



ANA PAULA HERNÁNDEZ

Ana Paula Hernández is the Program Officer for Latin America at the Fund for Global Human Rights. She leads its grant making in Mexico, Honduras and Guatemala and its Corporate Accountability Project in Mesoamerica. She holds an MA in Human Rights and Democracy from *Facultad Latinoamericana de Ciencias Sociales* (FLACSO) and in 2010 was named a Yale World Fellow.

E-mail: ahernandez@globalhumanrights.org

ABSTRACT

Through concrete examples of the Fund for Global Human Rights' grant-making experience in Mexico, the article discusses the importance of supporting both large organizations with national and international reach as well as locally rooted groups that have direct and ongoing contact with communities affected by human rights violations. Locally rooted organizations face an upward battle in obtaining resources, yet they play a vital role in 1) identifying and responding to community needs, 2) enabling affected communities to advocate on their own behalf, and 3) bolstering national and international policy campaigns by mobilizing a grassroots constituency and monitoring the implementation of human rights protections. Diversifying funding and ensuring resources reach both front-line activists and larger organizations contributes to a more effective civil society and brings us closer to the critical social change that funders were created to support.

Original in English.

Received in May 2014.

KEYWORDS

Grantmaking - Civil society - Human rights – Mexico – Grassroots



This paper is published under the *creative commons* license.

This paper is available in digital format at www.surjournal.org.

ESSAY

SUPPORTING LOCALLY-ROOTED ORGANIZATIONS: THE WORK OF THE FUND FOR GLOBAL HUMAN RIGHTS IN MEXICO

Ana Paula Hernández

1 Introduction

As international organizations, donors, and activists, we are all looking for the most effective ways to foster critical social change. Those of us in the human rights field work to transform the structural issues at the core of rights abuses: impunity, corruption, inequality, lack of transparency and accountability, discrimination, and racism, among others. To that end, we aim to strengthen the international and regional standards and mechanisms that promote and protect rights, while at the national level, we press for policy change to recognize and implement those standards. All the more crucial to this work is the development of local constituencies with 1) the credibility to inform the development of policies and practices that respond to community needs, and 2) the broad, grassroots power to demand changes and monitor their implementation. It is vital that we support and nurture these on-the-ground movements to play this role.

More resourceful, flagship, organizations continue to have additional needs for funding, but with the benefit of larger budgets and dedicated fundraising staff, they have had considerable success in securing international resources. With staff dedicated to writing funding proposals and reports and maintaining connections with donors, these flagship organizations can both secure significant funding and demonstrate to donors their ability to effectively manage large budgets. This positions them on a path towards long-term growth, as most donors value the size of organizational budgets and the ability to secure other sources of funding.

For smaller, state-level and community-based organizations, obtaining funding continues to be an upward battle. They lack the initial resources to retain staff to conduct their core activities; often, one person is doing the work

Notes to this text start on page 417.

of three or more. Severely understaffed, they are challenged to make fundraising a priority when faced with ongoing human rights emergencies that demand a response. As their budgets fail to grow, they lose the opportunity to show donors they are capable of managing large projects and find it difficult to demonstrate a track record. Few donors are willing to take the risk in providing these groups with seed funding to begin to reverse this cycle, and they rarely are put on the path to grow.

As the Fund for Global Human Rights's Program Officer for Latin America based in Mexico City, in the next sections, I will draw on our grant-making experience in Mexico to demonstrate the importance of supporting smaller, local groups and how we have been able to incorporate them into our grant program in that country.

2 The work of the Fund for Global Human Rights in Mexico

The Fund for Global Human Rights (hereafter, the Fund) is an international human rights organization that provides funding, technical resources, and strategic support to frontline human rights organizations in eighteen countries around the world. Founded on the core belief that on-the-ground activism is the bedrock on which respect for human rights is built, the Fund started with the simple but pioneering approach of directing financial resources to locally-rooted rights groups, and since 2003, we have awarded more than \$45 million in grants to more than 200 groups. When the Fund was launched, few resources were making their way to frontline groups. Most of our first grants were awarded to relatively established, capital-based organizations that lacked the necessary resources to implement their programs. In response to emerging needs and opportunities, we quickly expanded our portfolio to reach more grassroots and community-based groups, many of which had little to no experience applying for funding. Both types of organizations are critical to moving human rights forward, but while flagship organizations can access resources with relative ease, grassroots groups struggle to secure the funding necessary to expand their efforts and impact.

As the entire sector of those grassroots groups remains severely under-resourced, it is urgent that we move to address this need. When the Fund began its grant program in Mexico in 2003, the country already had a vibrant human rights community that had first emerged in the late 1980s. By the early 2000s, the movement was challenged to adapt to an unprecedented opening for engagement with the government after an opposition party, the National Action Party (*Partido Acción Nacional* - PAN), won the presidency following seventy-one years of single party rule by the Institutional Revolutionary Party (*Partido Revolucionario Institucional* - PRI). Many of our first grants were awarded to relatively established organizations, the majority based in Mexico City, which were well positioned to use unrestricted, general support grants from the Fund to press for legislative reform and improved human rights policies.

Early in the development of our grants program, the Fund placed the same importance on local organizations, expanding our portfolio to reach smaller,

grassroots and community-based groups based outside Mexico City in states that suffered particularly high rates of human rights abuses like Guerrero, Oaxaca, Chiapas, and Chihuahua. One of the many reasons to support these organizations is to break the cycle in which groups fail to adequately demonstrate a track record of impact for donors that would otherwise position them for institutional growth.

Above all, however, we have incorporated local groups in our grant-making strategy because of the vital role they play in three aspects: first, in identifying and responding to community needs; second, in enabling affected communities to advocate on their own behalf, and, finally, in bolstering national and international policy campaigns by mobilizing a grassroots constituency and monitoring the implementation of human rights protections. In the next sections, I will develop separately each of those roles, although they are extremely intertwined in practice.

3 Identifying and Responding to Community Needs: the experience of the Tlachinollan Human Rights Center

Locally-rooted organizations have direct and ongoing contact with the communities affected by human rights violations. Their proximity to and relationships with local communities provides them with an accurate assessment of the situation as well as the ability to identify the most pressing needs. Recently in the state of Guerrero, a tropical storm combined with a hurricane devastated the already marginalized Mountain Region of the state, home to the country's two poorest municipalities with a population that is 90 percent indigenous. The destruction of houses, roads, schools, and clinics will take many years to repair, but the greatest devastation involved the destruction of thousands of hectares of crops on which over 20,000 families depend for survival.¹ As the federal and state governments focused relief efforts on reconstruction of the tourist center of Acapulco, they continued a pattern of diverting attention and resources from the Mountain Region.

Fund grantee Tlachinollan Human Rights Center² is a locally-rooted organization that has been working to promote and defend indigenous rights in the municipality of Tlapa de Comonfort, located in the heart of the Mountain Region of Guerrero. Following the storm, its staff walked for days to assess the damage, to see conditions in the communities, and to begin formulating immediate and long-term plans to address the emergency. Tlachinollan's team mounted an ambitious media campaign to bring attention to the devastation of the Mountain Region; this outreach succeeded in attracting significant national and international attention to this often overlooked area. In the months since the storm hit, they have been working with sixty communities, helping them come together to form the Council of Affected Communities of the Mountain Region. Tlachinollan quickly realized that the most imminent threat to the region was hunger and starvation due to the destruction of the crops. The Council, with Tlachinollan's mentoring and assistance demanded that the government guarantee their right to food and negotiated a special program to provide these families with sufficient corn, the basic staple of their diet, for the next six months.

4 Enabling affected communities to advocate on their own behalf: the experience of the Comprehensive Processes for the Self Determination of Peoples (PIAP)

Frontline organizations are also positioned to strengthen communities fighting for their own livelihoods, health, and security. Such organizations enable communities to become the key stakeholders in this process, therefore allowing greater possibilities for these communities to maintain their unity in litigation processes or political struggles that often take many years to produce any tangible results. As the Fund has increased its support to the defense of land and resource rights, which are increasingly violated not only by states but also by private sector actors, including huge multinational companies, the importance of supporting locally-rooted organizations that have direct and ongoing contact with the communities has become even more evident.

Canadian company Goldcorp has operated the Los Filos gold mine in the state of Guerrero since 2005, which has impacted the health and livelihood of the local community of Carrizalillo. Fund grantee Comprehensive Processes for the Self Determination of Peoples (PIAP), a small organization working directly with communities in the states of Guerrero and Oaxaca, has provided technical assistance to the community and agrarian authorities of Carrizalillo for the past five years. They formulated a community development plan through a participatory process with the authorities and community members that allowed them to form the basis for their contract with Goldcorp, establishing not only fair prices for the rent of their lands, but other aspects such as ensuring community members would be hired to work on the mine with full guarantee of their labor rights. Soon community members started falling ill and blamed the open pit mining operations that pollute the water, soil, and air. The community now suffers from unusually high rates of premature deaths, skin lesions, and respiratory and eye problems.³

Last year, PIAP's staff spent months in Carrizalillo training community members how to document these health hazards. They worked with the community agrarian assembly, the decision making authority for all agrarian affairs in the community that is officially recognized by Mexican Law, to establish the right to health as a priority in its negotiations with Goldcorp over contract renewal. In April 2014, the assembly demanded that Goldcorp recognize the health hazards of its operations, work with the community to prevent future damages and pay for those it had already caused, and appropriately increase payment of rent on their lands.⁴ When the company refused, they blocked the entrance of the mine and temporarily shut down operations. If the company refuses to accept the terms presented by the community, they will proceed to legally demand that Goldcorp return the lands to the community and begin the implementation of its closure plan for the mine.

The capacity building, technical assistance, and mentoring provided by PIAP has been key in empowering this community to defend its lands and demand its rights despite the overwhelming economic power of the private actor they are facing. As the Fund accompanies similar processes not only in Mexico but also in other countries in the region including Guatemala and Honduras, it is clear that in the defense of land and resources it is essential for communities to know their rights and have a common voice regarding the future development they want for their population. This

is key in maintaining unity in the face of threats, harassment, defamation campaigns, and the use of bribes to attempt to divide the community and buy the support of its authorities, all of which are common strategies local activists have seen employed by mining companies throughout Mesoamerica.

5 Bolstering national and international policy campaigns: the experience of the Fund's Corporate Accountability Project (CAP)

The work of these front line organizations is vital, but often can be limited in scope precisely because of its local focus. To have the broadest possible impact, this work can be amplified by organizations with national, regional, and international reach. This is one of the reasons the Fund continues to support a number of the large, flagship organizations that were some of the first to be included in our portfolio. In the past year for example, the Comprehensive Processes for the Self Determination of Peoples (PIAP), mentioned above, has partnered with another Fund grantee PODER,⁵ a Mexico City-based organization with vast experience in corporate research, to educate community members about Goldcorp's corporate practices and establish patterns of human rights abuse that could be useful in the negotiation of greater rights' protection. Moreover, the Fund has supported PIAP to participate in the Mesoamerican Movement against the Extractive Mining Model (M4), a coalition catalyzed two years ago by the Fund's Corporate Accountability Project (CAP).

Since its inception, CAP has sought to increase the impact of frontline human rights advocates working on the ground to defend their land and resources that are threatened by corporate-led development projects, particularly the extraction of natural resources. The challenge facing affected communities is enormous given the tremendous economic power of these industries and the strong support they receive from governments that have aligned national legislation to favor them. At the outset, the Fund recognized that human rights organizations and local groups have been fighting these battles community by community.

Two important strands of work were being developed. First, locally-rooted and community-based organizations were educating communities on the effects of mining and empowering them to demand they be consulted and have the opportunity to make informed decisions regarding mining projects on their lands – the clearest example being over 60 community consultations that took place in Guatemala, where over 1 million people said they did not want mining on their lands. Second, larger organizations with regional and international reach were employing a range of legal and international strategies – such as taking cases to the Inter-American Human Rights Commission and advocating with the companies' shareholders - to hold mining companies accountable. While there were some successful cases, frontline activists could not easily transform community awareness and empowerment into binding decisions, rights-respecting standards, and accountability for abuses. Likewise, regional and international organizations were unable to ensure that successes were effectively implemented and had a positive effect in the struggles on the ground communities were leading against the companies.

With this project, the Fund sought to connect these strands of work and reinforce important, ongoing efforts by providing resources for groups working at different levels to develop joint actions. We engaged activists at the local and community levels as well as national and international organizations to work together to identify and implement comprehensive solutions, campaigns, and tactics that combat abuse on the ground and build rights-respecting standards at the global and national levels. The Fund began the project in Mexico and Guatemala, and the work quickly and organically grew to include Panama, El Salvador, Nicaragua, Costa Rica, and Honduras, resulting in the creation of the Mesoamerican Movement against the Extractive Mining Model (M4), mentioned above. Over the past two years, the project has evolved from the Fund driving the process to the frontline groups taking the lead in managing a coalition that supports members' work across borders, so that national successes could bear fruit internationally. Presently, the members are working together within the formal coalition to engage in joint activities and support each other's work.

Last year the M4 focused its efforts on a campaign to hold Goldcorp accountable for violations of the right to health in communities where three of its mines are located: the San Martin Mine in Honduras, the Los Filos Mine in Mexico, and the Marlin Mine in Guatemala.⁶ To generate media coverage and create awareness of massive health rights violations associated with these three Goldcorp mines, the M4 organized a public "tribunal" with over 600 people in which human rights luminaries from the region served as "judges," hearing testimonies from community members and reviewing evidence of pollution and health effects. The panel of judges found Goldcorp, Canada, and the states in which the mines operated guilty, and recommended that the participants peacefully organize to stop Goldcorp's operations, through both community action and the utilization of national and international law.⁷

In 2014 the M4 will develop common tools to document health harms in the communities surrounding these three mines to gather solid evidence that could support a legal claim against Goldcorp. In this regard and through its participation in the M4, PIAP's training of community promoters in Carrizalillo to document health harms is not only aimed at negotiating the renewal of the community's contract with Goldcorp, but of working with Fund grantees that will document health harms in Honduras and Guatemala. Together, the group will develop strategies to use the information to hold Goldcorp accountable for violations to the right to health. They will work closely with Canadian organization Mining Watch,⁸ an important ally to the M4 since its inception, in exploring strategies with shareholders and investors and the use of mechanisms contained in commercial and free trade agreements. They will also explore innovative strategies before the Inter-American Commission on Human Rights (IACHR) with the Due Process of Law Foundation (DPLF),⁹ which in 2013 spearheaded the first ever thematic hearing before the IACHR on the "Human Rights of Peoples Affected by Mining in the Americas and Mining Companies' Host and Home States' Responsibility."¹⁰ Hopefully, the hearing will be an initial step toward the IAHRC admitting a concrete case on this issue. In the future, the M4 will explore possibilities with DPLF to examine if this case of health violations perpetrated by Goldcorp at its mines in Mexico, Honduras and, Guatemala, could be presented before the IACHR.

The M4 provides a powerful example of what can be achieved when a diverse civil society working on many levels has the resources to coordinate community-level, national, and international campaigns. The work in Mesoamerica has been even more successful than anticipated precisely because it takes advantage of existing momentum and provides the resources and guidance necessary to take the campaign to the next level. We believe this has successfully broadened and organized the frontline response to hold corporations accountable for abuses related to resource rights and environmental justice while also connecting those efforts to regional and global coalition advocacy.

6 Conclusion

The development of the Fund's CAP program, as well as the other experiences explained above, have highlighted the importance of aligning the Fund's grant-making and technical assistance with the priorities and strategies of on-the-ground activists and affected communities. As funding becomes ever more scarce, it is vital for funders to remember the key role locally-rooted organizations play in identifying and responding to community needs and enabling affected communities to advocate on their own behalf. Most importantly, it is these organizations that can ensure the effectiveness of work to establish and strengthen standards at the regional and international levels, bolstering it through grassroots constituencies that can press for their passage and meaningful implementation. Diversifying funding and ensuring resources reach front-line activists as well as larger organizations both contributes to a stronger civil society and brings us closer to the critical social change our institutions were created to support.

NOTES

1. See: <http://www.tlachinollan.org/index.php?option=com_content&view=article&id=2295%3Apara-que-llueva-maiz-en-la-montana&catid=350%3AAdesastre-natural-2013&Itemid=663&lang=es>. Last accessed on: 12 Aug. 2014.
2. See: <www.tlachinollan.org>. Last accessed on: 12 Aug. 2014.
3. Through a census conducted with local medical staff and health promoters in Carrizalillo, PIAP has documented that 27% of the population suffers from nausea, diarrhea, and parasites; 39% from headaches and exhaustion; 45% from pain, irritation and/or inflammation in their throats; 57% from colds, coughs, bronchitis, asthma or pneumonia and an indefinitely high number of cases of skin lesions and diseases due to the hydrocyanic acid produced as a result of the evaporation of cyanide used in the cyanide leach mining for gold extraction. Data on file with the author.
4. See: <<http://www.miningwatch.ca/blog/local-community-shuts-down-goldcorps-los-filos-mine-mexico-company-claims-it-was-suspended-purp>>. Last accessed on: 12 Aug. 2014.
5. See: <www.rindocumentos.org>. Last accessed on: 12 Aug. 2014.
6. See: <<http://www.movimientom4.org/gold-corp-me-enferma> and <http://www.movimientom4.org/wp-content/docs/accion-denuncia-goldcorp-ingles.pdf>>. Last accessed on: 12 Aug. 2014.
7. See: <<http://tribunaldesalud.org/veredicto>>. Last accessed on: 12 Aug. 2014.
8. See: <www.miningwatch.ca>. Last accessed on: 12 Aug. 2014.
9. See: <www.dplf.org>. Last accessed on: 12 Aug. 2014.
10. See: <http://www.dplf.org/sites/default/files/informe_audiencia_mineria.pdf>. Last accessed on: 12 Aug. 2014.