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2013 Conference Report: The Social Practice of Human Rights

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THE SOCIAL PRACTICE OF HUMAN RIGHTS:

*Charting the frontiers
of research and advocacy*

*A post-conference report
and a commitment
for the future of the
University of Dayton
Human Rights Center*

CONTENTS

<i>New thinking about human rights advocacy</i>	1
<i>The past, present and future of advocacy</i>	3
<i>Integration of human rights and development in practice</i>	9
<i>The role of media, communication and technology</i>	15
<i>Trends in foundation funding</i>	20
<i>The work of the Center: Responding to the conference's message</i>	23

ABOUT THIS REPORT

This publication was prepared by Mark Ensalaco, Ph.D., director of human rights research at the University of Dayton. For information about the Human Rights Center or the Social Practice of Human Rights conference, contact him at mensalaco1@udayton.edu.

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- University of Dayton Human Rights Center:
http://www.udayton.edu/artssciences/humanrights/hrs_center/
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NEW THINKING ABOUT HUMAN RIGHTS ADVOCACY

UNIVERSITIES HAVE NEW IMPORTANCE IN THE GLOBAL HUMAN RIGHTS MOVEMENT.

This was the resounding message the University of Dayton heard at its global conference on human rights advocacy in October 2013.

The human rights movement is experiencing dramatic changes. Dynamic new NGOs in the global South are resetting the human rights agenda. Popular movements inspired by human rights ideals are arising around the world to demand justice. New information technologies are creating the possibility of real global solidarity.

The movement must adapt. Human rights organizations must imagine new strategies to address poverty and other root causes of human rights violations. Human rights organizations must collaborate more intentionally with humanitarian and development organizations, foundations and popular movements. Advocacy must be directed at transformative solutions to systemic patterns of injustice.

It is time for new thinking about human rights advocacy. This is the challenge for the global human rights research and advocacy community.

The Human Rights Center at the University of Dayton, with its singular focus on advocacy, is rising to this challenge.

THE HUMAN RIGHTS CENTER

Working at the frontiers of research and advocacy and in dialogue with the Catholic social justice tradition

In October 2013, Daniel J. Curran, president of the University of Dayton, announced the University's commitment

to create a Human Rights Center. The announcement came at the beginning of The Social Practice of Human Rights: Charting the Frontiers of Research and Advocacy, the first of the center's signature events.

The idea of a human rights center, President Curran observed, is deeply rooted in the Catholic and Marianist identity of the University of Dayton and its mission to

"I compliment the University of Dayton and its president, Dr. Daniel J. Curran, in its initiative to create a Human Rights Center. ... I can only underline the the valuable role of the academic support such institutions provide to promote the respect for the inherent dignity of all persons through research, advocacy, education and dialogue. ... I fully endorse the vision, mission, work and core principles of the University's new Human Rights Center and that I support its search for transformative solutions to systemic patterns of injustice in any way possible."

— Juan Méndez, UN Special Rapporteur on Torture

promote the inherent dignity of the human person, peace, justice and the common good.

The creation of the center follows more than two decades of human rights education, research and dialogue at the University on a broad array of urgent human rights concerns, including the rights of the child, violence against women, racism and xenophobia, peace and human rights, justice, truth and reconciliation and others.

Drawing on this rich legacy, the Human Rights Center has a singular mission and vision: to conduct critical research on human rights advocacy and the systemic causes of human rights violations.

Working at the frontiers of research and advocacy and in dialogue with the Catholic Social justice tradition, the center will engage with the global human rights community in the search for transformative solutions to systemic patterns of injustice that will affect real change in the lives of the poor and the persecuted.

The Human Rights Center:

- Promotes dialogue and collaboration between human rights researchers and advocates.
- Conducts critical research to advance the theory and practice of transformative human rights advocacy.
- Prepares the human rights researchers of the future with the knowledge, skill and values necessary to effect real change in the lives of the poor and persecuted.
- Provides human rights, development and humanitarian NGOs with analytical support to strengthen their capacity to respond to emerging threats to human dignity.

The announcement is an invitation to collaboration and solidarity. The academy, civil society, faith-based organizations, philanthropic foundations, the corporate community, governments and intergovernmental organizations all share a common responsibility to protect human dignity and rights and to promote the free and full development of the human person.

The University convened this conference to hear the answers of distinguished human rights advocates and scholars to the question,

“How might the Human Rights Center at the University of Dayton, a comprehensive Catholic university, best serve the poor and the persecuted?”

THE CONFERENCE

*80 researchers, 18 panels,
15 advocates, 10 countries,
3 days*

The global conference on the Social Practice of Human Rights set in motion the Human Rights Center’s commitment to education, research and dialogue.

Over three days, veteran human rights professionals presented research and engaged in constructive critique of the human rights movement, all to serve a vital purpose: to produce concrete proposals to strengthen the human rights movement’s capacity to confront emerging threats to human dignity and rights.

The conference’s plenary dialogues yielded recurring themes about the movement’s achievements and failures, challenges it must confront, actions it must undertake, and changes it must make. A consensus evolved:

- Solid empirical and applied research is critical to meaningful human rights advocacy.
- Advocacy benefits from critical introspection and constructive critique.
- Dialogue leading to collaboration is the key to bringing about real change to the systemic patterns of injustice that cause human rights violations.

This message will guide the work of the Human Rights Center at the University of Dayton.

THE PAST, PRESENT AND FUTURE OF ADVOCACY

THE MOVEMENT'S ACHIEVEMENTS AND THE LESSONS OF THE PAST

The global human rights movement has achieved hard-fought gains in the more than six decades since Universal Declaration of Human Rights. The movement continues to evolve — indeed, it is finding its way through a dramatic moment of transition. But its achievements and failures indicate the path forward. Here are some of the most notable achievements:

Standard setting: The movement has set global standards against which the actions and inactions of governments — and increasingly non-state actors — can be assessed. The Universal Declaration of Human Rights and subsequent covenants and conventions define a broad set of rights and protections and set forth legally binding state obligations. The ratification of these conventions, although uneven, has given the human rights movement a powerful tool: “naming and shaming” governments that breach legal obligations to respect, protect and promote human rights. Human rights groups now apply these same standards with powerful non-state actors, such as insurgent groups, multinational corporations and other powerful actors.

Mechanisms of protection. The United Nations and regional organizations with human rights mandates have established mechanisms to protect human rights. Though powerful state interests can impede intergovernmental organizations from carrying out their human rights mandates, UN treaty bodies and, in particular, the “special procedures” have proven effective in some settings. In UN and regional human rights bodies, NGOs can denounce violations, identify emerging threats to dignity and rights, and devise strategies to address them.

Professionalism of human rights NGOs. Major NGOs, particularly those based in the global North, have evolved into

“There has been more compliance than we realize — or than the cynics who think human rights have only been achieved on paper are willing to admit.”

— Jo Becker, children’s rights advocacy director, Human Rights Watch



Above, from left: Jo Becker, Louis Bickford, Larry Cox. Left: Alex de Waal, Juan Méndez

highly professional organizations capable of documenting human rights abuses worldwide. The quality of their research and the credibility of their findings pose real challenges to abusive regimes. NGOs can raise public awareness, mobilize action, and convince governments and IGOs to take action to halt violations. One example: Helsinki Watch and America’s Watch in the 1980s set in motion processes that ultimately produced the Velvet Revolution in Eastern Europe and the demise of military dictatorships in Latin America.

The power of synergy. Active collaboration between NGOs, the UN, and regional

bodies and governments has produced progress in resolving grave human rights issues. Transnational advocacy networks, broad-based coalitions and global advocacy campaigns magnify the efficacy of the human rights movement. Here are some recent examples attesting to the power of synergy.

- The International Campaign to Ban Landmines, which earned the 1997

“The human rights movement, with its particular elite element, its particular way in which it is able to bring together lawyers of the highest caliber, writers and publishers and people who are working at the zenith of arts and communication ... is able to wage struggles to bring the great powers to account. This is an elite value and an elite struggle.”

— Alex de Waal, executive director, World Peace Foundation

Nobel Peace Prize, attested to the “soft power” of broad-based coalitions. Compliance with the convention has been life changing and life saving.

- A campaign for a global ban on the use of children as soldiers led to the adoption of a protocol to the Convention on the Rights of the Child. Although the forcible recruitment of children by rebel groups remains a grave concern, compliance with the protocol has led to a dramatic decline in the deployment of child soldiers.
- A campaign to end the exploitation of child labor, led by the International Labour Organization in partnership with a host of UN agencies and NGOs, has made measurable progress in government and corporate compliance. In June 2013, the ILO organized the 12th World Day against Child Labor.

Transitional justice. The creation of the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda, and other criminal

tribunals in the 1990s and the establishment of the International Criminal Court in 2002 represent major strides in human rights protections. Though impunity for war crimes, crimes against humanity and genocide remains widespread, high-profile prosecutions have proven that justice is possible. As transitional justice has gained prominence, scholars and advocates have devoted attention to criminal prosecution in national and supranational courts.

Equally important have been the precedent-setting rulings of national and regional courts. The Inter-American Court of Human Rights has applied the due diligence principle to hold states responsible for disappearances even in cases where non-state actors were the perpetrators, and the same court has nullified amnesties promulgated by authoritarian regimes to evade accountability. In the matter of Augusto Pinochet, courts in the United Kingdom have ruled that heads of state cannot claim sovereign immunity from prosecution for crimes such as torture. Courts in the United States, Spain and elsewhere have invoked universal jurisdiction to prosecute individuals where there is no prospect of trial in foreign courts.

“Memorialization” represents another important societal response to atrocities, honoring victims by preventing the truth about the past from disappearing into obscurity. Monuments, oral histories and official reports help a society deliver on a solemn collective pledge: “Never again.”

Emergence of dynamic national human rights NGOs in the global South. National and regional human rights NGOs have been a feature of global human rights advocacy for decades. Formed in response to government repression and other urgent human rights concerns, they have exposed grave violations in human rights. In the 1980s and 1990s, major NGOs based in the North made a concerted effort to strengthen the capacity of frontline NGOs in the South, making it possible for them to play a more prominent, independent role. The creation of influential National Human Rights Institutions (NHRI)

also helped advance the movement, and in time, NGOs in the global South have emerged as transnational organizations. These developments are redefining the global human rights agenda by shifting attention from the predominant concern for civil and political rights to the critical importance of securing economic and social rights.

THE MOVEMENT IS IN 'PRETTY GOOD SHAPE'

The human rights movement has evolved into a powerful force for human dignity, rights and social justice. Ultimately, the real measure of its efficacy is compliance with universal human rights standards. Human Rights Watch's Jo Becker struck a positive note here: "There has been more compliance than we realize — or than the cynics who think human rights have only been achieved on paper are willing to admit." In his keynote address, Alex de Waal put it this way: "The movement is in pretty good shape." The idea of human rights — the idea expressed in the Universal Declaration that all human beings are born equal and have dignity and rights— has taken root; de Waal offered the example of the response to the HIV/AIDS pandemic. Although stigmatization of persons infected with the virus remains a serious problem, governments have sought to protect human dignity and rights. Were it not for the broad acceptance of basic human rights norms, he said, many governments might have been tempted to impose mass quarantines and undertake other measures to restrict the human rights of those suffering from HIV and AIDS.

THE MOVEMENT'S FAILURES AND THE CHALLENGES AHEAD

Despite its achievements, the human rights movement has failed to address some of the most urgent human rights concerns, and the movement faces formidable challenges.

American exceptionalism. In their keynote addresses, Alex de Waal, executive director of the World Peace Foundation, and Juan Méndez, the UN Special Rapporteur on

Torture, directed sharp criticism at the United States. To de Waal, U.S. military intervention in Somalia in the early 1990s, at the urging of many humanitarian and human rights NGOs including Human Rights Watch created a

"The legitimacy of U.S. initiatives regarding Syria is called into question by, among other things, the poor record of the U.S. in the context of the [global] war on terror. ... The international human rights movement must ensure that torture and other abuses do not become accepted as inevitable."

— Juan Méndez, UN Special Rapporteur on Torture

dangerous dynamic. The idea and practice of humanitarian intervention rationalized an American exceptionalism — a notion that the United States may ignore the law in order to accomplish noble humanitarian objectives.

Méndez directed his criticism to the war on terror and the use of practices and policies the United States routinely condemned before the Sept. 11 attacks: extraordinary rendition; "enhanced interrogation techniques" (a euphemism for torture); and drone strikes, which resemble "extrajudicial execution." He added that massive electronic surveillance is a dangerous intrusion on privacy rights of Americans.

Disturbing as these practices are, the partial efforts to frame legal justification for these practices, as with the Office of Legal Counsel memoranda of the Bush administration on enhanced interrogation, threaten to undermine international rule of law, he said, adding that rogue regimes may justify their disturbing practices with the very statements of U.S. public officials.

Accountability. Despite high-profile prosecutions in domestic and supranational courts in recent years, grave human rights violations, war crimes, crimes against humanity and genocide continue to go unpunished. Sudanese president Omar al-

Bashir, under indictment by the International Criminal Court, travels freely to foreign capitals without fear of arrest and extradition. The government of Sri Lanka has thus far escaped accountability for the documented killing of thousands in the campaign against separatist rebels. Syrian president Bashar al-Assad is unlikely to face prosecution by the ICC, and the killings in that country call into question the commitment of the international community to the principle of the Responsibility to Protect.

“The one that keeps me up at night and gets me angry almost every day is austerity, inequality and poverty, which in the United States has now gone beyond 40 years of highs and which causes direct suffering to millions and millions and millions, particularly children.”

— Larry Cox, co-director of the Kairos Center for Religions, Rights and Social Justice at Union Theological Seminary

Members of the human rights community — indeed, even the conference’s keynote speakers — differ in opinions on conducting criminal prosecutions in transitional and post-conflict situations. Méndez advocates prosecution, noting that the failure to do so constitutes an ex post facto denial of the fundamental right to redress. Efforts to promote truth and reconciliation must never be seen as substitutes for prosecution, he said.

Alex de Waal, with direct experience in Sudan and other conflict zones in Africa, warned that the categorical demand for prosecution could risk the achievement of peace and reconciliation.

The question of accountability also surfaced in the plenary session on human rights and development. Bill O’Keefe, vice president for government relations and advocacy for Catholic Relief Services, posed a fundamental philosophical question: What is justice?

“In standard legal human rights discourse, justice means prosecution,” he said. But CRS, animated by Catholic social teaching, also affirms the importance of forgiveness and reconciliation. In Rwanda, for example, CRS peace-building activities include the promotion of community dialogue between those who have committed genocide and the families of their victims. The process has helped “killers find peace with the families of those whom they have killed.”

Corruption and the global arms industry. War crimes and crimes against humanity are taking place on a massive scale in armed conflicts, particularly in Syria and sub-Saharan Africa. Humanitarian organizations, both inter-governmental and non-governmental, are responding with humanitarian relief, caring for the displaced, resettling refugees and even engaging in peace-building and post-conflict reconciliation. At the same time, human rights NGOs are pursuing justice for atrocities and documenting and denouncing sexual violence, the use of child soldiers, slavery, human trafficking and other reprehensible features of these conflicts.

Because the availability of small arms is a root cause of these conflicts, human rights NGOs must begin to confront arms trafficking with the same intensity as they have confronted human trafficking. Promoting corporate social responsibility has brought about some positive results, including the regulation of “blood diamonds” and “conflict minerals.” Stemming the flood of weapons to conflict zones could stem violence as well as corruption, which diverts resources from equitable and sustainable development, aggravates poverty and subverts democracy.

Poverty. The most glaring failure of the global human rights movement, the speakers declared, has been in eradicating extreme poverty, which continues to claim 25,000 lives each day.

The Covenant on Economic, Social and Cultural Rights articulates a core principle that governments must devote the maximum of available resources to ensure that all

persons can enjoy an existence worthy of human dignity. Yet human rights advocacy, which historically has given priority to civil and political rights, has not confronted poverty in a way that resonates with the poor, said Louis Bickford, a program officer at the Ford Foundation.

“The Human rights movement has to deliver on poverty and marginalization,” he said. “The success of the human rights movement is not guaranteed. If it is not able to speak to more people in a more powerful way, it’s going to stumble and not be as effective in the future.”

The problem of poverty is not confined to the global South, although it is most acute there. Unemployment, underemployment and the lack of a “living wages” have resulted in hunger and food insecurity, lack of access to quality education, health and affordable housing for millions, especially children. In the United States, poverty is reaching the highest levels in four decades. Yet policymakers rarely frame economic policy in terms of the human right to an adequate standard of living.

Larry Cox, co-director of the Kairos Center for Religions, Rights and Social Justice at Union Theological Seminary, lamented several pressing Western concerns including xenophobia and drone warfare. But the worst one, he said, is the response to poverty.

“The one that keeps me up at night and gets me angry almost every day is austerity, inequality and poverty, which in the United States has now gone beyond 40 years of highs and which causes direct suffering to millions and millions and millions, particularly children. And the human rights movement, as far as I know, as far as I can see — and I spend every day looking for it — has said very little that has turned that back,” Cox said. “There is no plan in the United States as there should be. ... There is nothing, and I think that is an enormous failure on the part of the human rights movement.”

A MOMENT OF CRISIS — AND OPPORTUNITY

As plenary speakers assessed the state of the human rights movement, a consensus emerged that the traditional model of human rights advocacy is experiencing a crisis. As major NGOs adapt to the changing landscape of advocacy, the movement is also experiencing a moment of opportunity.

One strength is that the “industry-leading” human rights NGOs based in the global North, such as Amnesty International, Human Rights Watch and others, have evolved into highly professional organizations.

But this model has obvious limitations. Although the conventional strategy of naming and shaming — “the mobilization of elites in one country to mobilize elites in another on behalf of heroic but helpless others” — has led to important victories, those victories have usually involved the protection and promotion of civil and political rights. The model is less amenable to the promotion of economic, social and cultural rights, the speakers said.

Denunciation of structural injustices that perpetuate poverty, while important, is not enough to transform those structural injustices. Human rights advocacy, Bickford said, must shift from “denunciation” to “proposal” by engaging more intentionally in the development of policy-frameworks to address poverty, discrimination and other obstacles to the full enjoyment of economic, social and cultural rights.

This shift demands dramatic changes in the way professional human rights NGOs interact with their partners in the global South, Becker said. North-South partnerships have played a critical role in advocacy. Small, frontline NGOs have for many years played a supporting role for the major NGOs, providing them with timely information, facilitating fact-finding missions, arranging for victim interviews, and performing a host of other support functions. As NGOs in the global South acquire the capacity to take the initiative, they are demanding a “place at the table” in setting the human rights advocacy

agenda, Becker said: “Groups have told us, ‘We don’t want to just help you with your research. We want to be in the advocacy meetings with government officials; we want to be doing joint reports; we want to be part of the strategy every step along the way.’”

Thus, the elite model of advocacy — “advocating on behalf of others” — must give way to new strategy of solidarity with emerging organizations in the global South.

This transformation will remove artificial distinctions between economic, social and cultural rights and civil and political rights. A new solidarity model will also connect human rights NGOs to popular movements around the world. As Cox reminded participants: Advances in civil rights and women’s rights in the United States were the achievements of mass movements rather than elite human rights advocacy. Going forward, he said, human rights NGOs will have to focus more intentionally on supporting and sustaining popular movements.

THE UNIVERSITY OF DAYTON’S RESPONSE

The University of Dayton Human Rights Center is committed to sustaining the kind of reflection, critique and dialogue required for the human rights movement to adapt to the changing landscape.

Its focus on advocacy is one aspect of this commitment. By conducting critical research on the diverse advocacy strategies set in motion to address a broad array of human rights issues, the Center will be a place for constructive critique aimed at strengthening the human rights movement.

The Social Practice of Human Rights conference is one of the Center’s signature events. Convened biennially, this important dialogue assembles leading human rights researchers and advocates to reflect on emerging human rights challenges. The Center brings to the dialogue the critical actors in all areas of the movement — human rights, humanitarian and development NGOs, intergovernmental organizations, the media, past and present government officials, foundations and corporations — in order to shape comprehensive, collaborative strategies to promote human dignity and rights.

The Center, through its applied research, assists NGOs working on the front lines. It is forming active partnerships with NGOs, particularly those in the global South to conduct joint projects. By providing critical empirical, policy, and legal research and analysis, assisting in the development of advocacy strategies, and monitoring and evaluation of NGOs, the center strengthens the capacity of NGOs to respond to emerging threats to human rights.

INTEGRATION OF HUMAN RIGHTS AND DEVELOPMENT IN PRACTICE

The eradication of extreme poverty is the key to achieving the aspiration of the Universal Declaration of Human Rights — the advent of a world in which all human beings may enjoy freedom from fear and want. Poverty kills 25,000 people each day through hunger and disease, breeds conflict, and compels the poor to migrate to survive.

The global community has long seen equitable and sustainable development as the solution to this global humanitarian crisis. The UN declared the 1960s the Decade for Development and established the United Nations Development Programme. Near the end of the decade, Pope Paul VI described “development” as “the new name for peace.” Progress, however, was halting and inadequate.

In the mid-1980s the UN General Assembly adopted the Declaration on the Right to Development, establishing development as an inalienable human right on par with the rights set forth in the Universal Declaration and the Covenant on Economic, Social and Cultural Rights. But the UN was never able to gain support for a legally binding convention that would give the declaration the force of international law. Nonetheless, the global community has renewed its commitment to promote development and reduce poverty, and many humanitarian and development NGOs, as critical actors in these initiatives, have adopted a “rights-based approach to development.”

By bringing universal human rights standards to bear on governmental and multilateral agency policies and programs and increasingly on the practices of multinational corporations, this approach encourages the integration of the work of humanitarian, development and human rights organizations.

The Millennium Declaration, adopted in 2000, committed the international community to “making the right to development a reality for everyone and to freeing the entire human



Top: Mark Ensalaco, Tony Hall. Bottom: Rosalie Nezien, Bill O'Keefe

race from want.” In order to implement the Millennium Development goals, the global human rights movement is grappling with practical challenges of integrating human rights and development in practice.

This plenary presented the perspectives of human rights and humanitarian professions about the value of the rights-based approach to development and the real-world challenges of integrating human rights and development in practice.

A RIGHTS-BASED APPROACH TO DEVELOPMENT

The provision of services, food, medicine, shelter and other basic human needs during complex emergencies remains a core function of humanitarian and development NGOs. However, most have begun to direct resources to human and community assets and to the development of local, grassroots organizations. The adoption of the rights-based approach to development has cast the eradication of poverty and other development goals in a new light.

The turn to capacity-building has produced measurable improvements in the lives of the poor. Education and training in agriculture, health, sanitation and other fields raises income, reduces disease and improves standards of living. Education in human rights and training in human rights advocacy is proving to be a crucial aspect of capacity-strengthening.

“We find that organizations that apply the rights-based approach have a different orientation to their governments and non-state stakeholders such as corporations. ... It gives them a legitimate basis for doing advocacy in their countries, using international and national human rights norms.”

— Rosalie Nezien, program officer, American Jewish World Service

Here are some examples of the participants’ projects:

Rural agriculture. For poor tenant farmers in rural Mexico, obtaining legal title to farmland is the key to secure and sustainable livelihoods. Development and human rights NGOs can provide critical legal advocacy for the landless. But the delivery of direct legal services, like the delivery of food and aid, is no substitute for the empowerment of the poor. In the long term, developing the capacity of the poor to advocate for themselves with legal knowledge and skills holds the greatest promise of real, transformative change.

Extractive industries. For communities sitting atop rich mineral deposits in Africa and the Andes, quality of life depends on the people’s free, informed and prior consent to government concessions to extractive industries. The exploitation of natural resources — minerals, forests, fisheries — often means exploitation of workers, environmental contamination and armed conflict. NGOs are working to develop communities’ awareness of the legal rights.

Access to health care. For women in sub-Saharan Africa, access to quality health

care and other basic services can be a matter of survival. When these services are not available, NGOs must fill that void. But by developing women’s awareness about their right to health care, NGOs empower women to demand that governments fulfill their legal obligations.

ADDRESSING STRUCTURAL INJUSTICE

Pope Francis has stated that poverty is fundamentally a question of the exclusion of marginalized groups, and improving the lives of the poor ultimately demands attention to questions of power and inequality. Ultimately, the eradication of extreme poverty demands the real transformation of systemic patterns of injustice.

Development projects cannot succeed where structures and institutions enforce the exclusion and marginalization of whole sectors of society. Much traditional development work strives to develop communities’ human, natural and material assets as a means of securing sustainable livelihoods. The rights-based approach also seeks to enable communities to gain access to, and ultimately transform, structures and institutions that shape — and often constrain — their ability to live in dignity and to develop their full human potential. The rights-based approach, then, must also focus on people’s political assets, in order to empower them to influence politics and policy.

The rights-based approach, therefore, must address the profound imbalances in economic and political power, within societies and between rich and poor nations. Ambassador Tony Hall summarized the value of the rights-based approach this way: “There can be an unfortunate disconnect between the idea of international development and power relations and human rights sensitivity, so using human rights in one’s approach to development and the whole idea of advocating for the vulnerable and hungry is absolutely essential.”

REFORMING INTERNATIONAL AND U.S. DEVELOPMENT AID

The devotion of the maximum of available resources to ensure to all human beings a life worthy of human dignity — the core obligation of the Covenant on Economic, Social and Cultural Rights — can no longer be seen as a question of charity or philanthropy. It is a simple question of justice and morality.

NGOs are rising to the task of integrating human rights and development in practice. Philanthropic foundations are funding development projects on a global scale. But as the heads of state who signed on to the Millennium Declaration acknowledged, states acting in collaboration with the United Nations and its specialized agencies, have “a collective responsibility to uphold the principles of human dignity.”

In an era when globalization is exacerbating the gap between rich and poor states, this responsibility falls most heavily on the wealthiest nations.

One concern about international and U.S. humanitarian aid and development assistance is the amount of funding devoted to the Millennium goals. In a world where billions of human beings must survive on less than \$2 a day, military and security assistance diverts valuable resources from poverty reduction, fuels conflict, displaces millions, and corrupts governments.

Another concern is the design of development aid and assistance. United States policy for example, leans toward market-based approaches to economic development. Microfinance and other programs that channel aid to “market-ready” sectors of the population can be effective — such as brokering agreements between poor farmers and Walmart to give small farmers access to this huge market, noted Bill O’Keefe of Catholic Relief Services. However, “cherry picking those ready to enter the market” often means development assistance fails to reach “the poorest of the poor.”

Thus, CRS advocates for a poverty-based approach to U.S. assistance, directing it “to the poorest rungs on the economic ladder.”

Apathy and austerity, Hall said, are what limit the impact the U.S. Congress could have. During his 24 years in Congress, few members of Congress had personal encounters with abject poverty.

“Twenty five thousand will die today; 25,000 died yesterday; 25,000 will die tomorrow. In America, 48 million people are hungry.”

— Tony P. Hall, former ambassador and U.S. Representative; executive director of the Alliance to End Hunger

“Now, here’s the problem: While the American people seem to be way ahead of elected officials in their attitudes towards morality, the particulars are more complicated,” Hall said. “Many of us would not be faulted for asking our elected officials, ‘How can you let this happen ... the injustices of the world, the hunger, the disappearances?’ Well first, they don’t know. Many of them don’t care. But most of them don’t know. What they do know is that they have to make programs more cost-effective. And while in development work this may mean lifting some people out of poverty, it doesn’t necessarily reach the poorest of the poor. This leads to bad projects, hurting people.”

Fiscal austerity further threatens U.S. development assistance and aid, Hall said.

CHALLENGES OF INTEGRATING HUMAN RIGHTS AND DEVELOPMENT IN PRACTICE

The rights-based approach has energized humanitarianism; it has implications for human rights advocacy as well. Humanitarian and development NGOs and human rights NGOs emerged at different times and have different trajectories and missions. They have a common purpose — the promotion of human dignity and rights — but not common functions. Advocacy on behalf of others or

in solidarity with them entails denouncing injustice. The rights-based approach makes this an important, but ancillary, function of humanitarian and development NGOs.

Advocacy is the primary function of human rights NGOs, a function humanitarian and development NGOs may not be able to perform. In countries under dictatorial rule or immersed in conflict, “witnessing” to grave human rights violations may jeopardize humanitarian or development work and imperil the NGOs’ field staff.

“The people that we represent, you represent, I represent, they don’t have a voice. We are their voice. And unless we start to band together, our voice is going to be shrill. We can do better. If we could just maybe come together in the human rights community ... let’s say we picked a couple of issues a year and we worked on it together ... we could accomplish so much more.”

Tony P. Hall, former ambassador and U.S. Representative; executive director of the Alliance to End Hunger

O’Keefe explained the stark dilemma: “There are places that have terrible human rights abuses where we are silent because we have chosen that our charism is best expressed by treating human needs on the ground.”

The safety of CRS staff is not the only concern. Denouncing human rights violations is important. “But just as there is often a lack of accountability, there is a lack of government capacity. So as we are going about tearing down governments, we have to make sure there is a lot more government capacity if we are going to lift people out of poverty.”

Thus, human rights NGOs can raise their voices against injustice, where humanitarian and development NGOs must remain silent. In practice this is not always possible. Where government cooperation is critical for the delivery of humanitarian aid or the implementation of a development project,

a human rights NGO’s denunciation of a government can close doors.

In Sudan, for example, the ICC’s indictment of the president led to the expulsion of humanitarian NGOs. This is the principal challenge to the integration of human rights and development in practice .

At its core, the rights-based approach to development affirms that the protection and promotion of all human rights is critical to the promotion of development. Viewed from the opposite angle, the rights-based approach to development has implications for human rights advocacy. Human rights advocacy, insofar as it involves the documentation and denunciation of human rights violations, has to address the root causes of those violations.

The most effective human rights advocacy strategies are those that are ultimately directed at the transformation of systemic patterns of injustice.

This is expressed in the preambles of the twin covenants on civil and political rights and economic social and cultural rights: “The ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights.”

Beyond denunciation of injustice, human rights advocacy must focus more intentionally on creating these conditions in collaboration with humanitarian and development NGOs. The promotion of democracy and the rule of law, the elimination of all forms of discrimination, and the eradication of extreme poverty are some of the elements of a transformative advocacy strategy.

“The elimination of discrimination, the eradication of extreme poverty, and even the establishment of the institutions of democracy and the rule of law ultimately demand patient, methodical development work,” said Mark Ensalaco, director of human rights research, University of Dayton Human Rights Center. “That work would still be necessary even if all governments were genuinely committed to the protection and promotion of civil and political rights, and even if they were willing to devote

the maximum of available resources to ensure to everyone an existence worthy of human dignity — which is the fundamental obligation set forth in the Covenant on Economic, Social and Cultural Rights.”

This kind of “developmental approach to human rights advocacy” holds the promise of effective and strategic collaboration between human rights NGOs and their humanitarian and development partners. It also facilitates closer alignment between elite professional human rights NGOs with the struggles of grassroots movements working for democracy, peace, women’s rights, environmental justice and labor.

BRINGING EVERYONE TO THE TABLE

One of the most powerful messages coming from the conference was the importance of collaboration and coordination. The movement must address practical obstacles to real, sustained and effective collaboration.

One obstacle is the fierce competition for foundation, government, individual and corporate funding for NGOs and their projects. NGOs are professional organizations with professional staffs, headquarters, and field operations. Humanitarianism and human rights are separate “industries,” as de Waal and others put it during the conference. Economic realities compel NGOs to establish their own “brands” and to set themselves apart in pursuit of funding for operations and projects. The plenary session on trends in foundation funding highlighted the challenges of securing resources, especially for small, emerging human rights NGOs in the global South.

O’Keefe cited another practical obstacle: Collaboration demands staff time and resources; “it means going to more meetings, working 18-hour days instead of 12-hour days.”

Even so, it is important to overcome these obstacles because of the value it adds, said Ambassador Tony Hall, executive director of the Alliance to End Hunger. “Can you imagine if we all work together?” he asked.

Some examples of collaboration on broad-based, global advocacy campaigns:

The Circle of Protection. The Alliance to End Hunger and Catholic Relief Services are two prominent members in the Circle of Protection initiative to safeguard the social safety net from congressional budget cuts. It addresses poverty, hunger and social exclusion in the United States with a clear agenda and a clear strategy, raising awareness and lobbying Congress.

Project on Forced Labor in Brazil and the Andean Region. For more than a decade, Catholic Relief Services, the Pastoral Land Commission of the Brazilian National Bishops Conference and the Brazilian NGO Repórter Brasil have worked to abolish forced labor in Brazil. Now the University of Dayton Human Rights Center has joined in this collaboration in a direct response to one of the dominant messages of the conference: Because solid research is critical to the effectiveness of human rights advocacy, academic human rights research centers are an integral part of the movement.

The Human Rights Center has assembled a working group of academic researchers from three U.S. universities to prepare a comprehensive report on forced labor in Brazil and the Andean region; goods produced through forced labor entering into the U.S. supply chain; and legal measures and NGO advocacy strategies to abolish forced labor. This is research for advocacy. The working group’s report, due in early 2015, will raise producer, investor and consumer awareness of forced labor; promote corporate social responsibility; and strengthen legal and policy measures.

It’s one example of the kind of partnerships the Center will undertake — and evidence of the Center’s commitment to be at the center of a dynamic human rights research and advocacy community.

THE UNIVERSITY OF DAYTON’S RESPONSE

The Human Rights Center will focus intensively on the root causes of human rights

violations in the search for transformative solutions to systemic patterns of injustice. The Center will adopt the development approach to human rights advocacy that aims at the creation of conditions that will enable everyone, particularly the poor, to live in dignity: the eradication of extreme poverty; the elimination of all forms of discrimination; the promotion of genuine democracy and the rule of law; and the creation of a sustainable environment.

As an advanced research center at a Catholic university, the Center will draw upon the two millennia of Catholic social teaching and take an active part in the

Vatican's commitment to serve the poor and to scrutinize economic policies that tend to deepen inequality and exclusion.

In this vein, the Center will devote special attention to corporate practices and policies and the United States' domestic, foreign, trade and international assistance policies. The focus on corporate social responsibility will be directed at enlisting global corporations as allies rather than adversaries in the cause of human dignity. A focus on the United States is a direct response to the conference's message about the government's waning commitment to human rights.

THE ROLE OF MEDIA, COMMUNICATION AND TECHNOLOGY

“Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind ...”

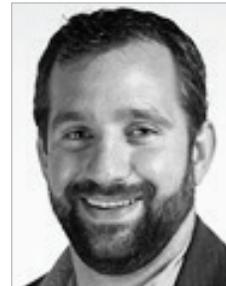
This statement from the preamble of the Universal Declaration of Human Rights captures the essence of human rights advocacy. Advocacy means stirring society’s conscience to action. So, media, communication and technology — old and new — are crucial to advocacy. It is impossible to halt or prosecute barbarous acts unless someone documents and denounces them.

New technologies are transforming human rights advocacy. The Internet, social media, Skype, Twitter, Instagram and YouTube are fixtures of a globalizing world that were hardly imaginable a few decades ago. Technology, especially mobile, is amplifying information about human rights abuses and humanitarian crises. Compelling messages and powerful media together can mobilize action quickly. Technology has demonstrated the potential to create a truly global human rights community.

The digital revolution has advanced crucial functions of advocacy: witnessing, mobilizing, educating and “co-presencing.” But with this message came a warning about the dangers of fetishism, voyeurism, gawking and misleading messaging. New technology speeds the flow of information, but the cardinal rules of advocacy still apply: Effective advocacy demands solid, credible, confirmable and timely information; compelling personal narratives; careful messaging. As ever, care must be taken to protect the privacy and security of victims and advocates. But, because today anyone with a mobile device or Internet access can become a human rights advocate, adherence to the professional standards of human rights advocacy is a formidable challenge.

Witnessing. Only a few decades ago, information about grave human rights violations came only in the form of a letter smuggled out of a political prisoner’s prison cell or the occasional report of an NGO or UN fact-finding mission. Television spread news, but only if the story was deemed newsworthy. Today, images of repression and suffering reach vast audiences in real time. These are images of atrocities, starvation, and mass forcible displacement. We see the faces of the persecuted and the poor.

The instantaneous, worldwide diffusion of information makes it almost impossible for repressive regimes to conceal human



Above, from left:
Alison Brysk, Jason
Cone, Sam Gregory
Left: Anna Jefferys,
Leora Kahn

rights violations, and the world cannot so easily ignore poverty, conflict, displacement and other humanitarian emergencies. Juan Méndez offered one example: The marked decline in the incidence of forced disappearance, once the most pervasive and terrifying instruments of repression, is almost certainly due to the ability of human rights NGOs and the families of the disappeared to alert the world to an abduction in real time. Because force disappearance so often

leads to torture and execution, instantaneous information can save lives.

Sam Gregory of Witness offered this example: Since the eruption of violence in Syria in 2001, ordinary Syrians armed with mobile devices have uploaded more than 1.5 million images capturing potential war crimes and crimes against humanity to YouTube. This is a vast body of video evidence that one day may be introduced in criminal trials at the ICC.

This “citizen witnessing” has potential to reveal the truth about massive violence and suffering — but to harness that potential, the human rights movement must overcome some obvious obstacles.

One obstacle is limited access to technology, particularly in areas of conflict, famine or poverty. Major communication technology companies, Internet service providers and philanthropic foundations can help expand access to this technology, but meeting basic human needs — food, water, clothing, medicine and shelter — is a more urgent task.

State control is a more formidable obstacle. China, Iran, Egypt, Syria and other countries maintain state control of communication infrastructure, censorship, and surveillance of electronic communications. Some of the same technology that enables political dissidents to “speak truth to power” has strengthened the surveillance powers of authoritarian regimes, enabling them to identify and detain prominent bloggers and citizen witnesses.

There may be technical means to evade censorship and to protect the identity and security of dissidents. For example, Witness has developed applications that can blur faces on uploaded videos. But these are only temporary solutions in a “cat and mouse” game between intelligence services and video dissidents. Ultimately, what is at stake are the fundamental rights to privacy, freedom of expression, and “to seek, receive and impart information and ideas through any media and regardless of frontiers,” enshrined in the Universal Declaration of Human Rights (articles, 12 and 19.)

Major human rights NGOs go to great lengths to verify allegations about human rights abuses. Anonymous videos may lack the location and time details necessary to corroborate a video’s authenticity. Though Witness has developed an application that enables video dissidents to insert crucial background information, the problems run deeper.

While they have technical skills to record and upload videos or avoid government filters, citizen witnesses lack the training of human rights professionals for objectivity, impartiality, accuracy and verifiability. While human rights professionals share the attitudes and values of journalists, dissident bloggers may have undisclosed agendas that tempt them to manipulate information and make false accusations of responsibility. A comment from a conference participant put this in bleak terms: The same group that posts a video of an atrocity committed by Assad’s regime on one day is just as likely post a video of an execution of a Syrian soldier the next day — only the new video is a boast, not a denunciation.

Human rights NGOs are confronted with sorting through this information. A compelling image may be worth a thousand words, but possibility of distortion presents serious challenges in the digital age of human rights advocacy.

The global news media perform an indispensable role in witnessing. News coverage of a violently repressed protest, a wartime atrocity or a humanitarian crisis can capture attention and sometimes compel the international community to take action — but only if news organizations choose to cover these situations.

News organizations are businesses driven by commercial interests. Although these interests may not erode deeply ingrained standards of journalistic ethics, they can determine the amount of time a news organization devotes to a story. Political and military angles often take precedence over a situation’s humanitarian dimensions.

IRIN, the independent news agency of the UN Office of Humanitarian Affairs, is free of the commercial pressures that influence commercial news coverage, said Anna Jefferys, reporter and West Africa editor. With nearly 200 correspondents, IRIN remains in places long after cable news correspondents have moved on, covering the day-to-day impact of displacements, poverty, post-election violence and a host of other issues, standing as a watchdog over the \$17 billion a year humanitarian relief industry.

New technologies serve “witnessing” in important ways. But in conflict zones, witnessing can impede the work of humanitarian NGOs and even endanger their staff. Jason Cone, communications director of MSF (Doctors Without Borders), depicted this in stark terms: MSF is a humanitarian organization whose mission is to provide medical care in conflicts, natural disasters, epidemics like HIV/AIDS. Negotiating access is the key to MSF’s lifesaving work, but that means negotiating with militia commanders and others who have real power, sometimes the monopoly of the means of violence. Some stand accused of serious human rights violations. In these situations, as Cone expressed it, norms and principles clash violently with the realities of the operating environment.

MSF established an internal “think tank” of its most experienced staff to reflect on those compromises. It has worked with journalists and documentary filmmakers for decades to call attention to complex humanitarian emergencies. But its role is not to witness to atrocities or to expose those responsible for them. So, while MSF works with Amnesty and Human Rights Watch, it does, on occasion, come into conflict with these organizations when witnessing threatens MSF’s access to areas and populations where its work is most needed.

Still, technology serves MSF’s mission. It delivers a message, especially to those who control access to conflict areas: its purity of motive, its impartiality, its independence. It will treat casualties on all sides of the conflict;

rebels can transport wounded to MSF field hospitals on the condition that rebels bring no weapons, and MSF will treat casualties on the basis of medical necessity. MSF communicates, then, to “build acceptance.”

MSF used Twitter and Facebook to advocate for changes in policy. MSF utilized Twitter to urge the U.S. government to improve the quality of its food aid or to grant MSF landing rights in Haiti. It used Facebook to target employees of pharmaceutical companies in effort to persuade those companies to relax intellectual property rights restrictions and to make available life-saving drugs.

All indicate the importance of media and technology for human rights advocacy and humanitarian action. Witnessing is the crucial first link in a “value supply chain” of witnessing, solidarity and advocacy.

Mobilization. Slavery was the first truly transnational human rights cause. As Alex de Waal recounted in his keynote address, the abolitionist movement was generally an elite affair that revolved around three central activities: meeting, petitioning, and the savvy use of the new print media. People with influence lobbied Parliament to abolish the slave trade. This elite aspect of human rights advocacy, he said, retains much of its potency, even as the landscape of advocacy is undergoing profound change.

Two centuries later, Amnesty International introduced the strategy of a mass mobilization of volunteers to write letters to distant government officials to gain the release of prisoners of conscience. Today, human rights NGOs employ diverse advocacy strategies to end an array of abuses, but the fundamentals of advocacy remain the same.

Human rights NGOs have mounted effective campaigns to address land mines, child soldiers, torture, disappearance, violence against women, human trafficking and others. These campaigns seek to “mobilize shame.” The media have always been an important aspect of these campaigns. New technologies are opening new horizons for advocacy. But images of atrocities are not enough. The

“mobilization of shame,” or in the apt phrase of one plenary speaker, “mobilization of empathy,” depends on messaging.

Academic human rights researchers have begun to examine media strategies to better understand the factors that translate moral outrage into meaningful action. Alison Brysk, Mellichamp Professor of Global Governance in the Global and International Studies

“If we think about that ability to combine watching something live and to turn that into real actions that are timely and relevant and about our skills, we can think of a very different structure of the global human rights community, one that is not about gawking, watching and signing a petition, but about rapid action and leverage — one that respects the local but brings us all in in meaningful ways.”

— Sam Gregory, program director, Witness

Program at the University of California, Santa Barbara, summarizing more than two decades of research, said compelling media campaigns depend on “the right people, saying the right things, with right information, reaching the right audience.” So while new communication technologies and media platforms hold tremendous potential to diffuse information, media is not a substitute for message. The critical factor is the overall “narrative arc” that can mobilize both outrage and empathy and create an audience that cares enough to act.

For Gregory, the human rights movement faces a straightforward challenge: “How do we develop empathy and compassion for others, and how do we translate that into action?” New technologies can mobilize millions who can contribute to the “value chain of documenting, solidarity and advocacy.” But the task is far from simple.

This was the lesson of campaign spawned by the “Kony 2012” documentary. If a media campaign’s ability to mobilize a large audience

is the sole measure of its success, then the Kony 2012 campaign was a spectacular success. Millions viewed the short video; tens of thousands participated in events to publicize the Ugandan warlord’s crimes; high-profile public figures joined in the call for Kony’s capture. But the campaign came under heavy criticism from within the human rights community for the inaccuracy of some of the claims and most importantly the campaign’s aim: to lobby for increased security assistance to Uganda and Sudan, and possibly direct U.S. military intervention, to facilitate Kony’s capture, despite the poor human rights records of those countries.

The lesson of Kony 2012, then, is that effective media campaigns can be counterproductive. There is no substitute for solid research and critical analysis of a campaign’s strategy and objectives.

Co-presencing. Human rights and humanitarian professionals working in the field develop deep emotional connections to those with whom they interact — connections that drive their advocacy. New technology has the potential to create these possibilities of immediacy and interactivity. Gregory called this “co-presencing.”

Co-presencing is not voyeurism. It is the feeling of actually being with someone — “walking in the shoes of an LGBT community in Uganda”; feeling the hopes as well as the anguish of those struggling for acceptance and dignity; being “live” at a protest in Moscow. These real-time experiences and interactions can foster genuine empathy that leads to solidarity and action. An image, a news item or a blog post can motivate and mobilize. But effective advocacy means more than signing a petition or joining in a protest. Co-presencing is personal, immediate and interactive.

The same information technologies that bring stories of distant suffering to the outside world can also give advocates immediate access to distant situations of injustice and enable them to take action in real time.

Action — task routing, crisis mapping in the humanitarian affairs community, reaching out to those on the ground to verify

information: The possibilities are exciting. Co-presencing means that “anyone who is in a land dispute can have a legal expert looking over their shoulders, that is, on call, who can look through their eyes and provide analysis and advice in real time.”

Educating. Media has immense power to educate and to foster dialogue, as well as to mobilize. Modern communication technologies are creating exciting new possibilities for human rights advocacy. But as Leora Kahn, the executive director of Proof: Media for Social Justice, explained, the real power of media, old and new, is its capacity to tell stories that connect with the lived experiences of ordinary people.

Proof takes a direct, interactive approach to this work by organizing photography exhibits and interactive workshops in communities hard hit by violence and strife. Forums enable communities to tell their own stories.

In Rwanda, for example, a community dialogue about the genocide drew out the message that not all Hutus were killers.

Hutus died, came to the rescue of Tutsis, and genuinely seek a reconciliation. In a society driven by genocide, these exhibits help to transform a people’s opinion of “the other.” By exposing young people to the real stories of real people, these encounters dispel myths and partial truths.

THE UNIVERSITY OF DAYTON’S RESPONSE

The Human Rights Center is devoting special attention to the use — and misuse — of media, communications and technology in its advocacy research. Through its critical research on the use of technology, media and communications for and with small NGOs, the Center can assist NGOs in developing powerful messaging and mobilization, education and “co-presencing” strategies.

The Center will also actively promote the fundamental right “to seek, receive and impart information and ideas through any media and regardless of frontiers.”

TRENDS IN FOUNDATION FUNDING

Philanthropic foundations occupy a central place in the human rights movement. Their funding is the lifeblood of advocacy. But foundations are not only human rights funders; they have become critical actors with missions and visions, strategies, objectives and metrics for progress.

The University of Dayton invited Christen Dobson of the International Human Rights Funders Group to lead a conversation about trends in human rights funding with former and current program officers of the Ford Foundation, the single largest funder of

human rights NGOs.

Foundations, like NGOs, must adapt to the dramatic changes in the human rights movement by giving greater voice to grantees; it is imperative that they fund advocacy that addresses poverty and other root causes of human rights violations in search of transformative solutions to systemic patterns of injustice.



Louis Bickford, Larry Cox, Christen Dobson

In 2013, the International Human Rights Funders Group, in partnership with the Foundation Center, conducted the first data-driven assessment of trends in foundation funding. The conversation centered on the report's findings.

The data. In 2010, some 700 foundations in 29 countries made nearly 12,000 grants to 7,000 NGOs. In total, foundations awarded \$1.2 billion in grants. Only 3.5 percent funded human rights work. Nearly all of the grants, 93 percent, came from U.S.-based foundations. More than half — 54 percent — went to NGOs based in North America, mainly in the United States. The Ford Foundation's grants — \$160 million — made it the largest foundation funder of human rights initiatives worldwide.

These findings raised two immediate and important questions:

- What, precisely, constitutes human rights funding?
- What is the significance of the fact that more than half the human rights grants went to American NGOs?

The IHRFG applies a broad definition of human rights funding: directed at “structural change,” benefit marginalized groups or reflect the principles and norms contained in the Universal Declaration of Human Rights and subsequent covenants and conventions.

Larry Cox, a program officer at the Ford Foundation for 11 years and former executive director of Amnesty International USA, expressed doubts. “If foundations don't think that they are funding human rights, they're probably not.” Foundations view their work through a variety of lenses: social justice, human dignity and others. But while these approaches may be compatible with a human rights approach, they can differ from it.

The plenary session emphasized the fundamental importance of an explicitly human rights-based approach to development. Development work is now firmly grounded in human rights norms, principles and standards. Many of the foundations surveyed have not made this commitment to the human rights framework. For Cox and others, this commitment is critically important. Grants to combat discrimination or expand access to education or health care serve important social needs, but these are not grants to protect and promote the human rights to non-discrimination or access to education or health care, Cox said.

A crucial task for the human rights movement, then, is to insist upon the primacy of the human rights framework. This demands dialogue between human rights NGOs and foundations — and among foundations. The IHRFG's project promotes dialogue, collaboration and coordination among funders and among diverse funding sectors such as education, health care, and women's

and minorities' rights. Foundations can better allocate their resources by coordinating their funding efforts. The human rights framework, based on the Universal Declaration of Human Rights, can provide a unifying vision.

The IHRFG's finding that the majority of foundation grants went to NGOs based in the United States raised another critical issue. Most of these grants support the overseas operations and projects of American human rights NGOs. But, as Cox observed, funding for American NGOs should not be confused with funding to advance human rights advocacy in the United States. This issue here is the deeply entrenched belief in American exceptionalism: that human rights standards apply to all nations "except" the United States. Often, injustice in the United States is not framed as a human rights issue, Cox said.

Because serious human rights issues in the United States demand greater attention, the speakers declared, major U.S. foundations should dedicate more funding to protect and promote human rights at home.

Louis Bickford, a program officer at the Ford Foundation and an adjunct professor in the Institute for the Study of Human Rights at Columbia University, addressed this issue but placed it in the context of dramatic changes in the global human rights movement. Foundation funding for the overseas operations of American NGOs is something that "should change, must change, will change," he said. Increasingly, foundations like Ford may begin to direct their funding toward the dynamic human rights NGOs based in the global South. This will bring advocacy closer to the ground, he said. It may better to fund a Haitian NGO than to fund an American NGO working there, or to fund a Kenyan NGO operating in Kenya and neighboring countries. Redirecting funding to these NGOs will also strengthen their capacity to engage in transnational advocacy.

In these ways, a foundation's funding decision can help forge a truly global human rights movement and reset its agenda. The rise of the BRICs (Brazil, Russia, India and China) and other emerging states is changing

global power dynamics. Poverty and exclusion are emerging as the critical human rights challenges. Africa, Asia and the Middle East present especially formidable challenges. These global realities call for direct foundation investment in the global South. Moreover, this investment can help facilitate the kinds of positive changes envisioned in the plenary session addressing the future of human rights advocacy: the adoption of a "solidarity model" of advocacy; a greater voice for advocates in the global South; a more intentional focus on economic, social and cultural rights; and more intense scrutiny of the human rights abuses of non-state actors, including multilateral financial institutions, corporations and paramilitary groups.

But money is not enough. For this shift toward the global South to become a reality, foundations will have to reform their decision-making procedures. Today, foundations are more likely to seek out NGOs that can accomplish the foundation's objectives, on the foundation's timeline, as measured by the foundation's metrics. This foundation practice affects the social practice of human rights advocacy. It places small NGOs lacking professional grant writers at a disadvantage. It reinforces foundation program officers' preference for large NGOs. It compels NGOs to "programmatize" their work to conform to foundation criteria. It compels small NGOs to deliver measurable short-term results instead of setting in motion transformative processes that can lead to long-term change of systemic patterns of injustice. All of this limits small NGOs' access to vital funding. Ultimately, in Cox's view, this is a question of power.

A related problem concerns geographic disparities in foundation funding. The IHRFG found the Middle East and North Africa ranked second lowest among the regions receiving human rights funding. Only the Caribbean ranked lower. It is possible that more funding will flow to the Middle East and North Africa in response to the Arab Spring. But as things stand, the region most in need of human rights funding receives the least. At the same time, the Arab Spring

calls attention to the value of connecting human rights advocacy more integrally to popular movements, a point raised in the plenary session on the future of human rights advocacy. The pursuit of transformative change in societies suffering grave human rights abuses is the most potent way of promoting human rights.

Legal restrictions on foundation funding pose a more serious problem for NGOs in the global South. Authoritarian governments remain inimical to human rights advocacy, recognizing it to be an existential threat. The intimidation and imprisonment of human rights advocates is still common practice. But many regimes are discovering that “legal” measures to deny external funding, disguised as measures to ensure transparency or to protect national sovereignty, can be nearly as effective as repression. This legal imprimatur helps deflect international criticism. For this reason, guaranteeing access to external funding, like guaranteeing unrestricted access to information, is a critically important item on the human rights agenda.

High-income persons in the global South can make substantial contributions to support human rights. Because this would be “internal” funding, these sources could offset a decline in external funding resulting from government restrictions on financial assistance from abroad. Obviously though, anyone openly financing human rights organizations could face scrutiny and harassment from authoritarian regimes.

Diaspora communities are potential sources of funding for freedom struggles in their countries of origin. These communities are natural “audiences” for human rights campaigns. Mobilizing human rights philanthropy, then, can be as important as mobilizing protests or petition drives within these expatriate and exile communities.

However, the task for foundations is to maximize the impact of existing funding streams. This demands greater collaboration among foundation funders and between funding sectors. But ultimately, greater collaboration depends on a common agenda.

This, in turn, demands attention to the changing dynamics of the human rights movement: the emergence of NGOs in the global South and the more intense focus on economic, social and cultural rights. Projects funded by major foundations must be more responsive to the urgent needs of the poor and the persecuted. Funding should be directed at root causes of human rights violations and bringing about transformative change to systemic patterns of injustice.

THE UNIVERSITY OF DAYTON'S RESPONSE

The Center will engage the philanthropic community in dialogue about human rights advocacy, in recognition of the pivotal role foundations play as part of the human rights movement. This means inviting foundations to participate in the development of the Center's projects and programming. It also entails the Center's active participation in the dialogue aimed at ensuring greater coordination, collaboration and transparency in grant-making. In this dialogue, the Center will emphasize the need for grant-making that supports transformative change and invests in the dynamism of NGOs and movements in the global South.

The Center will directly assist NGOs in obtaining funding by providing analytical support and helping them build their capacity for advocacy. The Center's unique focus on advocacy research makes the Center an important resource for NGOs in strategy development and implementation; strategic use of media, communications and technology; and monitoring and evaluation of their programs and projects.

The Center will actively engage emerging NGOs through its core activities — the biennial Social Practice of Human Rights conference and the visiting advocates-in-residence program. The Center will bring staff of these NGOs to the conference to ensure that their voices are heard, and it will bring them to campus to work closely with Center faculty and staff.

THE WORK OF THE CENTER: RESPONDING TO THE CONFERENCE'S MESSAGE

The Social Practice of Human Rights conference achieved its immediate purpose: to engage researchers and advocates in dialogue about constructive critique of the human rights movement.

The conference's dominant message was clear and resounding:

- It is time for new thinking about human rights advocacy.
- Academic research has new importance in the human rights movement.
- There is a need for a global human rights research and advocacy community.

This message deepened the University's commitment to creating a Human Rights Center. The conference affirmed the core convictions that led to the Center:

- Research on human rights advocacy, conducted in a spirit of constructive critique, is critical to the effectiveness of the human rights movement.
- Applied research, carried out with and for NGOs, can strengthen their capacity to respond to persistent and emerging threats to human dignity and rights.
- Research and advocacy must focus on poverty and other root causes of human rights violations.
- The most effective advocacy strategies are directed at transformative change to systemic patterns of injustice.

CORE ACTIVITIES

- Biennial conference: The Social Practice of Human Rights
- Biennial Archbishop Oscar Romero Human Rights Award and Symposium
- Research fellows program
- Postdoctoral fellows program
- Visiting scholars and advocates-in-residence
- Applied research projects, working groups

RESEARCH PRIORITIES

The Human Rights Center will draw upon faculty expertise and programming experience to confront the urgent challenges the human rights movement confronts: poverty, exploitation, peace, justice.

Poverty and development. Extreme poverty is a grave human rights concern and a root cause of maternal and infant mortality, conflict, forced displacement and other serious problems. The rights-based approach to development has led many NGOs to address systemic patterns of injustice, including government and corporate corruption. By bringing universal human rights standards to bear on governments, agencies and corporations, the rights-based approach creates important synergies in NGOs' development, humanitarian and human rights work.

The Center will make poverty and development a principal theme of its advocacy research, placing focus on corporate social responsibility and poverty-based U.S. foreign aid programs. As an academic center of a Catholic university, the Center will embrace the principles of Catholic social teaching when considering questions of poverty and integral human development.

Displacement and exploitation. Forced displacement — due to natural disasters, ecological destruction, conflict, poverty and other factors — has grave human rights and humanitarian consequences. Uprooted from their communities, the poor migrate or flee, facing discrimination based on factors including race, ethnicity, nationality, religion, gender, class and/or immigration status. Exploitation — abusive labor practices, forced labor and sex trafficking — is part of the experience of forcibly displaced persons.

For more than a decade, University of Dayton faculty have been engaged in research and advocacy concerning migrant rights, refugee resettlement and human trafficking.

The University created Abolition Ohio: The Rescue and Restore Coalition in 2010 and works closely with migrant and refugee communities through Catholic Social Services and the National Conference for Community and Justice's Ethnic and Cultural Diversity Caucus. The Center has partnered with Catholic Relief Services and is conducting its first major applied research project on forced labor in Brazil and the Andean region. The University will bring these initiatives under the auspices of the Human Rights Center.

The Center also will conduct research on the root causes of displacement and exploitation and form academic, NGO, government and corporate partnerships to develop evidence-based advocacy strategies.

Peace and justice. Humanitarian and human rights NGOs often address conflict prevention, peacemaking and peace-building, and post-conflict justice and reconciliation. In the wake of genocides, the international community established ad hoc criminal tribunals to uphold the fundamental duty to prosecute war crimes, crimes against humanity and genocide. Similarly, in the wake of democratic transitions in various parts of the world, governments and civil society established truth and reconciliation commissions and similar bodies to achieve social and political objectives that criminal prosecutions could not achieve. In this same period, the international community began to articulate the Responsibility to Protect principle, guiding humanitarian intervention undertakings by the United Nations and important state actors. Meanwhile, the global war on terrorism has raised urgent concerns about the rule of law that demand scrutiny.

In 2002, the University of Dayton, in collaboration with the United States Institute of Peace, convened a conference to explore the intersecting research and educational agendas of scholars of peace and conflict resolution and human rights studies. That led to the creation of a concentration in peace and global security.

The Human Rights Center will build upon faculty expertise in peace and global security

and human rights studies, focusing research on the root causes of conflict and promoting dialogue about the complex challenges of achieving peace, justice and reconciliation.

Media and advocacy. New media and communication technologies are creating the possibility of real global solidarity and what Pope Francis has called a genuine "culture of encounter." This has remarkable potential for human rights advocacy. New media, used strategically, can mobilize global action. Effective mobilization depends on powerful messages, solid information and carefully developed strategies. New technologies also create the possibility of "co-presencing," the real-time engagement of human rights advocates in distant struggles for justice.

The Center will make media and advocacy an important aspect of its advocacy research. Working with and for emerging NGOs, the Center will help them develop the capacity to implement media strategies to advance their advocacy. Recognizing that state and corporate control of access to media raises serious human rights concerns, the Center also will promote the fundamental right to share information through all forms of media, regardless of frontiers.

Corporate social responsibility. Multinational corporations' policies and practices have major economic and human rights impacts. Aware that socially responsible corporate practices can bring about equitable and sustainable development, the global community, through the United Nations Global Compact and similar initiatives, has articulated principles of corporate social responsibility. The full implementation of these principles is a critical challenge for the human rights movement.

The Center will lead research on corporate policies and practices and promote dialogue to ensure that these powerful non-state actors are allies, rather than adversaries, in causes of human rights, integral human development, justice and the common good.

We are looking for partners to engage as we take our place at the vital center of a dynamic global human rights research and advocacy community. We hope you will join us.

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