuss the problems experienced in isolated regions and to pinpoint emerging associations with strong potential in order to identify their needs in terms of development and assistance. The main concerns related to the working environment of these associations are as follows:

- There is a great need for projects and investments in the Tunisian hinterland, especially in favour of those neglected regions. The representatives of civil society are particularly concerned about the government’s lack of interest and inaction with regard to these regions and their citizens.

- Civil society must adapt to the transformation of its environment and, at the same time, display greater creativity in taking regional circumstances into account. Civil society must also strive to refine its strategy and to improve its understanding of the roles of various actors including the state, the administration, the political parties, the NGOs and the unions.

- The civil society organisations are facing start-up problems. They need offices and equipment in order to begin their action in an effective manner. In addition, most newly created associations face internal operational problems. They require on-going assistance in order to help them overcome these challenges and ensure democratic governance.

- In order for civil society actors to exert greater influence on their environment, they need on-going training on the role of civil society, the definition of projects, the democratic management of an association, drafting of articles of association, project management, communications, etc.

- Dialogue and cooperation between NGOs at the local and national levels is vital, as is the establishment of links with regional and international organisations in order to benefit from their experience and to explore the possibilities of strengthened strategic cooperation in their areas of intervention.

Thanks to its reinforced presence in the country, the Foundation was able to assist and grant support to 17 quality emerging associations in 2012. Specific attention was paid to groups considered to be especially vulnerable and in need of special assistance because of the scope of their action (defenders and actors working outside the capital or in remote regions, women, youth, former prisoners, migrants and refugees, etc.) or because of the nature of the rights they defend (torture victims, minorities, etc.).

The Tunisian groups that received leveraging support were influential in all the governorates of Tunisia, even though many of them were physically present only in Tunis, as shown in the chart below:
The results of these interventions can be considered particularly positive and encouraging. Thanks to the Foundation’s support and to its subsequent monitoring of their progress, all the newly established partner associations were able to undertake projects suited to the different phases of the transition and to consolidate the groundwork for future activities. Thus the Foundation’s interventions helped not only to safeguard, at least in part, the gains of the January 2011 revolution, but also to deflect the possibility of a setback by ensuring constant mobilisation in favour of human rights and basic freedoms.

The Foundation has become an important actor in the civil society landscape and a reference for many international actors operating in Tunisia because of its analysis of developments in the country, the needs of civil society actors and the partnerships it is able to develop between local, national, regional and international actors in the promotion and defence of human rights.

### 4.1.2. Renewed field visits to Libya (April and November 2012)

The Foundation organised a first visit to Libya on 20-28 April 2012. The main purpose of the visit was to obtain an in-depth understanding of the different dynamics within Libyan civil society after the February 17 revolution, to listen to the different emerging actors who were involved in associations and to identify potential partners in order to explore the mechanisms and resources necessary to support their development. During the visit, the Foundation met more than 50 key actors representing about 33 national, international and inter-governmental NGOs, as well as representatives of the local authorities in Tripoli and Benghazi.

Overall, Libya remains in a critical situation with regard to law and order. Beyond its conservative aspect, Libyan society is strongly influenced by the roles of different tribes in the management of power, conflicts and security in the different phases of transition the country is experiencing. Following the collapse of the Kadafi regime, several state institutions have disappeared or no longer function, in particular those linked to the army and the police. However, the socio-economic situation has been markedly less problematic than in Tunisia, Yemen or Egypt, thanks to the considerable oil revenues, which are distributed to the population in different forms.
For more than 40 years, the Libyan civil society scene had not witnessed NGO activism outside initiatives linked to the Kadhafi regime or established in recent years with the support of Kadhafi’s International Charity and Development Foundation. During its visit, the Foundation noted that civil society had developed quickly, but was often disorganised. As in other countries in the region that have experienced fundamental regime change, the emergence of a large number of new groups was undoubtedly a natural reaction after decades of repression and obstruction. Hundreds of associations have been formed in Tripoli and other towns, notably in Benghazi. However, many did not endure beyond the announcement of their existence due to the lack of experience and strategy as well as support.

In view of the above and of the numerous needs expressed by Libyan civil society actors, going well beyond financial support, the Foundation has decided to focus its interventions on the identification and support of emerging initiatives dealing with issues of transitional justice and empowerment of women and are incapable of receiving support from other sources.

In addition, the Foundation plans to outline the basic notions of the role of an NGO and the different types of activities it performs, as an adjunct to regular exchange visits, consultations and coaching missions to Tunisia. On the occasion of a second visit in November 2012, the Foundation decided to support two new unique and effective initiatives, which will hopefully benefit from exchange visits and training sessions in Tunisia in 2013.

4.2. Reinforced cooperation with networks of regional and international foundations

As part of its activities aimed at strengthening cooperation in ensuring long-term and sustainable support to human rights defenders, the Foundation took an active part in meetings with regional and international foundations involved in human rights issues.

In particular, the Foundation was an active participant in meetings of the International Human Rights Funders Group and the Arab Foundations Forum (AFF) in 2012. The main purpose of the Foundation’s membership and participation in these networks was to discuss developments occurring in the region and how these affect local human rights actors, as well as the role that the donor community could play in supporting these actors in an environment where high hopes coexist with political instability and an uncertain outlook for the future.

4.3.1. On the occasion of the semi-annual conferences organised by the International Human Rights Funders Group, the Foundation, together with the Fund for Global Human Rights (FGHR), the Urgent Action Fund for Women’s Human Rights (UAF), and the American Jewish World Service (AJWS), organised discussions of the IHRFG working group on human rights defenders, established in 2011, with a specific focus on countries in transition and Syria.

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10 There are no reliable statistics on the number of associations in Libya because the registration process is decentralised through different state bodies.
11 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 Foundation became a member of IHRFG in 2010.
12 The Arab Foundation Forum (AFF) is a pan-Arab grouping of foundations that seeks to strengthen dialogue, networking, training and cooperation among its members and with partners, with a view to bolstering the ability of Arab philanthropy to implement its vision. At the moment, the Forum serves as a platform for dialogue among 16 foundations in the region and beyond.
In January, the Foundation co-organised a session entitled “On the Front Lines: Protecting Human Rights Defenders in Times of Transition” in which frontline activists from Latin America and the Arab world highlighted the importance of developing strategies to support human rights defenders working within rapidly changing political contexts. In periods of social and political transformation, some changes can lead to major democratic advances while others demonstrate the continued ability of regimes to resist reform. In all cases, the work of human rights defenders is paramount to ensuring the protection of rights and real democratic change. The session was focused in a comparison of how changing contexts in different settings affect the work of on-the-ground rights defenders, and discussions examined different pro-active models to support and protect rights defenders as agents of sustainable change, such as urgent and flexible funding for prevention and emergency response, advocacy and policy work, regional hubs, and unarmed civilian peacekeeping. On this occasion, the Foundation had invited Romdhani Messaoud, leading figure of Tunisia’s human rights and labour rights movement and president of the Kairouan branch of the Tunisian Human Rights League, as well as Bahey El Din Hassan, co-founder of the Cairo Institute for Human Rights Studies and member of the Foundation’s Board, to discuss the unprecedented opportunities in Tunisia and the current challenges faced by defenders in Egypt in creating a lasting legal framework that will reverse years of repression and protect and support human rights defenders and civil society.

In July, the human rights defenders’ working group focused its discussions on the human rights situation in Syria. On this occasion, the Foundation invited Syrian lawyer and human rights defender, Muhammad Al Hassani, to speak about the escalating violence and especially the plight of Syrian defenders, whether on the ground or exiled, in order for funders to further reflect on flexible means to support the needs and work of Syrian activists in the long term.

Assisted by the IHRFG, members of the working group have also developed and prepared a directory of emergency response mechanisms to assist human rights defenders and NGOs in danger. This resource, which was published and widely circulated on 24 October 2012, is meant to be a useful tool for human rights defenders in need of urgent support in the Arab world and elsewhere.13

4.3.2. The Foundation also took part in the conference and general assembly of the Arab Foundations Forum in September 2012. In partnership with the Arab Human Rights Fund (AHRF), the Foundation organised a session aimed at increasing the interest of Arab foundations in human rights and exposing the ways in which they are (knowingly or unknowingly) already engaging in human rights issues. Both regional foundations presented and discussed with AFF members how applying a rights-based approach can be conducive to effective and strategic programming, and maximise the impact of grant-making in the Arab region. On this occasion, the Foundation made a case-study presentation regarding the adoption of a rights-based approach in the development of the actions of the protest movement in the mining area of Tunisia until the founding of a key association for the promotion and defence of economic and social rights.

On the whole, these events were well received by the funders and by the local defenders who addressed these important fora. The Foundation, together with its partners, will endeavour to strengthen cooperation with like-minded organisations on the issue of support to Arab human rights defenders in the future, with a view to granting more resources to the Arab region (and to quantifying this increase in resources), as well as calling for greater consistency in the interventions of donors with respect to local and national priorities.

13 http://www.emhrf.org/en/responsegrants.php. The Foundation will provide translations of this resource in French and Arabic and post them on its website in the course of 2013.
5. The 2012 interventions in figures

The following charts present the Foundation’s support for human rights defenders in 2012.

5.1. Types of interventions

The proportion of urgent interventions in 2012 remained at the same level as 2011, mainly because of the continued deterioration of the human rights situation in Syria.

The Foundation’s flexible grants, with amounts that are generally higher than those of urgent grants, benefited a larger number of emerging NGOs, as a result of the new dynamics at work and the greater regional presence of the Foundation in Tunisia.

This support proved to be crucial in this era of major transformations in helping NGOs to launch and consolidate emerging initiatives aimed at bolstering national efforts of reconstruction and transformation, as well as promoting the adoption and implementation of human rights reforms, because most of the major donors do not have the mechanisms to act quickly and creatively in moving resources or the capacities to make a large number of small grants.

The average amount of grants provided in 2012 was €12,747 per defender, which is slightly higher than in 2011. This figure reflects the growing needs expressed by individual defenders at risk and emerging NGOs acting in volatile transitional contexts.
5.2. **Thematic focus**

In 2012, the Foundation was particularly concerned with strengthening activities aimed at promoting reforms of civil and political rights, including initiatives undertaken to fight against impunity, given the strategic importance of this subject in transitional contexts and in environments where repression against defenders grows ever harsher.

The proportion of interventions aimed at promoting women’s rights and empowerment also shows an increase relative to previous years in light of deteriorating conditions for women, who are increasingly the target of public acts of violence and who have been largely excluded from the transitional processes at work in the region.
5.3. Activities of recipients

In 2012, recipients of the Foundation’s financing have implemented activities covering a broad range of activities.

The largest categories of activities engaged in by beneficiaries are human rights education, human rights documentation and research, as well as lobbying and advocacy.

These complementary and inter-connected activities are crucial to bolster national efforts of reconstruction and promote the implementation of human rights reforms in order to fend off the possibility of democratic setbacks in the region.

To enable emerging NGOs to build up their capabilities and heighten the visibility of their activities over the medium and long term, the Foundation essentially financed their core and operating expenses, including rent and overhead, human resources, equipment and supplies, as reflected in the charts related to the types of expenditure on the next page.
5.4. Types of expenditure covered\textsuperscript{14}

\textit{Percentage based on the number of interventions}

- Core: 51%
- Basic necessities in exile: 21%
- Protection of safety: 10%
- Project: 10%
- Medical: 8%

\textit{Percentage based on the number of beneficiaries}

- Core: 44%
- Basic necessities in exile: 22%
- Protection of safety: 12%
- Project: 9%
- Medical: 12%

\textit{Percentage based on the amounts granted}

- Core: 76%
- Basic necessities in exile: 9%
- Protection of safety: 3%
- Project: 9%
- Medical: 4%

\textsuperscript{14} Some interventions may have been allocated to more than one category, as appropriate, in order to generate a comprehensive and relevant overview. As a result, the total for all categories may not equal 100 percent.
### 5.5. Types of indirect support

In addition to providing financial assistance, one of the main goals of the Foundation is to help defenders in the region in pursuing their work over the long term. To that end, the Foundation has reinforced its indirect support to human rights defenders, especially its counseling and intermediary services in approaching other donors.

This activity consists mainly in facilitating contacts, acting as an intermediary, and assisting in the submission of funding requests to other potential donors.

This proved to be valuable since 46 percent of NGO recipients of EMHRF funding were able to obtain additional financing from other institutions ensuring, at least in part, the long-term sustainability of their activities.

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<th>Percentage based on the number of interventions</th>
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<td>Counselling and intermediary services in the approach towards other donors</td>
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<td>Networking with other CSOs dealing with similar thematic areas</td>
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<td>Coaching with respect to functioning and strategic planning</td>
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<td>Coordination with INGOs on solidarity actions</td>
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5.6. Gender¹⁵

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 designed to deal with gender equality and to strengthen the involvement and leadership of women.

This is all the more relevant in current circumstances, where women are increasingly the target of various forms of violence and excluded from the transitional processes at work even though they were at the forefront of the revolutions.

Considering that the issue of gender equality is central to the democratisation process, the percentage of interventions dealing with gender increased in comparison with previous years, reaching 28 percent of all interventions in 2012.

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¹⁵ 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 protracted crisis in Syria has been at the centre of the Foundation’s concerns in 2012. In a context of ever harsher repression, the Foundation gave priority to protecting individual defenders, monitoring and documenting human rights violations by all sides in the conflict, providing pro bono legal assistance and representation to the victims of reprisals and raising awareness about citizenship and inter-religious dialogue.

In addition, as the Foundation expanded its local presence in Tunisia, local actors, especially those emerging in neglected regions, remained important recipients of Foundation grants in 2012. For the first time since its inception, the Foundation provided support to emerging civil society initiatives in Libya.

At the same time, the Foundation was mindful of the challenging environments in which civil society must operate in Algeria and Egypt, as well as of the consequences of the reshuffling of some funders’ priorities in favour of countries experiencing transitions, a change that has affected the work of some Moroccan and Lebanese civil society actors. These actors have seen funding sources drying up in the past year.
6. Organisational Matters

6.1. Consultation of the Council of Representatives

In compliance with its statutory obligations, the Foundation met with its Council of Representatives, a group consisting of more than 60 NGOs and defenders from the Euro-Mediterranean region, on 2 June 2012 in Copenhagen. The discussions focused on the activities undertaken and to be developed in the future in light of the Foundation’s experience, changing regional circumstances and the needs of civil society actors.\(^{16}\)

On this occasion, “several representatives – in particular from Syria, Tunisia and Algeria – expressed their deep appreciation and gratitude for the work done by the Foundation in recent years. They drew attention to the effectiveness, responsiveness and fundamental nature of the Foundation’s action in support of defenders and their families who have been, and in many cases still are, victims of the repression waged by authoritarian regimes. In Syria and Algeria, the Foundation’s support has allowed, and continues to allow, independent associations to exist and continue their activities despite a repression that grows ever harsher.”\(^{17}\)

The report and recommendations of an external consultant who had been asked to provide advice on future directions for the Foundation were discussed at the meeting of the Council of Representatives. Several participants drew attention to the need for the Foundation to remain pragmatic with regard to potential changes in its mandate and its development. Its specific mandate, consisting in allocating funds and conducting quality monitoring of the situation of beneficiaries, as well as its flexibility and responsiveness, are assets that the Foundation should seek to preserve and strengthen before embarking upon activities aimed at capacity building that other actors might be in a position to support.

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

It was noted that regional and international organisations that have set up a presence in countries of the South have a tendency to dry up as funding sources for local NGOs because they have been active for years and have professional operations and considerable resources. The Council of Representatives expressed the wish that the Board consider this issue in cooperation with other donors. The Board pointed out that this was an important issue and that recipients of funding from the Foundation are precisely those who are unable to receive funding from the major donors active in the region. After the wave of protests and uprisings that swept across the Arab region, the international movement of solidarity with the peoples of the region, while it must be commended, has also resulted in perverse outcomes, including the development of competition among


\(^{17}\) Ibid., p. 23.
The Foundation is very aware of these developments and has opened lines of cooperation and mutual advice with other international actors with an interest in the situation of human rights defenders and in the region. To that end, the Foundation is involved in several networks of donors in the human rights area at the national and international levels. It plays an important role by providing advice and coordinating support with several other donors on the issue of defenders in general and on the more specific issues associated with Syria, Tunisia, Algeria, Egypt or other countries.

### 6.2. Financial Partnerships

In 2012, 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 the French Ministry of Foreign Affairs.

### 6.3. Information and Communication

In 2012, the Foundation maintained its policy of confidentiality regarding most of the information related to the beneficiaries of its funding. This policy was adopted and carried out 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 updated its website ([http://www.emhrf.org/](http://www.emhrf.org/)), 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.

### 6.4. Review

The Board of the Foundation commissioned a review, carried out by an external consultant, Ms. Mervat Rishmawi, to assess the role and the structure of the Foundation with a view to developing strategic orientations and determining what resources will need to be put in place in the future. The focus areas of this strategic review, conducted in 2012, included:
1. The Foundation’s role and intervention strategy in response to the needs expressed by human rights 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 with other regional and international actors.

2. 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).

As part of her mission, the consultant met and discussed with human rights defenders as well as partner organisations and some of the members of the Board and the Secretariat. The main findings of her analysis were presented for discussion and comments to the Council of Representatives in Copenhagen on 2 June 2012. The final report was presented to the Board and to the Foundation’s core donors on 2 July 2012.

6.5. 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 in 2012. 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.

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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.
- 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 and its Council of Representatives, 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.

6.6. Internal Governance

The composition of the Foundation’s Board remained unchanged in 2012. The Board is made up of nine members who fulfil their mandate on a volunteer basis.

In 2012, the Secretariat of the Foundation included the following staff members:

- Anne-Sophie Schaeffer (graduate in international public law), employed full-time as Programme Director in Copenhagen;
- Rami Salhi (graduate in sociology), employed full-time as Regional Consultant in Tunis;
- Amélina Jaskowiak (graduate in international economics), employed full-time as Grants Administrator in Copenhagen;
- Katrine Høybye Frederiksen (graduate in foreign languages), employed part-time as Administrative Secretary in Copenhagen;
• Roger Jalkh (graduate in communications), employed full-time as Project Assistant in Copenhagen until September 11, 2012;
• Nadine Morgan (graduate in business administration), employed full-time as Administrative Assistant in Copenhagen until August 5, 2012;
• Samy Lendvai-Karmout (graduate in international relations), employed full-time as Intern in Copenhagen since November 1, 2012.

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.