



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

ACTIVITY REPORT

Public version

2005

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1. EXECUTIVE SUMMARY

1.1 Introduction

Human rights conditions around the Mediterranean basin have for many years given rise to grave concern. Human rights organisations have amply documented how in parts of the region governments erode freedoms¹.

Among the Southern Partners, although progress in democratisation was made in the 1980s, authoritarian or despotic monarchic or military regimes dominate political life² and, more generally, government approaches to human rights are governed by internal and external security considerations. Regimes have seized the legitimate need to fight terrorism as an opportunity 'to emphasise order and security while the democratic space is reduced and human rights are restricted' (as pointed out by Ms. Mary Robinson, former UN High Commissioner for Human Rights, *Le Monde*, June 15, 2002). Civil society is weak, and human rights defenders often work under difficult and dangerous conditions. The latter nonetheless pursued their work despite being subjected to a growing number of restrictions of all kinds.

In some southern and eastern Mediterranean countries, individuals and organisations that campaign in favour of human rights are at risk of harassment and intimidation. In several countries, the government uses the justice system to harass and threaten human rights defenders and restrict their activities. Many defenders have been forced to appear before tribunals that fail to meet international standards of competence, independence and impartiality³. Some have been detained arbitrarily. Some countries refuse to register human rights organisations and subsequently use non-registration as a pretext for prosecuting members of these organisations for "illegal activities". Others freeze all funding provided by national, regional or international donors in order to starve the activities of human rights defenders. The freedom of expression of many human rights defenders has been restricted. Often seen as dissidents, in some countries they are the target of constant police surveillance, prevented from travelling abroad, and subject to dismissal from their work, eavesdropping and disrupting of telephone communications, physical violence, harassment directed at their relatives, threats and acts of vandalism, and libellous campaigns in the media⁴.

These and various other actions directed against human rights organisations and defenders in the Euro-Mediterranean region constitute violations of obligations spelled out in

¹ Cf. *White book by 8 human rights organisations assessing five years of EMP with regards to respect for human rights*, 15 November, 2000, www.euromedrights.net.

² Cf. Ghassan Salamé, 1994, *Démocraties sans démocrates*, Paris: Fayard.

³ Amnesty International, *Report 2005*, Index AI: POL 10/001/05, <http://web.amnesty.org/report2005/2md-index-eng>

⁴ Human Rights Watch, *World Report 2006*, January 2006, <http://hrw.org/wr2k6/wr2006.pdf>

international instruments to which the countries of the region are party, and represent distortions of their intent⁵.

Against this background, the provision not only of moral support but also of financial assistance to individuals, organisations and groups working for the promotion of human rights in the Euro-Mediterranean region is absolutely essential.⁶

Given "the important role of international cooperation for, and the valuable work of individuals, groups and associations in contributing to, the effective elimination of all violations of human rights and fundamental freedoms of peoples and individuals"⁷, the Euro-Mediterranean Foundation of Support for Human Rights Defenders (EMHRF) was established to provide flexible and strategic financial assistance to human rights defenders in order effectively to meet their needs and thus enable them to pursue their activities in the Euro-Mediterranean region.

1.2 EMHRF: Lessons from the first year of activity

2005 is the year in which the Euro-Mediterranean Foundation of Support to Human Rights Defenders began its activities and gave itself the means to respond to the needs of defenders in the region while establishing its internal structures and working methods.

The first year of activity revealed the existence of major issues facing human rights organisations and defenders in the Euro-Mediterranean region. These issues are closely linked both to the nature of their activities and to broad political trends at the national and international level. The funding requests received by the Foundation reflect the influence of these trends and merit a debate with the Council of Representatives, in particular.

1- Government pressure on human rights organisations and defenders in some countries during 2005 jeopardised their ability to carry out their activities. These pressures have included the political use of the judicial system and the freezing of accounts of human rights organisations. As a consequence, these organisations were forced to seek political and financial assistance in order to be able to carry on their work nationally and internationally.

2- Many human rights defenders face serious health problems because they have been deprived of their freedom or have been subjected to harassment, restrictions to their rights or ill treatment. They require medical exams, surgery and medicines. If these costs are not met, the development and continuity of the work of human rights defenders in the region could be impaired. Most national, regional and international organisations are not mandated to cover such costs, which human rights defenders often cannot afford.

⁵ Universal Declaration of Human Rights; Declaration on Human Rights Defenders, Resolution 53/144 of the UN General Assembly, 9 December 1998, in particular articles 1, 5, 6, 9, 12 and 13 in relation to the facts described here; International Covenant on Civil and Political Rights, 16 December 1966, in particular articles 9, 14, 19, 21 and 22 in relation to the facts described here.

⁶ Please refer to the historical background of the establishment of the EMHRF, Annex 1.

⁷ Preamble of the UN Declaration on Human Rights Defenders.

3- Shortcomings in administrative capacities were a recurrent theme in 2005. These shortcomings were noticeable not only when new activities were being implemented but also in the operations of small existing organisations in the region. While the social needs are still present, human and physical resources remain highly inadequate. Most members of human rights organisations are unpaid volunteers who lack the skills or support needed to submit project proposals that will meet the criteria set by the major funding agencies. The lack of administrative skills was also evident in the evaluation and accountability activities of some organisations. This suggests there is a real need for assistance to support minor expenditures in the areas of operations and staffing.

4- The Foundation also noted a lack of strategy- and priority-setting in the activities of certain human rights organisations that are recognized at the international level for the quality of their action and their networking capacities. These organisations found themselves trapped when unforeseen cash flow problems rendered them unable to continue their activities without receiving non-recurring financial support. For the most part, these problems were caused by the political environment and by restrictions on the scope of their activities.

5- Throughout 2005, the Foundation felt a pressing need to strengthen contacts and coordination with regional and international organisations involved in the protection of human rights defenders in order to provide defenders with effective political and financial support.

2. IMPLEMENTATION OF THE FOUNDATION ACTIVITIES

The Euro-Mediterranean Foundation of Support to Human Rights Defenders (EMHRF) started effectively its activities in the beginning of the year 2005⁸. In this regard, the implementation of the Foundation activities has been engaged by the Board in order to develop effectively a strategy to support human rights defenders and organisations in the Mediterranean region.

The Board also allocated grants in order to build capacities of activities or to help the establishment of organisations which work with issues that may be perceived too sensitive to receive support from donors or fall outside mainstream donor's categories.

2.1 Meetings of the Board

According to the Statutes of the Foundation, the Board is in charge of the implementation of the objectives and Statutes of the Foundation. In this regard, the Board convened for the first time on 6-7 February 2005 in London.

i. Board Meeting, London, 6-7 February 2005

⁸ Please refer to the Timetable of the EMHRF activities in 2005, Appendix 2

During the meeting, the members present defined the essential characteristics of the operational and effective set up of the Foundation.

The members discussed the creation of the EMHRF, its statutes, the criteria for funding, the constitution of the Board and the nomination of a Chairman, the schedule and division of tasks for 2005 between the staff and the Board members, the partnership agreement with the EMHRN as well as the budget and the launching of a vacancy for an executive director. Furthermore, the Board examined the grant applications submitted to the Foundation.

Driss El Yazami was elected President of the Foundation. The Foundation launched a vacancy for the position as Executive Director to start his/her assignment as soon as possible.

The Foundation also defined a budget allowing it to initiate its support activities from the following month onward. The selection criteria for application were discussed and the board defined activities, countries, organizations and individuals eligible for financial support.

From this moment on, the Foundation has been able to receive applications. After the meeting, the criteria for selecting grant applications as well as the guidelines for applications were published in the three working languages (English, French and Arabic) of the Foundation on the EMHRN Website (www.euromedrights.net) in order for candidates to submit their applications to the EMHRF Secretariat⁹.

After having launched the vacancy for the post as Executive Director of the Foundation, the Secretariat received about 40 applications. In accordance with criteria agreed at the meeting, two interviews were organized in Paris, May 28th 2005 in the presence of Driss El Yazami, President of the Foundation, Kamel Jendoubi, Member of the Board and Marc Schade-Poulsen, Executive Director of the EMHRN¹⁰.

ii. Board meeting, Cairo, 13-14 June 2005

Following the decisions taken during the first Board meeting, the Board of the Foundation convened for its second meeting on 13-14 June 2005 in Cairo.

During this meeting, the participants discussed the developments since the creation of the Foundation, the position as executive director of the Foundation, the internal rules of procedures regarding the consultations on applications, the budget as well as a future strategy regarding the fundraising activities for the coming years. Furthermore, the Board examined the grant applications submitted to the Foundation Secretariat.

⁹ Please refer to the Criteria for evaluating grant applications, Appendix 3 as well as the Guidelines for the applications, Appendix 4.

¹⁰ These criteria, among other general criteria, were defined as follows: Advanced university degree or equivalent experience and knowledge of and experience within several fields (Project management and fund raising. Knowledge of the history, the current work and functioning of human rights NGOs and activists in the Mediterranean and the Middle East, Human rights standards and international humanitarian law, Office and financial management, Excellent knowledge of at least Arabic and English. Knowledge of other languages is an asset).

As a result of the interviews concerning the position as Executive Director, the best suited candidate was unfortunately not able to move to Denmark, and the Board decided not to go further with this application due to legal impediments (The article 16 of the Statutes indeed states that "*The Executive Director shall at all times be resident in Denmark*"). The Board therefore decided that none of the candidates meet the requirements to fulfil this position. A new selection would be started in order to employ the Executive Director as soon as possible.

The Board also discussed about internal rules of procedures regarding the consultations aiming at developing effectively the Foundation support activities. The rules define the methods used within the framework of the Foundation consultations in order to mobilise the professional or voluntary assistance and initiate an intervention either by itself or in collaboration with local, regional and international partners active in the region. The document presented at the Board meeting define the rules about the reception of the applications, the review of the application document, the evaluation of the urgency of needs, the consultations of the Board and the division of tasks, the implementation of decisions to support the applicant and the transfer of grants as well as the evaluation and the follow up on applicants. This draft document has been used as a working document and will be finalised according to lessons learned from experiences.

The Board members also elected Christine M. Merkel as Vice-President of the Foundation and Eskil Trolle as Treasurer of the Foundation.

2.2 Support to human rights defenders and organisations in the Euro-Mediterranean region

Since February 2005, the Foundation Secretariat received an increasing number of applications and started its activities of supporting Human Rights Defenders and Organisations in the Euro-Mediterranean region.

The Board of the Foundation defined two procedures, an urgent and a non-urgent procedure, in order to effectively support projects or individuals in the region according to their needs.

On receipt of grant applications by the EMHRF Secretariat, the decision on the urgency of the application is taken by the Secretariat after assessing the application and the situation of the human rights defender or organisation in the targeted country. The application should explain precisely the urgency of needs if any and the reasons to engage the Board in an urgent decision-making process.

In case of an urgent request, the Board of the Foundation is consulted either by email, by phone or by teleconference in order to take a decision rapidly. Board members will convey their decision and comments to the Secretariat normally within 10 days of receipt of the application. In critical individual cases, the Secretariat may request that a decision be taken in a shorter time. In exceptional individual cases, particularly those relating to time-

sensitive threats to health and security, the decision may be taken by the President and Treasurer.

Referring to all international instruments to be applied for protecting human rights defenders, the Foundation has provided urgent support in the following cases:

A human rights defender and long-time activist whose activities and family have been the target of constant harassment by the authorities in the form of groundless prosecutions, jail sentences and harsh detention conditions. These measures are in stark contradiction to human rights international standards and especially to article 12§2 of the UN Declaration on Human Rights Defenders.

These actions have had a severe impact on the human right defender's health and on the continuation of his activities; surgery was required immediately. In view of his health problems, deteriorated by consecutive violations of his rights, emergency financial assistance was granted on an exceptional basis by the Board (March 2005).

A human rights organisation often the target of repressive actions, which wanted to convene a meeting of all of its members in order to update its programme of activities, because of a substantial increase in its membership and in its activities, and of the unstable situation in the country.

The organisation urgently needed basic support in order to consolidate its ongoing activities but was unable to receive any explicit support by foreign donors as it would have endangered the organisation and its members vis-à-vis the authorities.

Given the articles 5§b and 13 of the UN Declaration on Human Rights Defenders and the reasons outlined above, emergency financial assistance was provided by the Board and the grant was allocated through secure channels (April-May 2005).

A human rights organisation continuously threatened by the government, which blocked funds both from outside donors and from internal sources. The organisation was subjected to both physical and political repressive measures, which are contradictory to international human rights instruments especially to the International Covenant on Civil and Political Rights (art. 21 and 22) and to the UN Declaration on Human Rights Defenders (art. 5§a and 6§c).

The organisation needed emergency basic support in order to convene a meeting of its member human rights organisations and defenders at the international, regional, national and local level. The purpose of the meeting was to assess the human rights situation in the country, elect an executive committee, approve activity and financial reports, and update the organisation's operating rules and structures.

For the reasons mentioned above, emergency financial assistance was provided by the Board of Directors, and the grant was allocated through secure channels (August-September 2005).

A human rights organisation that focuses its action on truth and justice, wanted to launch a major information and awareness campaign in order to inform national and international public opinion about the effect that a general amnesty (by way of a referendum) would have on the victims of human rights violations.

The organisation was seriously hampered in its efforts to raise funds to finance the campaign due to lack of official recognition of its activities in the country concerned (in contradiction to article 5§b of the UN Declaration on Human Rights Defenders) and due to geographical location of the organisation.

Before the referendum was held, emergency financial assistance was provided by the Board in order to support the organisation's current activities, which do not fall within donors' traditional funding criteria (September 2005).

In case of a non-urgent request, the application is discussed by the Board during the annual meetings.

In this regard, the EMHRF awarded grants to the following:

An organisation devoted to promoting human rights and a dialogue that can lead to genuine peace and to a process of democratisation in a country in the region. One of the tools used by the organisation to inform public opinion is its website, which includes a database containing more than 7,500 records (newspaper and magazine articles, reference documents, NGO reports, victim accounts, etc.).

Funding was provided by the Board in order to support an innovative project – the development of an English-language section on the website, devoted to human rights documentation, enabling the organisation working from abroad to strengthen its outreach capacities with respect to an English-speaking audience (June 2005).

A pioneering organisation devoted to the promotion and strengthening of human rights in a country of the region and which for the past two decades has regularly been the target of harassment and pressure by the government. The various measures taken against the organisation are contradictory to articles 5 and 13 of the UN Declaration on Human Rights Defenders.

After years of being placed under tight scrutiny, the organisation wanted to reorganise its action in the country by holding a meeting in order to adopt a transition agenda that was to lead to a redeployment of the organisation throughout the country, as well as to update its statutes and modernising its structures with a view to improving its image for all generations.

Funding was granted by the Board in order to support the restructuring of the organisation, taking account of the fact that this was an urgent priority for the human rights movement in the country (June 2005).

Following the meeting, the organisation launched a project associated with the proposed reorganisation. The project seeks to promote human rights within civil society in the context of human rights training and civic education. It involves the establishment of a human rights documentation centre and the organisation of seminars and workshops enabling legal scholars, lawyers and NGO members to share experiences and engage in networking for the promotion of human rights in the country.

Financial assistance was provided by the Board to encourage and support ongoing activities and strengthen the organisation's capacities with regard to this innovative project, which has also received support from a major international funding agency (December 2005).

A human rights organisation which aims at providing free legal and administrative help and support to victims of human rights violations resulting from political decisions. The organisation wanted to continue to implement a project aimed at enabling targeted persons to visit relatives who are detainees in areas where family members are prohibited from entering, as well as a project seeking the return of the bodies of deceased persons.

Funding was granted by the Board to support these two innovative projects, implemented in difficult conditions (December 2005).

An organisation working to provide both short and long-term psychological and medical treatment and rehabilitation services for men, women and children who are the victims of physical or psychological violence in a country in the region. The organisation's activities consist of maintaining contact with the victims, advocating on their behalf, informing the media, providing access to legal assistance, representing the victims in relevant settings, providing reports by medico-legal experts on the psychological consequences of violence, etc.

Because of the political environment, the unique nature of the work accomplished by the organisation and the withdrawal of the major international donors from the country, the Board was of the view that the activities planned by the organisation should not be stopped and accordingly decided to grant it financial support (December 2005).

An organisation which aims at providing free legal assistance to victims of human rights violations, at publishing information on human rights principles and at promoting these legal principles within the population of a country in the region. In addition, the organisation is actively engaged in favour of legislative reform whenever legislation is contrary to national standards and to international treaties ratified by the country.

Because of its past stand on certain government policies, the organisation has been the target of violent criticisms and pressures, and the government has intervened and frozen all of the organisation's accounts without advance notice. Because this measure, which is contradictory to articles 8, 9, 12 and 13 of the UN Declaration on Human Rights Defenders, has not been lifted and the judicial system has remained silent on the matter, the association is no longer able to pay the rent or even the salaries of its staff in order to continue its activities.

The Board granted financial support aimed at enabling the organisation to pursue its activities. Because of the organisation's current situation and difficulty in accessing funding, the financial assistance was provided through secure channels (December 2005).

2.3 Monitoring and following-up on organisations and individuals supported

A key aim for the intervention of the EMHRF is to ensure sustainability and a long-term perspective for the activities of the grantees. In this regard, the EMHRF is in the process of establishing criteria for self-monitoring and evaluation of all its interventions.

2.4 Other meetings

The Foundation organised meetings in order to explore possibilities of future cooperation with other organisations. This aim is closely related to creating and sustaining reliable national, regional and international partnerships. The Foundation therefore identifies possible synergies with key actors/partners, resource persons and possible donors for continued engagement whenever possible. In fact, the objectives of the EMHRF are to improve and strengthen the capacities of NGOs to raise funds from international and regional donors by themselves, to strengthen their administrative and organisational capacities as well as to promote partnership initiatives and enhance networking capacities.

In June 2005, a meeting was organized with representatives of the Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures and the Board of the Euro-Mediterranean Foundation of Support to Human Rights. The purpose of the meeting was to exchange news on current activities and to explore possibilities of future cooperation.

The Board of the Foundation also met with representatives of the Ford Foundation in Cairo as well as with representatives of the Arab Human Rights Foundation Initiative. The purpose of the meeting was also to exchange news on current activities and to explore possibilities of future cooperation.

The Foundation Secretariat staff also participates in the Third Dublin Platform for Human Rights Defenders organized by Front Line in October 2005. The Third Dublin Platform brought together more than one hundred human rights defenders at risk from over seventy countries. For the EMHRF, the purpose of this meeting was to better understand the programs and new initiatives developed by Front Line as well as by other international and regional donors as well as to meet with human rights defenders.

The Board and the Secretariat of the Foundation are also in contact with the regular, individual and associates members of the Euro-Mediterranean Human Rights Network. The Foundation therefore benefits from a unique and highly qualified source of knowledge and contacts to the human rights environment in the Euro-Mediterranean region. In this regard, the Foundation obtains reliable and in-depth information needed for its operation, thus enhancing the quality, targeting and long term perspective of support to human rights organisations and defenders in the region.

3. INFORMATION AND COMMUNICATION

Information and communication are main activities for the EMHRF in order to be able to strategically support human rights defenders and organisations in the Mediterranean region

as well as play a crucial role in providing public relevant information. In 2005, the Euro-Mediterranean Foundation of Support to Human Rights Defenders (EMHRF) provided to prospective applicants information on its activities as well as guidelines and criteria for funding (which purpose, eligibility, activities and human rights are supported, format of applications).

This information was published on the EMHRN Web site (www.euromedrights.net) in the three working languages of the EMHRF (English, French and Arabic) in order for the public at large to access these relevant information and documents. The Foundation Web page was updated and further developed during the year. Deadlines for submitting a non-urgent application to the EMHRF were also highlighted on the Webpage and in the three working languages of the Foundation.

From this time on, the EMHRF Secretariat received an increasing number of grant applications, letters of inquiry and any other requests and has been able to be a reliable link between the applicants and the Board of the Foundation. The Secretariat of the Foundation fulfilled advisory and mediating services towards applicants as well as maintaining communications between Board members. The Board was also informed of the Secretariat activities on a quarterly basis through an "Info Note" sent by email in English and French to all members.

However, in view of its specific mandate, the Foundation is aware of the fact that, in many cases, information about its activities and about the applicants for, or recipients of, its financial assistance can be detrimental to the free prolongation of activities carried out in promoting and defending human rights in the Euro-Mediterranean region. In some countries, being the recipient of financial support from international funding agencies may endanger individuals and organisations benefiting from such a support. The southern and eastern regions of the Mediterranean also suffer from a significant deficit with regard to freedom of expression, and Internet communications are often the target of various censorship and control systems. Accordingly, with a view to both protecting and promoting the activities of human rights organisations and defenders in the Euro-Mediterranean region, the Foundation has decided to protect the confidential nature of most of the information regarding the beneficiaries of its support. In order to maintain the transparency of its decisions, the Foundation is providing its major donors with the necessary information regarding its activities, but with regard to the information that will be released to the public at large, most of this background information will be kept confidential.

Both the background described above and with the sensitive nature of the information have an impact on the security of communications not only between the Secretariat and the members of the Board but also between the Secretariat and applicants for or recipients of support. Enhanced technical means to increase the security of communications and transmissions are under study so as to enable the Foundation to carry out its activities in support of human rights defenders in a free and effective manner.

During the year 2005, the Foundation also started looking for the design of a specific logo and heading for the Foundation. After having looked into different options, the Euro-

Mediterranean Foundation of Support to Human Rights Defenders finally decided to ask Ziteman A/S, Denmark, to design the logo and heading for the Foundation. The process was supervised by the Secretariat of the Foundation.

The EMHRF also looked into the practicalities of building up and creating an independent Web site for the Foundation. After having looked into different options, the Euro-Mediterranean Foundation of Support to Human Rights Defenders finally decided to ask Cubit Medialine, Denmark to build the new Website of the Foundation. The sitemap of the new Website was established and contacts were taken with the company in order for the Foundation to be able to launch its own Web site within 2006.

4. FUNDRAISING

The Euro-Mediterranean Foundation of Support to Human Rights Defenders operated for the year 2005 with generous contributions from DANIDA, SIDA, and the Netherlands Ministry of Foreign Affairs. The Foundation informed the donors about the establishment and activities of the Foundation. Furthermore, staff and Board members met with the donors in order to report on its activities and to discuss possibilities of future cooperation.

In September 2005, Secretariat staff and Board members met with the Netherlands Ministry of Foreign Affairs as well as with the Royal Danish Ministry of Foreign Affairs.

Further potential donors were also contacted and the Foundation is in the process of finalising a fundraising strategy for the future.

5. EVALUATION

The EMHRF believes that it is proceeding well with its activities of strategically supporting human rights defenders and organisations in the Euro-Mediterranean region and the objectives and results obtained so far are satisfactory. It only turns out to be more difficult than expected to find a suitable candidate for the position as Executive director of the Foundation. However, the Board expects to employ the Executive Director as soon as possible in order to start the advisory and representation activities for the coming years.

The main risks for the Foundation are linked to the reaction of various governments in the region that will seek to prohibit or hamper access of human rights activist and NGOs to the Foundation support and may consider the Foundation as a mechanism for "subversive" and "destabilizing" activities orchestrated by foreign public or private agents. If implemented, these risks will violate a range of obligations spelled out in international instruments to which the countries of the region are party. However, the combination of a transparent mode of functioning and the good reputation of the Board members will allay suspicions and opposition in the medium and long term.

6. ORGANISATIONAL MATTERS

Board members:

On April 18 2005, Salima Ghezali and Lynn Welchman have been registered to the Danish civil Authorities as Board members by the law firm Bech-Bruun Dragsted.

Secretariat Staff:

The EMHRF Secretariat was staffed by the following:

- During the period **January-December 2005**, the EMHRF was part time staffed by Marc Schade-Poulsen, as organisational supervisor of Secretariat activities in Copenhagen, Executive Director of the EMHRN, Ph.d, MA in Anthropology.
- During the period **March-August 2005**, the EMHRF was full time staffed by Anne-Sophie Schaeffer as student assistant and for the period **September-December 2005** as Project Coordinator in Copenhagen, Master Degree in International Public Law, Master Degree for Field Legal Officer, MA in Law.
- During the period **March-December 2005**, the EMHRF was part time staffed by Nels Lyngsø, as Accountant / Controller in Copenhagen, Auditor and Controller Degree.

The EMHRF is audited by an independent auditor, *PriceWaterHouseCooper*, Copenhagen when required. The EMHRF has provided narrative reports to the Netherlands Ministry of Foreign Affairs in June 2005 and to the Swedish Ministry of Foreign Affairs in July 2005. In addition EMHRF accounts are audited once a year. The EMHRF's annual financial reports and audit reports will be published on its website.

Translators:

Translations are made outside the secretariat while proofreading is done by the Secretariat.

APPENDIX 1: HISTORICAL BACKGROUND OF THE EMHRF ESTABLISHMENT

Initiated by the Euro-Mediterranean Human Rights Network (EMHRN), the Euro-Mediterranean Foundation of Support to Human Rights Defenders (EMHRF) is a specific contribution to the human rights dimension of the Barcelona Declaration and supports the United Nation Declaration on Human Rights Defenders, adopted by the General Assembly in resolution 53/144 of December 9, 1998 (1).

A Feasibility Study (2) from 2002 revealed NGOs' needs ranging from support of human rights defenders under attack, to office space and basic equipment, funds to cover minimal operating budgets, training courses, capacity building, costs of attending meetings abroad and establishing contacts with international donors, etc. To this is added the need to undertake investigations into the use of torture, violence against women, disappearances and corruption, etc. that in some cases require considerable technical, human and financial resources.

The main public and private donors are constrained from supporting NGOs' urgent needs due to administrative procedures, mandates, and/or human resources available. The procedures of bilateral and multilateral institutions are also restrictive both in terms of funding criteria, the lengthy time span of decision-making, and sometimes the lack of in-depth knowledge of the Euro-Mediterranean region.

There is therefore a need for complementary sources of financial support to meet urgent and specific needs. The Euro-Mediterranean Foundation of Support to Human Rights Defenders aims directly at responding to these needs and at supporting Human Rights defenders and organisations by means of small scale and flexible funds.

The establishment of the Foundation was approved by the General Assembly of the Euro-Mediterranean Human Rights Network (EMHRN) convened in Malta in December 2003. The General Assembly gave the Executive Committee the mandate to finalise the Statutes and launch the Foundation. In October 2004, the Danish civil authorities (Civilretsdirektoret) accepted the Statutes of the Foundation including the fact that only one Board member out of seven or nine would be a Danish citizen (3).

The Executive Committee formally adopted the final version of the Statutes at its ordinary meeting in The Hague, 29-31 October 2004 and nominated seven out of nine board members. It gave the President and the Executive director of the EMHRN the mandate to register the Foundation.

Recalling the UN adoption of the 'Human Rights Defenders Declaration', the Euro-Mediterranean Human Rights Network (EMHRN) launched the Euro-Mediterranean Foundation of Support to Human Rights Defenders on December 9 2004.

The initial capital was generously donated by the Danish International Development Agency (DANIDA), the Swedish International Development Cooperation Agency (SIDA), the Swedish Department of Foreign Affairs, the Mediterranean Academy of Diplomatic Studies in Malta, the EMHRN and the Swedish Refugee Aid. The Foundation operated for the year 2005 with generous contributions from DANIDA, SIDA, and the Netherlands Ministry of Foreign Affairs.

(1) Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote Universally Recognized Human Rights and Fundamental Freedoms

(2) DANIDA, Feasibility Study of a Foundation for the Promotion and Protection of Human Rights in the Euro-Mediterranean Region. Final Report. Rule of Law Consulting. September 2002

(3) The establishment of the EMHRF is a precedent in Danish law for foundation as it is the first Danish Foundation which is constituted by only one Danish citizen as Board member.

In establishing the Foundation, the various organisational components of the EMHRF have been defined and established.

The Foundation is constituted of a Board, the highest authority, which is in charged with all decisions on grants and entrusted with the implementation of the objectives and statutes of the Foundation.

During the founding meeting of the Euro-Mediterranean Foundation of Support to Human Rights Defenders, the founders appointed seven members of the Board who had all accepted the appointment. During the board meeting in London on February 2005, the board elected its President and also nominated two additional members. The Vice-President and the Treasurer of the Foundation were elected during the board meeting in Cairo on June 2005.

The Board is constituted of the following nine members:

- **President of the Foundation:** Driss El Yazami, Secretary General of the FIDH, Vice President of the French Human Rights League, Morocco
- **Vice-President of the Foundation:** Christine M. Merkel, Head of Department for Culture and Communication / Information (Memory of the World) at the German Commission for UNESCO, Germany
- **Treasurer of the Foundation:** Eskil Trolle, Lawyer, Partner Bech Brun, Denmark
- Hanny Megally, Director of the Middle East Program of the International Committee for Transitional Justice, Egypt-UK
- Khémaïs Chammari, Expert consultant, Former member of the Tunisian Parliament, Nuremberg Human Rights Prize Winner, Tunisia
- Kamel Jendoubi, President of the Euro-Mediterranean Human Rights Network, President of the Comité pour le Respect des Libertés et des Droits de l'Homme en Tunisie, France
- Bahey El Din Hassan, Director of the Cairo Institute for Human Rights Studies, Egypt
- Salima Ghezali, Journalist and Winner of the Sakharov Prize in 1997, Algeria
- Lynn Welchman, Senior Law Lecturer at SOAS, working previously with the Palestinian human rights movement and with international human rights NGOs, United Kingdom.

The Foundation also consists of a Council of Representatives ⁽⁴⁾ which receives and discusses the activity report and the budget of the Foundation as well as the program for future activities every two years on the occasion of the EMHRN general assembly. The role of the Council of Representatives is advisory to the Board.

The Secretariat of the Foundation is hosted by the EMHRN and its headquarters is located in Denmark.

(4) The EMHRN regular, individual and associate members constitute the Foundation's Council of Representatives.

The Staff receives and prepares applications for the Board, follow-up on decisions, fulfil advisory and mediating services towards applicants, oversee grants and monitor their implementation, as well as maintain communications between Board members ⁽⁵⁾.

The Foundation is established as an independent identity from the EMHRN and is registered under Danish law according to the Statutes of the Foundation. The book keeping of the Foundation has also been separated from the Network and an agreement between the Network and the Foundation was established in this regard.

(5) The EMHRF Secretariat was during the year 2004 staffed by the following: Unpaid Interim Coordinator, Marc Schade-Poulsen: In charge of the implementation of the Foundation activities assisted by Anne-Sophie Schaeffer as unpaid intern during the period from September to December 2004.

APPENDIX 2: TIMETABLE OF EMHRF ACTIVITIES IN 2005

The activities of the EMHRF per month are the following:

- Receiving applications, advising applicants and facilitating consultations between the members of the Board in order to take an effective grant making decision
- Providing strategic financial support to human rights defenders and organisations in the region as well as establishing the agreements
- Evaluating and follow-up on the projects/activities supported by the Foundation
- Maintaining and updating the database with all EMHRF contacts as well as the website
- Setting up meetings in order to contact and cooperate with international and regional partners active in the region

Furthermore, the EMHRF had the following specific monthly activities:

January 2005	<ul style="list-style-type: none"> • Setting-up the Foundation Secretariat activities • Planning the first annual meeting of the Board and establishing the related documentation • Establishing a preliminary budget for the year 2005
February 2005	<ul style="list-style-type: none"> • Convening the first annual meeting of the Board in London • Reporting on the first annual meeting of the Board and following-up on the decisions taken at the meeting • Press release on the first meeting • Assessing the first applications submitted to the EMHRF • Establishing a Webpage for the Foundation • Defining the criteria for evaluating grants applications and guidelines for the applications • Installing the independent bookkeeping of the Foundation • Drafting and launching the vacancy for the position as Executive Director of the Foundation
March 2005	<ul style="list-style-type: none"> • Employment of an assistant in charge of setting-up meetings, correspondence, ad hoc translations and the development of the Foundation activities • Publishing the relevant documentation in the three working language of the Foundation, on the EMHRF Webpage
April 2005	<ul style="list-style-type: none"> • Selecting applications for the post as Executive Director of the Foundation • Research for companies to design the Logo and to build the website of the Foundation • Drafting the internal rules of procedures of the Foundation aiming at developing effectively the consultations process on grant applications
May 2005	<ul style="list-style-type: none"> • Finalising the internal rules of procedures • Interviewing candidates for the post as Executive Director • Research for companies to design the Logo and to build the website of the Foundation • Planning the second annual meeting of the Board and establishing the related documentation

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June 2005	<ul style="list-style-type: none"> • Convening the second annual meeting of the Board • Reporting on the second Board meeting and following-up on the decisions taken at the meeting • Press release on the second meeting • Reporting on the Foundation activities covering in 2004
July 2005	<ul style="list-style-type: none"> • Finalising the annual narrative report for 2004 • Drafting an action plan for the upcoming years
August 2005	<ul style="list-style-type: none"> • Setting-up activities of creating a Logo, identity design and site map for the new independent Web site of the Foundation • Fundraising activities to potential donors for the coming years • Lobbying to other potential partners in order to follow up on the evolution / development of the applicants situation
September 2005	<ul style="list-style-type: none"> • Employing of a Project Coordinator for the EMHRF Secretariat • Coordinating the activity of designing a Logo • Finalising the site map for the new Web site • Quarterly internal newsletter to Board members • Fundraising to donors for the coming years
October 2005	<ul style="list-style-type: none"> • Coordinating the activity of designing a Logo • Lobbying to other potential partners in order to follow up on the evolution / development of the applicants situation • Fundraising to donors for the coming years
November 2005	<ul style="list-style-type: none"> • Moving the EMHRF Secretariat to new premises • Coordinating the activities of designing a Logo • Lobbying to other potential partners in order to follow up on the evolution / development of the applicants situation • Drafting the bylaws for the EMHRF • Drafting a document for following-up and evaluation of the EMHRF activities • Planning the third annual meeting of the Board
December 2005	<ul style="list-style-type: none"> • Coordinating and finalising the activities of designing a Logo • Meeting with the website builders • Lobbying to other potential partners in order to follow up on the evolution / development of the applicants situation • Planning the third annual meeting of the Board and establishing the related documentation • Quarterly internal newsletter to Board members • Drafting procedures for the consultation of the Council of Representatives • Finalising the bylaws for the EMHRF

APPENDIX 3: CRITERIA FOR EVALUATING GRANT APPLICATIONS

Criteria 1 Activities that are supported

The Foundation aims to:

- Support human rights in the Euro-Mediterranean region with strategic financial assistance,
- Provide financial support to regional, national and local human rights NGOs (Non-Governmental Organisations) and institutes as well as individuals who promote, support, protect and monitor the observance of human rights in the Euro-Mediterranean region, in particular
 - Urgent relief of human rights organisations or members of human rights organisations under pressure or attack
 - Funds to support initiatives the timing of which is crucial for their success
 - Funds to cover basic costs and activities of organisations and groups that work in countries where explicit support by foreign donors may endanger these vis-à-vis their own authorities
 - Funds to support innovative projects
 - Funds to build capacity of ongoing (often innovative) activities or the setting up of structures by individuals or organisations who
 - Have not yet gained mainstream donor recognition,
 - Do not have the capacity to maintain relations with these,
 - Work with issues that may be perceived too sensitive to receive main donors' support,
 - Fall outside mainstream donor categories, such as South human rights organisations in Diaspora working in support of human rights promotion and protection in their home country.

When evaluating an application, the Foundation will take into account potential financial support that could be obtained from other organizations or institutions involved at the national, regional or international level. In such cases, the Foundation will endeavour to refer the applications to such potential funding partners, especially concerning the following fields :

- Urgent alerts
- Legal monitoring and defence, political protection and solidarity
- Appeals and interventions with intergovernmental mechanisms of the United Nations and regional instance in Europe, EuroMed and Africa
- Information and public awareness campaigns on human rights, and violations of human rights, and the victims of these violations

Criteria 2 Grant Size and period of support

Grants will be subject to a 40.000 Euro ceiling and typically range from 1.000 to 10.000 Euros.

The period of support may not exceed 12-18 months and will include an evaluation based on criteria established before providing the grant to ensure the effective and optimal utilisation of funds from the Foundation.

Criteria 3 Countries eligible for support

Human rights activities in related to the following countries may receive support: Morocco, Algeria, Tunisia, Libya, Egypt, Lebanon, Jordan, Syria, Palestine and Israel.

Projects with positive spill-over effects located outside the region may eventually be funded.

Criteria 4 Human rights organisations or individuals eligible for support

The Declaration of the United Nations on Human Rights Defenders contains an enumeration of the areas of intervention by human rights defenders. Based on this reference to 'all human rights and all fundamental freedoms' the following potential beneficiaries of the Foundation are identified:

Defenders of human rights in their individual capacity, members of human rights associations, associations for women's rights, lawyers, journalists, judges, members of religious, ethnic and/or linguistic minorities, organisations for civic education and youths, associations working against different forms of discrimination, associations working against violence committed against women, members of organisations working for the rights of children, organisations working for the rehabilitation of torture victims, activists in the field of penal and prison reforms, associations for anti-corruption and good governance, activists around the theme of 'human rights and international trade', activists in the field of free and fair elections, organisations for the defence of migrants and refugees

All these persons, associations and structures will be eligible for support from the Foundation provided build on the principles of the 'Code of Conduct' of the Foundation (see Criteria 5)

There are other groups or organisations whose activities fall within the domain of promoting and protecting human rights, but who are ideally able to benefit from the support of specific international networks. These include:

Trade unionists, writers, members of parliament, environmental activists, activists for development (fight against poverty, urban rehabilitation, projects of rural integration, groups on income generating activities, etc) and activities in the area of health care and epidemics

For this group of activists, their eligibility with the Foundation depends on a case by case assessment.

Criteria 5 Code of conduct upon which eligible activities should be built

The Foundation refers explicitly to a number of instruments and documents that serve both as legal and ethical guidelines for the Foundation and its beneficiaries. These instruments and documents for the 'Code of Conduct' are the following:

- UN instruments relating to human rights and in particular the Universal Declaration of Human Rights, the two international Covenants on civil, political, economic, social and cultural rights; the United Nations conventions providing for monitoring mechanisms (Torture, Racial Discrimination, Discrimination Against Women, the Rights of the Child); and the conventions and norms of the ILO.

- The UN 'Declaration on the Protection of Human Rights Defenders'.
- The resolution of the United Nations establishing the mandate of the Special Representative of the Secretary General on Human Rights Defenders.
- Founding documents, guidelines and action plans of the Euro-Mediterranean Human Rights Network.

In addition the principle of the code of conduct implies that, the application should sign a 'non-violence clause' excluding the use of violence to advance political aims.

Explanatory Procedures regarding deciding on granting support

The Foundation aims at quick, sound and thorough decision-making.

The following procedures will be applied before the granting of funds (and an internal check list established in this regard)

Assessment: It will rapidly investigate the situation of the applicant including an assessment of the political situation, the human rights issue at stake and the optimal intervention given this context.

Strategy: It will consult rapidly and systematically with national, regional and international partners on the strategy for the intervention.

Sustainability: A key aim for the intervention will be to ensure sustainability and a long-term perspective. This aim will be closely related to emphasising the establishment of reliable national, regional and international partnerships. The identification of possible synergies with key actors/partners, resource persons and possible donors for continued engagement will therefore be a main concern of Foundation interventions. Where possible, a short-term intervention will be coupled with a long-term strategy.

Mediation: The Foundation will engage actively in facilitating contacts with international donors for applicants where deemed to be better served by another funding agency.

Evaluation: Self-monitoring and evaluation by the Foundation will form an integral part of all interventions. Lessons learned from the evaluation process will be transformed into a 'toolbox'.

APPENDIX 4: GUIDELINES FOR THE APPLICATIONS

The Foundation aims at supporting human rights defenders and organizations by means of small scale and flexible funds.

Grants will be subject to a 40.000 Euro ceiling. A threshold around 5,000 euros has been defined by the Board to facilitate the decision making of urgent financial granting for the year 2005. The period of support should not exceed 12-18 months. The applications will be evaluated according to the criteria established by the Board (criteria for evaluating grant applications). The Foundation reserves the right to decide on whether it will provide full or partial support.

Please find below some guidelines on how to present a grant application to the Euro-Mediterranean Foundation of Support to Human Rights Defenders (EMHRF). The guidelines are not compulsory.

- **The amount of funding requested (Present a budget if possible)**
- **Short presentation of the applicant organization, structure or individual**
- **Short project/activity description for which funding is requested**
- **Explanation of the urgency of needs, if there is any**
- **Indicate if you presented this proposal to any other donor agencies. If so, could you kindly name the donor, indicate the amount and what has been the result.**
- **Please, when possible indicate any reference or other partners/contact persons to be contacted to help or recommend your application**

The candidates can express themselves freely in their application. The applicants are free to provide further details in their application. However, the Board of the Foundation reserves the right to ask for any other explanation/documentation to the candidates if needed.