Magazine Issue 15: Spring 2017

Don't think lawsuit: think dignity Ise Bosch

The final frontier:

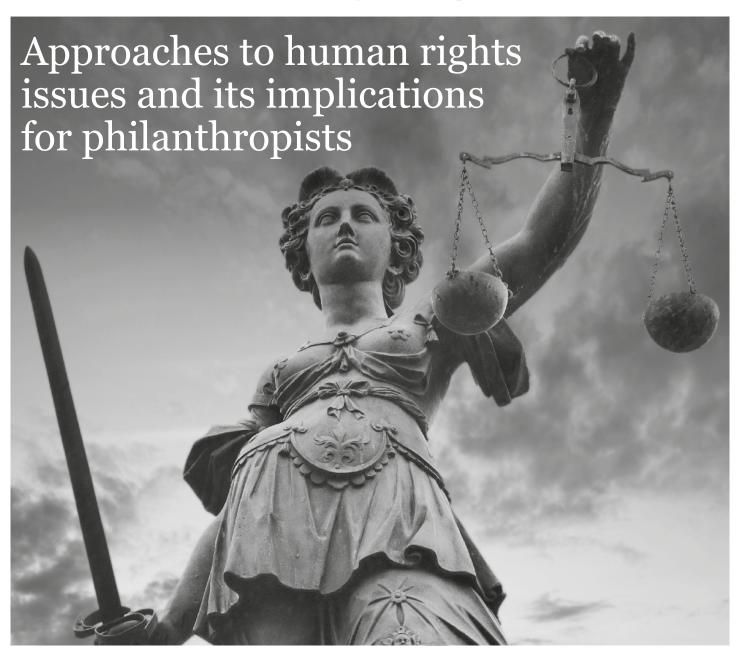
Using technology to strengthen human rights frameworks

Aritha Wickramasinghe

Human rights;
The bedrock of philanthropy
Dr Meghan
Campbell

For the greatest social return on investment, look to women's health

Meghan Ball



THE CAMPAIGN FOR

GROWING

MODERN

PHILANTHROPY

This edition of Philanthropy Impact Magazine is supported by



What philanthropic intermediaries bring to the table

The Arcus Foundation is pleased to sponsor this issue of *Philanthropy Impact* focused on different philanthropic approaches to supporting human rights. The fast-paced and ever-changing political, economic and cultural landscape demands a suite of solutions from the philanthropic sector.

This reality is also true for Arcus where we focus our support on lesbian, gay, bisexual and transgender (LGBT) rights and the conservation and respect for the world's great apes who are under threat in every country where they live. The Foundation's support of these two evolving movements ranges from tried and true strategies to new models that deliver support to those who need them quickly and in situations that require nuance.

At Arcus, intermediary partners remain an important approach to amplifying our work. For most, an intermediary partner can be a practical and cost-effective philanthropic solution to complex grant making, particularly for foundations beginning to think about international funding.

But an intermediary partner can offer additional bandwidth to a foundation like Arcus with a fixed amount of resources. An intermediary also provides the freedom to support innovative and untested solutions in concert with other funders who want to collectively pool resources and minimise risk.

Last year, the Arcus Foundation in partnership with the NoVo Foundation announced the creation of the Global Trans Initiative, a five-year commitment to elevate transgender issues in philanthropy as well as to provide critical support to this significantly marginalised and underfunded community. As part of this philanthropic effort, the Initiative committed US\$20 million to transgender issues around the world.

Early into its creation, Arcus and NoVo made the strategic decision to use intermediary partners that were positioned to competently deploy funding in the field. I am delighted to share that the Global Trans Initiative recently announced the creation of the Fund for Trans Generations, providing grant-making support to transgender organisations in the United States. The Fund is administered by Borealis Philanthropy, an intermediary partner that we identified in a rigorous selection process.

We anticipate a similar process for when we identify a separate intermediary with the expertise and capability of delivering support to transgender communities around the world.

Arcus has employed the strategic use of intermediary partners for our ape conservation programme, particularly in the Foundation's earliest years when we lacked the ability to provide international grant making and had not yet built the level of credibility and trust among many of the organisations actively engaged in the work.

Today, Arcus' Great Apes Program has evolved to focus primarily on high-impact grant making to organisations operating in ape range states across Africa and Asia. But we continue to leverage intermediary funders so we can deliver support to nimble organisations responding in real time to urgent and emerging needs affecting ape populations in their natural habitats.

Arcus' work with intermediary partners like the Global Greengrants Fund means that our Foundation is able to provide an increased number of smaller grants – ranging from US\$5,000 to \$30,000 – to groups often on the frontlines. But the decision to partner with this

conservation intermediary was also rooted in their access to subject matter experts who enhance developments in the field as well as inform the funding process.

Working with a variety of intermediary partners has strengthened Arcus' philanthropy to be smarter and responsive to the needs of those we serve. Over the years, the Foundation has walked away with some insight into what it takes to develop an effective partnership with an intermediary. Here are three of those takeaways:

Make sure your values and mission align – An intermediary provides more than just a transactional service of re-granting support to organisations. In some instances, they become an extension of you and your philanthropic vision. It's critical to understand if an intermediary partner is the right fit for what you aim to accomplish. Take some time in the exploratory process to be honest about what core values will form the basis of your potential partnership.

Build an authentic relationship – An intermediary partner and its grant-making services are ultimately guided by the funder's aims. Conversely, a funder places a great deal of trust in an external partner re-granting resources to organisations. That's why it's important for both parties to foster a relationship centered around communication and trust. At Arcus, our programme officers want to know about the key milestones as well as any challenges or gaps experienced by the intermediary. We also want to receive constructive feedback on how we can either improve upon or even enhance our philanthropy.

Set clear expectations – Intermediary partners can be a valuable tool for increasing your philanthropic capacity. But an effective partnership requires you to be upfront about your project's goals, priorities and metrics. For example, be clear about an end date, so the intermediary can plan accordingly. You should also develop a shared understanding of how an intermediary partner intends to document outcomes and if any opportunities exist to monitor the execution of funding.

Working with philanthropic intermediaries is only one approach of many to consider when developing thoughtful funding strategies to support urgent or emerging causes. It takes time, a certain amount of resources and a shared commitment. But even a modest investment in this kind of partnership can deliver the most powerful of outcomes for your work. Because after all, you don't have to do it alone.







Jason McGill

Annette Lanjouw
and Jason McGill are
co-executive directors
of the Arcus Foundation.
Arcus is dedicated to the
idea that people can live in
harmony with one another
and the natural world.
To learn more, visit
www.arcusfoundation.org

Founded in 2000 by Jon Stryker, the Arcus Foundation is dedicated to the idea that people can live in harmony with one another and the natural world. Arcus believes that respect for diversity among peoples and in nature is essential to a positive future for our planet and all its inhabitants.

THE CAMPAIGN FOR GROWING MODERN PHILANTHROPY

INCREASING ENGAGEMENT . SHARING KNOWLEDGE . DELIVERING IMPACT

Philanthropy Impact

Vision: A world where individuals and families engage in philanthropy and social investment, supported by advisers.

Mission: Growing modern philanthropy by developing the skills and knowledge of professional advisers about philanthropy and social investment.

We deliver our mission by delivering activities to support our members and key stakeholders.

Centre of Excellence

- Events: a comprehensive programme of events including networking among philanthropy and professional advisers
- Publications and Research: developing our 'body of knowledge'
- · How-to best practice guides
- · Technical content & analysis
- · Case studies
- · Philanthropy Impact Magazine
- Market research

Philanthropy Impact Public Affairs

- Advocacy: lobby for policies and regulations that encourage philanthropic giving and social investment
- Policy position submissions and papers
- · Engagement with Government and key policy stakeholders

Services

 Developing services and products designed to enhance professional advisers' ability to meet their client needs for support on their philanthropic and social investment journeys

Chief Executive and Editor: John Pepin

Co-Editor and Administration, Communication

& Events Officer: Cecilia Hersler

Philanthropy Impact, CAN Mezzanine, 7-14 Great Dover Street London SE1 4YR

T +44 (0)20 7407 7879

www.philanthropy-impact.org

@PhilanImpact

in linkedin.com/company/philanthropy-impact

The purpose of the magazine is to share information about philanthropy in a domestic and international context. We welcome articles, letters and other forms of contribution in Philanthropy Impact Magazine, and we reserve the right to amend them.

Please contact the Editor at editor@philanthropy-impact.org ©2017 Philanthropy Impact.

The views expressed in Philanthropy Impact magazine are not necessarily those of Philanthropy Impact and readers should seek the guidance of a suitably qualified professional before taking action or entering into any agreement in reliance upon the information contained in this publication. Whilst Philanthropy Impact has taken every care compiling this publication to ensure the accuracy at the time of going to press, we do not accept liability or responsibility for errors or omissions therein however caused. Philanthropy Impact does not endorse or approve any advertisement and has no liability for any loss caused by the reliance on the content of any such advertisement.

Philanthropy Impact is supported by its members and sponsors. Magazine design and artwork by www.studiojohanson.com.

We invite letters to the Editor at: editor@philanthropy-impact.org

Contents

Don't think 'lawsuit': think 'dignity' lse Bosch	4
Human rights: the bedrock of philanthropy Dr Meghan Campbell	7
Funding the frontlines – the value added of radical, collaborative sharing	
Dr. Christin ter Braak-Forstinger, LL.M	10
The UN guiding principles on business and human rights and their role for	
non-profit organisations Julie Wynne and Tomás Navarro Blakemore	13
The final frontier – using technology to strengthen human rights frameworks	
Aritha Wickramasinghe	17
The evolving agenda of the business of human rights Leesa Muirhead	19
Humility matters: building a future we can all live with Emily Flood	22
Breaking the cycle Emily Collins	25
For the greatest social return on investment, look to women's health Meghan Ball	28
Why tackling poor vision can help advance the human rights agenda James Chen	31
Defending the defenders: how funders can respond to increased dangers facing	
human rights and environmental defenders Annette Lanjouw and Jason McGill	34
Children with disabilities growing up in poor countries Nafisa Baboo	36
A hotspot approach to tackling forced labour in fashion Stephanie Klotz	39
Liberating human potential Martina Fuchs	42

Join us. Our mission is to increase philanthropic giving, social investment and engagement by developing the skills and knowledge of professional advisers to meet their clients' demand for support in their philanthropic activities.

'I believe Philanthropy Impact has a key contribution to make as a forum to encourage more – and more effective – philanthropy and social investment through the exchange of ideas, spreading knowledge and improving the professional advice available. This is more important than ever.'

LORD JANVRIN Senior Advisor at HSBC Private Bank UK

Philanthropy Impact offers a corporate membership, for the whole organisation and not just for one individual.

www.philanthropy-impact.org

Don't think 'lawsuit': think 'dignity'

Ise Bosch (www.dreilinden.org/eng/en_does.html)

As a human rights funder, unsurprisingly I see human rights relevance everywhere, from antiviolence to xenophobia. So when Dreilinden started in 2007, we joined the new Ariadne Network – European funders for social change and human rights. It became our go-to place for knowledge and connections on human rights and social change grant making.

ince then, I have wondered why Ariadne has had such trouble increasing membership from so many countries on the European continent. Several years into its existence, despite major outreach initiatives, there still is a felt UK and US dominance. It's not a bad thing, as Anglo-Saxons know how to create a no-nonsense working atmosphere, and they know how to have fun. But we do miss having more grant-making colleagues from Spain to Poland, from France to Greece. Why does human rights funding not have traction with many continental European funders, especially established ones?



Why does human rights funding not have traction with many continental European funders, especially established ones?

I heard that one reason why they are hesitant is the 'human rights' in the network's title. This came as a surprise to me. Dreilinden got started with a human rights and a social change outlook, reflecting our issue area and values. Name a human rights issue that does not disproportionally affect women and girls! And sexual and gender minorities are of course some of the most endangered groups on earth. Regarding both gender and gender diversity, 'human rights' is the obvious ally and used extensively.

In the frame of social change philanthropy, on the other hand, money is a tool for social change, not for charity; generosity is great but not the solution. Solutions are working in solidarity and with shared values – exactly like the ones enshrined in human rights.

Limited vision explains my surprise to find myself in a minority group, even within the world of grantmaking institutions. 'Human rights' simply has little traction. I would like to consider and reject one possible explanation for this, and to offer another explanation.

First: no, it really cannot be that they are not interested in the values that back human rights:

Photo: Caro Kadatz Grunewaldstraße 72 10823 Berlin + 49178 - 7149052 fotografie@aikq.de



dignity for all, universal redress, empowerment. Not all philanthropy embraces 'empowerment of target groups' as its chosen goal and mode of intervention. Some are about supporting elites and many are about service delivery. Yet, if they strategise at all, and not only implement from project to project, social change analysis comes into play. Human rights are not far from this.

Solutions are working in solidarity and with shared values – exactly like the ones enshrined in human rights.

There are lessons to be learned from gender and sexual diversity grant-making and its well-developed human rights lens which I can only sketch here. With all their shortcomings (consider the state of the UN system, the weakness of its courts), human rights values have been taken up by the young, aspiring individuals we seek to support. They don't usually see themselves as targets for interventions or recipients of aid – they are human rights defenders. For people living precarious lives, and a desire to improve the situation, the promise of human rights is as thrilling as it was in 1945.

Simply put, the rights-based approach has been our shared value base for work, the world over. It enables some cohesion and solidarity across the power-divides between grant makers and grant seekers – or at least a shared language. A human rights approach enables dialogue about the problems that arise in philanthropic interventions.

The legal side of human rights

Could it be that other funders' response to the term 'human rights' rests on very different associations? Not the vision and the values of dignity and equality, but the legal side – litigation. Could it be that at the end of the term 'human rights' they put 'lawyer'? If that were true, it could then be that such funders, consciously or not, foresee their grantees suing the state – which is a problem, because the state is their valuable ally. Human rights would then be a risky thing rather than a promising strategy.

Seen like this, there are good reasons to avoid human rights. In my country, I suspect that the most common sustainability strategy for any larger funding (be it project or core funding) is either a change in public regulation, or cost transfer into the public sphere, or both. I suspect this is similar in other countries where state institutions and budgets are

the largest players in social affairs. I came to believe that their response to the term rests on the legal side, and they are concerned about their grantees suing the state. This is a problem, because the state is their valuable ally in reaching and securing their goals, including social change goals. I suspect this is similar in other countries where state institutions and budgets are the largest players in social affairs.

Could it be that other funders' response to the term 'human rights' rests on very different associations? Not the vision and the values of dignity and equality, but the legal side – litigation.

Would a foundation be likely to fund strategies that result in human rights lawsuits or other claims against state agencies? Not very.

However, (again, if my suspicions are correct), funders overlook an important issue here: states are already bound by human rights law. In the past, this played out in the developing world mostly – but recently it is becoming more and more tangible in the West. The disability rights movement and the children's rights movements exemplify successful adaption of human rights strategies in Western countries. The German government has had to respond to complaints by UN rapporteurs; reports and shadow reports to UN bodies are now part of the landscape for social change interventions. If foundations fear for their good relationships with state partners, they can partner with them to fulfil their human rights obligations. This can be done in a way that is not confrontational – but it needs a good knowledge of the human rights field (issues, developments, players and people).

Actually, I would argue that the understanding of 'human rights' as 'human rights lawsuit' is not upto-date. Broadly speaking, the meaning of 'a rights-based approach' has taken a full turn from denoting victimhood of state oppression, to any approach where people stand up for themselves. In the global South and also among minorities in the West, human rights are now understood as 'my rights' - not the rights of a victim needing protection by a lawyer. The term is used for social interventions that seek to self-empower 'the grassroots' or 'people at the coal face'. It is used to denote grants and investments that enable social upward mobility of members of oppressed groups, looking at them as subjects of action — not looking at the lawyers taking up their case.

Litigation is the smallest part of what is, nowadays, considered 'human rights work'. There are too few funders in this field so although actual cases are not so expensive, much patience is needed in waiting for suitable ones. The field also needs much larger volumes of funding to build up support: educating lawyers and (even more difficult) judges; victim protection; and improving public opinion on culturally sensitive subjects.

Taking a broader approach, human rights lie in the middle of social change. It is not the concern of all funders, of course, but, it is for those funders who care for their lasting social impact. Some of the most long-ranging, grant-making strategy is found in this arena.

Conclusion

To express this wider connotation of human rights, Ariadne has since lengthened its name from just 'human rights' to include 'social change'. If you fear that your state partners would eye this association with suspicion, communicate that you want to partner with them in their efforts to fulfil their human rights requirements. Don't fund strategic litigation if you don't want to file it under 'democracy promotion'; speak of 'human dignity' rather than 'rights' if that is easier for your organisation – they are the same thing. Do consider if human rights language might bring your organisation closer to your grant seekers. Be there for one of civilisation's greatest achievements – human rights – and for some of the best grant-makers' networks and conferences.

Ise Bosch grew up next to the headquarters of Robert Bosch company, though, at the time, she was more interested in music. Nowadays she works full time as a philanthropic activist. She is co-founder of Pecunia network of women with inherited wealth, and the German women's fund, filia. die frauenstiftung. Her book 'Besser Spenden! Ein Leitfaden für nachhaltiges Engagement' ('Giving better! A guide to sustainable engagement') was published in 2007 by C.H. Beck. It is the first and as yet only German language publication on giving from a donor's perspective. Her personal focus is on human rights and gender. She is executive director of 'Dreilinden gGmbH' and supports gender diversity globally.

Human rights: the bedrock of philanthropy

 $\textbf{Dr Meghan Campbell} \ (\underline{www.ohrh.law.ox.ac.uk})$

Corporations, civil societies, and philanthropic organisations and individuals are increasingly playing a crucial role in achieving human advancement. The Sustainable Development Goals, the world's latest political promises, repeatedly call on private bodies to join in a global partnership to 'end poverty, protect the planet and ensure that all people enjoy peace and prosperity'.¹ Philanthropic organisations and individuals have generously responded to this call and in 2010 gave \$1.2 billion to support human rights.²

hile individuals and civil society organisations aim to protect human rights and ensure that all people, for instance, are able to access clean water, attain the highest quality of health and attend school, there are deep concerns that philanthropic organisations are not accountable for the assistance they provide and paradoxically that they might do more harm than good. There is evidence that public-private partnerships in education are actually undermining the rights of learners in East Africa.3 Furthermore, there is, in some circles, resistance to developing the relationship between philanthropy and human rights. There are perceptions that human rights create unnecessary and burdensome bureaucratic redtape and that human rights are so indeterminate that they offer little meaningful guidance on how to best structure and provide assistance.

This is misguided. Human rights should be understood as the central bedrock of philanthropy. Human rights norms and accountability mechanisms are inextricably linked to philanthropy achieving its goals of helping the world's most disadvantaged and oppressed.

Incorporating human rights into philanthropy necessitates a paradigm shift in how donors perceive the recipients of aid. Poverty is more than just material want; it entails rejection, isolation, loneliness, insecurity, vulnerability, stigma, humiliation and shame.⁴ It traps people in a web of social exclusion and voicelessness.⁵ Philanthropy often only targets

economic needs and ignores the powerlessness that underpins poverty. It treats people as passive objects of charity that should be grateful for the generosity they receive. Human rights, on the other hand, address the multiple and interlocking dimensions of poverty. They recognise the inherent worth and dignity of all people. Individuals are active rights holders and the aim is to ensure that they are empowered to draw on human rights standards to hold duty-bearers accountable.

Incorporating human rights into philanthropy necessitates a paradigm shift in how donors perceive the recipients of aid. Poverty is more than just material want; it entails rejection, isolation, loneliness, insecurity, vulnerability, stigma, humiliation and shame.

Including a human rights perspective in philanthropy requires that programme and policies enhance the autonomy of individuals. Thus, before implementing any programme of assistance it is vital to ensure 'the active and informed participation' of the targeted recipients in the formulation, implementation and monitoring of the programme. Participation is not a box-ticking exercise. It should be meaningful and significant weight should be given to the needs and desires of those in poverty. Rather than seeing participation as an additional obstacle or hurdle, it should be considered a fundamental human right



Dr Meghan Campbell



that upholds the dignity of each individual and recognises that individuals have agency over their own lives. Participation is crucial in breaking cycles of disempowerment and can ensure that philanthropic endeavours respond to the actual needs of people.

Focus on equality

Attention to human right norms, particularly equality and non-discrimination, are essential to ensuring that philanthropy is effective. Discrimination both contributes to and perpetuates poverty. Women, children, older persons, persons with disabilities, migrants, refugees, asylum seekers, internally displaced persons, minorities, persons living with HIV/AIDS and indigenous people are more vulnerable to poverty and experience greater challenges in accessing, controlling and enjoying economic resources. The intersection between inequality and poverty is complex. Unless the different ways identity groups experience poverty are appreciated, any measures designed to promote development and advancement can actually entrench disadvantages.

Attention to human right norms, particularly equality and non-discrimination, are essential to ensuring that philanthropy is effective.

.....

Two examples help illustrate the dangers of being inattentive to inequality. First, at-home prenatal medical care may redress women's disadvantages in health care but reinforce women's exclusion from public life, particularly in societies that are heavily gender segregated. Second, conditional cash transfers (CCTs) require women to fulfil certain conditions such as taking their children to health centres or enrolling

them in school to receive assistance. While these programmes address women's material disadvantage, they can maintain gender stereotypes and undermine women's rights. ¹⁰ CCTs place the onus on women which reinforces that it is women's primary role to care for children and ignores the role of men in the family. It is also paternalistic as it assumes women in poverty need financial incentives to care for their children. Proving that the conditions have been met can also be time consuming and reduce the time women in poverty have for economic endeavours or leisure.

A human rights-based approach to philanthropy directs organisations and individuals to evaluate if their policies work towards achieving equality. There are many competing understandings of equality.

Framework for designing programmes

Fredman's four-dimensional model of equality provides a useful analytical framework that philanthropic organisations can draw on when designing and implementing programmes." The four dimensions are:

- Breaking the cycle of disadvantage
- · Promoting respect for dignity and worth
- Participation and accommodating difference by achieving structural change
- Promoting political and social inclusion.12

The first element – breaking the cycle of disadvantage – recognises that individuals and groups have suffered because of their personal characteristics. To redress this imbalance, specific and positive measures are required, including temporary special measures. The second element addresses recognition harms such as: harassment, prejudice, stereotypes, stigmas, negative cultural attitudes, indignity and humiliation. Third, the

participation dimension requires inclusion of women in all public, private, political and social decision-making processes. Fourth, the structural dimension requires institutions rather than individuals to change. Using the four dimensions and paying attention to the intersection between them, can help philanthropic programmes be sensitive to the needs of vulnerable people.

Accountability

Human rights are grounded on accountability. They not only set out the rights and freedoms people are entitled to but also places duties on those who 'exercise authority or forms of power'.13 Accountability is backward looking and seeks to correct and remedy wrongdoing by individuals and institutions. It is also forward looking and helps 'determine which aspects of policy or service delivery are working... and which aspects need to be adjusted'.14 A culture of accountability links to other human rights values. It recognises the equality and dignity of every individual and encourages participation in decisionmaking processes. Moreover, it delineates zones of responsibility, encourages those in positions of power to answer for their decisions and ensures that human rights are enforced and meaningful.

Human rights law at both the domestic and international level has multi-faceted accountability mechanisms including courts, tribunals and legislative committees. With the increasing power and role that philanthropy plays in achieving human rights, it is time to carefully consider how these organisations can be answerable to the people they seek to assist. Creativity is required to find affordable and accessible accountability mechanisms so philanthropy and those who live in poverty are able to enter into a mutually beneficial and iterative dialogue on how best to achieve human advancement.

Conclusion

Incorporating a human rights perspective into aid and assistance immeasurably enriches philanthropic endeavours. By listening to recipients, paying attention to inequalities, structuring programmes to empower individuals and a willingness to be held to account, the generosity and goodwill of philanthropy can be a strong force to assist states in respecting, protecting and fulfilling human rights.

Dr Meghan
Campbell is the
Weston Junior
Research Fellow at
New College,
University of Oxford
and the DeputyDirector of the
Oxford Human
Rights Hub.

- ¹ Goal 17 of the Sustainable Development Goals http://www.undp.org/content/undp/en/home/sustainable-development-goals.html.
- ² Christen Dobson, Lucia Carrasco Scherer and Emilienne de Leon, 'The state of global human rights philanthropy' (Open Democracy, 2013) https://www.opendemocracy.net/openglobalrights/christen-dobson-luc%C3%ADa-carrasco-scherer-emilienne-de-le%C3%B3n/state-of-global-human-righ.
- ³ UNSR on education?
- ⁴ Deepa Narayan et al Voices of the Poor: Crying out for Change (OUP and World Bank, 2000) 31.
- ⁵ ibid 265.
- ⁶ Universal Declaration of Human Rights, 10 December 1948, 217 A (III).
- Office of the High Commissioner for Human Rights, 'Principles and Guidelines for a Human Rights Approach to Poverty Reduction Strategies' (2006) HR/PUB/06/12 http://www.ohchr.org/Documents/Publications/ PovertyStrategiesen.pdf

- 8 UN Special Rapporteur on extreme poverty and human rights, 'Final draft of the guiding principles on extreme poverty and human rights' (2012) A/HRC/21/39 [8
- ⁹ ibid.
- ¹⁰ Sandra Fredman, 'Women and Poverty: A Human Rights Approach' (2016) 24(4) African Journal of International and Comparative Law 479
- " Sandra Fredman, 'Substantive Equality Revisited' (2016) 14(3) International Journal of Constitutional Law 712.
- ¹² Sandra Fredman, Discrimination Law 2nd ed (Claredon, 2011) 27-9.
- Office of the High Commissioner for Human Rights Who Will Be Accountable: Human Rights and the Post-201' Development Agenda' (2013) HUB/PUB/13/1 http://www.ohchr.org/Documents/Publications/ WhoWillBeAccountable.pdf.
- 14 Ibid.

Funding the frontlines: the value added of radical, collaborative sharing

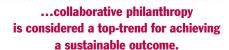
Dr. Christin ter Braak-Forstinger, LL.M (www.pva-advisory.com)

Human rights funding today is more and more shaped by regional and local contexts shifting away from the traditional 'Northern'dominated model. One of the basic goals of such funding is to empower the individuals, communities and organisations at the 'base of the pyramid' with strategies like advocacy, capacity building or coalition building. The positive impact of grassroots innovation can be tremendous. However, funding allocated to grassroots organisations directly is only a very small share in the human rights context. Is this because funding the grassroots frontlines is risky? Or is it even a layer beyond – and is it simply too burdensome and time-consuming?

Sharing versus serving

et us briefly tap into some philosophical thinking: what have the words of a cynical yoga master got to do with today's new models of collaboration that have changed the world of philanthropy and impact investing?

In fact, more than one would think on first sight. "Charity is a strange game," says Osho in one of his major books "as it means degrading the other person. Instead of serving the poor, sharing is a concept of a totally different quality. The man who learns the art of sharing is the richest man in the world." Visionary philanthropists and impact investors have quite similar views on this idea. For example, the 2016 BNP Paribas Individual Philanthropy Index, based on a survey of more than 450 individual philanthropists worldwide, confirms that collaborative philanthropy is considered a top-trend for achieving a sustainable outcome. Also Sally Osberg, president and CEO of the Skoll Foundation recently pointed out: "We can't make a big dent in the challenges without a far greater ability to join forces." It is a given today that impact and innovation cannot happen in isolation but require collective action and sharing.



On the philanthropy side, 'collective giving' became famous in 2010, when Bill and Melinda Gates and Warren Buffet founded 'the Giving Pledge' – an effort to encourage their wealthy peers to give away a significant part of their wealth for philanthropic purposes. A remarkable number of 128 billionaires or former billionaire couples and individuals have signed the visionary pledge since. The latest and probably most famous of which are Marc Zuckerberg and Melissa Chan.



Dr. Christin ter Braak-Forstinger

A remarkable number of 128 billionaires or former billionaire couples and individuals have signed the visionary pledge

Also smaller givers have not bevven excluded from the collective-giving wave. Technology allows average givers to pool their resources online in virtual giving circles. For example there is 'Giving Tuesday', a recent success intervention that unites the US philanthropic community for a day of giving at the start of the holiday season.

Another fruitful liaison is funding collaboratives: 'Living Cities' is a collaboration of 22 leading American foundations and financial institutions that have collectively invested nearly US\$1 billion to improve the lives of low-income people in two dozen cities across the United States. This is one of the best examples of this trend in which a group of individual or institutional donors and investors, who share a common interest, a pool of funds, knowledge, and other resources to support social-purpose activities, conduct collective research and typically make joint decisions about the use of their common resources.

In the social investing arena, new innovative structuring forms and vehicles like the Public-Private-Partnerships (PPP or P3) or Impact Bonds (i.e. Social Impact Bonds, Development Impact Bonds or Green Bonds) have emerged next to cross-sectoral funding platforms (the most recent of which is Convergence https://www.convergence.finance, launched in January 2016). These innovative financing vehicles and mechanisms show that the involvement of the private and the public sector can have a multiplication effect: their joint work may attract further private, or even institutional investors, who would - out of risk perspectives - have not otherwise invested. Today some advanced impact investors have implemented very conscious approaches within their know-how sharing: they mediate in a group of peers and fellowinvestors before they actually start their know-how exchange gatherings. This gives room for personal reflection and openness.

If thought through, collaborative efforts should be applied throughout the whole philanthropic engagement and/or social investing chain, actively including the final beneficiaries of the philanthropic engagement and/or social investment.

Serving through the supply of know-how or technology has long been thought to be the entry

door for empowering the poorest of the poor to help themselves with economic tools. Serving originates from the meaning to work for someone as a servant. "The steward serves the king" is an old saying. A contrario – when the king serves the community – is controlled by the person with the highest status and, even under the most noble motives, not necessarily in the best interest of the community.

The 'serving-concept' has neglected an important human part in the giving process, the absence of which may cause even the best economic ideas for implementation to fail. Serving implies a 'top-down' approach, driven by the good-intentioned and ambitioned - but not always sustainable - mission to help. This drive for doing good is too often not backed by real need at the beneficiary level. Serving is relatively easy as it usually comprises one's own world view of things without the deeper intention to open up for honest feedback from the potential beneficiaries. As a result it often lacks participation, real understanding and project identification. Such identification can only emerge through intense listening to what the community of beneficiaries says and suggests: by observing local traditions, habits and opinions, and by giving the community tools at hand that they have suggested and that are carried jointly by them. However, this requires trust. Trust allows for an unconfined flow of information and a co-equal dialogue that facilitates a deeper understanding and that opens up the space for the evolution of innovative, cross-cultural and/or crosssectoral solutions that facilitate ownership.

How do social enterprises fit into the context of human rights funding and collaborative sharing?

Hybrid organisations, like social enterprises, work in a variety of different sectors. Often they operate in areas that are traditionally administered by the public sector. In that regard there is potential to implement rights-based approaches to development, which integrate human rights principles into organisational design, procedure and processes and put pressure on traditional responsibility bearers.

Founders of social enterprises have long indicated their need for tailored support based on their values, organisational structures and differing financing requirements. On the other side of the spectrum, early investors typically have a clear view of their prerequisites for investing in social enterprises. They may be willing to combine a grant with an equity element or similar financing, or other support form.

What they are often not willing to engage with are deeper and time-consuming conversations around the exact needs of the investee company.

Collaborative sharing among investors and investee organisations allows the latter to become deal-ready from an inside-out perspective. This presupposes that beneficiaries or representatives of investee companies are honestly asked what they really need to better define their spectrum of 'deal- and investment readiness'. This also means that the investor and the investee will openly share their ideas and use more time talking to each other to co-create solutions. Such sharing allows for the emergence of innovative and scalable solutions.

The value added of collaborative sharing

Collaborative sharing provides for self-dependent solutions on a bottom-up level. Instead of a top-down approach and the associated lack of local project involvement and identification, collaborative sharing fosters an exchange of ideas, most suited to the needs of the recipients. Collaborative sharing efforts are part of a holistic process: they are concerned with their impact on a human's and organisation's inner and outer world.

Conclusion

It is crucial for human rights funders, effective altruists and social investors – no matter if individuals, enterprises, foundations or organisations - to understand how their support can create long-term, positive social impact on the beneficiaries' end. When such investors are open for a mutual exchange of information beyond their internally approved or best-intended concepts, they will experience that collaborative sharing is much more impactful than traditional 'serving'. It facilitates a partnership based on equal footing and allows for mutual-value creation and self-supporting solutions. Still, moderating one's own ego in imposing neatly pre-fixed ideas on the needy, is not always an easy task. It requires selfawareness, empathy and reflection. Collaboratively sharing ideas, experience, and financial know-how means giving grassroots organisations, ultimate beneficiaries or social enterprises the tools they need in order to be in the driver's seat for healthy growth and systemic change.

Dr Christin ter Braak-Forstinger, LLM is the Founder of PVA Advisory, an independent philanthropic advisory firm for financial intermediaries based in Zurich (founded in 2011). Christin has 15 years of experience as a financial lawyer and project manager for HNWI and a deep knowledge and personal passion in the area of philanthropy and impact investing. She also has extensive grass-roots experience in Africa. Christin is the author of several books and peer-reviewed articles in banking, law, philanthropy and impact investing. She completed her postgraduate study at Duke Law School and wrote her doctoral thesis at Harvard Law School.

She is a regular lecturer at universities and speaker at panels. Privately, Christin is the co-founder and president of an Austrian, Swiss and Ghanabased NGO supporting vulnerable children in Africa (www.braveaurora.com). Her private NGO recently got awarded with the highest award of the Upper Austria Government (Human Rights Award 2014). The Int. Alpbach Forum Austria elected her as one of the 40 Young Emerging European Leaders 2014.

The UN guiding principles on business and human rights and their role for non-profit organisations

Julie Wynne and Tomás Navarro Blakemore (<u>www.froriep.com</u>)

In June 2011, the United Nations Human Rights Council adopted unanimously the UN Guiding Principles on Business and Human Rights (the 'UN Guiding Principles' or 'UNGPs').

he UN Guiding Principles follow the endorsement in 2008 of the 'Protect, Respect and Remedy Framework' for business and human rights developed by the then-Special Representative of the UN Secretary General, Professor John Ruggie, following three years of research and worldwide consultations with businesses, civil society, governments and victims of corporate human rights abuses.

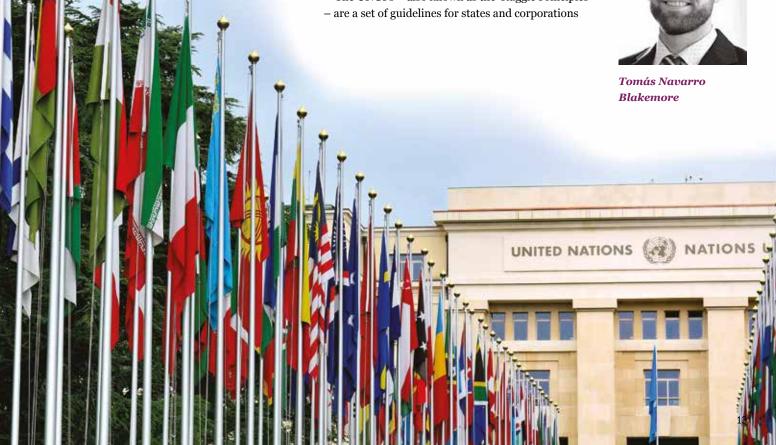
A range of international frameworks were updated to bring them into alignment with the UNGPs, including the OECD (Organisation for Economic Co-operation and Development) Guidelines on Multinational Enterprises, the Global Reporting Initiative and ISO (International Organization for Standardization) 26000.

The UNGPs - also known as the 'Ruggie Principles'



Julie Wynn





to address human rights issues in the field of business operations.

The UNGPs – also known as the 'Ruggie Principles' – are a set of guidelines for states and corporations to address human rights issues in the field of business operations.

.....

The UNGPs do not constitute an international instrument that can be ratified by states, nor do they create new legal obligations. Instead, they clarify and elaborate on the implications of relevant provisions of existing international human rights standards, some of which are legally binding on states, and provide guidance on how to put them into operation. The UNGPs refer to and derive from states' existing obligations under international law. Domestic laws often exist or will be established to ensure that these obligations are effectively implemented and enforced.

The three main pillars of the UN Guiding Principles are:

- Protect: the duty of the state to respect, protect and fulfil human rights;
- Respect: the responsibility of businesses to respect human rights; and
- Remedy: the need for rights and obligations to be matched to appropriate and effective remedies when breached.

In addition to being a reminder that corporations are, in any event, bound to comply with all applicable laws and respect internationally recognised human rights, wherever they operate,¹ the UN Guiding Principles embody a set of standards that go above legal compliance. They are meant to set a baseline responsibility for businesses to respect human rights. Beyond that, the UN Guiding Principles do not, however, call on corporations' responsibility to also promote human rights – a commitment that they can naturally undertake voluntarily.

In that sense, the UN Guiding Principles recognise that states remain, and will remain, the main responsible player with the duty to ensure respect for, and protection of, human rights. Despite that, corporations and other civil society participants today also have a role and a responsibility to play an active part in the respect of human rights. This is even more true considering that transnational corporations and

business enterprises may be financially, geographically and socially more influential than a particular state. These days, the significant impact they can have on employees, consumers and communities across the world is unquestioned.

This article will focus on how the UN Guiding Principles can shape the role of non-profit organisations in ensuring the respect of human rights within their operations.

The UN Guiding Principles embody
a set of standards that go above legal
compliance. They are meant to set a baseline
responsibility for businesses to respect human
rights. Beyond that, the UN Guiding Principles
do not, however, call on corporations'
responsibility to also promote human
rights – a commitment that they can
naturally undertake voluntarily.

Are non-profit organisations subject to the UNGPs?

.....

The UN Guiding Principles provide that the 'responsibility of business enterprises to respect human rights applies to all enterprises regardless of their size, sector, operational context, ownership and structure'.² The term 'business enterprises' is not clearly defined and does not specify what type of businesses fall within its scope. It should therefore be understood as applying to any private sector legal entity.

Indeed the UNGPs should not be restricted to the corporate world but must be seen more as a 'global standard for preventing and addressing the risk of adverse human rights impact linked to business activities' in general. In fact, the UNGPs constitute a tool not only for governments and businesses but also for 'civil society, investors, lawyers and others who engage with business on these [human rights] issues.'4

Even when non-profit organisations, such as charitable foundations and non-governmental organisations (NGOs) pursue their non-profit purpose, they still engage in typical business activities, such as having employees, renting offices, purchasing products for internal operations at their headquarters or setting up investment strategies for the grants and donations they receive and distribute. There are therefore compelling reasons why such non-profit organisations should also, alongside business enterprises, adopt the UNGPs.

Moreover, it is emphasised that when corporations decide to engage their responsibility to respect human rights, this then applies throughout the company's own operations and all of its business relationships which include business partners, entities in its value chain and any other non-state or state entity directly linked to its business operations, products or services. This underlines the fact the UNGPs call for a wideranged and serious commitment in respecting human rights throughout all aspects of the business' activities. The same should therefore apply to non-profit organisations and all their associated actions.

How non-profit organisations can implement the UNGPs within their operations

In terms of principles, as stated in the UNGPs, corporations are called to respect human rights, as those expressed in the Universal Declaration of Human Rights of 10 December 1948 and the International Labour Organization's Declaration on Fundamental Principles and Rights at Work. In particular, this requires business enterprises to:

- Avoid causing or contributing to adverse human rights impacts, and address them when they occur; and
- Prevent or mitigate adverse human rights impacts that are linked to their operations, products or services by their business relationships.

With regard to their policies, the UNGPs call upon businesses to:

- Issue a statement of policy expressing their commitment to meet their responsibility to respect human rights and which should be publicly available;
- Set up a human rights due diligence in order to address their impacts on human rights; and
- Establish remediation processes for any adverse human rights impacts caused or contributed to by them.

For corporations, a core focus of the UNGPs is the human rights due diligence process. This is reflected in the fact that Principles 18 through 21 elaborate on the components of this process, which is portrayed as a risk-management tool. This serves to demonstrate that the business took every measure possible to avoid involvement with an alleged human rights abuse⁶ and in the event it had such involvement, how it has set up an effective tracking

of its responses and a communication strategy of how it was addressed.

Foundations and other non-profit organisations should especially pay close attention to human rights due diligence when collaborating with various stakeholders and working with local service providers on the ground. The implementation of broad enterprise risk-management systems is recommended with specific guidelines for activities held in risk-sensitive regions.

Foundations and other non-profit organisations should especially pay close attention to human rights due diligence when collaborating with various stakeholders and working with local service providers on the ground.

.....

Non-profit organisations should also not neglect their impact related to their investment strategies. Indeed every investment decision has both social and environmental impact that can further the non-profit organisation's mission, or detract from it. Investing without regard to social or environmental impact can contribute to the very issues on the investment side that the grant side is working to resolve. Therefore non-profit organisations should focus on socially responsible investments (SRIs) or - even better on mission-related investments (MRIs), through which there are both a financial return and a social impact return (more specifically, one that advances the particular mission of the non-profit organisation). The UNGPs stress in this respect the need for drawing on human rights expertise, engaging in consultations with stakeholders and integrating impact assessment findings.7

Such mission-related investments, which involve environmental, social and corporate governance (ESG) or impact assessment considerations, and are currently increasingly pursued by non-profit organisations, can certainly set the stage for the human rights due diligence process proposed by the UNGPs. Further, non-profit organisations would additionally be called to establish effective tracking of their responses to adverse human rights impacts that had been caused as well as to communicate how such impacts are addressed by the organisation.

Communication about the management of human rights risks is another tool that the non-profit organisations might consider implementing within

their standard annual reports and in line with the trend towards increased transparency. The UNGPs provide an accepted framework for organisations to report on their approach to human rights.⁸

Finally, considering that non-profit organisations have a responsibility to respect human rights not only in their own activities, but also in their business relationships with others, taking into account the human rights perspective in the drafting and signature of contracts and agreements is key. The right contractual terms can create strong incentives for other parties to respect human rights, where the other party has the capacity to do so. Introducing a human rights lens can play such a crucial role, especially with regard to joint venture, mergers and acquisitions or supply chain agreements in which non-profit organisations may be directly or indirectly involved.

Here are some examples of contractual terms which are useful to address potential human rights issues:

- The requirement for the other party to adhere to human rights standards, often by reference to the non-profit organisation's code of conduct;
- The right to audit compliance by the supplier using the non-profit organisation's standards;
 or
- The right to terminate a contract in case of human rights violation by the other party.

Conclusion

The charitable purposes of a non-profit organisation are to promote a social and/or environmental impact but let us not forget that the impact of an organisation should also be viewed through a holistic approach including all aspects of the operations.

The UNGPs are in this respect an excellent tool for non-profit organisations to reflect upon their approach to human rights issues and how they are tackled across the whole organisation by their internal processes, governance and agreements.

- ¹ See UN Guiding Principles, Principle 23(a).
- ² UN Guiding Principles, Principle 14.
- ³ Statement by Ms. Navi Pillay, the UN High Commissioner for Human Rights, to the Employers' Group at the International Labour Conference, 7 June 2011, p. 5.
- ⁴ OHCHR, The Corporate Responsibility to Respect Human Rights: An Interpretive Guide, 2012, p. 3.
- ⁵ UN Guiding Principles, Principle 13 Commentary.
- ⁶ UN Guiding Principles, Principle 17 Commentary.
- ⁷ See UN Guiding Principles, Principles 18 and 19.
- 8 See the research and consultation reports from the Reporting and Assurance Frameworks Initiative, http://www.shiftproject.org/resources/collaborations/human-rights-reporting-assurance-frameworks-initiative/.

Julie Wynne is a partner of the Swiss law firm Froriep Legal SA. She is a highly regarded charity and social enterprise lawyer.

Julie advises non-profit organisations, B Corps and social enterprises for their set-up and tax issues and assists them with mergers, reorganisations, joint ventures and other forms of collaborative working, as well as constitutional reviews. In addition, she regularly provides advices on grantmaking, fundraising, intellectual property, corporate philanthropy and governance.

Julie is a Board member of the European Social Enterprise Law Association, the Swiss Impact Enterprise Association and the STEP Philanthropy Advisors SIG Steering Committee. She is also a member of the Legal Committee of Sustainable Finance Geneva.

Tomás Navarro Blakemore is an associate at Swiss law firm FRORIEP in Geneva, where he advises non-profit organisations and social enterprises on structuring, tax advice and governance. He has previously worked for nearly two years in the NGO sector for a non-profit law organisation in Phnom Penh, Cambodia thus knowing the practical issues behind cross-border giving and fundraising for international donors and charities. Tomás' legal practice also focuses on international arbitration and his working languages are French, English and Spanish.

The final frontier:

using technology to strengthen human rights frameworks

Aritha Wickramasinghe (<u>www.i-probono.com</u>)

In early 2012, a three-year-old child called Amal* was brutally raped in a New Delhi slum by her neighbour. The rape left the child with horrendous internal wounds that would require at least three reconstructive surgeries and forced Amal to carry around a colostomy bag that hung outside her body to manage her digestive functions.

n February 2014, a Delhi trial court dismissed Amal's testimony on the basis that she was an incompetent witness, and disregarded her repeated identification of her rapist. In the course of her cross-examination, Amal was asked to show how she was raped. The child was mocked, taunted and insulted by the trial court judge who said "Gudiya tum jhoot bol rahi ho (child, you are lying, right?) True or not?". When Amal's mother asked the judge to see the evidence, she was told, "Don't interrupt."

The actions of the trial judge were a complete disregard of the rights and dignity of the child victim. Amal was denied a fair trial and justice for the crime committed against her.

Amal was denied a fair trial and justice for the crime committed against her.

Amal's mother never gave up on seeking justice for her daughter and Amal's case was finally referred by a local Child Rights charity to iProbono – a groundbreaking online platform that connects individuals and organisations that need legal help but cannot afford it with lawyers that provide it for free. iProbono helped set up a legal team to seek justice for Amal and challenged the trial judge's verdict at the Delhi High Court.

On 13 October 2014, the Delhi High Court delivered a landmark judgment that reversed the trial court's decision and held that there were no circumstances to disregard the child's evidence. The Court laid down detailed guidelines on how a child ought to be interviewed and set new precedence for the sensitive treatment of children within the criminal justice system.

Amal's story is one of the many legal successes achieved by iProbono. Recently its lawyers helped set new precedence in India on compensation for boy victims of rape and helped a human rights activist escape Bangladesh and seek asylum elsewhere following the brutal murder of his fellow activists. Since its inception in 2009, this non-profit tech start-up has helped deliver over £11 million worth of free legal help to other charities and individuals in need.

Use of technology

What's interesting about the impact of iProbono is its ability to utilise technology that has changed traditional businesses and apply that to the non-profit sector - in this case, international justice. Through being a purely web-based platform, iProbono has been able to reach out to a much larger audience of both lawyers and organisations at a far lower cost. Its algorithm matches registered individuals and organisations seeking pro bono legal help with registered lawyers in the desired locations that have the skills, experience and time to help. iProbono's back office staff, based in New Delhi and London, step in to verify the authenticity of the registered individual or organisation and the capability of the pro bono lawyer. They further provide support to the lawyers through additional research, reminders, training and secretarial assistance to ensure that the matters are completed effectively and accurately. Once matters are completed, iProbono records feedback on the lawyer's skills and updates their records on the type of work undertaken.



Aritha Wickramasinghe

What has been effectively built over the last few years is one of the largest databases of the world's lawyers and their capabilities.

Technology has enabled iProbono and a spate of other tech-based human rights charities such as Videre (they use micro cameras to record and safely expose human rights violations and corruption by state officials against oppressed communities in hardto-access areas) to achieve greater and more effective results than traditional non-profit organisations, with often-lower costs. iProbono has raised just over £1m from philanthropic foundations and delivered pro bono work valued at over £11million using the most conservative of estimates (iProbono does not calculate the value of pro bono work delivered based on the actual billing rates of the matter lawyer but on a much lower rate based on what the requesting charitable organisation would have realistically had to pay or been able to afford).

In investment terms, this would mean a long-term 'return on investment' ratio of at least 1:11. This figure disregards the social impact of the type of work that iProbono lawyers undertake. Their work has helped strengthen legal systems and protect vulnerable communities. More importantly, by providing free legal advice to charitable organisations, whether it be through reviewing their day-to-day contracts or undertaking strategic litigation on their behalf, iProbono has helped

free up cash for these organisations (which would have otherwise been spent on obtaining legal advice) for their core charitable work.

Within the space of a few years, iProbono has grown to include a database of over 60,000 lawyers in 39 countries. Its model has been so successful that it is being replicated by similar charitable start-ups in the fields of pro bono accountancy and consultancy such as Singapore's Pro Bono Accountancy.

However, these new rebels in the international development landscape face major challenges in accessing funding to better deliver their already immensely successful models. This is primarily because the biggest share of available development budgets goes to traditional, heavily staffed, not-for-profit organisations with global offices that have the experience of lobbying foundations and politicians and can throw glitzy gala dinners.

Conclusion

Governments, philanthropists and foundations, who are keen on their money having a greater social impact, should look more closely at the tech-based, non-profit start-ups that are rapidly changing the traditional sector with better results and higher social impact for a lower cost.

*Name changed to protect identity.

Aritha Wickramasinghe is a former banking lawyer at magic circle law firm Clifford Chance and international US law firm K&L Gates. A pioneering activist in the field of equality and inclusion, he has spearheaded a number of initiatives and pro bono projects promoting diversity, equality and human rights globally.

He advises lawyers across the Commonwealth challenging laws that discriminate against LGBT people and, as the founding trustee of THINK EQUAL, is currently advising the UN Human Rights Office on introducing a global curriculum based on equality and human rights. He has advised the British government

on using business to promote human rights, especially LGBT rights and is heading the Equality Law division of iProbono's Justice Initiative — an organisation of 60,000 lawyers globally that provide their legal services for free to those in need.

Aritha was ranked #1 in the Financial Times 2015 Top 30 Global LGBT Future Leaders list. He was ranked alongside Inga Beale, head of Lloyds (who topped the Business Leaders list), and Mark Zuckerberg, founder of Facebook (who topped the Allies list).

Prior to joining Clifford Chance, Aritha worked at the Chambers of the United Nations International Criminal Tribunal for Rwanda in Tanzania.

The evolving agenda of the business of human rights

Leesa Muirhead (<u>www.adessyassociates.com</u>)

Human rights-based strategies are designed to redress deeply ingrained inequalities, and they aim to enable everyone to participate fully in economic, social and cultural affairs towards the progressive realisation of rights.

uman rights entail both rights and obligations. Generally, government assumes obligations and duties under domestic and international law to respect, protect and fulfil human rights. At the individual level, while we are entitled to our human rights, we need also to respect the human rights of others.

The responsibility to fulfil the rights and obligations in practice necessitates collective action – by government, business, civil society and individuals – to facilitate the enjoyment of basic human rights.

Human rights-based approaches cut across sectors and draw from multiple strategies. They may require legal or policy reform to create enabling environments; the identification and capacity building of stakeholders; comprehensive programmes for education, health, literacy, advocacy and empowerment; or more participatory accountability and oversight mechanisms.

The system of global governance has struggled for more than a generation to adjust to the expanding reach and growing influence of multi-national organisations.

The most visible embodiment of globalisation is the shift in sovereignty, which has accompanied globalisation and means that non-government stakeholders are involved more than ever, in issues relating to human rights.

This development has posed challenges to human rights law, because for the most part, the law was designed to restrain abuses by powerful governments and agents.

While globalisation has enhanced the ability of civil society to function across borders and promote human rights, other stakeholders have inevitably gained the power to violate human rights in unforeseen ways.

Thus, there are now clear and growing tensions between complex, multi-stakeholder-based approaches, which seek to close the gaps in human rights and development, and a growing economic and political imperative to demonstrate efficiency, effectiveness and return/results from investments.

While globalisation has enhanced the ability of civil society to function across borders and promote human rights, other stakeholders have inevitably gained the power to violate human rights in unforeseen ways.

Multi-nationals operate in more countries than ever before, and increasingly in socio-political contexts that pose entirely new human rights challenges. For many companies, going global has meant adopting networkbased operating models involving multiple entities, and spread across and within countries.

Networks, by their very nature, involve divesting a certain amount of direct control over operations and therefore, substituting negotiated relationships for internally governed structures. Although this organisational model has enhanced economic efficiency, it has also increased the challenges companies face in managing their global value chains.

Operating transparently with the full range of activities required to bring a product or service from conception to end use, is no easy feat. As the number of participating units in a value chain increases, so too, does the potential vulnerability of the global enterprise as a whole.

Business typically dislikes binding regulations until it sees the necessity, or inevitability of them.



Leesa Muirhead

Globalisation and global momentum has fuelled escalating reports and evidence of corporate human rights abuses, and hence 'soft' guidance has had to evolve into a legal framework of duties, in relation to human rights governance.

Meeting the standards

The UK's Modern Slavery Act, the imminent launch of the EU's Human Rights Act, together with the UN Global Compact principles, has emerged as a (global) standard for companies' management of their human rights impacts. Under these legal and guiding frameworks, companies are expected to 'know and show' that they do not infringe on human rights through their operations or business relationships.

The UK's Modern Slavery Act, the imminent launch of the EU's Human Rights Act, together with the UN Global Compact principles, has emerged as a (global) standard for companies' management of their human rights impacts.

Human rights impact assessments represent a key first step in meeting this expectation. As human rights increases as a priority among our clients, we advocate innovative approaches and strategic thinking, coupled with pragmatic initiatives to map, track, align and increase impact.

The landscape is always shifting, and our role supports clients in a range of engagements, which enable energy and effort to be expended on opportunities that advance the rights of all people, and not only focus on keeping up with the latest trends.

Acknowledging government as the primary duty bearer, businesses and organisations have corresponding legal duties, in areas ranging from international humanitarian law, through civil, political, economic, social and cultural rights, to consumer protection and environmental practices. Essentially, it is rigorous application of due diligence within their sphere of activity and influence.

Human rights are rights inherent to all human beings, whatever their nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. In today's global marketplace, these rights are all interrelated, interdependent and indivisible.

In a recent report Advancing Human Rights: Update on Global Foundation Grantmaking, the funders that were surveyed focussed on equality and freedom from discrimination (15%) and general human rights programmes (13%). This was followed by health and well-being (11%) and sexual and reproductive health rights (9%).

Programme areas receiving the least amount of funding include transitional justice and peacebuilding (2%); expression and information rights (4%); and migration and displacement (6%).

Progress towards these objectives is inextricably tied to efforts to meet the new Sustainable Development Goals (SDGs), including those pertaining to nutrition and food security (Goal 2), health (Goal 3), education (Goal 4), gender equality (Goal 5), water and sanitation (Goal 6) and global inequalities within and across countries (Goal 10).



Holistic framework

The SDGs predecessor, the Millennium Development Goals (MDGs), reflected a progressive sentiment of 'what gets measured gets done'. As the world slowly recovers from a global meltdown, the need for proven interventions, guaranteed returns on investment, and clear and measurable results, has become more pronounced. And herein lies the challenge.

To address this challenge, a framework that allows us to measure 'results' in a holistic way is needed — one that offers a more nuanced understanding of the impact of human rights-based approaches and their complexity, as well as their context, multi-sector application and evolving nature.

We advocate, that the impact of human rights-based approaches is best measured across a spectrum of change – at the individual, programmatic, structural and societal levels.

Companies can no longer ignore activists. As part of their due diligence, when conducting human rights impact assessments, they can include, for example, undertaking vigorous stakeholder consultation. International standards have emerged to require companies to talk to communities, but at times, governments intervene and claim to speak on their behalf. In other cases, communities are not interested in engaging with companies. Companies also find it difficult to identify who can speak legitimately for a specific community.

At times, communities lack capacity to engage with companies. They may not have the same expertise that companies do, and may also be in a weaker position than their government, and powerless to demand accountability for provision of basic services or protection of human rights.

This presents an opportunity for companies to partner with diverse stakeholders – multilateral and bilateral institutions, as well as civil society organisations – to become aware of community needs and establish capacity building programmes that meet communities' needs, and align with business needs.

Progressive companies are increasingly seeking to form long-term relationships, and work in partnership

with their suppliers to improve practices. Often, these efforts are hampered by complex supply chains, because the main business is distanced from their operations on other continents, in different environments and answerable to different regulations. However, such efforts need to be praised. They play a vital role in inspiring and pioneering the way for less progressive companies.

Companies do not always have leverage. Many operate with relatively small capacity and with a diverse supplier base, and such companies have limited ability to effect change. However, addressing this issue is no longer optional.

Human rights terminology and indicators are often used to monitor and measure non-compliance with international standards, and are rarely used to demonstrate the positive effect of applying human rights approaches.

While an impact framework is a useful methodology for tracing and linking human rights-shaped interventions to outcomes, we know that evidence of impact alone is often not enough.

Conclusion

There is pressure driving the need for a different approach to addressing human rights issues and their impact; where a better understanding of human rights needs to be in focus, rather than focusing solely on the extent to which human rights violations undermine efforts.

At the heart, there is a need to reconcile the still very disparate ways in which we look at human rights. We need to use this understanding to develop more effective ways to trace and assess the many and varied contributions human rights make, beyond purely evidence of impact.

Realising human rights goals requires a powerful mix of factors – strategic moments of political and social change, evidence-based investments and interventions, an alignment of shared values and collective action, as well as a conscious acknowledgement that every human being is worthy of respect and opportunity.

Leesa Muirhead is Founder of Adessy Associates – a B Corp certified consultancy – that works from the premise that positive change and business outcomes are mutually reinforcing.

Leesa is a collaborator, gentle disruptor and entrepreneur, with almost 20 years of experience – working across corporate social responsibility (CSR), sustainability, philanthropy, social and impact investment, social enterprises, multinationals, NGOs, community organisations, co-operatives and charities — developing organisations and initiatives, with innovative methods of collaboration and growth, capacity building and creative thinking. She is a Fellow of the RSA, an accredited coach with Association for Coaching and a qualified partnership broker.

Humility matters:

building a future we can all live with

Emily Flood ($\underline{www.good2give.ngo}$)

"Development then entails disseminating this modern, scientific, and sophisticated knowledge to inform and uplift the rural masses. Knowledge flows in one direction only – downwards – from those who are strong, educated and enlightened, towards those who are weak, ignorant and in darkness."

Robert Chambers 1983, p. 761

The question that underpins this article is simple, if uncomfortable: when establishing philanthropic priorities and identifying our impact, whose voices do we value? Robert Chambers may have written the above quote nearly 35 years ago, but it remains a worthy challenge to any and all who look to work in the human rights space, especially those on the funding side of the equation.

hilanthropy is filled with the strong, educated and enlightened. Generally speaking, we are all here because we want to make a positive difference to the world; we know that we are privileged and we hope to use that privilege to help those who have not had the same advantages as we have in life. Some of us bring wealth, others bring business acumen, still others bring innovative ideas and strategies. We take what we have and we use it to help build a better world.

Chambers challenges us to think about whose ideal world we are building.

At its heart, the issue of human rights centres on power and how best to balance it so that each of us can live meaningful and fulfilling lives. Human rights are not just about what we are owed, but also about our obligation to curtail the reach of our power so it doesn't restrict the rights of our fellow humans.

When philanthropists work in the field of human rights, we walk among those who are already disempowered and disenfranchised. This means that the inherent power dynamic that underlies our actions and decisions becomes supercharged.

Funders have assets that they may choose to spend according to their own agenda, and the funded must act in ways to attract that funding. This power allows funders to encourage recipients to make positive changes to their organisational strategies, such as considering and identifying the impact of their activities. However, impact assessments of this nature are inherently top-down. At their core they are upwardly accountable, taking direction from the funder in assessing desired outcomes, metrics and goals and communicated as a means of attracting funding or resources.

Empowering disadvantaged populations

By contrast, among rights-based development theorists and practitioners there are increasing calls to take steps to mitigate this dynamic. They argue that when dealing with disenfranchised populations, it becomes



Emily Flood

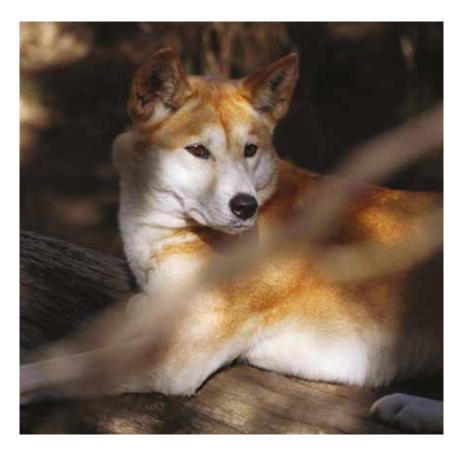
more important to directly engage the disempowered in the agenda-setting process.

This doesn't mean fully reversing the flow of knowledge. But it does mean putting measures in place to allow participants to have a real and meaningful say in the shape of their future and how we collaborate on creating it.

This changes the place of impact in philanthropic activity in a human rights context. Instead of establishing and communicating value addressed only to the third sector, the government or the tax-paying public (whether as recipients attracting funding or philanthropists establishing their own value through the impact of their initiatives), the target audience for our value statements need also to be the recipients and beneficiaries of our activities.

The value of pivoting in this manner is twofold. Firstly, it is a direct channel for philanthropists and other funders to facilitate empowerment for disadvantaged populations. If longstanding and sustained impact is the objective of our work, then we need to look at opportunities for passing the mantle of our activity to the people we seek to help and embed the capabilities within their communities wherever possible. That means they will need the skills, knowledge and incentive to engage meaningfully with civil society. It also requires that our efforts are spent on strategies that can secure the buy-in of our intended successors.

An example of this sort of programme design can be seen in the Australian organisation, Indigenous Community Volunteers (ICV). On the invitation of Indigenous Australian communities and Nations, ICV works to develop programmes that meet the objectives agreed with community leaders and are sensitive to their cultural and socioeconomic circumstances. One example of their work is a community education programme in Ali Curung, which centred on the connection between dog health and human health. Ali Curung is 'dog country' and dogs have significant cultural importance to the people of Ali Curung. ICV was able to successfully leverage the resonance of dogs to achieve diverse outcomes including improved attitudes to hygiene and animal welfare in a way that worked 'through culture' rather than against it such as by simply trying to 'enlighten' the population. Because of this stakeholder consultation, ICV was able to improve buy-in from the community and produce a meaningful programme that respected its beneficiaries and their perspectives.2



Funders can seek out similar programmes and organisations that already directly engage communities in identifying programme objectives, or they can look at proactively including communities at various stages of funding initiatives. This could include incorporating stakeholder consultation in designing grant rounds, assessing potential grants, or shaping funding strategies. Not just as lip service, but providing them with a genuine say in these activities. We could, and should, also seek their localised expertise in planning and performing impact investments.

On the invitation of Indigenous Australian communities and Nations, ICV works to develop programmes that meet the objectives agreed with community leaders and are sensitive to their cultural and socioeconomic circumstances.

•••••

This brings me to the second advantage to involving beneficiaries in strategic implementation of human rights philanthropy. As stated previously, the philanthropic community brings with it strategic and business expertise. The communities and individuals who experience human rights abuse or failures have localised expertise – expertise on their lives and their cultures and what resonates for them and their communities. They know better than we the social and historical context of their lives. By incorporating their voices in the conversation about what changes need to be made, we are presented with an opportunity to learn from them. Knowledge stops being a one-way street when we take the time to listen to what they have to say and act accordingly.

This means humbling ourselves to accept that they may have different attitudes or objectives, or understand the world in a different way to what we accept as fact. Often we may make assumptions about traditional knowledge and its relative value without considering the processes involved in that knowledge production. One example of this can be seen in the story of Yacouba Sawadogo, who turned around what was popularly held by Western experts to be land inevitably lost to desertification in North Burkina Faso by using traditional farming techniques such as zaï (a process that includes digging small holes in the

ground). His solution is simple, cheap and scalable and has rehabilitated tens of thousands of hectares of previously arid land.³ If we stop to listen to other voices that have been silenced by disadvantage, who knows what else we could learn.

Beyond this, when we open up our ranks to encourage the traditionally disenfranchised to contribute in shaping our agendas, strategies and attitudes, we help to lay the ghosts of philanthropic paternalism and particularism to bed at last.⁴

Conclusion

Philanthropists and funders that are willing to work in the field of human rights have an opportunity to evolve how the sector approaches impact assessments and funding strategies. By encouraging communities with reduced access to human rights to directly engage in funding processes, be they LGBTQI locals in our cities or communities on the other side of the world, we can be confident of our value and the voices that shape our claim to it.

Emily Flood lives and breathes social impact. Having completed a Master of Social Investment and Philanthropy in 2016, her working and intellectual life is focussed around the best ways people around the world have found to make a positive impact in their communities. She is currently living and working in Sydney, assisting corporates and individuals to strategically engage stakeholders through social investment and philanthropic funding.

¹ Chambers, R. 1983, Rural Development: Putting the last first, Florence, Taylor and Francis.

² For more on ICV see: KPMG 2015, Economic and Social Impact of Indigenous Community Volunteers (ICV) Activities: Case study – communities of Ali Curung and Pinjarra, KPMG, available at http://www.icv.com.au/socialimpact/, accessed 14 December 2016.

³ For more on Yacouba Sawadogo see: <u>http://www.108ofilms.co.uk/yacoubamovie/</u>, accessed 15 December 2016.

⁴ As introduced in Salamon, L.M. 1987, 'Of market failure, voluntary failure, and third-party government: Toward a theory of government-nonprofit relations in the modern welfare state', Nonprofit and Voluntary Sector Quarterly, vol. 16, pp. 29-49, DOI: 10.1177/089976408701600104.

Breaking the cycle

Emily Collins (<u>www.impactandgrowth.com</u>)

The human rights space, and the community of philanthropists and institutions that support it, is as complex as the issues it seeks to tackle. In the last two decades, investment in the sector has allowed significant progress. This is despite its frequent contradictions to global governments' conflicting priorities, and the influence of the incredible wealth of international criminal organisations involved in some types of abuse.

hat said, for philanthropists wanting to tackle human rights issues, there is an often-glaring omission in their giving portfolios. People can sometimes forget a vital part of ensuring violence and violations are stopped – caring for people who have already had their rights abused. In working together to achieve the greatest impact in the fight for human rights, it is essential not to ignore people for whom human rights abuses cannot be prevented – because they have already taken place.

In working together to achieve the greatest impact in the fight for human rights, it is essential not to ignore people for whom human rights abuses cannot be prevented – because they have already taken place.

Outside of the basic law and morals involved, at the core of most preventative human rights responses is the understanding that people deserve to live without fear, repression, trauma, violence and neglect. Even within the many complex approaches using the law, diplomacy and justice, the human beings at risk are the main driving factor behind the work. With this in mind, it is vital to treat survivors of human rights violations with the same consideration as those who are at risk of them.

There are several ways donors can holistically approach funding in the human rights space. These options are intended as a part of a balanced giving portfolio that continues to address the essential

prevention work in the sector, while also ensuring survivors do not drop into an abyss of unprepared, nonspecialist care facilities and hostile border agencies.



Once someone has had their human rights violated, they often become a statistic to justify the need for prevention work. Prevention work often prioritises those most at risk of harm and intervenes more swiftly for those who will feel trauma more acutely, for example children, or those with mental health issues. By this logic, survivors of human rights abuses should be close to the top of the list of people needing to be protected: if someone survives abuse, even if they escape the danger, their trauma is often continued inside their mind until they receive psychological help. Human rights abuses are one of the strongest indicators of future vulnerability: for example, survivors of trafficking are more likely to be re-trafficked, survivors of physical and emotional trauma often self-harm or attempt suicide, and state or community violence creates displaced, destitute and vulnerable people with no power to shield themselves from exploitation.

To meet the philanthropic aim of stopping human rights abuses, one must support interventions before, during and after they occur, and care holistically (that is, physically, socially, psychologically and legally) for the needs of survivors, even if they do not visibly appear endangered. These expert interventions need to be, above all, victim-centred (led by, and prioritising the needs of victims).



Emily Collins

To meet the philanthropic aim of stopping human rights abuses, one must support interventions before, during and after they occur, and care holistically.

Organisations like the <u>Helen Bamber Foundation</u>, are rare in providing unconditional, holistic support to those who need it most, and connecting vulnerable survivors with expert psychotherapists, psychologists, lawyers, psychiatrists and physiotherapists to help them overcome the physical and psychological scars caused by their experiences.

Stopping the cycle of cruelty

Family structures and similar support systems are central to our ability to thrive, from childhood to old age. Through human rights violations, the families of victims are profoundly impacted now, and in the future. At the most basic level, having loved ones disappear or be killed is traumatic enough to require support, but the Helen Bamber Foundation and organisations like them see cases with many more complicated barriers to healthy family life — same-sex couples being tortured in front of one another as punishment for their relationship, children being trafficked and returned as adults unable to form

familial bonds, survivors of rape needing to raise a baby born out of their suffering, or parents so traumatised they cannot develop the parenting skills to prevent vulnerability in their own children.

These are just a few basic examples where the transgenerational impact of human rights violations can be seen but there are many more insidious effects that require expert interventions to spot and prevent. In every case, the family and children of the survivor are just as at-risk, and just as worthy of protection, as the survivors themselves.

Supporting traumatised communities

The array of experiences covered by the term 'human rights violation' is huge, and not all are violent in the physical sense, but where widespread violence is experienced within a community, recovery is not just an individual or family matter — civil unrest can often be reborn from collective trauma. Even when ignoring the complexities of rebuilding trust in the government, or reducing the need to fight for resources, a community with deep psychological wounds is more likely to descend into conflict than rebuild. However, with the right kind of support, the process of recovering from such trauma can lead to empowerment and liberation work that prevent future violations.



One organisation working closely on this issue is <u>Vivo International</u>: an alliance of professionals experienced in 'psychotraumatology', creating and providing innovative psychological interventions in frontline traumatised communities, while training and supporting locals (who may also be traumatised) to provide them.

Making abuse abnormal

The understanding of human rights, the agency to advocate for them, the freedom to communicate about them, and the power to hold abusers to account are crucial components of prevention work in the human rights sector. But in many cultures, specific social groups – typically genders, sexualities, religions or classes – are considered less worthy of rights, or more deserving of abuses, and this is the accepted, perpetuated social norm. This can range from routine lack of access to education and children being expected to work from a young age, through to the widespread practice of female genital mutilation (FGM) and forced marriage, as well as enforcement of dress codes and prohibition of social mobility (as with caste systems).

What disempowers people experiencing these violations is not just the violence and oppression, but the acceptance by the whole community (and often themselves) that this is the way things are, should be and will always be. If everyone understands a custom to be normal, and the impacts of it are not visible or challenged, then it is perpetuated: mothers who have experienced FGM subject their daughters to the same trauma, fathers who have been kept from schooling shame their children away into child labour, and religious minorities in sectarian societies face unchallenged hostility and violence with no recourse to justice.

The solutions to these issues are not quick, or simple, and some organisations (like <u>Tostan</u>, <u>Girls Not Brides</u>, and <u>Girl Effect</u>), do great work on tackling social norms by empowering people to advocate against them within their own communities. But with violent traumatic practices (like FGM), there is an important intervention needed alongside the political and social campaigns: again, the survivors need expert care to overcome their trauma. They need this in order to have the understanding, strength and power to challenge their communities and break the cycle.

Navigating the system

The refugee crisis is front of mind for everyone lately, but organisations like the Helen Bamber Foundation would tell you that the situation has been at crisis level for a long time. Legally speaking, the immigration debate narrows the scope of 'human rights' discussions to only include human rights violations considered worthy of international protection (refugee status), and depends on the formal recognition by host governments of those violations happening at all.

For example, in 2015 Amnesty International found that 131 out of 160 countries it investigated had tortured or otherwise ill-treated people. These facts provide a very different perspective to the popular narrative on the sources of refugees in need of protection, the fairness of the systems assessing the 'validity' of their claims and the pressing need for post-trauma care.

Conclusion

Many articles, papers and studies have focussed on the legality and morality of immigration policies in the face of such a huge displacement of people. Building on that, it is important to note that in many cases, survivors of violations are often only able to accurately recall, and provide an account of, their trauma once they have been given holistic, consistent psychological support and care. The process is not linear or supported by typical immigration processes, as often people will recall their experiences in fragments, out of order, or through distressing images and panic attacks. Prevention work needs to hear, document and react to the experiences of survivors to plan interventions, and they need to be supported to remember, and explain, in order to achieve that.

Emily Collins is a fundraising and philanthropy advisor at I.G. Advisors, a strategy and management consultancy focussed exclusively on the social impact space. She advises donors and non-profits, and is a fundraising and communications specialist. I.G. Advisors is cause-agnostic, but Emily's non-profit career has focussed on mental health and human rights, most notably with the Helen Bamber Foundation. As well as being a trustee for Walk A Mile in My Shoes, a mental health campaign, she has been a LGBTQ and women's rights campaigner, a trustee of LGBT mental health charity ELOP, & a non-executive director of the national higher education ombudsmen. She volunteers for a number of small projects related to LGBTQ rights & services, and refugee & asylum-seeking women.

For the greatest social return on investment, look to women's health

 $\textbf{Meghan Ball} \ (\underline{www.maverickcollective.org})$

Women and girls have finally arrived. After years in the making, women's issues exploded onto the scene in 2016, inundating Twitter feeds, newspaper headlines and even presidential elections. Look no further than the UN's inclusion of Gender Equality in the Sustainable Development Goals for proof that world governments are finally committing to the highest standards of equality. Sustainable change for girls and women is finally on the world's agenda.

"Human rights are women's rights and women's rights are human rights, once and for all."Hillary Rodham Clinton, 1995 United Nations Fourth World Conference on Women in Beijing

illary Clinton's now-ubiquitous declaration illustrates an important distinction: not only do violations committed against women and girls merit extra attention, but they also represent violations against all of humanity when we consider women's integral role in the lives of their children and their community. By applying a gender lens to global challenges, we target the most strategic areas of growth – women and girls. According to a Harvard Business Review study, women in emerging markets reinvest 90% of every dollar earned into "human resources" – their families' education, health and nutrition – compared to 30-40% by men. Investments into women have an exponential effect, bettering their own lives and those of their sons,



Meghan Ball



husbands and fathers.

The growing consensus on this ripple effect has trickled into the philanthropic space as well. For decades, pioneering philanthropists have been diligently working for gender equality through women's funds and foundations, and today, more than 100 women's funds span 30 countries. Individual philanthropists are galvanising resources for women and girls through organisations such as Women Moving Millions, whose members have collectively contributed over US\$600 million to women and girls' programmes.

Despite the growing celebrity of this charitable movement, it turns out that these philanthropists are in the minority. Donations to women and girls' needs made up a mere 7% of total philanthropic dollars in 2011. A more recent study conducted by Philanthropy Impact and Scorpio Partnerships shows similarly low turnout: only 7% of philanthropists regularly supported women and girls' causes, and less than 1% listed women and girls as the top recipient of their donations. The reasons are personal yet practical according to the Lilly Family School of Philanthropy: some philanthropists cite a desire to provide equal opportunity to both women and men, while others are alienated by possible connections to politics or the enormous complexity of women's issues.

Donations to women and girls' needs made up a mere 7% of total philanthropic dollars in 2011.

Nevertheless, the philanthropic community's hesitation to give to women and girls is translating into a growing number of unchecked human rights violations, considering that the traditional supporters of women and girls – multilateral organisations and government aid agencies – have seen greatly diminished budgets in recent years. The philanthropists that fill this gap will thus have an enormous impact, due to their investment in a neglected sector and in the powerful 'girl effect'. Because of the complexity of women's issues, savvy philanthropists would also narrow their scope to the one aspect of a woman's life that controls everything else: her health.

In particular, global health experts have identified six health areas that offer the greatest return on investment for transforming the lives of women and girls in the developing worlds. These issues – reproductive health, gender-based violence, HIV, maternal health, non-communicable diseases and

sanitation – have drastic implications on women's own lives, their families and their livelihoods. For instance, when a South African mother dies in childbirth, her infant is up to 15 times more likely to die prematurely, and her other children must drop out of school to help with chores or to earn money. Her daughters' only option becomes marrying early, giving birth as teenagers and continuing the cycle of poverty. A woman's reproductive health is an especially powerful indicator of her well-being, where modest investments have significant impact. For instance, every pound (US\$1) that is spent on family planning saves governments nearly five pounds (US\$6) that would have otherwise been spent in combating maternal and newborn deaths and generally providing for a larger, poorer population.

Population Services International

This powerful solution is not without its challenges. Besides insufficient donor funding, the primary barrier is a weak system for distributing quality products and services. Population Services International (PSI), a major, global-health non-profit working across 65 countries, is using the power of markets to build a sustainable health system for the people that need it most, by training local health providers, improving social franchise clinics and increasing demand for services and products. PSI, historically funded by risk-adverse multilateral and governmental agencies, has lacked the flexibility to pursue innovative solutions to age-old problems, especially those that would uniquely address women and girls' issues. Consequently,

"There is a dire shortage of resources for innovation. To lift girls and women out of extreme poverty, we need new and better health products and services. We need stronger health systems and we need more advocates speaking for those who may otherwise not be heard. This is the role for today's extremely motivated philanthropist."

Kate Roberts, co-founder of Maverick Collective and PSI's senior vice-president of Corporate Partnerships and Philanthropy

.....

Faced with a lack of funds for women and girls and stagnating development approaches, Maverick Collective emerged with the mission to mobilise passionate individuals to partner with PSI and bring their means, skills and drive to work together to

implement innovative solutions. Teaming up with Her Royal Highness the Crown Princess of Norway Mette-Marit and Melinda Gates, this initiative is putting energy and significant resources behind the world's call to action for girls and women.

"The Global Goals make a clear call for more advocates, greater innovation, new resources and a sharp focus on improving the health and rights of girls and women. Maverick Collective was designed to respond to this call. When everyone contributes what they have to offer, we help lift girls and women everywhere."

HRH the Crown Princess of Norway Mette-Marit

Specifically, Maverick Collective works with philanthropists to identify their passion and match that with needs for new approaches to health challenges faced by women and girls. In this process, Maverick Collective draws on the member's skills, resources and fresh perspective to complement the technical strengths of PSI. Maverick Collective members do not sit on the sidelines; instead, they are colleagues who help find the solution and implement it. They become advocates, whose voices channel learnings from the project to the rest of the world through the media and high-level events.

So far, Maverick Collective has helped unlock US\$60 million in funding and impacted the lives of over 300,00 girls and women. The 14 founding members — all women — have worked closely with PSI technical teams in 13 countries to identify the challenges and to develop meaningful solutions for improving the health of women and girls. In Tanzania, Pam Scott, a San Francisco-based design thinker and founding member, has joined forces with PSI and teen girls to use humancentered design to develop and test radical new ways of preventing teen pregnancy. This design approach has influenced a US\$30 million initiative called Adolescents 360, funded by the Bill and Melinda Gates Foundation and the Children's Investment Fund Foundation.

"The reason that so much philanthropy has failed and people have put billions of dollars into solutions that don't actually solve anything is hubris. Who am I to ever say what someone in the developing world needs? We have started experimenting with what it looks like when we bring a radically collaborative form of human-centered design to the issue of teen pregnancy and when girls are at the very centre and part of

that conversation." Pam Scott, Founding Member of Maverick Collective

Meanwhile, founding member Kathy Vizas focused on a disease that was both preventable and curable, yet was killing a woman in India every seven minutes. Kathy partnered with PSI India to detect cervical cancer through an approach that used a simple swab of diluted vinegar on the cervix. For women with precancerous lesions, the treatment would be done at the visit through an inexpensive and painless procedure. The pilot has been so cost-effective and efficient that the government of Uttar Pradesh has begun to integrate the approach into the state's health system, aiming to provide these detection and treatment services to more than 55 million women.

Conclusion

The issues afflicting women and girls are influenced by a plethora of unwieldy factors, including cultural norms not easily or quickly changed. Yet when a woman is abused, or becomes pregnant at age 13, or dies of a preventable disease, her human right to good health is undoubtedly violated. Health is at the centre of each woman's life, and to advance our society in the spheres of human rights, philanthropy and international development, more advocates – male and female – must resolutely champion and invest in women and girls' health. As Melinda Gates said, "When we invest in women and girls, we are investing in the people who invest in everything else."

Meghan Ball leads on philanthropic partnerships for Maverick Collective's genderbased violence programmes. She previously advised NGOs and corporate responsibility teams in the philanthropic tech sector, using analytics to leverage charitable resources for maximum impact. Meghan also lived in France for two years, where she taught English and volunteered with local women's rights associations. She holds a BA from Connecticut College in International relations, French and Women's Studies.

Why tackling poor vision can help advance the human rights agenda

James Chen (www.clearly.world)

The Universal Declaration of Human Rights (UNHR), adopted by the United Nations General Assembly on 10 December 1948, was the foundation for the growth of global development activity, providing a road map of objectives to NGOs, charities and government for the last 60 years. However, as a vision that has to transcend political and cultural boundaries, it is difficult to translate it into concrete action that is scalable across the globe.



James Chen

n September last year, the UN attempted to change that – announcing an ambitious new global commitment to anchoring development targets within human rights principles and standards through its <u>Sustainable Development Goals</u>.

Officially known as 'Transforming our world: the 2030 Agenda for Sustainable Development', it was a set of 17 aspirational global goals which set out to end poverty, improve health and education, protect the planet and ensure prosperity for all.

Each goal defines specific targets to be achieved over the next 15 years, offering a vital step forwards to ensuring the tangible realisation of the human rights enshrined within the declaration.

From 'eradicating extreme poverty for all people everywhere', to 'ending all forms of discrimination against all women and girls everywhere', to 'ensuring that all girls and boys complete free, equitable and quality primary and secondary education', the goals undoubtedly aspire to phenomenal global progression.

However, laying out cross-border policy priorities for the world's leaders and central institutions is a gargantuan task. Too often, the macro-level approach of these global agenda-setting summits means that vital issues fail to make it on to the global agenda.

Tackling poor vision

Poor vision is one such issue. Based on the latest UN data available, the <u>Vision Impact Institute</u> has

estimated that a staggering 2.5 billion people across the world suffer from poor vision, with no means of correcting it.

That makes it the largest unaddressed disability in the world, affecting the equivalent of the combined populations of India, China and Japan. And the situation is only set to worsen – an international team of researchers has <u>recently revealed</u> that, if current trends continue, almost 5 billion people (half the world's population) will be short-sighted by 2050.

It's a problem that is costing the global economy dearly. According to a <u>2010 report by Access</u>
<u>Economics</u>, an estimated \$3 trillion a year is lost to poor vision – more than the total gross domestic product of the entire African continent.

[Poor vision] is costing the global economy dearly. According to a 2010 report by Access Economics, an estimated \$3 trillion a year is lost to poor vision – more than the total gross domestic product of the entire African continent.

As a non-life-threatening and often unacknowledged condition, poor vision is considered non-urgent and tends to drop off the global priority scale when measured against life-threatening communicable epidemics such as HIV, Ebola and malaria – all of which are directly referenced in the Sustainable Development Goals.

As demonstrated by its absence from the UN's latest goals, the drive to treat poor vision has historically failed to hit the global policy agenda, and therefore to attract development funding, innovation and investment. As a result, there has been little advance in our approach to vision, since the humble spectacle was invented some 700 years ago.

...there has been little advance in our approach to vision, since the humble spectacle was invented some 700 years ago.

And yet failing to tackle poor vision is preventing global humanitarian agencies from making headway on the sustainability goals, and therefore to safeguard our human rights. In particular, poor vision is hampering progress in the fight to reduce global poverty and income disparity, and to ensure equal access to educational opportunities for all.

For example, last year a <u>team of ophthalmologists</u> and optometrists <u>visited a cotton</u> spinning and textile factory in Madurai, South India. A series of basic eyesight tests revealed that around 80% unknowingly suffered from poor vision. All those

in need of vision correction were then provided with prescription glasses, and just one month later 44% of the spinners involved demonstrated a marked increase in productivity.

Current rates of poor vision are a crippling impediment to the economic growth of developing countries – reducing employment and productivity.

With the WHO estimating that the impact of poor vision on global productivity is currently costing US\$272 billion, directing the focus of global humanitarian efforts and funds towards improving access to eye care offers a remarkably simple, affordable and scalable first-step towards addressing development targets.

Workplace productivity is not the only factor to consider. Though difficult to quantify, poor vision is also having a widespread impact on education — impacting school attendance, literacy rates and personal development.

In rural China last year, a different <u>team of researchers</u> ran a trial of 3,000 students from 250 primary schools to test the impact of vision on children's educational outcomes. It was found that the act of supplying glasses to children suffering from myopia, or short-sightedness, had a greater effect on their



performance at school than factors such as family wealth or parental education.

Article 26 of the UNHR stipulates that 'everyone has the right to education', and access to quality education and literacy targets sits at the top of the global health and social agenda. Indeed, they are a top priority within the 2030 sustainable development agenda, with the fourth goal dedicated to 'ensur[ing] inclusive and quality education for all and promot[ing] lifelong learning'.

Yet, increasing school and university enrolment is not enough – we must address the underlying factors inhibiting access to education. While vision problems remain unaddressed, there continue to be millions of people across the globe who are prevented from accessing the benefits of education, even where the resources are available to them.

If we want to maximise global development in a manner that enacts and facilitates the principles enshrined within the UNHR, it is vital that this nonurgent, and often imperceptible, disability be placed at the top of the global list of priorities.

Taking on this problem and rethinking the approach to world vision will require the backing of influential figures from all corners of society and from across the globe – from leading innovators and technologists, to governments and NGOs, investors and big business.

It may seem like a daunting task, but investment in poor vision pays off. Figures from a recent PwC report commissioned by The Fred Hollows Foundation revealed the high returns on investing in improving vision — with every US\$1 invested bringing an average US\$4 of economic gain. In Pakistan for example, a country set to become one of the world's largest economies, the estimated US\$11.6 billion cost of eliminating avoidable blindness would be outweighed by a US\$70 billion boost to the country's economy.

Finding a solution to a global problem of this nature and prevalence requires an entrepreneurial approach, one that re-imagines the traditional healthcare model for the developing world. The solution lies in doing away with a reliance on established health infrastructure, specialist ophthalmic staff and highlevel equipment, and instead concentrating on maximising existing resources and expertise.

I have personally witnessed the incredible potential of this approach. Eight years ago I founded Rwandabased charity <u>Vision for a Nation</u>, which invests in low-cost equipment like adjustable glasses and trains local primary care nurses with basic eye-care expertise. By

reducing the need for specialist staff and equipment, we have ensured each and every one of Rwanda's citizens now benefits from our eye-care services.

A number of hugely promising innovations in technology and telecommunications are also emerging across the globe, with the aim of addressing some of the most common barriers to universal access to vision.

I founded the <u>Clearly</u> campaign in April 2016 with the aim of accelerating a revolution in eye care. As part of the campaign we ran a <u>global competition</u> seeking to unearth and support eye-care innovation in the areas of diagnosis, training, supply chain and distribution, and big data. The start-ups we discovered affirmed for me that solutions are well within our reach.

Remote-diagnostics app Vula is one such cuttingedge innovation. Launched by Dr William Mapham in 2014, Vula seeks to address the widespread problems caused by a shortage of specialist eye-care consultants in developing countries, by allowing primary healthcare workers to remotely chat to on-call specialists, and share with them patients' scans and results. In countries like Kenya, where there are only two ophthalmologists for every million people, Vula can make all the difference.

With proper funding and support, I firmly believe that these innovations — from diagnostics apps like Vula, to smart delivery tech and low-cost, <u>origami-style eye-screening devices</u> that put the power of diagnosis into patients' own hands — will lead the way in revolutionising eye-care provision across the globe.

In a world that can build driverless cars, develop unimaginable cures for the deathliest diseases, and even plan to put mankind on Mars, it is evident that we have the means within our reach to ensure the whole world can see clearly.

Conclusion

Vision is fundamental to our human experience, affecting everything we do – from work to education to our interaction and relationships with our families. I believe that tackling the global problem of poor vision holds the key to achieving and even surpassing the Sustainable Development Goals, and therefore to advancing the effort to achieve universal human rights for all.

It is vital that global leaders and influencers realise that this is an issue which must be addressed as an immediate priority. The solutions are in sight – we just have to harness them.

If we do, the effect could be genuinely transformative.

James Chen
is a venture
philanthropist and
entrepreneur, and
founder of Clearly,
a global campaign
seeking to address the
challenges brought
about by poor vision
and accelerate a
revolution in eye care.

Defending the defenders:

how funders can respond to increased dangers facing human rights and environmental defenders

Annette Lanjouw and **Jason McGill** (www.arcusfoundation.org)

Some maintain that God put nonhuman animals on earth to provide for the needs of their human masters. Over the past half-century, growing numbers of people have come to recognise the sentience and even personhood of all species and advocate for their rights within a single, interdependent community or ecosystem of which humans are but one part.

or this ecosystem to sustain itself, the rights of all persons, human and non-human animals must be respected. Ironically, global society has evolved to a point where human lives are put on the line every day, to ensure that respect. Human rights and animal rights defenders face increasing dangers, deserving the attention of the philanthropic sector.

The Arcus Foundation's two mission areas – social justice focused on LGBT communities and conservation of great ape populations and their habitats — are distinct. Each programme has its strategy complete with goals, outcomes and measures of success. And yet, both share a common, growing concern — the increased threat to individuals and organisations defending human rights and the environment.

For this ecosystem to sustain itself, the rights of all persons, human and non-human animals must be respected.

This concern is framed within a larger context that funders and NGOs have dubbed 'the closing space for civil society'. Over the last few years, many funders within the human rights community have begun to coalesce around this issue, focusing attention on increased government restrictions on cross-border philanthropy, tighter controls on dissent that include complex NGO reporting requirements and crackdowns on public demonstrations. Human rights and environmental defenders, in particular, have borne a heavy price for their activism and advocacy in opposition to government actions and corporate hegemony.

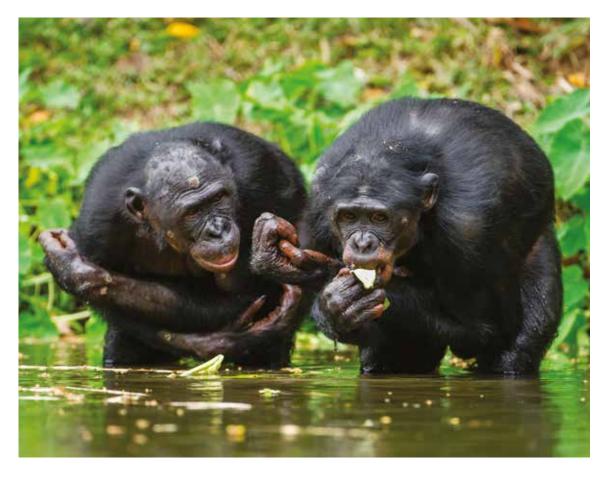
One of the most horrifying examples is that of Berta Cáceres, a defender of the environment and of indigenous land rights in Honduras, and awardee of the prestigious Goldman Environmental Prize, who was assassinated after multiple death and kidnapping threats. Two other Hondurans – Rene Martinez, a



Annette Lanjouw



Jason McGill



human rights defender who ran a violence prevention centre and transgender activist Paola Barraza, were both murdered in 2016.

We can also point to the 2014 shooting of Emmanuel de Merode, director of the Virunga National Park in the Democratic Republic of the Congo, a UNESCO-designated World Heritage Site and home to the world's critically endangered mountain gorillas. A 2016 Global Witness report listed mining as the industry most linked to murders of environmental defenders, followed by agribusiness, hydroelectric dams and logging.

As these examples increase in number, funders must make every effort to defend those individuals who are engaged in environmental conservation and human rights work in hostile contexts. Arcus has supported several intermediary organisations including the Urgent Action Fund and the Fund for Global Human Rights, to protect and safeguard those on the frontlines.

On the conservation side, we co-funded the Oscarnominated film Virunga, which enabled millions of people to learn about the park, its mountain gorillas and the threat posed to de Merode and other defenders experienced on a daily basis.

Arcus has joined other foundations in the Funders' Initiative for Civil Society, a coordinated response to the closing space that is encouraging donors to align their resources to enable cross-border grant making and civil society. By raising the visibility of these issues, and coordinating with local NGOs to impact policy and diplomacy, funders can use our influence and resources to perpetuate civil society and ensure that the work of individuals protecting our earth and all its inhabitants can advance without constraint.

Annette Lanjouw and Jason McGill are coexecutive directors of the Arcus Foundation. Arcus is dedicated to the idea that people can live in harmony with one another and the natural world. To learn more, visit www.arcusfoundation.org

Children with disabilities growing up in poor countries

Nafisa Baboo (<u>www.light-for-the-world.org</u>)

Young children with disabilities growing up in poor countries are one of the most vulnerable groups in the world.

hey are, more often than not, excluded from society, forgotten about by governments and international aid programmes, and – crucially – denied their right to an education. This is despite the existence of several human rights instruments, protecting the rights of children with disabilities – the most pertinent being the UN Convention on the Rights of Persons with Disabilities – ratified by over 168 countries.

Their 'disabled status' has a bigger impact on their chances of receiving an education than their gender, location or household. Being out of education steals away from them all the possibilities and dreams for the future that other children can take for granted; the ability to make friends, to learn how to read and write, and to master the skills that are crucial for future employment.

This is not a small group, either. It is estimated that half of the world's 65 million school-age children with disabilities are not in primary or lower secondary school; and the vast majority of these live in developing countries.

This is not a small group, either. It is estimated that half of the world's 65 million school-age children with disabilities are not in primary or lower secondary school; and the vast majority of these live in developing countries.

The impact of depriving such a large group of children of an education is devastating; and it is one of the biggest human rights travesties the world faces today. Sadly, it is not yet recognised as such, perhaps because of the pervasiveness of the stigma and longstanding, low expectations of children with disabilities that still persists.

Still, the results of this exclusion are disastrous, not only for the tens of millions of children out of school and their families, but also for whole economies.

In Bangladesh, the World Bank estimates that US\$1.2 billion annually, or 1.74% of GDP of income, could be lost due to lack of schooling and employment of people with disabilities and their caregivers.

Inclusive education

The failure to reach children with disabilities is one of the biggest stumbling blocks standing in the way of success for the UN's Sustainable Development Goals, which promise to ensure 'inclusive and equitable quality education', for all, by 2030.

Yet governments and institutional donors are not responding.

The majority of governments do not collect data on the numbers of children with disabilities in their country, nor share how much budget, if any, they allocate for their education.

This human rights issue is barely on the radar of most national decision makers, who wrongly believe that this is not a priority investment area, or that it will bring low-returns on their spend.

Even among the world's leading donor education agencies, most aid does not include amounts earmarked for disability or inclusive approaches.

A recent report launched at the UN by several leading disability and development NGOs, called #CostingEquity, details the extent of the world's neglect of education for children with disabilities and the needlessly lost income through their subsequent lack of employment.

The findings are clear that there is a severe lack of funding, data and expertise on education for children with disabilities among both national governments and



Nafisa Baboo

global donors, even including those who are seen as best practice such as the European Union, the Global Partnership for Education and USAID.

'Inclusive education' – that is, quality learning opportunities for the vast majority of children within a mainstream system – is by far the most impactful and cost-effective way forwards. It brings better social, academic, health and economic outcomes for all learners at less cost than 'special' or 'segregated' education.

In Pakistan, for instance, UNESCO found that special schools were 15 times more expensive per pupil than educating children in mainstream schools. Inclusive education also avoids the extreme pain caused by special education when families are broken apart; a phenomenon which I am no stranger to.

At the age of just eight my father, who is blind, was separated from his mother and nine siblings in the Eastern Cape, South Africa, and sent 750 km away to a special school in Cape Town. His brothers and sisters grew up together, learning and laughing their way through childhood and adolescence experiences in school, in the security of the family unit. These precious early life experiences are forever lost to my father.

But even beyond the trauma of broken families, and the inefficiency of multiple systems of administrations, the special education system simply cannot solve the problem of large numbers of out-of-school children with disabilities in low income countries. With such small capacities, they can usually only accommodate a few hundred children, often in urban areas.

Special schools will fix little to nothing for lowincome countries looking to provide a quality education for all. Whereas the benefits of achieving truly inclusive educational systems in low-income countries would be transformative and help build an inclusive society.

According to UNICEF, if good quality education, featuring well-trained teachers and strong peer support, were in place, as many as 80 to 90% of learners with disabilities could be educated in mainstream schools with only minor additional support.

Indeed, several organisations, including the global disability and development organisation Light for the World, have realised the potential of inclusive education and are setting out to prove that systematic change is not an unattainable goal or a pipe dream.

Their pilot project in Garango, Burkina Faso, achieved an increase in the number of children with disabilities attending school from 4% in 2009 to more

than 60% just five years later. They have shown that even in the most challenging political environments and with extremely limited resources, children who are held back by disability can be given a fair chance of a quality education and a future.

But for this kind of progress to be continued and replicated elsewhere, financial support is desperately needed.

The role of philanthropy

Philanthropic foundations and the private sector could help to achieve massive strides forward, if they become willing to invest in systematic change towards disability-exclusive education.

In fact, with private development assistance growing faster than overseas development assistance, philanthropists' support could play a catalytic role in securing the rights of children with disabilities to a quality, inclusive education.

In low-income countries an opportunity exists to support the build-up of an inclusive education system from the outset, empowering poorer countries to put in place support for all children experiencing barriers to learning, not just those with disabilities.

Investment in early years learning is an especially crucial area, in desperate need of funds.

Across Sub-Saharan Africa – where 30 million children are not enrolled in primary school, and an estimated one in three of these children has a disability – pre-primary education accounts for just 0.3% of education spending.



Yet research shows that participation in high-quality early childhood development care and education can help children avoid special education and grade repetition. Early years care also prevents mothers having to give up their daily work to help put food on the table for the family. It can even reduce or eliminate the disabling effects of impairment e.g. for those cases where blindness can be prevented if a cataract is detected during infancy and surgically removed.

These are outcomes which imply large costs for government and society over the future years if neglected.

On the positive side, it's been estimated that each additional dollar invested in early childhood development and education brings a return of US\$6-\$17.

Yet, unlike education for girls – which many decision-makers have, quite rightly acknowledged as an incredibly valuable investment and a non-questionable human right – education for children with disabilities still comes at the bottom of the priority list.

There is a great need for support from the philanthropy community in building up a stronger evidence base to convince governments and institutional donors of the devastating consequences of failing these children. As it stands, data on disabilities is so scarce that many children are, literally, not being counted.

Time-wise, there is an urgency to act sooner rather than later, not only because the rights of tens of millions of children are in jeopardy but also because delaying investment until a later date will make the situation even less retractable, and lead to a further spiralling of costs.

One study showed how negligible extra costs, e.g. a 1% increase, are involved if accessibility can be built from the outset into user-friendly classrooms, playgrounds, water and sanitation facilities; while retrofitting schools could be 20% more expensive.

These kind of development challenges can only be overcome through the combined efforts of governments, civil society and the private sector; but the private sector is needed now more than ever.

Conclusion

Governments and traditional donors are not putting up the needed money, research, training or time to coordinate system-wide change to empower children with disabilities to attend schools in classrooms alongside their non-disabled peers.

Philanthropists and foundations who are committed to human rights and want to see their money make a true impact have the opportunity to challenge this status quo.

Smart investments in initiatives that can yield longlasting results on disability-inclusive education would be a real game-changer, empowering tens of millions of young children to secure their right to an education and a brighter future.

Nafisa Baboo is the senior inclusive education advisor for Light for the World, an international development and disability NGO.

She is a qualified speech-language therapist and audiologist, with a Masters in Inclusive Education focused on the inclusion of blind students in regular schools.

Over the past 12 years, she has used her life experience as a person with a disability and professional qualifications to 1) research and advise on inclusive education policies and practices; 2) advocate for the rights of children with disabilities and people with disabilities in general; and 3) train teachers, education officials and communities on aspects of inclusive education.

Nafisa is from Cape Town, South Africa and has a good understanding of the realities of developing countries.

She has worked in several developing and developed countries, including Taiwan, Kenya, Tanzania, Burkina Faso, Macedonia, South Sudan, Senegal, Mozambique, Rwanda, Namibia, and Ethiopia.

Nafisa is the chair of the <u>International Disability and Development Consortium</u> Inclusive Education Task group and a Board member of the <u>Global Campaign for Education</u>.

Nafisa is an avid user and promoter of technology in education of persons with disabilities and views inclusive education for children with disabilities as a means to enhance quality education for all and social cohesion.

She has authored several prominent publications on inclusive education including: <u>Towards a Disability Inclusive Education</u>, a paper prepared for the Oslo Summit on Education for Development, and African Child Policy Forum Study: Documenting the Realities of Children with Disabilities in Africa.

A hotspot approach to tackling forced labour in fashion

Stephanie Klotz (<u>www.candafoundation.org</u>)

Slavery is one the most egregious violations of basic human rights. While many of us would like to believe that it is a thing of the past, its legacy remains. Despite progress made over decades – centuries even – we know that modern slavery is still widespread in many industries today, including the fashion industry. There is a chance that a garment you are wearing right now was made using forced or child labour.

he process of making garments is complex. In such convoluted supply chains, often marred with a lack of transparency and traceability, forced labour thrives beneath the 'first tier' factory level. International brands have been more successful in ensuring their direct suppliers are compliant with local laws and codes of conduct. But garments can pass through dozens of factories before reaching the final supplier and, ultimately, the retailer. In many instances, retailers do not even know all of the companies involved in making their products. The further down the chain you go and the more that brands lose influence, the harder it becomes to enforce standards. These conditions allow forced labour to remain unseen and unpunished.

At the same time, forced labour happens in regions where there is social and economic inequality, opaque



Stephanie Klotz



business practices, weak laws and an abundance of cheap labour. The demand for low-priced fashion fuels the pressure to pay low wages, driving suppliers to move to lower-cost countries like India. The most unscrupulous factories recruit vulnerable women and girls from marginalised communities, such as girls of lower castes in southern India.

International brands have been more successful in ensuring their direct suppliers are compliant with local laws and codes of conduct. But garments can pass through dozens of factories before reaching the final supplier and, ultimately, the retailer.

As a foundation, we have the flexibility and agility to work on different fronts and with a variety of stakeholders to tackle the problem. At C&A Foundation, we take a multi-pronged approach, concentrating not only on improving transparency and accountability in the apparel supply chain but also on policy enforcement and access to justice, advocacy, and developing tools and spaces for learning and collaboration.

But most importantly, our experience on the ground has taught us that you cannot tackle modern slavery without addressing the complex and interconnected root causes of the problem – poverty, weak rule of law and systemic gender discrimination, among them.

The 'hotspot approach'

One of the ways that we have identified to eradicate modern slavery in the fashion industry is by supporting holistic programming in 'hotspot' areas. This means we concentrate our efforts in discrete regions where we collaborate with a variety of actors to confront the underlying issues from several different angles.

In September 2015, together with our partner Freedom Fund, we launched our first hotspot in Tamil Nadu, South India, to end the practice of Sumangali. This is a form of bonded labour where adolescent girls and young women are contracted to textile spinning mills, working under substandard conditions for wages significantly below the minimum. Sumangali is unique to our industry, but the driving factors for it aren't so there is much to learn.

Through this three-year hotspot programme, Freedom Fund has been working closely with a wide range of organisations and businesses to reduce young workers' vulnerability to exploitation, strengthen mechanisms for worker protection and help survivors to emerge from abuse. To reach each one of these goals, using a rights-based approach to empower women is critical.

Raising rights awareness

Supporting women and girls to understand and access their rights, not only before they enter Sumangali but also as workers and as survivors, is vital. But equally as important is working with families, employers and law enforcement so that they can protect and enforce girls' rights.

In four districts in Tamil Nadu, local partners have organised girls into 'adolescent girls groups' where they can work with the girls to highlight the importance of education and access to vocational training. Outreach centres have helped keep girls in school longer.

Supporting women and girls to understand and access their rights, not only before they enter Sumangali but also as workers and as survivors, is vital. But equally as important is working with families, employers and law enforcement so that they can protect and enforce girls' rights.

At the same time, community-based partners began to work in groups in villages, initially focused on raising awareness among vulnerable girls and their families about girls' rights as workers, and about the hazardous conditions in the spinning mills.

Through these groups they have opened up dialogue among community members especially focusing on underlying causes that push families to send young people to work in the mills, such as poverty, limited educational benefits at local schools, and beliefs about keeping girls 'safe' until marriage. These groups are empowering collective community action against Sumangali in parts of the textile industry in Tamil Nadu.

Partners have also helped vulnerable families access their full rights as citizens, linking them to government social protection schemes to help them access essential services and provide supplementary household income. This includes skill-training programmes, pension and maternity benefits. Some partners have also assisted individuals to obtain identity cards and voter registrations, vital in accessing benefits from social schemes and welfare programmes.

Freedom Fund and their local partners have also been working at addressing the huge gap in rights

awareness among women and adolescent girls already working in spinning mills. Many don't understand that forced overtime and abusive treatment are illegal. Through this vital education on labour rights – including minimum wage, grievance procedures and dealing with sexual harassment – young mill workers are empowered both inside and outside the mills to voice their concerns effectively.

Through this vital education on labour rights – including minimum wage, grievance procedures and dealing with sexual harassment – young mill workers are empowered both inside and outside the mills to voice their concerns effectively.

Equally, some hotspot partners have engaged with a variety of duty bearer organisations. They are working with local spinning mills to enable them, as employers, to make positive changes for workers such as establishing internal complaints mechanisms or form worker support groups with mill workers. Partners are encouraging local NGOs, trade unions and concerned businesses to liaise with government officials at a district and state level so that they implement worker rights and protections, for example, mill hostels and worksites inspections, and the enforcement minimum wage laws. They are also working to enable the authorities to undertake rescue operations to remove illegal and underage mill workers from sites, as well as pursue legal action. Ultimately, empowering authorities to enforce existing laws is a critical aspect of the hotspot approach.

The challenge

After working in Tamil Nadu for about a year and a half, a mid-term review of the initiative indicated that awareness programmes have indeed been effective.

The assumption is that once people are aware, they will organise and claim their rights. This has not been the case, however, for the simple reason that there are still no alternatives. We found that young women are now aware of the dangers of the employment at the mills; they are proud of what they are learning and it has laid a foundation for future collective action. But the girls still have no option but to work there. There simply are no other alternatives.

Raising awareness of rights will have a limited impact unless we also enable alternative employment and/or work to radically change conditions in the mills. This means we must continue to work on building rights awareness, while also prioritising programmes that make alternative livelihoods possible as well as programmes that significantly improve working conditions at the mills. That implies working on multiple layers and with multiple stakeholders to change the deep systemic drivers of forced labour and to create true alternatives.

Conclusion

The challenge now is to continue and improve the valuable work that local partners have been doing on the ground while engaging other critical stakeholders to expand that work. Viable alternatives will not materialise without collaboration across the board. We must continue to work with local government and mills; but we must work with international brands and retailers, so that they too exert pressure for more responsible practices in their supply chain.

As philanthropy professionals, we must seize this moment to encourage all stakeholders to step up to the challenge, and foster investments in collaborative, rights-based solutions that work. Lives and liberty, and the future of our industry, are at stake.

Stephanie Klotz leads the strategic communications of C&A Foundation. She ensures that the organisation is speaking with a clear and unified voice, telling powerful stories that will rally efforts to transform the fashion industry. Stephanie has over 15 years of experience in communications, specialising in sustainable development, advocacy and child rights. Prior to joining C&A Foundation, she worked with leading children rights organisation, SOS Children's Villages, where she did communication for advocacy. She also worked as a CSR professional for a private company in Austria. Stephanie holds a master's degree in Environmental Sustainability from the University of Edinburgh and an undergraduate degree from the Catholic University of Chile.

Liberating human potential

Martina Fuchs (www.realmedicinefoundation.org)

It is my belief that it is every person's human right to live a life in dignity with access to food, water, shelter, healthcare, children's education and livelihood. This is what Real Medicine Foundation stands for. We believe in the human ability to transform - that the people in developing and disaster-stricken areas are most capable of creating solutions to their unique challenges. We employ, train and educate locals, enlisting cutting-edge technology and modern best practices, thus producing innovative solutions and strong communities that sustain and grow livelihood capacity. We ignite the potential of the people we are supporting – turning aid into empowerment and victims into leaders.

he challenges are systemic. We are at a crossroads as the entire approach to humanitarian work and development needs an overhaul. One reason that new approaches are implemented so slowly is that many don't know about the intricacies and challenges of the work.

Challenges human rights faces today

As per a new report, published by Oxfam, eight men own the same wealth as the 3.6 billion people who make up the poorest half of humanity. Oxfam's report shows that the gap between rich and poor is far greater than had been feared. It details how big business and the super-rich are fuelling the inequality crisis by dodging taxes, driving down wages, and using their power to influence politics.



Martina Fuchs

We believe in the human ability to transform – that the people in developing and disaster-stricken areas are most capable of creating solutions to their unique challenges.

"It is obscene for so much wealth to be held in the hands of so few when 1 in 10 people survive on less than \$2 a day. Inequality is trapping hundreds of millions in poverty; it is fracturing our societies and undermining democracy. Across the world, people are being left behind. Their wages are stagnating yet corporate bosses take home million dollar bonuses; their health and education services are cut while corporations and the super-rich dodge their taxes; their voices are ignored as governments sing to the tune of big business and a wealthy elite."

Winnie Byanyima, Executive Director of Oxfam International

Between 1988 and 2011 the incomes of the poorest 10% increased by just \$65 per person, while the incomes of the richest 1% grew by US\$11,800 per person - 182 times as much.

Women, who are often employed in low-pay sectors, face high levels of discrimination in the workplace, and who take on a disproportionate amount of unpaid care work often find themselves at the bottom of the pile. Based on current trends, it will take 170 years for women to be paid the same as men.

Oxfam interviewed women working in a garment factory in Vietnam who work 12 hours a day, six days a week and still struggle to get by on the US\$1 an hour they earn producing clothes for some of the world's biggest fashion brands. The CEOs of these companies are some of the highest paid people in the world. Corporate tax dodging costs poor countries at least US\$100 billion every year. This is enough money to provide an education for the 124 million children who aren't in school and fund healthcare interventions that could prevent the deaths of at least six million children every year.

What needs to be done

In order to create a society more focused on human rights, governments need to change the way they think and operate. Government officials need to stop placing special emphasis on GDP and deliver policy initiatives that actually work for all citizens, not just the privileged few. This is how we can end the extreme concentration of wealth which will trickle down to end poverty. By increasing taxes on both wealth and high incomes, governments can ensure a more level playing field as they generate funds needed to invest in healthcare, education and job creation.

There is stark competition among governmental bodies but if they work together, they can ensure workers are paid a decent wage. This seemingly bold move would put a stop to tax dodging and the race to the bottom on corporate tax.

Corporations on the other hand, need to place emphasis on their employees instead of their shareholders — and governments need to support this initiative. The multi-billion Euro company Mondragon, is owned by its 74,000-strong workforce. All employees receive a decent wage as the company's pay structure ensures that the highest paid member of staff earns no more than nine times the amount of the lowest paid.

To end the cycle of poverty, governments need to also ensure economies work for women. They must help to dismantle the barriers to women's economic progress such as access to education, the unfair burden of unpaid care work, and being under-paid as well.

How RMF is leading efforts

RMF's believes in 'Liberating Human Potential', encouraging leadership and ownership in our teams and the people and communities we are supporting, building capacity and long-term self-sustainability for eventual independence.

We are fully aware that the work in the development sector and our approach is 'David against Goliath', but the only way things can change is by people being the change. That's what we stand for and that's what we have been doing with high-impact projects and increased success rates for more than 11 years now.

Conclusion

The present crisis presents a monumental opportunity to allow development to take the lead in the evolution of a new approach: an approach framed in terms of justice, and focused not on symptoms but on systems. And in the frame of this systems change, values have to be re-evaluated. Are we really treating each other as a global human family, with respect, dignity and compassion for each other? Are we allowing each other equal access to the resources on this planet, acknowledging that every single human being is valuable and deserves to live a life of dignity?

RMF firmly believes Nelson Mandela's view: "It always seems impossible until it is done." In this spirit: We believe that a paradigm shift is possible in our lifetimes. And we will not rest until it is achieved because it's up to us.

Dr Martina Fuchs is the founder and CEO of Real Medicine Foundation (RMF), a non-profit organisation providing humanitarian support and development to people in disaster- and povertystricken areas of the world. She brings a unique perspective to the aid and development community; that of a trained and practised physician, specialising in paediatrics. Dr Fuchs has worked and trained at Rheinische Friedrich-Wilhelms-Universität Bonn, Germany; Children's Hospital Los Angeles, California; Dr Félix Bulnes Hospital, Santiago de Chile, Chile, among others. She holds a PhD in paediatric psychiatry and graduated magna cum laude from Rheinische Friedrich-Wilhelms-Universität Bonn, Germany. She also holds a fellowship in paediatric intensive care and is trained in alternative medicine. In 2011, Dr Fuchs was honoured with Lifetime's Remarkable Woman Award for her focus on improving access to health care around the world.

43



Join us in our vision to increase philanthropy and social investment across borders, sectors and causes

Why join us

'I believe Philanthropy
Impact has a key
contribution to make as a
forum to encourage more
– and more effective –
philanthropy and social
investment through
the exchange of ideas,
spreading knowledge and
improving the professional
advice available. This is
more important than ever.'

LORD JANVRIN Deputy Chairman HSBC Private Bank (UK) Ltd

Participants find events 'essential', 'highly educational' and 'inspiring'

Philanthropy Impact exists for the benefit of its members. We welcome any suggestions or contributions at editor@philanthropy-impact.org

To find out more about member benefits including free event registration, partnership opportunities and free resources please visit our website

> www.philanthropy-impact.org or call our team on **0207 430 0601**

> > 🥑 @PhilanImpact

Since 1998 Philanthropy Impact has been delivering services to professional advisers and other key stakeholders including philanthropists, trusts, foundations, and charities. Our vision, as a charity, is to increase philanthropy and social investment across borders, sectors and causes.

We provide resources and learning opportunities to professional advisers and other sector stakeholders in order to enhance their expertise, awareness and influence in increasing the level of philanthropy and social investment. Philanthropy Impact's 2014 – 2017 strategy as a centre of competence and impact encompasses growth by:

- Supporting advisers, ensuring they are equipped with best-practice philanthropic and social investment knowledge for discussion with their clients
- Organising learning events seminars for members and interested parties
- Creating networking opportunities to enhance understanding amongst advisers, philanthropists, social investors, trusts, foundations and charities
- Providing know-how, reports and analysis on philanthropy and social investment
- Disseminating information that raises awareness about best-practice amongst advisers
- Collaborating with third parties to support the development of philanthropic and social investment practices relevant to advisers and their clients
- Advocating for philanthropy and social investment internationally

FOR PROFESSIONAL ADVISERS

We produce a range of resources to support advisers, donors and their families:

- Opportunities to meet and network with professional advisers, philanthropists, trusts, foundations and charities
- News and updates on philanthropy, social investment and corporate giving
- \bullet Support to help fulfil CSR mandates and improve employee engagement in philanthropy
- Bespoke initiatives and advocacy activities to promote philanthropy and social investment
- Tailored professional development programmes

FOR NON-PROFIT ORGANISATIONS AND PHILANTHROPISTS

We offer a range of resources to help non-profits improve their social impact:

- Free access to our network through roundtable discussions with expert speaker panels and topical subjects.
- Opportunities to engage with members and increase influence through publications, events and advocacy initiatives
- News and resources on charity governance, giving trends and social investment.

Membership benefits

STANDARD

MEMBERSHIP LEVEL

For-profit Organisation: £1,375
For-profit Organisation
(regional and international): £990
Non-profit Organisation: £325
Non-profit Organisation
(regional and international): £215

PREMIUM MEMBERSHIP LEVEL

Membership Level
For-profit Organisation: £1,650
For-profit Organisation
(regional and international): £1,170
Non-profit Organisation: £395
Non-profit Organisation
(regional and international): £300

STANDARD MEMBER BENEFITS

- Priority registration and free attendance for events, all of which can be used for self-certified CPD
- Access to Member-only roundtable discussion groups
- Discounted bookings for partnership events and annual series
- Complimentary subscription to Philanthropy Impact Magazine and access to magazine archives online
- Regular news on philanthropy and social investment topics through our Member newsletter
- Published profile for your organisation on our Membership Directory webpages
- Access to a range of resources and publications available on the Philanthropy Impact website
- Programming, speaking and hosting opportunities for events
- Opportunities to join advocacy activities with influential stakeholders on tax planning, legal structuring, new giving initiatives and innovation in service delivery

PREMIUM MEMBER BENEFITS

- All standard membership benefits
- An enhanced profile on the Member Directory
- Organisational listing on the Guide to Giving— a decision-making tool to assist advisers and individuals to develop a giving strategy
- Marketing support and thought leadership opportunities through publications, events and advocacy
- Exclusive access to high-level invitation-only events on social investment and philanthropy topics
- Full access to resources and publications available on the Philanthropy Impact website

How to join us

Philanthropy Impact exists for the benefit of its members.

To find out more about member benefits including free event registration, partnership opportunities and free resources please visit our website **www.philanthropy-impact.org** or call our team on:

+44 (0) 20 7430 0601

www.philanthropy-impact.org



Philanthropy Impact, 7 -14 Great Dover Street, London SE1 4YR administration@philanthropy-impact.org



+44 (0)20 7407 7879 info@philanthropy-impact.org www.philanthropy-impact.org