



CHALLENGING POWER, FIGHTING DISCRIMINATION

A CALL TO ACTION TO RECOGNISE AND PROTECT WOMEN HUMAN RIGHTS DEFENDERS

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With grateful acknowledgment to all the women human rights defenders who contributed to this report and inspired us to take action, as well as to the organisations listed in the further reading section for their thoughtful analysis.

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GLOSSARY

WORD	DESCRIPTION
CISGENDER	When a person's gender expression and gender identity accords with their sex assigned at birth. See below for definition of gender expression and gender identity.
FEMINISM	There are a number of commonly held definitions for feminism, including that it is the theory, ideology and movement associated with the political, economic, social and personal equality of the sexes. Today most feminists believe that people of all genders, should have equal rights and opportunities. "Feminists" are all those individuals and collectives who work to promote the safety, equality, justice, rights and dignity of girls, women and all people who are marginalized, disadvantaged or discriminated because of their gender.
GENDER	Socially constructed characteristics of people commonly based on their assigned sex. This varies from society to society and can change or be changed. When individuals or groups do not "fit" or act in accordance with established gender norms, they can face human rights violations including stigma, discriminatory practices or social exclusion.
GENDER-BASED VIOLENCE	Gender-based violence is the infliction of violence on a person because of their real or perceived relationship to gender and sexuality and includes violent acts that may take a gender-specific form. Gender-based violence, by intent or by effect, reinforces patriarchal and/or heteronormative relations and power structures.
GENDER EXPRESSION	The means by which individuals express their gender identity. This may or may not include dress, make-up, speech, mannerisms, surgical or hormonal treatment.
GENDER IDENTITY	One's deeply felt internal and individual experience of gender, which may or may not correspond with their sex assigned at birth.
GENDER NON-CONFORMING	Describes individuals whose gender identity, role or expression differs from what is normative for their assigned sex in a given culture and historical period.
GENDER MARKER	A gender marker is a gendered designator that appears on an official document such as a passport or an identity card. It may be an explicit designation such as "male" or "female" or "X", a gendered title like Ms or Mr, or Mx, a professional title, or a gendered pronoun.
HETERONORMATIVITY	The privileging of heterosexuality as the societal norm through law, policy and practice, and the reinforcement of clear distinctions between men and

WORD	DESCRIPTION
	women through rigid definitions of sexual and gender relations. Gender non-conforming persons that do not hold heterosexual relations are often made invisible, stigmatized and outcast as a result.
HUMAN RIGHTS DEFENDER	Someone who, individually or in association with others, acts to defend and/or promote human rights at the local, national, regional or international levels, without using or advocating hatred, discrimination or violence.
INTERSECTIONAL DISCRIMINATION	Intersectional discrimination is discrimination on a combination of grounds that combine to produce disadvantages distinct from any one ground of discrimination standing alone.
INTERSEX	An umbrella term used to describe a person whose genital, gonadal, chromosomal or hormonal characteristics do not correspond to the given standard for male or female categories of sexual or reproductive anatomy. Intersex variations may take different forms and cover a wide range of traits. The terms intersex bodied, intersexed or intersexuality can also be ways of naming the diversity of sex characteristics.
LGBTI	Lesbian, gay, bisexual, transgender and intersex. Lesbian refers to a woman who is sexually and/or emotionally attracted to other women. Gay refers to a man who is emotionally and/or sexually attracted to other men. Bisexual refers to a person who is emotionally and/or sexually attracted to men and women. Some individuals or groups also use the letter P denoting pan meaning people whose attraction is not restricted by the gender binary. In some instances B and P are used interchangeably. Some individuals or groups use with this acronym also the letter Q denoting 'queer' originally a derogatory term which is now being reclaimed by a number of people meaning a person whose sexual orientation is not heterosexual and/or whose gender identity is not cisgender. For definitions of intersex and transgender see above. Wherever possible, Amnesty International uses the term preferred by the individual or groups being referenced.
NON-BINARY	A term to describe individuals who do not identify with a gender that falls within the binary categories of 'male' or 'female', or 'man' or 'woman'.
PATRIARCHY	The privileging of male authoritative power in law, policy and practice, which disempowers women and gender non-conforming individuals, and excludes them from decision-making processes and restricts how and when they enjoy all human rights and exercise voice and agency in the private and the public spheres.
SEXUAL ORIENTATION	Each person's capacity for profound emotional, affectionate and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender.
SEX WORKER	Adults (persons who are 18 years of age and older) of all genders who receive money or goods in exchange for the consensual provision of sexual services, either regularly or occasionally. Amnesty International recognizes that the terms used to refer to sex work and sex workers vary across contexts and according to individual preference and that not all people who do sex work identify as "sex workers". Where possible, Amnesty International will employ the terminology used by rights holders or rights claimants themselves. However, generally Amnesty International uses the terms "sex work" and "sex worker". These terms are not applicable to children.
TRANSGENDER	Transgender is a term used to describe individuals whose gender expression and/or gender identity differs from conventional expectations based on the sex they were assigned at birth. A transgender woman is a woman who was

WORD	DESCRIPTION
	assigned the “male” sex at birth but has a female gender identity; a transgender man is a man who was assigned the “female” sex at birth but has a male gender identity. Not all transgender individuals identify as male or female: “transgender” is a term that can include members of third genders, as well as individuals who identify as more than one gender or no gender at all. Transgender individuals may or may not choose to undergo some, or all, possible forms of gender reassignment treatment.
WOMEN HUMAN RIGHTS DEFENDER (WHRDs)	WHRDs are women human rights defenders working on any human rights issue and human rights defenders of all genders working on rights related to women, gender and sexuality.

1. EXECUTIVE SUMMARY¹

It has been over 20 years since states at the UN General Assembly adopted by consensus the UN Declaration on Human Rights Defenders² and six years since they committed to enhance the protection of women human rights defenders (WHRDs) by adopting a specific UN Resolution on the matter.³

Despite these formal commitments, states continue to fail in their duty to recognise all WHRDs without discrimination and protect them through the provision of a safe and enabling environment in which they can operate freely and without fear of reprisals. States around the world are ignoring and/or weakening these commitments through their inaction and through threats and attacks on WHRDs and those close to them.

WHRDs, and more generally women, LGBTI and gender-non-conforming people, continue to live in societies that use different types of violence, discrimination and exclusion from power and resources to keep them “in their place” and to maintain a status quo dominated by patriarchy and heteronormativity. Those with power fuel this exclusion either by commission and/or omission.

Around the world, WHRDs are facing similar risks and challenges as other human rights defenders (HRDs) who continue to be threatened, attacked, criminalized, arbitrarily detained and sometimes even killed. But, in addition, WHRDs are facing gender specific forms of verbal and physical violence, including sexual violence as a form of torture, and encounter further challenges just because of who they are and/or because the rights they defend are connected to women’s rights, gender equality and sexuality.

Today, the feminist human rights movement is stronger than ever, and its achievements can be seen everywhere. But in recent years, the fight for women’s rights and gender equality has faced increased resistance. The current politics of demonization, religious fundamentalism and violent extremism target the bodies, identities and rights of women, LGBTI people and other marginalized groups. Prominent leaders use misogynistic, sexist, homophobic and transphobic speech unabated, normalizing violence and discrimination against women and gender non-conforming persons. In this context, WHRDs are facing increased repression, violence and impunity.

An increasing number of states around the world are restricting the space for civil society by imposing legal and administrative requirements that curtail the rights to freedom of movement, expression, association and peaceful assembly, such as restricting or banning sources of funding, travel, non-governmental organisation (NGO) registration, and peaceful demonstrations. These measures are often first directed against women-led and LGBTI groups because of their open challenge to the status quo through their defence of women’s rights, gender equality, sexual and reproductive health rights, all of which are increasingly contested. A renewed emphasis on “traditional values” and anti-feminist narratives are fuelling efforts to redefine and weaken hard-won progress in national and international human rights law, based on intolerant views, propaganda and conspiracy theories.

Despite being at the receiving end of discrimination, inequality and violence, and often because of it, WHRDs fight on, making positive change a reality by speaking truth to power.

WHRDs work on a wide range of topics to protect all human rights by challenging patriarchal power structures, harmful social norms, and stereotyped or rigid gender roles. They point out the effects of

¹ See Appendix for a list of further reading and resources used for this report.

² Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (hereinafter the Declaration on HRDs), 1998, www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Declaration.aspx

³ Promotion of the Declaration of the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms: protecting women human rights, General Assembly Resolution A/RES/68/181, 18 December 2013, www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/68/181.

discrimination and inequality, they create new opportunities for women, girls and gender non-conforming people, and all individuals and groups experiencing discrimination to claim their human rights and demand a space in decision-making processes. They have been crucial in advancing human rights such as the right of women and girls to live free from violence; to have their sexual and reproductive health and rights respected; and ensuring socio-economics rights for all, including the right to live in a healthy environment and protecting it from the effects of climate change. They start and grow human rights movements, participate in public life and push for reforms. They document human rights violations and demand justice. They provide life-saving services to those in need. In short, WHRDs are key for the advancement of all our rights.

This briefing summarizes the key challenges affecting WHRDs that Amnesty International has documented globally in recent years and includes input collected through interviews conducted with 23 WHRDs from 21 countries in all continents between February and April 2019. All those interviewed insisted that more action is urgently needed so that they can continue with their critical human rights work in an environment free from violence, intimidation and harassment.

The report ends with a series of recommendations that need to be urgently implemented in particular by states, who bear the main responsibility in ensuring a safe and enabling environment for WHRDs, but powerful non-state actors such as business and community leaders, as well as donors, financial institutions and intergovernmental bodies also need to take proactive steps to address the situation of violence, inequality, discrimination and exclusion faced by WHRDs.

We are at a critical juncture. Now is the time to vigorously defend the human rights of all, starting with WHRDs and all those facing multiple and intersecting forms of discrimination. Now is the opportunity to recognise how WHRDs are spearheading the global human rights movement and for all to stand with them, join them and support them. They must urgently be recognised, legitimised, applauded and protected.

Amnesty International is launching this briefing on 29 November 2019, International Women Human Rights Defenders Day, to celebrate the activism and courageous acts of resistance of all WHRDs. The coming year will also provide a key opportunity to support them, as 2020 marks 25 years since the international community adopted by consensus the Beijing Declaration and Platform for Action, committing to advance the goals of equality, development and peace for all women and girls everywhere and to ensure the full implementation of their human rights.⁴

Those with power must recognize WHRDs as key agents of change in obtaining justice, equality, peace and sustainable development, and protect them so they are able to take action for the defence of human rights in safe and enabling environments without discrimination or violence.

⁴ Beijing Declaration and Platform for Action, 1995,
www.un.org/en/events/pastevents/pdfs/Beijing_Declaration_and_Platform_for_Action.pdf

2. WHO ARE WHRDS AND WHAT DO THEY DO?

Women human rights defenders (WHRDs) is an inclusive term that represents the struggle for recognition of the specific challenges faced by women who engage in the defence of any human right, and people of all genders who defend women's rights or work on a range of gender-related issues and sexuality.

WHRDs work on a variety of topics and rights, from civil and political rights to economic, social and cultural rights. Some WHRDs may be women or gender non-conforming people who fight against enforced disappearances, torture, arbitrary detention, promote the right to education, housing and health, advocate for the rights of migrants and Indigenous peoples, campaign to protect the environment and address the effects of climate change. Some WHRDs advocate specifically for women's rights and LGBTI rights by challenging discrimination and promoting equality in all sectors of society, combating violence against women, advocating for sexual and reproductive health and rights, or fostering women's political participation. Some WHRDs are particularly concerned with challenging heteronormative legal and cultural frameworks that privilege "traditional" family forms and patriarchal social norms and marginalize or criminalize those who live outside of this norm, such as LGBTI people, single women and single parents, women who have sex outside of marriage, and sex workers.⁵

WHRDs can defend rights as part of or in addition to their main occupation: they can be NGO workers, lawyers and judges, journalists, teachers, artists, trade unionists, health and social care workers, sex workers, factory workers, rural workers, politicians, domestic workers, unpaid care workers, community and grassroots leaders and volunteers, members of movements and collectives, whistle-blowers and dissenters, and friends and family members of victims of human rights abuses. They operate at the international, regional, national and local levels, and their activities are often invisible or poorly recognised because they are removed and excluded from the centres of power.

While WHRDs make vital contributions to all human rights, they also have a key role in promoting rights that might be seen as controversial by some, and have been at the forefront of multiple crucial struggles that have resulted in increased recognition of the human rights of women, increased access to safe and legal abortion services, as well as in the recognition of the rights of sex workers, the right to have one's gender identity and sexual orientation respected and protected, the abolition of male guardianship, and the autonomy to choose to wear or not to wear a veil. Above all, WHRDs have been at the forefront of promoting a feminist, transformative vision of a more equal society and have provided a gender and intersectional analysis through which individuals and groups can better understand and defend all human rights.⁶

⁵ Report submitted by Special Rapporteur on the Situation of Human Rights Defenders, Michel Forst, to the 40th session of the Human Rights Council, 28 February 2019, UN Doc. A/HRC/40/60

⁶ Women Human Rights Defenders International Coalition, *Global Report on the Situation of Women Human Rights Defenders*, 2012

3. WHAT CHALLENGES DO WHRDS FACE?

“I have to push hard to get into the right spaces and advocate for the rights of the marginalized at the same time – it’s twice as difficult”

Turyatunga Rebecca Juna, Juna Foundation and Ugandan WHRD Network, Uganda ⁷

WHRDs face similar risks and challenges as other HRDs across the world who continue to be verbally and physically attacked, threatened, smeared and stigmatized, spied on, criminalized, arbitrarily detained and sometimes even killed. Every year, the global statistics of such attacks, particularly deadly ones, continue to rise⁸ as states continue to fail to meet their obligations to recognize WHRDs and provide them with a safe and enabling environment.

What sets WHRDs apart are the gender specific challenges they face because of who they are as women, or gender non-conforming people, and/or because the rights they defend are connected to women’s rights, gender equality and sexuality, which are structurally repressed in patriarchal societies. For example, some WHRDs who do not work specifically on gender issues may face a backlash simply for breaking “taboos” and stepping outside the role deemed “appropriate” for them in society, such as being women campaigning and expressing opinions in the public arena. Other WHRDs may be specifically targeted because they promote rights which may be actively contested and denied in a given context, such as the right of women to access safe and legal abortions, or the right of same sex couples to legally marry and adopt children.

WHRDs operate within a context of discrimination, inequality, violence (or threat of violence) against them as individuals. This, coupled with an ongoing struggle against patriarchal structures, institutions and practices that resist change, puts them at a disadvantage and prevents them from carrying out their work.⁹

In addition, WHRDs are more at risk of certain forms of violence (such as sexual violence or attempts at “shaming” and smearing based on notions of “modesty” and social norms related to gender or sexuality); restrictions or exclusion from public or political spaces and resources including economic marginalization; and systemic opposition to the rights that they advocate for.¹⁰

⁷ Interview with Turyatunga Rebecca Juna in English, 28 February 2019

⁸ See, for example, Amnesty International, *Human rights defenders under threat*, (Index: ACT 30/6011/2017) and *Deadly but preventable attacks*, (Index: ACT 30/7270/2017); Front Line Defenders, *Global Analysis 2018*, 7 January 2019; Global Witness, *Enemies of the State?*, July 2019; and www.hrdmemorial.org - the human rights defenders memorial website and database to commemorate all the HRDs killed since 1998 because of their work.

⁹ Women Human Rights Defenders International Coalition, *Claiming Rights, Claiming Justice: A Guidebook on Women Human Rights Defenders*, 2007

¹⁰ Women Human Rights Defenders International Coalition, *Gendering documentation. A Manual for and about Women Human Rights Defenders*, 2016

It has been a long struggle to ensure WHRDs are recognised and protected. When, in the early 2000s, the then UN Special Rapporteur on HRDs, Hina Jilani, championed the concept of WHRDs at the UN, she clarified her intention was “to highlight the risks, challenges and vulnerabilities they face because of their gender in order to develop responsive protection strategies”.¹¹ It was only in 2013 that the UN General Assembly finally adopted a resolution on WHRDs to recognise and protect them, acknowledging that a key challenge for WHRDs is “the systemic and structural discrimination and violence” they face.¹²

3.1 CONTEXTS IN WHICH HUMAN RIGHTS VIOLATIONS TAKE PLACE

Human rights violations against WHRDs happen as part of a series of challenging and hostile contexts. These have been conceptualized over the years by the feminist movement and well documented by many individuals, collectives, and organisations, including the Women Human Rights Defenders International Coalition, a network established in 2005 to support WHRDs and articulate their challenges and protection needs. The main drivers of risk identified include: patriarchy and heteronormativity, fundamentalisms and extremisms, neoliberal policies, crises of democracy and governance, militarism and widespread violence in society.¹³

Social constructions of gender shaped by patriarchy and heteronormativity, which privilege male power and heterosexual relations, are an everyday source of violence, exclusion and marginalization for women, LGBTI and other gender non-conforming people. This means that even when not engaged in human rights activities, WHRDs are still affected due to the systemic discrimination and high levels of gender-based violence that women and LGBTI people are exposed to.¹⁴ As states continue to fail to tackle these endemic levels of discrimination and violence, “impunity [...] sends a message to society that male violence against women is both acceptable and inevitable. As a result, patterns of violent behaviour are normalized”.¹⁵

Attacks intensify when WHRDs disrupt power relations, and challenge traditional ideas of family and gender roles, sexuality, and identities. This is when they are most at risk of physical and verbal attacks, criminalization, stigmatization and ostracism that comes from several sectors of society, ranging from the state to their own communities and families.¹⁶ Women who engage in decision making and politics at any level have been at particular risk, including young, Indigenous, lesbian, bisexual and transgender and intersex activists; members of opposition or minority groups; and those voicing minority, dissenting or “controversial” views who have been the target of attacks aimed at preserving “traditional gender roles and stereotypes and maintain structural and gender-based inequalities”.¹⁷ Similarly, WHRDs who defend the environment and their territories are the target of powerful economic interests and violence from multiple fronts that, as described by civil society groups, “has been historically and permanently faced by women within the framework of an unequal society shaped by gender, race, and class injustice. [...] they are criminalized, harassed, and suffer from smear campaigns, while they also face violence from colleagues in their organizations and members of their community”.¹⁸

Increasingly, the ‘politics of demonization’ is taking root around the world.¹⁹ This, together with growing religious fundamentalism, nationalism and anti-rights narratives, is advancing a view in which WHRDs are seen as key opponents because they fail to conform to what is deemed acceptable by those with power and are singled out for their “deviant” behaviour. As a result, WHRDs are seen as threats to power structures and portrayed as threats to traditional values and national unity, used as scapegoats for wider socio-economic problems, and become targets

¹¹ Report submitted by the former Special Representative of Secretary-General on Human Rights Defenders, Hina Jilani, to the 58th session of the Commission on Human Rights, 27 February 2002, UN Doc. E/CN.4/2002/106

¹² Promotion of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms: protecting women human rights defenders, Resolution adopted by the General Assembly on 18 December 2013, UN Doc. A/RES/68/181

¹³ Women Human Rights Defenders International Coalition, *Claiming Rights, Claiming Justice: A Guidebook on Women Human Rights Defenders*, 2007; *Global Report on the situation of Women human rights defenders*, 2012; *Gendering Documentation: A Manual for and about Women Human Rights Defenders*, 2015

¹⁴ Report of the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo, 2012, UN doc. A/HRC/20/16; WHO, *Global and regional estimates of violence against women*, 2013; and Trans Murder Monitoring, *Trans Day of Remembrance 2018*, Press Release, 20 November 2018

¹⁵ In-depth study on all forms of violence against women. Report of the Secretary General, 2006, UN Doc. A/61/122/Add.1

¹⁶ Report submitted by Special Rapporteur on the Situation of Human Rights Defenders, Michel Forst, to the 40th session of the Human Rights Council, 28 February 2019, UN Doc. A/HRC/40/60

¹⁷ Violence against women in politics. Note by the Secretary General, 6 August 2018, UN Doc. A/73/301

¹⁸ Urgent Action Fund, *Impunity for violence against women defenders of territory and nature in Latin America and the Caribbean*, 2018

¹⁹ Amnesty International, “Politics of demonization” breeding division and fear, (Press release, 22 February 2017)

of hate speech based on misogyny, homophobia, transphobia and racism. This increases the stigma and risks for WHRDs, who face more obstacles and attacks on themselves and their work.²⁰

This backlash has become apparent even in spaces which ought to provide opportunities to advance women's rights and gender equality in a manner that is inclusive and safe from retaliation. For example, religious fundamentalists have started to operate with increasing coordination and frequency in international forums such as the UN Commission on the Status of Women, the UN Commission on Population and Development, and other spaces at the UN. They systematically undermine efforts to end gender inequality and discrimination by using "the bodies of women, girls and individuals with non-conforming gender identities or sexual orientations as battlefield in their struggle to appropriate and maintain institutional and social power".²¹

One strategy that these groups have relied upon is the use of false or misleading information, propaganda, and conspiracy theories, such as the so-called "gender ideology", a term concocted by religious fundamentalists to refer to a supposed gay and feminist-led agenda to subvert traditional families and social norms.²² Similarly, a study of women's and trans-led civil society groups across the world found that "increasingly conservative political forces openly frame women's rights and LGBTI rights as products of 'Western interference'". It also found that many activists "experience closing civil society space as being driven, at least in part, by an increase in state-sponsored rhetoric that prescribes and enforces narrow patriarchal and heteronormative gendered behaviour and sexual identity, and which is maintained through violence, threats and stigma".²³

Armed conflict and the militarization of public security, and the consequent widespread violence they create in communities, intensify and exacerbate discrimination and violence against women and minorities in everyday life, leading to increasing risks and challenges for WHRDs.²⁴ Perpetrators of violence can include state and non-state agents, and it can happen in the private and public sphere. Violence, or the threat of violence, is used to intimidate and keep women and minorities "in their place". As noted by the Committee on the Elimination of Discrimination against Women (CEDAW), in a context of conflict, "specific groups of women and girls are at particular risk of violence, especially sexual violence, such as internally displaced and refugee women; women's human rights defenders; women belonging to diverse caste, ethnic, national, religious or other minorities or identities who are often attacked as symbolic representatives of their community; widows; and women with disabilities". The Committee also stresses that during armed conflict, and even after the cessation of hostilities, "women and girls ... are targeted by the use of sexual violence 'including as a tactic of war to humiliate, dominate, instil fear in, disperse and/or forcibly relocate civilian members of a community or ethnic group'".²⁵

During crises of governance and increasing setbacks to human rights protections, HRDs are faced with a shrinking space for human rights activities and dissent, and states may be unwilling or unable to protect human rights defenders. WHRDs may be targeted in particular ways to instil fear in the wider movement, as has been seen with the gender-based violence against protesters and WHRDs during the repression of the Egypt uprising of 2011,²⁶ or the recent protests in Sudan in which many women human rights defenders were specifically targeted with arbitrary detentions,²⁷ and many women protesters were reported to have been raped and murdered.²⁸

Globalisation and the dominance of neoliberal economic ideologies and policies have contributed to extreme economic and power inequalities, including through the privatization of public services, the exploitation of cheap labour and natural resources, the unchecked growth of corporate power, and the supremacy of profit over human rights. Those most affected by these inequalities and disempowerment tend to be those facing multiple and intersecting forms of discrimination and marginalization, such as women and LGBTI people who are Indigenous, black, and/or poor. As they challenge state and private economic interests, they face formidable opposition as can be seen in the high levels of violence and harassment of WHRDs who lead Indigenous and environmental struggles against business interests implementing large infrastructure

²⁰ UN OHCHR, *Fact Sheet: Women Human Rights Defender*, September 2014 and Urgent Action Fund for Women's Human Rights, *Rights Eroded: A Briefing on the Effects of Closing Civil Society Space on Women Human Rights Defenders*, December 2017

²¹ AWID and Observatory on the universality of rights, *Rights at risk: Trends report 2017*, May 2017

²² The Guardian, "Gender ideology": big, bogus, and coming to a fear campaign near you", by Gillian Kane, 30 March 2018

²³ Mama Cash and UAF, *Standing firm. Women and trans-led organizations respond to closing space for civil society*, July 2017

²⁴ Women Human Rights Defenders International Coalition, *Gendering documentation. A Manual For and About Women Human Rights Defenders*, 2016

²⁵ UN Security Council resolution 1820 (2008) in General Recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations, Committee on the elimination of discrimination against women, 18 October 2013, UN Doc. CEDAW/C/GC/30, paras. 35 and 36.

²⁶ Amnesty International, *Egypt: Gender-based violence against women around Tahrir square* (Index: MDE 12/009/2013)

²⁷ WHRD MENA Coalition, *Women Human Rights Defenders in Sudan: arbitrary detentions and unfair trials*, 10 April 2019,

whrdmena.org/2019/04/10/women-human-rights-defenders-in-sudan-arbitrary-detentions-and-unfair-trials/?lang=en

²⁸ BBC, "Rape and Sudan's revolution: 'They were crying and screaming'" by Catherine Byaruhanga, 14 June 2019

projects, the extractive industry, and agribusiness.²⁹ At the UN Environment Assembly, the international decision-making body on environmental issues, states recognized that environmental degradation and climate change disproportionately impact women “owing to existing gender inequalities”. They further acknowledged “the active and meaningful role of women as key agents of change in developing innovative solutions to climate change and promoting sustainable and inclusive consumption and production”. However, the term “women human rights defenders” was stripped from the final version of the resolution,³⁰ denying the active role and the increasing threats faced by WHRDs.³¹

The reality is that WHRDs are increasingly on the front line of environmental and territorial defence, with a corresponding rise in attacks.³² As explained by different women-led groups, they use a feminist perspective in developing strategies of resistance and regional articulation to defend the environment and their territories. In this process, such groups have constructed specific understandings of the challenges posed by unsustainable economic models based on extractive industries, identifying differentiated impacts according to gender, and denouncing their patriarchal and racist nature.³³

Added to these contexts, WHRDs are more affected by multiple and intersecting forms of discrimination and oppression than their male counterparts. This is based on a wide variety of grounds, including the simple omnipresence of misogyny in connection to gender, age, language, ethnicity, sexual orientation, gender identity, gender expression, race, caste or class, occupation, Indigenous identity, disability, religion or belief, and/or migration or other status. These different forms of discrimination can overlap and interact, intensifying and diversifying an individual’s experience and are often linked to political exclusion, economic deprivation and inequality. For example, studies on transphobic violence, a form of gender-based violence, have shown how the experience of discrimination is further aggravated when it intersects with other structural inequalities resulting in poverty, homelessness and lack of employment opportunities or when it is combined with other forms of discrimination such as discrimination based on colour, ethnicity, migratory status, or where they are sex workers or people living with HIV, who are particularly at risk of violence, including of killings, beatings, mutilation, rape and other forms of abuse.³⁴

3.2 HOW ATTACKS IMPACT WHRDS

In order to better develop strategies and mechanisms to legitimise and protect WHRDs, the specific risks, challenges and violations they face should be identified and analysed through a gender lens in order to understand and address how women, LGBTI and gender non-conforming people are affected by wider contexts of violence and discrimination, and how their specific experiences increase the risk and challenges they face. The examples in this section illustrate how attacks take place and the consequences they have.

Some of these attacks may be acts of **gender-based violence**, that is human rights violations used against women, LGBTI and gender non-conforming people to punish them because of the work they do or as a means of discouraging their engagement in human rights work. Other attacks may be acts with **gendered consequences**, that is human rights violations inflicted regardless of their gender but with different impacts for WHRDs because of the social and cultural norms governing gender identity, sexuality, and gender roles.³⁵ In the words of the Mesoamerican WHRD Initiative: “When we speak about WHRDs, we have specific protection needs. This is not because we suffer a greater number of attacks than men (although this is true in the case of sexual assault), but because we suffer differently from the same kinds of attacks. We also suffer from attacks that are very different in nature, or that occur in very different circumstances. Most especially, since our lives, knowledge, bodies, and minds are undervalued in our societies, communities,

²⁹ Women Human Rights Defenders International Coalition, *‘Claiming Rights, Claiming Justice: A Guidebook on Women Human Rights Defenders’*, 2007

³⁰ Promoting gender equality and the human rights and empowerment of women and girls in environmental governance, United Nations Environment Assembly, 14 March 2019, UN Doc. UNEP/EA.4/L.21

³¹ CIEL, “Environmental Human Rights Defenders in the Spotlight at the Human Rights Council”, blog by Jolein Holtz, 22 March 2019, www.ciel.org/environmental-human-rights-defenders-human-rights-council/

³² UNDP, In defense of nature: women at the forefront, by Jamison Ervin, 27 November 2018, www.undp.org/content/undp/en/home/blog/2018/in-defense-of-nature-women-at-the-forefront.html

³³ Fondo Acción Urgente, Mujeres defendiendo el territorio. Experiencias de participación en América Latina, 2015

³⁴ Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, 11 May 2018, UN Doc. A/HRC/38/43 and Boglarka Fedorko and Lukas Berredo, TGEU, *The vicious circle of violence: trans and gender-diverse people, migration, sex work*, October 2017

³⁵ Women Human Rights Defenders International Coalition, *Global Report on the situation of women human rights defenders*, 2012

organizations and families, we must make a greater effort to understand and act upon these ‘human rights violations’ and the ‘need for protection’ faced by WHRDs.”³⁶

3.2.1 MARGINALIZATION, DISCRIMINATION AND EXCLUSION

In overt and subtle ways, WHRDs and their contributions to society are actively excluded, ignored, marginalised and/or belittled, including within the civil society movements of which they form a part. In some cases, WHRDs are actively prevented from gaining access to decision-making spaces and processes and from meaningfully participating in them. In addition, WHRDs often have a harder time making their voices heard simply because as women and gender non-conforming people, they are historically disadvantaged and excluded socially, economically and politically.

For example, in August 2018, the Coalition of African Lesbians was excluded from participating in the **African** regional human rights system, when the African Commission on Human and People’s Rights withdrew the organization’s observer status following pressure by the African Union Executive Council. The Executive council commented on the need to consider “African values” in the Commission’s granting of observer status to civil society organizations.³⁷ This discriminatory political intervention and decision implied that defending LGBTIQ³⁸ rights is considered “un-African” and unduly restricts the right to association.

In **South Sudan**, human rights lawyer Jackline Nasiwa stated WHRDs like herself face multiple challenges in championing the rights of women and girls. She told Amnesty International: “WHRDs don’t have protection from the authorities especially because most of the people do not believe in human rights and when you speak of human rights and rights of women and girls they consider you are driving a foreign agenda and you hear responses such as that it’s not in the culture and traditions of South Sudanese, so women do not enjoy their full rights in society.”³⁹ She further told Amnesty International that women who champion rights are sarcastically called “young girls”, expected to stick to “women-only” issues or wait for their “right time”, and treated as if they are “western agents”, especially when they talk about sexual violence and rape. These cultural barriers and historical injustices have hampered women and WHRDs in South Sudan from participating in governance debates, including the championing of security and institutional reforms associated with the revitalised peace agreement. Jackline also found that donors are reluctant to fund “vocal voices of civil society” for fear of being labelled “agents of the West” or “regime change agents” and so human rights organisations, especially women-led organisations, are not supported to the same extent as humanitarian support and “peace building”. This in turn limits the work that can be done raising human rights awareness and advocating for the rights of women and girls.

Turyatunga Rebecca Juna, a young WHRD from **Uganda**, told Amnesty how her age, gender and other power dynamics interplay to pose multiple challenges in her human rights work: “I have to push hard to get into the right spaces and advocate for the rights of the marginalized at the same time – it’s twice as difficult.”⁴⁰ Turyatunga faces sexual harassment, objectification and other obstacles in a field mainly occupied by men: “They look at your body instead of your brain, so it’s harder for me than for men. They also steal my work – I come up with projects and ideas, then other more powerful people take over and often mess my ideas around. It’s about age, gender and power dynamics. [And] if you are helping someone who is being persecuted by a powerful actor, then you can also become a target. As defender of the rights of marginalized people, such as LGBTI, minorities, [and] ex-gang members, you are often seen as enabler of their way of life.”

An international study of WHRDs defending the rights of communities when dealing with the extractive industries, found that women and WHRDs are often excluded or ignored from consultations with local communities affected by projects, even if they represent the opinions and interests of a considerable portion of the affected population. For example, AWID has documented how in **Colombia** a mining company in La Guajira ignored the elected community representative — an Indigenous woman — and initiated talks only with men from the same community, creating a parallel male leadership.⁴¹

This also happens elsewhere, where being a woman leader intersects with being Indigenous and living in a rural community. Bernarda Lopez Ramírez, a Xinca WHRD from **Guatemala**, explained to Front Line

³⁶ Mesoamerican Initiative of Women Human Rights Defenders, *Violence against women human rights defenders in Mesoamerica, 2012-2014 report*, www.awid.org/sites/default/files/atoms/files/286224690-violence-against-whrds-in-mesoamerica-2012-2014-report.pdf

³⁷ International Justice Resource Centre, ‘African Commission bows to political pressure, withdraws NGO’s observer status’, 28 August 2018, <https://ijrcenter.org/2018/08/28/achpr-strips-the-coalition-of-african-lesbians-of-its-observer-status/>

³⁸ We use the term/acronym preferred by the referenced organisation.

³⁹ Interview with Jackline Nasiwa in English, 7 March 2019

⁴⁰ Interview with Turyatunga Rebecca Juna in English, 28 February 2019

⁴¹ AWID, *Women human rights defenders confronting extractive industries*, 2017

Defenders: “We started to get organised in women’s groups because in the rural areas there is a lot of discrimination and machismo, patriarchal power is so strong there. Here in the mountains there is an Indigenous government composed of 350 men. There is not one single woman in the cabinet, because they don’t care about us.”⁴²

In **Lebanon**, thousands of women that have emigrated from Asian and African countries, are engaged in domestic work. They are excluded from the protections of the Lebanese Labour Law and governed by the *kafala* system,⁴³ which leaves them at risk of abuse and exploitation. In 2015, a group of women formed a trade union for domestic workers – the first of its kind in the region – to advocate for their rights. The Ministry of Labour, however, refused to recognize the union and considered it illegal, cracking down on women unionists and community leaders. In retaliation for her activism, one of the leaders, Sujana Rana, was deported to her native Nepal by the Lebanese authorities in 2016.⁴⁴

In **India**, Dalit feminists have long conceptualised the multiple and intersecting forms of discrimination they are subjected to, including oppression by the dominant castes, class oppression, and patriarchal oppression at the hands of men, including men from their own caste. Dalit women have organized to challenge patriarchal norms as well as the caste structure.⁴⁵ In response to increasing human rights advocacy by Dalit people, the backlash usually comes with an increase in violence against Dalit human rights defenders, and Dalit women activists have been at greater risk. According to civil society organizations, Dalit women are the first to be hit by gender violence such as rape, as a tool that is very often used to silence the entire community. In recent years, Dalit women elected representatives have faced increased attacks, which is seen as a clear indication of this kind of backlash for raising up their voices.⁴⁶

3.2.2 STIGMATIZATION, SMEAR CAMPAIGNS, DEMONIZATION AND ATTACKS BASED ON “MORALITY”

Stigmatization and smear campaigns are commonly used tactics by both state and non-state actors to discredit HRDs, in order to delegitimize their work and messaging, isolate them from the community and reduce the support they receive. Name-calling is common and ranges from being labelled “terrorists” and “unbelievers” to “foreign agents”, “traitors” and working against “national interests” or “traditional values”.⁴⁷ But when it comes to smearing and demonising WHRDs, these attacks are not just based on what they do but also on who they are. This is why WHRDs regularly endure attacks directly aimed at their identity as women or LGBTI people, questioning their mental health and sexuality, as well as their “honour” and reputation. For example, WHRDs may be accused of being “bad mothers”, “insane”, “immoral”, “against national values”, or other connotations that are deemed socially unacceptable in a specific context. Attacks on individual reputations and questioning of WHRDs’ character based on their sexuality, reproductive or marital status is a method that is specifically used to discredit the motives and trivialise the work of WHRDs. Public “shaming” can alienate and isolate WHRDs from their own families and communities, and deprive them of sources of protection, support and solidarity.⁴⁸

In **Poland**, Zofia Marcinek, a pro-choice activist that advocates for access to safe and legal abortion, has noticed a widespread increase in racist, anti-immigration and anti-Semitic sentiments in the country, as well as the mainstreaming of neo-fascist and nationalist groups which have led to “a great threat to the human

⁴² Front Line Defenders, *Stories of resistance: the women leading the struggles for Indigenous rights*, 7 August 2017, www.frontlinedefenders.org/en/resource-publication/stories-resistance-women-leading-struggle-indigenous-rights

⁴³ All migrant domestic workers are excluded from the Lebanese Labour Law and are governed instead by the *kafala* (sponsorship) system, which ties the legal residency of the worker to the contractual relationship with the employer. If this employment relationship ends, even in cases of abuse, the worker loses regular migration status. Moreover, the worker cannot change their employer without the latter’s permission. This allows the employer to coerce the worker to accept exploitative working conditions. If a migrant domestic worker refuses such conditions and decides to leave the home of the employer without the latter’s consent, the worker risks losing their residency status and consequently detention and deportation. For more information, see: Amnesty International, “*Their house is my prison*”. *Exploitation of migrant domestic workers in Lebanon* (Index: MDE 18/022/2019)

⁴⁴ Amnesty International, *Migration: to / from / in*, 2018, www.amnesty.org/en/latest/campaigns/2018/12/migration-to-from-in-middle-east-north-africa/

⁴⁵ AWID, *The Dalit Women’s Movement in India: Dalit Mahila Samiti* By Jahnavi Andharia with the ANANDI Collective, 2008.

⁴⁶ All India Dalit Mahila Adhikar Manch et al., *Violence against Dalit women, Input to the Special Rapporteur on Violence Against Women*, 2013, https://idsn.org/wp-content/uploads/user_folder/pdf/New_files/India/2013/India_submission_on_Violence_against_Dalit_Women_-_SR_on_VAW_India_2013.pdf

⁴⁷ Amnesty International, *Human rights defenders under threat – a shrinking space for civil society* (Index: ACT 30/6011/2017)

⁴⁸ Center for Women’s Global Leadership and the International Gay and Lesbian Human Rights Commission, “Written out: How Sexuality is Used to Attack Women’s Organizing”; Cynthia Rothschild, 2000/2005, <https://outrightinternational.org/sites/default/files/16-1.pdf>; and Report submitted by Special Rapporteur on the Situation of Human Rights Defenders, Michel Forst, to the 40th session of the Human Rights Council, UN Doc. A/HRC/40/60, 28 February 2019

rights of women, LGBTIQ⁴⁹ persons and people of different races, nationalities or creeds". For example, according to Zofia: "Several women who run an internet forum dedicated to supporting those who need to terminate a pregnancy, faced questioning by the police in 2018 - despite their forum being completely legal. Several have been threatened by anti-choice activists, who tracked them on social media and harassed them."⁵⁰ Zofia was also part of a group of 14 WHRDs who were beaten after they staged a peaceful protest against fascism at a nationalist march in 2017. Not only were they not protected by the police, they were also charged and fined by the authorities for obstructing a lawful assembly. As of 1 October 2019, most of the 14 women were awaiting verdicts for the appeals they launched.⁵¹

In **Italy**, Carola Rackete, the captain of the Sea-Watch 3, a civilian vessel deployed by a German NGO to rescue people in distress in the central Mediterranean Sea, was arrested at the end of June 2019. In mid-June the ship had rescued dozens of people and as ship-master, Carola Rackete was duty-bound to disembark them in the nearest place of safety, such as Italy or Malta, but was refused docking. After a two-week standoff, and with increasingly exhausted people on board, she eventually decided to dock in Italy against the orders of the authorities. She was arrested at the port of Lampedusa, near Sicily, but released a few days later as the judicial authorities recognized she was fulfilling her duty of rescuing lives at sea. Carola remains under investigation for alleged facilitation of irregular migration, resisting a warship and resisting a public official in the exercise of their duties.⁵² During the standoff, the Italian Minister of Interior repeatedly insulted and smeared Carola, branding her a pirate and a criminal.⁵³ This unleashed a barrage of insults by his followers, who verbally attacked and insulted her using violent sexist and misogynistic language on social media, and in person as she was arrested at the port. Many of the vicious verbal attacks against Carola Rackete were aimed not just at her work but also her gender, her appearance, and inciting sexual violence against her.⁵⁴ Carola Rackete has filed a complaint for defamation against the then Minister of Interior of Italy.⁵⁵

In **Mauritania**, Mekfoula Brahim is an outspoken WHRD who has campaigned for women's rights, including advocating against female genital mutilation, and in defense of a blogger sentenced to death for criticising those who use religion to discriminate minorities. As a result, she has been under a sustained and coordinated smear campaign on social media by religious groups and has been receiving death threats due to her activism. The fact that Mekfoula Brahim is a woman stepping in the public arena and raising contested and "taboo" issues, exposed her to more abuse. She told Amnesty International that one of the biggest challenges she faces is the attempt to demonize her and the spreading of false and damaging information about her.⁵⁶ For example, in 2016 Facebook posts presented her as an apostate, exposing her to risk of being prosecuted and sentenced to death, and in 2014 she was subjected to a fatwa (a religious decree issued by a Muslim cleric), encouraging people to kill her.⁵⁷

Seo Ji-hyun pioneered the **South Korean #MeToo** movement that exposed several public figures for their abuse against women. She kickstarted the movement by denouncing the abuse she suffered in her workplace, the office of the public prosecutor. She told Amnesty International "with sexual harassment claims, the victims are denigrated as exploiters and prostitutes. It's as if the victim is in the wrong. That's why it took me eight years to come forward, even though I am a public prosecutor". According to her, women are precluded from coming forward because South Korea is a patriarchal society based on Confucianism, where women are treated as inferior, second-class citizens. She told Amnesty International how she was subjected to retaliation and how people at the public prosecutor's office meticulously organized slander campaigns against her. She was portrayed as a 'crazy woman', and her motivations, professional skills and relationships were criticized and put in question in the public domain simply for having denounced the sexual harassment she experienced.⁵⁸ These prosecutors have since been promoted, instead of investigated, but Seo has not given up on her fight for justice and is looking to appeal to the United Nations.⁵⁹

In **El Salvador**, a country with high levels of violence against women and LGBTI people, smear campaigns orchestrated by religious conservative groups have been regularly used against WHRDs, particularly those

⁴⁹ We use the terms/acronyms preferred by the referenced individuals and groups.

⁵⁰ Interview with Zofia Marcinek, 28 February 2019

⁵¹ Amnesty International, "14 women, 75-thousand supporters, one goal: justice in Poland", (Blog, 25 April 2019).

⁵² Amnesty International, *Italy: Sea-Watch 3's captain must not be prosecuted for saving lives*, (News, 2 July 2019)

⁵³ La Repubblica, "Carola Rackete, ecco la querela contro Salvini: "Sequestrate i suoi account Facebook e Twitter", by Fabio Tonacci, 11 July 2019.

⁵⁴ La Repubblica, "La vergogna sul molo di Lampedusa", by Roberto Saviano, 30 June 2019

⁵⁵ La Repubblica, "Carola Rackete, ecco la querela contro Salvini: "Sequestrate i suoi account Facebook e Twitter", by Fabio Tonacci, 11 July 2019

⁵⁶ Interview with Mekfoula Brahim in Arabic, 1 April 2019

⁵⁷ Amnesty International, "A Sword hanging over our heads": The repression of activists speaking out against discrimination and slavery in Mauritania, (Index AFR 38/7812/2018)

⁵⁸ Interview with Seo Ji-hyun in Korean, January 2019

⁵⁹ Interview with Seo Ji-hyun, September 2019

who promote sexual and reproductive health and rights, or those who fight for LGBTI rights and the rights of other non-conforming groups. For example, Karla Avelar who has dedicated her life to defending the human rights of LGBTI persons, people affected by HIV, migrants, people deprived of liberty in situations of vulnerability, as well as victims of discrimination due to their sexual orientation or gender identity, is now living outside El Salvador after decades of threats and attacks on her reputation, credibility and life.⁶⁰ In 2014 and 2015, in the context of El Salvador's blanket ban on abortion, members of *Agrupación Ciudadana por la Despenalización del Aborto* (Civic group for the decriminalization of abortion) and *La Colectiva Feminista para el Desarrollo Local* (Feminist collective for local development) were accused of being "unscrupulous", "pro-death", "adding to the rivers of blood already flowing in the country", "unpatriotic traitors bringing shame on El Salvador", and of "manipulating vulnerable women".⁶¹ Such attacks intensified after they took on high profile campaigns to defend the rights of women and girls who had been unjustly accused of murder following obstetric emergencies and sentenced to jail. It was even insinuated that, as a consequence of the defence of these women and girls, other women would kill their children.⁶² One WHRD, Alejandra Burgos, expressed concern: "In a country like ours, where [...] there are hundreds of murders each month, this campaign increases our vulnerability to violent attacks that could be passed off as common crime and distorted as a consequence of the stigma these publications are creating against us."⁶³

3.2.3 PRESSURE FROM FAMILY AND COMMUNITY

Unlike their male counterparts, WHRDs are more likely to face violence and other types of pressure from their partners and family members, who may fail to support them and attempt to dissuade them from human rights activism and participating in public life. As they step outside the boundaries of what is deemed appropriate for them, they may face domestic violence and abuse based on cultural notions of "honour", threats of divorce, or being forcibly separated from their children.⁶⁴ According to a survey of WHRDs in Mesoamerica, family members were responsible for at least 5% of attacks.⁶⁵ In part they also face added pressure because, like many women, they bear the burden of having to carry out a disproportionate share of unpaid care and reproductive work compared to men⁶⁶ and additionally can be stigmatized for not being "good mothers".⁶⁷

In many cases, WHRDs' children and close relatives are attacked or threatened to force them to stop their activism.⁶⁸ In countries where women are traditionally primary caregivers for the family, WHRDs also face enormous pressure, fear and guilt if their loved ones are put at risk for their human rights work. For example, well-known defenders such as Berta Cáceres in **Honduras**, the environmental human rights defender who was shot dead in 2016 for campaigning for the rights of the Indigenous Lenca people to their territory,⁶⁹ and Natalia Estemirova in **Russia**, a leading human rights activist working in Chechnya abducted and killed in July 2009,⁷⁰ were forced to send their own children away from their communities for fear they may be the target of retaliatory attacks after they had received threats.

In **Libya**, "Manal", an investigative reporter who denounced corruption and child abuse, told Amnesty International in 2018 how members of a powerful militia in Tripoli approached her husband to demand that he put an end to her work. As a result, "Manal's" husband stole her hard drive and computer and eventually filed for divorce.⁷¹ "Samia", another WHRD from Libya, was targeted for criticizing the authorities on social media. In 2018, she went into hiding after military intelligence officers issued a warrant for her arrest on defamation charges. As a result, her father was summoned and arbitrarily detained to pressure her to turn

⁶⁰ See www.martinnalsaward.org/hrd/karla-avelar/

⁶¹ Amnesty International, *Defenders under attack! Promoting sexual and reproductive rights in the Americas*, (Index: AMR 01/2775/2015)

⁶² Amnesty International, *Defenders under attack! Promoting sexual and reproductive rights in the Americas*, (Index: AMR 01/2775/2015)

⁶³ AWID, "Smear Campaign Against Woman Human Rights Defenders in El Salvador", 14 October 2015, by Gabby De Cicco and Verónica Vidal Degiorgis, www.awid.org/news-and-analysis/smeear-campaign-against-woman-human-rights-defenders-el-salvador

⁶⁴ Report submitted by Special Rapporteur on the Situation of Human Rights Defenders, Michel Forst, to the 40th session of the Human Rights Council, A/HRC/40/60, 28 February 2019

⁶⁵ Mesoamerican Women Human Rights Defenders Initiative, *Violence against women human rights defenders in Mesoamerica, 2012-2014 report*, www.awid.org/sites/default/files/atoms/files/286224690-violence-against-whrds-in-mesoamerica-2012-2014-report.pdf

⁶⁶ OECD Development Centre, *Unpaid care work: the missing link in the analysis of gender gap outcomes*, December 2014

⁶⁷ Mesoamerican Women Human Rights Defenders Initiative, *Violence against women human rights defenders in Mesoamerica, 2012-2014 report*

⁶⁸ Women Human Rights Defenders International Coalition, *Global report on the situation of women human rights defenders*, 2012

⁶⁹ Amnesty International, "We are defending the land with our blood": *Defenders of the land, territory and environment in Honduras and Guatemala* (Index: AMR 01/4562/2016); and Amnesty International, *Deadly but preventable attacks killings and enforced disappearances of those who defend human rights* (Index: ACT 30/7270/2017)

⁷⁰ Amnesty International, *Russian federation: on the tenth anniversary of Natalia Estemirova's murder, human rights groups call for justice long overdue* (Index: EUR 46/0712/2019); and Amnesty International, *Deadly but preventable attacks killings and enforced disappearances of those who defend human rights* (Index: ACT 30/7270/2017)

⁷¹ Amnesty International, *Silenced Voices: Libyan Women Human Rights Defenders Under Attack* (Index: MDE 19/8657/2018)

herself in. “Samia’s” father was eventually placed under house arrest on the condition that he publicly condemn his daughter’s actions. “Samia” and her family have since fled Libya, but still live in fear of retaliation.⁷²

Hina Shahnawaz, who worked with HelpAge International in **Pakistan**, an organization advocating for the rights of older people, was a professional woman, financially independent and her family’s main provider – thus challenging socially accepted norms and gender roles for women in her country. She was shot dead in February 2017; a relative was arrested in connection with the killing.⁷³ This happened in a context of high levels of “honour” based crimes. For example, during 2016, the Human Rights Commission of Pakistan recorded the killings of 512 women and girls and of 156 men and boys on grounds of “honour”.⁷⁴

Sanièce Petit Phat became the target of threats in **Haiti** in 2016 because of her work on behalf of victims of domestic and sexual violence in her community. She reported to the authorities that she was the target of intimidation and received death threats against her and her family (in particular threats to kill her two young children) from a neighbour, but she was not taken seriously. In 2017, the same man stabbed her nephew and continued threatening Sanièce and her family. She had to leave the area with her family due to the high risk she faced.⁷⁵

Li Wenzu, a WHRD married to Wang Quanzhang (a human rights lawyer in **China** sentenced to five years’ imprisonment in a closed-door trial in 2018), told Amnesty International of the difficulties she faces in her fight for her husband’s freedom, including the harsh impact this has had on her young son. Constant surveillance by secret police officers at her home or even trips to the park has left him with recurring nightmares – he fears he will lose his mother too and is not able to go to school due to the harassment he faces.⁷⁶

The pressure on WHRDs does not come only from those that surround them, but also from social norms and expectations which stereotype them as selfless caregivers and often lead them to take on a disproportionate amount of responsibility to fight for their own rights and for the rights of other discriminated groups, with the associated psycho-physical burden that goes with it. WHRDs have argued: “Many activists and women human rights defenders [see] having a moment of rest [as] a privilege, and overworking [as] a token of commitment. However, many times we are merely reproducing the patriarchal idea that we must be there for others.”⁷⁷

Coupled with the fact that many WHRDs operate with very limited resources and political support from governments, donors, and sometimes even from their own communities, cases of stress, burn-out, exposure to trauma, and other issues around self-esteem or non-recognition are widespread among WHRDs. Feminist human rights defenders have therefore increasingly started to assert the attainment of “a state of complete physical, mental and social well-being”⁷⁸ as a human right central to the protection of women human rights defenders through advocacy and with practical steps.⁷⁹

The Mesoamerican Women Human Rights Defenders Initiative (IM-Defensoras) and Consorcio para el Dialogo Parlamentario y la Equidad - Oaxaca have established the “Casa La Serena” in Mexico, a safehouse dedicated to the self-care and wellbeing of women who are activists and defenders in the national networks of IM-Defensoras in El Salvador, Guatemala, Honduras, Nicaragua and Mexico.⁸⁰ For them, self-care is a radical act of resistance: “[it] means putting your body as a woman defender at the centre of the debate. Your body is political territory. It is one of the first spaces for constructing freedom... for defining how you exist as a woman, a human being and a citizen in this struggle”.⁸¹

⁷² Amnesty International, *Libya: silenced voices: Libyan women human rights defenders under attack* (Index: MDE 19/8657/2018)

⁷³ Hina Shahnawaz, <https://hrdmemorial.org/hrdrecord/hina-shahnawaz/>

⁷⁴ Amnesty International, Amnesty International Report 2016/2017 (Index: POL 10/4800/2017)

⁷⁵ Amnesty International, “Haiti: Women’s rights defender threatened with death” (Index: AMR3675982017)

⁷⁶ Interview with Li Wenzu in Chinese, 1 March 2019

⁷⁷ Ana María Hernández Cárdenas and Nallely Guadalupe Tello Méndez, “Creating a healing space for women human rights defenders”, 10 May 2018, available: www.openglobalrights.org/Creating-a-healing-space-for-women-human-rights-defenders/

⁷⁸ Beijing Declaration, Fourth World Conference on Women, Beijing, China, September 1995, para 89.

⁷⁹ Women Human Rights Defenders International Coalition, *‘Claiming Rights, Claiming Justice: A Guidebook on Women Human Rights Defenders’*, p. 35-36

⁸⁰ Ana María Hernández Cárdenas and Nallely Guadalupe Tello Méndez, “Creating a healing space for women human rights defenders”, 10 May 2018, available: www.openglobalrights.org/Creating-a-healing-space-for-women-human-rights-defenders/

⁸¹ Gilda Rivera, Women’s Rights Center, Honduras, quoted in JASS (Just Associates), *Rethinking protection, power and movements*, Series: Making change happen no. 6, 2017

3.2.4 KILLINGS AND GENDER-BASED VIOLENCE

WHRDs face similar risks as other HRDs of being physically attacked, tortured, forcibly disappeared or killed for their human rights work. However, WHRDs also face heightened risk of gendered-based violence, including verbal abuse and harassment, gendered physical attacks, such as femicides (the killing of women because they are women), acid attacks, rape and other forms of sexual attacks. The incidence of gender-based violence against women continues to be high across the world. According to UN figures one in three women and girls experience physical or sexual violence in their lifetime.⁸² These attacks can also have additional gendered consequences, including forced pregnancies or forced abortions, and ostracism by their families and communities. The rumour alone of, for example, sexual violence committed during detention can be damaging due to the stigma survivors of sexual violence still suffer in many parts of the world.⁸³

KILLINGS AND PHYSICAL VIOLENCE

According to available statistics on killings of human rights defenders, fewer WHRDs are killed than male HRDs. However, it is important to note that WHRDs are under threat simply because they are women or LGBTI people, and are statistically more at risk of misogynistic, homophobic and transphobic attacks, regardless of their human rights activities. For example, femicide has been identified globally as a leading cause of premature death for women⁸⁴ and one in two women killed worldwide were killed by their partners or family in 2012 compared with only one out of 20 men killed under similar circumstances.⁸⁵

This is also the case for LGBTI people. Transgender Europe's Trans Murder Monitoring Project found reports of 2,982 killings of trans and gender-diverse people in 69 countries worldwide between 2008 and 2018, but the true figures are likely to be much higher due to underreporting of transgender identity in homicide statistics.⁸⁶ This is almost one killing a day during this period. States are failing to act with due diligence to prevent deadly attacks against women and LGBTI people generally, which is compounded by the additional failure to provide a safe and enabling environment for WHRDs and exposes them to increased contexts of violence and discrimination.

WHRDs are being killed at an alarming rate. Between 1 January and 1 October 2019, Front Line Defenders recorded 39 known killings of WHRDs from around the world including Guatemala, Honduras, Colombia, Mexico, Peru, Brazil, Kenya, South Africa, the Philippines, and Afghanistan. Most of their profiles can be viewed on the HRD Memorial – a website and database set up to commemorate all HRDs killed since 1998.⁸⁷

Those who defend the rights of sex workers face risks not just for being women or LGBTI people defending human rights, but also because they engage in a highly stigmatized profession which is often criminalized across the world, exposing them to the risk of being targeted by law enforcement officials and others. They may also face added risks and impunity, based on their race and ethnicity, class and migratory status.

Miriam González, sex worker and President of OTRASEX (Organización de Trabajadoras Sexuales de la República Dominicana), a sex worker-led non-governmental organization based in the **Dominican Republic** told Amnesty about the context in which she and her colleagues work. According to her: "There is a very high level of violence. Some of our *compañeras* avoid going to certain areas after 9pm [...] It is dangerous not just for us sex workers, but for all women. Every week they kill one to three women."⁸⁸ Similarly, Nairovi Castillo, a transgender woman and sex worker, co-founder and executive director of COTRAVEDT (Comunidad de Trans, Travesti Trabajadoras Sexuales de República Dominicana), also a sex-worker led non-governmental organization based in the Dominican Republic, explained to Amnesty International the systematic challenges posed by the violence, discrimination and social exclusion experienced by sex workers and trans people: "We face a lot of dangers. The biggest one is the violence and the rejection and exclusion from society. Our lives are deeply affected. The stigma and discrimination exclude us from health services, education and employment. This also generates hate crimes, including within the context of sex work. We

⁸² United Nations, "International Day for the Elimination of Violence against Women 25 November", 2018, <https://www.un.org/en/events/endviolenceday/>

⁸³ Amnesty International, *Human rights defenders under threat – a shrinking space for civil society* (Index ACT 30/6011/2017)

⁸⁴ WHO, *Understanding and addressing violence against women*, 2012, and UNODC, *Global study on homicide. Gender-related killings of women and girls*, 2018

⁸⁵ United Nations, "International Day for the Elimination of Violence against Women 25 November", 2018, www.un.org/en/events/endviolenceday/

⁸⁶ Transrespect Vs Transphobia Worldwide, *Trans Murder Monitoring update - Trans day of Remembrance 2018*, https://transrespect.org/wp-content/uploads/2018/11/TvT_TMM_TDoR2018_PR_EN.pdf; Trans Gender Europe, *Trans Murder Monitoring project annual report 2016*, available: <https://transrespect.org/wp-content/uploads/2016/11/TvT-PS-Vol14-2016.pdf>

⁸⁷ <https://hrdmemorial.org/>

⁸⁸ Interview with Miriam González in Spanish, 12 March 2019

are in danger even in our private lives, we are seen as freaks, not as right-holders. If we claim our rights, people get angry, they beat us up, take our clothes and rob us.”⁸⁹

Irina Maslova, founder of the Sex Workers Network ‘Silver Rose’ which defends the rights of sex workers in **Russia**, told Amnesty International how she and her colleagues constantly face threats and physical violence, partly fuelled by hostile societal attitudes: “There are ‘brothel raids’ and attacks on sex workers and there’s often no accountability for either. [...] Sometimes I feel as if our pleas for help fall on deaf ears. Sex workers are one of the most marginalised groups in Russia and we don’t expect any help from anywhere.”⁹⁰

Acid attacks are another form of gender-based violence in many regions of the world, where 80% of the victims are women.⁹¹ After her visit to **India**, the Special Rapporteur on violence against women noted in 2014 that “victims of acid attacks are predominantly women who challenge patriarchal norms [...]”⁹² She added “the disfiguring of the victim’s face and body forces the survivors to live in stigma, shame and exclusion” and “creates a climate of fear for other women as regards the consequences of failing to abide by and respect traditional practices and roles”.⁹³

In **Ukraine**, six members of an anti-rights group targeted a peaceful event carried out as part of the 2018 International Women’s Day rally organised by Vitalina Koval, a defender of women’s and LGBTI rights. They threw red paint on Vitalina causing chemical burns to her eyes.⁹⁴ Kateryna Handzyuk, a local council member who monitored police activities in her hometown, died in 2018 due to the injuries she sustained from an acid attack which burned 40% of her body. The attack is believed to be in retaliation for her activism.⁹⁵

SEXUAL VIOLENCE

WHRDs are more at risk than their male counterparts of experiencing sexual and other forms of gender-based violence, and it is more common for their children to be threatened and attacked.⁹⁶ Sexual violence perpetrated by state officials is a form of torture and can be intentionally used as a form of social control, as highlighted by the Inter-American Court of Human Rights 2018 judgement on the case of 11 women sexually assaulted by police officials in Atenco, Mexico, in 2006 for having taken part in a protest.⁹⁷ This was also apparent in the wave of violence and sexual attacks against women protesters in Sudan in June 2019 at the hands of paramilitary forces.⁹⁸

Ebtisam El-Saegh, a WHRD from **Bahrain** working with the human rights organization SALAM for Democracy and Human Rights, was sexually assaulted, beaten all over her body, kicked in the stomach and kept standing for most of the seven hours she was being interrogated while in detention in 2017. She also told Amnesty International: “I was threatened that they would harm my family and that they would bring my husband and torture and electrocute him. The men told me ‘no one can protect you’. They took away my humanity, I was weak prey to them”.⁹⁹

Similarly, Loujain al-Hathloul, an early proponent of the right to drive movement and campaigner for women’s rights in **Saudi Arabia**, was jailed along with several other WHRDs in May 2018. Even before their imprisonment, she received threats and attacks online, she was arrested multiple times and banned from travel. In addition, she faced pressure to stay silent in the period before the government finally removed the driving ban for women. Her sister Lina reflected that this was probably due to the government not wanting to “give merits to the people, and [show] that decisions have to be made top-down and never bottom-up”.¹⁰⁰ Although some of the Saudi WHRDs have since been released, Loujain remains arbitrarily detained along

⁸⁹ Interview with Nairovi Castillo in Spanish, 12 March 2019. See also Amnesty International, “‘If they can have her, why can’t we?’ Gender-based torture and other ill-treatment of women engaged in sex work in the Dominican Republic” (Index AMR 27/0030/2019)

⁹⁰ Interview with Irina Maslova in Russian, 27 February 2019

⁹¹ See Acid Survivors Trust International website for available data on several countries, www.acidviolence.org/a-worldwide-problem.html

⁹² Report of the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo. 2014, UN Doc. A/HRC/26/38/Add.1; see also Avon Global Center for Women and Justice at Cornell Law School et al., *Combating acid violence in Bangladesh, India and Cambodia*, 2011

⁹³ Report of the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo. 2014, UN Doc. A/HRC/26/38/Add.1

⁹⁴ Amnesty International, *Urgent action: Protect women’s day rally in Uzhgorod*, (Index: EUR 5050/9949/2019)

⁹⁵ Amnesty International, *Ukraine: Human rights under pressure, their advocates under attack* (Index EUR 50/9827/2019)

⁹⁶ Marusia Lopez with Alexa Bradley / JASS Just Associates, *Rethinking protection, power and movements*, Series: Making change happen no. 6, 2017

⁹⁷ *Atenco v. Mexico*, Sentence of 28 November 2018, (Preliminary objections, merits, reparations, and costs), Inter-American Court on Human Rights, para 200 - 204

⁹⁸ BBC, “Rape and Sudan’s revolution: ‘They were crying and screaming’” by Catherine Byaruhanga, 14 June 2019

⁹⁹ Amnesty International, *Bahrain: Woman Human Rights Defender tortured, including sexually assaulted, as Bahrain renews campaign to silence peaceful critics* (Index number: MDE 11/6392/2017)

¹⁰⁰ Interview with Lina al-Hathloul, February 2019.

CHALLENGING POWER, FIGHTING DISCRIMINATION

A CALL TO ACTION TO RECOGNISE AND PROTECT WOMEN HUMAN RIGHTS DEFENDERS

with fellow WHRD Nouf Abdulaziz. The charges against her include contacting international organizations, including Amnesty International, journalists and other activists. She has been tortured and sexually abused in prison.¹⁰¹ In August 2019, Lina al-Hathloul reported that the Saudi authorities asked her sister to deny the torture and other ill-treatment she endured during detention in exchange for her freedom.¹⁰²

Malak al-Kashef, a 19-year-old transgender WHRD from **Egypt**, was arrested in March 2019 following her involvement in peaceful protests in Cairo. She faced trumped-up charges of “aiding a terrorist organization” and “misusing social media to commit a crime punishable by law”. While in detention, she was subjected to a forced anal examination and other forms of sexual assault. Despite the fact that she was undergoing gender affirming surgery, Malak was placed in an all-male detention facility which put her at increased risk of sexual violence. She was eventually released in July 2019.¹⁰³

According to IM- Defensoras, in March 2019, Nivia Vargas, a WHRD from **Honduras** working with civil society organization ACI-Participa (*Association for Participatory Citizenship*), was attacked by a group of approximately 30 men while she was participating in a peaceful protest. As well as being threatened, insulted and beaten, she was sexually assaulted with groping of her private parts.¹⁰⁴

3.2.5 ONLINE GENDER-BASED ATTACKS

Digital technology is not gender neutral, nor the communication spaces it creates. As the Association for Progressive Communications has explained, “as gender biases and stereotypes are embedded in technology, [...] this reproduces the existing problems around gender parity, gender-based violence, discrimination and exclusion”.¹⁰⁵ Such attacks are part of a continuum of violence and structural discrimination women and gender-diverse people experience, affecting those who experience multiple and intersecting forms of discrimination the most. In this context, women human rights defenders, journalists and politicians have been directly targeted, often leading to self-censorship.¹⁰⁶ Ultimately, these are direct attacks on women’s visibility and hinder their full participation in public life.¹⁰⁷

As noted by the UN High Commissioner for Human Rights in 2018, “these new forms of harassment, intimidation and defamation are shockingly frequent, frequently terrifying, and often spill over into the real world. Death threats, threats of sexual and gender-based violence, and online defamation and disinformation campaigns – often of a sexualized nature, and often including the victim’s real-life addresses – are used to torment and terrorize women who speak out. The vast and transnational connectivity of the Internet enables rapid and massive dissemination of slander, mobilising very large groups of hostile individuals across broad distances, hiding behind anonymous profiles. It also makes removing the false or violent content extremely challenging”.¹⁰⁸

WHRDs have faced different forms of online attacks including: harassment and attacks on reputation and credibility through social media; cyberstalking; violations of their privacy; unlawful surveillance; censorship; hacking of e-mail accounts, devices and platforms; as well as online threats of sexual violence, verbal abuse, sexuality baiting, doxing (a practice where private information about a person is shared online by others) and public shaming on social media.¹⁰⁹

¹⁰¹ Amnesty International, *Saudi Arabia: Women Activists on Trial*, (Index: MDE 23/0057/2019); *Urgent Action: Women activists face prison sentences* (Index: MDE 23/0334/2019); and Amnesty International UK, *Saudi Arabia: new reports of women activists being tortured in detention* (Press release, 25 January 2019)

¹⁰² BBC, Saudi activist ‘offered freedom if she denies torture claims’, 13 August 2019

¹⁰³ Amnesty International, *Egypt: Transgender Woman Held in all-male prison: Malak Al-Kashef* (Index MDE 12/0168/2019), “Egypt: Forcibly disappeared transgender woman at risk of sexual violence and torture” (News, 7 March 2018), Amnesty International UK, “Malak Al-Kashef is free!” (News, August 2019),

¹⁰⁴ Mesoamerican WHRD Initiative, #WHRDAAlert HONDURAS / Sexual assault, physical attacks and threats against Nivia Vargas of ACI-Participa, 13 March 2019, <http://im-defensoras.org/2019/03/whrdalert-honduras-sexual-assault-physical-attacks-and-threats-against-nivia-vargas-of-aci-participa/>

¹⁰⁵ APC, *Mapping research in gender and digital technology: executive summary*, 2018

¹⁰⁶ For more on this, see Amnesty International, *Toxic Twitter, a toxic place for women*, 2018, www.amnesty.org/en/latest/research/2018/03/online-violence-against-women-chapter-1/

¹⁰⁷ Report of the Special Rapporteur on violence against women, its causes and consequences on online violence against women and girls from a human rights perspective, 18 June 2018, UN Doc. A/HRC/38/47

¹⁰⁸ The impact of online violence on women human rights defenders and women’s organisations, Statement by UN High Commissioner for Human Rights Zeid Ra’ad Al Hussein, 38th session of the Human Rights Council, 21 June 2018, www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23238&LangID=E

¹⁰⁹ Report submitted by Special Rapporteur on the Situation of Human Rights Defenders, Michel Forst, to the 40th session of the Human Rights Council, 10 February 2019, UN Doc. A/HRC/40/60

Seyi Akiwowo, a **British** WHRD and founder of Glitch!UK, a campaign against online abuse, was attacked online after a video of her speech at the European Parliament went viral. She told Amnesty that, as a result: “there were floods and floods of [...] hateful, racist and sexist comments and slurs. I was on a neo-Nazi website, and their followers were being encouraged to mob attack me on YouTube and Twitter.”¹¹⁰ Another British activist, Laura Bates, founder of the website “Everyday Sexism” was the subject of online abuse. Even before her project became high-profile, she was receiving around 200 abusive messages a day, including detailed, graphic, and explicit descriptions of rape and domestic violence.¹¹¹

Pamela Merritt, an WHRD from the **USA** and an anti-racism activist, told Amnesty International about an attempt to dox her: “I had one incident when I got an email from the FBI; they needed to talk to me about some activity related to my blog. There was a white supremacist who was actively trying to find out where I live. That took it to another level”.¹¹²

In **Guatemala**, Iduvina Hernández Batres from SEDEM (*Asociación para el Estudio y Promoción de la Seguridad en Democracia* - Association for the Study and Promotion of Security in Democracy) which works to promote a system of democratic controls over the security and intelligence services, told Amnesty International how she was targeted with abuse as her online presence grew and her support to victims of the internal armed conflict became more visible. She has been targeted with online stigmatization campaigns accusing her of being “a murderer, a terrorist, a criminal, killing and kidnapping children”¹¹³, and she is facing three criminal proceedings after being accused without evidence, in retaliation for accompanying victims of the internal conflict in their search for justice. Despite the lack of evidence, the investigations remain open - one of them since 2011. After she and a fellow WHRD filed a legal challenge against a military parade in 2016, she began to receive threats of death and rape on Twitter and Facebook.¹¹⁴

Libyan WHRD Zahra Langhi, founder of Libyan Women's Platform for Peace, which focuses on women's political and economic participation, has been attacked online. For example, her picture was shared over 500 times on Facebook as part of a social media smear campaign questioning her religious beliefs and falsifying her marital status in order to stigmatize and discredit her as a woman living outside social norms, putting her in additional danger of being targeted by religious fundamentalists and other actors involved in the armed conflict. She told Amnesty International that in the Libyan context “describing an activist as ‘immoral’, or ‘divorced’ is intentionally used to stigmatize an entire group”, in this case women taking action.¹¹⁵

3.2.6 HARASSMENT THROUGH THE MISUSE OF THE JUSTICE SYSTEM

WHRDs are at risk of criminalization through the misuse of the criminal justice system to target and harass them, and to make them stop carrying out their human rights work. Civil society groups have particularly documented the misuse of terrorism laws or charges brought by businesses to intimidate and silence HRDs, leading to arbitrary detention and multiple other violations of the right to a fair trial which are being employed as a way to interfere with their ability to defend and promote human rights.

The **Egyptian** WHRD Amal Fathy was detained in May 2018 for posting a video on Facebook in which she shared her experience of sexual harassment and criticized the government over its failure to address the issue.¹¹⁶ Instead of investigating the allegations of sexual harassment, she was arrested during a raid on her house. In September, she was convicted of “spreading false news with intent to harm the Egyptian state” and possessing “indecent material” and given a fine for making “public insults”. She was released on bail at the end of December 2018 and she is currently appealing the conviction. She also faces a separate prosecution in another case against her based on trumped-up charges including “membership of a terrorist group”.¹¹⁷

Valentina Cherevatenko is the founder and chair of the human rights NGO Women of the Don Union in **Russia**. In June 2017, she became the first NGO leader in Russia to be accused of a criminal offence under

¹¹⁰ Amnesty International, *What is online violence and abuse against women?*, 20 November 2017, www.amnesty.org/en/latest/campaigns/2017/11/what-is-online-violence-and-abuse-against-women/

¹¹¹ Amnesty International, “Amnesty reveals alarming impact of online abuse against women”, (News, 20 November 2017)

¹¹² Amnesty International, “Amnesty reveals alarming impact of online abuse against women”, (News, 20 November 2017)

¹¹³ Interview with Iduvina Hernández Batres in Spanish, 27 February 2019

¹¹⁴ For more information on the pattern of online attacks and stigmatization aimed at discrediting the work of human rights defenders in Guatemala, see: Amnesty International, *Last chance for justice. Dangerous setbacks for human rights and the fight against impunity in Guatemala*, (Index: AMR 34/0611/2019), and Amnesty International, *We are defending the land with our blood. Defenders of the land, territory and environment in Honduras and Guatemala*, (Index: AMR 01/4562/2016)

¹¹⁵ Amnesty International, *Silenced Voices: Libyan Women Human Rights Defenders Under Attack* (Index: MDE 19/8657/2018)

¹¹⁶ Amnesty International, *Human rights in the Middle East and North Africa: Review of 2018* (Index MDE 01/9433/2019), p. 21.

¹¹⁷ Amnesty International, “Egypt: Prison term for human rights defender who spoke out about sexual harassment an outrageous injustice”, (News, 30 December 2018)

Russia's "foreign agents law", which compels NGOs to register as "organisations performing the functions of foreign agents" if they receive foreign funding and engage in vaguely defined "political activities". This is because Russian authorities classified a project by Women of the Don Union to provide support to marginalized groups, develop democratic dialogue, and promote peace and gender equality in the North Caucasus as "political activity".¹¹⁸ The charges were eventually dropped after strong international pressure.

In **Peru**, Máxima Acuña Atalaya, a subsistence farmer and WHRD, had to endure almost five years of judicial proceedings in relation to unfounded criminal charges of land invasion made against her and her family by one of the world's biggest gold and copper mines, the Yanacocha mining company. She and her family have refused to leave the land they have lived on for over 20 years, which has led to constant harassment, physical assault, and a smear campaign labelling her family as 'squatters'.¹¹⁹ She faced unfounded charges, intimidation and stigmatization not just for being a barrier to the mine but, as a rural Indigenous woman, was seen as an easy target, unable to defend herself.

Additionally, WHRDs are targeted because of the criminalization in different countries of their very identities and the rights they defend. For example, laws proscribing same-sex sexual relations, banning the right to access safe and legal abortion, criminalizing sex work, and other laws discriminating against women (such as 'public morality laws' or male guardianship systems). Criminal prosecutions can have the effect of stigmatizing WHRDs regardless of whether defenders are convicted or not. The situation is compounded by the fact that judicial proceedings exhaust WHRDs' energy and resources, which are usually limited for individual WHRDs or small organizations and collectives with poor access to funding.¹²⁰

In **Iran**, scores of women human rights defenders have been arrested, some violently, since the beginning of 2018 for peacefully campaigning against the country's abusive, discriminatory and degrading forced veiling laws. Some have been sentenced to harsh prison terms in a bid to crackdown on women's rights defenders and quash the growing women's rights movement that has gained momentum and public support inside the country. Human rights lawyer Nasrin Sotoudeh has been sentenced to a total of 38 years in prison and 148 lashes after two grossly unfair trials for charges including "inciting and facilitating corruption and prostitution", solely in relation to her human rights work, including her defence of women who faced prosecution for peacefully protesting against forced veiling laws. She will have to serve 17 years of her sentence.¹²¹ Monireh Arabshahi, Yasaman Aryani and Mojgan Keshavarz, were arrested in April 2019 in relation to a video that was widely disseminated on social media. The video, shot on International Women's Day 2019, showed them without their headscarves, distributing flowers to female passengers on a metro train in Tehran and discussing their hopes for women's rights in Iran. They were denied access to a lawyer and have been convicted and sentenced to lengthy prison sentences (ranging from 16 to 23 years), on multiple charges including "inciting and facilitating corruption and prostitution" through promoting "unveiling". If their verdicts are upheld on appeal, they would each be required to serve 10 years of their sentence.¹²² Similarly, another women's rights defender, Saba Kordafshari, has been sentenced to 24 years in prison on charges including "inciting and facilitating corruption and prostitution". If the verdict is upheld, she will have to serve 15 years of her sentence. On 9 September, Sahar Khodayari died after setting fire to herself outside the courthouse where she was facing charges for "openly committing a sinful act by... appearing in public without a hijab" and "insulting officials" in relation to her attempt to enter a football stadium. In March 2019, in defiance of Iran's discriminatory ban on women accessing football stadiums, she had dressed as a man and attempted to enter Iran's national football stadium in Tehran to watch a match during the AFC Asian Cup before being arrested and detained.¹²³ In 2018, the number of WHRDs arbitrarily detained in Iran simply for defending human rights reached at least 112.¹²⁴

In **Sudan** "public order regime", which are based on a conservative interpretation of Sharia law, discriminate against women and are primarily enforced against them, punishing them with detention and public flogging for "transgressions" such as failing to cover their hair or dancing with men. Women activists are a primary target. For example, Wini Omer, a WHRD working on women's rights, was arrested in December 2017 for wearing "inappropriate clothes". She was later released, but in 2018 she was charged with "prostitution"

¹¹⁸ Amnesty International, *Russian Federation: Russia drops case against rights defender: Valentina Cherevatenko* (Index: EUR 46/6895/2017) and Amnesty International, *Russian Federation: NGO leader charged under 'foreign agents' law* (Index EUR 46/6461/2017).

¹¹⁹ Amnesty International, *Peru: Human rights defender Máxima Acuña criminalized by unsubstantiated criminal prosecution for land invasion* (Index AMR 46/5879/2017) and Amnesty International, "Peru: Peruvian authorities put an end to the criminalization of defender Máxima Acuña", (News, 3 May 2017)

¹²⁰ Amnesty International, *Human rights defenders under threat – a shrinking space for civil society* (Index ACT 30/6011/2017) – see also the section below on "Restrictions to civil society space" regarding the issue of funding.

¹²¹ Amnesty International, *Urgent Action. Iran: 38 years and 148 lashes for women's rights defender*, 14 March 2019 (Index MDE 13/0024/2019)

¹²² Amnesty International, *Urgent Action. Iran: A decade in jail for defying forced veiling*, 8 August 2019 (Index MDE 13/0856/2019)

¹²³ Amnesty International, "Iran: Shocking death of football fan who set herself on fire exposes impact of contempt for women's rights", (News, 10 September 2019)

¹²⁴ Amnesty International, *Human Rights in the Middle East and North Africa: Review of 2018*, (Index MDE 01/9433/2019)

after police arrested her from an apartment where she was meeting three fellow activists, two of whom were men. Several months later, Wini Omer was also charged with other crimes, including crimes against the state, that are punishable by death.¹²⁵

Zimbabwe criminalizes same-sex relationships, calling them “sodomy” in the Criminal code. This criminal law provision has been used by the authorities to target LGBTI defenders and their organizations. For example, in August 2012, police officers raided the Harare office of Gays and Lesbians of Zimbabwe (GALZ) on two separate occasions. On the first occasion, police assaulted many activists and arrested and detained 44 people. Although the activists were released without charge, some of them were subject to further questioning by the police at their own homes and workplaces the following week. After their release, the police searched the GALZ office for six hours and confiscated computers, documents and other advocacy materials and later that month GALZ was charged with running an “unregistered” organization.¹²⁶

3.2.7 RESTRICTIONS ON CIVIL SOCIETY SPACE

The rights to freedom of peaceful assembly, association, expression are essential prerequisites to effective human rights work and creating an enabling environment for civil society. However, HRDs across the world are increasingly coming up against the enactment of laws and practices that unduly restrict these key human rights, including: arduous NGO registration and reporting processes; restrictions on receiving and accessing funding, especially from international sources; misapplication of counter-terrorism and public assembly laws; onerous vetting rules or procedures which hinder people’s ability to organize peaceful protests; use of unnecessary and excessive force by security forces to police assemblies; disbandment of meetings, strikes, demonstrations, even where there are no concerns that they might adversely affect public safety or national security; as well as visa denials and travel bans, often as a result of unfounded judicial proceedings against HRDs. These measures are often based on divisive politics and are justified on grounds such as national identity, morality, religious values and unjustified assumptions of national security. In reality they expose individuals and groups that carry out human rights activities to higher risks and challenges, particularly when those in power want to suppress those who stand up against injustice.¹²⁷ In this context of a shrinking space for civil society, feminist, women and LGBTI-led organizations and collectives have been hit in particular ways with a view to silence and exclude them from participating in public spaces, delivering essential services, and defending the rights of marginalized people.

In March 2018, the feminist organization Nazra for Feminist Studies in **Egypt** announced the closure of its office as a direct consequence of the long-term freeze of the assets of the organization, as well as those of Mozn Hassan, its executive director.¹²⁸ As a result of the judicial proceeding, the authorities also imposed a travel ban on her. This originated from a long term “foreign funding” criminal case on several civil society organizations¹²⁹ and after the ratification of Law no.70/2017 on Associations.¹³⁰ The inclusion of Nazra amongst the organizations targeted shows that women-led feminist organizations such as Nazra are considered to be a danger to the interests of those currently in power. Nazra continues to operate despite these challenges.

In **Saudi Arabia**, the 2015 Law on Associations excludes any mention of “human rights” and extends wide discretionary powers to the Ministry of Social Affairs, including to deny licenses to new organizations and to disband them if deemed to be “harming national unity”. This of course also affects women’s rights groups, who have not been able to register and operate freely in the country, due to the stringent control over the rights of women through the male guardianship system, which has been somewhat relaxed in 2019, but continues to impose heavy restrictions on women and their rights.¹³¹ Instead, several women’s rights activists have been held in detention since 2018, as their activities in favour of women’s rights and against male guardianship are seen as a direct challenge to the patriarchal structure and the state.¹³² Indeed, as noted by

¹²⁵ Human Rights Watch, “Sudan – Events of 2018” in *World report 2019, 2019*; Reuters, “‘It’s about freedom’: women on the frontline in Sudan’s uprising” by Nita Bhalla, 6 February 2019.

¹²⁶ Amnesty International, *Making love a crime: criminalization of same-sex conduct in sub-Saharan Africa* (Index AFR 01/001/2013)

¹²⁷ Amnesty International, *Human rights defenders under threat – a shrinking space for civil society* (Index ACT 30/6011/2017), and *Laws designed to silence – the global crackdown on civil society organizations* (Index ACT 30/9647/2019)

¹²⁸ Amnesty International, *Laws designed to silence: The global crackdown on civil society organizations* (Index ACT 30/9647/2019)

¹²⁹ Amnesty International, “Close Case 173”, www.amnesty.org/en/latest/campaigns/2016/12/close-case-173/

¹³⁰ Amnesty International, “Egypt: NGO law threatens to annihilate human rights groups” (News service, 30 May 2017)

¹³¹ The Independent, “Saudi Arabia women’s rights reforms less extensive than they appear, campaigners warn” by Maya Oppenheim, 11 August 2018

¹³² Amnesty International, “Saudi Arabia: Release Women’s Human Rights Defenders Immediately!”, November 2018, www.amnesty.org/en/latest/campaigns/2018/06/Saudi-Arabia-Release-Women-Human-Rights-Defenders/

a feminist analyst, “if the Saudi Arabian authorities were genuinely committed to reform, these women would not only be freed but also heralded as heroes”.¹³³

South Sudan has a similar situation. As explained by WHRD “Amina”, the existing NGO law fails to give protection to human rights organisations as NGOs are narrowly defined as purely humanitarian organisations.¹³⁴ This has forced NGOs working on human rights issues to register as other civil society bodies and to not explicitly label their work as human rights work. In addition, permission must be sought from National Security forces (who monitor and police civil society) before any workshop can be held and talking about “women’s rights, especially sexual and gender-based violence including rape, is a red line”. Members of the National Security forces often sit in on workshops which creates risks for both the facilitators and participants and requires both self-censorship and “boldness to talk about issues of rape and sexual violence against women in public forums”. This means the lives of WHRDs are more at risk because there is no special protection to facilitate their needs, forcing them to self-censor and, in many cases, leave the country to protect themselves if “worse comes to worst”.

In **Nicaragua**, recent years have seen an escalation of repression against human rights defenders and civil society in general who oppose President Ortega’s regime or policies. Francisca Ramirez, a renowned peasant farmer leader and WHRD, known for her activism against the construction of an inter-oceanic canal, has received threats and harassment against her family for years¹³⁵. However, since she joined the demonstrations against the current regime in April 2018, the threats escalated and close allies to President Ortega have publicly said that she is looking to be jailed or killed.¹³⁶ With these veiled death threats Francisca and her family have been forced to leave the country to protect their liberty and physical integrity.

Zhanar Sekerbayeva is a co-founder of “Feminita”, a grassroots organization that promotes feminism and works for the protection of lesbian, bisexual and queer women’s rights in **Kazakhstan**. She and her colleagues have been trying to register “Feminita” as a legal entity since 2017, but their application has been rejected numerous times. More recently, they attempted to sue the Ministry of Justice for the failure to grant them official registration, but they failed.¹³⁷ In response, Zhanar added that the organization seeks to promote the protection of human rights. In her words: “Whether or not the government wants it, the rights of lesbians, bisexual, trans and queer women are part of that.”¹³⁸

In **Russia**, in 2013, the authorities introduced legislation such as the openly homophobic article in the administrative code prohibiting “propaganda of non-traditional sexual relation among minors”, also known as the “Gay propaganda law”.¹³⁹ This not only unduly restricts individuals’ right to freedom of expression, for example when it was used as a justification for banning Pride parades, but it may also lead to prosecution of individuals, and organizations carrying out advocacy, education or support on sexuality, gender identity, and sexual and reproductive health and rights. For example, Elena Klimova, who runs Children 404, a website offering support to LGBTI teenagers, has been prosecuted multiple times.¹⁴⁰ Evdokia Romanova, a WHRD, was prosecuted simply for sharing news related to LGBTI issues on social media.¹⁴¹

In the **USA**, the Global Gag Rule – also known as the “Mexico City Policy”¹⁴² – was reintroduced and expanded in 2017. This rule blocks US global health assistance to all foreign non-governmental organizations that use their own funding to provide abortion services, counselling or referrals, or advocate to decriminalize or expand these services. For example, this rule led Marie Stopes International, a women’s rights organization that provides contraception and safe abortion services to women and girls around the world, to face an 80-million-dollar funding gap due to obstacles posed by the Global Gag Rule in seeking and receiving US global assistance resources. This funding shortfall will substantially impair their ability to provide contraception and safe abortion services, and to prevent maternal deaths and injuries.¹⁴³

¹³³ Zora, “Will Changes in the Saudi Male Guardianship System Really Make a Difference?” by Samah Hadid, 14 August 2019.

¹³⁴ Interview with “Amina” in English, 2019

¹³⁵ Amnesty International, *Urgent action: Nicaragua: human rights defenders harassed*, 6 December 2016 (Index: AMR 43/5277/2016)

¹³⁶ Mesoamerican Initiative Women Human Rights Defenders. *Grave threats against defender Francisca Ramirez*, 17 July 2018, <https://im-defensoras.org/2018/07/whrdalert-nicaragua-grave-threats-against-defender-francisca-ramirez/>

¹³⁷ Amnesty International, *Kazakhstan fails to register the LBQ initiative “Feminita”*, 6 June 2019 (Index EUR 57/0484/2019)

¹³⁸ Interview with Zhanar Sekerbayeva in English, 17 April 2019.

¹³⁹ Federal law of 29 June 2013 N 135-FZ “On amendments to Article 5 of the Federal law “On protection of children from information causing harm to their health and development” and certain legislative acts of the Russian Federation passed with the purpose to protect children from information promoting denial of traditional family values”, www.consultant.ru/document/cons_doc_LAW_148269/30b3f8c55f65557c253227a65b908cc075ce114a/#dst100019

¹⁴⁰ Amnesty International UK, “Russian journalist accused of anti-gay ‘propaganda’ defeats charges”, 2014, www.amnesty.org.uk/russia-journalist-elena-klimova-lgbt-gay-propaganda

¹⁴¹ Amnesty International, “Russia: Homophobic legislation used to persecute activist who shared LGBTI articles on Facebook” (News, 18 October 2017)

¹⁴² Presidential Memorandum Regarding the Mexico City Policy, 23 January 2017, www.whitehouse.gov/presidential-actions/presidential-memorandum-regarding-mexico-city-policy/

¹⁴³ Marie Stopes International, *Trump’s Global Gag Rule one year on: Marie Stopes International faces \$80m funding gap*, 19 January 2018, <https://mariestopes.org/news/2018/1/global-gag-rule-anniversary/>

Furthermore, the Global Gag Rule has limited the ability of women's rights activists to defend and promote human rights, including by imposing barriers to the exercise of their rights to freedom of expression and association, and advocate for realization of women's and girls' human rights.¹⁴⁴ In 2019, similar measures were introduced at national level affecting the funding of birth control and reproductive health services for people on low incomes, known as Title X.¹⁴⁵ Under the new regulations, family planning clinics will be barred from referring patients to an abortion provider and be required to refer them to pre-natal care instead, even if it is contrary to the patients' request and/or interest, amongst other new rules. Meanwhile organizations that oppose abortion will be eligible for federal funding. Organizations such as Planned Parenthood (PP), one of the largest sexual and reproductive health providers in the USA, decided to renounce the federal funding programme rather than comply with the rules which compromise sexual and reproductive health. This would affect the approximately 4 million people who rely on PP for such basic services.¹⁴⁶

Restricting or denying access to funding is a very effective way of controlling civil society organizations and force them to stop or reduce their activities.¹⁴⁷ While there have been several examples where the authorities have specifically targeted WHRDs and women-led organizations to hamper their access to funding, not all denial of funding is intentionally targeted to block this type of activism. Sometimes, this happens because states and private donors fail to provide adequate funding for WHRDs, do not allocate specific resources to these types of organizations or do not have feminist funding models that understand and adapt to their needs.

According to Article 2 of the International Covenant on Economic, Social and Cultural Rights, states have an obligation to engage in "international assistance and co-operation, especially economic and technical" to achieve the full realization of the rights protected under the Covenant. Such assistance and co-operation include the financial support of civil society organizations engaged in activities to achieve the full realization of those rights.¹⁴⁸ Furthermore, states have an obligation under article 22 of the International Covenant on Civil and Political Rights to respect and protect the right to association, which includes the right to seek, receive and utilise funds from national, foreign and international sources.¹⁴⁹ Indeed, even though national and international funding aimed at closing the gender gap and delivering on the Sustainable Development Goals has actually increased in recent years, according to the latest figures from the Organisation for Economic Co-operation and Development, only a meagre 1% of all gender-focused aid went to women's organizations, thus excluding those who have the most potential, experience and knowledge to address the issues most affecting women, such as feminist and grassroots organizations.¹⁵⁰

A global survey of WHRDs organizations found that major donors are increasingly choosing to channel funds via large international organisations or UN bodies, rather than directly funding local organisations based on their priorities.¹⁵¹ This has meant a reduced and fragmented portion of money reaching women's organisations, who are increasingly seen as implementers or service providers of projects decided elsewhere. Moreover, it has been found that those receiving the largest portion of funds are often government aligned NGOs or established male-led organisations.

A different survey found that women's rights funding had been significantly reduced since the start of the new millennium as donors have reframed their support for gender equality as a cross-cutting issue within other priorities. This has led to the deprioritization of funding for critical stand-alone work on issues such as women's political participation or combatting gender-based violence. In addition, this is happening at a time when state repression is increasing and additional violations of women's rights are occurring. Furthermore, many activists said that donors are stopping funding sensitive issues in order to protect other aspects of their

¹⁴⁴ Amnesty International, "Trump's Global Gag a Devastating Blow for Women's Rights", (News Service, 25 January 2017); Doctors without borders, "Why the new global gag rule is more dangerous than ever", 7 June 2018, https://medium.com/@MSF_USA/why-the-new-global-gag-rule-is-more-dangerous-than-ever-f16ac6fe9b7e; Human Rights Watch, Trump's "Mexico City Policy" or "Global Gag Rule", 8 February 2018

¹⁴⁵ Title X Family Planning Program, i.e. Title X (10) of Public Health Service Act (Public Law 91-572), introduced in 1970.

¹⁴⁶ New York Times, "Planned Parenthood Refuses Federal Funds Over Abortion Restrictions" by Pam Belluck, 19 August 2019 and Amnesty International USA, "Planned Parenthood Withdrawal from Title X Demonstrates Cruel Policies", 19 August 2019, www.amnestyusa.org/press-releases/planned-parenthood-withdrawal-from-title-x-demonstrates-cruel-policies/

¹⁴⁷ Amnesty International, "Laws restricting access to funding", *Laws designed to silence: The global crackdown on civil society organizations* (Index: ACT 30/9647/2019)

¹⁴⁸ Report of the Special Rapporteur on the right to freedom of peaceful assembly and of association, 2012, UN Doc. A/HRC/20/27, para. 69

¹⁴⁹ Report of the Special Rapporteur on the right to freedom of peaceful assembly and of association, A/HRC/23/39, 24 April 2013, para. 16.

¹⁵⁰ Kasia Staszewka, Tenzin Dolker and Kellea Miller, "Only 1% of gender equality funding is going to women's organisations – why?", *The Guardian*, 2 July 2019; see also Organisation for Economic Co-operation and Development, "Aid in Support of Gender Equality and Women's Empowerment - Donor charts", March 2019, www.oecd.org/dac/financing-sustainable-development/development-finance-topics/Aid-to-gender-equality-donor-charts-2019.pdf

¹⁵¹ Kvinna till Kvinna, *Suffocating the movement – shrinking space for women's rights*, 2018

work by avoiding negative state scrutiny, or funding only well-established groups more likely to survive crackdowns. As a result, this is leaving the most marginalised sectors of society without resources or allies.¹⁵²

¹⁵² Mama Cash and UAF, *Standing firm. Women and trans-led organisations respond to closing space for civil society*, July 2017

4. WHY WE NEED WHRDS: STORIES OF CHANGE

WHRDs play an important role in addressing all human rights violations, including promoting access to justice and combating impunity, resisting state repression and responding to gender-based violence, fighting poverty and discrimination, and opening spaces for the full participation of those most marginalised in society. They do this in a context of entrenched violence and discrimination, where patriarchal and heteronormative social models predominate. It is precisely because of this context that WHRDs have been the main, and often the only, advocates for gender equality, sexual and reproductive health and rights, and respect of women's rights.

The WHRDs Amnesty International interviewed in the course of this research illustrate how they are breaking new ground and creating and implementing positive human rights change in their communities and beyond. These are stories of building national, regional and international networks and alliances for change; of documenting and speaking up against grave human rights violations; of providing human rights education; of saving lives and improving public services; of achieving legal reform and strengthening institutions; of innovative campaigning methods and activism techniques. In short, these are stories of brave WHRDs that are speaking truth to power despite the intersectional and multiple forms of discrimination they all face.

These stories of change also show the WHRDs' inner strength, courage, determination and resilience in fighting against injustice, inequality, discrimination, violence, patriarchy and oppression. They explain not only what they have been able to achieve in extremely challenging, and at times life-threatening, contexts and environments, but also what and who helped them. Those interviewed asserted none of this would have been possible without the strength and motivation provided by the inspirational communities and survivors that WHRDs work with and for; the support of family, friends, colleagues, donors, partners and allies at local, national, regional and international levels; the support of and wider collaboration between growing civil society movements; and the utilisation of self-care strategies. They insist the fight for equality is a collective struggle.

The positive achievements and successes by WHRDs outlined in this chapter clearly show the valuable contribution WHRDs make to the protection and promotion of all human rights.

4.1 AÍDA ISELA GONZÁLEZ DÍAZ – MEXICO¹⁵³

Building partnership networks and saving lives



Isela González Díaz with the community in Chihuahua, Mexico © Amnesty International/David Paniagua

Aida Isela Gonzalez Diaz is the Executive Director of ASMAC (Alianza Sierra Madre – Sierra Madre Alliance), an organization that defends the rights of Indigenous peoples in Chihuahua, northern Mexico, by accompanying communities in demanding their rights and supporting them in land defence processes. ASMAC members and community leaders routinely suffer reprisals, threats and killings due to their human rights work which run counter to the interests of mining companies and armed criminal groups. The northern state of Chihuahua is notorious for the marginalization of its Indigenous peoples but also for being one of the Mexican states with the highest number of femicides in the country and increasing violence due to the strength of organized crime in the area. It is in this context that Isela defends the human rights of this marginalized community.¹⁵⁴

Isela told us that she counts as an important achievement the way her organization has created partnership networks and managed to influence the Mexican government through her advocacy efforts at the United Nations: “I feel very happy because my work has managed to articulate alliances with national human rights organizations and international organizations, with national and state level networks...[and] in the face of the murders of my comrades in the communities...my voice demanding justice arrived at the UN session, denouncing the murders [of fellow human rights defenders Isidro Baldenegro and Juan Ontiveros].”

Aida Isela González is also proud of how ASMAC and its community partners have improved access to maternal healthcare for Indigenous women of the remote community of Choreachi. In Mexico, Indigenous women suffer systematic discrimination. Through case documentation and research, Isela explained, she and her colleagues were able to demonstrate that discrimination against Indigenous women within the healthcare system, led to high levels of preventable deaths during pregnancy and childbirth. This exercise resulted in the state developing a more tailored healthcare program to the specific needs of Indigenous women in this area, which has resulted in a decrease in maternal deaths.

ASMAC members have been threatened on various occasions and members of Isela’s community have been killed simply for standing up for human rights. ASMAC members currently have police escorts as part of

¹⁵³ Interview with Aída Isela González Díaz in Spanish, 27 February 2019

¹⁵⁴ See Amnesty International, *Caught between bullets and neglect: lack of protection for defenders of the territory in the Tarahumara Sierra* (Index AMR 41/9554/2019) for the attacks faced by the Indigenous Peoples in Chihuahua and Amnesty International, Annual report 2017/2018, (Index POL 10/6700/2018) for the epidemic of killing of women in Mexico

Mexico's human rights defenders protection mechanism.¹⁵⁵ However, Isela remains resolute and said: "Our demand to ensure that we have the right to defend human rights has paid off [and] we have managed to break the isolation in which the perpetrators always try to keep these [very marginalised] communities."

Aida Isela González insists that her main source of motivation are the people within the Indigenous communities for whom she has worked for the past 22 years. She draws inspiration from them and wants future generations to not have to suffer the violations experienced today. Achievements are always a collective effort, and behind every "face that inspires solidarity, support, [and] accompaniment [...] there are fundamentally thousands of people [...] in the communities. [Some] become more visible, but behind them, there are thousands of people in each of these communities who keep organizing, keep looking for care strategies within their territories and...without them these achievements would not be possible."

4.2 NOURA GHAZI SAFADI – SYRIA¹⁵⁶

Creating women-led movements for truth and justice



Noura Ghazi Safadi, founder of Families for Freedom, one of the first women-led movements in Syria © Amnesty International

Noura Ghazi Safadi is a human rights lawyer, the daughter of a former prisoner of conscience and the wife of Bassel Khartabil Safadi, a digital activist who was arrested by the Syrian government in early 2012, forcibly disappeared, and extrajudicially executed in late 2015. In 2017, Noura co-founded Families for Freedom, one of the first women-led movements in Syria that fights for the rights of people in detention. In 2018, in memory of her late husband, Noura co-founded with a group of peaceful activists "Nophotozone", a non-profit NGO that provides legal support and advocacy for detainees and their families and for families of the forcibly disappeared in Syria and Lebanon. Noura acts as the executive director of "Nophotozone".

In war torn Syria, thousands have been forcibly disappeared, millions have been internally displaced and hundreds of thousands killed.¹⁵⁷ Most of the victims of enforced disappearance, arbitrary detention and extrajudicial execution are men,

so it is mainly women who have organized to find those who have been disappeared and to claim for truth and justice. In addition, these women become the main breadwinners and heads of families but face serious obstacles in a context of entrenched discrimination against women in law and in practice, notably in matters of marriage and divorce, inheritance and child custody. In addition, there is inadequate protection against sexual and other gender-based violence for women and girls, particularly in conflict zone areas.

In this adverse environment Noura Ghazi Safadi observed: "I feel women are best placed to deal with this issue [arbitrary detentions and enforced disappearance], not just because they are the ones most affected by such violations, but because of the leading role they play in building Syria's future. Women have

¹⁵⁵ For more information on Mexico's protection mechanism, see Amnesty International, *Americas: The situation of state protection mechanisms for human rights defenders* (Index AMR 01/8912/2018)

¹⁵⁶ Interview with Noura Ghazi Safadi in Amnesty International, *WIRE Magazine January-March 2018* (NWS 21/7629/2018),

¹⁵⁷ Amnesty International, *Human rights in the Middle East and North Africa: Review of 2018*, (Index MDE 01/9433/2019)

demonstrated that they are capable of handling every obstacle before them, whether it's to do with security, the community or life generally.”

She told Amnesty International her primary aim “isn't just to defend prisoners and help them secure their freedom, or have their sentences commuted. I'm concerned about every detail of their daily lives [and] the deep-seated issues affecting them and their families. I [want] their cases [to] feature not only in negotiations, human rights reports or the press, but in the history of Syria, and the consciousness of Syrians and the whole world. I want prisons [to] become institutions that reform people, rather than punish them. I also want to end the tragedy of political imprisonment and create a fair justice system.” She explained how the solidarity with the other women in the movement she founded has kept her going and gives her the strength she needs. “Families for Freedom has kept me going since my husband was executed. [I feel] every prisoner's case is my business and it's my responsibility to fight for them... belief in what I do is the main thing that gets me going, day after day, renewing my determination to pursue my career by dealing with all the appalling conditions around me.”

4.3 IRINA MASLOVA – RUSSIA¹⁵⁸

Saving lives, creating safe spaces and fighting discrimination



Irina Maslova, founder of the Sex Workers Movement 'Silver Rose' which defends the rights of sex workers in St. Petersburg, Russia © Amnesty International (Artwork: Alexandra Ponomareva)

Irina Maslova is the founder of the Sex Workers Movement “Silver Rose” which defends the rights of sex workers in St. Petersburg, Russia. Over a decade ago, Irina started working on HIV prevention for sex workers. This work soon led her to consider focusing also on other human rights that sex workers were being denied. This is how, in 2003, she formed Silver Rose, which at first operated as a small self-help group and later evolved into a sex workers' movement calling for dignity and the respect of all human rights for sex workers. Their objective is to provide comprehensive support for sex workers and lobby for legislative change, so that this work is decriminalised all over the country and the human rights of sex workers are respected and protected.

Sex work is illegal in Russia, and the treatment of sex workers in the country is appalling. During the 2018 World Cup hosted in Russia, Irina saw for herself how in preparation for this event the authorities cleansed

¹⁵⁸ Interview with Irina Maslova in Russian, 27 February 2019

“unwanted people” from the streets, such as sex workers.¹⁵⁹ Back in 2003, Irina was herself arrested and spent some days in solitary confinement. Irina also documented how the police regularly conduct “buy-and-bust” operations against sex workers, which means they first use their services and then detain them for providing these services. The “buy-and bust” practice includes physical and psychological harassment such as threats to “out” sex workers before friends and family, subject them to stigmatization, or to call in television cameras to show how “prostitutes are apprehended”.

It is in this context that Irina does her invaluable human rights defense work. For example, she told us how her organization successfully managed to lower the HIV rate among sex workers, including through regular sessions with psychologists and through creating a safe space. Irina has insisted that: “preventing HIV is not just about using a condom, it’s about teaching sex workers self-respect, about returning them their dignity.”

Silver Rose also assists sex workers in accessing healthcare and legal services: “During a brothel raid...one sex worker from Africa was so scared for her life, that she threw herself out of the window and broke her spine. As her passport had expired, she was terrified about being deported and so didn’t go to the hospital to receive medical help. We raised the necessary sum for her surgeries, with sex workers sending money from all over the country, and then helped her to receive a new passport from the embassy of her country.”

Given the hostile context, Irina notes: “My children constantly worry about me. But they, my children and my husband, accept my life and my activism without questioning and criticising. This support gives me a lot of encouragement and inspiration. Despite everything, I myself do not feel fear. I’m completely confident that sex work will become decriminalised in Russia in the future and I’m motivated by hope and love.”

4.4 IDUVINA HERNÁNDEZ BATRES – GUATEMALA¹⁶⁰

Demanding accountability, reforming laws and strengthening state institutions



Iduvina Hernández Batres, fighting for human rights in Guatemala for over 50 years @private

Intimidation, harassment and attacks against HRDs are common in Guatemala. When the person intimidated is a WHRD, the attack is often on account of their gender. Sexual, physical or psychological violence is used as an intimidation technique, as described by WHRDs working with the Mesoamerican Women Human Rights Defenders Initiative.¹⁶¹

It is in this context that Iduvina Hernández Batres has been a WHRD for over 50 years. Her activism started as a student and she then became a journalist reporting on the grave violations that were occurring during Guatemala’s internal armed conflict which started in 1960 and ended in 1996, which left over 200,000 dead and tens of thousands forcibly disappeared, most of them Indigenous peoples. In the 1980s, she was forced to flee to Mexico after her partner was killed but returned some years later. In 2000, she co-founded SEDEM (Asociación para el Estudio y Promoción de la Seguridad en Democracia - Association for the Study and Promotion of Security in Democracy), a human rights organization that specializes in promoting

¹⁵⁹ Amnesty International, Irina Maslova, Saint Petersburg (Campaign, 8 June 2018), www.amnesty.org/en/latest/campaigns/2018/06/irina-maslova-human-rights-defender-in-russia/

¹⁶⁰ Interview with Iduvina Hernández Batres in Spanish, 27 February 2019

¹⁶¹ Mesoamerican Women Human Rights Defenders Initiative, *Violence against women human rights defenders in Mesoamerica, 2012-2014 report*

democratic control over the security services so that they abide by human rights. SEDEM has also been campaigning so that the human rights commitments outlined in the 1996 peace agreements are implemented. Iduvina campaigned tirelessly so that in 2008 Congress passed the Law for Free Access to Public Information, a key piece of legislation to ensure that information on human rights violations is disclosed and those responsible are brought to justice. She also trains human rights defenders on the use of declassified information for transitional justice and pioneered facilitating training on online security processes and protection measures for organisations and individuals working on human rights in the country.

Recounting her 50 years of fighting for human rights in Guatemala, she told Amnesty International how international solidarity and accompaniment has saved her life and continues to be crucial for all human rights defenders: “And most likely, surely somewhere the world there is another human rights defender in a situation of much greater risk than mine and for that person and for those who also need it, even though we are at risk, I think we need to raise our voices and raise our faces and stand up with these people. That is, no person in the world should suffer or feel fear for their lives to defend human rights and even though we are at risk, we should also stop for those people who are much more at risk than us.”

4.5 ZOFIA MARCINEK AND IZABELA MOŹDRZEŃ – POLAND¹⁶²

Protecting women’s rights and opposing hate



A few of the 14 Polish women against facism, including Zofia Marcinek (first on the right) and Izabela Moźdrzeń (first on the left) © Grzegorz Żukowski

In Poland, the government, which came to power in 2015, made changes that have undermined the rule of law and human rights, including restrictions to the rights to freedom of expression and peaceful assembly, as well as attempts to restrict women’s rights. In this context, women’s rights activists and those who fight against hatred and discrimination are facing threats and harassment.

For example, in recent years there have been attempts to introduce an almost complete ban on abortion. Currently, abortion is allowed when the pregnancy is a result of a crime, when the life or health of the women

¹⁶² Interview with Zofia Marcinek, was held on 28 February 2019; and with Izabela Moźdrzeń, it was on 11 March 2019

or girl is at risk or when the foetus has irreparable damage. There have been raids on women's rights groups and other human rights defender's groups, as well as smear campaigns against them.¹⁶³

Zofia Marcinek and Izabela Możdrzeń are two human rights defenders who won't stand for it. They told Amnesty International that, in November 2017, they were amongst 14 women who were beaten after they unfurled a banner saying "Stop Fascism" during the Independence Day March in Warsaw, where hundreds of demonstrators had gathered to call, amongst other things, for a "white Poland". Authorities initially decided to close the investigation into the attack against them. However, adding insult to injury, soon after the attack these women human rights defenders were themselves charged and found guilty for obstructing a lawful assembly, and given a fine.¹⁶⁴ These measures pose a real threat people's right to peaceful assembly and have a chilling effect on anyone who wishes to freely express their views or criticize the government. The women appealed the decision, and in February 2019 a judge ordered re-opening the investigation into the attacks against them. As of 1 October 2019, most of them were still awaiting the outcome of the appeal.

Back in 2016, Zofia Marcinek and Izabela Możdrzeń were also part of the "Black Monday" protest against the proposal to totally ban abortion in the country. They told Amnesty about the success of the "Black Monday" protest, which was instrumental in the dropping of the parliamentary bill and in the large-scale mobilisation across the country and Europe, including solidarity acts around the world, which "started a new flame in the women's rights' movement in Poland." The Polish feminist movement, Zofia explained, has been revitalised. Established long-standing groups have new-found energy and new groups and initiatives have been created, the largest being Women's Strike (*Strajk Kobiet*) who fight for women's rights and also support LGBTI people, refugees and persons with disabilities. She thinks, at least for parts of Polish society, feminism and activism have been demystified - no longer considered "radical" but "reasonable".

Izabela sees the subsequent increase in public support for the decriminalization of abortion and for same-sex partnerships and marriages over the past three years as a "real breakthrough." Crucially, Izabela insists an "uncompromising approach to building a civil society" by implementing the demands of full reproductive rights, a secular state, an end to violence against women/LGBTI people, economic equality, and social justice, as well as persistent advocacy and education outside of the activist "bubble", are instrumental in achieving human rights change.

4.6 JACKLINE NASIWA – SOUTH SUDAN¹⁶⁵

Ensuring women's role in peace-building and legal reform

Jackline Nasiwa, is an international law expert based in South Sudan, who works on gender inclusion, peace building/reconciliation, access to justice and good governance. The environment in which Jackline carries out her human rights work is restrictive, particularly in the context of the armed conflict, which has worsened the human rights and humanitarian situation in the country. The impact of the conflict falls disproportionately on civilians, particularly women, who endure sexual violence, mass displacement and loss of life, without accountability and justice for the victims. In spite of the signing of a revitalised peace agreement in September 2018, the civic space continues to be shrunk by state agents.¹⁶⁶

She explained to Amnesty International how WHRDs "play a big role in shaping governance and help to improve the human rights situation of the country by promoting peace building" and how women participating in the National Constitution Amendment process ensured that women-specific issues, such as the mandate to protect women from sexual and gender-based violence, and general human rights issues, such as domestic remedies and accountability, were incorporated: "...men were asking about things to do with interests and positions but they were not asking about things to do with what common people go through and the human rights situation in the country."

¹⁶³ See Amnesty International, "Poland: Nationwide protests against further restrictions to abortion", (News, 17 January 2018), and "The power of 'the street': protecting the right to peaceful protest in Poland" (Index: EUR 37/8525/2018)

¹⁶⁴ See video of the 14 women with the "Fascism Stop" banner: <https://www.facebook.com/ObywateleRP.org/videos/732670540267720/>, as well as Amnesty International, *The power of 'the street' protecting the right to peaceful protest in Poland* (Index EUR 37/8525/2018)

¹⁶⁵ Interview with Jackline Nasiwa in English, 7 March 2019

¹⁶⁶ Amnesty International, *Annual report 2017/2018*, (Index POL 10/6700/2018) and Amnesty International, *South Sudan: 'We are at risk and on the run': security agents track down peaceful protesters* (Index: AFR 65/0692/2019)

Jackline told Amnesty that what motivates her is the plight of South Sudanese women who “have not seen what is peace and they have not felt what is peace...if I don’t [act to stop these human rights violations] now, then nobody will do it for the future generations and it will continue from my generation to the next generation.” In addition, knowing that there is support for her work on the ground and in local communities gives her encouragement, and crucially, access to policy makers.

She insisted that a key factor is a civil society in which individuals and groups help each other by sharing expertise and networks, a task she prioritizes to achieve the change she and her activist colleagues are looking for.

4.7 SYINAT SULTANALIEVA – KYRGYZSTAN AND ZHANAR SEKERBAYEVA – KAZAKHSTAN¹⁶⁷

Thwarting discriminatory LGBTI laws



Zhanar Sekerbayeva (left), co-founder of “Feminita”, a Kazakhstan Feminist Initiative with Syinat Sultanalieva (right), from Labrys, the largest LGBTIQ rights organisation in Central Asia based in Kyrgyzstan. © Amnesty International

Discrimination, homophobia and Russia’s crusade against “non-traditional sexual relationships” have helped fuel a worrying rise in hostility towards LGBTIQ human rights groups in parts of the former Soviet Union. Social and political homophobia and transphobia in Kazakhstan and Kyrgyzstan where both Syinat Sultanalieva and Zhanar Sekerbayeva do their human rights activism, contribute to the marginalisation of LGBTIQ human rights defenders. State authorities are unwilling to protect these activists and do not prevent or investigate homophobic and transphobic hate crimes.¹⁶⁸

Syinat Sultanalieva, is a queer-feminist WHRD from Kyrgyzstan who works at Labrys, the largest LGBTIQ rights organisation in Central Asia. Kyrgyzstan is socially conservative, and it is difficult for LGBTIQ persons to “come out”; those who are out are at very high risk of violence and discrimination. Increased visibility in the last decade has resulted in a backlash with increased attacks against LGBTIQ people. In spite of this, following years of her activism and that of her colleagues to garner international attention and bring government officials, medical professionals and transgender community members together,

it is now possible for transgender people to change their name and gender marker in the country without having to undergo sterilisation or gender confirmation surgery.

Zhanar Sekerbayeva is a co-founder of “Feminita”, a Kazakhstan Feminist Initiative which promotes feminism and protects lesbian, bisexual and queer women’s rights in the country. In Kazakhstan, Zhanar faces pressure to conform to “traditional” gender roles. Violence at home and in public spaces, including reports of attempts to rape women to “cure” them are a constant threat for lesbian, bisexual and transgender women who face “double discrimination”. Societal attitudes towards LGBTQ people are on the whole negative, and same-sex relationships and gender nonconforming identities remain highly stigmatized. This

¹⁶⁷ Interviews with Syinat Sultanalieva and Zhanar Sekerbayeva were conducted in English on 17 April 2019. Note we use the acronyms/terms preferred by referenced individuals and groups.

¹⁶⁸ See Amnesty International, *Less equal: LGBTI human rights defenders in Armenia, Belarus, Kazakhstan, and Kyrgyzstan* (Index EUR 04/7574/2017) for more information on human rights violations against LGBTI defenders and rights in the area.

makes it very difficult for LGBTI people to be open about their sexual orientation or gender identity. Political and other government figures have openly rejected LGBTQ identities, often on the grounds of protecting the family and “traditional values”, and there have even been calls by some parliamentarians to re-criminalize same-sex relations. Even on social media, LGBTQ people self-censor, and talk of facing difficulties speaking openly about LGBTQ issues and exchanging information, because they fear harassment and intimidation. The authorities are also increasingly restricting online access to information, as well as using statements made on social media as grounds for administrative and criminal prosecution.¹⁶⁹

Still, she manages to successfully campaign for the rights of LGBTQ people. She counts as a recent success the Constitutional Council of Kazakhstan rejecting a draft anti-LGBT bill in 2015. Together with other LGBTQ defenders, “Feminita” were able to garner national and international support to prevent plans by the Kazak Parliament to pass this discriminatory amendment which was arguing for the protection of children from information “harmful to their health and development”.

Zhanar and her colleagues have been trying to register “Feminita” as a legal entity since 2017, but their application has been rejected numerous times and their recent attempt to sue the Ministry of Justice has failed, confirming Kazakhstan is failing in its obligation to guarantee its citizens the right to freedom of association.¹⁷⁰ In response Zhanar added: “We promote the protection of human rights. Whether or not the government wants it, the rights of lesbians, bisexual, trans and queer women are part of that.”¹⁷¹ Her ambition to grow “Feminita” from a grassroots organisation to a think tank that conducts its own research remains.

4.8 JOEY JOLEEN MATAELE – TONGA¹⁷²

Combatting bigotry and violence



Joey Joleen Mataele, co-founder of the Tonga Leitis Association ©Pohiva Tevita Tu'amoheloa

Pre-colonial Tonga had a fluid notion of gender and was tolerant of same-sex relationships and transgender people. Transgender women, known locally as ‘leitis’, held an important and respected position within society. But with the advent of colonialism and Christianity from the late 18th century, Tongan society became much more conservative and religious. As a result, attitudes towards leitis are now tainted by prejudice and anti-LGBTI sentiments are rife.

Consensual sexual activity between men is illegal in Tonga and punishable with imprisonment of up to ten years and whipping, although there is no record of the law being enforced. Same-sex relationships are not legally recognized, and it is illegal to change one’s gender. To stop this discrimination, Joey Joleen Mataele campaigns so that the human rights of her community are fully respected and leitis are recognized for who they are.

“I was bullied by teachers and students. On my way home, people would walk past and slap me on the back of my head or call me a faggot. I would get into fights. I was always fighting. My brothers and cousins would

¹⁶⁹ Amnesty International, *Less equal: LGBTI human rights defenders in Armenia, Belarus, Kazakhstan, and Kyrgyzstan* (Index EUR 04/7574/2017)

¹⁷⁰ Amnesty International, *Kazakhstan fails to register the LBQ initiative “Feminita”*, 6 June 2019 (Index EUR 57/0484/2019)

¹⁷¹ Interview with Zhanar Sekerbayeva in English, 17 April 2019.

¹⁷² Interview with Joey Joleen Mataele, 18 April 2019. See also: Amnesty International, “I do not want to say I’m transgender, I’d rather just say I’m a woman”, 18 April 2019, www.amnesty.org/en/latest/campaigns/2019/04/leiti-and-lgbti-activism-in-tonga/

verbally abuse me, one of them put a rope around my neck, pulling it tight to make me sound like a man. On one occasion, he nearly choked me to death,” Joey recalls.

“When I was 14, I got raped by my father’s head of security,” says Joey. “My father said, ‘He asked for it.’ He told me so many times to stop acting like a woman. And I think that’s when I decided that I am not going to tolerate any more of this. I decided to leave school because I couldn’t handle the harassment, the physical abuse. That’s when I made the decision: I am going to be somebody someday.”

“I think my past experiences have motivated me to become an activist, it has strengthened me. It has empowered me to fight for the rights of our people. I don’t want the same problems that I went through during childhood to happen to the younger generation,” she explained to us.

Together with other leitis, Joey co-founded the Tonga Leitis Association in 1992 to campaign for the decriminalization of homosexuality and of cross-dressing. In addition, she told us that “one of the reasons why we established the association is to give a safe space for our people, our LGBTI community, to come and sit and talk about our issues, to be open-minded about what’s going on, to share what we’ve faced in life... At least we have a space where we can laugh, be ourselves and relax.”

Joey has found the most effective and peaceful way of countering religious-based intolerance and bigotry, which fuels the discrimination and violence against the Tongan LGBTI community, is through “talanoa (story dialogue), sitting down face-to-face with your opposition and talk[ing].” She and fellow leitis tour Tonga’s churches sharing their calls for human rights through open dialogue.

4.9 PATRÍCIA DE OLIVEIRA DA SILVA – BRAZIL¹⁷³

Holding security forces to account



Patricia de Oliveira da Silva, co-founder of Rede de Comunidades e Movimentos contra a Violência (Network of communities and movements against violence) in Rio de Janeiro, Brazil © Amnesty International Brazil

Brazil has one of the highest homicide levels in the world, and just a fraction of these killings are ever brought to justice. Unlawful killings by police feed the wave of violence, and the vast majority of victims are young, black men.¹⁷⁴ It was in this context, that mainly women relatives of survivors and victims began to organise to support each other and fight for justice. Over the years, these groups have expanded their support and solidarity networks and gained increased prominence.¹⁷⁵

Patrícia de Oliveira da Silva is the co-founder of Rede de Comunidades e Movimentos contra a Violência (Network of communities and movements against violence) in the city of Rio de Janeiro. She is the sister of the only survivor of the Candelaria massacre, a mass killing of homeless children in Rio de Janeiro in 1993. For the families, the brutal slaughter of unarmed children was made all the worse when evidence emerged that the killings had been carried out by members of Rio’s Military Police force.¹⁷⁶ On the night of the massacre, Wagner dos Santos, Patrícia’s brother and

¹⁷³ Interview with Patrícia de Oliveira da Silva in Portuguese, 26 February 2019

¹⁷⁴ Amnesty International, “Young, Black, Alive – Breaking the silence on Brazil’s soaring youth homicide rate”, (Campaigns, 26 November 2014)

¹⁷⁵ El País, “Las madres brasileñas que culpan al Estado de la muerte de sus hijos”, by Felipe Betim and Toni Pires, 15 July 2019

¹⁷⁶ Amnesty International, *Brazil: Rio de Janeiro 2003: Candelaria and Vigário Geral 10 years on* (Index AMR 19/015/2003)

the only survivor, was standing near two of the victims and the police almost killed him too. He was hit by four bullets, but he survived and went on to become the key witness in the trial. As a result, he was targeted again in another attack which he also survived. Today, he lives in exile due to the persistent risks to his life.¹⁷⁷

The network that Patrícia founded in 2004 includes relatives of victims of the Candelaria massacre and other massacres which have occurred in Brazil throughout the decades. The Network campaigns for the rights of residents of favelas (poor suburbs) in a context where policing of poor communities is violent, repressive, racialised and corrupt, and where unlawful killings by the security forces have gone unpunished for years. Patrícia told us that the Network has clearly shown that the killing of young people, many of them extrajudicial executions, and the enforced disappearances practiced by the police are not isolated cases.

Patrícia and the Network have been key players in the campaign to hold security forces accountable for human rights violations and have denounced the endemic racism which has fuelled the killings of black youths. Their ultimate goal is to prevent the police from continuing to operate in the same way that took the lives of their loved ones. It is thanks to groups like these and their constant campaigning that three policemen who took part in the Candelaria massacre were later convicted of the killings.

Patrícia works to fight impunity and prevent future killings not only against the backdrop of entrenched racism and police violence and impunity, but also in a context in which WHRDs face intimidation, harassment and are even killed. The feminist and human rights movements were deeply shocked when Marielle Franco was murdered in March 2018. Over a year later, the Brazilian authorities are failing to conclude an investigation into who killed her. An elected councillor born and raised in a favela in Rio, she dedicated her life to speaking up for the rights of black women, LGBTI and young people in Brazil.¹⁷⁸

Reflecting on the role of women in the Network against Violence, which is made up largely of women, Patrícia noted that “women have always been the main transforming agents in the fight against state violations” and told Amnesty that she is driven by the knowledge that her human rights work contributes towards “building a better Brazil and world.”

¹⁷⁷ Amnesty International, “There’s no place on my brother’s body that is not marked’: The Candelária massacre 25 years on” (News, 21 July 2018)

¹⁷⁸ Amnesty International, “Brazil: Arrests are first sign of progress in investigation into killing of Marielle Franco” (News, 12 March 2019)

4.10 MIRIAM GONZÁLEZ AND NAIROVI CASTILLO – DOMINICAN REPUBLIC¹⁷⁹

Pioneering human rights research and education



Miriam González (left) and Nairovi Castillo (right), both lead non-governmental organisations defending the rights of sex workers in the Dominican Republic @private

In the Dominican Republic, police routinely rape, beat, humiliate and verbally abuse women sex workers to exert social control over them and to punish them for transgressing social norms of acceptable femininity and sexuality. A culture of machismo among the National Police, along with the intense social stigma and discrimination against sex workers, embolden the police to abuse their powers. Transgender women suffer particularly extreme forms of sexual abuse and humiliation due to the additional transphobia they face. In recent years, sex workers have been campaigning in Congress to pass a comprehensive anti-discrimination bill which would be a first step towards addressing the root causes of this extreme form of violence and discrimination.¹⁸⁰

Miriam González is a sex worker and President of OTRASEX (Organización de Trabajadoras Sexuales de República Dominicana), a sex-worker led non-governmental organization based in the Dominican Republic that works with police, health centers, and in the community to defend sex workers against gender-based torture and discrimination. In 2017, OTRASEX together with the regional sex workers group RedTraSex (*Red de Mujeres Trabajadoras Sexuales de Latinoamérica y el Caribe*) produced a groundbreaking report on violence against sex workers in the Dominican Republic researched by sex workers themselves.¹⁸¹

Nairovi Castillo is a transgender woman and sex worker, co-founder and executive director of COTRAVEDT (*Comunidad de Trans, Travesti Trabajadoras Sexuales de República Dominicana*), a sex-worker led non-governmental organization set up to support the rights of transgender sex workers.

¹⁷⁹ Interview with Miriam González and Nairovi Castillo in Spanish, 12 March 2019

¹⁸⁰ Amnesty International, “If they can have her, why can’t we?”: Gender-based torture and other ill-treatment of women engaged in sex work in the Dominican Republic, (Index: AMR 27/0030/2019)

¹⁸¹ RedTraSex/OTRASEX, *Informe nacional sobre violencia institucional de las fuerzas de seguridad hacia las trabajadoras sexuales en República Dominicana*, 2017

Miriam and Nairovi do not only suffer discrimination from the police, but they are also often excluded from human rights and feminist spaces because of the work they do.

Both explained when interviewed that they are proud that the two organizations they head had been asked to train police officers and military personnel, an indicator of how their campaigning has begun to bear fruit. In addition, they have run awareness raising campaigns for neighborhood associations, businesses, and transgender sex workers themselves, on the rights of transgender women and sex workers. When asked about how she sees her journey defending rights, Miriam stated: “With many obstacles and verbal attacks, but I don’t get tired, because I know we will achieve what we want, and that our rights are respected, because we are women and we are heroines.”

4.11 HORTENSE LOUGUÉ – BURKINA FASO¹⁸²

Ending child marriage and female genital mutilation



Hortense Lougué, Executive Director of the Association of Support and Awakening Pugsada (ADEP). © Amnesty International

Hortense Lougué is Executive Director of the Association of Support and Awakening Pugsada (ADEP) which was established in 1995 to support women and girls and campaign for their rights. It focuses on improving their legal status and socio-economic living conditions. It imparts human rights education, including on sexual and reproductive health and rights, and fights against all forms of gender-based violence, including female genital mutilation (FGM).

The organisation she now heads played a key role in making FGM illegal back in 1996. More recently, she and other WHRDs persuaded the Ministry of Social Action and National Solidarity to adopt in 2015 a national ten-year strategy to prevent and end child marriage.

Although FGM has been outlawed since the mid-90s, the practice remains widespread.¹⁸³ ADEP organises activities to help parents

understand and respect the rights of their daughters and the impact of FGM on their physical and psychological health. Its campaigning strategies include educational talks, discussion groups, radio and TV broadcasts, and the use of film screenings and theatre forums in the community. In addition, they provide counselling services for girls experiencing difficulties in their families.

Hortense has dedicated her life to ending gender-based violence in her country. “I have been an activist, general secretary, program coordinator and today I am an executive director of ADEP. I lead 10 projects and through determination and perseverance, we are committed to improving the lives of girls and women in Burkina Faso.”

¹⁸² Interview with Hortense Lougué in French, 7 April 2019

¹⁸³ Amnesty International, *Burkina Faso: Urgent need to protect girls from FGM and forced marriage*, (News, 10 October 2018)

4.12 SARAH ZUNGU – NAMIBIA¹⁸⁴

Standing up for indigenous peoples' rights



Sarah Zungu, San Indigenous leader and environmental WHRD (right), with Amnesty International staff member, Muleya Mwananyanda (left), in Namibia. © Amnesty International

Sarah Zungu is a San Indigenous leader and environmental WHRD from Namibia. The San people, are members of various Khoesān-speaking indigenous hunter-gatherer groups that suffer discrimination from more dominant groups, because of their nomadic and traditional way of life.

Sarah is a Senior councillor from the Ju/'Hoansi traditional authority and also a chairperson of the Nꞛa Jaqna Conservancy. In Namibia, conservancies are areas designated for the preservation of natural resources and wildlife that are communally owned and managed particularly by Indigenous groups. Sarah's community is keen to ensure that their natural resources such as forests and wildlife are used in an eco-friendly manner to benefit the people.

Sarah's work as a traditional authority involves advising community members as well as mediating to find a solution where there are disagreements. She told Amnesty International how she is passionate about the survival and wellbeing of her community and future generations.

Sarah campaigns to protect the community's land and culture. She does this in the face of continued threats from illegal settlement by cattle farmers from surrounding farms. As Sarah commented: "The authorities are failing us as The Land Board has still not taken effective action to remove fences and the cattle farmers that the High Court ordered should be moved in 2016." The matter was brought to court by the Legal Assistance Centre (LAC) on behalf of the Nꞛa Jaqna conservancy committee back in 2013 to serve 32 illegal farmers who had encroached on the conservancy with an

eviction order. Six years later these settlements, mainly from dominant groups, are still a huge threat for the community and threatens the way of life of the San in this area.

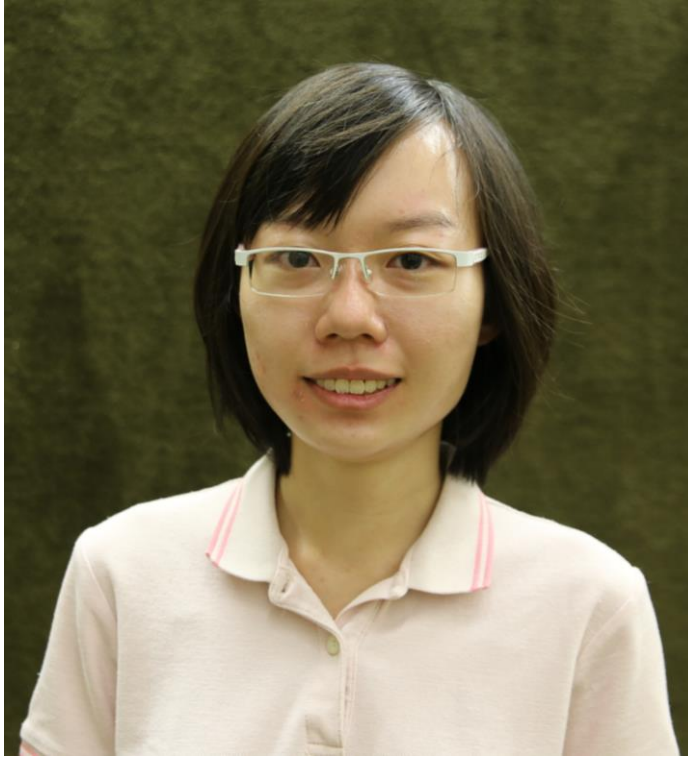
Sarah and her community are also unhappy about a proposal by the government for people living in the conservancy to start small-scale farming in the area. The community prefers one big communal crop field and they would like to receive training to help the entire community as communal living is their way of life.

She is afraid of walking on her own and at times feels she must stop talking as "these are big people" that she is speaking up against on behalf of her community and their land. Sarah explains that she feels intimidated by the authorities as they see her as inferior. "They don't see me as human as I am a "Bushman woman". Thus, she faces multiple discrimination as a black Indigenous rural woman. However, she stresses that through the collective nature of her work with the community she gets the strength to continue with her fight.

¹⁸⁴ Interview with Sara Zungu in Afrikaans, 12 April 2019

4.13 HAN HUI HUI – SINGAPORE¹⁸⁵

Defending freedom of expression and peaceful assembly through trailblazing and blogging



Han Hui Hui, a young WHRD and human rights blogger from Singapore © Amnesty International

Han Hui Hui is a young WHRD and human rights blogger from Singapore. She uses her blog and social media to highlight shortcomings in social services, especially in health and housing, as well as to raise public awareness of human rights violations in Singapore. She has participated in the organisation of awareness programmes and events on children's rights, the right to freedom of expression and democracy, and facilitated training camps on democracy for youth activists. Her outspokenness has made her the target of judicial harassment by the Singapore government over the years.

She has pushed back repeatedly against being told by those in government and wider society that females are not allowed to raise questions, to organise protests, or to travel abroad to speak: "When I was told that females shouldn't be travelling to raise awareness of what's happening in Singapore in the

first place, it made me realise the problem is not just with the government but society's mentality...I don't think this is a healthy social norm and I want it to change for the better."

Han Hui Hui started blogging at the age of 16 about the education system, specifically questioning the value of university degrees but said she was told that as a female, she is not supposed to ask such questions and such questions went against the "OB markers" ("out of bounds markers" are used by Singaporean authorities to denote what topics are and are not permissible for public discussion or debate). This didn't stop her. In 2013, at 21 years old, the government threatened to sue her for defamation when she raised questions about foreign talents and degree mills. Again, she received comments telling her to simply get married and settle down because "as a female, [she] shouldn't try to raise questions regarding the system...[she] should wait for guys to change the system instead."

In 2014, Han Hui Hui began organising protest events in Singapore but soon after was banned from doing so. She said she was told that "no female had ever been an organiser for a public assembly, least to say a protest." On 27 June 2016, Han Hui Hui was found guilty of illegal assembly and causing a public nuisance and fined for leading a peaceful protest that took place on 27 September 2014 in Hong Lim Park, the only space where people are able to assemble and demonstrate without a police permit. She was charged in October 2014 under section 143 of the Penal Code and section 290 of the Public Nuisance Act for her participation in a peaceful protest that called on the Singaporean government to return Central Provident Fund savings to members. Amnesty International believed the charges against her may have been politically motivated as under Singaporean law, she is now barred from running in the general elections in 2020 as her fine was over SGD \$2000.¹⁸⁶ In 2015, the UN Special Rapporteur on

¹⁸⁵ Interview with Han Hui Hui in English, 26 March 2019

¹⁸⁶ Amnesty International Australia, "Singapore: end harassment of peaceful protesters", 29 June 2016, www.amnesty.org.au/singapore-peaceful-protesters-han-hui-hui/

the Situation of Human Rights Defenders referred her case to the Singaporean government¹⁸⁷, noting his concern that the trial of Han Hui Hui and her fellow protestors appeared to be solely based on their efforts to promote and protect human rights and on their legitimate exercise of the rights to freedom of peaceful assembly and freedom of opinion and expression.

In May 2019, the “Protection from Online Falsehoods and Manipulation Bill” was passed. Without providing definitions for what could be considered “true,” “false,” or “misleading,” it gives Singaporean authorities unchecked powers to decide what appears and what doesn’t appear in people’s news feeds. Punishments include up to 10 years’ imprisonment and extremely high fines. This law is part of a long-running campaign by the Singaporean government to clamp down on peaceful government critics through repeated restrictions on the media and criminal indictments against activists, among other measures.¹⁸⁸ In the lead-up to this draft law, a parliamentary Select Committee held hearings last year on “online falsehoods”. The sessions were marred by baseless criticism of civil society activists, and the forced removal of Han Hui Hui during a hearing on 29 March 2018. She was forcibly evicted from the public gallery for holding up the cover of a book titled *Authoritarian Rule of Law, Legislation, Discourse and Legitimacy in Singapore*.¹⁸⁹

According to Han Hui Hui, persistence over the years coupled with encouragement and information has resulted in more and more women and girls in Singapore recognising their abilities and speaking up. She feels, following her efforts, “there are now more young girls questioning the system, there are girls organising public events to discuss on issues instead of keeping quiet and accepting things as they are.” This year, she was able to refer two women to represent Singapore to speak at a regional conference: “That was something very heart-warming to see that I’m no longer alone.”¹⁹⁰

4.14 “HASIBA” – AFGHANISTAN¹⁹¹

Pursuing justice in an armed conflict

“Hasiba” is a WHRD and a defence lawyer in Afghanistan, a country which has endured conflict for over four decades. Tens of thousands have been killed with impunity during the conflict. In this context HRDs face constant threats and attacks from both state and non-state actors, including armed groups such as the Taliban and the so-called “Islamic State” in relation to their human rights work. Those working on women’s rights, including sexual and reproductive rights, or on the rights of LGBTI people are at particularly high risk in the country.

“Hasiba” has been working as a lawyer and successfully pursuing justice for women who, for example, are victims of domestic violence or are seeking a divorce. Due to her work, she has been threatened with acid attacks. She told Amnesty International of having received a message on her mobile saying: “if you defend her case...we will spray acid on your face and you will become popular in the media.” “Hasiba” has reported these incidents but no effective measures to investigate her complaints have been taken.

Her family has also suffered threats. In May 2017 armed people beat her brother who was in her car and stole some documents from the vehicle. She has been accused of fabricating evidence in order to seek asylum abroad. The attacks took their toll and soon thereafter she closed her law firm for several months.

“Hasiba” suggests it is key that a law is drafted to specifically criminalize attacks, threats and intimidation against HRDs.

¹⁸⁷ Public letter from UN Special Procedures to Singapore’s government regarding Han Hui Hui’s situation, 30 October 2015, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=18036>

¹⁸⁸ Amnesty International, “Singapore: Chilling fake news law will ‘rule the news feed’”, (News, 8 May 2019)

¹⁸⁹ Amnesty International, “Singapore: Chilling fake news law will ‘rule the news feed’”, (News, 8 May 2019)

¹⁹⁰ Interview with Han Hui Hui in English, 26 March 2019

¹⁹¹ See Amnesty International, *Defenceless Defenders – Afghanistan’s Human rights Community under Attack*, (Index ASA 11/0844/2019)

5. EXISTING PROTECTIONS FOR WHRDS UNDER INTERNATIONAL HUMAN RIGHTS LAW AND STANDARDS

At the international, regional and national level, a number of instruments outline the obligations to respect and protect WHRDs. States have an obligation to uphold these standards in order to guarantee a safe and enabling environment in which WHRDs can work free from fear of reprisals and pursue their crucial work for the protection and promotion of all human rights.

The **UN Declaration on Human Rights Defenders** (1998)¹⁹² is based on existing binding international instruments. The Declaration reaffirms the right to defend human rights and articulates states' obligations to the particular role and situation of HRDs. It outlines the related responsibilities and duties of states and makes clear that it is states that bear the ultimate responsibility to protect HRDs, to prevent and effectively address allegations of human rights violations and abuses committed against them and related to their human rights work, and to ensure that they can carry out their work in a safe and enabling environment. Moreover, the Declaration highlights the right of human rights defenders to develop and discuss new human rights ideas and principles, and to advocate their acceptance.¹⁹³

In 2013, thanks to the efforts of feminist and women-led civil society groups, the first-ever resolution on WHRDs was adopted by consensus by the UN General Assembly, defining who they are, the challenges they face and the steps states need to take to protect their rights and recognize their important work. Significantly, the WHRDs' Resolution (2013)¹⁹⁴ places on states the duty to:

- recognize WHRDs and their work;
- enable WHRDs to engage in human rights work by protecting them, respecting and supporting their activities, condemning and preventing human rights violations and abuses, as well as violence

¹⁹² Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, 1998, UN Doc. A/RES/53/144

¹⁹³ Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, 1998, UN Doc. A/RES/53/144, Article 7

¹⁹⁴ Promotion of the Declaration of the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms: protecting women human rights defenders, General Assembly Resolution UN Doc. A/RES/68/181, 18 December 2013. See also ISHR, *Recognising and Protecting Women Human Rights Defenders - A Rough Guide to UNGA Resolution 68/181*, 2016, www.ishr.ch/sites/default/files/article/files/roughguide_unresolutionwhrds_0.pdf

- and discrimination against them, and creating a safe and enabling environment for the defence of human rights with a gender perspective;
- ensure participation of WHRDs in public life, including peaceful protests;
- strengthen and systematize documentation of human rights violations;
- prevent and protect WHRDs (or their family members or associates) from harassment, intimidation or reprisals for engaging with international or regional institutions;
- ensure that the promotion and protection of human rights are not criminalized;
- involve women in efforts to promote peace and security;
- ensure gender-sensitive remedies to WHRDs whose rights have been violated, including extending protection measures to family members; and
- combat impunity and seek accountability for perpetrators.¹⁹⁵

The Declaration on Human Rights Defenders and other related standards stem from states' obligations under international human rights law, including the **International Covenant on Civil and Political Rights (ICCPR)** (1966),¹⁹⁶ which protects, among others, the rights of everyone to freedom of expression, opinion, association and peaceful assembly, which are all essential prerequisites to effective human rights work. Furthermore, **General Comment No. 36 of the Human Rights Committee on Article 6 of the ICCPR, on the right to life (2018)**¹⁹⁷ reinforces the duty of states to protect HRDs from violence, threats and reprisals, including by creating a safe and enabling environment for those defending human rights.

The **International Covenant on Economic, Social and Cultural Rights (ICESCR)** (1966)¹⁹⁸ places a duty on states to ensure the equal rights of men and women to the enjoyment of all economic, social, and cultural rights. The Committee on Economic, Social and Cultural Rights has considered that threats or violence against human rights defenders constitute violations of the obligations of states towards the realization of rights protected by the ICESCR, since human rights defenders also contribute through their work to the fulfilment of rights enshrined therein.¹⁹⁹

The **Convention on the Elimination of all forms of Discrimination against Women (CEDAW)** (1979)²⁰⁰ calls on states to take all appropriate measures to eliminate discrimination against women in the political and public life. Furthermore, the Convention calls upon states to confront harmful stereotyping by requiring them to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women. This requirement applies to the full range of harmful stereotyping that people face and that impacts their human rights, including gender stereotypes that are based on a view of women as being inferior to men and sex-role stereotypes.²⁰¹

In their General Recommendation No. 33 on women's access to justice (2015),²⁰² the **Committee on the Elimination of Discrimination against Women** states the fact that "human rights defenders and organizations are frequently targeted because of their work must be emphasized and their own right to access justice protected." The Committee's General Recommendation No. 35 on gender-based violence against women (2017)²⁰³ further addresses the stigmatization of women who fight for their rights, including WHRDs, and calls on states to prevent the harmful and stereotypical portrayal of WHRDs in the media.

The **Committee on the Rights of the Child** stated in its General Comment No. 20 on the implementation of the rights of the child during adolescence (2016)²⁰⁴ that states should introduce measures to protect adolescent human rights defenders, particularly girls, who often face gender-specific threats and violence.

¹⁹⁵ While the resolution speaks to many of the needs of WHRDs, some who supported its development note that it does not adequately address state obligations regarding defence of sexual and reproductive rights.

¹⁹⁶ International Covenant on Civil and Political Rights (ICCPR), General Assembly resolution 2200A (XXI), 16 December 1966

¹⁹⁷ General comment No. 36 on article 6 of the International Covenant on Civil and Political Rights, on the right to life, Human Rights Committee, UN Doc. CCPR/C/GC/36, 30 October 2018,

¹⁹⁸ International Covenant on Economic, Social and Cultural Rights (ICESCR), General Assembly resolution 2200A (XXI), 16 December 1966

¹⁹⁹ Statement by the CESCR on Human rights defenders and economic, social and cultural rights. UN Doc. E/C.12/2016/2

²⁰⁰ Convention on the Elimination of all forms of Discrimination against Women, General Assembly resolution 34/180, 18 December 1979

²⁰¹ CEDAW, Article 5; see also OHCHR, *Gender stereotyping as a human rights violation*, 2013, p. 23.

²⁰² General recommendation No.33 on women's access to justice, the Committee on the Elimination of Discrimination against Women, UN Doc. CEDAW/C/GC/33, 23 July 2015

²⁰³ General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19, Committee on the Elimination of Discrimination against Women, UN Doc. CEDAW/C/GC/35, 14 July 2017

²⁰⁴ General comment No. 20 (2016) on the implementation of the rights of the child during adolescence, Committee on the Rights of the Child, UN Doc. CRC/C/GC/20, 6 December 2016. On 28 September 2018, the Committee held a day of general discussion on protecting and empowering children as human rights defenders, www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=23664&LangID=E

Both the **Beijing Declaration and Platform for Action**,²⁰⁵ and the **2030 Agenda for Sustainable Development**,²⁰⁶ commit states to achieving gender equality and empowering all women and girls and recognize WHRDs as key to their realization.

Principle 27 of the **Yogyakarta Principles**, which affirm binding international human rights legal standards with regards to sexual orientation, gender identity, gender expression and sex characteristics, states that everyone has the right to promote human rights, including “activities directed towards the promotion and protection of the rights of persons of diverse sexual orientations and gender identities, as well as the right to develop and discuss new human rights norms and to advocate their acceptance.”²⁰⁷

On 21 March 2019, the Human Rights Council adopted, for the first time, a resolution recognizing the importance of **environmental human rights defenders** and calling for their protection.²⁰⁸ It calls for protection mechanisms that take into account the systemic, structural and intersecting forms of discrimination and violence faced by WHRDs of all ages, including sexual and gender-based violence, and recognizes “the importance of gender equality, the empowerment of women and the role women play as managers of natural resources and agents of change in the safeguarding of the environment.”

At a regional level, the **European Union Guidelines on Human Rights Defenders** guide the actions of EU member states to promote and protect HRDs in third (or non-EU) countries.²⁰⁹ In 2008, the **Council of Europe** adopted a Declaration on the need to strengthen the protection and promotion of human rights defenders and the civil society space in Europe,²¹⁰ and in 2018 it adopted a new Recommendation specifically calling on states to ensure WHRDs are able to access specific support, funding and protection, including against gender-based violence, and guarantee an environment in which they can work free from violence and discrimination.²¹¹ In 2014, the **Organization for Security and Co-operation in Europe (OSCE)** adopted guidelines on the protection of HRDs with reference to the need for “gender-sensitive protection and support” that meets the specific needs of WHRDs and addresses the specific risks they face.”²¹²

The **Inter-American Commission on Human Rights** and the **Inter-American Court of Human Rights** play a crucial role in promoting and ensuring protection for HRDs at risk in the Americas. Both bodies have granted protection measures calling on states to take appropriate steps to protect the life and physical integrity of WHRDs, and to investigate thoroughly the attacks and security incidents which led to the decision to grant such measures. The Inter-American Court in particular, has ordered states to develop protection mechanisms and specific protocols to investigate threats and attacks against HRDs that contemplate a risk assessment to allow the determination of the specific needs and contexts of each defender or group at risk.²¹³

In 2016, the **African Commission on Human and Peoples’ Rights (ACHPR)** called on member states to adopt laws and measures to promote and protect HRDs’ work, addressing the specific protection needs of WHRDs; to ensure that efforts designed to address violations against women’s rights are developed and monitored in consultation with WHRDs; and to train all relevant authorities on their specific risks and protection needs.²¹⁴ In 2017, it further called for the adoption of specific legislative measures to recognise the status and protect the rights of HRDs, including WHRDs and those working on issues such as extractive industries, health and HIV/AIDS, reproductive health, sexual orientation and gender identity, promotion of peace and democracy, fight against terrorism, and respect for human rights.²¹⁵

²⁰⁵ Beijing Declaration and Platform for Action, United Nations, 1995, http://beijing20.unwomen.org/-/media/headquarters/attachments/sections/csw/pfa_e_final_web.pdf

²⁰⁶ Transforming our world: the 2030 Agenda for Sustainable Development, Resolution adopted by the General Assembly, UN Doc. A/Res/70/1, 25 September 2015. See also statement given on International Women Human Rights Defenders Day, 29 November 2018, by the Executive Director of UN Women, Phumzile Mlambo-Ngcuka, www.unwomen.org/en/news/stories/2018/11/statement-ed-phumzile-international-women-human-rights-defender-day

²⁰⁷ Yogyakarta Principles, <https://yogyakartaprinciples.org/principles-en/>

²⁰⁸ Recognizing the contribution of environmental human rights defenders to the enjoyment of human rights, environmental protection and sustainable development, resolution adopted by the Human Rights Council UN Doc. A/HRC/40/L.22, 21 March 2019

²⁰⁹ European Union, EU Guidelines on Human Rights Defenders, https://eeas.europa.eu/sites/eeas/files/eu_guidelines_hrd_en.pdf

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²¹² Organization for Security and Co-operation in Europe, Guidelines on the Protection of Human Rights Defenders, 2014, www.osce.org/odihr/guidelines-on-the-protection-of-human-rights-defenders

²¹³ Cases: Acosta and others vs. Nicaragua, para. 223; Human Rights defender vs Guatemala, para. 263

²¹⁴ African Commission on Human and Peoples’ Rights, Resolution on Measures to Protect and Promote the Work of Women Human Rights Defenders, ACHPR/Res. 336 (EXT.OS/XIX) 2016, www.achpr.org/sessions/19th-eo/resolutions/336/

²¹⁵ African Commission on Human and Peoples’ Rights, Resolution on the Situation of Human Rights Defenders in Africa, ACHPR/Res. 376 (LX) 2017, www.achpr.org/sessions/resolutions?id=419 and Resolution on Protection against Violence and other Human Rights Violations

against Persons on the basis of their real or imputed Sexual Orientation or Gender Identity, ACHPR/Res.275(LV)2014,
www.achpr.org/sessions/resolutions?id=322

6. RECOMMENDATIONS

“I believe that it is their main weapon, the inaction of justice. They know perfectly well that they can commit any aggression against defenders and...their actions go unpunished.”

Aída Isela González Díaz, Alianza Sierra Madre (Sierra Madre Alliance), Mexico ²¹⁶

States bear the ultimate responsibility to protect WHRDs, to prevent and effectively address allegations of human rights violations and abuses committed against them or their human rights work, including gender-based violence and other forms of discrimination, and to ensure that they can carry out their work in a safe and enabling environment. Much is left to be done to recognize and protect all those who speak out and stand up against injustice.

Non-state actors, including businesses, donors and family and community members surrounding WHRDs, also have a part to play in addressing the risks and challenges faced by WHRDs. As it has been highlighted by the Special Rapporteur on the situation of human rights defenders: “It is paramount that non-State actors acknowledge and respect the important role of defenders in ensuring the full enjoyment of human rights by all.”²¹⁷

All those with positions of power – including states, businesses, financial institutions, donors, intergovernmental organizations and others such as religious authorities and the media- must take urgent action to recognize WHRDs as key agents of change in obtaining justice, equality, peace and sustainable development, and to protect WHRDs so they are able to take action in safe and enabling environments for the defense of human rights without discrimination or violence.

These urgent actions must ensure intersectional approaches to programmes, policies and activities relating to WHRDs, with a focus on WHRDs that are particularly marginalized, including LGBTI defenders, defenders of land and territory, Indigenous peoples’ rights defenders and those working on sexual and reproductive health and rights, including sex workers.

All these stakeholders, state and non-state actors must show leadership in ensuring all WHRDs are respected, protected and able to act in an environment in which it is truly possible and safe to stand up for human rights.

The following recommendations should be read in conjunction with key initiatives put forward by civil society groups such as the Model Law for the protection and recognition of human rights defenders adopted in

²¹⁶ Interview with Aída Isela González Díaz in Spanish, 27 February 2019

²¹⁷ Report submitted by Special Rapporteur on the Situation of Human Rights Defenders, Margaret Sekaggya, to the 25th session of the Human Rights Council, 23 December 2013, UN Doc. A/HRC/25/55

2016,²¹⁸ the Human Rights Defenders World Summit and its Action Plan adopted in Paris in 2018,²¹⁹ and the recent Declaration adopted in New York by environmental human rights defenders committed to stand with all those who take action to protect the planet from environmental degradation and the climate crisis.²²⁰

6.1 STATES

Amnesty International calls on all states to:

EXPLICITLY RECOGNISE THE LEGITIMACY OF ALL WHRDS, WITHOUT DISCRIMINATION, AND PUBLICLY SUPPORT THEIR WORK, ACKNOWLEDGING THE PARTICULAR AND SIGNIFICANT ROLE PLAYED BY THEM IN ADVANCING HUMAN RIGHTS, INCLUDING BY:

- Publicly acknowledging that WHRDs face inequality and exclusion, as well as multiple and intersecting forms of violence and discrimination (including on grounds of gender, gender identity, gender expression, sex, sexual orientation, sex characteristics, ethnicity and race, language, religion or belief, disability, age, location, occupation, nationality or statelessness, migratory status, class, or any other ground).
- Developing and disseminating public awareness campaigns about the key role all WHRDs play in the defence of human rights.
- Adopting necessary measures to address the root causes of threats and attacks against WHRDs, including marginalization, discrimination and inequality, gender-based violence, social constructions of gender based on patriarchy and heteronormativity, lack of access to justice, transparency and accountability.

ENSURE A SAFE AND ENABLING ENVIRONMENT IN WHICH WHRDS ARE EFFECTIVELY PROTECTED AND ABLE TO DEFEND AND PROMOTE HUMAN RIGHTS FREE FROM VIOLENCE, DISCRIMINATION AND OTHER VIOLATIONS AND WITHOUT FEAR OF PUNISHMENT, REPRISAL OR INTIMIDATION, IN PARTICULAR BY:

- Publicly and unequivocally condemning attacks, threats and intimidation against all WHRDs without discrimination and refraining from using language that stigmatizes, abuses, disparages or discriminates against them, such as when they are characterized as being “morally corrupt”, or as threats to so-called “traditional and family values”.
- Implementing action plans with intersectional approaches to public policy relating to WHRDs, with a focus on WHRDs that are particularly marginalized, for example those working on sexual and reproductive health and rights, LGBTI and other gender non-conforming defenders, those working with sex workers, as well as those working with Indigenous rights defenders and defenders of land, territory and the environment.
- Investigating threats, harassment, intimidation, unlawful surveillance, physical attacks and criminalization of WHRDs, particularly those facing multiple and intersecting forms of discrimination, and bringing the perpetrators to justice, whether they are state or non-state actors, and provide effective remedies to the victims, including gender-responsive reparations.
- Ensuring all state officials are adequately resourced and trained in non-discriminatory and gender-sensitive practices.
- In consultation with WHRDs, ensure they receive the specific protection they need against the threats, discrimination and violence they face, by establishing protection mechanisms which incorporate preventative, collective and gender-sensitive approaches. Recognize that security must be understood holistically and that it encompasses physical safety, digital security, environmental security, economic stability, and the mental and emotional well-being of WHRDs and their families, loved ones and their communities.
- Adopting and implementing legislation which recognizes and protects all WHRDs, and repeal or amend legislation that may place obstacles in the way of their activities to promote and defend human rights, as well as by eliminating laws that criminalize same sex sexuality or otherwise target LGBTI people or related advocacy as well as laws that criminalize sex work or criminalize abortion and sexual and reproductive health and rights.
- Taking concrete actions, as part of foreign policy at both bilateral and multilateral levels, to protect WHRDs and civil society organizations, including by fully cooperating with UN and regional human

²¹⁸ For the text of the Model Law see ISHR's webpage: <https://www.ishr.ch/news/model-law>

²¹⁹ HRD World Summit Action Plan, <https://hrdworldsummit.org/the-summit/#actionplan>

²²⁰ Peoples' Summit on Climate, Rights and Human Survival Declaration, 2019, <https://drive.google.com/file/d/1J1YyRS4myzJCeviKMWoSAMC7c7i7wx3/view>

rights mechanisms, promoting wider spaces and participation for WHRDs, and supporting international initiatives and legal reform that protects WHRDs and holds those who attack or arbitrarily restrict WHRDs to account.

- Ensuring that funding enables WHRDs in their diverse circumstances to promote and defend human rights in a continuous, sustainable and effective manner.
- Ensuring non-State actors, including businesses, religious groups, family and community members, and the media, do not hinder WHRDs' human rights work.

6.2 BUSINESSES AND FINANCIAL INSTITUTIONS

Amnesty International urges businesses to:

- Implement adequate human rights due diligence processes, as set out in international business and human rights instruments, such as the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises, to ensure their activities, or those of their subsidiaries, sub-contractors and suppliers respect the rights of WHRDs and do not hinder their human rights work.
- Adopt a policy of zero-tolerance towards acts of violence, threats, or intimidation against WHRDs opposing or expressing their views about their activities or projects, which should be supported by measures to ensure company employees, agents and contractors are aware of, trained in and held accountable against this policy.
- Conduct meaningful consultations and meetings with WHRDs at critical phases of project planning and implementation, to identify and address specific risks to their rights and work and ensure policies and projects, including consultation processes themselves, do not replicate gender inequalities.
- Information and communication technology companies whose products perform the function of community forums, social media networks and similar spaces, should publicly share comprehensive and meaningful information about the nature and levels of violence and abuse against women and other discriminated groups on their platforms. In addition, these companies should also undertake proactive measures in educating users and raising awareness about security and privacy features on their platforms that will help WHRDs create a safer and less toxic experience online.

Amnesty International urges all financial institutions (governmental, intergovernmental or non-governmental) to:

- Adopt policy commitments on human rights, and adequate human rights due diligence processes to identify and prevent or mitigate risks of human rights abuses in the context of projects and activities they support. This should include reprisal-related risks and pay particular attention to the differentiated risks facing different groups, such as WHRDs and the communities they represent.
- Adopt protocols that are gender based and non-discriminatory for responding to threats and attacks against WHRDs in the context of development activities.
- Reiterate the importance of an enabling environment for WHRDs in development projects.
- Allocate funding to support the work of WHRDs and WHRD-led initiatives.

6.3 INTERGOVERNMENTAL ORGANIZATIONS AND REGIONAL BODIES

Amnesty International urges all multilateral institutions, intergovernmental organizations and regional bodies to:

- Advocate for a safe and enabling environment for WHRDs to do their work at the local, national, regional and international levels free from fear, threats, harassment, discrimination or violence, taking into consideration the gender specific impacts of restricting civic space on WHRDs, especially those in marginalised groups.
- Take measures to counter regressions and rollbacks on human rights norms.
- Document violations committed against WHRDs and their organizations to generate evidence and awareness of the types of attacks against WHRDs and their work.

- Ensure WHRDs who engage with multilateral institutions and international and regional human rights bodies can do so without fear of reprisals and that any allegations or instances of reprisals are promptly and adequately investigated.
- Recognize the initiatives, strategies and networks created by WHRDs themselves and ensure that they have proper access and are adequately resourced.
- Strengthen and support women's leadership and feminist, community-centred approaches for the protection of WHRDs at risk.
- Renew efforts to ensure the security, protection and well-being of WHRDs, while respecting confidentiality and the need for informed consent.
- Ensure there is effective follow-up, implementation and accountability for recommendations to states concerning the security and protection of WHRDs.
- Ensure intersectional approaches to programmes, policies and activities relating to HRDs, with a focus on WHRDs that are particularly marginalised.
- Work across UN and regional bodies and mechanisms to ensure compliance to all standards and commitments related to WHRDs.

6.4 DONORS

Amnesty International urges donors to:

- Provide or increase funding to support all WHRDs in organizing, leadership development and movement-building, and addressing the need for psycho-social support, ensuring the funding is core, long term and flexible.
- Ensure funding includes giving priority to those most marginalized and affected by intersecting and multiple forms of discrimination.
- Ensure resourcing for networking and convening to create spaces of exchange and mutual support between WHRDs across the world, and for their participation at regional and international forums.
- Ensure funding is responsive to the specific needs and context of WHRDs (such as unexpected threats and opportunities or an increasingly restricted civil society space), and that it supports expertise, struggles and agendas that are relevant to local WHRD groups and their communities.

7. FURTHER READING

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CHALLENGING POWER, FIGHTING DISCRIMINATION

A CALL TO ACTION TO RECOGNISE AND PROTECT WOMEN HUMAN RIGHTS DEFENDERS

Around the world, women human rights defenders (WHRDs) face similar risks and challenges as other human rights defenders (HRDs) who continue to be threatened, attacked, criminalized, arbitrarily detained and sometimes even killed. However, in addition, WHRDs who advocate for all human rights, face heightened risk of gender specific forms of verbal and physical violence, including sexual violence as a form of torture, and encounter further challenges just because of who they are and/or because sometimes the rights they defend are connected to women's rights, gender equality and sexuality.

This is because WHRDs, and more generally women, and LGBTI and gender-non-conforming people, continue to be targeted in societies that use violence, discrimination, and exclusion from power and resources, to maintain a status quo dominated by social and economic inequality, patriarchy and heteronormativity.

Increasingly, states around the world are restricting the space for civil society and rights related to organizing and freedom of expression, with measures often first directed against women-led, sexual and reproductive rights based and LGBTI groups, precisely because they are seen to challenge social norms. Despite this, and often because of it, WHRDs fight on making positive change by speaking truth to power and spearheading many groups and projects in the global human rights movement.

This briefing summarizes the key challenges affecting WHRDs and includes input collected through interviews with WHRDs in all continents. They all insist that more action is urgently needed from state and non-state actors, so that they can continue their critical human rights work, free from violence, discrimination, harassment and other violations,

Those with power must urgently recognize WHRDs as key agents of change in obtaining justice, equality, peace and sustainable development, and protect them so they are able to defend human rights in safe and enabling environments.