



GRI Level C reporting

template for NGOs

EarthRights International

Filled in by:

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1 Strategy and Analysis

1.1 Statement from the most senior decision-maker of the organization. [GRI NGOSS: p. 25]

This report is a resubmitted report for 2011. In the initial report submitted it was indicated that the most senior decision-maker (Ka Hsaw Wa - our Executive Director) was on sabbatical and thus not available for submitting a statement. In his absence I am submitting a statement as the Managing Director. ERI has continued to pursue policies and activities guided by our mission to end earth rights abuses (where human rights and environmental abuses intersect), and promote and protect earth rights. We seek to do this through the empowerment and nurturing of individuals and the collectivities within which they function, seeking to combine the power of people with the power of law in order to promote justice, accountability, peace, and sustainability, using a variety of strategies. ERI believes that by developing interconnections between people working in multiple levels we can be most effective in stopping earth rights (and other) abuses. In the years 2010 and 2011 ERI took major steps to expand and deepen this work. Our legal training activities in Asia - undertaken via the establishment of the Mekong Legal Advocacy Initiative, proved so successful that the initial trainees have formed a group to pursue campaigns and other work, establishing themselves as the Mekong Legal Network. MLAI will continue to train new generations of legal activists. The MLN is particularly important and welcome as there is now a body of legal professionals who can support our EarthRights School alumni in their continuing work in the communities and organizations they have returned to. In a completely different geographic location, ERI has expanded its work in the Amazon by establishing an office in Lima, Peru. This has allowed us to more effectively engage in work there, including through the hiring of local program and legal staff. Due to the slow opening of things in Burma, we have been able to recruit students to our EarthRights Schools from directly within that country (for the first time). In support of this, we have expanded our Board membership to include two new members from Asia. Our campaign work has also expanded with our launching, as an inaugural and lead member, the International Corporate Accountability Roundtable. This has allowed ERI to work more directly with other organizations also committed to stopping human rights and other abuses arising out of private sector activities around the world. Through the ICAR network ERI is increasingly in touch not only with organizational actors in the US, but also around the world. As with many organizations, we face challenges in our work due to the economic challenges facing our foundation and individual supporters, but our expanding work is also attracting an expanding base of support.

2. Organizational Profile

I do not see a "2.1" on this electronic form. 2.1 in the previous report was "Name of Organization", which is EarthRights International (ERI)

2.2 Primary activities (e.g., advocacy, social marketing, research, service provision, capacity building, humanitarian assistance, etc.). Indicate how these activities relate to the organization's mission and primary strategic goals (e.g., on poverty reduction, environment, human rights, etc.). [**GRI NGOSS**: p. 26]

ERI is involved with training, advocacy, capacity building, litigation, research, and supporting grassroots activism. These activities are integrally tied to the organization's mission which is to end environmental and human rights abuses. We seek to do this by empowering local people and communities, in areas where environmental abuses (or the threat of these) rise to such a level as to impact human rights. Thus we train persons at our EarthRights Schools on issues of law, human rights, and advocacy. These training include things like studying international treaties, agreements, and other documents, to practical skills like how to effectively make a petition to a local, national, regional or even international body. We select persons to attend our schools, or participate in our programs training legal professionals and persons working in legal fields. based on a multiplier effect. We do this by identifying persons who are likely to bring this knowledge and these skills back to their communities or grassroots organizations. The litigation we pursue is selected in large part in order to show persons who have suffered from environmental and/or human rights abuses that they can seek justice and must not just accept these abuses in silence. We also try to select cases which will establish good precedent (within the US judicial system) and thus establish a broader base for subsequent litigation, as well as legislative and advocacy efforts. As part of this effort, we use education and advocacy tools, and encourage the affected communities & individuals to use these as well, to inform similarly affected peoples about this so that they too can seek justice in this and other ways. (Our school alumni go out and share their knowledge and skills in ways other than litigation - for example, by pursuing their own advocacy and educational campaigns.) With respect to our research, it is always geared towards helping affected persons learn about the realities in their environment (political and physical), in order to empower them through this knowledge. We also use the results of our research to name and shame earth rights abusers ... or to show a better way forward. We focus on building the research capacities of the individuals and communities with whom we work. In all these ways, and more, we support grassroots activism. (For example, we assist alumni of our training programs to strengthen their own communities and groups, or establish new groups if none existed, and help them find the resources they need (including financial resources) to pursue their activism and advocacy.)

2.3 Operational structure of the organization, including national offices, sections, branches, field offices, main divisions, operating companies, subsidiaries, and joint ventures. [GRI NGOSS: p. 26]

ERI has offices in Washington DC (USA), Chiang Mai (Thailand), and since the submission of the previous report for 2011, has established an office in Lima, Peru. The DC Office is responsible for overall organizational management, while all offices support programmatic work.

2.4 Location of organization's headquarters. [GRI NGOSS: p. 26]

1612 K St., Suite 401, Washington DC 20006

2.5 Number of countries where the organization operates. [GRI NGOSS: p. 26]

Depending on how this is defined, ERI operates in a dozen countries. It has offices in the US, Thailand, and Peru, is actively working with persons and organizations in the 6 Mekong countries, has been conducting training for legal professionals in Nigeria, has litigation arising from earth rights abuses in Peru, Columbia and Nigeria, and has recently become reinvolved with work inside Burma.

2.6 Nature of ownership and legal form. [GRI NGOSS: p. 26]

ERI is a 501 (c)(3), US non-profit non-governmental organization

2.7 Target audience and affected stakeholders. [GRI NGOSS: p. 26]

ERI's clients and affected stakeholder partners include victims of earth rights abuses (environmental and human rights abuses) and individuals and communities who seek support in raising their voices on these issues. These include students at our EarthRights Schools. The Burma School has historically educated Burmese refugees living along the Burma-Thailand border, but now increasingly draws its students from inside Burma itself. The Mekong School students come from the 6 Mekong River watershed countries (Cambodia, Vietnam, Thailand, China, Laos and Burma). The newest EArthRights School (HEART - Health and EarthRights Training) brings students from along the Thai-Burma border to specifically look at environmental health issues, going in to communities in the jungles as backpacking medics. The affected stakeholders from our litigation come from Nigeria, Columbia, Peru, and India. The affected stakeholders for our advocacy work, which is targeted at corporate and governmental accountability, are located wherever US corporations are active.

2.8 Scale of the reporting organization. [GRI NGOSS: p. 26]

ERI has 10 employees based in its US office, approximately 20 in its Asia locations (office and ER schools), and two in the Peru office. It is not a membership organization and therefore has no membership, although we have approximately 6,000 persons who receive our electronic newsletter. The number of volunteers varies. In the summer we have up to one dozen volunteers in the three offices, although this number drops to approximately 3 during the school year. ERI's annual budget is approximately \$2M. In the past year, due to the extremely generous contributions of a couple supporters, ERI now owns land in Thailand which will become the location for permanent schools and an organizational office. In addition to running the 3 schools, ERI currently is involved with 3 law suits, and a major corporate accountability advocacy campaign, among other program work.

2.9 Significant changes during the reporting period regarding size, structure, or ownership. [GRI NGOSS: p. 26]

The purchase of the land, mentioned above, and the establishment of an office in Peru, have been the most significant changes in the last year.

2.10 Awards received in the reporting period. [GRI NGOSS: p. 26]

Ka Hsaw Wa, the Executive Director, received the Mag Sawsaw award during this period

3. Report Parameters

Report Profile

3.1 Reporting period (e.g., fiscal/calendar year) for information provided. [GRI NGOSS: p. 26]

January 2010 through December 2011. (While this report should, presumably, be for a calendar year, due to the need to resubmit the report the information reported on here also reflects more recent developments.

3.2 Date of most recent previous report (if any). [GRI NGOSS: p. 26]

This is a resubmission of a report that was to cover 2010.

3.3 Reporting cycle (annual, biennial, etc.). [GRI NGOSS: p. 26]

annual

3.4 Contact point for questions regarding the report or its contents. [GRI NGOSS: p. 26]

Marie Soveroski, Managing Director, marie@earthrights.org, +1.202.466.5188 ext 104

Report Scope and Boundary

3.5 Process for defining report content. [**GRI NGOSS**: p. 26]

It was decided that I (the Managing Director) would submit this report as I am involved with all aspects of the organization and its work, being responsible for financial oversight, ensuring compliance with legal requirements, working with senior staff and the Board, etc. I've discussed the content of this report with program staff (our Directors of the Legal Program and Campaigns, as well as Office Directors). The scope of this report is based on the questions presented. The scope of our other reports and reporting are based on legal or practical considerations (eg - annual reports are submitted as required for US-registered non-profits, quarterly reports are submitted to the Board to ensure they have sufficient information to provide effective oversight, program reports are submitted back to staff so they can see where they are with respect to their budgets, etc).

3.6 Boundary of the report (e.g., countries, divisions, subsidiaries, leased facilities, joint ventures, suppliers). See GRI Boundary Protocol for further guidance. [**GRI NGOSS**: p. 26]

NA

3.7 State any specific limitations on the scope or boundary of the report. [**GRI NGOSS**: p. 26]

none

3.8 Basis for reporting on joint ventures, subsidiaries, leased facilities, outsourced operations, and other entities that can significantly affect comparability from period to period and/or between organizations. [**GRI NGOSS**: p. 27]

NA

3.10 Explanation of the effect of any re-statements of information provided in earlier reports, and the reasons for such re-statement (e.g., mergers/acquisitions, change of base years/periods, nature of business, measurement methods). [GRI NGOSS: p. 27]

NA

3.11 Significant changes from previous reporting periods in the scope, boundary, or measurement methods applied in the report. [GRI NGOSS: p. 27]

None

GRI Content Index

3.12 Table identifying the location of the Standard Disclosures in the report. [GRI NGOSS: p. 27]

While this prompts me to click on print preview, the formatting for this electronic form does not seem compatible with my computer, and as I have already lost information once, I will not try to do this. If this table is needed I will submit it, separately, when asked.

4. Governance, Commitments, and Engagement Governance

4.1 Governance structure of the organization, including committees under the highest governance body responsible for specific tasks, such as setting strategy or organizational oversight. [GRI NGOSS: p. 27]

ERI has a Board of Directors currently consisting of 12 members. (This is an increase of 2 members from the previous report submitted.) The Board is responsible for general oversight of the organization (financial and legal) and evaluation of the Executive Director. In pursuit of this, the Board must approve the annual budget, and any decision related to establishing a new school, office or litigation, as these are activities which involve significant organizational resources and long-term commitments. The Board has standing Legal, Financial, Governance and Executive Committees. Ad hoc committees can be established on an as-needed basis. (For example, in 2011 a Land Acquisition Committee was formed to assist ERI in pursuing the purchase of land in Thailand, to be used for a permanent location for the EarthRights Schools and Asia office.)

4.2 Indicate whether the Chair of the highest governance body is also an executive officer (and, if so, their function within the organization's management and the reasons for this arrangement). Describe the

division of responsibility between the highest governance body and the management and/or executives.
[GRI NGOSS: p. 27]

The ERI Board consists of 12 individual who are non-paid and do not have any executive office. (The Board role is referred to in 4.1) The Board has two members who serve as co-chairs. ERI's Executive Director reports to the Board, which is responsible for oversight of the work of the ED. The day-to-day work is done by staff, with the Directors (office and program) responsible for oversight in their areas. The Executive Director, Managing Director, Asia Office Director, and US Office Director form the Management Team, and report back to the Board (generally at Board meetings). There is no director in the Peru office. The work of this office, which is legal in nature, is under the responsibility of the Legal (program) Director.

4.3 For organizations that have a unitary board structure, state the number of members of the and/or non-executive members highest governance body that are independent and/or non-executive members. [GRI NGOSS: p. 27]

We do not have a unitary board

4.4 Mechanisms for internal stakeholders (e.g., members), shareholders and employees to provide recommendations or direction to the highest governance body. [GRI NGOSS: p. 27]

The Board meetings are open to staff members, except when it is meeting in Executive Session. (There are no other internal stakeholders or shareholders than employees.) Staff can also raise issues at the monthly staff meetings and ask the Management Team to bring these issues up to the Board. The comments on the last submitted report stated that the report "does not state any topics raised through the mechanisms in place". This is because no such topics were raised in this way. When matters requiring Board approval are being considered (for example, staff would like to pursue new litigation, or a new school) the relevant staff members join the Board conversation to consider this. This has happened several times in the last year, with the Legal Director discussing potential litigation matters with the Board's Legal Committee and then the full Board.

Stakeholder Engagement

4.14 List of stakeholder groups engaged by the organization. [GRI NGOSS: p. 29]

ERI works with many individuals and groups. These include our EarhtRights School students (who represent a wider variety of community groups), our alumni and their organizations, victims of earth rights abuses (those we represent in litigation and others), other organizations doing similar work (both those we work with in formal coalitions, as well as those we work with on an ad hoc basis), industry and governmental representatives and others.

4.15 Basis for identification and selection of stakeholders with whom to engage. [GRI NGOSS: p. 29]

EarthRights International attempts to identify and support those individuals, communities and groups who most need support (either because they are disenfranchised, are victims of abuses for which they have no direct means for recourse, or for other reasons such as the intensity of the abuses they are suffering or the urgency of the need for action). ERI tries to become involved where it can have the greatest impact - for example, pursuing litigation that is likely to have positive repercussions beyond the immediate case, training/educating activists who will be able to go out in to their communities to raise even more voices, pushing for legislative or other measures which would prohibit the most harmful activities and encourage sustaining ones, engaging with private sector actors where it seems this could lead to changes in behavior with net positive impacts, etc. The previously submitted report was criticized for failing to provide information on the organization's "process for identifying stakeholders groups". In fact, there is no formal process by which this is done. Much of this is done by word-of-mouth. Impacted individuals from abused communities contact ERI to explain their situation and see if we can help them. ERI learns, from work it is doing (eg - from students at the schools, lawyers in our legal trainings, individuals in other organizations we work with, etc) that abuses are taking place and we investigate, making contact with the local communities to see if these are things we would be able to address. In certain cases there is a certain process. For example, when seeking students for the new class/year of the EarthRights Schools we contact local community groups we've worked with, or school alumni, to see if they have recommendations. We have also looked to funders who support work in the region to see if they have any recommendations. The stakeholders for our advocacy work that we actually engage with are other organizations or individuals that we have historically worked with or who have become involved in the issue areas where we work.

Data on Performance

Data on Performance. Please check the Indicator Protocols before completing this box.

Indicator 1:

The major area where this is relevant is with respect to our training activities (the EarthRights Schools and the training of judges, lawyers and activists). All the participants in these trainings are asked to give feedback on training they receive, and provide suggestions for how to improve these trainings. In those situations where there are repeated training for the same group, they are involved with identifying the focus of these continuing trainings in order to incorporate improvements. The previous report submitted was criticized for only including information on processes for involvement of shareholders within one of the organization's working areas. This is because it is only in the area of training where shareholder feedback on design, implementation, monitoring and evaluation is really possible. With respect to ERI's litigation, the shareholders (clients) are generally not able to craft the legal arguments, participate in preparing briefs and reply documents, and contribute to the legal strategizing which takes place within the legal team. Of course they are integrally involved in decisions related to what claims are made, who is deposed, and how they, as plaintiffs, will be involved in the litigation. Similarly, the "stakeholders" for our campaign work are members of the general public, who are subject to the policies we are actively trying to pursue. We have extensive dialogue with our advocacy partners in crafting the campaign approaches (including who/what to target, what tactics to pursue, etc.). These decisions are taken as part of the coalition decision-making that is a fundamental part of our campaign/advocacy work.

Indicator 2:

In the previous report it was stated that the only real policies relevant to ERI's work are internal policies such as those related to personnel or accounting procedures. These policies provide the means for addressing violations (for example, the personnel policy elaborates the process for addressing staff member complaints, the whistleblower policies has similar provisions) etc. That previously submitted report was criticised for indicating that only internal policies were relevant. There are external policies (like corporate 'policies' (really more "practices") towards communities they affect) which are often not written policies, that we respond to. There are also governmental policies which we similarly monitor and react to (or try to influence). While there is no formal mechanism in this regard, this oversight and evaluation is part of the ongoing process of (internal) program review that is a fundamental part of our day-to-day and ongoing work.

Indicator 3:

ERI monitors and evaluates its program work in a number of ways. One of these ways is by keeping records of the number of students attending the EarthRights Schools, alumni supported, lawyers trained, results of litigation, and other such numerical data (comparing these results, for example, against years past) . Such quantification of the impact and effectiveness of our work is much less straightforward. We do keep track of what our students and other trainees do after the school/training. (How many go back to work with their communities and/or organizations after graduating? How many are involved in active campaigns or their own training? Who applies for and receives grants for their continued work (using skills we've taught at the schools)?...) In the case of the Mekong Legal Advocacy Institute we know, for example, that 4 trainees made submissions to the Mekong River Commission based on things they learned at the training. With respect to advocacy efforts, it is difficult to measure exactly what effect our work has on legislative results or corporate behaviour, although we do monitor these things in the (sectoral) areas where we are active. For litigation, we measure our effectiveness and impact by the results of the litigation and the results for our clients. As funders are increasingly looking for quantification of results, we are seeking external support and advice on better systems for quantifying our successes and effectiveness - as well as what could be considered failures.

Indicator 4:

ERI is committed to gender and ethnic diversity in all that it does. It is an equal opportunity employer, and has, as a goal, hiring and retaining a gender balance with respect to employees, and ethnic diversity that reflects the ethnic composition of the communities we work with. (This can be challenging at times as much of our work involves communications, where the ability to communicate in English is important. Thus native speakers can tend to have a certain advantage over non-native speakers....) For our training activities - which are the ones where we have the greatest direct contact with stakeholders - we select participants with this gender and ethnic diversity in mind. We are most successful in this regard in the EarthRights Schools, where we have an equal mix of women and men, and an ethnic composition of the classes that reflects the geographic areas the schools cover (equal numbers of persons coming from each Mekong country in the Mekong School, and equal representation from the ethnic groups inside Burma for the Burma school). Where we don't directly get sufficient applications to ensure this balance we seek out (through contact with individuals and organization we work with in these areas) we encourage additional applications from within the potentially underrepresented groups. Decisions with respect to our litigation are based on abuses suffered by affected communities, regardless of the composition of those communities, and thus there are no formal procedures to ensure ethnic and gender diversity. Similarly, our advocacy and campaign work is directed at ending earth rights abuses, regardless of the ethnicity and gender of the victims. We do, whoever, set up meetings with both men and women, and representatives of any divergent ethnic groups who may live in the area, when we are meeting with persons in affected communities - something we do in pursuing litigation, as well as fact-finding in support of that litigation and our campaign and advocacy work.

Indicator 5:

The Campaigns team members (based out of the US and Asia offices) are in daily communication with each other, monitoring developments in the outside world in order to determine the basis for campaign adjustments. The needs and desires of the people and communities we work with are of paramount importance, and thus we actively seek feedback from them (for example, through community meetings and more regular contacts with community leaders). We monitor the effectiveness of our campaigns through on-the-ground research (direct observations and interviews with local residents) and make changes accordingly. For example, if corporate actors seem to be keeping their promises of cleaning up polluted areas, or adopting more worker-friendly employment practices, then we will work with them, often publicly, to communicate this to the outside world. If they seem to not be walking their talk (or refuse to even engage in conversation and corrective behaviour) then we will intensify our 'name and shame' efforts. Another example is that we are currently in the process of evaluating the seeming changes inside Burma - with both our Executive Director and Campaigns Director travelling inside - in order to determine whether we should

actively engage with the state/government representatives there, to encourage further positive moves on their part, or whether the positive developments are superficial and only masking continued repressive actions and policies, in which case we would continue our approach of pushing change from the outside. We determine whether to change our tactics (from protest from without to working from within) based on the determination we will come away with, based on interviews, meetings and direct observations within Burma.

Indicator 6:

The prior report submitted was criticized for failing to give information on the processes for identifying the potential for duplication, promoting learning from others, or identifying opportunities for partnership. However, that prior submission did provide this information ... which will be elaborated on further here in order to show that. ERI works with many organizations, in formal and informal coalitions. Coalitions are formed based on a determination of which groups are working on what issues. Within the coalitions a lot of the discussion is about who is working on what issues, and how to determine the division of labour within the coalition (which organization is doing what) - in order to avoid a duplication of effort). It is part of our work to monitor what others are doing, in order to ensure that we work where we will provide value added, and not duplicate efforts. ERI works in the area where abuses of human rights and the environment coincide, and therefore we are already focusing on an area where it is relatively easy to monitor the work being done in order to ensure we only complement and supplement other such work (or encourage others to do the same, with respect to our work). The learning from others comes from discussing work with our coalition partners and following the work of other (non-partner) organizations - to see what they are focusing on, and the impacts of that work. The opportunities for partnership are similarly identified when we are looking to see who is working on what issues - with us actively reaching out to other groups (the basis on which coalitions are formed). We are also often contacted by prospective partners based on their observations of our work and their desire to work out a useful collaboration.

Indicator 7:

Resources are allocated according to programmatic needs as well as funder requirements. Some funders provide support for specific activities, projects or programs. The income from such grants are allocated (within our QuickBooks accounts) to these activities, with program/project specific costs entered in to the accounts as expenses with the same entry coding. Thus it is possible to see what restricted money was given, and how that money was only used for those specific purposes. For unrestricted (core) funding, this money is used to cover general organizational expenses, with any amount remaining being allocated to programs/projects which have not received sufficient targeted/restricted money to cover the program costs. We track the income on an ongoing basis to determine with programs we should actively solicit financial support for (to try to match, as much as possible, targeted financial support for programs with those programs' needs), in order to keep the need for the use of unrestricted money to a minimum.

Indicator 8:

ERI gets the bulk of its funding from foundations. The largest are Wellspring (\$200K), Oak Foundation (\$130K), Sigrid Rausing Trust (\$104K) Wallace Global (\$100K), and ICCO (\$100K). In total, in 2011, ERI received \$1.7M in foundation funding, \$163K in individual contributions, \$5K in contributions in kind and matching grants, and \$7.5K in interest income. ERI does not take direct governmental support nor funds from corporations.

Indicator 9:

I do not see anything in the right hand column referring to Indicator 9 so I will reply to "EC7" (procedure for local hiring). ERI is committed to hiring locally, in its Asia office. (In the US office an attempt is made to hire non-American who will bring in a broader mix to the office, coming from other countries, particularly those where ERI is actively working.) The Asia Office Director is an ethnic Karen man from Burma, as this is very important for our work there. (He is well respected both in the Burmese diaspora in Thailand, but also among those we are working with in Burma.) Similarly, hiring for the Asia campaign team targeted other persons from within Burma, as much of our fact-finding out of the Asia office is targeted at Burma. The Regional Campaign Coordinator is also Karen. Our legal work out of the Asia office is largely focused on the Mekong countries, thus we have hired persons who are either from these countries (a Thai lawyer) or who have actively worked in these countries (an Australian lawyer who lived and worked in Cambodia for some years and a Filipina lawyer who has been active with Mekong regional bodies for some years.). We have Burmese staff working at the Burma School. The Coordinator of the School is Shan (another major ethnic group in Burma). Former Mekong School alumni work at the Mekong school. All administrative staff were hired locally.

Indicator 10:

I assume 'Indicator 10' = "EN16". We do not calculate our greenhouse gas emissions. We have 5 working locations (US office, Chiang Mai office, Peru office, and two schools in Chiang Mai). We use electricity in all these locations but do not keep records on how many kilowatts are used in each, nor the source of that electricity and thus do not have a weight calculation for the carbon emissions. (We do use solar power for some of the electricity needs in the Mekong School. Particularly in the training area (bringing students and trainers to the schools, and gathering trainers or trainees for other training activities) travel (primarily of participants) contributes to carbon emissions. However, we do not keep track of how many kilometers are travelled, and by which transportation means the travel was undertaken, and thus also cannot give an estimation of carbon emissions. We are not involved with any manufacturing and thus are not given off emissions related to this. We use solar power for some of the power at the Mekong School.

Indicator 11:

I assume Indicator11 = "EN18" - initiatives to reduce GHG emissions. As we have not yet quantified our GHG emissions it is not possible to state what reduction we have actually achieved. ERI has seriously considered buying carbon offsets for its travel, but the cost of this, which would require taking money away from program support (and thus from direct support to our partners and client), plus the lack of certainty that there actually would be effective offsets, are the main reasons this has not been adopted. ERI does purchase environmentally-friendly goods and supplies, which are produced with reduced pollution and carbon emissions. We have made arrangements in the US office which allows employees to bring their bicycles in to the office. About one-half the US office staff bicycle to work. Most of the others use public transportation. ERI has recently purchased land in Thailand and will be developing that land so that the Asia office and two schools can be in one location. This will minimize the need to travel between locations. The buildings to be developed there (and the infrastructure support - electricity, water and sewer) will showcase the most environmentally friendly building materials and design possible.

Indicator 12:

I assume Indicator 12 = "LA1" - labor. There are 22 employees in the Asia office - these include the Asia Office director (Karen), campaign staff (3) (Karen, Thai and Shan), school staff and related support staff (12) (Shan, Karen, American, Thai), legal staff (3) (Australian, Thai and Philippine), administrative, communications, and other general support staff (5) (Chin and Thai). In the US office there are 11 staff members - three at senior management level, 3 legal staff members, 1 campaign staff member, 2 development (fund-raising) staff members, a communications coordinator and an administrative assistant. All US office staff are US nationals. The Peru office has two employees, both of whom are Peruvian. ERI does not use employment contracts. Everyone is hired on an at-will basis, which means either side can terminate the relationship should they choose to do so. All employees, with the exception of the US-based admin assistant, are full-time. The EA is half-time. The number of volunteers varies. The US office generally has (non-paid) interns on a year-round basis - with up to 6 working in the office during the Summer months, and up to 3 working in the office during the academic year. The Asia office gets sporadic volunteers, usually also students who come during the summer months. The Peruvian office currently has two legal interns working there, who are unpaid by ERI but receive stipends from their law school.

Indicator 13:

I assume Indicator 9 = "LA10" - working hours of training. Staff are trained on an as-needed basis. In the Asia Office most non-Thai staff take Thai language courses that are paid for by ERI. (These tend to be 20 hour courses). One US-based attorney attended an intensive 10-day Spanish course to facilitate working with the Peruvian office. Communications staff (one in the US and one in Asia) generally take one tech update course (one to three day programs) each year.

Indicator 14:

I assume Indicator 14 = "LA12". All employees receive annual performance reviews. These are conducted by their supervisor, but involve a collaborative process where the evaluation is more along the lines of a dialogue, where the employee can raise issues and concerns. The ED is evaluated by the Board. Career development is pursued in the form of trainings referred to in LA10, above.

Indicator 15:

I assume Indicator 16 = "LA13". The ERI Board consists of 6 men and 6 women. Two women joined the Board in 2011. Two Board members are Asian - a Karen woman and a Filipino man. One member is a Dutch man. The other 9 are American (3 white men, one African-American male, and 5 white women). We do not know the

ages of the Board, however I would guess that the Asian members are in their late 30s, 2 of the white American men are in their 50, the other is in his 70s, the black man is probably in his 50s, the American women probably range in age from mid-30s to mid-50s. The Dutch man is probably in his late 40s. The Management Team (ED, office directors and Managing Director) consist of two Karen men, and two American women. The first three are in their 40s, the MD is in her 50s. Asia staff are an equal mix of Asian and white foreigners (American and Australian). There is also an equal mix between men and women. The age of Asian staff ranges from early to mid-20s to early 40s.

Indicator 16:

I assume Indicator 16 = SO1 (impacts). Virtually all graduates from the EarthRights Schools, and from most of the training programmes we run, return to their communities and continue their activist work there, so we have a positive impact on those communities. The communities physically around the schools themselves see very little impact because, for security reasons, the schools operate "under the radar". (Many students come from countries where they cannot freely be activists, and even in Thailand, where the schools are located, we try not to draw attention to ourselves.) There are issues about the legal status of some students and staff (in the office as well as schools) which compounds this (the need to be as inconspicuous in the local community as possible). As with the schools (where the actual work is in one place (at the schools) and the real impact is in another (the communities the students go back to), the impact of our litigation is similarly geographically divergent. We pursue cases in US courts, while the communities of the plaintiffs (our clients) is generally very distant. While in general the impact on the affected communities is positive - the pursuit of justice and the feeling that the victims of abuse can win over - there is a certain negative impact in that in litigation it is the named (or anonymous, but known) plaintiffs who can win a judgment or benefit from a settlement. In the course of the litigation ERI always tries to seek compensation for the communities as well, but this isn't always the case, and sometimes there are bad feelings because some people have financial gain, while others in the community are left out. None of our work involves entering, operating, and exiting a community, as might take place in projects run for a particular time. The closest we come to something like that would be when we organize with a community over a particular advocacy campaign. In such cases we may go in to a community for a meeting, to discuss ideas and possible responses to potentially (or actually) problematic situations. We may not return to that community again, although we generally remain in contact with the persons who were our main contacts there. Thus our impact is minimal.

Indicator 17:

I assume Indicator 17 = SO3 (percentage of employees trained in anti-corruption policies and procedures). ERI does not have an explicit anti-corruption policy or procedure. We have adopted, within the last 6 months, a whistleblower policy, which has been distributed, and explained, to all employees. All employees also are given (and must sign) the personnel policy, which explicitly prohibits persons from having any personal gain from their association with ERI (other than via their salary). 100% of employees are informed of these policies.

Indicator 18:


I assume Indicator 18 = PR6 (which is titled "product responsibility" but seems to actually be about fund-raising). ERI through regular consultation with its lawyer, its accountant and auditor, through information it receives from other organizations and information sources it subscribes to, keeps up with the legal requirements related to fundraising (what registrations are necessary, what disclosures need to be made, etc). (ERI does not market anything and so the reply here is limited to fundraising.) ERI regularly engages in discussions (within the Management Team, but also with fundraising staff and all staff collectively) with respect to what kinds of funds we will accept and how we should screen the money we get. (For example, there was a recent discussion about whether we should question a several thousand dollar donation from an individual we know has gained at least some of his wealth from investment in the oil industry. After a lot of discussion, the decision was taken that we cannot police people in order to determine where they get their money from, but we reconfirmed that we will not take money from oil companies, and would not accept, as a stock donation, stocks from oil companies....). ERI also does not take money from governments, or corporations, in order not to associate ourselves with the policies of either of these types of entities.

I hereby declare that to the best of my understanding this report fulfills the requirements for a GRI G3 Application Level C.

**Marie Soveroski
Managing Director**

16. Mrz 12

GRI Self-Assessment Application Level

Report Application Level		C	C+	B	B+	A	A+
Standard Disclosures	G3 Profile Disclosures OUTPUT	Report on: 1.1 2.1 - 2.10 3.1 - 3.8, 3.10 - 3.12 4.1 - 4.4, 4.14 - 4.15	Report Externally Assured	Report on all criteria listed for Level C plus: 1.2 3.9, 3.13 4.5 - 4.13, 4.16 - 4.17	Report Externally Assured	Same as requirement for Level B	Report Externally Assured
	G3 Management Approach Disclosures OUTPUT	Not Required		Management Approach Disclosures for each Indicator Category		Management Approach Disclosures for each Indicator Category	
	G3 Performance Indicators & Sector Supplement Performance Indicators OUTPUT	Report on a minimum of 10 Performance Indicators, including at least one from each of: Economic, Social and Environmental.		Report on a minimum of 20 Performance Indicators, at least one from each of Economic, Environmental, Human rights, Labor, Society, Product Reponsibility.		Report on each core G3 and Sector Supplement* Indicator with due regard to the Materiality Principle by either: a) reporting on the Indicator or b) explaining the reason for its omission.	
							

*Sector supplement in final version

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