Consolidated Financial Report June 30, 2021

# Contents

Independent auditor's report	1-2
Financial statements	
Consolidated statement of financial position	3
Consolidated statement of activities	4
Consolidated statement of functional expenses	5
Consolidated statement of cash flows	6
Notes to consolidated financial statements	7-20



**RSM US LLP** 

#### **Independent Auditor's Report**

Board of Directors Human Rights Watch, Inc. and Subsidiaries

#### **Report on the Financial Statements**

We have audited the accompanying consolidated financial statements of Human Rights Watch, Inc. and Subsidiaries (HRW), which comprise the consolidated statement of financial position as of June 30, 2021, the related consolidated statements of activities, functional expenses and cash flows for the year then ended, and the related notes to the consolidated financial statements (collectively, the financial statements).

#### Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

#### **Auditor's Responsibility**

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

#### **Opinion**

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of HRW as of June 30, 2021, and the changes in its net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

THE POWER OF BEING UNDERSTOOD AUDIT | TAX | CONSULTING

# **Report on Summarized Comparative Information**

We have previously audited HRW's 2020 financial statements, and we expressed an unmodified audit opinion on those audited financial statements in our report dated December 7, 2020. In our opinion, the summarized comparative information presented herein as of and for the year ended June 30, 2020, is consistent, in all material respects, with the audited financial statements from which it has been derived.

RSM US LLP

New York, New York December 8, 2021

# Consolidated Statement of Financial Position June 30, 2021 (With Comparative Financial Information as of June 30, 2020)

	2021	2020
Assets		
Cash and cash equivalents	\$ 38,327,353	\$ 44,668,603
Contributions receivable, net	18,020,488	15,929,749
Prepaid expenses and other assets	3,601,894	2,927,668
Investments	189,446,174	144,849,654
Property and equipment, net	7,209,018	8,379,469
Total assets	\$ 256,604,927	\$ 216,755,143
Liabilities and Net Assets		
Liabilities:		
Accounts payable, accrued expenses and other liabilities	\$ 6,997,105	\$ 7,588,774
Deferred rent	3,391,087	3,643,488
Total liabilities	10,388,192	11,232,262
Commitments and contingencies		
Net assets:		
Without donor restrictions	28,233,741	22,949,717
With donor restrictions	217,982,994	182,573,164
Total net assets	246,216,735	205,522,881
Total liabilities and net assets	\$ 256,604,927	\$ 216,755,143

# Consolidated Statement of Activities Year Ended June 30, 2021 (With Summarized Financial Information for the Year Ended June 30, 2020)

			2021		2020
					Summarized
	Without Donor		With Donor		Comparative
	Restrictions		Restrictions	Total	Total
Public support and revenue:					
Contributions and grants	\$ 32,581,59	9 \$	50,224,234	\$ 82,805,833	\$ 60,869,656
Contributed service and property revenue	3,321,54	3	148,241	3,469,787	992,205
Special events	5,635,85	7		5,635,857	15,697,894
Less direct cost of special events	(672,12	5)		(672,125)	(2,113,315)
Total public support	40,866,87	<u> </u>	50,372,475	91,239,352	75,446,440
Revenue:					
Net investment return	4,093,91	7	33,859,487	37,953,404	290,047
Publications	7,51	1	164	7,675	17,465
Change in value of beneficial interest in				•	
split-interest agreements	26,72	2	-	26,722	17,697
Other	425,49	)	-	425,490	223,943
Total revenue	4,553,64		33,859,651	38,413,291	549,152
Net assets released from restrictions	50,622,83	1	(50,622,831)	_	_
Total public support and revenue	96,043,34		33,609,295	129,652,643	75,995,592
Total public support and revenue			00,000,200	120,002,040	70,000,002
Expenses:					
Program services:					
Africa	7,859,59	â	-	7,859,596	7,379,745
Americas	2,807,39		_	2,807,396	2,924,025
Asia	7,710,67		-	7,710,675	7,377,230
Europe and Central Asia	5,548,42		-	5,548,426	5,617,845
Middle East and North Africa	5,215,31		-	5,215,318	5,902,195
United States	2,889,74		_	2,889,748	3,025,492
Children's Rights	3,632,21		_	3,632,213	3,423,956
Women's Rights	3,190,97		-	3,190,977	3,234,544
Disability Rights	2,638,24		_	2,638,243	3,110,049
LGBT's Rights	1,989,87		_	1,989,871	1,926,927
Other programs	20,230,14			20,230,143	19,309,123
Total program services	63,712,60			63,712,606	63,231,131
Total program services	03,712,00	,	-	03,712,000	03,231,131
Supporting services:	40 504 00	_		10 501 000	0.005.540
Management and general	10,561,60		-	10,561,606	9,285,543
Fundraising	16,948,23		-	16,948,239	16,519,715
Total supporting services	27,509,84	,	-	27,509,845	25,805,258
Total expenses	91,222,45	<u> </u>	-	91,222,451	89,036,389
Change in net assets before foreign					
currency translation income (loss)	4,820,89	7	33,609,295	38,430,192	(13,040,797)
Foreign ourrongy translation in come (less)	460.40	7	1 000 525	2 262 662	(004 450)
Foreign currency translation income (loss)	463,12		1,800,535	2,263,662	(384,456)
Change in net assets	5,284,02	•	35,409,830	40,693,854	(13,425,253)
Net assets:		_			
Beginning of year	22,949,71	<u>r</u>	182,573,164	205,522,881	218,948,134
End of year	\$ 28,233,74	ı \$	217,982,994	\$ 246,216,735	\$ 205,522,881

# Consolidated Statement of Functional Expenses Year Ended June 30, 2021 (With Summarized Financial Information for the Year Ended June 30, 2020)

								2	021								2020
						Progran	n Services						S	Supporting Servi	ices		
					Middle East							Total			Total	_'	Summarized
				Europe and	and	United	Children's	Women's	Disability	LGBT's	Other	Program	Management		Supporting		Comparative
	Africa	Americas	Asia	Central Asia	North Africa	States	Rights	Rights	Rights	Rights	Programs	Services	and General	Fundraising	Services	Total	Total
Salaries and related expenses:																	
Salaries	\$ 4,007,224	\$ 1,722,228	\$ 4,590,831	\$ 3,124,334	\$ 2,881,485	\$ 1,834,252	\$ 2,182,153	\$ 1,860,330	\$ 1,555,833	\$ 1,119,343	\$ 11,852,236	\$ 36,730,249	\$ 3,823,583	\$ 7,161,535	\$ 10,985,118	\$ 47,715,367	\$ 44,914,406
Payroll taxes and other																	
employee benefits	1,399,508	500,379	1,452,154	1,222,530	992,189	541,139	732,555	652,962	490,093	408,434	3,938,104	12,330,047	1,584,087	2,531,202	4,115,289	16,445,336	14,453,365
Total salaries and																	
related expenses	5,406,732	2,222,607	6,042,985	4,346,864	3,873,674	2,375,391	2,914,708	2,513,292	2,045,926	1,527,777	15,790,340	49,060,296	5,407,670	9,692,737	15,100,407	64,160,703	59,367,771
Consultant's fees	50,134	55,586	108,602	60,618	55,016	19,296	42,070	38,706	91,459	42,645	198,244	762,376	151,927	11,730	163,657	926,033	1,196,850
Publications	158,271	65,301	204,926	141,096	207,475	54,699	93,062	104,386	58,089	92,787	531,982	1,712,074	72,251	131,746	203,997	1,916,071	1,645,733
Travel, meals and meetings	168,939	41,787	118,867	48,872	34,284	24,922	37,395	25,124	18,292	16,422	178,993	713,897	46,203	37,797	84,000	797,897	5,613,813
Rent	484,438	176,920	495,376	382,715	381,155	176,920	225,573	212,304	176,920	128,267	968,638	3,809,226	1,038,973	1,645,357	2,684,330	6,493,556	6,769,719
Office expenses	279,987	81,041	282,214	198,216	160,006	74,873	95,914	98,666	79,016	54,638	408,208	1,812,779	432,004	697,091	1,129,095	2,941,874	2,498,405
Technology and database	155,645	58,734	164,531	117,598	114,531	58,734	74,886	70,886	58,734	42,582	322,894	1,239,755	539,639	659,676	1,199,315	2,439,070	1,671,376
Direct mail and marketing	-	-	-	-	-	-	-	-	-	-	166,117	166,117	-	3,155,588	3,155,588	3,321,705	3,156,738
Professional fees	1,034,356	59,724	165,226	161,056	300,070	59,217	90,343	72,778	64,111	51,624	1,414,543	3,473,048	2,476,218	491,547	2,967,765	6,440,813	4,447,667
Total expenses before																	
deprecation and																	
amortization	7,738,502	2,761,700	7,582,727	5,457,035	5,126,211	2,844,052	3,573,951	3,136,142	2,592,547	1,956,742	19,979,959	62,749,568	10,164,885	16,523,269	26,688,154	89,437,722	86,368,072
Deprecation and amortization	121,094	45,696	127,948	91,391	89,107	45,696	58,262	54,835	45,696	33,129	250,184	963,038	396,721	424,970	821,691	1,784,729	2,668,317
	\$ 7,859,596	\$ 2,807,396	\$ 7,710,675	\$ 5,548,426	\$ 5,215,318	\$ 2,889,748	\$ 3,632,213	\$ 3,190,977	\$ 2,638,243	\$ 1,989,871	\$ 20,230,143	\$ 63,712,606	\$ 10,561,606	\$ 16,948,239	\$ 27,509,845	\$ 91,222,451	\$ 89,036,389

# Consolidated Statement of Cash Flows Year Ended June 30, 2021 (With Summarized Financial Information for the Year Ended June 30, 2020)

	2021	2020
Cash flows from operating activities:		_
Change in net assets	\$ 40,693,854	\$ (13,425,253)
Adjustments to reconcile change in net assets to net cash		
provided by (used in) operating activities:		
Depreciation and amortization	1,784,729	2,668,317
Net realized/unrealized (gains) losses on investments	(33,084,556)	307,744
Change in discount on contributions receivable	(2,899)	175,440
Deferred rent	(252,401)	1,765,494
Change in value of beneficial interest in		
split-interest agreements	(26,722)	(17,697)
Donated securities	(1,953,107)	(1,742,316)
Proceeds from sale of donated securities	1,953,107	1,742,316
Changes in operating assets and liabilities:		
Decrease (increase) in assets:		
Contributions receivable	(2,087,840)	8,422,698
Prepaid expenses and other assets	(674,226)	154,416
Increase (decrease) in liabilities:		
Accounts payable, accrued expenses and other liabilities	(564,947)	(983,643)
Net cash provided by (used in) operating activities	5,784,992	(932,484)
Cash flows from investing activities:		
Net purchases of investments	(21,436,362)	(58,190,102)
Proceeds from sale of investments	9,924,398	63,935,613
Purchases of property and equipment	(614,278)	(3,769,007)
Net cash (used in) provided by investing activities	(12,126,242)	1,976,504
Net (decrease) increase in cash and cash equivalents	(6,341,250)	1,044,020
Cash and cash equivalents:		
Beginning of year	 44,668,603	43,624,583
End of year	\$ 38,327,353	\$ 44,668,603

# Note 1. Nature of Organization

Human Rights Watch, Inc. (HRW) is a not-for-profit organization that works to stop human rights abuses. Currently, HRW monitors and promotes human rights in over 80 countries worldwide. HRW's programs are divided into five parts for each region of the world plus the United States and thematic programs devoted to women's rights, children's rights, LGBT rights, refugees, military affairs, international justice, responsibilities of corporations, health and human rights and disability rights, and human rights and the environment.

HRW obtains financial support from the public, primarily individuals and foundations, but also estates, trusts and businesses. HRW does not seek or accept financial support from any government or government-funded agency.

The HRW consolidated financial statements as of June 30, 2021 and 2020, include branches, charitable affiliates and registered offices. These entities listed below (official local name included in some instances) were established to support HRW primarily through the promotion of human rights and justice throughout the world in times of peace and war by directly or indirectly funding it through fundraising campaigns, volunteers and collected contributions from the public. These entities, over which HRW maintains operational control and oversight, are listed below:

Australia: Australia Foundation in Support of Human Rights Watch Limited

Belgium: Human Rights Watch, Inc.

Brazil: Human Rights Watch Brasil (Associação dos Apoiadores dos Direitos Humanos)

Canada: Human Rights Watch, Inc.

• Democratic Republic

of the Congo: Human Rights Watch

Denmark: Representative Office of Insamlingsstiftelsen the Scandinavian Foundation in

Support of Human Rights Watch in Denmark

France: French Association in Support of Human Rights Watch (Association Française de

Soutien à Human Rights Watch)

France: Human Rights Watch, Inc.

Germany: Human Rights Watch - Association for the Protection of Human Rights – e. V.

(Human Rights Watch - Verein zur Wahrung de Menschenrechte – e.V.)

• Japan: Japan Foundation in Support of Human Rights Watch

Jordan: Human Rights WatchKenya: Human Rights Watch

Kyrgyzstan: Representative Office of Human Rights Watch, Inc. in the Kyrgyz Republic

Lebanon: Human Rights Watch in Lebanon

Netherlands: Foundation Human Rights Watch Netherlands (Stichting Human Rights Watch)

Nederland)

Norway: Representative Office of Human Rights Watch, Inc. in Norway

Norway: Norway Foundation in Support of Human Rights Watch

Russia: Representative Office of the Corporation "Human Rights Watch, Inc." (USA) in the

Russian Federation

South Africa: The South African Foundation in Support of Human Rights Watch

South Korea: Human Rights Watch Korea

Sweden: Insamlingsstiftelsen the Scandinavian Foundation in Support of Human Rights Watch

Switzerland: Human Rights Watch, Inc. (Human Rights Watch, Inc. New York (Etats-Unis),

succursale de Genève)

Switzerland: Swiss Foundation in Support of Human Rights Watch

Tunisia: Human Rights Watch, Inc.
Ukraine: Human Rights Watch, Inc.
UK: Human Rights Watch, Inc.

## Note 2. Principles of Consolidation

The accompanying consolidated financial statements include the accounts of Human Rights Watch, Inc. and subsidiaries. All intercompany balances and transactions have been eliminated in consolidation. The functional currencies of the subsidiaries are translated into HRW's reporting currency, United States Dollars.

#### Note 3. Summary of Significant Accounting Policies

**Basis of presentation:** The consolidated financial statements have been prepared on an accrual basis of accounting and conform to accounting principles generally accepted in the United States of America (U.S. GAAP), as applicable to not-for-profit organizations. In the consolidated statement of financial position, assets are presented in order of liquidity or conversion to cash and liabilities are presented according to their maturity resulting in the use of cash.

**Financial statement presentation:** The classification of HRW's net assets and its support, revenue and expenses is based on the existence or absence of donor-imposed restrictions. It requires that the amounts for each of two classes of net assets, without donor restrictions and with donor restrictions, be displayed in a statement of financial position and that the amounts of change in each of those classes of net assets be displayed in a statement of activities.

The classes of net assets are defined as follows:

**Net Assets Without Donor Restrictions:** Net assets available for use in general operations and not subject to donor restrictions.

**Net Assets With Donor Restrictions:** Net assets subject to donor-imposed restrictions. Some donor-imposed restrictions are temporary in nature, such as those that will be met by the passage of time or other events specified by the donor. Other donor-imposed restrictions are perpetual in nature, where the donor stipulates that resources be maintained in perpetuity. Donor-imposed restrictions are released when a restriction expires, that is, when the stipulated time has elapsed, when the stipulated purpose for which the resource was restricted has been fulfilled, or both.

**Cash and cash equivalents:** HRW considers all highly liquid investments with maturities of three months or less at the time of purchase to be cash equivalents.

Financial instruments and fair value: Financial Accounting Standards Board (FASB) Accounting Standards Codification (ASC) 820, Fair Value Measurement, establishes a hierarchy for inputs used in measuring fair value that maximizes the use of observable inputs and minimizes the use of unobservable inputs by requiring that inputs that are most observable be used when available. Observable inputs are inputs that market participants operating within the same marketplace as HRW would use in pricing HRW's asset or liability based on independently derived and observable market data. Unobservable inputs are inputs that cannot be sourced from a broad active market in which assets or liabilities identical or similar to those of HRW are traded. HRW estimates the price of any assets for which there are only unobservable inputs by using assumptions that market participants that have investments in the same or similar assets would use as determined by the money managers for each investment based on best information available in the circumstances. The input hierarchy is broken down into three levels based on the degree to which the exit price is independently observable or determinable as follows:

**Level 1:** Valuation based on quoted market prices in active markets for identical assets or liabilities. Since valuations are based on quoted prices that are readily and regularly available in an active market, valuation of these products does not entail a significant degree of judgment.

#### **Notes to Consolidated Financial Statements**

# Note 3. Summary of Significant Accounting Policies (Continued)

- **Level 2:** Valuation based on quoted market prices of investments that are not actively traded or for which certain significant inputs are not observable, either directly or indirectly.
- **Level 3:** Valuation based on inputs that are unobservable and reflect management's best estimate of what market participants would use as fair value.

Net investment return (loss) are reported as increase or decrease in net assets with donor restrictions if the term of the original gifts require that they be applied to the principal of a donor restricted endowment fund or if the terms of gift impose restrictions on the use of the gains or losses; and as increases or decreases in net assets without donor restrictions in all other cases.

**Contributions receivable and allowances:** HRW reports unconditional promises to give as contributions. Promises to give are initially reported at fair value in the period the donor's commitments are received based on Level 3 inputs. If amounts are expected to be collected within one year, they are recorded at net realized value. Contributions to be received after one year are discounted at a rate commensurate with the risk involved. Amortization of the discounts is included in contributions revenue.

HRW uses the allowance method for uncollectible unconditional contributions receivable. The allowance is based on prior years' experience and management's analysis and evaluation of specific promises made. While management uses the best information available to make its evaluation. Future adjustments to the allowance may be necessary if there are significant changes in economic conditions.

**Concentrations of donors:** The contribution receivable from one donor in an amount of \$3,275,000 makes up 18% of total contributions receivable balance as of June 30, 2021. The contribution receivable from one donor in an amount of \$2,325,000 makes up 15% of total contributions receivable balance as of June 30, 2020.

**Fixed assets:** Fixed assets are recorded at cost when purchased. Fixed assets in the United States (U.S.) costing in excess of \$5,000, are capitalized at cost. The capitalization thresholds of fixed assets in HRW foreign offices vary based on local rules and policies. Depreciation is computed on an accelerated basis or on a straight-line basis over the estimated useful lives of the assets. Leasehold improvements are amortized over the shorter of the lease term or the estimated useful lives of the related assets.

	Years
Leasehold improvements	Remaining term of lease
Furniture and fixtures	7
Office equipment	5
Computer hardware and software	5

**Impairment of long-lived assets:** HRW follows the provisions of ASC 360-10-35, Accounting for the Impairment or Disposal of Long-Lived Assets, which requires HRW to review long-lived assets, including property and equipment and intangible assets, for impairment whenever events or changes in business circumstances indicate that the carrying amount of an asset may not be fully recoverable. An impairment loss would be recognized when the estimated future cash flows from the use of the asset are less than the carrying amount of that asset. For the years ended June 30, 2021 and 2020, there have been no such losses.

## Note 3. Summary of Significant Accounting Policies (Continued)

**Endowment Fund:** The net assets of the Endowment Fund (the Fund) are comprised of funds solicited as part of the 1998 Endowment Campaign. The funds raised in this campaign were solicited as contributions with restrictions that are temporary in nature, to be accumulated for the purpose of providing an amount equal to 5% of the Fund's value, as defined, annually in support of operations. In the case of exceptional circumstances, as declared by a vote of two-thirds of the Board of Directors (the Board), HRW may spend more than this 5% limit. The Fund balance as of June 30, 2021 and 2020, was \$168,364,158 and \$134,504,671, respectively.

**Contributed services:** Contributed services are recognized as contributions in accordance with the accounting standard relating to accounting for contributions received if the services: (a) create or enhance financial assets or (b) require specialized skills, are performed by people with those skills, and would otherwise be purchased by HRW. In addition, many individuals volunteer their time and perform a variety of tasks that assist HRW. HRW receives more than 5,000 volunteer hours per year. The services provided by the volunteers were not recognized in the consolidated financial statements, because they do not meet the criteria of this standard.

Revenue recognition: The operations of HRW are financed principally by foundation grants and contributions received from the general public. Grants and contributions are reported at estimated fair value on the date they are received. Unconditional grants and contributions received are recorded as support without donor restrictions or support with donor restrictions depending on the existence or absence of any donor restrictions. When a donor restriction expires, that is, when a stipulated time restriction ends or purpose restriction is accomplished, net assets with donor restrictions are reclassified to net assets without donor restrictions and reported in the consolidated statement of activities as net assets released from restrictions. Conditional grants and contributions with a barrier and a right of return are not recognized until the conditions are met. Revenue for special events is recognized when the event takes place.

**Risk and uncertainties:** HRW's investments consist of a variety of investment securities and investment funds. Investments in general are exposed to various risks, such as interest rate, credit and overall market volatility risk. Due to the level of risk associated with certain investments, it is reasonably possible that changes in the value of HRW's investments will occur in the near term and that such changes could materially affect the amounts reported in the accompanying consolidated financial statements.

On January 30, 2020, the World Health Organization declared the coronavirus outbreak a "Public Health Emergency of International Concern" and, on March 11, 2020, declared it to be a pandemic. Actions taken around the world to help mitigate the spread of the coronavirus include restrictions on travel, quarantines in certain areas and forced closures for certain types of public places and businesses. The coronavirus and actions taken to mitigate the spread of it have had, and are expected to continue to have, an adverse impact on the economies and financial markets of many countries, including the geographical area in which HRW operates. On March 27, 2020, the Coronavirus Aid, Relief and Economic Security Act (CARES Act) was enacted to, amongst other provisions, provide emergency assistance for individuals, families and businesses affected by the coronavirus pandemic. It is unknown how long the adverse conditions associated with the coronavirus will last and what the complete financial effect will be to HRW. Accordingly, management cannot presently estimate the overall operational and financial impact to HRW.

**Use of estimates:** The preparation of consolidated financial statements in conformity with U.S. GAAP requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, revenues, expenses and other disclosures in the consolidated financial statements. Accordingly, actual results could differ from those estimates.

#### **Notes to Consolidated Financial Statements**

## Note 3. Summary of Significant Accounting Policies (Continued)

**Reclassification:** Certain amounts reported in the 2020 consolidated financial statements have been reclassified to conform to the 2021 presentation. Such reclassification had no effect on the previously reported net assets or changes in net assets.

**Income taxes:** HRW is exempt from federal and state income taxes under Section 501(c)(3) of the Internal Revenue Code (IRC) and, therefore, has made no provision for income taxes in the accompanying consolidated financial statements. HRW has been determined by the Internal Revenue Service (IRS) not to be a "private foundation" within the meaning of Section 509(a) of the IRC. HRW did not have unrelated business income taxes for the years ended June 30, 2021 and 2020.

Accounting for uncertainty in income taxes: Under ASC 740, Income Taxes, an organization must recognize the tax benefit associated with tax positions taken for tax return purposes when it is more likely than not the position will not be sustained upon examination by a taxing authority. HRW does not believe it has taken any material uncertain tax positions and, accordingly, it has not recorded any liability for unrecognized tax benefits. HRW has filed for and received income tax exemptions in the jurisdictions where it is required to do so. Additionally, HRW has filed IRS Form 990 information returns, as required, and all other applicable returns in jurisdictions where so required. For the years ended June 30, 2021 and 2020, there was no interest or penalties recorded or included in the consolidated statement of activities. Under IRS statutes with few exceptions, HRW is no longer subject to income tax examinations by the U.S. federal, state, or local tax authorities for three years from the filing date.

**Concentration of credit risk:** Financial instruments that potentially subject HRW to concentration of credit risk consist primarily of cash and cash equivalents. At various times, HRW has cash deposits at financial institutions which exceed the FDIC insurance limits. HRW believes it is not exposed to any significant credit risk on cash and cash equivalents.

**Recently adopted accounting pronouncement:** HRW adopted Accounting Standards Update (ASU) 2014-09, *Revenue from Contracts with Customers (Topic 606)*, requiring an entity to recognize the amount of revenue which it expects to be entitled for the transfer of promised goods and services to customers. The adoption of ASU 2014-09 did not have an impact on HRW's financial position, activities, net assets or cash flows as of the adoption date or for the years ended June 30, 2021 and 2020.

HRW adopted ASU 2018-13, Fair Value Measurement (Topic 820): Disclosure Framework – Changes to the Disclosure Requirements for Fair Value Measurement. This ASU removes, modifies and adds certain disclosure requirements of ASC Topic 820. The adoption of this ASU had no impact on the HRW's financial position, activities, net assets or cash flows as of the adoption date or for the years ended June 30, 2021 and 2020.

## Note 3. Summary of Significant Accounting Policies (Continued)

Recent accounting pronouncements: In February 2016, FASB issued ASU 2016-02, *Accounting for Leases*, which applies a right-of-use (ROU) model that requires a lessee to record, for all leases with a lease term of more than 12 months, an asset representing its right to use the underlying asset and a liability to make lease payments. For leases with a term of 12 months or less, a practical expedient is available whereby a lessee may elect, by class of underlying asset, not to recognize an ROU asset or lease liability. At inception, lessees must classify all leases as either finance or operating based on five criteria. Balance sheet recognition of finance and operating leases is similar, but the pattern of expense recognition in the consolidated statement of activities, as well as the effect on the consolidated statement of cash flows, differs depending on the lease classification. In addition, lessees and lessors are required to provide certain qualitative and quantitative disclosures to enable users of financial statements to assess the amount, timing and uncertainty of cash flows arising from leases. In June 2020, the FASB issued ASU 2020-05, which defers the effective of ASU 2016-02, making it effective for annual reporting periods beginning after December 15, 2021. HRW is evaluating the impact of this ASU on the consolidated financial statements.

In June 2016, the FASB issued ASU 2016-13, *Financial Instruments – Credit Losses (Topic 326)*. This update represents a significant change in the allowance for credit losses accounting model by requiring immediate recognition of management's estimates of current expected credit losses. Under the prior model, losses were recognized only as they were incurred, which the FASB has noted delayed recognition of expected losses that might not yet have met the threshold of being probable. The Update is effective for fiscal years beginning after December 15, 2022. HRW is evaluating the impact of this ASU on the consolidated financial statements.

In November 2019, the FASB issued ASU 2019-11, *Codification Improvements to Topic 326, Financial Instruments – Credit Losses.* This ASU provides narrow-scope improvements to Topic 326. For entities that have not yet adopted ASU 2016-13 as of November 26, 2019, the effective dates for ASU 2019-11 are the same as the effective dates and transition requirements in ASU 2016-13. HRW is evaluating the impact of adoption of this ASU on the consolidated financial statements.

In September 2020, the FASB issued ASU 2020-07, Not-for-Profit Entities (Topic 958): *Presentation and Disclosures by Not-for-Profit Entities for Contributed Nonfinancial Assets*. The Update clarifies the presentation and disclosure of contributed nonfinancial assets, including fixed assets and other items. The Update does not change existing recognition and measurement requirements for contributed nonfinancial assets. The Update is effective for fiscal years beginning June 15, 2021. HRW is evaluating the impact of this ASU on the consolidated financial statements.

#### Note 4. Liquidity and Availability of Resources

The following represents HRW's available financial assets as of June 30 to meet general expenditures over the next 12 months:

	2021	2020
Financial assets at June 30:	•	
Cash and cash equivalents	\$ 38,327,353	\$ 44,668,603
Investments	189,446,174	144,849,654
Contributions receivable	18,020,488	15,929,749
Total financial assets at June 30	245,794,015	205,448,006
Less amounts not available for use within one year:	•	
Cash and cash equivalents, and investments not available for		
used within one year:	(159,945,950)	(127,779,437)
Contributions receivable to be collected after one year	(4,360,141)	(13,582,869)
Contributions to be spent on projects after one year	(2,533,832)	(3,201,768)
Total amounts not available for use within one year	(166,839,923)	(144,564,074)
Financial assets available to meet general		
expenditures within one year	\$ 78,954,092	\$ 60,883,932

HRW considers its unrestricted cash and investment balance, 5% of the Fund (see Note 10), contributions receivable that are expected to be collected within 12 months, and contributions restricted by donors that are expected to be spent within 12 months to be available for general operations.

HRW regularly monitors liquidity required to meet its annual operating needs and other contractual commitments while also striving to maximize the return on investments of its investment portfolio not required for annual operations.

#### Note 5. Investments

HRW's assets recorded at fair value have been categorized based upon a fair value hierarchy in accordance with ASC 820, Fair Value Measurement. See Note 2 for the discussion of HRW's policies regarding this hierarchy. A description of the valuation techniques applied to HRW's major categories of assets measured at fair value are as follows. There have been no changes in valuation methodology in the years ended June 30, 2021 and 2020.

HRW's holdings in equity securities are determined by quoted market prices. Each of these investments can be liquidated daily. The valuation is based on Level 1 inputs within the hierarchy used in measuring fair value.

HRW also has investments in fixed income securities, which include corporate bonds. The investment managers priced these investments using nationally recognized pricing services. Since fixed income securities may not trade on a daily basis, the pricing services prepare estimates of fair value measurements for these securities using its proprietary pricing applications, which include available relevant market information, benchmark curves, benchmarking of similar securities, sector grouping and matrix pricing. These investments are classified as Level 2.

Mutual funds are valued on a daily basis at the close of business day. Each mutual fund's net assets value (NAV) is the value of a single share which is actively traded on national securities exchanges. These investments are classified as Level 1.

#### Note 5. Investments (Continued)

Alternative investments are those made in limited partnerships, offshore limited liability companies and pooled investment companies, all of which are qualified to use NAV of the interest owned by HRW at year end as a practical expedient. Given the absence of market quotations, their value is estimated using information provided to HRW by the investment advisor. The values are based on estimates that require varying degrees of judgment and, for fund of funds investments, are primarily based on financial data supplied by the investment managers of the underlying funds.

Individual investment holdings within the alternative investments may include investments in both nonmarketable and market-traded securities. Nonmarketable securities may include equity in private companies, real estate, thinly traded securities and other investment vehicles. The investments may indirectly expose HRW to the effects of securities lending, short sales of securities, and trading in futures and forward contracts, options, swap contracts and other derivative products. While these financial instruments entail varying degrees of risk, HRW's exposure with respect to each such investment is limited to its carrying amount in each investment plus HRW's commitment to provide additional funding as described in the following paragraph. The financial statements of the investees are audited annually by independent auditors. HRW does not directly invest in the underlying securities of the investment funds and due to restrictions on transferability and timing of withdrawals from the limited partnerships, the amounts ultimately realized upon liquidation could differ from reported values that are based on current conditions. The alternative investments are measured at fair value using the NAV (or its equivalent) as practical expedient. Certain alternative investments, which include limited partnership investments, have rolling lockups ranging from one to five years. In addition, the NAV of alternative investments do not include future funding commitments of approximately \$40,397,000 as of June 30, 2021, to be paid by HRW if called upon.

The following table presents the level within the fair value hierarchy at which HRW's financial assets are measured on a recurring basis at June 30:

	2021									
		nuoted Prices in Active Markets for entical Assets (Level 1)		Significant Other Observable Inputs (Level 2)		Significant nobservable Inputs (Level 3)		Total		
Corporate bonds:		,		,		,				
Financial	\$	-	\$	13,087,751	\$	-	\$	13,087,751		
Equity securities:										
Financial		895,166		-		-		895,166		
Mutual funds:										
Diversified		6,868,956		-		-		6,868,956		
Blended		42,234,535		-		-		42,234,535		
Total investment assets in										
the fair value hierarchy		49,998,657		13,087,751		-	_	63,086,408		
Alternative investments at NAV*								126,359,766		
Total investments	\$	49,998,657	\$	13,087,751	\$	-	\$	189,446,174		

Note 5. Investments (Continued)

	M Ider	oted Prices in Active larkets for ntical Assets		Significant Other Observable Inputs		Significant nobservable Inputs				
		(Level 1)		(Level 2)		(Level 3)		Total		
Corporate bonds:										
Financial	\$	-	\$	12,896,417	\$	-	\$	12,896,417		
Equity securities:										
Financial		708,824		-		-		708,824		
Mutual funds:										
Diversified		4,921,086		-		-		4,921,086		
Blended	2	29,852,825		-		-		29,852,825		
Total investment assets in										
the fair value hierarchy		35,482,735		12,896,417		-	_	48,379,152		
Alternative investments at NAV*	-					_		96,470,502		
Total investments	\$ 3	35,482,735	\$	12,896,417	\$		\$	144,849,654		

<sup>\*</sup> Certain investments that are measured at fair value using the NAV per share (or its equivalent) practical expedient have not been categorized in the fair value hierarchy. The fair value amounts presented in this table are intended to permit reconciliation of the fair value hierarchy to the amounts presented in the consolidated statement of financial position.

The following tables listed investments in investment companies by major category valued at NAV at June 30:

	20	021		_	
			Unfunded	Redemption	Redemption
Investment	Fair Value	(	Commitments	Frequency	Notice Period
Emerging markets equity (a)	\$ 2,171,008	\$	-	Quarterly	45 days
Foreign development equity (b)	2,349,948		-	Monthly	60 days
Independent return (c)	60,635,802		13,464,146	Monthly, Quarterly, Illiquid	45-90 days
Private equity (d)	26,808,616		15,603,168	Illiquid	N/A
Natural resources (e)	1,481,167		161,501	Bi-Monthly, Illiquid	N/A
Real estate (f)	32,913,225		12,039,907	Quarterly, Illiquid	45 days
	\$ 126,359,766	\$	41,268,722	- -	

#### **Notes to Consolidated Financial Statements**

# Note 5. Investments (Continued)

		20	020			
				Unfunded	Redemption	Redemption
Investment	Fair Value		(	Commitments	Frequency	Notice Period
Emerging markets equity <sup>(a)</sup>	\$	4,872,684	\$	-	Quarterly	45 days
Foreign development equity (b)		2,079,709		-	Monthly	60 days
Independent return (c)		46,685,721		11,940,210	Monthly, Quarterly, Illiquid	45-90 days
Private equity <sup>(d)</sup>		20,838,435		17,048,626	Illiquid	N/A
Natural resources (e)		1,195,744		488,518	Bi-Monthly, Illiquid	N/A
Real estate (f)		20,798,209		7,069,207	Quarterly, Illiquid	45 days
	\$	96,470,502	\$	36,546,561	- -	

- (a) This category includes investments in equities within emerging markets.
- (b) This category consists of a set of investment vehicles in equities related to foreign countries development.
- (c) This category consists of a set of investment vehicles that seek high absolute returns that are typically independent of broad market trends.
- (d) This category encompasses investments in private companies, ranging from startup-stage to mature buyouts.
- (e) This category includes investments in the Natural Resources industry.
- (f) This class includes investments in the Real Estate industry.

#### Note 6. Contributions Receivable, Net

At June 30, 2021 and 2020, the net present value of contributions receivable is \$18,020,488 and \$15,929,749, respectively. Net present value was calculated using discount rates commensurate with the risk involved. The discount rates used in this calculation ranged from 0.07% to 1.45%. There was no reserve recorded for doubtful accounts for the years ended June 30, 2021 and 2020.

Net present value of contributions receivable at June 30, is summarized below:

	2021	2020
Total contributions receivable Net present value discount	\$ 18,030,864 (10,376)	\$ 15,937,226 (7,477)
Net present value of contributions receivable	\$ 18,020,488	\$ 15,929,749
Amount due in: Less than one year One to five years Total	\$ 13,660,347 4,370,517 \$ 18,030,864	\$ 10,596,294 5,340,932 \$ 15,937,226

#### **Notes to Consolidated Financial Statements**

## Note 6. Contributions Receivable, Net (Continued)

Unconditional contributions receivable and contribution revenue include amounts from various board members.

As of June 30, 2021 and 2020, HRW has outstanding unrecorded conditional contributions receivable of \$0 and \$500,000, respectively. Revenue for these conditional grants and contracts will be recognized in future periods when the related barriers are overcome when the conditions have been substantially met.

#### Note 7. Fixed Assets, Net

Fixed assets, net as of June 30, consist of the following:

	2021	2020
Leasehold improvements	\$ 9,370,503	\$ 9,370,503
Furniture and fixtures	1,692,653	1,668,281
Office equipment	1,199,166	1,060,983
Computer hardware and software	5,340,928	4,907,188
Construction-in-progress	44,757	47,525
	17,648,007	17,054,480
Less accumulated depreciation and amortization	(10,438,989)	(8,675,011)
	\$ 7,209,018	\$ 8,379,469

Depreciation and amortization expenses for the years ended June 30, 2021 and 2020, were \$1,784,729 and \$2,668,317, respectively.

#### Note 8. Split-Interest Agreements

Split-interest agreements consist of charitable gift annuities received from donors where HRW has an interest in the assets and receives benefits that are shared with other beneficiaries. Assets are invested and payments are made to donors or other beneficiaries in accordance with the respective agreements.

Contribution revenues are recognized at the date the agreements are established. The present value of the estimated future payments to beneficiaries under these agreements is recorded as obligations under split-interest agreements included in accounts payable, accrued expenses and other liabilities in the consolidated statement of financial position. The obligation balance as of June 30, 2021 and 2020, was \$494,789 and \$371,227, respectively. Obligations under split-interest agreements are considered Level 3 in the fair value measurement hierarchy (Note 3).

The table below presents a reconciliation of obligations under split-interest agreements at June 30:

	 2021		2020	
Balance at June 30	\$ 371,227	\$	288,407	
New agreements	128,592		94,866	
Payments on annuities	(31,752)		(29,743)	
Change in value	 26,722		17,697	
Balance at June 30	\$ 494,789	\$	371,227	

## Note 8. Split-Interest Agreements (Continued)

Assets received by HRW for gift annuities are managed by PNC Bank, N.A., in a conservative and disciplined manner. If HRW should ever fail financially, individuals entitled to receive annuities would qualify as general creditors of HRW. As of June 30, 2021 and 2020, the investment balance associated with split-interest agreements was \$895,166 and \$708,824, respectively, and included in investments in the consolidated statement of financial position.

#### Note 9. Net Assets with Donor Restrictions

Net assets with donor restrictions were available for the following purposes at June 30:

	2021	2020
Donor-imposed time restrictions	\$ 33,574,885	\$ 33,404,000
Donor-imposed restrictions to support HRW programs	16,043,951	14,664,493
The Endowment Fund (see Note 10)	168,364,158	134,504,671
	\$ 217,982,994	\$ 182,573,164

Net assets with donor restrictions that were released from donor restrictions at June 30 are as follows:

	2021			2020		
Donor-imposed time restrictions Donor-imposed restrictions to support HRW programs Donor-imposed time and purpose restrictions	\$	25,470,915 25,151,916 50,622,831	\$	16,474,262 47,423,235 63,897,497		
Donor-imposed time and purpose restrictions	Ψ	30,022,031	Ψ_	05,031,431		

#### Note 10. Endowment Fund

As discussed in Note 3, the Fund related to assets received as part of the 1998 Endowment Campaign have been reported as net assets with donor restrictions. This Fund has been established under a formal arrangement whereby HRW can spend no more than 5% of the Fund value, as defined, each year for operations. Though the corpus of the gifts made to the Fund is not permanently restricted and thus not subject to the New York Prudent Management of Institutional Funds Act (NYPMIFA), HRW invests these assets in a manner similar to what would have been required by NYPMIFA.

HRW has adopted investment and spending policies for the Fund assets that attempt to provide a stream of returns that would be utilized to fund various programs while seeking to maintain the purchasing power of the Fund assets. The Fund assets are invested in vehicles such as government and equity securities, as well as alternative investments.

HRW considers the following factors in making a determination to appropriate or accumulate the Fund:

- The duration and preservation of the funds.
- The purposes of HRW and the donor-restricted funds.
- General economic conditions.
- The possible effect of inflation and deflation.
- The expected total return from income and the appreciation/depreciation of investments.
- Other resources of HRW.
- The investment policy of HRW.

#### **Notes to Consolidated Financial Statements**

#### Note 11. Functional Allocation of Expenses

The cost of providing services to the various programs and other activities has been summarized on an individual basis in the consolidated statement of activities. Accordingly, certain costs have been allocated among the programs and supporting services benefited based on specific identification or allocation rates established by management. Executive director office related salary expenses are allocated among programs and supporting services based on employees' time and effort. The following expenses are allocated consistently based on staff headcount:

- Fringe benefits and other employee costs
- Occupancy costs
- Depreciation

All other expenses are charged directly to either program or supporting function.

Similar to other not-for-profit organizations, the COVID-19 global pandemic affected HRW which led the organization to adopt different work approaches to carry out its mission. One approach is shifting to almost exclusively remote working for staff with minimal travel. This shift caused the programmatic travel and mission expenditures to decrease by approximately 85% (around \$4M). In addition, because of economic uncertainties, several vacant positions throughout the organization were placed on hold until there was more visibility on contributions as well as the difficulties of onboarding new staff remotely. While the management and general expenses for the organization remained at the same level to before the pandemic while the organization did not terminate staff or downsize. As a result, the management and general ratio increased. This is not an indication of these costs outpacing our programmatic costs but rather a direct result the global pandemic has had on the way the organization operates.

#### Note 12. Retirement Plan

HRW has a defined contribution plan (the Plan) under Section 403(b) of the IRC. Participating employees make pretax contributions of up to the maximum allowable IRS limitations. All full time U.S. employees are eligible to participate in the Plan as of their date of hire. Upon participation in the Plan, employees are 100% vested in their contributions. HRW also makes a discretionary contribution based upon a percentage of an employee's salary, which become 100% vested upon contribution. HRW's contribution for the years ended June 30, 2021 and 2020, was \$2,040,641 and \$2,228,468, respectively.

## Note 13. Commitments and Contingencies

**Operating leases:** Pursuant to facility and equipment lease agreements in the U.S. and various countries, HRW is obligated for minimum annual rentals to nonrelated parties, as indicated below. Minimum future annual rental payments under the lease agreements expiring through calendar year 2026 are as follows:

Years ending June 30:	
2022	\$ 5,710,000
2023	5,441,000
2024	5,188,000
2025	5,065,000
2026	5,068,000
Thereafter	5,813,000
	\$ 32,285,000

#### **Notes to Consolidated Financial Statements**

# Note 13. Commitments and Contingencies (Continued)

HRW leases office space in various countries on a month-to-month basis. Rent expense for the years ended June 30, 2021 and 2020, amounted to approximately \$6,494,000 and \$6,770,000, respectively.

**Litigation:** Various lawsuits against HRW may arise in the ordinary course of business. Contingent liabilities arising from such litigation and other matters are not expected to be material in relation to the consolidated financial position of HRW.

## Note 14. Other Programs

Other programs as presented in the accompanying consolidated statements of activities and functional expenses consist of the following for the years ended June 30:

	2021		2020	
Outreach	\$	5,977,385	\$ 6,866,160	
International justice		3,132,962	1,965,165	
Crisis and conflict		1,843,693	1,868,306	
Refugee		1,019,983	663,993	
Business and human rights		1,996,178	1,908,895	
Film festival		1,347,292	1,249,782	
Arms		1,236,520	1,305,514	
Environment		1,551,233	1,274,902	
Digital investigations lab		1,049,707	1,035,042	
Fellows		669,601	874,681	
Jammeh		405,589	296,683	
Total	\$	20,230,143	\$ 19,309,123	

# Note 15. Subsequent Events

HRW's management has performed subsequent events procedures through December 8, 2021, which is the date the consolidated financial statements were available for issuance.