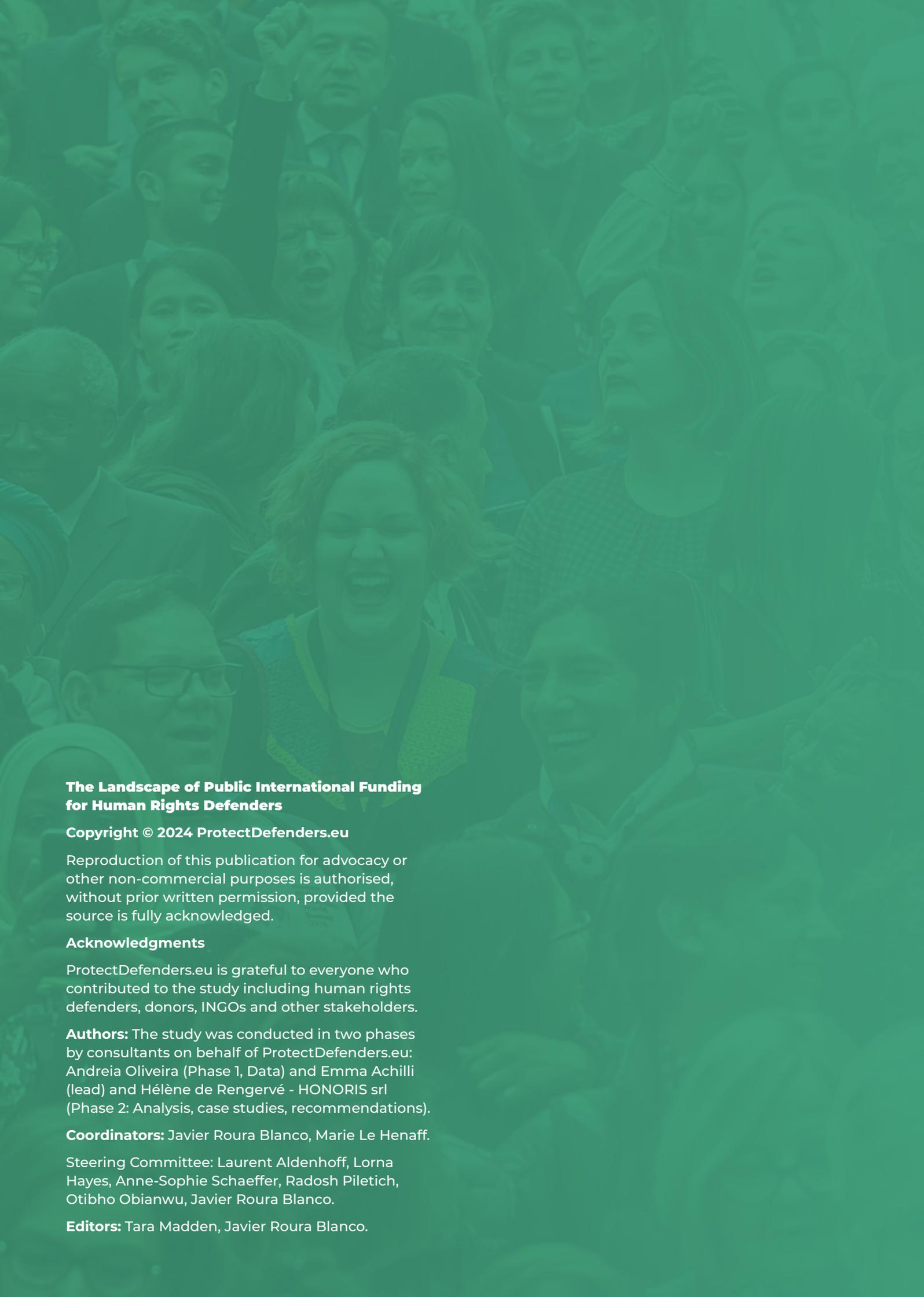




# The Landscape of Public International Funding for Human Rights Defenders

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# The Landscape of Public International Funding for Human Rights Defenders



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# List of Acronyms and Abbreviations

<b>CPR</b>	Civil and Political Rights	<b>HRSM</b>	Human Rights Support Mechanism
<b>CRS</b>	Creditor Reporting System	<b>IEMED</b>	European Institute of the Mediterranean
<b>CSO</b>	Civil Society Organisation	<b>IM-Defensoras</b>	Iniciativa MesoAmericana de Mujeres Defensoras de Derechos Humanos (MesoAmerican Initiative of Women Human Rights Defenders)
<b>CSO-LA</b>	Civil Society Organisations and Local Authorities	<b>INGO</b>	International Non-Governmental Organisation
<b>DAC</b>	Development Assistance Committee	<b>LA</b>	Latin America
<b>DG NEAR</b>	Directorate-General for Neighbourhood and Enlargement Negotiations	<b>LAC</b>	Latin America and the Caribbean
<b>DRG</b>	Democracy, Human Rights and Governance	<b>LDC</b>	Least developed countries
<b>DROI</b>	European Parliament's Sub-Committee on Human Rights	<b>LGBTIQ+</b>	Lesbian, Gay, Bisexual, Transgender, Intersex, Queer and other sexual identities
<b>EC</b>	European Commission	<b>MENA</b>	Middle East and North Africa
<b>EDF</b>	European Development Fund	<b>NDICI</b>	EU Neighbourhood, Development and International Cooperation Instrument
<b>EEAS</b>	European External Action Service	<b>NGO</b>	Non-governmental Organisation
<b>EED</b>	European Endowment for Democracy	<b>NHRI</b>	National Human Rights Institutions
<b>EIB</b>	European Investment Bank	<b>ODA</b>	Official Development Assistance
<b>EIDHR</b>	European Initiative for Democracy and Human Rights	<b>OECD</b>	Organisation for Economic Cooperation and Development
<b>ENP</b>	European Neighbourhood Policy	<b>PEPFAR</b>	US President's Emergency Plan for AIDS Relief
<b>ESCR</b>	Economic, Social and Cultural Rights	<b>PWD</b>	People with disability
<b>EU</b>	European Union	<b>SDG</b>	Sustainable Development Goal
<b>EUD</b>	European Union Delegation	<b>SIDA</b>	Swedish International Development Cooperation Agency
<b>EUTF</b>	European Union Trust Fund	<b>TA</b>	Technical Assistance
<b>FATF</b>	Financial Action Task Force	<b>UAF</b>	Urgent Action Fund for Women's Human Rights
<b>FHP</b>	Feminist Holistic Protection	<b>UK</b>	United Kingdom
<b>FSTP</b>	Financial Support to Third Parties	<b>UNDP</b>	United Nations Development Fund
<b>FoRB</b>	Freedom of Religion or Belief	<b>USAID</b>	United States Agency for International Development
<b>GBV</b>	Gender-based violence	<b>USD</b>	United States Dollar
<b>GDP</b>	Gross domestic product	<b>WHRD</b>	Woman Human Rights Defender
<b>GONGO</b>	Government Operated NGO		
<b>HIV</b>	Human Immunodeficiency Virus		
<b>HQ</b>	Headquarters		
<b>HR</b>	Human rights		
<b>HRD</b>	Human Rights Defender		
<b>HRO</b>	Human Rights Organisation		

# Executive Summary

**Data collected in this report shows that funding for the work of human rights defenders (HRDs) has only stagnated, while HRD needs remain far from being met.**

The data analysis conducted for this study reveals a disconnect between the rhetoric emphasising greater human rights prioritisation and support for human rights defenders and the actual funding, which has not adequately increased to address the deteriorating global situation. While disbursements dedicated to this group have gradually risen in line with aid levels over the examined period (2017-2020), they represent the same weight in terms of overall Official Development Assistance (ODA): always just hovering around **0.11% of total ODA annually**. According to the data declared by the analysed donors<sup>1</sup> in relation to ODA **between 2017 and 2020, these contributed 639 million USD to HRDs**; but with a wide divergence between donors, from the top ones spending 1.07% of total development assistance on HRDs, to two not reporting any HRD-focused projects at all. Three donors (**Sweden, the EU institutions and the US**<sup>2</sup>) together represent almost half of total contributions to HRDs during these years, even then representing only approximately 0.2% of their ODA, while some smaller donors in absolute terms (such as **Spain, Denmark and Finland**) spend 0.8-0.9%.

**Support still goes mostly to and through “Global North” NGOs, but increasingly reaches local groups.**

Despite the Accra Agenda for Action and other commitments to “localisation” or increasing the aid disbursed directly to local actors, international or donor country-based NGOs (**INGOS**) continue to be by far the most common channel of support for delivery to HRDs. They represent **76-81% of donors’** funding towards HRDs, with some donors expressing a clear preference for better-known international partners with perceived significant administrative and managerial capacities – which is also used as a justification for giving them more core funding. Some INGOs are also based in partner countries but registered in donor countries, which may slightly skew the analysis, or are themselves intermediary donors. According to this study’s findings, ultimately **between 47 and 57% of total donor funding for HRDs does reach local NGOs, human rights groups, and movements, either directly or via international NGOs**. This includes sub-granting from international to local NGOs, protection measures and activities to strengthen skills or build the capacity of HRDs. Recipient-country NGOs, or **local NGOs, directly received approximately 19-24% of total funding for HRDs**. One upside is that there has been an **increase of 24% of funds going to these actors compared to the previous period (2013-2016)**<sup>3</sup>.

<sup>1</sup> Australia, Austria, Belgium, Canada, Denmark, Finland, Germany, Ireland, Italy, Japan, Korea, Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, UK, US, EU (institutions). The study is limited to an examination of funding to HRDs from bilateral and multilateral donors, and therefore does not include support from foundations, corporations, or individual donors

<sup>2</sup> To be noted however, US contributions in 2020 exclude grants to the National Endowment for Democracy, and funding not reported as ODA; therefore the dataset may not be complete.

<sup>3</sup> ProtectDefenders.eu Report “Funding available for human rights defenders”, 2018: [https://protectdefenders.eu/wp-content/uploads/2018/01/hrd-funding-study\\_final.pdf](https://protectdefenders.eu/wp-content/uploads/2018/01/hrd-funding-study_final.pdf)

## Regional and thematic trends reveal growing disparity in funding and disconnect from on-the-ground needs.

Drawing a comparison of regional trends, the Americas received the highest amount of funds between 2017 and 2020, while conversely, **funding decreased in the MENA (Middle East and North Africa) region**. Donors appear to be concerned and grappling with a severe human rights situation that has not improved since the Arab Spring. There is also a widely shared perception that donors have shifted their focus away from human rights issues to prioritise stability, including counter-terrorism, migration and trade interests. However, even as the trend leans towards a more restricted civic space, many consulted for the study agree that donors must seek to preserve this space and lay the groundwork for the continuation of the work of human rights defenders. It is during worsening situations that such support is needed the most.

Thematically, while more than half (58%) of HRD-related ODA goes to support all HRDs, funding dedicated to **women's and LGBTIQ+ rights defenders has increased by almost 60%**, while funding **for HRDs focused on freedom of expression and on environmental, land and indigenous rights has decreased by 13%**, despite the increasing profile of both of these issues on the public agenda.

## ODA tracking for HRDs shows inaccuracy.

It is **imperative that donors track and record** their spending allocated to human rights defenders **more accurately** to better assess funding support to HRDs. This research has uncovered instances where contributions are not adequately documented. Some donations may go undeclared due to political sensitivities, while others may be categorized outside of Official Development Assistance. It is essential that support for HRDs be clearly designated as contributing to governance, democracy, and SDG spending, aligning with the 2030 Agenda. Additionally, adopting a specific DAC coding for HRD support is highly recommended. This enables donors to better identify and track their spending. Without improved recording practices, evaluating the true impact and trends of donor support over time becomes challenging.

There is a widely shared perception that donors have shifted their focus away from human rights issues to prioritise stability, including counter-terrorism, migration and trade interests.

Deteriorating human rights situations are likely to continue for the foreseeable future, and donors must be ready to plan ahead and face an increasingly unpredictable world.

### Funding fails to align with HRDs' priorities and growing needs.

Even if reasons vary depending on the geographical location, thematic focus, or size of recipient organisations, the findings of this study all indicate a persistent issue of insufficient and inadequately designed funding for Non-Governmental Organisations (NGOs) at local, national and regional levels, and a lack, in particular, of **long-term, flexible and core funding** that would enable human rights organisations and defenders to increase their sustainability and resilience to shocks and crises. This situation sometimes stems from current donor policies and strategies, but also from long-existing practices and positioning linked to historical geo-political legacies and approaches to engaging with former colonies. Perceptions expressed as a part of this study suggest that donors can seem to lack a principled political positioning favouring human rights over maintaining financial and strategic relations with national governments, even when the latter increasingly limit fundamental freedoms across all world regions. The absence of or limited endogenous funds dedicated to human rights in many countries also increases the dependence of NGOs on international funding, thus increasing their vulnerability.

### A policy of stronger, permanent and comprehensive support to HRDs is required.

Several donors point to having a **wide national political consensus** on the importance of supporting HRDs as the starting point for enabling a more strategic engagement on human rights with partner countries. Such consensus should facilitate the development of tools for enabling sensitive political dialogue that is 'baked into' the fundamental building blocks of donor relations with partner countries when it comes to the protection of HRDs.

According to both the data and needs analysis of this study, support must better reach **grassroots** and 'hard to reach' HRDs such as those working on **feminist and LGBTIQ+** issues, informal movements and those outside capitals, and innovative solutions found for regions where the restrictive environments for civil society make support difficult. Deteriorating human rights situations are likely to continue for the foreseeable future, and donors must be ready to plan ahead and face an increasingly unpredictable world where **crises and shifting priorities** must not impact HRD support negatively.

# Recommendations

This section presents a concise compilation of recommendations derived from a diverse array of sources, including stakeholder interviews and relevant literature. Categorised into four overarching themes, these recommendations emphasise the need for i) increased funding and trust in Human Rights Defenders (HRDs), ii) reduced restrictions, iii) enhanced political and diplomatic support, and iv) bolstered core and institutional support, and coalition and capacity-building assistance.

While some recommendations may appear donor-centric, they hold equal significance for International Non-Governmental Organisations (INGOs) supporting third parties and are pivotal for HRDs and local NGOs in their advocacy efforts with both institutional and individual donors.

## 1. Recommendations on funding for HRDs: increase the volume of funding, support the funding needs articulated by HRDs and build relationships based on trust and respect for HRDs/HROs

The key recommendations from this study emphasise the **need for increased funding for human rights defenders from donors**. This involves not just a standard gradual increase tied to inflation, but a substantial net increase compared to previous years. The goal is to raise both the total funding for HRDs and the proportion of Official Development Assistance (ODA) allocated to them beyond the current 0.11%. Additionally, as a result of feedback and research for this study, there is a call for donors to **tailor funding to the needs expressed and articulated by HRDs** and communities, as well as to enhance their trust in civil society and HRDs.

The diversity of recommendations below also shows that there are many ways that donors, INGOs or other stakeholders and advisors can strengthen their support:

- **Increase the overall amount of funding** for HRDs and the key causes they are working on more generally.
- Ensure availability of **core funding for HRDs and their organisations**, as a key form of support to enable their protection and sustainability.
- Respect HRDs' knowledge and decision-making in terms of what they need and work in close collaboration with HRDs to **ensure that they are properly consulted in the design of projects** including any intermediary led, or INGO/Apex<sup>4</sup> project in support of HRDs.
- Progressively move the management of HRD protection programmes closer to where the risks occur. **Localise the management of HRD support programmes** at national level wherever possible or at a minimum, at regional level, to ensure a greater understanding of the local context in which the HRD at risk operates, a reduced language barrier and a faster and more adapted approach to financial support. This would include support for the creation of national and regional HRD protection platforms.

<sup>4</sup> In the context of this publication, 'apex' organisations refer to international non-governmental organisations (INGOs) that typically serve as lead or principal organisations in large global projects, increasingly taking on a regranting role.

- Set up or **support country-based pooled funds or other forms of coordination** with other donors to reduce the number of donors and procedures that local organisations have to engage with.
- Ensure funding opportunities are made available not only for experienced and bigger NGOs but also for **smaller organisations, and informal social movements and communities** that are not constituted as a legal entity.
- Ensure funding for **holistic protection measures** including security measures (accompaniment, safe travel, infrastructure, legal assistance, rehabilitation needs, temporary relocation expenses (including for family), specific and specialised counselling for HRDs having experienced violence, sexual violence and gendered attacks.
- As part of protection projects, contribute to risk assessments by HRDs rooted in **security assessments and analysis of relevant power dynamics** and historical and contextual factors.
- Support HRDs with security needs in a way that builds on existing local practices and knowledge and **strengthens local capacities** including support for digital tools and equipment, security assessments and community-led safety strategies.
- Incorporate **trauma-informed well-being measures** into all call for proposals as a preventative strategy against vicarious traumatisation, thus enhancing organisational sustainability and staff retention. Additionally, consider funding **collective healing and well-being processes** for NGOs, social movements and local communities, ensuring cultural appropriateness and fostering overall community resilience.
- Allow budget lines for **team building, retreats, networking and knowledge-sharing** with other movements and organisations.
- Where local circumstances allow, provide for **capacity building of local actors to be able to manage international funds** and establish an agreement between the intermediary and local partners on multi-year funding.
- Fund **leadership training**, support the mentorship of smaller groups and collectives by larger organisations and shared learning between new and more established movements.
- Create more **fellowships and university programmes** that enable younger generations to attend training on human rights and support NGOs at local, national and regional levels to provide such training.
- Donors should **trust young people by recognising their potential**, involving them in decision-making, and providing support tailored to their needs. Invest in mentorship, skills development and collaborative environments to ensure the success and long-term impact of youth-led initiatives.



There is a need for increased funding and trust in HRDs, reduced restrictions, enhanced political support, bolstered core support, and coalition and capacity-building assistance.

## 2. Recommendations for adjusting the financial, technical and administrative restrictions and requirements on grants to HRDs and their organisations

The second set of recommendations addresses the complex restrictions and compliance requirements imposed on the funding for HRDs. These suggestions were frequently raised as frustrations that HRDs experience when trying to access funding that is appropriate to their needs and the way they operate, and are closely connected to other sets of recommendations.

- Provide **core, flexible and multi-year funding**, and consider reserve building and office costs as eligible costs.
- Allow **permanent staff costs** to be covered in a sustainable manner (and not restricted to the project-related time allocation).
- Permit the inclusion of the **cost of medical and social insurance**, pension schemes and other benefits in staff costs, and ensure that permanent staff are not expected to work as volunteers.
- In cases where it is not possible for the donor to provide core support, **grant the maximum amount possible for staff costs, administrative and overhead expenses**, office costs, unforeseen costs, social welfare provisions, wellbeing policies, costs related to non-profit fundraising and staff training.
- In addition to longer-term funding ensure support is available for **emergency short-term funding** that is processed quickly.
- React to urgent needs and ensure **swift payment of advances**, not only for the first installment but also for interim payments to avoid a cash flow problem that would inhibit the implementation of projects as planned.
- Ensure a transparent, predictable and **regular schedule for funding calls** and opportunities upon which the NGOs can rely to plan their fundraising efforts.
- **Reduce co-funding** requirements.
- **Simplify application processes** and allow non-written submissions (videos, audios, etc.).
- Avoid unnecessary changes to procedures and processes that require a constant update of internal capacities. **Announce any changes publicly**, provide written and video explanations and guidelines explaining the new process and changes – in all the relevant languages - as well as free information sessions for NGOs.
- Ensure the **proportional repartition of overhead costs** are passed on to local partners/sub-grantees.
- **Pool auditing requirements** between donors to avoid NGOs having to undertake parallel audits of their financial accounts. Ideally, all donors should accept annual financial organisational audits as sufficient.

## 3. Recommendations for increasing donors' own capacities and consultation with CSOs to better understand needs and contexts

This study collected various suggestions and recommendations that, either directly or indirectly, urge donors to invest more resources in their own funding mechanisms, capacity and grant-giving infrastructure. These suggestions stem from the challenges raised by local HRDs, indicating ways in which donor institutions can address these issues. This involves dedicating more time, budget, and effort to gain a deeper understanding of the specific country or thematic contexts, the priorities and challenges faced by local HRDs, and the realities, including the precarious situations, of these defenders and their organisations.

- **Consult relevant stakeholders**, including HRDs, prior to developing strategies and funding priorities to ensure they are aligned with the needs of the HRDs, human rights organisations and the country/regional realities.
- Establish **localisation targets and methods appropriate to the local civil society** environment, in consultation with HRDs.
- Develop explicit **strategies for reducing the fragmentation between well-established CSOs in the capital and both smaller and emerging organisations**, groups, and movements based in the provinces who do not have the same capacity or access to policy development and decision-making processes.
- Where the donor is not able to manage multiple small projects, **consult with local HRDs, INGOs and apex NGOs, to determine what model is preferable**, effective and sustainable for all concerned stakeholders.
- **Translate calls for proposals** (and their related documentation) at a minimum, to the language(s) used in the relevant country or region and ensure applications can be processed in local languages. Similarly, translate global calls into all UN languages.

#### 4. Recommendations to ensure consistent political and diplomatic support for HRDs and their causes aligns with funding investments

While this study focuses on funding for HRDs, financial investments alone cannot compensate for deficiencies in non-financial support. Strong political backing is crucial for both the protection of human rights defenders and the advancement of their causes. Therefore, stakeholders have proposed various recommendations to augment non-financial support in conjunction with financial assistance.

- Ensure that financial support is **matched by political support** and willingness to participate in diplomatic support, as appropriate.
- Provide **visibility and political support to emerging social and youth movements** to support their immediate activities and longer-term sustainability.
- Continue to call for **urgent resolutions by parliamentary or executive bodies** for political support on individual HRD cases as this can prove essential in ensuring their safety.
- Share INGO access to contacts and resources and put **pressure on relevant diplomatic circles, financial institutions and governments** to provide less restricted aid in compliance with their commitments regarding HRDs.
- Help communities, where appropriate, to **access and use UN mechanisms and other accountability and legal avenues** at both national and international levels to advance their concerns and to seek redress for any abuses or retaliation, even where these are not included explicitly in projects (i.e. go the extra distance).
- Support the **transfer of knowledge** on physical, digital and psychological protection between older and newer generations of HRDs.
- Widen the **definition of HRDs** to environmental defenders and those fighting land grabbing.
- Expand the definition of at-risk HRDs to encompass **young people and students involved in social movements** who are facing repression. Additionally, support communication strategies and tools aimed at reaching out to young protesters who may not identify as HRDs or activists, ensuring widespread awareness and implementation of both digital and physical protection tactics.

# Introduction

Human Rights Defenders (HRDs) are individuals or groups, who, individually or with others, act to promote or protect human rights in a peaceful manner<sup>5</sup>. While some HRDs enjoy adequate protection and can effectively pursue their objectives, in certain countries, governments and other actors with a less favourable stance towards human rights have imposed **escalating restrictions on civil society space** and activities related to human rights work. In these cases, such restrictions are often accompanied by direct targeting, placing HRDs at significant risk and severely limiting or completely halting their human rights advocacy efforts.

HRDs have been facing a higher number of challenges, including threats, regulatory repression, prosecution, and even killings, which are rarely prosecuted effectively and frequently end in impunity. And yet there is a wealth of evidence that **HRDs are indispensable to sustainable and inclusive development, human rights and rule of law**.

At the beginning of 2023, the UN Special Rapporteur on the situation of human rights defenders, Mary Lawlor deplored that “All over the world, thousands of human rights defenders continue the peaceful struggle for the rights of others. Their reward is intimidation, unfair trials on spurious charges, physical and digital attacks, torture, imprisonment and killings”<sup>6</sup>.

Worse, the trends show a **constant increase in threats and harassment towards HRDs** in the last 15 years, matched by the rise of autocratic tendencies in governments around the world. The protection of HRDs has consequently become a high priority for many international actors, be it the UN, regional organisations and bodies such as the EU, and states, who recognise their valuable work in protecting human rights and democracy.

The present study has been commissioned by ProtectDefenders.eu (PD.eu), the EU Human Rights Defenders mechanism led by a Consortium of 12 international NGOs active in the field of human rights, in an effort to assess and enable an evidence-based discussion on the landscape of institutional funding for human rights defenders. This initiative builds upon a prior internal study conducted in 2016-17,

HRDs have been facing a higher number of challenges, including threats, regulatory repression, prosecution, and even killings.

which concluded that the **evolution of both public and private funding for human rights defenders did not match their growing needs**. Specifically, in the case of institutional funding, the allocation for human rights defenders occupied marginal spaces in donor budgets and showed signs of deprioritisation. This research is vital given the ProtectDefenders.eu mechanism’s mission to support human rights defenders in high-risk situations through financial assistance, advocacy, and capacity-building.

This study aims to investigate the availability and effectiveness of Official Development Aid (ODA) for human rights work from 2017 to 2020 by **analysing donor policies and financial data and gathering insights from human rights defenders, donors, international NGOs and other stakeholders**. The overarching objective is to track the evolution of this funding and assess how the current funding landscape is perceived by different stakeholders including donors, HRDs, organisations supporting HRDs and other experts. The intention is to stimulate debate and discussion that can contribute to more effective and sustainable support to HRDs worldwide to help them carry out and continue their human rights work.

Furthermore, ProtectDefenders.eu commits to **regularly review the information** that is available on public funding and to update this analysis, in order to keep its communications and diagnoses aligned with the ever-evolving figures.

5 OHCHR. “About Human Rights Defenders. Special Rapporteur on Human Rights Defenders”, 2023: <https://www.ohchr.org/en/special-procedures/sr-human-rights-defenders/about-human-rights-defenders>

6 The Irish Times. “Mary Lawlor: States Must Recognise that Human Rights Defenders are not the Enemy”, 2023: <https://www.irishtimes.com/opinion/2023/01/11/mary-lawlor-states-must-recognise-that-human-rights-defenders-are-not-the-enemy/>

# Methodology

The report assumes an understanding of the definition of a human rights defender, as defined in the UN Declaration on Human Rights Defenders: ‘individuals or groups who act to promote, protect, or strive for the protection and realisation of human rights and fundamental freedoms through peaceful means.’

This study involved a range of data collection methods. It included an analysis of financial data related to foreign aid, extensive documentary research, surveys and in-depth interviews with key donor stakeholders. Additionally, a needs analysis of human rights defenders was conducted, through interviews with human rights defenders from all world regions and with representatives of human rights organisations. It also included an analysis of statistics from the programmes of ProtectDefenders.eu members.

The **initial phase of the research** entailed a thorough **examination of OECD data on foreign aid**, complemented by **interviews with key representatives of selected donor governments**<sup>7</sup>. This financial analysis included an assessment of the disbursed volumes of funding for human rights defenders; funding modalities and channels; geographic distribution and the issues addressed by the funding; sub-groups of HRDs receiving support; focus areas and strategic approaches. In alignment with the 2017 study<sup>8</sup> commissioned by ProtectDefenders.eu, funding going towards a comprehensive group of organisations focused on supporting HRDs<sup>9</sup> was also considered.

Donors report their ODA in very different ways, therefore, the initial step in the analysis was to identify relevant sectoral codes from the Creditor Reporting System (CRS) of the OECD that may include projects related to HRDs. This detailed approach ensured the comprehensive tracking of all donors’ contributions by aligning them with officially reported expenditure. The identification

A needs analysis of human rights defenders was conducted, through interviews with human rights defenders from all world regions and with representatives of human rights organisations.

and categorisation of individual projects were carried out manually to ensure consistent selection criteria for projects benefiting HRDs. This process also involved distinguishing between projects dedicated to HRDs and those addressing broader development goals. It is important to acknowledge the potential limitations of this approach, as disbursements are based on the descriptions of

<sup>7</sup> Australia, Austria, Belgium, Canada, Denmark, Finland, Germany, Ireland, Italy, Japan, Korea, Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, United Kingdom (UK), United States (US), European Union (EU) institutions.

<sup>8</sup> This research study examined the volume of private and public funding available for HRDs during the period 2013-2016. ProtectDefenders.eu Report “Funding Available for Human Rights Defenders”, 2018: [https://protectdefenders.eu/wp-content/uploads/2018/01/hrd-funding-study\\_final.pdf](https://protectdefenders.eu/wp-content/uploads/2018/01/hrd-funding-study_final.pdf)

<sup>9</sup> Amnesty International, Asian Forum for Human Rights and Development (Forum Asia), Civil Rights Defenders, Defend Defenders, Euro-Mediterranean Foundation of Support to Human Rights Defenders (EMHRF), Fédération Internationale des Droits de l'Homme (FIDH), Freedom House, Front Line Defenders, Fund for Global Human Rights, Human Rights Watch, Internationale Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), International Network for Economic, Social and Cultural Rights (ESCR-NEC), International Service for Human Rights (ISHR), Peace Brigades International, Protection International, Reporters without Borders (Reporters sans Frontières), Somos Defensores, Unidad de Protección a Defensoras y Defensores de Derechos Humanos, Guatemala (UDEFEQUA), Urgent Action Fund, World Organisation Against Torture (OMCT).

reported projects, which may not always reflect the actual allocation of resources. Similarly, the distinct reporting approaches of various donors lack full consistency and, in general, the reliability of this research heavily relies on the quality of ODA databases and data availability.

In the **second phase of the research**, an examination of the needs of human rights defenders was conducted using a structured approach. This phase encompassed four distinct research streams, each contributing specific insights:

The distinct reporting approaches of various donors lack full consistency and, in general, the reliability of this research heavily relies on the quality of ODA databases and data availability.

- **Focus Group Sessions:** To gain insights into the challenges and needs of HRDs, three focus group sessions were organised, bringing together 35 individual HRDs from all regions in Brussels over two days in September 2022. These sessions provided a platform for HRDs to share their experiences and articulate their needs.
- **HRD Survey:** to gather a comprehensive perspective, one survey was conducted with individual HRDs and a second survey focused on local organisations and communities. More than 150 respondents from across all regions provided valuable data to enable the identification of specific needs and trends within the HRD ecosystem.
- **Key Stakeholder Interviews:** conducted with more than 50 government and EU officials, think-tanks and INGOs, as well as civil society representatives from organisations<sup>10</sup> that support human rights defenders and groups from various regions, including Africa, Asia, the Americas and the Middle East and North Africa (MENA), who shared their perspectives on the needs in their respective regions. The insights gathered from these interviews contributed to an understanding of the global landscape of HRD needs.
- **Statistical Data:** to further enhance our understanding, statistical data on funding provided by ProtectDefenders.eu members' sub-granting programmes was analysed.

This combined approach to the needs analysis sought to provide a comprehensive understanding of the needs and challenges faced by HRDs.

All the information provided in the report has been checked, consent for publication of the information has been obtained from participants in the study and they are aware of the publication.



PROTECT DEFENDERS.EU



# Chapter 1.

## Financial support for HRDs – A closer look at 0.11% of ODA

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This chapter serves as a summary of some of the most significant findings from the analysis of funding data of 20 institutional donors from 2017 to 2020<sup>11</sup> and provides substantial data-driven insights to underpin the contents of this report.

It is important to acknowledge that donors' support to HRDs is not limited to funding; in fact, it goes far beyond that. While this study is focused on the quantification of the financial support, the importance of these non-financial means<sup>12</sup> was raised in all key stakeholder interviews.

<sup>11</sup> Australia, Austria, Belgium, Canada, Denmark, Finland, Germany, Ireland, Italy, Japan, Korea, Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, United Kingdom (UK), United States (US), European Union (EU) institutions.

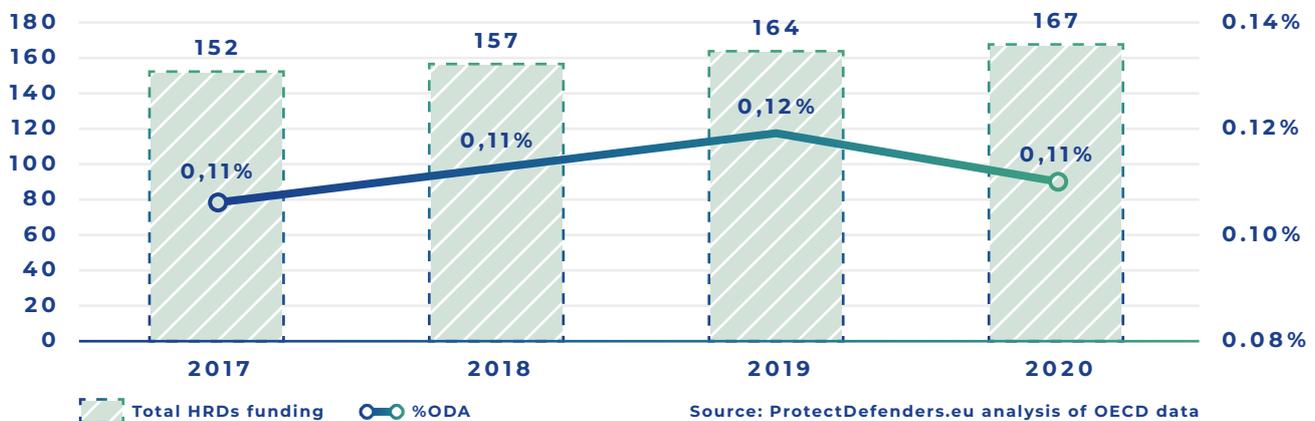
<sup>12</sup> Donors use a multitude of instruments to improve and increase support to HRDs, including designating dedicated human rights officers, documenting and reporting on the global situation of human rights defenders, maintaining regular contact and engagement at various levels, advancing instruments in multilateral fora, working with like-minded governments and international organisations, amplifying the voices of HRDs through public diplomacy and awards, encouraging other governments to engage constructively, providing emergency assistance, visiting HRDs in various circumstances, attending hearings and trials, and facilitating international protection through collaboration with organisations and governments.

# 1.1.

## HRD funding in absolute and relative terms

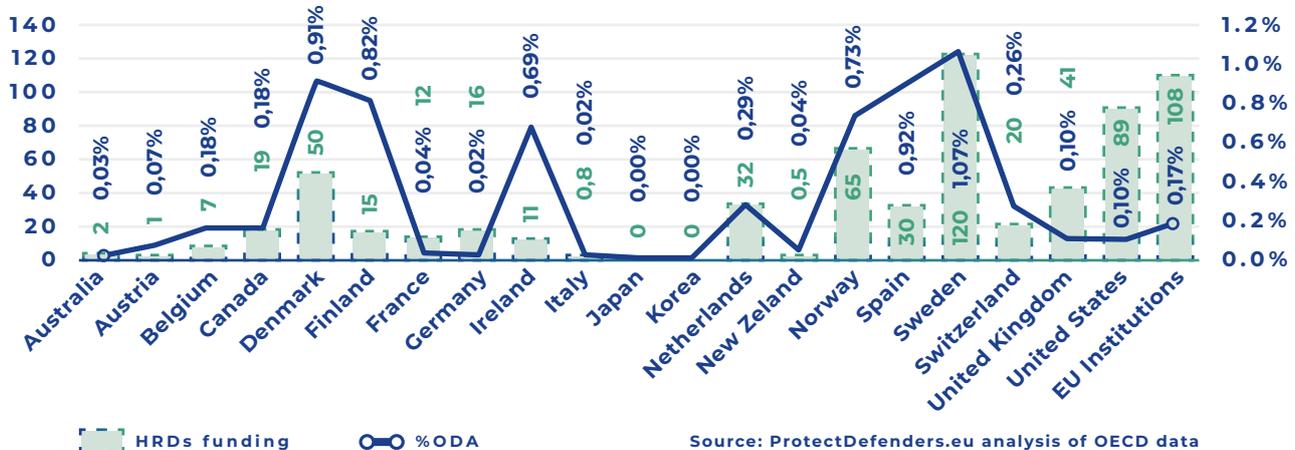
Between 2017 and 2020, the analysed donors contributed a total of USD 638.8 million to human rights defenders. While disbursements dedicated to this group have gradually increased over the years, they represented the same weight in terms of overall ODA coming from those governments, always hovering around 0.11%.

**Total HRD funding 2017-2020 (mn USD)**



When considering cumulative contributions to HRDs between 2017 and 2020, Sweden, the EU institutions and the US together represent almost half of the total contributions to HRDs during this period; however HRD funding still represents less than 0.2% of ODA for the EU and US. The analysis also shows that, while Denmark, Finland and Spain provide less funding to HRDs, this funding constitutes a more substantial proportion of their ODA compared to other donors, ranging from 0.82% to 0.92% of their total ODA contributions.

**Individual contributions to HRDs 2017-2020 (mn USD)**



# 1.2. Channels of funding

International or donor country-based NGOs<sup>13</sup>, from now on referred to as international NGOs, are by far the most common channel for delivery of support to HRDs: they consistently represented between 76 and 81% of donor funding towards HRDs between 2017 and 2020. This analysis showed that some donors privilege this channel, including Finland, the US and to some extent the UK.

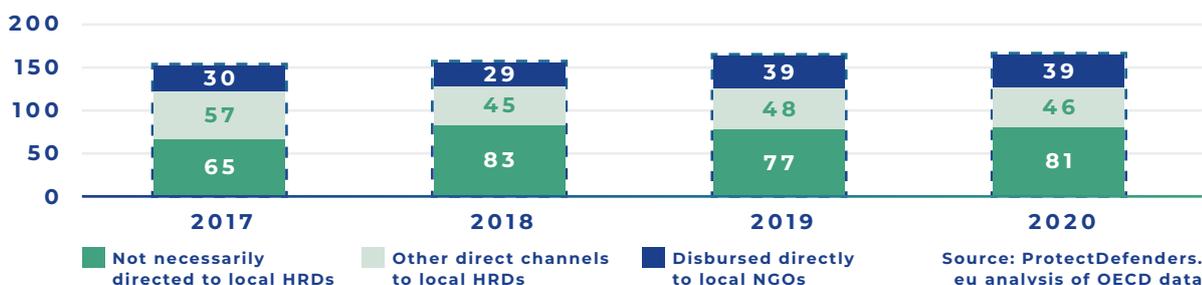
Developing country-based NGOs, from now on referred to as local NGOs, directly received approximately 19-24% of donor funding during this period. This confirms the trend observed in the 2017 report<sup>14</sup>, which studied the funding volumes of the period 2013-2016: that local actors are more often indirectly supported through international or non-national organisations. It is possible nonetheless to observe an increase of 24% of funds going to these actors for the period 2017-2020. Examples of donors under this research that fund almost as many local as international NGOs are the Netherlands and Sweden.

**Channels of HRD funding 2017-2020 2017-2020 (mn USD)**



This research considers how donors report their funds, including how and to whom these are disbursed and, as far as can be observed via desk research, it is possible to confirm that **between 47 and 57% of total donor funding does reach local NGOs, either directly or via international NGOs**, between 2017 and 2020. This includes sub-granting from international to local NGOs, as well as protection measures and activities to strengthen the skills of HRDs, such as capacity-building. In addition to what donors report as going directly to local NGOs (19-24%), it is possible to ascertain that between 28% and 38% of donors' total funding goes to international NGOs to be then channeled to local HRDs.

**What clearly trickles down to local HRDs (mn USD)**



<sup>13</sup> According to the OECD, donor-country based NGOs are 'NGOs organised at the national level, based and operated either in the donor country or another donor country', while International NGOs are 'organised on an international level'. Some international NGOs may act as umbrella organisations with affiliations in several donor and/or recipient countries.' For more information: OECDiLibrary "Methodological notes on the Development Co-operation Profiles 2023", 2023: <https://www.oecd-ilibrary.org/sites/5d646dd8-en/index.html?itemId=/content/component/5d646dd8-en>

<sup>14</sup> ProtectDefenders.eu Report "Funding Available for Human Rights Defenders", 2018: [https://protectdefenders.eu/wp-content/uploads/2018/01/hrd-funding-study\\_final.pdf](https://protectdefenders.eu/wp-content/uploads/2018/01/hrd-funding-study_final.pdf)

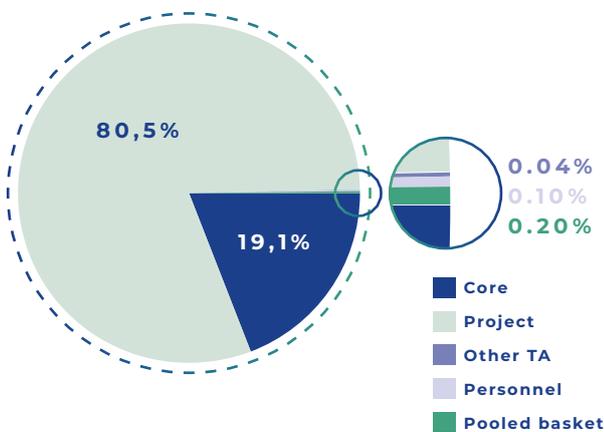
# 1.3. Considering the type of aid

Donors disburse their ODA to non-state actors in different ways, ranging from core contributions to pooled programmes and funds, project-type interventions, or experts and other technical assistance (TA). Analysis of donors' contributions to HRDs between 2017 and 2020 shows that project-type interventions are by far the favoured type of aid of donors in support of this group as seen in figures below<sup>15</sup>:

**Combined channels and types of aid for HRDs 2017-2020 (mn USD)**



**Types of aid supporting HRDs 2017 - 2020**



Source: ProtectDefenders.eu analysis of OECD data

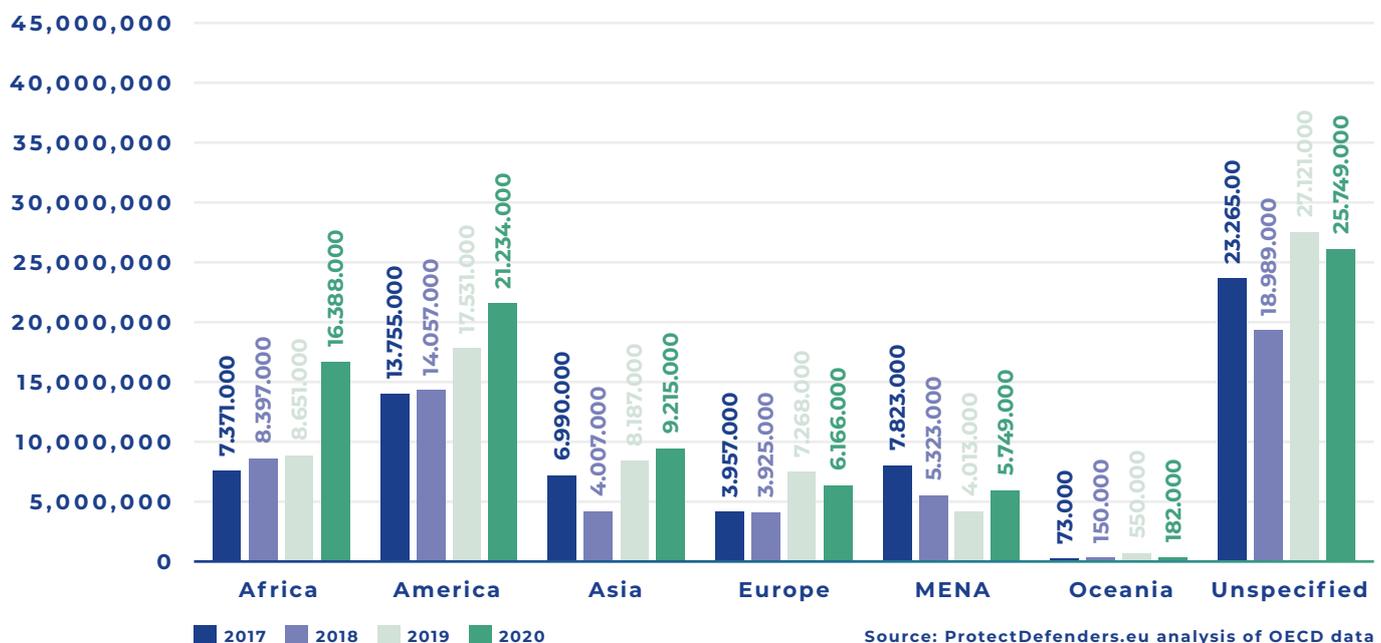
When combining channels with types of aid, it is clear that core support to local NGOs has slightly decreased during the period under analysis, while core funding to international NGOs oscillated, but ended at the same level in 2020 as in 2017.

<sup>15</sup> Although marginally, donors also supported HRDs during the analysed period via other technical assistance - namely for HRDs capacity-building (0.04%); donor country personnel (0.1%); and basket funds/pooled funding (0.2%).

# 1.4. The geographical distribution of HRD funding

In line with the 2017 study<sup>16</sup> donors support to HRDs is found to be spread out across the globe, with variations by region. Unspecified or global grants - which means grants that are not targeting a specific geography - remain the most common streams reflected in the analysis, which is unsurprising considering donors' focus on international NGOs. **The Americas is the region that received the highest volume of funds between 2017 and 2020, followed by the sub-Saharan region, which has the largest number of countries (50).**

**HRD funding per region since 2017 (mn USD)**



Donors' contributions to HRDs seemed to have increased in Africa, the Americas and Asia, although Asia showed some oscillation between 2019 and 2020. Unspecified or global funds remained steady, despite showing a peak in 2019, while the most consistent trend showing a decrease was observed in the MENA region.

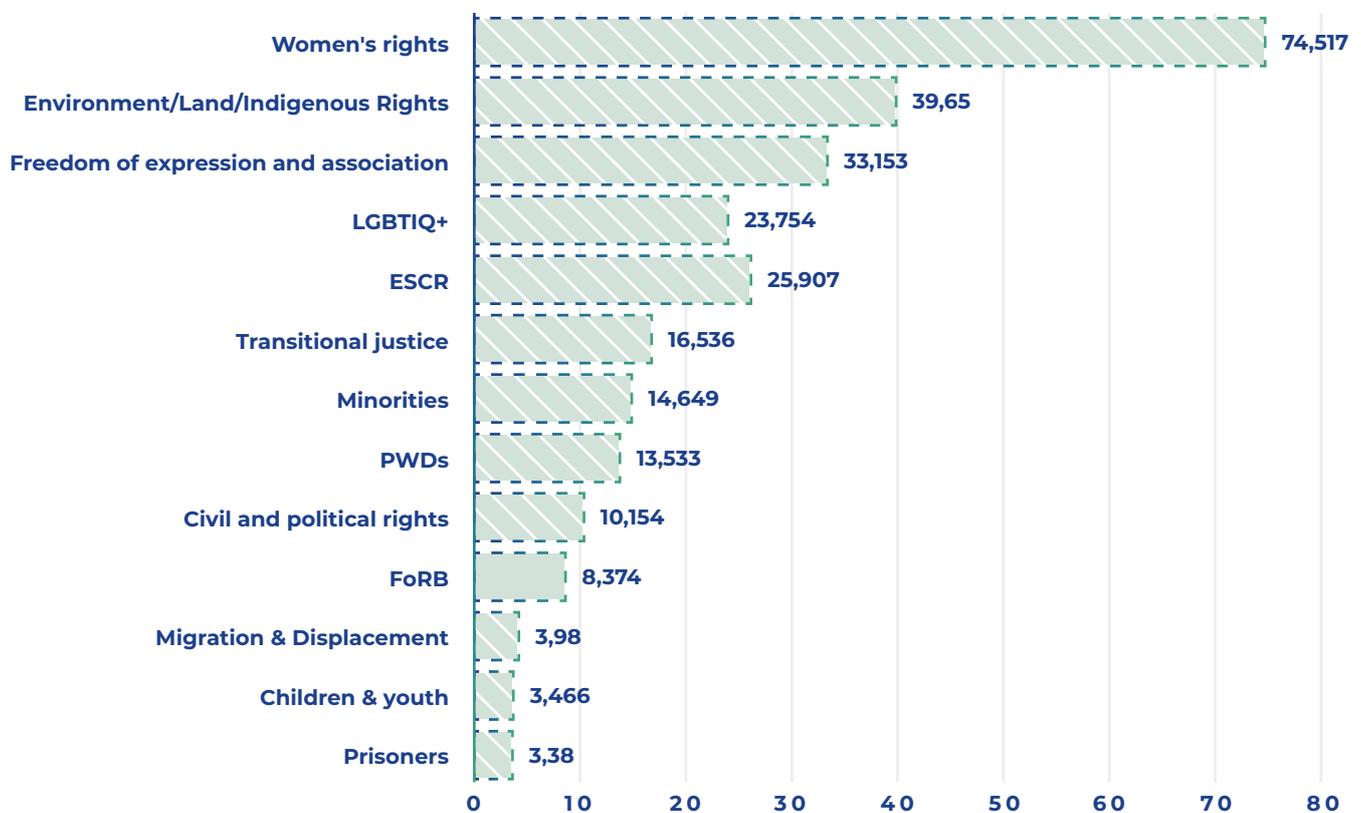
<sup>16</sup> ProtectDefenders.eu Report. "Funding Available for Human Rights Defenders", 2018: [https://protectdefenders.eu/wp-content/uploads/2018/01/hrd-funding-study\\_final.pdf](https://protectdefenders.eu/wp-content/uploads/2018/01/hrd-funding-study_final.pdf)

# 1.5.

## The type of rights supported

Between 2017 and 2020, more than half (58%) of HRD-related ODA was dedicated to defenders that do not necessarily fall under a specific category of issues or type of rights or that is at least traceable through research. The remaining 42% however can be categorised in the following way:

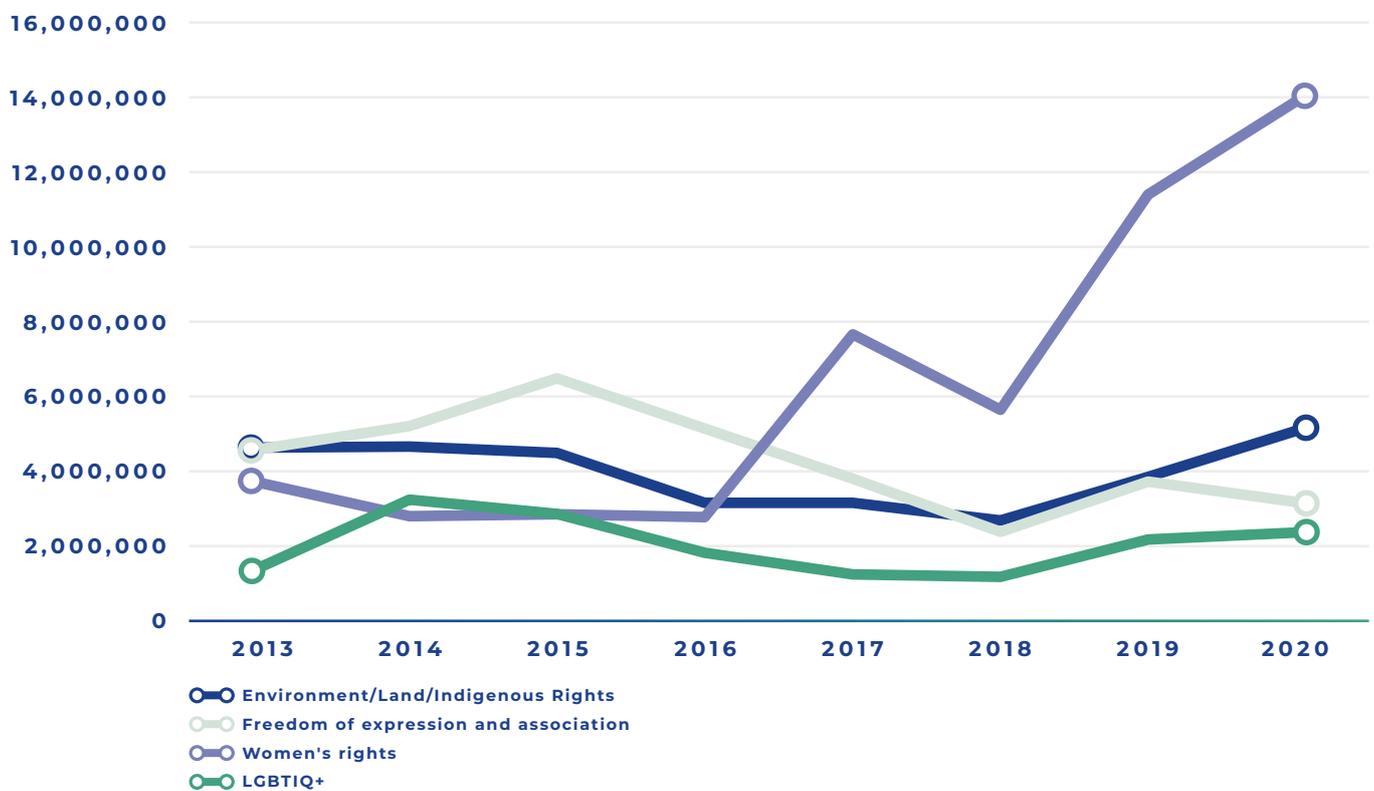
### Typology of rights under funding analysis 2017-2020 (mn USD)



Source: ProtectDefenders.eu analysis of OECD data

**Funding available to women and LGBTIQ+ rights has increased over the analysed period, between 60% and 57% respectively** – the increase in 2020 is partially justified by the COVID-19 pandemic, as raised in some donor interviews, and given the specific needs of these groups facing a health crisis.

### Funding evolution to the top 4 types of rights 2013-2020 (USD)



Source: ProtectDefenders.eu analysis of OECD data

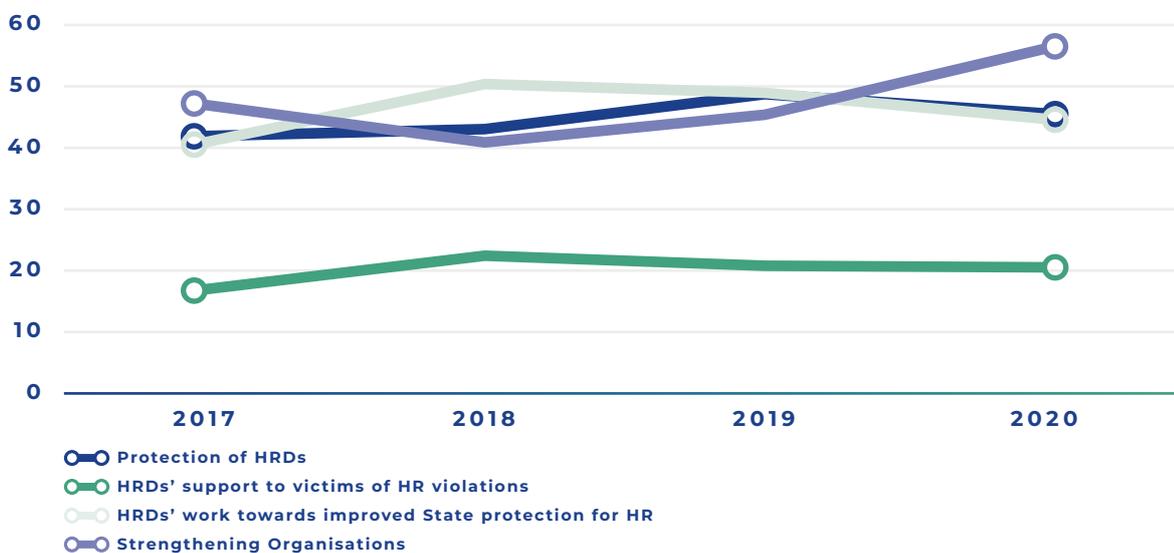
**Although environmental, land and indigenous rights** are high on the public agenda and among the HRDs facing the highest levels of risk, identifiable support to defenders working on these issues across the analysed period seems to have **reduced by 13%**. The same trend is observed in terms of freedom of expression and association, mostly linked to supporting the role of journalists in promoting and defending human rights.

# 1.6.

## The purpose of the funding

Donors provided diverse support to HRDs between 2017 and 2020.

**Donors' support to HRD per focus area (mn USD)**



Source: ProtectDefenders.eu analysis of OECD data

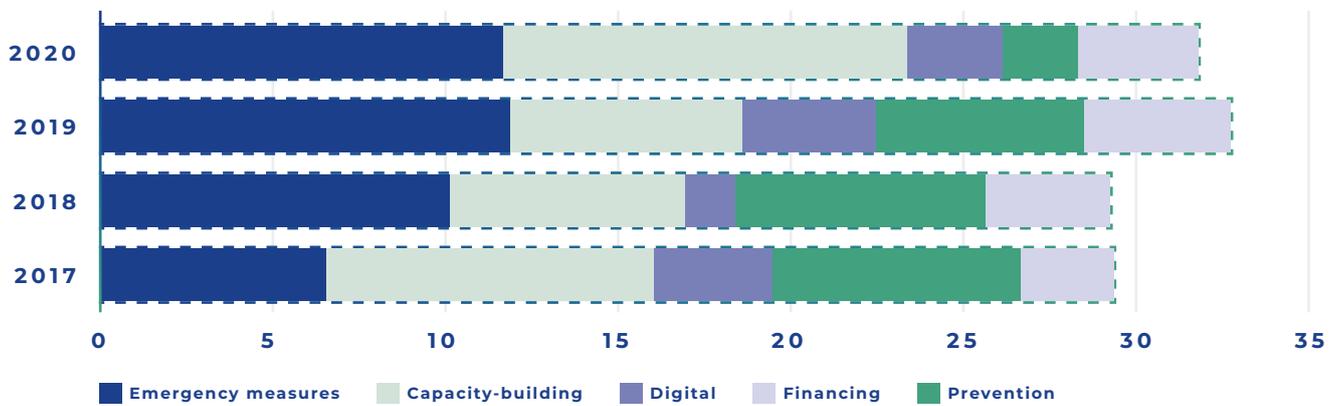
Organisational or **HRDs strengthening** is one of the focus areas for donors. Donors have been reinforcing the skills set of these actors through direct capacity-building and to a much lesser extent through peer-to-peer learning; by forging alliances between groups in defence of a given issue, or by supporting intermediary organisations who can then subgrant to HRDs and their organisations. Donors also strengthen HRDs through awards, even if this represents a marginal share of overall ODA.

Supporting HRDs working towards improved State protection for human rights via – which encompasses **advocacy and awareness-raising work**, also ranks relatively high according to the funding analysis. Policy work is among the most consistently supported strategies and consists of a variety of approaches, including advocacy; research – including monitoring of violations of human rights or neglect of the duty to protect, or documentation of cases of enforced disappearances, among others -; campaigning or even media work fully focused on protecting and promoting human rights.

A third area of work relevant to the analysis is HRDs' **support to victims of human rights violations** - this represents only 13% of traceable funding per strategy and focus area. However, this volume of donors' support may be underestimated, as some of the support provided by HRDs to victims of human rights violations is supported via development work.

Notably, **protection remained a key priority** for donor investment, in a context of rising reprisals against HRDs during this period. Key stakeholder interviews emphasised the significance of flagship initiatives such as the Shelter Cities programme from the Netherlands and the EU’s HRD Mechanism, ProtectDefenders.eu. These initiatives played a crucial role in providing safe havens and support for HRDs at risk.

### How donors provide support for HRD protection (mn USD)



As detailed in the graph above, a substantial portion of the funding dedicated to protection was allocated to **emergency protection measures**, encompassing various interventions like temporary shelters, relocation assistance, immediate legal support, and post-trauma counselling. However, there is a gap in research regarding the specific threats addressed by these protection mechanisms and their correlation with funding levels, which limits the capacity to analyse the relevance of the funding and connection with the reality faced by HRDs on the ground. Capacity-building initiatives aimed at enhancing HRDs’ ability to protect themselves were also prominent during this period.

Additionally, financial support for sub-granting initiatives aimed at enabling grassroots organisations to carry out their work effectively. Despite the growing significance of digital threats to HRDs worldwide, donors exhibited fluctuating attention to digital protection measures. This inconsistency is concerning given the critical need for safeguarding HRDs in the digital sphere. Furthermore, there was a decline in direct funding over the analysed period, with **limited financial support directed towards preventive measures**. Prevention is essential for sustaining the long-term impact of HRDs’ work, indicating a need for donors to adopt a more strategic and sustainable approach in setting their funding priorities.



# Chapter 2.

## Human Rights Defender needs and access to international funding

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This chapter provides an overview of the challenges HRDs face when attempting to access international funding for their human rights work, security and sustainability. The analysis and findings are informed by interviews with HRDs, organisations that support HRDs and with donors.

A common aspect underpinning HRDs' perspectives on donor funding is the urgent need to acknowledge and address the complexities of historical issues and biases within philanthropic and development practices and work towards fostering a more inclusive and equitable environment that promotes trust and confidence in new NGOs and emerging movements, and support to, and recognition of diverse voices and capacities.

# 2.1.

## Access to international funds

Many local, national and regional NGOs (collectively referred to as “NGOs” unless specified otherwise) are highly dependent on accessing international human rights funding, as there are fewer funding opportunities at national or regional level.

These are the **traditional pathways** used by local HRDs and NGOs to access international funding:

- Consistent across regions and thematic focus, the primary means of accessing funding for local and national NGOs is **via International NGOs (INGOs)**, as accessing international funds usually requires an often-unrealistic set of capacities (financial, administrative, fundraising and reporting) that are far too onerous for small or community-based NGOs to have in place. As such, sub-granting schemes and other direct support schemes from bigger or more well-established NGOs (be they national, regional or international) play an intermediary role and remain necessary for many of the smallest or recently created NGOs or movements.
- Once they are more established themselves and have more human resources in place for administration and implementation, local NGOs often opt for **joining key thematic international networks** (often more than one) to increase their chances of accessing funds. These networks often act as catalysts and co-opters by disseminating information about the existing funding opportunities, by acting as a reference for their members and by providing some financial and/or operational support in fundraising. International networks, INGOs, national or larger local NGOs may also provide capacity building that enables local and national NGOs to gain experience and competence in terms of fundraising, thus increasing their ability to raise and manage funds on their own.

- Finally, local NGOs may also **build coalitions** at local or national level to pool resources and/or to blur the thematic lines (particularly in cases where they work on sensitive issues). In many cases, building coalitions is the only way to access international funding. Nevertheless, this tactic may have disadvantages such as:

- Gatekeeping by more established or well-known NGOs that “crowd out” direct access to donors and information.
- Some NGOs may feel forced to partner with organisations with whom they may not otherwise align themselves to access funds, which also gives those other NGOs another way to exert control over existing funds.
- Specific funds to build the system and structure of the coalition itself are often not sufficiently included in the budget and therefore impact the implementation of coalition activities.
- In general, most interviewed HRDs mentioned that accessing bilateral funding was easier through **local embassies**, as they often had the capacity to engage with local NGOs. Even if the financial amounts were smaller in some cases, they were deemed more commensurate with their needs and capacity. HRDs perceived it to be easier at the embassy level to establish interpersonal relations with donors. For example, when trips or events are organised in the region, embassy staff can witness defenders’ work and impact first-hand. This helps to establish relationships rooted in empathy and connection, rather than solely dictated by administrative responsibilities. This local approach should be further strengthened to ensure greater support and understanding for HRDs’ needs.

The technical level of most of the application templates and guidelines requires mastery of the English language and donor jargon, and therefore either directly prevents organisations from applying or places them at a disadvantage.

## A. Key obstacles from the perspective of NGOs

Accessing international funding directly is perceived as a challenging and demanding process. These are some of the obstacles identified by NGOs:

### LACK OF ACCESS TO INFORMATION AND OBSTACLES TO IDENTIFYING AVAILABLE FUNDS

As mentioned above, access to information is key and **NGOs must have the capacity to monitor what funds are available** and the requirements and timelines for applications. Though some online services are available<sup>17</sup>, most of them provide strategic or customised information for a fee. Few of these are available in languages other than English.<sup>18</sup>

HRD respondents shared that some INGOs or longer established NGOs withhold information to maintain control over the funds available and over who can access them. This “gatekeeping” is also associated with the fact that, for new NGOs to be able to access funds from international donors, they will often depend on being referred by established NGOs.

### COMPLEX AND LONG PROCEDURES

The first obstacle reported by many HRDs included in this research is the language barrier as English remains the lingua franca of fundraising. Furthermore, the technical level of most of the application templates and guidelines requires mastery of the English language and donor jargon, and therefore either directly prevents organisations from applying or places them at a disadvantage during competitive processes.

Furthermore, the diversity of donors, the fact that their funding cycles differ (even sometimes within the same institution) and the fact that each donor applies different requirements, procedures and timelines all make it **difficult for NGOs to decipher and comply with the range of requirements**. In particular, the introduction of new requirements and online tools, and the regular changes to procedures require a permanent monitoring of donor procedures, which is beyond the capacity of many organisations. EU procedures were often cited as too complex and rigid and deter many potential applicants.

<sup>17</sup> The most renowned one is [www.fundforngos.org](http://www.fundforngos.org)

<sup>18</sup> The website of the French coalition [Coordination Sud](#) does provide a list of upcoming calls for proposals but the names and links to the actual call for proposals are not translated.

## RESTRICTIVE AND INAPPROPRIATE ELIGIBILITY CRITERIA

Rigid eligibility criteria linked to the size of the organisation (which is mostly measured in budget terms), the number of years in operation (which is often considered as an indication of competency and sustainability) and the need to demonstrate financial and administrative capacities by providing previous audits, governance policies and standards can also exclude smaller and newer NGOs.

Local organisations are also required to both justify the need for funding (through innovative projects and ideas) and demonstrate access to other financial resources. Donors also pursue contradictory approaches to diversification of funding sources. While co-financing is considered a must for many donors in terms of organisational sustainability, it proves not only to be difficult but also controversial, as some donors disengage when they learn the organisation has other sources of funding. One organisation reported that upon receiving a substantial amount from the EU over a short period of time, other **donors disengaged without understanding that the EU grants required co-funding**. The requirement under the eligibility conditions to have co-funding in place puts an additional burden on local organisations, often leading them to borrow money if core funding is not available or if other funds are not raised for the same project, thus increasing their financial vulnerability. There is a sense that NGOs who do not meet this requirement are penalised.

According to some HRDs, this approach speaks to **donors' preconceptions of an organisation's capacity to grow, its optimal growth trajectory and ultimate size**. Similarly problematic is when a donor or an embassy has been funding the same organisation for a long time and decides to stop doing so to avoid creating a dependency, but then it leaves the organisation at risk. Moreover, such practices, of dictating to

local organisations on strategic organisational matters, are deemed inappropriate and at odds with donor commitments around principles of transparent and equitable partnership as laid out in the DAC Recommendation on Enabling Civil Society in Development Co-operation and Humanitarian Assistance<sup>19</sup> and other international cooperation agreements.

These requirements contribute to a very high and often impossible to reach standard for organisations working at community level. They then depend upon the goodwill and/or capacities of other NGOs that have more resources and connections.

While co-financing is considered a must for many donors in terms of organisational sustainability, some donors disengage when they learn the organisation has other sources of funding.

<sup>19</sup> OECD. "DAC Recommendations on Enabling Civil Society in Development Co-Operation and Humanitarian Assistance", 2022: [https://www.aics.gov.it/wp-content/uploads/2022/03/OECD-DAC-Recommendation-on-CSOs\\_june-2021.pdf](https://www.aics.gov.it/wp-content/uploads/2022/03/OECD-DAC-Recommendation-on-CSOs_june-2021.pdf)

## UNFIT REPORTING REQUIREMENTS

One of the messages that came back strongly from the organisations consulted for this study, beyond the fact that **reporting requirements were too complex and cumbersome** for many NGOs to be able to comply with, is that both the level of financial justification required and the schedule of reporting were placing local NGOs and HRDs at risk, with some donors requiring reports every three months.

The difficulties entailed in the financial reporting can come both from the nature of the proof of expenses required, as some invoices may carry the names and contact details of HRDs who are in hiding, but also from having to collect proof of expenses regularly which may lead to exposing both the HRDs and the supporting NGO to those threatening them in case of break-ins, confiscation, etc.

It is important that donors are guided by HRDs, that they consider the often-dangerous context in which organisations are operating and, where needed, they consider alternative ways to justify the expenses or increase the minimum thresholds, to put less people at risk.

## LACK OF STAFF FOR ADMINISTRATION AND REPORTING

Individually, at organisational level, NGOs often do not have the capacity to fundraise. This is linked to various constraints, mostly centred around the lack of core funding that creates a vicious cycle, increasingly referred to as the nonprofit starvation cycle<sup>20</sup>.

Funding for short-term projects only finances staff directly linked to project activities and often does not allow for funding to be allocated to full time administrative or support staff, or even to management. For example, HRDs in the Latin

American region interviewed, reported that many of the permanent staff operate as volunteers or on small salaries. They are often overworked and cover many activities not specifically funded by a project. **Not having staff dedicated to finances, administration or fundraising**, they often do not have the time to fundraise as regularly as is necessary, or to upskill on how to develop more competitive funding applications that have greater chances of succeeding. Finally, it also affects their capacity to develop new leaders and delegate key functions to them. This often leads the organisation into an unsustainable situation where the founder/leader holds the key contacts, knowledge and skills and where, when they move on, the organisation becomes structurally very fragile.

Here again, NGOs often depend on external support, hiring consultants, accessing training on fundraising or recruiting specialised staff. It was highlighted during the research that for NGOs to be able to generate interest from donors, they need to learn how to speak their jargon – to design and describe their programmes in a manner that convinces donors of their relevance and accuracy. Though some INGOs and donors may provide resources and training for short-term fundraising staff positions, these short-term positions are insufficient to deliver sustainable fundraising outcomes.

## THE RESPONSE TIME FROM INTERNATIONAL DONORS IS TOO LONG

One of the hindrances for local and national NGOs applying to international donors is the length of time they are required to wait before receiving an answer. **Long time lags require extensive planning and foreseeability** that few NGOs have. The time span between submission of the application and finalisation of the contract is up to a year (in the case of the EU in particular but for other donors also) does not allow for urgent costs to be met, in particular in times of crisis or

<sup>20</sup> Tools & good practices on how to fight it are proposed here: <https://www.fundingforrealchange.com/>

sudden political changes. Also, the urgency of the situations presented in the project proposal can shift, reducing the validity of the original project strategies and actions proposed.

Furthermore, the **gap between the submission of interim financial reports and the disbursement of the second or third installment is too long.**

Many NGOs lack the cash flow to advance the funds necessary for the implementation of Year 2/3 activities, resulting in unnecessary delays and an inability to respond to urgent situations. The interviewed HRDs recommended that donors adopt a system, similar to that implemented by the Dutch government, where the second and third instalments are transferred upon receipt of the interim reports, with 10% being retained in case issues arise during the review process. The remaining 10% can be released once the reports are approved. However, this recommendation should be flexible and accommodate the particular needs of emerging initiatives. For these organisations, even this 10% retention could pose an insurmountable operational restriction.

## RESTRICTIVE ENVIRONMENT

Though the shrinking space for civil society is not a new phenomenon, it has evolved to include a more structured system of constraints enacted through administrative, financial and legal controls. Such restrictions are often justified under the guise of security concerns, in relation to counter-terrorism imperatives.

Related to this, organisations in many contexts face obstacles to legally registering the organisation or even risk being deregistered by authorities, which significantly limits their ability to access foreign funding. This is often dictated by counter-terrorism related legislation that restricts access to foreign funds, be it at a national level or concerning specific functions<sup>21</sup>.

The inability to open a bank account or administrative harassment over foreign funds or taxes can create further obstacles. For instance, in some countries, only a certain quantity of the foreign funds can be used each month, limiting the NGO's ability to use international donor funds. In others, NGOs can be suspended if they make mistakes or are delayed in reporting their taxes. Additionally, sometimes INGOs are required to report on local level partners, placing them at risk of being suspended under restrictive foreign-funding laws.

Due to these widespread restrictions, it is necessary for donors, in consultation with HRDs, to develop flexible mechanisms for distribution of funds to countries with shrinking civic space. One HRD reported for example that they had to undertake a substantial vetting exercise to identify which exchange offices and actors were reliable in their country. Some donors are willing to transfer the funds to reliable individuals who can then transfer them discreetly to the intended recipient. **But for all these solutions to be identified, donors need to offer flexibility and an openness to dialogue with their grantees, to identify the safest and most effective procedures. In short, donors must trust, listen to, and be led by the HRDs.**

Finally, it is also essential for donors to be very careful with their public communication, as exposing who they fund can be dangerous in certain contexts. The security of donor digital communications is particularly crucial as nowadays repressive governments invest in a range of evermore sophisticated surveillance tools. Donors thus need to be aware of how their information is collected, where it is stored and how secure their communications are.

<sup>21</sup> An association of judges not being allowed to receive foreign funding to ensure their independence from foreign interference, for example.

## B. Key obstacles from the perspective of international donors

Interviews revealed the following key obstacles to distributing funds directly to local or national NGOs from an international donor's perspective. They range from practical challenges to more problematic beliefs linked to the neo-colonial dimensions of the international aid system.

- There can be a certain level of **skepticism among some donors towards new NGOs** or recently established movements, primarily due to their limited visibility and a lack of confidence in their financial and reporting capabilities. Concerns arise regarding their ability to effectively utilise funds, execute projects and maintain appropriate accounting and reporting practices. According to some HRDs, this lack of trust can be attributed, in part, to problematic approaches and perspectives prevalent in philanthropy and international development. These approaches often exhibit elements of charity, racism and neocolonialism, wherein actors from the Global North (frequently characterised by their white privilege and relative affluence) assume the role of determining who possesses “capacity” and who should be deemed “trustworthy.”
- The number and variety of local NGOs and the inability of international donors to establish close relationships with each organisation, often leads to **donors opting to delegate that responsibility to INGOs** or networks, whose structure, it is believed, allows for an in-depth understanding of local NGOs. International donors thus prefer relying on these to sub-grant and assume the administrative role of reaching out and monitoring the expenses of local partners.
- In some countries, the **granting of funds has become increasingly insecure** as there is a risk that funding might be seized by authorities. Both the donors and the recipients need to devise ways to keep the funds abroad for a period and to bring them in progressively and discreetly.

According to some HRDs, this lack of trust can be attributed to problematic approaches and perspectives prevalent in philanthropy and international development. These approaches often exhibit elements of charity, racism and neocolonialism, wherein actors from the Global North assume the role of determining who possesses “capacity” and who should be deemed “trustworthy.”

## 2.2.

# The need for core, flexible and sustainable funding

The lack of core funding (also known as general operating support) has dire consequences for local, national and regional NGOs who seek to develop secure, stable and sustainable systems that would give them more independence in decision-making and in the implementation of their activities, in particular those related to the emergency protection of HRDs. Flexible modalities are needed to upscale or downscale activities according to rapidly changing contexts.

Challenges mentioned regularly by HRDs during the research:

- ❑ **Lack of flexibility** to address emergencies, crises or violations in geographical areas or under thematic priorities not covered by existing grants.
- ❑ **Reluctance to fund institutional costs** restricts the capacity of local NGOs to grow beyond what is already funded and forces them to limit themselves to what aligns with donor priorities rather than what really needs to be done, or what is needed for growth.
- ❑ Lack of capacity to cover **salaries, health and well-being costs** of staff and the heavy dependence on volunteers and poorly paid staff generates a long-term insecurity and anxiety for the staff and thus impacts upon the sustainability of the overall organisation.
- ❑ Lack of ability to pay for **security features** for offices and staff: HRDs reported that heavy restrictions exist on funding for key costs such as offices, maintenance and vehicles which are needed for accessing remote areas and for security reasons. In particular, the fact that some donors refuse to pay for core staff costs and restrict the percentage allocation to project staff costs to unrealistic levels relevant to the activities to be delivered through the project is harmful. It forces local NGOs to ask staff to work voluntarily and affects their ability to retain trained staff.
- ❑ **Inability to adapt to local constraints:** For example, in certain contexts, building relations with authorities requires groups to pay for fuel expenses when inviting them to visit or for their support or participation in events. These costs are not covered by some international donors, which as a result, limits the outreach ability of the local organisation.



Building a reserve fund and acquiring dedicated office spaces are essential for ensuring the long-term viability of human rights defenders.

HRDs also expressed concerns relating to the **impact of restrictive funding requirements** on the long-term sustainability of their organisations. Most donors typically impose strict restrictions on NGOs, explicitly prohibiting them from accumulating reserves or investing in the purchase or construction of office spaces. However, it is important for donors and funding institutions to consider the long-term sustainability and operational requirements of NGOs. It is crucial to recognise that building a reserve fund and acquiring dedicated office spaces are essential for ensuring the long-term viability of human rights defenders.

For local NGOs involved in different types of movements, **the ability to acquire premises** for meetings and work planning and preparation holds significant value. These dedicated spaces not only foster a sense of permanence and stability but also facilitate the efficient coordination and functioning of the organisation. By having a physical location in which to convene and strategise, NGOs can optimise their impact and effectively address human rights challenges in their respective contexts. Allowing organisations to build reserves and invest in appropriate office spaces can provide the necessary infrastructure for NGOs to weather difficult periods, maintain their presence and continue their work.

Therefore, it is essential - at a minimum - that project funding allows NGOs to integrate the full rent or other costs of the organisation's offices into a project's direct costs. One key respondent highlighted the fact that due to the lack of core funds and the inability to integrate rent into their

funding requests, their organisation had to move multiple times and into sub-standard premises in the past years, as they could not afford to pay for regular and decent office space.

Similarly, having reserves is essential for NGOs to carry on functioning during funding gaps, especially in terms of retaining trained and competent staff. While any company is expected to have at least three to six months of staff costs in reserve to ensure continuity and resilience to crisis, this allocation of even small percentages of project costs toward reserves is often not permitted for NGOs, leading to regular layoffs.

A related grievance is the **uncertainty of the funding agreements** when grants provide for yearly contracts or, at best, for project funding over three years. Though the latter is better, these options do not give the recipient long-term stability for their operational capacities and strategic choices. Annual grant renewal processes create a systemic uncertainty, detract from actual programme implementation and require more staff. As observed by some of the HRDs interviewed, at a minimum, a five-year project period could greatly increase an organisation's capacity to implement their strategies with less pressure and would afford more opportunities for effectiveness.

It was noted that women's funds have been able to develop flexible processes for transfer of funds on the ground in Latin America. More detail can be found in the Case Study on funding for women and LGBTIQ+ HRDs.

## 2.3.

# The need for an integrated and long-term funding for human rights and HRD protection

HRDs asserted that international donors' approaches to funding for human rights in general, and HRDs in particular, are often patchy, perceived as short-term only, and have frequently changing priorities (either geographical or thematic) with little or no long-term vision, strategy or cumulative year on year work and assessment of progress.

Criticism often centres around the fact that **donor priorities are not aligned to the needs or reality of human rights work** at local level. In many cases this is linked to donors applying standardised requirements designed for development and humanitarian projects to human rights projects; requirements which are largely incompatible. When working on issues related to rule of law, access to justice or democracy building for example, short-term and result-oriented funding is inadequate as the expectation to generate results within a short period of time does not match the real-time requirements of human rights work.

Likewise, the nature of some human rights work is very time-intensive, in contrast to some other fields. To reform legal frameworks, reduce structural discrimination and implement new norms takes time, investment and engagement. Supporting cases of HRDs at risk requires multiple investments from different stakeholders, which again takes time, persistence and many follow-up actions. Yet in the face of growing authoritarianism, where there is a great need for human rights actors' protection and resilience over the long term, many **donors remain focused on a results-based management approach**.

One of the main objectives for HRDs in some countries is simply to stay alive. The need to protect and support HRDs and the marginalised or victimised populations they serve is enormous. While protection and advocacy are key priorities for donors, it is much more difficult to secure enough funds, for example, to cover the long-term living expenses of exiled HRDs or for ensuring that the diaspora can remain engaged in their previous

work. It is often necessary to support these HRDs in the long term. The conditions imposed by some donors are felt to be too restrictive: an individual support of EUR 500 (or EUR 1200 for three months) is often not enough to effectively protect these defenders or to enable them to continue their work. The rules need to be made more flexible to develop a long-term approach. International donors, and the NGO community, need to reflect on how best to protect these HRDs while accompanying them to live and integrate in their host countries and to maintain their activism, via networking opportunities with other actors for example.

Furthermore, a key criticism directed at international donors is that their **funding is often disassociated from a strong clear and transparent political support** to their grantees and that their political choices are sometimes misaligned with HRD needs. This is particularly true for bilateral and multilateral donors who may prefer to maintain good financial, strategic, or other relations with repressive governments rather than taking a principled stand against systemic and systematic human rights violations. Some examples below, from interviews with HRDs, highlight the scale of such concern.

- Donor did not take a stand against the abuses of government when the grantee was harassed, leading to mistrust from the grantee.
- Donor chose not to confront the government and as a result, NGOs criticising their government were excluded from funding.
- In certain countries, donors prefer funding mainstream NGOs rather than LGBTIQ+ groups, as LGBTIQ+ issues are seen as too controversial by the local government.
- Democracy / Rule of law funding is too often directed towards official authorities while HRDs also have a role to play and should have access to this financial support.

This lack of visible political support, in particular during crises, can be extremely damaging. It directly affects the safety of the HRDs and organisations, and also negatively impacts the expected outcomes of the projects funded by these same donors. The lack of safety automatically jeopardises the implementation of the activities that had been planned. As such, it is crucial that governments and multilateral **donors who can exert a direct leverage – both political and economic - on repressive governments, take public positions in support of their grantees when appropriate, and act in accordance with a long-term strategy** that is not vulnerable to political fluctuations and crises in the countries in which they are providing funding. According to one respondent, when their organisation had been put on trial by the government, and despite the diplomatic missions being pressured not to observe the trial, many proceeded to do so which gave an important signal to the judge and to other stakeholders. As a result, the organisation was finally acquitted. However, it seems this was made possible only because INGOs active in the protection of HRDs pressured EU governments to observe and engage.

At EU level, the role of the European Parliament has been mentioned as important for supporting embattled HRDs. This can also be extrapolated to national parliaments. Although some governments targeted by urgency resolutions on human rights abuses can react with their own statements and sometimes open threats, these resolutions do have an impact as they may cause authorities to think twice before committing violations. The role of the Sub-Committee on Human Rights (DROI) was noted as being particularly important.

Some international donors were criticised by the HRDs surveyed for this study for having become increasingly less principled. HRDs asserted that *“funding to human rights should go beyond lip service”*. The feeling expressed by HRDs and NGOs is that many governments and international

donors feel obliged to fund human rights as they are being pressured to do so by their citizens, founding values, etc., but that they no longer have a true commitment to fight for and fund human rights.

The **absence of well-conceived, coherent, and long-term strategies, including at the funding level**, to strengthen democracy and defend human rights is an increasingly prevalent issue worldwide. HRDs feel that some donors look for shortcuts to obtain short-term results. This is problematic as defending human rights, rebuilding democracy and changing societal behaviours all take time, persistence and an accumulation of work, often over decades, before long-lasting changes can be obtained. A clear investment is needed to ensure that HRDs can defend the rights of others and the freedoms of civic space. The current more short-term development focus is perceived as being linked to the lack of political will by international donors (bilateral and multilateral donors in particular) to confront repressive states and to their fear of damaging relations with such governments.

Moreover, with the increasing number of Government Operated NGOs (GONGOs) supposedly working more on economic and social rights, it was highlighted as crucial that donors continue to prioritise organisations that have a clear track record in human rights.

## 2.4.

# The need to finance diverse movements and HRDs

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Beyond the need to invest in human rights education, international donors should devise ways to **support and reinforce the very dynamic of youth and informal movements** appearing in many countries. These movements are built around new modes of action and civic engagement, which are more informal and have horizontal formations. With these new forms of activism, for example, young people gather via social media groups with a common mission and objective, without official registration or structures, and with many opting to remain as volunteers.

While financial support is not always requested, strong political support from international donors for these movements is considered important as it offers a level of protection, and it reassures pro-democracy and rights activists that they have support.

One of the concerns expressed during the research related to young students and minors involved in dissent or protest, who are very active in making their voices heard but are not always recognised as HRDs even though they face repression. Protection programmes (run by international donors or by INGOs) should therefore be more flexible in including youth and volunteer activists under their schemes. This is particularly important as young people in these movements are not seasoned in terms of protection and are very easily subject to retaliation or repression, which can quickly extinguish their commitment to human rights activism.

Attention should thus be paid to ensuring that knowledge-sharing programmes that link 'traditional' human rights NGOs and more experienced HRDs to the younger generations are created to help with their protection.

Another issue is the need for donors to find a way to **reach out to small NGOs and to those outside the capitals** and major urban centres, both for consultation and support. While COVID created more opportunities for online consultations that should have facilitated outreach beyond capitals, the lack of stable internet connections still makes it difficult for local communities and NGOs in remote areas to have their voices heard. As a result, their concerns, priorities and needs are taken into account less frequently than those of other NGOs that can be identified more easily. Nevertheless, it is key that no HRDs should be left behind and that more funds be dedicated to indigenous, women and marginalised groups (such as those focused on disability rights or LGBTIQ+ rights) at the local level.

Another facet of support involves recognising and addressing the situations faced by an older generation of HRDs. Some of the HRDs consulted for this study mentioned the **unsustainable economic situations of a whole generation of older HRDs**, activists and local NGO staff who have worked throughout their lives either as volunteers or on small salaries and often unstable contracts (when external funds were available) that have afforded them only minimal incomes and often no social benefits such as unemployment or pension schemes. As a result, this generation of activists does not have access to a regular income in their old age and can be at risk of destitution.

Because of their dedication to the cause, often at the expense of their own well-being and financial security, these HRDs will not necessarily ask for support directly; while the few that have received international recognition may fare better than others.

# 2.5.

## The need for collective healing processes and mental health care

Across regions, another of the concerns mentioned repeatedly was the continued deterioration of mental health and well-being suffered by HRDs and human rights NGO staff and the need to address this concern both at the individual and collective level.

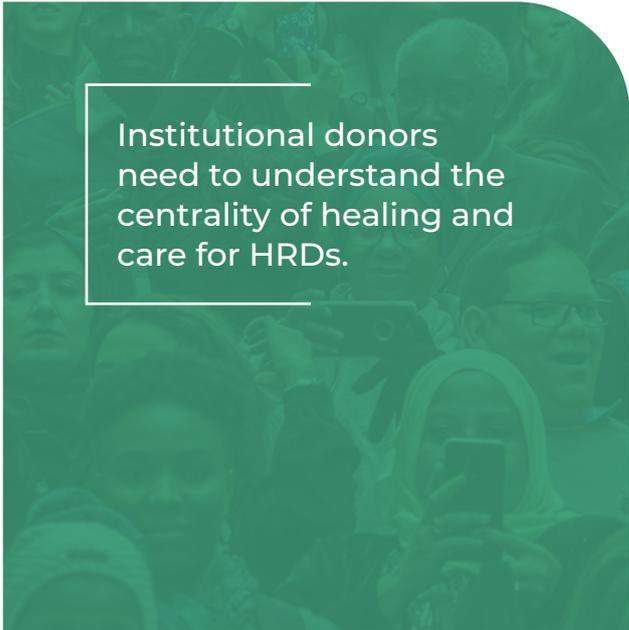
Indeed, several studies<sup>22</sup> have already confirmed that the COVID-19 pandemic increased social anxiety about the situation overall and the current economic crisis and rise in inflation puts HRDs, activists and NGO workers working with low salaries or as volunteers under further strain as they now need more income, capacity and conditions to sustain their families and work.

For individual HRDs at risk, and aside from legal, medical and sanctuary needs, there is a **greater demand for psychological and mental health support**. For NGO staff, mental health support should be institutionalised and integrated into the operations and programmes as last-resort hotlines or referrals are no longer considered sufficient.

Institutional donors need to understand the centrality of healing and care for HRDs as HRDs believe this is not yet sufficiently supported by donors. The fact that HRDs and, in general, any worker or activist in the field of human rights is confronted daily with traumatic cases has already been recognised, as well as the fact that the absence of care systems can lead to harmful coping strategies<sup>23</sup>. This can lead to either direct or indirect traumatisation, Post-Traumatic Stress Disorders and other negative long-term mental and physical health outcomes. However, the concept of care is often tokenised and responded to through superficial solutions such as “yoga for all” or psycho-social support provided by untrained staff who, as reported by some groups and HRDs consulted for this study, themselves run into burn-out and vicarious traumatisation.

In some countries, the need for group healing sessions was mentioned as essential for HRDs to address anxiety and fears resulting from previous attacks and resulting trauma. Then they can regain confidence and still carry on their work as HRDs. And in certain contexts - in Latin and Central America for example, where collective processes are deemed essential - **healing and care should not be separated from their political, structural and spiritual dimensions**. The process needs to be taken seriously, building from ancestral practices that have sustained rights struggles across centuries. In such contexts, psycho-social care from a European perspective is neither sufficient nor adaptable.

Strategically, it also means that more funds need to be dedicated to establishing more safehouses and safe spaces at national or regional levels that can serve as shelters from threats and other retaliation measures, including healing and mental health care.



<sup>22</sup> The Observatory for the Protection of Human Rights Defenders. “Human Rights Defenders and COVID-19: the impact of the pandemic on human rights defenders and their work”, 2022: [https://www.omct.org/site-resources/files/Covid-19-HRDs-Report\\_EN.pdf](https://www.omct.org/site-resources/files/Covid-19-HRDs-Report_EN.pdf)

<sup>23</sup> Such as addiction of all sorts, reckless behaviour, self-sacrificing attitudes, etc.

## 2.6. Funding priorities identified by HRDs

- **Core staff costs** and salaries for people leading the organisation including:
  - Social benefits for all (unemployment benefits, health care, pension schemes, etc.);
  - Training of staff (in particular when such training is not provided by the State and thus the risk of losing the trained staff to better paid positions is high);
  - Office related costs: rent, equipment, communication costs (websites, etc.); vehicles (for mobility and safety reasons) and fuel, per diems, etc.;
  - Sustainability: support to invest and buy premises, build reserves to increase resilience to financial crises.

Strengthen collective protection capacities and decentralised protection mechanisms.

- **Organisational strengthening:**
  - Greater support for advocacy activities (i.e. mostly salaries), as these are most needed to survive in a changing environment;
  - Access to innovative tools and IT in general;
  - Strengthen collective protection capacities and decentralised protection mechanisms for accompaniment of remote or hard-to-access cases;
  - Long-term capacity-building in reporting, monitoring and evaluation, fundraising, strategic planning, etc.
- **Well-being** of activists and staff, including mental health through holistic support and context-specific approaches;
- **Monitoring of police conduct** and investigation systems and the maintenance of fair trial standards;
- Mapping of local organisations and communities facing threats in development investment areas, and **monitoring of extrajudicial killings**;
- Research to support advocacy, in particular on changing legislation;
- Supporting the creation of **endogenous funding and local fundraising at regional levels**, and assisting in the design of local laws, tax reforms, creating local foundations, etc. to this end.

# 2.7.

## The need for further “localising”<sup>24</sup> HRD protection programmes

During the research, the need to transfer the management of HRD protection programmes to actors at the local, national or regional level was repeatedly mentioned by HRDs. This concerns both direct financial support and relocation programmes where local ownership of these processes makes them easier, faster and more accessible.

Simply put, local organisations are best placed to know how, when and where to intervene. Their direct access to HRDs requiring protection suffers no language barrier and no delays in response while their in-depth understanding of the political, legal, banking and police systems enables them to better adapt their response to the specificities of the case.

- In terms of relocation for example, programmes in Europe have been criticised for not **enabling HRDs to remain close to their work** and for potentially creating an estrangement that is neither necessary nor welcomed by HRDs. An example of good practice cited was of HRDs, in danger of being arrested, who moved temporarily to a major city in the neighbouring country where they did not need a passport or a visa to cross the border, and where they remained in the same time zone.
- In terms of financial support, if a HRD is on trial, a senior lawyer might need to intervene. Some will do so *pro bono*, but they will still need to be reimbursed for their expenses at a minimum. **Local ownership of the funds** to pay these costs would make the process safer and easier instead of requiring an INGO to transfer funds to their accounts, especially where access to foreign funds is controlled.

However, in situations of severe local repression or when establishing protection measures locally is not feasible, intermediary international non-governmental organisations and regional coalitions and networks can play a valuable role in delivering and implementing interventions.

### Localising the protection response

A transformative solution reiterated by HRDs was the urgent need to support the development of regional organisations or platforms at a regional level and with the capacity to operate at national level in partnership with existing coalitions of HRDs. Such platform organisations could then devise ways to strengthen national and sub-regional level protection. They would usefully increase regional exchanges of solidarity and knowledge across their region and transnationally. Once the national and sub-regional levels are well set, then the role at regional level would only be to coordinate, while most of the substantive work would be done at national level once protection systems were in place.

One key element in developing these national and regional coalitions is that they themselves need time and support to develop their own fundraising and operational processes internally. All these elements are better supported through core funding than through project grants which are too restrictive and unreliable - in time and purpose - to allow such adaptability.

The ultimate purpose would be to progressively move the management of HRD protection programmes closer to where the risks occur. This would mean that the creation of national and regional platforms needs to be strategically facilitated by international donors so that the transfer of competences and funds can take place progressively while the existing systems at international level are maintained through a transitional period.

<sup>24</sup> The term *localising* here encompasses local, national and regional levels.

## 2.8. Recommendations

- Increase the **overall amount of funding for HRDs** and the key causes they are working on more generally.
- Provide **core funding** and consider reserve building and office costs as eligible costs.
- Provide both **short-term funding that is processed quickly** and longer-term funding (five-year contracts for example).
- Develop funding opportunities not only for experienced and bigger NGOs but also for **smaller organisations and informal social movements** and communities that are not constituted as a legal entity.
- Allow for sustainable **coverage of permanent staff costs**, including the inclusion of medical and social insurance, pension schemes, and other benefits, to ensure that permanent staff are not expected to work as volunteers and are adequately supported.
- React to urgent needs and ensure **swift payment of advances**, not only for the first installment but also for interim payments to avoid a cash flow problem that would inhibit the implementation of a project as planned.
- Allow for trauma-informed **well-being measures** to be included in all funding requests as a prevention measure for vicarious traumatisation, to increase the sustainability of the organisation and to ensure the retention of competent and trained staff.
- Allocate funds to projects that facilitate the **transfer of knowledge** on physical, digital, and psychological protection from older to newer generations of HRDs.
- Where culturally appropriate, allow for **collective healing** and well-being processes to be funded, not only for NGOs but also for social movements and local communities.
- Create more fellowships and university programmes that enable **younger generations to attend training on human rights** and support NGOs at local, national and regional levels to provide such long-term and in-depth training.
- Provide capacity-building opportunities and resources to **equip local and national NGOs with operational capacities** (financial management, budget planning...).
- **Localise the management of HRD support programmes** at national level wherever possible and at least, at regional level, to ensure a greater understanding of the local context in which the HRD at risk operates, a reduced language barrier and a faster and more adapted response to financial support.

Develop funding opportunities for informal social movements and communities that are not constituted as a legal entity.

Avoid procedures and process changes that require a constant update of internal competencies.

- Consult relevant stakeholders prior to developing strategies and funding priorities to ensure they are aligned with the **needs of the HRDs**, human rights organisations and the country or regional context.
- Follow a **regular schedule** upon which NGOs can rely to plan their fundraising efforts.
- **Simplify** application processes and allow non-written submissions (videos, audios, etc.).
- Avoid procedures and process changes that require a constant update of internal competencies. **Announce any changes** publicly and widely, provide written and video explanations and guidelines explaining the new process and changes – in as many languages as necessary in relation to the funding target group - as well as free training opportunities for NGOs.
- **Translate** calls for proposals (and their related documentation) concerning a specific country or region, at a minimum, to the language(s) used in the country or region. Translate global calls into all UN languages.
- **Pool auditing requirements** between donors to avoid NGOs having to undertake parallel audits of their financial accounts. Ideally, all donors should accept annual financial organisational audits as sufficient.
- Ensure that financial support is matched by **political support**.
- Provide **visibility** and political support to emerging social and youth movements to encourage their immediate action and sustainability.
- Ensure that **environmental defenders** are consistently included within the definition of HRDs, while also expanding the definition to encompass young people and students engaged in social movements and facing repression.
- Devise **communication strategies and tools to reach out to young people** in protests who do not identify themselves as HRDs or activists and ensure that digital and physical protection tactics are widely known and implemented.
- Continue to call for **urgency resolutions** by political actors and Parliaments and for political support on individual HRDs cases as these can prove important in ensuring their safety.



# Chapter 3.

## Localisation as an effective approach to funding for human rights defenders

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HRDs contributing to this study emphasised the urgency of transferring the management of HRD protection programmes to actors at the local, national or regional level. This chapter provides an overview of progress in relation to localisation and implications for human rights work, from the perspective of HRDs. It explores various constraints identified by different stakeholders involved in HRD funding and offers general recommendations for improving funding for local HRDs.

As detailed in Chapter 1, INGOs continue to be the predominant channel for supporting HRDs, accounting for 76-81% of donors' funding. Between 47 and 57% of total HRD funding does eventually reach local NGOs, either through direct channels or via international NGOs. Local NGOs, as direct recipients, receive approximately 19-24% of total HRD funding.

# 3.1.

## The localisation framework

There have been **growing calls for localisation of aid over the past five to ten years**. According to Trócaire, the official overseas development agency of the Catholic Church in Ireland, “there is not yet a globally accepted definition of aid localisation, but it can be described as a collective process involving different stakeholders that aims to return local actors, whether civil society organisations (CSOs) or local public institutions, to the centre of the humanitarian system with a greater role in humanitarian response. It can take a number of forms: more equitable partnerships between international and local actors, increased and ‘as direct as possible’ funding for local organisations and a more central role in aid coordination. Underpinning this is the question of power. Localisation requires a shift in power relations between actors, both in terms of strategic decision making and control of resources.”<sup>25</sup>

While the term “localisation”, emerged in the field of humanitarian assistance as part of the Grand Bargain<sup>26</sup> - an agreement launched in 2016 between some of the largest donors and humanitarian organisations -, it is highly relevant to human rights organisations. Many are recipients of ODA and are largely subjected to the same requirements as development and humanitarian organisations.

The DAC Recommendation on Enabling Civil Society in Development Cooperation and Humanitarian Assistance further reinforces some of the key tenets of localisation. It calls on states to “promote and invest in the leadership of local civil society actors in partner countries or territories by, where appropriate and feasible, **increasing the availability and accessibility of direct, flexible and predictable support including core and/ or programme-based support**, to enhance their

financial independence, sustainability and local ownership; supporting civil society strategic alliances, networks, platforms and resource centres at regional, national and sub-national levels, that can work to strengthen civil society actors, including their ability to develop local financial resource streams and to protect and promote civic space”.<sup>27</sup> All of these principles were raised by HRDs interviewed in this research, as key actions that they would like to see implemented in order for funding to be more responsive to their needs and capacities.

In terms of donor commitments on the localisation of aid, few have firm commitments beyond humanitarian aid. An evaluation of the EU’s thematic programme for Civil Society Organisations 2014-2020 found that “the programme contributed to capacity building of CSO partners in terms of building skills in program, project, and financial management, it was weaker on supporting CSOs internal governance, analysis, and advocacy skills, and in sector-specific capacity building. Its Framework Partnership Agreements with umbrella organisations deepened the EU’s strategic partnerships with CSO networks. But despite the mandate of the programme, it still primarily cooperates with a more limited spectrum of international, traditional CSOs. Support to local (grass-root) Civil Society Organisations remains limited (...) and funds are not sufficiently reaching youth and women’s organisations.”<sup>28</sup>

The subsequent, current phase of the programme for 2021-2027 does mention that “In adherence with the principles of subsidiarity and geographisation<sup>29</sup>, at least 75% of the programme funds (*EUR 1571.85 million*) will be managed by Delegations through country allocations, whereas the remaining funds shall be managed at

<sup>25</sup> Véronique de Geoffroy and François Grunewald (Groupe URD), with Réiseal Ní Chéilleachair (Trócaire). “*More than the Money - Localisation in Practice*”, 2017: <https://www.trocaire.org/sites/default/files/resources/policy/more-than-the-money-localisation-in-practice.pdf>

<sup>26</sup> Inter-Agency Standing Committee. “*The Grand Bargain (Official Website)*” <https://interagencystandingcommittee.org/grand-bargain>

<sup>27</sup> OECD. “*DAC Recommendations on Enabling Civil Society in Development Co-Operation and Humanitarian Assistance*”, 2022: [https://www.aics.gov.it/wp-content/uploads/2022/03/OECD-DAC-Recommendation-on-CSOs\\_june-2021.pdf](https://www.aics.gov.it/wp-content/uploads/2022/03/OECD-DAC-Recommendation-on-CSOs_june-2021.pdf)

<sup>28</sup> European Commission. “*Thematic Programme for Civil Society Organisations. Multiannual Indicative Programme 2021-2027*” pp.7-8: [https://international-partnerships.ec.europa.eu/system/files/2022-01/mip-2021-c2021-9158-civil-society-organisations-annex\\_en.pdf](https://international-partnerships.ec.europa.eu/system/files/2022-01/mip-2021-c2021-9158-civil-society-organisations-annex_en.pdf)

<sup>29</sup> The EU’s term for increased spending by the EU Delegations as opposed to HQ

global level for actions that cannot be effectively addressed at country level because of their global and trans regional nature.”<sup>30</sup> One of its main stated goals is to address the closing space for civil society, to implement “a comprehensive approach to capacity building to strengthen CSO partner capacities” and to strengthen “human development and social inclusion, non-discrimination, including gender equality and women’s empowerment as well as LGBTIQ equality, with a particular focus on reaching marginalised and vulnerable communities in difficult situations.”<sup>31</sup>

The EU’s Human Rights and Democracy thematic programme 2021-27 is not explicit, specifying that it will mainly support civil society actors, but it does not mention that it should be mainly for or through local actors.<sup>32</sup>

USAID has made a series of commitments in regards to localisation. In 2021, USAID Administrator, Samantha Power, announced two targets for USAID – that by 2025, 25% of funding will go directly to local partners and that by 2030 at least half of USAID programmes will create space for local actors to exercise leadership. In order to achieve these high level targets, USAID

has set out four lines of effort: adapting policies and programmes to foster locally led development, shifting power to local actors, channeling a larger portion of funding directly to local partners, and serving as a global advocate and thought leader on localisation.<sup>33</sup> In its update for the financial year 2022, 10.2% of funding was directed towards local individuals, organisation or corporations, with missions and other overseas units reaching 22%. Whilst this is some way off the target, it is the highest percentage to go to local actors in at least a decade.<sup>34</sup> The agency also released a new Acquisition and Assistance Strategy which seeks to accelerate the shift by hiring staff to manage partnerships and awards, streamlining processes, developing resources to enable access (such as the work with the USAID.org platform), sharing information about awards and allowing submission in other languages, and using a more diverse set of award types to enable access.<sup>35</sup> 2023 and 2024 will prove a pivotal year of ensuring and measuring the success of these reforms as well as gathering lessons learnt on localisation that other donors will be able to learn from. It is also more difficult to understand if other departments within the US government who handle ODA and human rights funding, such as the State Department, will be following suit.

30 *ibid*

31 « youth organisations, women’s organisations, trade unions, employers’ organisations, cooperatives, business and consumer organisations, rural organisations, faith-based organisations, environmental organisations, LGBTIQ, minority-, Indigenous peoples, organisations of people living with disability, community-based organisations, cultural organisations and foundations. In accordance with priorities and in line with findings of evaluations as above, specific priority and effort should however - especially at country level- be given to reaching and supporting youth, women, and grass-root Civil Society Organisations »

32 European Commission. “*Thematic Programme for Civil Society Organisations. Multiannual Indicative Programme 2021-2027*”: [https://international-partnerships.ec.europa.eu/system/files/2022-01/mip-2021-c2021-9620-human-rights-democracy-annex\\_en.pdf](https://international-partnerships.ec.europa.eu/system/files/2022-01/mip-2021-c2021-9620-human-rights-democracy-annex_en.pdf)

33 USAID. “*Localization. Catalyzing and Supporting Local Change*”: <https://www.usaid.gov/localization>

34 USAID. “*Moving Towards a Model of Locally led Development. FY 2022 Localization progress report*”, 2022: [https://www.usaid.gov/sites/default/files/2023-06/FY%202022%20Localization%20Progress%20Report-June-12-23\\_vFINAL\\_1.pdf](https://www.usaid.gov/sites/default/files/2023-06/FY%202022%20Localization%20Progress%20Report-June-12-23_vFINAL_1.pdf)

35 USAID. “*Acquisition and Assistance Strategy*”: <https://www.usaid.gov/policy/acquisition-and-assistance-strategy>

## 3.2.

# Real or perceived limits to localisation in the context of funding for HRDs

While the Grand Bargain focuses solely on humanitarian assistance, it is a useful barometer with which to measure donor commitments to localisation. Its 2021 independent review<sup>36</sup> noted that “**only 2% of funding** has been reported as going to local actors despite high level commitments to localisation, with funding amounts to local actors halving between 2020 and 2021. While the limited progress on localisation in the humanitarian sector has been well documented<sup>37</sup>, human rights defenders and donors interviewed for this study reported important constraints that exist in the human rights sector.

### A. Constraints on the HRD side

#### □ **Hesitations around the ‘independence’ factor:**

Conversely to donor concerns, some national organisations expressed a lack of trust in international actors because of their close links with their government or donor complacency with its behaviour. They also have fears about potential repercussions under foreign-agent type legislation, and public opinion campaigns aimed at discrediting organisations working with the international community.

- #### □ **Risks:** HRDs worry about what would happen should they, as HRDs, lose the support of the international community while operating in a repressive context. One grantee of a donor delegation reported a significant loss of trust when the donor did not take a stand on their behalf when they were harassed by an abusive government.

- #### □ **Administrative burden:** Financial monitoring and aid disbursement rules limit the engagement of many local actors who lack or are not able to develop organisational capacity in these areas. Although local organisations are often perceived to be lacking in administrative capacity, local NGOs challenge this narrative, where inherent in the assessment there may be a notion of ‘capacity’ that is more heavily tied to onerous donor compliance requirements than to meaningful local action.

- #### □ **Gatekeeping by NGOs** that have more capacity: Some INGOs have been perceived by HRDs as restricting access to information to maintain control over the funding available and retain a position of influence with the donors. This leads to a hierarchy among organisations and once they manage funds on behalf of the donor, they can exert power over the rest of the HRD community, changing the dynamics and cooperation between them. For new or marginalised HRDs, it also means that they depend on the ‘apex’ organisation to include their work and priorities in its own projects.

- #### □ **Competition for funding:** local NGOs reported difficulties with co-funding requirements, as well as having to compete with INGOs at local level when they have other funding opportunities at international level and may have more fundraising experience and familiarity with funding mechanisms.

<sup>36</sup> IASC. “Grand Bargain Annual Independent Report 2022”, 2022: <https://interagencystandingcommittee.org/grand-bargain-official-website/grand-bargain-annual-independent-report-2022>

<sup>37</sup> Official Journal of the European Union. “Regulation (EU) 2021/947 of the European Parliament and of the Council of 9 June 2021”, 2021: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32021R0947&from=EN#d1e1163-1-1>

□ **Restrictive environments** further hamper the ability to legally register or to receive foreign funds (or to open and freely operate a bank account). There are laws that block access to foreign funds or limit freedom of association that are often based on the pretext of countering terrorism. Administrative harassment over taxes and reporting on the use of foreign funds or the requirement to disclose sensitive information which can put the HRD or its partners at risk are further challenges. In some countries, it has become increasingly insecure to receive and hold most of the funds in the country and so they may need to be kept abroad and transferred progressively over time.

□ **The need to speak the jargon and understand donor priorities** including speaking the donor's language well enough to write a proposal that meets donor standards; to explain their ideas in a way that generates interest from donors, and the time, capacity, funds, understanding and security precautions required to participate in donor information sessions or consultations.

□ Conversely, HRDs feel that **donor priorities and procedures often do not match the reality at the local level**. Short-term and result-oriented funding does not correspond to the needs of those working on the Rule of Law, access to justice and democracy building for example. The expectation to generate quick results does not correspond to the reality of the work. Legal and policy changes often take years, and the absence of an explicit result does not mean that no progress has been made.

□ **Uncertainty**: Changing donor priorities and project-focused modalities can mean that funds are never guaranteed and can change at short notice, even in the middle of a project. An interviewee shared an example of a donor breaking a contract mid-project due to a change of government at home. The often-short duration of projects means that there is no guarantee of a regular funding stream in the longer-term.

□ **Concerns over consortium funding in INGO/ local NGO partnerships** including subgranting: A share of the budget is often kept for coordination and administration costs by INGOs which is (perceived as) abusive, limiting the operational capacity of local NGOs and running counter to the localisation approach.. There also tends to be a lack of resources allocated by the donor to build the shared systems and structures of the consortia themselves.

Some INGOs have been perceived by HRDs as restricting access to information to maintain control over the funding available and retain a position of influence with the donors.

## B. Constraints on the donor side

Below are some of the constraints described by donor officials regarding the frequent challenges to making progress on localisation:

### □ **Hesitations around the ‘independence’ factor:**

Narrowly framed understandings of principles such as independence and impartiality, for instance, appear in some cases to limit confidence in engaging with local actors. Some donors have concerns about links between HRDs and ‘the opposition’ or HRDs being ‘political’. While funding GONGOs is also a real concern of donors, and they must carry out due diligence with respect to who they fund, many donors listen to, or are concerned about, voices that link NGOs to political parties, terrorist organisations, or ‘subversive forces’ for example. This labelling is often part of orchestrated campaigns to discredit HRDs, and donors sometimes do not have the willingness or the capacity to investigate these claims.

### □ **Internal political considerations in the donor country**

which have “increasingly limited the space for more radical interpretations of the implications of localisation”: In the example of the UK, successive governments have defended public support for Overseas Development Assistance (ODA) based on it “reflecting national interests and values. There are few clear political incentives to cede power over decision-making regarding UK ODA to national and local actors in a manner required for fundamental localisation of (humanitarian) response. The public perception of capacity strengthening (compared to life-saving humanitarian actions) mitigates against such moves in a climate of contested public spending.”<sup>38</sup>

### □ **Accountability:** Some donors may be hesitant to fully trust newly formed NGOs and, in some cases, the capacity of local NGOs to effectively manage funds and execute projects. They may express concerns about the potential for inadequate accounting and reporting tools, and these doubts may be compounded if funds have been misused by other NGOs in the past.

### □ **A lack of knowledge of the local ‘scene’:**

There can be a perception among some donors that there are too many local NGOs, and that there may be tensions and allegiances that can carry a political, reputational or administrative risk to the donor. Some donors tend to prefer relying on INGOS who may have more knowledge of local civil society than the donor and who can provide sub-grants, alleviating in some cases both their responsibility for in-depth local knowledge and direct monitoring responsibilities.

### □ **Uncertainties over restrictions and local regulations:**

The closing space for civil society in many countries means that funding rules can change quickly. This can result in blocked projects for the donor, which in turn poses administrative problems. Other issues may arise such as local auditing capacities not matching donor requirements.

### □ **Project size and local capacity:**

Some donors shared that even when they are keen to fund small projects, they can face challenges around internal staffing constraints or limited administrative capacity, often resulting from cuts to their own core budgets. For instance, in one case, an official expressed frustration that, although the donor had finally agreed to implement a new project focused on closing space for civil society organisations in a specific sub-region after years of political negotiations to establish such a project, there was insufficient local capacity at their Delegation to manage it due to a lack of personnel.

<sup>38</sup> Frontiers. “Localisation in the Context of UK Government Engagement with the Humanitarian Reform Agenda”, 2021: <https://www.frontiersin.org/articles/10.3389/fpos.2021.687063/full>

# 3.3. Recommendations

- Establish **localisation targets** and methods appropriate to the local civil society environment, in consultation with HRDs.
- Localise the management of **HRD support and funding programmes at national level** wherever possible or at a minimum, at regional level, to ensure a greater understanding of the local contexts in which the HRD at risk operate, a reduced language barrier and a faster and more adapted response to financial support.
- Set up or support **country-based pooled funds** or other forms of coordination with other donors to reduce the number of donors and procedures that local organisations must engage with.
- Where the donor is not able to manage multiple small projects, **consult with local HRDs, INGOs and apex NGOs**, to determine what model is preferable, effective and sustainable for all concerned stakeholders.
- Donors should take greater account of the way in which funds are allocated to local NGOs via INGOs and ensure that the vast majority of funds are **made available to local NGOs** and that criteria and ceilings are set for INGO management and administration costs.
- Respect **HRDs' knowledge and decision-making** by working closely with them to ensure proper consultation in the design of projects, including any intermediary-led or INGO projects supporting HRDs. Additionally, consult relevant stakeholders before developing strategies and funding priorities to align them with the needs of HRDs, human rights organisations, and country/regional realities.
- Develop explicit strategies for reducing the fragmentation between well-established CSOs in the capital and both **smaller and emerging organisations, groups, and movements** based in the provinces who do not have the same capacity or access to policy development and decision-making processes.
- **Simplify** application processes and allow non-written submissions (videos, audios, etc.).
- **Translate** calls for proposals (and their related documentation) at a minimum, to the language(s) used in the respective country/region and ensure applications can be submitted and processed in local languages. Similarly, translate global calls into all UN languages.

Localise the management of HRD support and funding programmes to ensure a greater understanding of the local contexts, a reduced language barrier and a faster and more adapted response.



# Case Study

## Beyond funding gains, Women and LGBTIQ+ HRDs need tailored approaches to ongoing challenges

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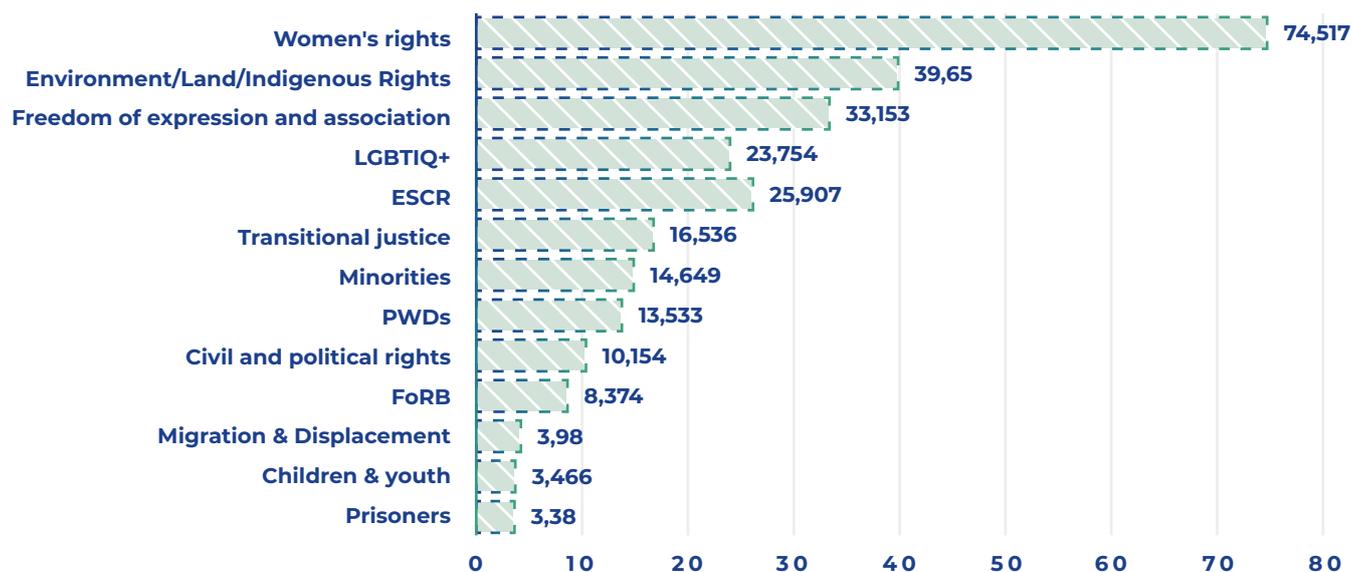
This chapter examines the availability and sustainability of international funding for gender equality and LGBTIQ+ rights issues. It assesses how much of that funding reaches women-led, LGBTIQ+ and feminist human rights movements and organisations, particularly those at the grassroots level.

It examines elements related to the quantity and quality of the funding, how it is delivered and the barriers that exist; the interventions and issues that are funded in comparison with the needs and priorities of human rights defenders; and the role of intermediaries, especially women's funds, in resourcing these movements and an assessment of their relevance.

# Analysing the Data

According to the OECD data for 2017-2020, 58% of HRD-related ODA was dedicated to human rights defenders who do not necessarily fall under a specific category of issue or type of rights<sup>39</sup> and the remaining 42%<sup>40</sup> can be categorised in the following way:

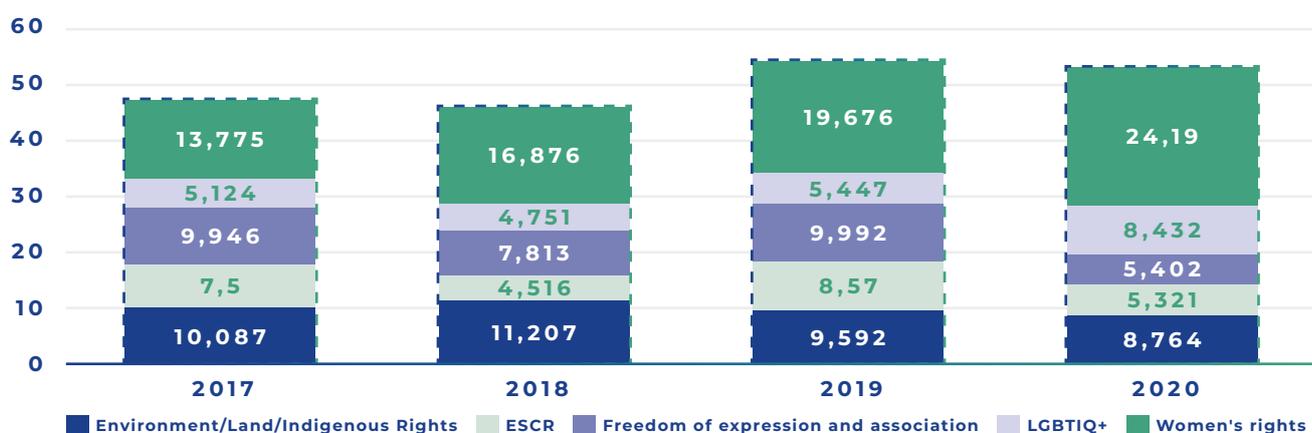
## Typology of rights under funding analysis 2017-2020 (mn USD)



Source: ProtectDefenders.eu analysis of OECD data

Funding available to **women and LGBTIQ+ rights has increased** over the period, by between 60% and 57% respectively, with the increase in 2020 partially justified by the COVID-19 pandemic, given the specific needs of these groups facing a health crisis according to the donor interviews.

## Funding evolution to the top 5 categories 2017-2020 (mn USD)



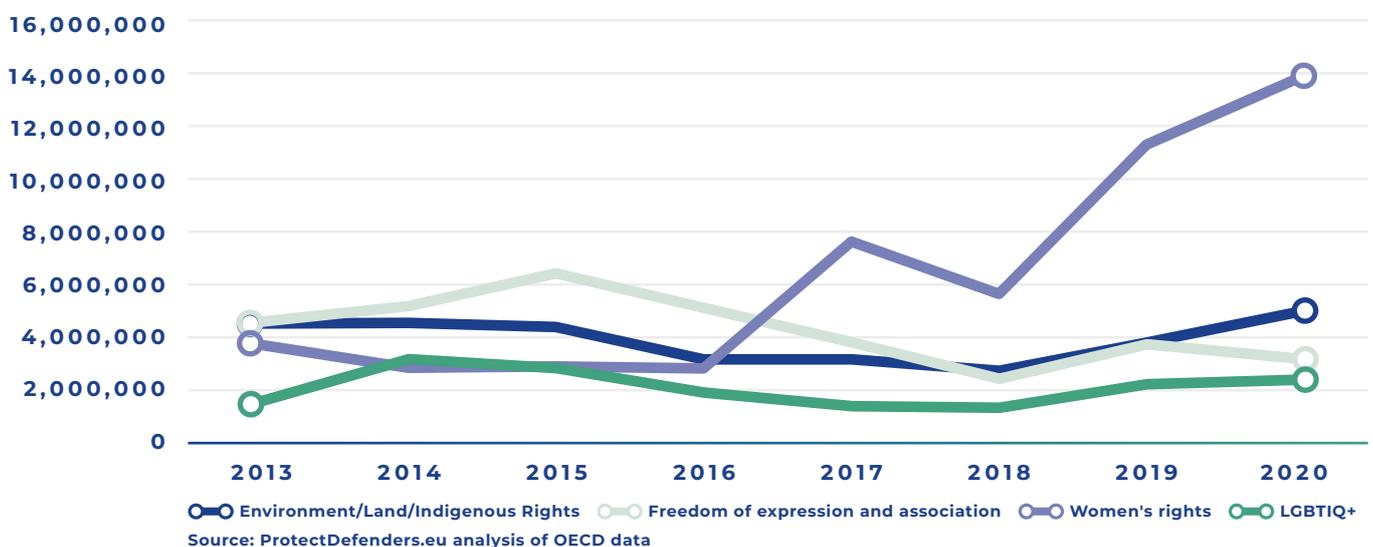
Source: ProtectDefenders.eu analysis of OECD data

<sup>39</sup> It should be noted that donors report against specific sector codes that are directly connected to some of these categories namely: i) women's rights (15170 Women's equality organisations and institutions and 15180 Ending violence against women and girls); ii) Freedom of expression and association (15153 Media and free flow of information) and iii) economic, social, and cultural rights (especially 16070 Labour Rights and 16080 Social Dialogue). Nonetheless, much of the funding going into these categories of rights is not necessarily reported under those codes but was rather found by examining the individual project focus and description.

<sup>40</sup> The data is limited because neither the DAC table nor the donors interviewed held data for multi-year versus shorter duration projects, so it is not possible to examine the difference or trends for this type of data. The data also does not differentiate, within the broad category of WHRD/LGBTIQ+ and women's rights, whether the funding goes to grassroots or non-grassroots organisations, or feminist-led organisations.

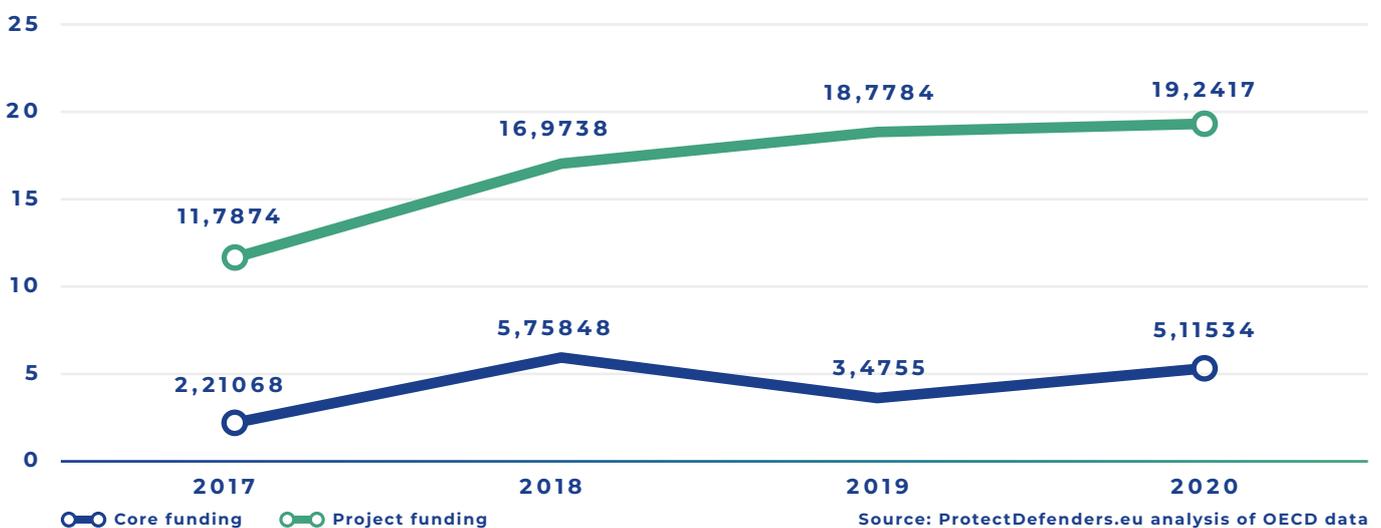
When looking back at 2013 and considering only the target group of funders and projects specifically naming HRDs, it is still possible to observe an increased investment in women’s rights. This rise may not be surprising considering a variety of factors, such as the anniversaries of several international conferences under UN auspices dedicated to the topic, such as those related to the International Conference on Population and Development<sup>41</sup> and the Beijing Declaration and Platform for Action<sup>42</sup>, new movements created after the 2017 reinstatement of the US Global Gag rule and the inclusion of violence against women as a new CRS code after the adoption of the Sustainable Development Goals, among many others.

### Funding evolution to the top 4 types of rights 2013-2020 (USD)



We can also add that funds for project-type interventions have increased more rapidly than core support for WHRDs, LGBTIQ+ and women’s rights organisations worldwide.

### Evolution of project vs. core support for WHRD, LGBTIQ+, and women's rights organisations worldwide (mn USD)



<sup>41</sup> United Nations Population Fund. International Conference on Population and Development: <https://www.unfpa.org/icpd>

<sup>42</sup> UN Women. “World Conferences on Women”: <https://www.unwomen.org/en/how-we-work/intergovernmental-support/world-conferences-on-women>

# The Operating Environment for Women's Rights and LGBTIQ+ HRDs

LGBTIQ+, feminist and grassroots women's rights activists often face serious backlash, including violence, because they are deemed to be transgressing gender norms and are at their highest risk when defending human rights in their own communities without broader support networks or visibility. They are often not part of or accepted by larger civil society movements or networks and face greater risk because of their likely marginalised position (e.g. LGBTIQ+ women, minority women, internally displaced women, indigenous women and refugee women). Dangerous situations are often aggravated due to a lack of direct contact with or inclusion within organisations which have the ability and resources to support them.

Struggles related to livelihoods; poor health, stress and burnout; the impacts of discrimination, sexism, gender inequality and the outsized share of care responsibilities that falls upon women, should be addressed by those who want to help advance their work, including donors in their funding. **Traditional gender roles mean WHRDs experience a disproportionate share of taking care of the home, elderly parents, children and the sick, in addition to their human rights work.** In this context, WHRDs either have less time to dedicate to work than they wish or are at higher risk of overwork and burnout brought about by a 24/7 schedule. Feminist movements are, however, wary of framing the vulnerabilities faced by women as the most pervasive narrative on WHRDs – with some insisting that they should not be viewed as a sub-category and/or inherently 'more needy and vulnerable'<sup>43</sup>. Having introduced the concept of integrated or holistic security, feminist organisations have gone beyond the classic, visible, 'external' risks faced by HRDs and have recognised a range of other issues that

affect WHRDs. Patriarchal attitudes tend to view these as 'additional burdens' and/or a rationale for protectionist restrictions on WHRD agency and autonomy rather than the negative consequences of inequitable societal structures and systems.

Laws based on public decency, public health and security - such as 'crimes against the order of nature' or 'debauchery', or those criminalising sex work or 'vagrancy' - are used to target transgender and cisgender sex worker rights defenders in many countries. **It is important for donors to understand the barriers faced by trans or sex worker HRDs**, for example, in carrying out their activism so that projects can be tailored around these issues<sup>44</sup>.

One tactic that repressive governments use, for example, is to criminalise HRDs as 'terrorists' or 'abettors'. Despite the revision of the language used by the Financial Action Task Force (FATF) on civil society organisations as being particularly at risk of being abused for the financing of terrorism, some States continue to use FATF Recommendation 8<sup>45</sup> as a pretext to limit the work of CSOs, which has also led to increased financial surveillance and profiling of civil society, often – as part of restrictive "NGO laws" - increasingly complicated financial procedures, and a loss of access to finance for some civil society organisations. Because WHRDs depend on access to funding from sister organisations abroad in order to maintain their independence and carry out work which is sensitive, the **implications of the fight against terrorism create additional obstacles for WHRDs**<sup>46</sup>.

<sup>43</sup> Some of this analysis is drawn from the work of the author in drafting Front Line Defenders' EU Toolkit for WHRDs (<https://www.frontlinedefenders.org/en/resource-publication/eu-toolkit-whrds>), in which she interviewed many WHRDs and WHRD-led movements and organisations, including LGBTIQ+ organisations.

<sup>44</sup> See the Front Line Defenders report on Sex worker rights defenders at risk. FrontlineDefenders Report. "Sex Workers Rights Defenders at Risk", 2021: [https://www.frontlinedefenders.org/sites/default/files/flid\\_swr\\_d\\_final\\_english.pdf](https://www.frontlinedefenders.org/sites/default/files/flid_swr_d_final_english.pdf)

<sup>45</sup> FATF. "Best Practices on Combating the Abuse of Non-Profit Organisations", 2023: <https://www.fatf-gafi.org/en/publications/FinancialInclusionandnpoissues/Bpp-combating-abuse-npo.html>

<sup>46</sup> This was also stressed during the Donor Day at the 2022 Dublin Platform for Human Rights Defenders.

# Addressing the Expressed Needs of Grassroots Feminist and LGBTIQ+ Movements

The grassroots, local and indigenous LGBTIQ+ and feminist organisations interviewed expressed a strong preference for funding that supports their activities in a flexible way, that is tailored to their needs and is holistic with respect to all their activities<sup>47</sup>. Conversely, they were less receptive to short-term funding that covers only part of their activities. It was noted that international women's funds have been able to develop flexible processes that could be used as best practice models for channelling funds on the ground.

Some HRD and local organisations deem the funds available for feminist LGBTIQ+ or trans-led organisations to be very often short term and activity based, and in this way, they only cover part of the work. In some reported cases, grants are often for three months and even without the possibility of extensions or repeat funding. In this way, the funding does not contribute to longer term capacity-building and sustainability of their efforts. Some international feminist grant-making organisations consulted have explained that they fund first through intermediaries and then directly when the relationship has been established. Other women's/feminist funds provide longer-term funding of at least a year and often multi-year funding.

Feminist, women-led and LGBTIQ+ organisations have historically worked under a sociocultural expectation of martyrdom that makes their care work invisible, sends the message that they are only as valuable as the results of their work and encourages them to sacrifice their health and well-being in service of achieving the recognition and fulfilment of the basic rights and fundamental freedoms of themselves and their communities. Consequently, feminist, women-led and LGBTIQ+ organisations are often left to finance collective care and healing activities for themselves and their constituents, but not many funders prioritise this work and it is hard to find funding elsewhere. **The creation of collective care and protection infrastructure and networks is an important strategy for sustainable work with a gender perspective.** Activists establish collective spaces and practices that provide safety and address their holistic health and wellbeing needs. The trust and connection within these networks and spaces enable a joint response to attacks and chronic stressors and because these responses are developed and led by the HRDs themselves, they can draw on their first-hand knowledge and experience.

Some environmental WHRDs would like the care of the environment to be recognised as unpaid care work. This often falls to the women in communities. According to the defenders and organisations consulted, a gender-sensitive approach to aid programmes for women and LGBTIQ+ human rights defenders involves various components. This includes **engaging them in consultation during proposal calls to align language and content with their needs.** It also involves moderating impact and calendar demands to prevent overwork and stress. Adequate allowances for staff, travel and facilities, along with sufficient funding for salaries and paid time off, are essential. The programme should also allocate resources for non-salary essentials like pension funds, medical insurance, childcare costs and psychosocial support.

Moreover, provisions for team building, retreats and networking with other movements are crucial. Security measures such as accompaniment, safe travel, legal assistance and rehabilitation support should be included. This extends to temporary relocation expenses, including those for family members. Specialised trauma-responsive counselling for HRDs who have experienced violence, sexual assault or gendered attacks is a vital aspect. Solidarity funds can assist in unique circumstances such as when family support is needed at times of detention or loss of employment. Additionally, prevention measures such as risk and security assessments, security/wellness training, self-defence training and physical and legal assessments are integral. **The incorporation of community protection measures into overall protection planning enhances the effectiveness** of the support programme.

<sup>47</sup> It is noted that some of the grassroots HRDs interviewed, were not necessarily aware of whether the funding they received from INGOs or even apex NGOs was originally from official donors or not. They were not necessarily aware of or interested in knowing the origin of the funds upstream of the chain that they were linked to. There was occasional knowledge when having to apply a donor logo to their material for example. Consequently, it was difficult to get their assessment of the entirety of the 'funding model'.

# Challenges for Women-Led, LGBTIQ+ and Feminist Organisations

Are women-led, LGBTI and feminist grassroots human rights organisations accessing official donors? In general, those interviewed did not have the necessary contacts and had limited capacity to devote time and energy to initiating them. They expressed the view that funding from feminist funds and rapid response grants are the most accessible. But even with these funds, some defenders were only able to approach them due to having contacts in the organisation, rather than being contacted by the organisation itself.

**Currently, donors mainly provide project-based funding.** They give small amounts for rapid, short-term interventions, which takes the autonomy over how best to use funds away from the organisations themselves, particularly those that are still nascent and have limited access to resources. Feminist and LGBTIQ+ grassroots organisations feel they often do not have the systems required for managing larger funding or for dealing with all the requirements of official donor funding. At the same time, they are not able to develop their capacity with these short-term grants, as there is no provision for institutional strengthening.

Interviewees also asserted that **national NGOs and umbrella civil society networks sometimes act as gatekeepers** by:

- preserving their own relationship with the donors at the expense of encouraging direct connections between the more grassroots organisations and international diplomats and international organisations such as the UN;
- favouring older, more established organisations working on more established and less contentious issues, at the expense of smaller, newer, more 'radical', or more oppressed groups;
- being co-opted often by the more white, middle class, educated members or representatives who in turn have some measure of prejudice towards the blacker, less literate, poorer activists;

- not being experienced in dealing with movements, unregistered organisations, 'underground' networks etc.;
- excluding LGBTIQ+ organisations which are typically younger and have not been in those spaces for long.

Furthermore, interviewees reported **issues also exist within LGBTIQ+ organisations:**

- The LGBTIQ+ movement has historically concentrated on HIV and gay men partly due to the priorities of their primary funding sources. As a result, lesbian, bisexual, queer and trans rights defenders have had to create their own movements and organisations to have their unique priorities and needs recognised and addressed.
- National delegations focus too much on the capital, which does not reflect the entirety of what is happening in the country. At the sub-national level, women and LGBTIQ+ defenders must work not only on issues such as criminalisation, but also on family acceptance, local cultural norms, religious issues etc.

Conversely, and again according to interviewees, this is also the **result of the policies of donors**, especially of the European Union, which seem to:

- encourage umbrella organisations and networks to act as representatives of a diverse range of CSOs;
- favour this interaction as they often do not know how to, or do not want to, deal with divisions and conflict within civil society and want it to 'speak with one voice', be aligned in their analysis and list of solutions, and agree on all matters;
- prefer to deal with 'white', English-speaking NGOs rather than grassroots organisations;

- do not always want to fund LGBTIQ+ issues or more contentious issues such as those raised by sex worker and trans rights defenders because they:
  - do not necessarily understand the issue;
  - do not know what to fund and fear that their funding will not be 'secure', because organisations are small and lack capacity, structure, experience in managing grants and financial guarantees;
  - do not have contacts in those spheres;
  - are worried about the political fallout of funding controversial issues,
  
- do not want to fund very small projects that require more labour;
  
- want to fund through umbrella groups or consortia;
  
- do not have the time and/or the desire to prioritise visits to projects, organisations, communities and movements that are based far from the capital city. As a result, this is an obstacle for them to be able to understand the reality faced by marginalised communities, connect with them in person, and understand their funding needs and ideal funding modalities. While COVID created more opportunity for online consultations that should have facilitated outreach beyond capitals, the lack of internet connection still makes it difficult for local communities and NGOs in remote areas to have their perspectives heard.

Official donor funding is not well designed for local, grassroots, nascent movements and organisations with little capacity, especially when they are in rural areas, far from the capital. Donors do not seem to be consistently reaching out to them. EU and bilateral funds are considered too difficult to access. As a result, the **concerns, priorities and needs of women-led, LGBTIQ+ and feminist grassroots organisations are considered even less than those of other NGOs** that can be

identified more easily. Nevertheless, it is crucial that no HRDs are left behind and more funds should be dedicated to traditionally marginalised groups at the local level. Many of the issues and solutions identified in relation to localisation also apply here.

For instance, in Latin America the experience of WHRDs is that there remains a colonial perspective to funding. While there is a lot of knowledge and experience on collective protection in the region, this knowledge is not necessarily recognised or funded by donors. Networks of WHRDs are diverse and include not only NGO staff but also many experienced indigenous women. The capacities of these networks are not recognised and there is no investment in their development and growth. It must be acknowledged that it takes more than one organisation to respond to the complex risks prevalent for human rights defenders in the region. Individual protection funding is also considered difficult to access for WHRDs and LGBTIQ+ HRDs.

As regards funding via INGOs, some feminist organisations and innovative groups that are doing new work, have found that INGOs can sometimes appropriate their work, networks and information. Initially grassroots organisations view this in a positive light as they hope it will improve the work of the INGO and they feel validated by receiving requests to explain their strategies and approach. However sometimes they realise that this information is then taken and packaged by the INGO as its own ideation and strategy, so that donors believe it is the INGO that is innovative. The INGO then continues to be funded rather than the more local, grassroots NGOs which have done the work in experimenting and building expertise and networks through trial and error.

If donors must go through an intermediary and the selected intermediary respects the priorities and modus operandi of the grassroots organisations and movements, then it can work well. If the donors impose their views or strategy, then even going through an INGO will not help. **The goal should be to shift power and resources**

**to the grassroots**, whatever the model. It should also be “not about sharing the cake but getting a bigger cake”. Donors should not aim to fund a massive project from the beginning, but to support the most affected actors and their allies to build an ecosystem from the bottom up, where stakeholders get to understand each other and agree on where the bigger money should eventually go - without that, efforts will be premature.

As mentioned in the chapter on the localisation of aid, the “EU’s Framework Partnership Agreements with umbrella organisations deepened the EU’s strategic partnerships with CSO networks. However, despite the mandate of the programme, it still primarily cooperates with a more limited spectrum of international, traditional CSOs. Support to local (grass-root) CSOs remains limited (...) and funds are not sufficiently reaching youth and women’s organisations”.<sup>48</sup>

Sometimes when donors enter new policy areas, where they have not yet built up sufficient sectoral knowledge, their **funding goes to research, conferences and other ‘top-level’ and more intellectual work, rather than to the grassroots**. An example given is where the focus on business and human rights has led to funding being concentrated on operators like the UNDP, which are also very expensive. Donors tend to fund such large entities instead of grassroots work because they are cautious about risk, and they want to be seen to be supportive of the government whilst claiming to do human rights work.

One general grievance is that funding does not always go hand in hand with political support. Funding without political mobilisation means

that donors are not ready to politically recognise the work of WHRDs. Funding bodies such as the UNDP will also not help to create the pressure for recognition of challenging work.

Another criticism that was shared was about donors trying to push for projects where organisations must work together with local government, academics or National Human Rights Institutions (NHRI) in unfavourable political climates. In general, **they sometimes try to impose partnerships, or coalitions, that do not work for the HRDs involved**. Donors do not necessarily understand the constraints that WHRDs and LGBTIQ+ HRDs work under, and they should trust the judgement of HRDs rather than implying that they want ‘to remain in their corner’, or ‘to isolate themselves’.

Furthermore, and according to the HRDs consulted, there are concerns around the fact that patriarchy, religious fundamentalism and the revival of ‘traditional values’ also limit WHRDs’ access to decision makers and funding. As often funding is linked to a certain visibility and access to public spaces, the fact that those with a real or perceived ‘feminist agenda’ are increasingly excluded from some consultation mechanisms is worrying in terms of access to funding. Anti-gender language being normalised in the UN<sup>49</sup> and trickling into national agendas will make it even harder for women-led, LGBTIQ+ and feminist grassroots human rights organisations to be recognised, legitimised and funded by national resources.

<sup>48</sup> European Commission. “Thematic Programme for Civil Society Organisations. Multiannual Indicative Programme 2021-2027” pp. 7-8: [https://international-partnerships.ec.europa.eu/system/files/2022-01/mip-2021-c2021-9158-civil-society-organisations-annex\\_en.pdf](https://international-partnerships.ec.europa.eu/system/files/2022-01/mip-2021-c2021-9158-civil-society-organisations-annex_en.pdf)

<sup>49</sup> AWID. “There Is No Place for Anti-Trans Agendas in the UN”, 2023: <https://www.awid.org/news-and-analysis/there-no-place-anti-trans-agendas-un>  
Particularly the Special Rapporteur on Violence Against Women’s letter addressed to the Scottish Parliament dated 23rd of November 2022. (From hereon referred to as Nov 2022 letter). Through her personal social media account and published articles, the Special Rapporteur has amplified arguments that perpetuate anti-trans narratives.” In the Special Rapporteur’s article, Repression of women is blocking the SDGs, April 2023, she describes extensions of discrimination to encompass gender as a “regression.” <https://sdg-action.org/repression-of-women-is-blocking-the-sdgs/>  
In the CEDAW Day of General Discussion on women’s participation on 22 February 2022 the Special Rapporteur encouraged the CEDAW Committee to look at “the characteristics of sex and sex-based rights” in politics, sports and other areas. A similar statement was made by the Special Rapporteur during an EDVAW Platform briefing about “the relationship between VAW and discrimination based on sex and sex characteristics, since discrimination based on sex is outlawed in all major treaties but is becoming deprioritized.” <https://www.ungeneva.org/en/news-media/meeting-summary/2023/02/committee-elimination-all-forms-discrimination-against-women>

# Positive experiences with donors and INGOs

Some **grant-making organisations were appreciated by interviewees for expanding and relaxing their application procedure, accepting local languages, creating and supporting national advice mechanisms in the region, and trying to facilitate access for local WHRDs.** They make a considerable effort, are well connected, engage well with those who can advise them, and are focused on movement building. Others were praised for having small grants for up to 18 months, and not requesting a precise budget or having specific requirements.

Some countries were held in a positive light. For instance, the Netherlands is also looked upon favourably. It was praised in this study for paying a per diem to WHRDs when they were consulted on strategy and funding. This is seen as good practice since the WHRDs are giving their time, and often must travel into the capital from elsewhere however only a small portion of donors pay per diems. The Netherlands was criticised however for deprioritising certain countries due to their high GDP. Donors that are welcoming, friendly and have a human touch are particularly well regarded as building relationships with officials can be daunting for grassroots organisations.

The Swedish International Development Cooperation Agency (SIDA) was praised for having an extensive consultation with WHRDs for the development of its local strategies, and it appears to have translated the concept of feminist foreign funding into local action.

Respondents reported favourably on having direct donor funding because it enables them to build the relationship and develop the political support that they need. It is not without its challenges however as it often involves a higher level of bureaucracy, and it can pose risks for organisations operating in environments where the local laws restrict foreign funding. In such cases, going

through a trusted intermediary is generally the best option. Contexts do change and evolve however so what works one year might not work the next. Being able to maintain a dialogue with donors to determine the best modality according to the situation at the time would be useful.

**One positive development in terms of EU funding is that there are now concrete indicators in place, particularly focusing on gender prioritisation.**

These indicators aim to ensure that gender considerations are systematically integrated into funding decisions. The current phase of the EU's programme for Civil Society Organisations for 2021-2027 mentions that "In adherence with the principles of subsidiarity and geographisation<sup>50</sup>, at least 75% of the programme funds (*EUR 1 571.85 million*) will be managed by Delegations through country allocations." One of its main stated goals is to implement "a comprehensive approach to capacity building to strengthen CSO partner capacities, and to strengthen "human development and social inclusion, non-discrimination, including gender equality and women's empowerment as well as LGBTIQ equality, with a particular focus on reaching marginalised and vulnerable communities in difficult situations."<sup>51</sup> A performance indicator will measure an "Increase in youth and women's organisations benefiting from EU support."<sup>52</sup>

<sup>50</sup> The EU's term for increased spending by the EU Delegations as opposed to HQ.

<sup>51</sup> «youth organisations, women's organisations, trade unions, employers' organisations, cooperatives, business and consumer organisations, rural organisations, faith-based organisations, environmental organisations, LGBTIQ, minority-, Indigenous peoples, organisations of people living with disability, community-based organisations, cultural organisations and foundations. In accordance with priorities and in line with findings of evaluations as above, specific priority and effort should however - especially at country level- be given to reaching and supporting youth, women, and grass-root Civil Society Organisations»

<sup>52</sup> Performance Indicator 1.3.2: Number of local and grassroots civil society organisations benefiting from (or reached by) EU support; PI 1.3.3: Increase in youth and women's organisations benefiting from EU support.

# Recommendations

- Sustain feminists and LGBTIQ+ defenders by providing **long-term, flexible, and multi-year funding** through core support to maintain staffing, cover administrative costs, and resource programmes and activities.
- Support women-led, LGBTIQ+, and feminist grassroots human rights organisations by ensuring **proper consultation, responsive funding, and respect for their operational methods**. Official donors must adapt to their needs rather than imposing donor systems on them.
- Donors should acknowledge, address and **mitigate the challenges posed by anti-gender movements**, support organisations affected by their harmful actions and rhetoric and compensate for any loss of funds from national sources.
- To enhance urgent protection funding, **prioritise swift responses to requests from women-led, LGBTIQ+, and feminist** grassroots human rights organisations, evaluate and streamline temporary relocation programs and visa processes for accessibility during emergencies.
- Consider challenges faced by women and LGBTIQ+ human rights defenders when designing or assessing support programmes. Address issues such as **systematic administrative hurdles** preventing access to relocation grants, restrictions on women's guardianship rights and demands for proof of independence from husbands for travel approvals.
- Place special emphasis on resourcing WHRDs to **attend to individual and collective care needs** to guarantee the sustainability of their activism. In calls for proposals, grant applications and budget requests for project funding, encourage and allow for specific measures to address holistic security needs that do not diminish project funding but instead enable them to build and sustain their collective care and protection infrastructure.
- Help strengthen **informal and formal networks to support women and LGBTIQ+ HRDs**. In the event of an attack, they can be instrumental in ensuring the immediate safety of WHRDs when needed. This can include having flexible funding schemes that also allow for funding to unregistered groups or including such networks in projects.
- Prioritise the security of activists and organisations by offering financial support that covers programmatic and security needs. Ensure the **provision of safe spaces**, security measures, rapid response, judicial assistance, and medical cover for HRDs.
- Assist with **office spaces**, occasionally within donor missions or in locations where HRDs live or work, recognising cultural, financial, and political barriers for women and LGBTIQ+ HRDs to meet in public spaces.
- Help support the development and dissemination of **tools and materials for the protection of women and LGBTIQ+ HRDs** that are adapted to local realities. Examine with them the kind of collective protection needs and measures that could be implemented.

Consider challenges faced by women and LGBTIQ+ human rights defenders when designing or assessing support programmes.

Ensure that dedicated feminist and LGBTIQ+ activists, driven by the cause, can sustain good livelihoods.

- Consider funding, if so desired by them, efforts by women and LGBTIQ+ HRDs to **raise their profile, their visibility, public awareness** of their work, their societal role; campaigns to address prejudices against their work and activities. Provide digital protection training, specifically tailored to the types of harassment that they encounter online.
- Provide support for **capacity building of women and LGBTIQ+** led organisations – particularly those of more rural and marginalised communities so that they can apply for funding schemes more effectively, particularly in the fields of financial management and documentation.
- Invest in **leadership training** and mentorship for smaller LGBTIQ+ organisations by larger ones. Facilitate shared learning between new and established movements.
- To address donors' concerns about skilled individuals leaving after capacity-building, provide core funding to grassroots organisations. This enables them to competitively **compensate and retain staff**, ensuring that even dedicated feminist and LGBTIQ+ activists, driven by the cause, can sustain good livelihoods.
- Empower **young feminists** and LGBTIQ+ defenders by trusting and investing in their initiatives.
- **Ensure intermediaries prioritise LGBTIQ+ issues** and set funding criteria requiring them to demonstrate deliberate support for feminist and LGBTIQ+ organisations and HRDs.
- Ensure that when other thematic areas are supported such as environmental activism, that donors **do not fund**, or are careful about funding, **groups that do not follow a feminist and women's rights based approach**.
- Empower intermediaries to support movement building, recognising that **new forms of activism** may not align with projects run by formal organisations. INGOs should embrace new models that have moved beyond traditional membership structures.
- Explore the potential benefits of **participatory grantmaking**, where peer organisations vote on project proposals during the funding selection process, fostering a collaborative approach to decision-making.

INGOs should embrace new models that have moved beyond traditional membership structures.



# Case Study

## A paradigm shift needed in funding for HRDs in the Middle East and North Africa (MENA)

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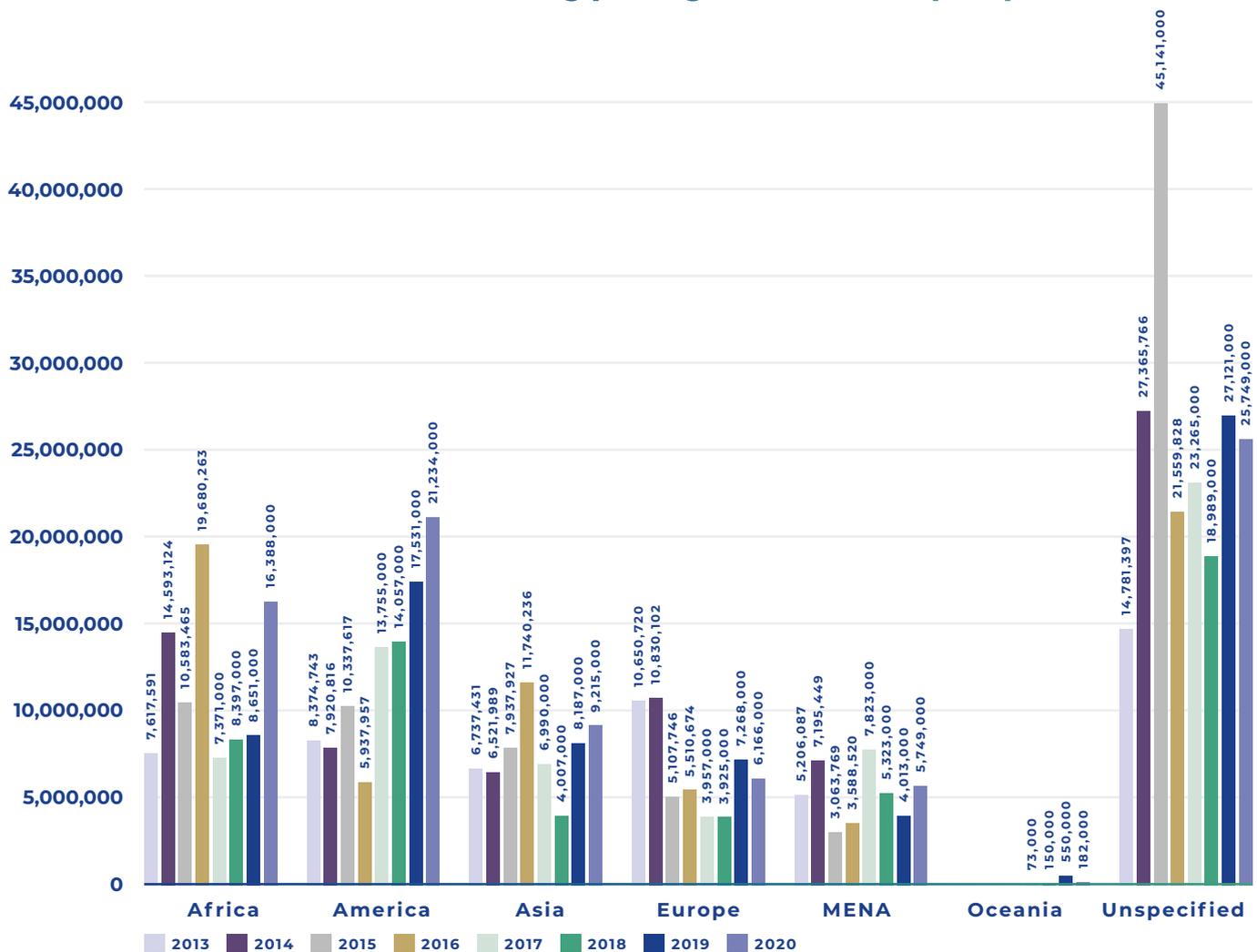


This study reveals that the Middle East and North Africa lags behind almost all other regions of the world in terms of funding allocation for Human Rights Defenders.

The Middle East and North Africa received only 8.5% of human rights funding from bilateral and multilateral donors on average from 2017 to 2020<sup>53</sup>, as shown in the graph below.

The research seeks to better understand the reasons for this recurring trend from the perspective of local human rights defenders and donors and provide recommendations for aid and development policy-making in the MENA region.

### HRD funding per region since 2013 (USD)



<sup>53</sup> Similar findings were identified in other analyses undertaken by Candid and Human Rights Funders Network, in partnership with Ariadne and Prospera, which track the state of global human rights funding.

# HRD perspectives on the funding levels and priorities in the MENA region

HRD respondents to this study unanimously expressed their perception of a decline in the funding available to human rights actors in the Middle East and North Africa. This perception is supported by the data collected in this research, which documents a steady decrease in human rights funding from 2017 to 2020 allocated to local organisations. Additionally, in 2020, local NGOs received only 18% of this funding, further confirming the reported decline.

**MENA funding volume to local organisations (mn USD)**



There had been a renewed interest by the EU, the US and several States in the promotion of democracy and support to NGOs after the Arab Spring in 2011 which led to investment in countries in transition and in human rights reforms in Morocco, Tunisia and Egypt, among others. That investment was made possible by local HRDs and organisations who valiantly supported the most disadvantaged people living under authoritarian regimes for decades and who were able to act when the opportunity arose.

There is however a **widely shared belief among the consulted HRDs that since 2015, government donors have diverted their attention away from human rights issues.** Observers of Western aid programmes in the MENA region since 2011 further argued that aid was not used for problem-solving with regard to development deficits repeatedly identified since UNDP’s first Arab Human Development Report in 2002, and that donors have not fundamentally changed their approach, even though some had promised to do so, demonstrating a gap between rhetoric and practice.<sup>54</sup> In practice, **considerations related to stability, counterterrorism, migration and trade interests took precedence** over human rights which are increasingly considered too political to address. Like other regions, the decrease in funding is also attributed to the global recession and to the rise of anti-rights actors in European countries which hinders the human rights approach to development.

<sup>54</sup> Benoit Challand. “Revisiting Aid in the Arab Middle East”, 2014: <https://www.tandfonline.com/doi/full/10.1080/13629395.2014.966983>

The danger is that without supporting human rights actors, **all economic, migration and security cooperation programmes will be at risk of failure as these are dependent on the fulfilment of rights.** Even if the trend now is towards a more restricted civic space in the MENA region, donors must continue to support HRDs to contest closing space and prepare the ground for building societies where human rights are respected.

In terms of the current context and a declining interest in support for human rights, HRDs have emphasised that donors' considerations vary by country:

- Egypt is considered a regional superpower that is either “too big to fail” or “too big to bail”<sup>55</sup>.
- In Libya and Tunisia, the focus is now on curbing migration to Europe.
- In Yemen, funds had been going to humanitarian and development aid but have been suddenly reduced.
- In Syria, the focus is also on humanitarian aid, notably through International Organisations. Worryingly though, a report<sup>56</sup> reveals that 46.6% of UN procurement funding was awarded to very high-risk and high-risk actors linked to human rights violations.
- Israel and the Gulf countries are considered high GDP countries, where HRDs and human rights NGOs are not deemed to need financial support.
- In Algeria, the EU and several Member States do not engage with NGOs due to a fear of reprisals and a negative impact on diplomatic and trade relations.
- Support in Palestine is also increasingly considered too political since it exposes those who provide support to a barrage of criticism from Israel and its lobbyists. Support for HRDs seeking the prosecution of crimes of apartheid was already particularly sensitive,<sup>57</sup> and it continues being subject to review, conditioned or even cut off by major European donors, which reflects a worryingly selective approach to human rights by donors and risks further deepening the human rights crisis in the region<sup>58</sup>.

55 Ishac Diwan. “Is Egypt too Big to Fail or Too Big to Bail”, 2023: <https://carnegie-mec.org/2023/05/08/is-egypt-too-big-to-fail-or-too-big-to-bail-pub-89639>

56 Middle East Institute. “The Troubling Reality Behind the UN’s Procurement Contracts in Syria”, 2022: <https://www.mei.edu/events/troubling-reality-behind-uns-procurement-contracts-syria>

57 In 2019, the Palestinian National Campaign to Reject Conditional Funding was launched by civil society in response to the requirement of the EU and INGOs based in EU Member States, in their funding agreements with Palestinian civil society to “ensure that there are no subcontractors, natural persons, including participants to workshops and/or training and recipients of financial support to third parties, in the lists of EU restrictive measures”. These lists include the Popular Front for the Liberation of Palestine (PFLP). The campaign maintained that this requirement would force CSOs to play the role of “security accomplice against its people.” A number of NGOs have therefore refused to sign renewal contracts with long-term donors, including the EU, SIDA, DanChurchAid and other Europe-based donors, which has led to a significant reduction in their budgets. For more information: BADIL. “Position Paper: Understanding Palestinian Rejection of Politically Conditional Funding”, 2020: <https://www.badil.org/press-releases/589.html>

58 In November 2023, Amnesty International and 103 other civil society organisations expressed serious concern at the EU and several European states’ decision to suspend or review their funding to Palestinian and Israeli civil society organisations due to unfounded allegations of diversion of funding to terrorist organisations. For more information: Amnesty International. “European governments donors’ discriminatory funding restrictions to Palestinian civil society risk deepening human rights crisis”, 2023: <https://www.amnesty.org/en/latest/news/2023/11/european-governments-donors-discriminatory-funding-restrictions-to-palestinian-civil-society-risk-deepening-human-rights-crisis/>

There is a perception that donors are tired of wrestling with a deteriorating human rights situation. However, it is when the situation worsens that both political and financial support are needed the most. **A few donors have developed mechanisms for distributing funds to countries in the region<sup>59</sup> and international and regional organisations have also gained significant expertise and experience in doing so.** It takes courage, creativity and a significant administrative effort to invest in human rights in a sustainable way but the results are evident. Since 2011, an important ecosystem of human rights defenders and associations from the region, whether at home or partially operating from abroad, including a younger generation of actors, has emerged and is promoting the rights of vulnerable communities which have in turn been empowered. It has also served as a support base for many local grassroots movements to form coalitions and engage in national dynamics that have been instrumental in reform processes. The diversity and sustainability of this work, adapted to different national contexts, is fundamental, as is the importance of flexible support modalities to respond to their needs and any new developments that may arise as well as upholding and supporting their human rights agenda.

As in other regions, **HRDs and human rights NGOs face an increasingly complex environment, navigating restrictions to access international funding** with many countries now requiring foreign funds to be declared to governments. The number of HRDs and organisations targeted for their human rights activities and peaceful dissent, notably through anti-terrorism and cybercrime legislation, is on the rise. This wave of repression is no longer limited to a few countries in crisis or conflict situations. All countries in the region are affected, as demonstrated by the experience of HRD protection programmes. As a result, many HRDs and organisations have been forced to

register part of their activities abroad. Although they may have more room for maneuver, the operational costs of such work in diaspora are much higher than in their country of origin.

The EU has led the way in terms of funding HRDs though the amounts allocated remain minimal compared to other EU priorities. But according to the HRDs who were consulted for this study, even in cases where MENA governments did not authorise the receipt of EU funds to organisations, the EU did not react publicly. If they did so via private advocacy, little or largely delayed effect has been visible.

In general, **civil and political rights, accountability and the protection of HRDs do not receive adequate funding**, though these are central themes for most human rights NGOs working in the region due to the nature of autocratic systems in place and the violations that occur. For those advocating on issues such as freedom of religion or belief or for the rights of political prisoners, funds are available only for those who are considered less “radical” in their demands. NGOs maintaining a principled approach to human rights have reported feeling sidelined while less critical voices are supported. This comes back to the fear of international donors of being perceived as confrontational by local governments. Donors sometimes choose not to openly announce their support for human rights in the MENA region, to avoid public scrutiny.

Another issue raised by some respondents in relation to the MENA region is the **difficulty in acquiring visas for travel**. Sometimes they do not receive the political support they need for entry visas though they are grantees of the countries they plan to travel to.<sup>60</sup> In many cases, HRD protection often depends on direct contacts in embassies or ministries. It becomes more difficult for HRDs to forge these needed connections, including when visa processes are delegated to agencies.

<sup>59</sup> In the past, the Swedish International Development Cooperation Agency (Sida) and the Swiss Agency for Development and Cooperation (SDC) developed regional strategies in the MENA region in consultation with civil society actors, adapted to national dynamics and committed to providing long-term support for human rights. As mentioned above, the EU has also developed a regional programme supporting a structured dialogue between the EU and civil society in the Southern Neighbourhood, including by making financial resources available to local civil society actors, including in the field of human rights, in the region. However, the political changes in several of these countries and the events of autumn 2023 have led to a profound revision of these strategies, moving from a values-based strategy to one based on their national interests with a declining focus on human rights. For example, on 21 March 2024, the Swedish government adopted a new development assistance strategy for Middle East and North Africa, focusing on economic development and counteracting irregular migration: <https://www.government.se/press-releases/2024/03/government-adopts-new-development-assistance-strategy-for-middle-east-and-north-africa-focusing-on-economic-development-and-counteracting-irregular-migration/>

<sup>60</sup> ProtectDefenders.eu. “*Visa for Defenders: International Civil Society Organisations Call for an Effective and Enabling EU Visa Framework for At-Risk Human Rights Defenders*”, 2022: <https://protectdefenders.eu/projects/visa-for-defenders-we-call-for-an-effective-and-enabling-eu-visa-framework-for-at-risk-hrds/>

# Donor/EU perspectives on the levels and type of funding for HRDs in the MENA region

At EU level, there is not a perception that funding has fallen<sup>61</sup> in the region. This funding was previously covered by the EIDHR and CSO-LA budget lines and is now covered by human rights and civil society thematic programmes under the NDICI<sup>62</sup>. In fact, interviewees believe there has been a slight growth over the years, as overall figures for 2021-2027 have increased slightly in terms of regional allocations. It must be noted that in conversations with officials, they did not refer to funding for 'HRDs' but 'for civil society', without noting the difference or in the absence of data specific to HRDs. For certain regions, there is indication that funding has been allocated for HRDs, but logistical challenges such as the lack of qualified staff in relevant delegations or missions may hinder its implementation.

The level of funding for human rights through civil society does not appear to be tracked. The only source of information available is the ProtectDefenders.eu data which indicates the EU funding allocated via the mechanism for human rights defenders. The EU itself tracks its funding via civil society but that can include academia, foundations, and other non-human rights NGOs. Additionally, there are no officials at Headquarters that monitor how or what funding is made available in the EU Delegations in the MENA region. As a result, HQ staff will mostly be familiar with the funding they are responsible for themselves, i.e. the regional programmes. In the MENA region, EU staff reported that most of the programmes were regional, the advantage being that the EU does not then need agreement from individual governments. These are the existing regional projects:

- **A Civil Society Facility for the Southern Neighbourhood**<sup>63</sup> which was approved in 2021 for a total of EUR 14.5 million. The overall objective is to promote a functioning pluralistic and participatory democracy in the Southern Neighbourhood countries, by means of increasing the participation of CSOs in policy-making processes and policy dialogue, promotion of public accountability and the advocacy role of civil society and enabling CSOs to participate in structured dialogue with the European Union. The logic of the EU is that supporting the active participation by CSOs in policy making is key and this is facilitated by support for capacity-building in monitoring and oversight, advocacy and management. Strengthening internal governance, accountability and transparency, in addition to networking and coordination is also vital.

- **Framework partnership agreements** are implemented by the Directorate General for Neighbourhood and Enlargement Negotiations (DG NEAR), and they enable organisations to input into structured dialogue with the EU in the Southern Mediterranean region. With a duration of four years, these partnership agreements are more long term and permanent than typical projects. In the current restrictive environment, this course of action allows for flexibility and sub-granting, although EU officials are aware of only two regional organisations that could run such a programme successfully and are not sure how much it can really be used widely.

<sup>61</sup> There are no specialists working on human rights/civil society for each country at HQ.

<sup>62</sup> EIDHR: European Initiative for Democracy and Human Rights and CSO-LA programme for Civil Society and Local Authorities (both ended 2020); NDICI: Neighbourhood and Development Cooperation Instrument (post 2021).

<sup>63</sup> Sweden has developed a regional strategy adaptive to national dynamics in the region and is committed to providing long-term core support. Switzerland is increasingly developing a regional approach and finding convergences between humanitarian and human rights aid. The EU has developed a regional programme supporting a structured dialogue between the EU and civil society in the Southern Neighbourhood and will also make financial resources available to civil society actors in the region.

□ Since 2018, the EU has given grants to the **European Endowment for Democracy (EED)** specifically for Neighbourhood South, providing an additional EUR 9.8 million to its usual grant. The EU has gradually increased its funding because of the growing need and the possibility to regrant within projects, which addresses more HRD needs. The EED funds democracy support however, and only part of its funding can be considered HRD support.<sup>64</sup> Current provisions are EUR 7.5 billion from the 2021-23 EU budget for the Regional Multi-annual Indicative Programme for Southern Neighbourhood. But the EED has successfully engaged with the Member States to attract further funding. 23 European countries contributed over EUR 75 million to EED's programme budget up to 2021. The EED recognises that a major risk to its operations is linked to the fact that the budget for its main activity of support to HRDs is based on voluntary contributions by EU Member States or other sources. The EED, assisted by the European Parliament and European Commission, leads sustained advocacy actions towards EU Member States and other potential donors to secure regular funding. Another risk is that funds from Member States are "ring fenced" to reflect national priorities, a concern they try to counteract with continued awareness-raising at Member State level on the need to be able to assist human rights defenders across all geographical fields of activity.

□ For funding under the **country envelopes of the EU with Mediterranean countries**, there are no figures comparing the civil society/human rights allocations within the different national programmes. Officials recognise that what has changed is the way the EU Delegations have been working in recent years, following increased repression and the closing space for civil society. It has become impossible to fund independent civil society directly in Egypt for example, and the government has failed to recognise, let alone address, the country's deep-rooted human rights crisis<sup>65</sup>. The EU has increasingly turned to European partners who re-grant to local HRDs, as it is impossible for the EU to carry out local projects without the approval of governments, aside from working with GONGOs. This has always been the case for Algeria, but other countries have moved in the same direction, such as Libya, and Syria (although working via the EU Regional Trust Fund in response to the Syrian Crisis is possible).

Logistical challenges such as the lack of qualified staff in relevant delegations or missions may hinder implementation.

<sup>64</sup> The European Commission funds the EED with the goal of providing flexible support to pro-democracy activists, complementing other EU and member state democracy support programmes. EED specialises in cases where the space for civil society is shrinking due to administrative, legal, social and political barriers and accepts significant political and operational risks as part of its operations.

<sup>65</sup> Amnesty International. "Egypt: *"Disconnected from Reality": Egypt's National Human Rights Strategy covers up human rights crisis*", 2022: <https://www.amnesty.org/en/documents/mde12/6014/2022/en/>

**The situation seems to be deteriorating across the board.** Morocco is introducing restrictions and although HRDs working on land and environmental issues can still operate and are supported by the EU, it is deemed impossible to work on the Western Sahara issue. Morocco has refused to accept the priorities put forward by the EU for its cooperation programme. Normally, the EU and the concerned country decide on programming together, but in the Southern Mediterranean it has become more and more difficult to reach agreement given the political crises present in some countries. The EU is therefore deciding on annual action plans by itself and approving projects on an ad-hoc basis without any medium or long-term approach.

Issues around the politics and priorities of individual Commissioners and their influence over funding have also arisen. The EU Commission's financial assistance package to Palestine being blocked in 2022<sup>66</sup> and further reviewed in 2023<sup>67</sup> was well documented. It would be difficult for projects in support of civil society, HRDs or human rights to be approved in the current context other than regional projects which tend to provoke less debate. As reported by relevant observers interviewed, only projects with state authorities or institutions such as National Human Rights Commissions are likely to be considered.

The European Parliament has and can continue playing a positive role by requesting more funds for independent civil society from the Commission. The EU Special Representative for Human Rights has also been seen to be a strong advocate for funding for MENA and is in favour of more attention being given to HRDs.

In most countries, **restrictions around the receipt of foreign funding are on the rise**, such that soon all EU delegations will likely have to resort to sub-granting mechanisms to allocate financial support to third parties, in addition to providing support to independent CSOs to navigate EU administrative requirements. The EU, like civil society organisations, must spend time and energy negotiating with authorities. This has led some organisations to try to register as businesses, however the EU cannot fund for profit organisations under its own rules. This is not the case for sub-granting and there is scope for sub-granting to be included in all projects - with a 60% limit - although Delegations can add more for capacity building.

Is there political resistance to working on human rights in EU Delegations? Some years ago, civil society would have said that **the EU was very hard to engage with at a local level but now it is more flexible, with committed officials and active sub-granting programmes.** There was a view held by some interviewees that there may be fewer projects in the MENA region because there is personal responsibility for each contract on the part of officials in the EU institutions, and there is a fear therefore that if mistakes are made or problems arise in the implementation of projects, the Member States will look for the money back. The Ambassadors of EU Member States have an envelope of funding for small projects of their choosing, but EU Ambassadors do not. Member States are deemed to be more "political" and are seen as political actors, while the EU is not.

The EU is also aware that the difficulties with its funding procedures can create NGO 'elites', and the restrictive environment is making it increasingly difficult for HRDs to manage all the obstacles such that NGOs are having to close.

<sup>66</sup> Euronews. "Brussels to 'rapidly' release delayed EU funds for Palestinian schools and hospitals", 2022: <https://www.euronews.com/my-europe/2022/06/13/brussels-expected-to-shortly-release-delayed-eu-funds-for-palestinian-schools-and-hospital>  
Le soir. "Union Européenne: impatience autour du blocage de l'aide aux Palestiniens par le commissaire hongrois", 2022: <https://www.lesoir.be/444462/article/2022-05-24/union-europeenne-impatience-autour-du-blocage-de-laide-aux-palestiniens-par-le>

<sup>67</sup> European Commission. "The Commission finalises the review of the EU aid to Palestine", 2023: [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_23\\_5941](https://ec.europa.eu/commission/presscorner/detail/en/ip_23_5941)

# Are HRD funds being diverted to migration or other issues?

Technically, the NDICI stipulates that 10 to 15% of the budget should go to civil society, but this is an indicative amount and expenditure can be pushed towards the end of the period. A greater amount than before has been allocated for loans and guarantees, and for migration, and less is available for regional projects. Migration programmes are important in the Southern Neighbourhood region including border management programmes, search and rescue, “voluntary” returns, integration of migrants into MENA countries and migrant rights (access to health, education, employment, etc.).

**The EU is aware that donors have withdrawn because of difficulties, legal obstacles or changes in priorities.** There certainly seems to be a degree of donor fatigue and there is regular questioning among donors of why they should continue funding when the situation is continuing to deteriorate. There is little political will to integrate human rights considerations more systematically into Member States’ policymaking, who prefer not to risk the wrath of governments from the region, and with increasingly far-right political actors and governments at home. They are more focused on closing migration deals and return agreements. As stated by HRDs from the region, “the danger of this argument, as demonstrated in Egypt, Tunisia and other countries, is that the constant weakening of the independence of state institutions (judiciary, etc.) and the repression of civil society and independent media leave no political or social buffer and increase the risks of instability, violent extremism and migration due to the collapse of the authoritarian political and economic model or arrangements.”

The real priorities of European governments in the Southern Neighbourhood are migration and security, though in the eyes of EU officials, this focus has not necessarily been at the expense of HRD funding but rather of spending on culture or other ‘soft’ topics. However, recent developments

related to the prioritisation of migration flows management may indeed affect further overall human rights funding<sup>68</sup>. The Green Deal is also a priority that is being mainstreamed through all programmes, where 40% of project funding must address environmental objectives. Other security programmes are funded from the EU’s Foreign Policy Instrument managed by the EEAS, which has grown its funding envelope considerably.

There is a possibility of mainstream HRD and civil society support in other projects. Indeed, **a push to do so for climate change projects that beforehand were conducted primarily with governments and local authorities are now implemented with civil society as it can be much more reactive.** Similarly, civil society is now the focus of a large project on budget monitoring with the Open Budget Partnership, an NGO that has local partners. These actors are usually academics rather than HRDs, however.



There is little political will to integrate human rights considerations more systematically into Member States’ policymaking.

<sup>68</sup> In February 2024, the Council announced a planned cut of 2 billion from the NDICI to reinforce funds for migration and border management. European Council. “Special European Council, 1 February 2024”, 2024: <https://www.consilium.europa.eu/en/meetings/european-council/2024/02/01/>

# Comparison with the Eastern Partnership

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**Structured dialogue facilities allow dialogue between the EU, partner governments and civil society**, with the EU as mediator. Compared to the Eastern Partnership where the EU has formal agreements with the countries from that region, in the Neighbourhood South there are only ad-hoc ministerial meetings, which are more informal, do not have a structured programme, and governments are more reluctant to include CSOs, notably independent ones. The dialogue is now only between the EU and CSOs via the Civil Society Forum for the Southern Neighbourhood and Tunisia and Morocco were the only countries where such a dialogue was vaguely possible. In regional dialogue, issues such as shrinking space, corruption and migration can be discussed to provide input into all EU policies, such as trade negotiations, environment and climate, security (including gender-based violence), as well as into programming, including HRD needs.

EU officials believe there is an absorption issue in the Neighbourhood South compared to the East. In the latter, civil society appears to them as more organised and in a position to absorb more funding even though closing space issues are deemed to be similar. If officials were not fighting to keep the funding for the South, the East would be a preferred focus due to the strong attention that Eastern European Member States give to their Neighbours. But **funding amounts are locked in under NDICI, so for the moment there will be no change to the amount allocated to MENA**. Unfortunately, it is possible that thematic priorities could move away from human rights, as food security issues are expected to rise for example.

# Recommendations

- Significantly **increase and ensure sustainability of funding** for civil and political rights, accountability and protection of HRDs in the MENA region and ensure funding is also accessible to informal groups and those who are forced to move part of their operations abroad due to security concerns. **Core support and investment** in human rights defenders, movements and NGOs in the MENA region will help to ensure that they are protected, have sufficient resources to meet the challenges ahead and can continue to operate in the long term.
- At a time when authoritarianism is further tightening its grip over the MENA region, **donors should not allow migration and security concerns to drive their relationships with governments** in the region and resist the temptation of reverting to a personalised and transactional relationship with repressive leadership that will not provide stability in the region. Respect for human rights, and support for those who promote and defend universal rights and values, are more than ever critical to creating lasting peace and security.
- Donors must take account of the profound societal dynamics that have shown that popular **protests demanding greater freedoms and respect for human rights will continue to emerge** and persist in the absence of an adequate response to their demands from the governments in power. As a Yemeni activist and Nobel Peace Prize laureate quoted by *The New York Times* pointed out, “anyone who says that the Arab Spring is dead does not know the history of people’s struggles”.<sup>69</sup>
- In contrast to the past, it is essential that donors define the type of “change” they wish to support and **propose a clear strategy focused on solving the problems faced and identified by HRDs**, setting coherent and achievable objectives and defining an iterative approach to achieving them, and thus clarifying and strengthening the role that aid can and should play, in conjunction with other policy instruments, to achieve these objectives.
- Donors, in particular European **donors, have more leverage towards governments in the MENA region and influence within the international system than they generally acknowledge** (the EU is the region’s most important trading partner, and European states are permanent members of the UN Security Council) even though there is more competition for influence than in the past. They should integrate human rights considerations in a more consistent, coordinated, and self-reflective manner into their policymaking, as part of their broader political relationships with MENA countries.
- Donors must be much more consistent in the way they deal with abuses committed by their regional partners and rivals, adopt a genuine partnership approach based on the universality of human rights and not interfere in the work of HRDs they support, and **refrain from instrumentalising human rights in the name of their own political interests**, at the risk of exposing themselves to accusations of hypocrisy and double standards and undermining their credibility.

Donors must adopt a genuine partnership approach based on the universality of human rights and not interfere in the work of HRDs they support.

<sup>69</sup> The New York Times. “A Decade After the Arab Spring, Autocrats Still Rule the MidEast”, 2021: <https://www.nytimes.com/2021/02/14/world/middleeast/arab-spring-mideast-autocrats.html>

□ EU and member states should assess their existing policies and partnerships against **whether these are bolstering authoritarianism and entrenched human rights violations**, using key benchmarks, in particular respect for the rule of law and the ability of HRDs to operate freely, before embarking on high-risk or high-profile bilateral partnerships, delivered either by the public or private sector.

□ The EU must find a **coherent approach to migration** which, unlike its current policy, is based on the values of dignity and justice that it claims to promote. The EU's haphazard and security-driven approach to migration reduces the credibility and effectiveness of its advocacy for human rights and exposes it to accusations of complicity in the abuse of migrants.

□ Donors must rise to the challenge of **ensuring that independent HRDs and organisations remain active**, and share - both politically and financially - the risks they face to ensure that their human rights work can survive and thrive.

□ Rather than focusing on the absorptive capacity of NGOs, donors need to appoint and **consult more independent local human rights and civil society specialists**/resource persons to better understand the civil society dynamics, the priorities of local HRDs and to ensure more consistent engagement and support in these areas in MENA countries.

□ When it comes to providing support for urgent protection, other measures can **make a real difference to the quality and sustainability of the aid** given to HRDs at risk, such as guaranteeing rapid response times, providing strong political support, supporting their well-being, helping them access study grants and facilitating their access to visas for their protection.



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