



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

Fifth Consultation of the Council of Representatives

23 June 2018 - Brussels

Minutes

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Opening of the Fifth Consultation of the Council of Representatives

The Treasurer of the Euro-Mediterranean Foundation of Support to Human Rights Defenders, Kamel Jendoubi, opened the Fifth Consultation of the Council of Representatives in Brussels on June 23, 2018, by welcoming all the participants on behalf of the EMHRF Board.

Board members in attendance were Kamel Jendoubi and Marc Schade Poulsen, as well as the members of the Secretariat Anne-Sophie Schaeffer, Améline Jaskowiak, Rami Salhi and Seif Taha.

Apologies for their absence due to professional commitments were made on behalf of the President Driss El Yazami, the Vice-President Christine M. Merkel, and the other Board members Lynn Welchman, Leila Rhiwi, Hanny Megally, Khémaïs Chammari, Bahey Eldin Hassan, Souhayr Belhassen and Bassma Kodmani.

The Treasurer shortly recalled the history of the EMHRF, namely that it was launched by EuroMed Rights (EMR) in December 2004 after a study provided a needs assessment for the establishment of a human right foundation devoted to flexible and strategic small-scale funding in the South Mediterranean region.

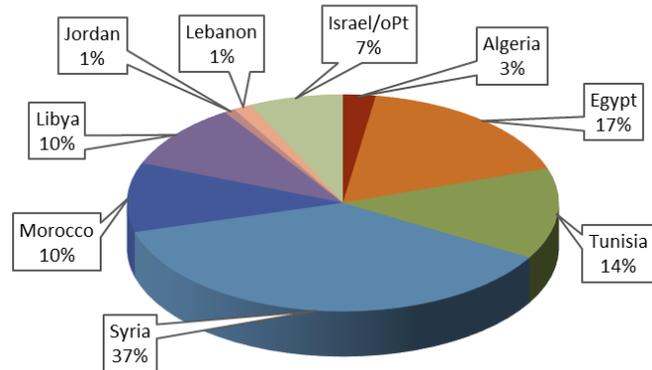
1. Developments 2015-2017

Kamel Jendoubi recalled that the Euro-Mediterranean Foundation of Support to Human Rights Defenders (EMHRF) gives priority to support local human rights defenders, groups and NGOs that do not have the capacity to obtain funding elsewhere. Since EMR members are often experienced and well-established structures, funded by major donors, the EMHRF has limitedly intervened to help its members unless they faced sudden unforeseen financial crisis. On the whole, 5% of EMHRF grant beneficiaries were EMR members during the period 2015-2017.

1.1 Activity Development

Kamel Jendoubi provided key indicators to the Council of Representatives to explain the development in the activity of the Foundation.

- 1750 applications received and assessed (54% increase compared to 2012-2014)
- 368 grants allocated: 203 NGOs and 161 individual defenders' beneficiaries (36% increase compared to 2012-2014)
- 3/4 of grants in hostile environments
- 1/4 of grants in countries undergoing legislative and institutional reforms
- Total of 4.6 million € allocated in 2015-2017 (25% increase compared to 2012-2014)
- Tailored follow-up approach developed by coaching and referring beneficiaries to partners and donors.



He further added that the beneficiaries of EMHRF support actions are human rights actors, acting individually or as part of a group, who ground their action on universal standards and use peaceful means. Specific attention has been paid by the Board to support groups considered to be especially vulnerable, notably youth, women and those located in remote regions.¹



Youth 39%



Women 33%



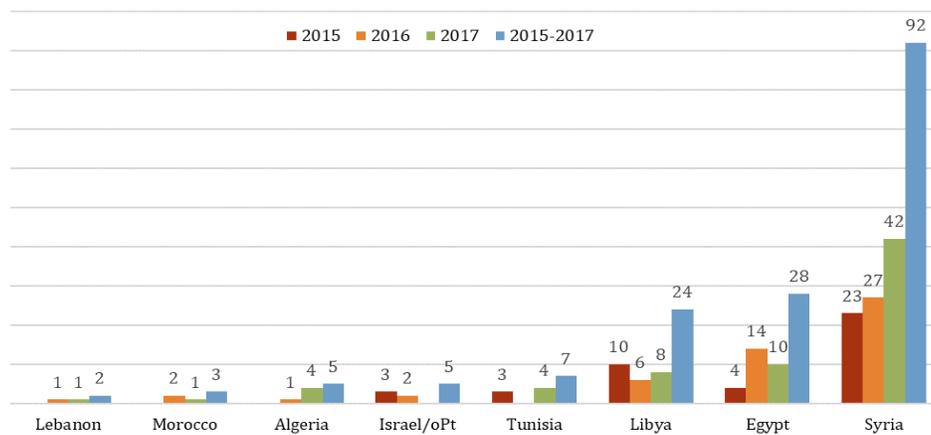
Remote Regions 62%

¹ Youth comprises defenders under 35 and associations working on child and youth rights issues supported. Women comprise women human rights defenders and women's rights associations supported. Remote regions represent individual advocates and associations supported that operate outside capitals or major urban cities in the region.

1.1.1 Flexible grants

Kamel Jendoubi further added that the Board set up two mechanisms to respond as flexibly as possible to the needs expressed by defenders from the region: an emergency response mechanism, through which the Board can decide to allocate grants of €5,000 (with a maximum of 20% of overhead costs, i.e. €6,000 in total) in less than ten days, and a mechanism based on regular consultations of Board members at their annual meetings, through which requests of up to €40,000 are considered.

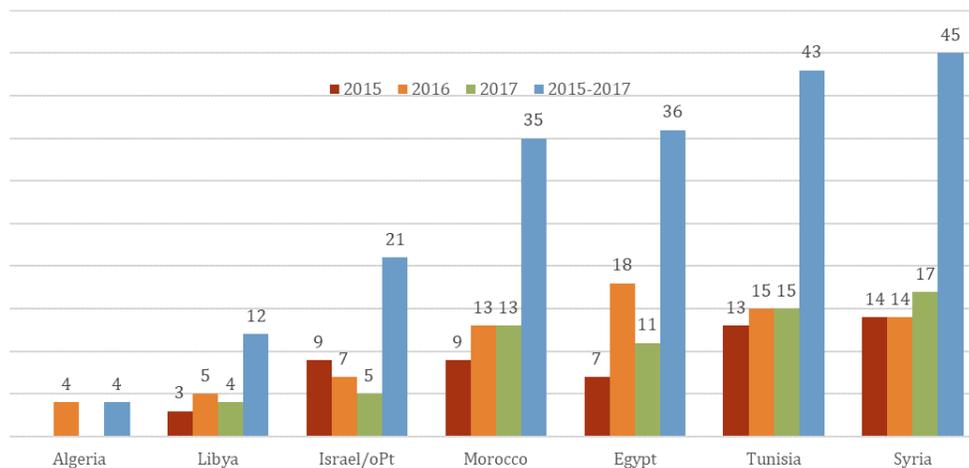
Urgent grants amounting to EUR 874,538 were allocated to 181 defenders and NGOs at risk
 They mainly covered urgent and temporary relocation, rent and contingency planning, legal aid, medical care, basic support to family members.



Standard grants amounting to EUR 3,763,090 were allocated to 201 NGOs under two main priorities:

1. Support to 142 emerging and innovative human rights initiatives
2. Strengthening of capacities / professionalization of 59 established NGOs

These grants mainly covered operating costs (rental and human resources costs).



In 84% of the cases, the grants likely saved HRDs' lives and helped secure their immediate protection. 79% of them resumed their activism. In several cases, the follow-up undertaken also helped to build their linguistic and operational skills and employability prospects, notably when relocated abroad.

Examples

- An Egyptian defender, whose apartment was ransacked by the authorities in early 2017, avoided arbitrary arrest and long prison terms for political and terrorist reasons. His rapid relocation abroad and the help he was given to access legal assistance upon his arrival allowed him to obtain asylum in Europe in December 2017.
- A Syrian defender, who was arbitrarily detained by Syrian military intelligence for terrorist financing because of her artistic activity and assistance to prisoners of conscience and released after four months in the Adra Women's Prison, was able to leave the country and go to Lebanon where she met her basic needs and avoided serious risks of re-arrest in Syria. This defender held an art exhibition on the theme of women detainees in Syrian prisons in collaboration with Lebanese associations.

Moreover, documented reports on gross human rights violations have been produced to uncover the truth and seek justice for the victims and submitted to United Nations treaty bodies. Legal assistance and representation services were also provided to more than 9,500 victims of violations, notably defenders and women.

Examples

- In 2017, 136 cases of enforced disappearances were documented in Syria, of which 28 were reported to the United Nations Working Group on Enforced or Involuntary Disappearances.
- A report was produced by an Egyptian NGO that documented more than 489 trials involving 11,000 civilians in military courts between July 2013 and December 2017. The latter was communicated to the United Nations treaty bodies in the context of the universal periodic review of the United Nations.
- A women's rights network in Libya provided legal and psychosocial assistance to 111 women victims of violence in Benghazi, El Beida, Darna, Shahat, Al Kufra and Tobruk in less than six months. A database has also been established to document violations against defenders and journalists in Libya.
- A report on the direct participation of Israeli banks in the colonization of the Palestinian territories was also produced.

Civil society analyses and recommendations were produced to amend laws on the status of security forces, the right to access information, freedom of the press, linguistic and cultural rights, the personal status code, and violence against women, etc.

Examples

- Recommendations have been issued by Tunisian associations to reform the personal status code, to repeal Articles 230 and 227 bis of the Penal Code (which, respectively, criminalises consensual same-sex sexual relations and authorizes the marriage of minors) and the Narcotics Act of 1992 to strengthen its preventive arm.
- A memorandum on cultural policies was produced by a Moroccan association in April 2016, in partnership with a specialized agency of the United Nations and an international foundation. In addition, notes on Bill 13-13 on the Right of Access to Information and on Bill 90-13 on Freedom of the Press were also presented to the Moroccan authorities.
- A draft law on the protection and social reintegration of former detainees was also prepared by a Libyan association and presented to the Committee for Women and Children of the Chamber of Deputies in February 2018. The draft law should be entrusted to the Committee for review in the coming months.

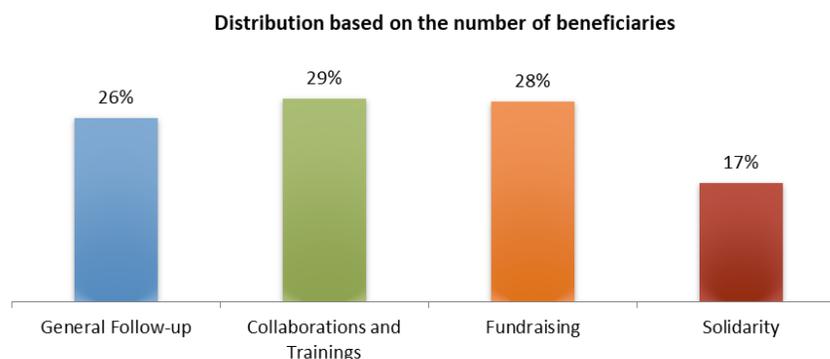
Lastly, educational events, often making use of film narratives and the arts, were held to create debate on human rights, and to empower marginalized persons, notably children, youth and women, to play a greater role in matters relating to human rights, development, social cohesion and governance in remote regions.

Examples

- A unique Moroccan platform, the Platform of Associations and Sub-Saharan Communities in Morocco (ASCOMS), made up of fifteen associations recently registered legally, was created thanks to the support of the Foundation to contribute to the recognition of rights of migrants, to fight against discrimination and to promote their integration in Morocco. The Foundation has also helped bring other donors to support this innovative initiative.
- 4 documentary film festivals on human rights were organized in Gaza (Palestine), Tripoli (Libya), Redeyef (Tunisia) and Guelmim (Morocco) to encourage critical thinking, debate and engagement. civic and open dialogue on human rights issues.

1.1.2. Increasing coaching and intermediation, and strengthened partnerships with funders

In addition to the grants allocated, the Board gave priority to an individualized approach to monitoring the situation of defenders and NGOs supported. This tailored follow-up was provided in 74% of the cases, mainly to newly established associations or those experiencing difficulties.



- **General follow-up** consists of maintaining regular contact with beneficiaries throughout the duration of the agreement and reviewing the implementation of activities.
- **Collaboration and training** - In 29% of the cases, the EMHRF recommended its partners to collaborate with other actors active in their field of intervention, in other regions of the country or at the national level, or in neighbouring countries, to allow for an exchange of experiences. In addition, the EMHRF has supported several of its partners to benefit from training that is provided by national, regional and international actors.

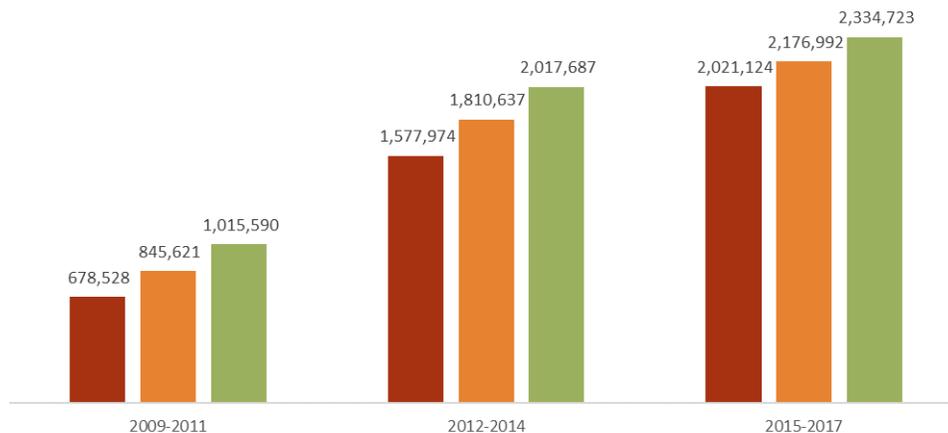
- **Fundraising** - In 28% of cases, the EMHRF provided a list of potential donors who could support the HRDs action, introduced them directly to other donors and/or assisted them in drafting funding applications.
- **Solidarity** - In 17% of the cases, the EMHRF informed INGOs, governments and UN bodies about the HRDs' situation. The EMHRF has namely worked with key partners, such as EMR, so that many of its beneficiaries could, among others, obtain visas to allow them to settle abroad.

Lastly, the EMHRF coordinated and took part in several consultations with like-minded donors to strengthen the response to the civil society needs from the region. Several donor networks exist in which the foundation has played a key role over the years.

1.2 Financial and Organisational Development

Kamel Jendoubi indicated that the total budget of the EMHRF amounted to EUR 6,532,393 during the period 2015-2017, of which 76% was directly assigned to activity costs and 24% to wages and administration. The increase in the budget of the EMHRF reflects the rising needs for support expressed by activists from the region.

The chart below presents the overall evolution of the Foundation's budget over the past 9 years:



Kamel Jendoubi further noted that the EMHRF has controlled its growth over the years. The Board has evolved from 9 to 12 volunteer members since 2015. A rotation process has been initiated in 2018 with Eskil Trolle being replaced by Habib Nassar. The Board is today assisted by a small and efficient Secretariat composed of 7 full-time employees and one part-time employee.

Lastly, he informed the Council of Representatives that an Internal Management Audit was commissioned by the Swedish International Cooperation and Development Agency, one of the Foundation's main partners, in 2017. The overall outcome of the audit is positive, and tangible decisions and internal policies have been revised by the Board. This includes a revision of the financial manual and the adoption of a risk management policy. In addition, an anti-corruption code of conduct and a dashboard to strengthen the monitoring of grantees' expenses are currently being developed.

A more detailed financial overview of the audited reports 2015-2017 is provided below:

Income	2015		2016		2017		2015-2017	
Subsidies								
Swedish International Development Cooperation Agency (SIDA)	325,989	16%	803,455	37%	318,940	14%	1,448,384	22%
Royal Danish Ministry of Foreign Affairs (DAPP)	268,457	13%	205,817	9%	204,989	9%	679,263	10%
Norwegian Ministry of Foreign Affairs	177,260	9%	173,563	8%	0	0%	350,823	5%
Sigrid Rausing Trust	203,580	10%	45,440	2%	390,427	17%	639,447	10%
Open Society Foundations	549,670	27%	0	0%	89,606	4%	639,276	10%
European Commission (EIDHR), Egypt	272,942	14%	277,670	13%	298,105	13%	848,717	13%
European Commission (NEAR), Syria	130,888	6%	303,263	14%	216,239	9%	650,390	10%
European Commission (Ad-hoc grants)	4,472	0%	0	0%	0	0%	4,472	0%
European Commission (NEAR), Libya	0	0%	138,521	6%	145,813	6%	284,334	4%
EU HRDs Mechanism	58,535	3%	154,396	7%	251,672	11%	464,603	7%
United Nations Interregional Crime and Justice Research Institute	0	0%	0	0%	329,689	14%	329,689	5%
Rockefeller Brothers Fund	0	0%	19,713	1%	16,483	1%	36,196	1%
National Endowment for Democracy	0	0%	30,646	1%	52,187	2%	82,833	1%
Network for Social Change	0	0%	13,718	1%	15,373	1%	29,091	0%
Charities Aid Foundation	0	0%	5,591	0%	0	0%	5,591	0%
Urgent Action Fund for Women HRDs	2,542	0%	0	0%	0	0%	2,542	0%
Contribution, other	0	0%	200	0%	200	0%	400	0%
Support granted from provisions	26,789	1%	5,000	0%	5,000	0%	36,789	1%
Total Subsidies taken to Income	2,021,124	100%	2,176,993	100%	2,334,723	100%	6,532,840	100%
Expenses								
Actions In Support of Human Rights Defenders (HRDs)								
Urgent grants to HRDs	227,301	11%	285,086	13%	362,151	16%	874,538	13%
Standard grants to HRDs	1,144,197	57%	1,264,986	58%	1,298,256	56%	3,707,439	57%
Financial costs related to grant giving	12,434	1%	9,274	0%	9,853	0%	31,561	0%
Follow up on the situation of HRDs	18,817	1%	14,558	1%	9,740	0%	43,115	1%
Board meetings	37,701	2%	37,314	2%	52,918	2%	127,933	2%
Meetings with partners (incl. fundraising)	16,367	1%	12,733	1%	39,431	2%	68,531	1%
Consultation of the Council of Representatives	26,727	1%	0	0%	0	0%	26,727	0%
Sub-total Actions in Support of Human Rights Defenders	1,483,544	73%	1,623,951	75%	1,772,349	76%	4,879,843	75%
Other Services related to the activities								
Membership fees to Foundations/Networks	2,603	0%	5,366	0%	1,923	0%	9,891	0%
Temporary Consultation/Research	0	0%	656	0%	15,965	1%	16,621	0%
Translations	20,474	1%	32,881	2%	29,107	1%	82,462	1%
Information, Publication	1,548	0%	761	0%	142	0%	2,451	0%
Sub-total Other Services related to the activities	24,625	1%	39,663	2%	47,137	2%	111,424	2%
Staff wages								
Programme staff	258,281	13%	251,187	12%	281,456	12%	790,924	12%
Administrative staff	134,718	7%	125,719	6%	153,497	7%	413,934	6%
Social charges	3,015	0%	3,263	0%	2,052	0%	8,330	0%
Sub-total Staff wages	396,014	19%	380,169	17%	437,006	19%	1,213,188	18%
Administrative expenses								
Audit	8,386	0%	11,883	1%	10,766	0%	31,034	0%
Maintenance of a secure forum and website	8,555	0%	5,034	0%	3,356	0%	16,944	0%
IT Support	8,057	0%	8,488	0%	9,107	0%	25,652	0%
Rent	35,824	2%	36,568	2%	36,452	2%	108,844	2%
Office expenses and stationary	25,910	1%	29,879	1%	16,907	1%	72,696	1%
Bank and Transfer fees	5,190	0%	5,605	0%	6,002	0%	16,797	0%
Navision 2013 - Financial Software	1,077	0%	0	0%	0	0%	1,077	0%
Others	20,154	1%	35,308	2%	-4,358	0%	51,104	1%
Sub-total Administrative expenses	113,153	6%	132,764	6%	78,232	3%	324,149	5%
Financial Items								
Financial income and expenses	-3,788	0%	0	0%	0	0%	-3,788	0%
Tax	0	0%	0	0%	0	0%	0	0%
Sub-total Financial Items	-3,788	0%	0	0%	0	0%	-3,788	0%
Total Expenses	2,021,124	100%	2,176,546	100%	2,334,723	100%	6,532,393	100%
Operating Profit	0	0%	446	0%	0	0%	446	0%

2. Orientations 2018-2020

Kamel Jendoubi concluded his presentation by emphasising key decisions and directions that the Board has set for the development of EMHRF in the next three years. These include:

- A continued commitment to provide support to human rights actors operating in hostile contexts, such as Syria, Libya, Egypt, Algeria, Israel and the occupied Palestinian territories, and in reform contexts, such as Morocco and Tunisia, with attention being placed on isolated stakeholders and those operating in remote areas, while maintaining flexibility for adapt to the reality and the challenges facing civil society on the ground.
 - A special focus will be placed on Egypt (The Board will establish an advisory committee and strengthen reflection discussions and an academic watch on the developments in the country in addition to increase its grant-making capital towards Egyptian HRDs and NGOs).
 - Tailored coaching will also be further developed and systematised for associative actors facing difficulties to develop contingency strategies and plans, notably in Egypt.
- Initiating reflections and debates on pathways to develop and strengthen endogenous sources of funding for local civil society actors because of three main assumptions: 1) there cannot be a democratic path in the region if the civil society solely depends on foreign funding, 2) governments from the region are reinforcing their controls over civil society's financing, and 3) foreign funding is in general not adapted to local and national priorities.
- Continuing to play a role of interface with other donors and private funders to cover funding gaps and increase core resources made available to local civil society actors, and to help them channel funding in hostile contexts.
- A controlled growth of 10-20% in the Foundation's total budget (in view of growing demands in the region), and stabilization in the following years, while maintaining a small structure and upholding the distribution rule of 75% of the budget allocated to activities and only 25% to staff and administration.

He concluded by thanking the main financial partners of the EMHRF, without whom such support actions would have not been possible, notably the Swedish International Development and Cooperation Agency (SIDA), the Danish Arab Partnership Programme (DAPP), the Sigrid Rausing Trust (SRT), the Open Society Foundations (OSF), and the European Instrument for Democracy and Human Rights (EIDHR).

3. Discussion with the Council of Representatives

Following the presentations, Kamel Jendoubi and Marc Schade-Poulsen opened the discussion with the Council of Representatives on the Foundation's main activities, its finances and future orientations. Several representatives – notably from Syria and Egypt – expressed their deep appreciation and gratitude for the work accomplished by the EMHRF. They notably emphasised the Foundation's uniqueness and the efficiency of its actions by recalling the reality of the situation on the ground in their respective countries. They also gave tangible examples where EMHRF assistance was instrumental in saving lives of activists. The main comments and questions raised by the Representatives are summarised below.

3.1 Board

Referring to the Statutes of the EMHRF, available on its [website](#), the Board explained that trust remains central when co-opting new members in the Board because of the sensitive matters dealt with by the EMHRF. Co-optation of new members is decided by the actual members themselves and progressive, and the Board meets in person the candidates for an informal interview. The Board takes decisions based on consensus and candidates are presented to the Council of Representatives, as is the case today for Habib Nassar, who has been co-opted as a new Board member in view of Eskil Trolle's retirement.

3.2 Audit

The Board informed the Council of Representatives that it has decided to continue appointing Deloitte to perform the audit of the Foundation's accounts in the future provided that the supervising auditor be replaced after ten years of good services in order to favour rotation.

3.3 Publicity & Channelling of Funds

The Board recalled its intention to keep a low profile for the EMHRF, avoiding much publicity and relying on its members, the Representatives, its [new website](#) and the word of mouth to spread its messages locally. This seems to be working quite well given the significant increase in funding requests received annually. The EMHRF also applies high confidentiality rules in handling funding requests, decisions and transfers in repressive contexts, and it has developed a variety of flexible and secure transfer methods for fund payments adjusted to the security context and to the specific needs of the recipients. Again, given the sensitive nature of its interventions, the Board is not in capacity to disclose further information on the transfer methods developed but can advise bilaterally local partners developing such methods, if needed.

3.4 Supporting New or Emerging Civil Society Initiatives

The Board emphasised that a key priority for its interventions has been given to support new or emerging human rights actors, notably those operating in remote areas, given their lack of access to mainstream donors' support and donors' inclination to support actors who have enough absorption capacities. This was made possible thanks to the thorough due diligence reviews performed by the Secretariat and the local presence of the Board and staff members of the Foundation, notably in Tunisia. For example, the EMHRF supported the establishment of a new platform to enable young citizens to report on the problems they encounter and participate in local authorities' decision-making in 8 municipalities in Tunisia. In

addition, an exceptional cultural space, run by and for young people, has been renovated and opened in Redeyef, one of the most marginalized towns in southern Tunisia. This space regularly organizes drawing, theatre and music workshops, as well as festivals, with the aim of educating children and young people about fundamental rights and empowering them to defend these (other examples are reported above).

3.5 Influencing Donors' Policies

The EMHRF has joined two major human rights funders' networks (European and International) during the past five years and played a significant role in strengthening the presence and participation of local civil society actors in advising donors about local and national priorities in their respective countries. It has namely founded a working group on human rights defenders and has been co-leading a newly-established working group on the Middle East and North Africa within these networks. Lastly, the EMHRF is also member of the European Union Mechanism for the Protection of Human Rights Defenders, *ProtectDefenders.eu*, in which funding dynamics in support of human rights defenders worldwide have been studied and used to advocate for increase resources for local HRDs in general and in the Middle East and North Africa in particular. Although it is difficult to assess the impact of such actions at this stage, the investment made by the EMHRF in these networks is essential to attempt to influence donors' policies.

The Board further added that a strategic direction of its work has been to proactively identify pathways to develop and strengthen endogenous funding sources for civil society actors. A study focussing on Tunisia will be finalised at the end of 2018, and the Foundation intends to jointly work with EMR and Tunisian civil society actors to advocate for such openings in the future.

Closing of the Fifth Consultation of the Council of Representatives

Following the discussions, Kamel Jendoubi and Marc Schade-Poulsen brought the fifth consultation of the Council of Representatives to an end.

They praised the work of the EMHRF that has, since its inception, proven its worth and utility, with the expectation that funding requests coming from the region will continue to increase in the years to come.

They thanked all the participants for their constructive and helpful questions and contributions.

"We are driven by solidarity with the defenders and may this solidarity continue for the good of our region and human rights."

ANNEX 1: AGENDA FIFTH CONSULTATION OF THE COUNCIL OF REPRESENTATIVES

1. Opening of the Consultation (15 min.)

- Words of welcome and introduction
 - Election of a chairperson for the Consultation
-

➤ **Document:**

- *Agenda for the Consultation*

2. Briefing on the Foundation's operations during the period 2015-2017 (30 min.)

- Presentation of the main actions undertaken and financial implications
 - Discussion with the Council
-

➤ **Documents:**

- *Activity Reports 2015-2016-2017 (incl. a presentation of the Foundation)*
- *Audited Reports 2015-2016-2017 (incl. a summary of audits)*

3. Briefing on the Foundation's orientations for the period 2018-2020 (30 min.)

- Presentation of the main orientations, including proposals by the Representatives, and of the provisional budget
 - Discussion with the Council
-

➤ **Document:**

- *Provisional Operational Budget 2018-2020*

4. Briefing on the intended cooptation of new members or new auditors (5 min.)

5. AOB (5 min.)

6. Closure (5 min.)