

Women Human Rights Defenders

Empowering and Protecting the Change-Makers



Protecting human rights defenders at risk since 1981

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Some violations against WHRDs take gender specific forms, ranging from verbal abuse to stigmatisation, to sexual abuse to rape... WHRDs are criminalised and in many instances they are attacked. They are particularly at risk in situations of conflict or widespread violence.

DOLORES INFANTE

Advisor to the UN Special Rapporteur on Human Rights Defenders

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Executive summary

Women Human Rights Defenders

Empowering and Protecting the Change-Makers

A Peace Brigades International conference, 24-25 October 2012

Women human rights defenders (WHRDs) across the world are persecuted and attacked for the work they do to promote peace, justice and social change. Like men, they are targeted in response to their work, but attacks on women are also often gender-related, including through the use and threat of sexual violence, and verbal abuse and harassment deriving from discriminatory attitudes. This is particularly the case when women defenders challenge cultural norms and traditions, or confront stereotypes about femininity, sexual orientation and the role

and status of women in society.

The testimonies given at Peace Brigades International's October 2012 conference, Women Human Rights Defenders – Empowering and Protecting the Change-Makers, revealed the depth, scope and nature of challenges faced. Women from Afghanistan, Colombia, Iran, Libya, Kenya, Mexico, Nepal, Sudan, and Zimbabwe gathered to share experiences from the front line of women's human rights work around the world. Delegates listened to sobering accounts of working with survivors of torture and sexual violence, with displaced

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“A lot of us, who were in police custody and jail, would be played the voices of our children and would be told that they are being murdered so that we would denounce what we stand for and stop defending people's rights.”

NAOMI BARASA

Amnesty International Kenya

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When I phoned the police to inform on what was going on and the violence that was being inflicted on my friends, the response I got from the police officer was ‘You deserve what you get, you are doing unnecessary work here and you deserve it.’

SHYAM SAH

WHRD, Nepal

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and abandoned communities, and with women ostracised by caste, class, or medical conditions. We heard of the long and often fruitless struggle against impunity. It was also a chance, however, to be inspired by stories of resistance, of solidarity and empowerment, of successful campaigns for justice and new laws, of small but significant social change, and of rebuilding hope and humanity against the odds. It was a powerful vindication of the need to support women defenders risking their lives to secure the rights of others.

The conference was also an opportunity for representatives from international NGOs, the British Government, the European Union, and the United Nations to join with the defenders to explore how to best safeguard their work. Organised with the support of GAPS UK, Womankind, Amnesty International UK, and the All Party Parliamentary Group on Women, Peace and Security, the conference consisted of traditional panels, specialist break out discussion groups, and a private roundtable meeting in parliament.

A variety of themes were tackled including trends in gender-based repression and discrimination, challenges faced by WHRDs in gaining political and legislative recognition, barriers to accessing justice and legal remedy, effectiveness of international protection frameworks, and how to create a secure and enabling environment in which WHRDs can carry out their work.

Nature of attacks

The WHRDs who spoke presented a chilling illustration of the lengths to which human rights violators will go to achieve their ends. They and their colleagues have faced: bomb attacks and attempted murder, torture, sexual violence, stalking and harassment, unfounded arrest and prosecution, imprisonment in solitary confinement, cyber-attacks and illegal surveillance, threats of abduction and assassination, psychological torture, media defamation, and stigmatisation by public officials. Multiple threats and attacks are often used against the same individual or organisation as part of a wider targeted strategy of repression.

Perpetrators and their aims

In many cases, speakers said agents of the state were directly responsible for repression against WHRDs. Persecution can take the form of isolated or systematic practices by governments, armed forces, police, intelligence services, judiciary, or parliamentarians. Non-state actors who harm WHRDs can include illegal militias and armed groups, community and family members, media, national and multinational corporations and their private security companies. It is not uncommon for there to be collusion between different actors, of both legal and illegal status.

The defenders provided interesting

commentary as to why attacks are carried out: to silence the activist or force them to stop their work; to discredit them in front of their family, community, or support base; to put legal restrictions on their work; to deny women the justice system and rule of law as a way out; as a warning to deter other women from entering social and political activity; to reinforce the status quo of patriarchal power and gender discrimination and to block advances on progressive rights for women.

Vulnerable groups

Sub-groups of WHRDs at high risk can vary according to context. However, evidence given at the conference suggests there are certain demographics that are particularly vulnerable. These include “grassroots” NGOs without significant access to national and international networks, those working in remote areas with poor access and communications, and those working on high profile or emblematic cases. Women defenders who come from and/or represent social groups marginalised on grounds of ethnicity (including indigenous and Afro-descendent people), caste (dalits), and socio-economic status (peasants, migrants) can be vulnerable to “dual discrimination,” particularly when it comes to access to justice and basic rights, and to protection by law.

Underreporting of attacks

One common concern was the widespread underreporting of attack on WHRDs. In some cases, there is not enough awareness of protection mechanisms at their disposal and how to use them, especially when women activists do not self-identify as WHRDs. Very commonly, they refrain from reporting due to a justified lack of confidence that local authorities will respond to their complaints in a sensitive, professional, and effective manner. Investigations are usually poorly executed, under-resourced, and liable to corrupt practice. Attitudes of police, prison officers, and public officials often embody gender-prejudice, with officials refusing to file cases, investigate, or even recognise that the law has been broken. In some cases, where the authorities themselves stand accused of direct or indirect involvement, the WHRD may fear retaliation should they choose to denounce the violation. A lack of independent oversight mechanisms of investigative and judicial branches, in a wider context of weak rule of law, allows this problem to continue and impunity to be the norm.

Criminalisation of the activities of WHRDs

In contrast to the massive hurdles faced in seeking justice for attacks against defenders and victims, the law book is used with surprising agility against WHRDs. The politically motivated criminalisation of HRDs was identified as a growing problem; for perpetrators it provides a way of silencing dissent and promoting social control under a veneer of legitimacy. In practice, defenders are cynically targeted with trumped up accusations, and often denied the right to a fair trial and due process. Speakers said WHRDs were especially vulnerable to criminalisation, as states often invoke laws restricting the rights of women such as those governing public morals, blasphemy, and sexual and reproductive rights. A similar trend cited was the disproportionate use of emergency measures by states to curb protests and permit limitations on the exercise of fundamental rights.

The UK government and WHRDs

In April 2013, G8 member nations signed a Declaration on Preventing Sexual Violence in Conflict, inspired by the UK's presidency, in which they committed to increase efforts and resources to tackle rape and sexual violence as weapons of war. Representatives of the FCO and DFID engaged with discussions before, during, and after the conference to learn about the protection needs of WHRDs and how best to support them. As a direct result of this process, the G8 Declaration recognises the importance of supporting and protecting WHRDs in order to further the wider, fundamental aims of combatting sexual violence.

In defending and promoting women's and children's rights and confronting sexual violence in armed conflict, women's civil society organisations and networks, in particular women human rights defenders, play a particularly important role in monitoring, fact-finding and documenting cases of sexual violence and empowering victims to pursue judicial and other remedies. They can also strengthen frontline protection, service provision and access to justice for such victims. Ministers recognised the need to afford better protection to human rights defenders and committed to support conflict-affected countries develop and implement country-level action plans with the involvement of local organisations to provide such protection. Ministers also agreed to enhance the coordination of their protection efforts in countries of concern, drawing, as appropriate, on existing guidelines such as those developed by the EU, for the protection and support of human rights defenders where applicable.

Article 7, Declaration on Preventing Sexual Violence in Conflict

The UK's Preventing Sexual Violence in Conflict (PSVI) initiative joins the existing cross-departmental plan on tackling violence against women and girls. The strategy includes Action Plans on UN Security Resolution 1325, as well as wider programme work to tackle root causes and to promote access to justice for victims.

Lynne Featherstone MP, the Ministerial Champion for Tackling Violence against Women and Girls Overseas, welcomed the conference with an official statement.¹ In it she underlined the crucial role that WHRDs play within households, communities, civil society, government, and internationally to tackle violence and promote women's and girls' rights. Ms Featherstone expressed concern about the nature of the risks and sacrifices that WHRDs make in their struggles to advance human rights and fundamental freedoms, adding "every woman and girl has the right to live free from discrimination, violence and abuse. Ending violence and discrimination against women and girls is a priority for the UK government." She also emphasised that the government was fully committed to supporting WHRDs under the EU Guidelines on Human Rights Defenders.

While in terms of policy the government is moving in the right direction, significant challenges remain in securing effective implementation so that real change continues to be felt on the ground.

¹ Statement by the Ministerial Champion for Tackling Violence against Women and Girls Overseas, 24 October 2012, Lynne Featherstone MP, Parliamentary Under-Secretary of State

Abuse of power and impunity

Another stated hindrance to human rights defence was undemocratic power structures in which groups such as the military, a common perpetrator of human rights violations, wield disproportionate political influence. In some cases, this has resulted in military tribunals assuming powers to process cases that belong in the civilian justice system, a situation that favours impunity. The Church was flagged as an unscrupulous power in some African countries, with some of its members carrying out sexual violence under the protection and impunity offered by the institution.

Negative impact of international trade and development

Among other powerful interest groups that can have a negative impact on human rights and WHRDs, delegates cited institutions such as the IMF, international governments, and multinational corporations, all of which promote trade, investment, and development initiatives that can fuel conflict and inequality at a local level. Some speakers were critical of western countries that stated an interest in human rights but tended to subvert such concerns in favour of other foreign policy priorities such as trade and security.

Social stigma and discrimination

According to delegates from Asia, the Middle East, and Africa, among the root causes of insecurity for WHRDs were entrenched cultural, social, and religious norms that promote discriminatory attitudes towards women's rights. Such outlooks, often shared by men and women alike, tend to pervade throughout society. As a result, WHRDs can face intense pressure to choose between family life and their work. Within the community and wider society they can struggle for recognition; their causes trivialised, ignored, or met with hostility. Delegates shared examples of gender-based abuse from authority figures who branded feminism and women's rights as akin to prostitution, and thus a pretext to sexual assault. Some speakers said that extremist patriarchal interpretations of Islam have led to a closing of the space in which women can carry out human rights work. It was common for them to be told that women's rights and human rights were "western" values, and to be accused of espionage, of being foreign stooges, and acting against national security.

Reprisal attacks

Another worrying trend identified is the tendency of some states to carry out reprisal attacks against WHRDs who actively raise their concerns with international human rights bodies and

foreign media. These have included illegal raids on offices, arrests on charges such as espionage and endangering national security, physical attacks, and killings. The UN Secretary General has recently voiced concern regarding increasing attacks against HRDs as a direct consequence of involvement with UN bodies. This presents a dilemma in terms of international support; how to evaluate when it is doing more harm than good, and how to provide alternative forms of support. According to WHRDs, contextual analysis involving their consultation is essential to achieving this.

Obstacles in accessing funding and transit visas

One of the fundamental ways the international community can recognise WHRDs is by fast tracking visa applications for those embarking on international advocacy and networking visits. Some of the speakers expressed frustration, however, about current visa procedures. Many defenders struggle either with the paperwork or with the rigid criteria for securing visas. One of the invitees to this conference, Lilia Peña of Colombia, was refused a British visa despite having several letters of support from international organisations.

Delegates also expressed frustration regarding funding streams, another key

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The interrogators had told many WHRDs that feminism was equal to prostitution and that they could do whatever they liked with prostitutes.

SHADI SADR
WHRD, Iran

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area of international support. Many were dissatisfied with application processes, claiming they are too bureaucratic, too complicated, not widely publicised, and that procedures are not sensitive to language and cultural needs of communities.

There was also criticism of the way in which funding was allocated, with delegates arguing that set criteria are often too rigid and that NGOs working in remote areas on issues such as land and environmental rights do not receive the financial support and protection required.

Weak and ineffectual protection mechanisms

WHRDs were generally critical of national mechanisms including HRD protection programmes and action plans on women's rights; too often these were toothless, low priority, and suffered from lack of resources, gender-expertise, and genuine engagement with WHRDs.

On the subject of international protection measures, while positive examples were cited, it was widely felt that implementation was sporadic and unsystematic; greater monitoring and coordination between agencies was needed to ensure more comprehensive support for WHRDs at risk. Defenders asserted that accessing international mechanisms can prove bureaucratic and long winded, leaving them prone to reprisals in the short term. Regional protection measures such as those emitted by the Inter-American System on Human Rights were considered important but difficult to enforce; too often states ignore them.

There was also a sense that offending states are learning how to blunt the effectiveness of international mechanisms; defenders expressed concern about the lack of cooperation given to UN Special Procedures, UNHCHR, and international human rights organisations.

The cumulative effect of weak implementation of protection measures and impunity is that the political cost for perpetrators is still not high enough to deter them; in spite of some advances, the violations continue, and perpetrators walk free.

International protection mechanisms relating to WHRDs

UN Declaration on Human Rights Defenders – Recognises the legitimacy and necessity of human rights activity, and the need for better protection. It includes the right to develop, discuss, and advocate for human rights ideas; the right to criticise and advocate for improved governance; the right to provide human rights legal defence; the right to access and communicate with NGOs and intergovernmental organisations; the right to access resources for the purpose of protecting human rights. The **UN Special Rapporteur on the Situation of HRDs** (since 2000) supports implementation of the Declaration. She conducts fact-finding missions, urgent appeals and communications to states, and publishes regular thematic and country reports.

UN Convention on the Elimination of Discrimination against Women (CEDAW) (1979) – Defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination. A UN Committee (since 1982) exists to monitor, report, and comment on states implementation of CEDAW and on any issue affecting women to which states should pay more attention. The **UN Special Rapporteur on Violence against Women and Girls** is mandated to seek and receive information, recommend measures, promote a comprehensive and universal approach to the elimination of violence against women, its causes and consequences.

UN Security Council Resolution 1325 (2000) and related resolutions – Reaffirm the importance of the participation of women in the prevention and resolution of conflicts, peace negotiations, peace-building, peacekeeping, humanitarian response and post-conflict reconstruction. It also calls on all parties to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, in situations of armed conflict. SCR1325 mentions women who carry out human and/or women's rights activities, but they are not defined as WHRDs. States are required to adopt national action plans to implement the resolution.

UN Special Representative of the Secretary General on Sexual Violence in Conflict (SRSG) – Serves as the UN's spokesperson and political advocate on this issue and chairs the network UN Action against Sexual Violence in Conflict. The five priorities for the SRSG's mandate are (1) to end impunity for conflict-related sexual violence, (2) to empower women to seek redress, (3) to mobilise political ownership, (4) to increase recognition of rape and (5) to harmonise the UN's response.

EU Guidelines on Human Rights Defenders (2004) – Identifies practical ways to work towards the promotion and protection of HRDs in third countries, in five areas: Monitoring and reporting on the situation of HRDs; Support and protection; Promotion of HRDs with third countries and in multilateral fora; Support for UN Special Procedures; Support through other EU programmes, including development policy. WHRD do not receive specific mention so gender-sensitive implementation is not guaranteed. The EU has a similar set of **Guidelines on Violence Against Women and Girls (VAWG)**.

Regional Human Rights Systems including the IACHR and African Commission on Human and People's Rights (ACHPR) have both a Special Rapporteur on the Rights of Women and a Special Rapporteur on Human Rights Defenders.

Recommendations

The following recommendations are listed by activity, and principally directed at the UK government and the EU, but are also of interest to international non-governmental organisations and WHRDs themselves:

Mainstreaming of WHRD protection

Joined-up approach – Support and protection for WHRDs should be embedded across all relevant UK and EU departmental policy (including on trade, development, human rights, justice, rule of law, and security) that relates to women, peace, and security, and tackling VAWG. Policies should refer explicitly to WHRDs, and incorporate and link up to international protection mechanisms.

Develop country specific protection strategies for WHRDs – for use by all relevant staff across departments. Drawing from international protection mechanisms, strategies should be based on in depth analysis of patterns, trends, and best practice, and designed in consultation with WHRDs. All relevant mission staff should receive training around gendered-protection issues.

Emergency support

Systematise collaboration and referrals – on WHRD at-risk cases between international stakeholders including foreign missions, development agencies, EU, UN and other intergovernmental agencies, and INGOs, ensuring protection mechanisms are harmonised and complimentary.

Improve emergency response systems – to address situations of high risk, including emergency contacts, and quick mobilisation of resources. Continue to develop programmes of shelter cities and urgent assistance funds to help WHRDs relocate in emergencies. Embassy staff in country should be vigilant when WHRDs return after international advocacy trips.

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We are looking at the role of WHRDs in empowerment and focusing on education, skills training, political participation, building assets, social norm change... We are helping to organise women and girls' leadership training and rights awareness, empowerment as a protective factor, community conversations at local levels.

KATHERINE LOCKETT

Social Development Adviser at DFID

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Empowerment and capacity building

Integrate WHRD security into programme funding – Projects on women, peace, and security, and tackling VAWG should incorporate gender-sensitive protection needs of WHRD and women's rights organisation (WRO) beneficiaries. Outcomes related to risk and security should be written into application proposals, and be key monitoring and evaluation indicators.

Capacity building – for established and aspiring WHRDs, WROs and journalists, including: human rights training; personal security and protection workshops; digital security training and assistance; wellbeing and self-care; developing advocacy and fundraising strategies.

Access to funding – Simplify funding procedures and criteria to make them more accessible to WHRDs in remote areas, and those who face language, political, cultural, social and economic barriers. Provide better support from embassies and EU Delegations to WHRDs applying for funding.

Some best practices

A number of good practices were shared, ranging from the strategic use of high-level diplomatic pressure to promotion and support of locally led grassroots initiatives. It was felt that a wide range of combined coordinated approaches – at local, national, and international level – was needed to achieve significant and lasting change.

Integrated approach to protection – delegates stressed the need for policymakers and funders to look beyond traditional concepts of 'physical' protection to embrace a more wide-ranging view of elements which can make WHRDs safer and more able to do their work. These can include attention to wellbeing, economic security, family security, and support networks. Empowerment, through the development of skills and capacities, was also cited as a way to enhance protection.

WHRDs said that the **presence, accompaniment, and visits of international community on the ground** often provided political and moral support to WHRDs, underlined the importance of their work to local communities, state, and non-state actors, and served as a deterrent to would-be perpetrators. An example was given of an FCO-funded PBI project in which diplomats participated in joint meetings alongside Nepali WHRDs and local state actors to discuss their security situation. International protective accompaniment from organisations such as PBI was also commended.

WHRDs said that **building alliances beyond the human rights community** was key to effective campaigning on women's rights legislation. In one example, where WHRDs engaged with stakeholders including doctors, lawyers, media, as well as with political targets, this led to greater capacity and knowledge for WHRDs, broader support for their proposals, and increased political influence.

Delegates recognised that **diplomatic pressure**, when strategically applied, can be effective in enhancing protection and empowerment of women defenders. WHRDs gave examples of being less vulnerable to attack, being released from prison, receiving greater recognition and a sense of wider support for their work, all as a result of international interventions directed at their governments.

Grassroots activists spoke of how **'empowerment houses, women's centres and refuges'**, can provide a secure, supportive environment in which WHRDs and survivors of violence can receive and deliver vital services and engage in activities that strengthen social networks, promote solidarity, skill sharing and capacity building, and economic self-sustainability through social enterprises. Crucially, they provide a space in which women human rights defenders can find and amplify their political voices, allowing them to coordinate and strategise ways of combating gender-based violence and discrimination.

Local **rapid response teams**, networks of WHRDs and journalists, who use social media and mobiles to notify and respond to incidents of gender violence. The practice is to converge en masse at the site of the violation to show solidarity, expose the perpetrator, document and then finally seek appropriate remedy.

Finally, delegates underlined that **International speaking tours** were crucial in being able to create and maintain advocacy, fundraising, and solidarity networks. Some WHRDs said that these also provide a space where WHRDs can take a temporary break from the stresses and risks of 'frontline' human rights work.

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A church-based organisation tied to the ruling party launched a complaint that I was taking their wives who happened to be nine year old and twelve year old girls from their marriages. I was arrested for simply trying to rescue them against such a situation.

BETTY MAKONI
WHRD, Zimbabwe

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Recognition and political support

Outreach with WHRDs – continue building relationships with individual WHRDs and WROs, particularly with the most vulnerable and marginalised, in order to understand their protection needs and to develop stronger analysis. Promote wider dissemination and understanding of protection mechanisms, taking into account cultural and linguistic barriers.

Publicly support WHRDs through public statements, awards and events, and by backing local educational and media campaigns that promote recognition and respect for their work. Increase visibility of efforts that embassies and the EU Delegation are making on the ground.

Diplomatic support – use political dialogue with third countries to push for improved security, support, and participation for WHRDs. Where appropriate, embassies and development agencies should consider facilitating interactions between civil society and government; Embassies should provide greater visa support for WHRDs travelling to advocate abroad.

Measuring and reporting impact

Create indicators to measure effectiveness and relevance of protection mechanisms for WHRDs. Indicators should be gender sensitive and drawn up in consultation with WHRDs and other experts. Indicators should be used in assessing effectiveness of development assistance programmes.

Develop evidence base for good practice in empowering and protecting WHRDs. Incorporate findings and evidence into allocation of funding, development of new policy and strategy, training programmes, and analysis of the wider impact of development assistance.

Creating an enabling environment

Provide technical assistance to states – governance and rule of law programmes should: Promote gender-sensitive protection mechanisms for WHRDs; Ensure human rights and gender-sensitivity training for police and public officials; Improve professionalism and efficiency in investigations and prosecutions of cases of gender-based violence; Establish independent oversight mechanisms to review cases of institutional abuse and discrimination; Support implementation of UN Recommendations to align national legislation with international standards.

Support civil society initiatives that aim to strengthen participation of WHRDs and WROs in national debates and dialogues. Support national, regional and online platforms which enable WHRDs to network, share expertise, and to denounce violations; Support initiatives that promote awareness-raising, and attitude and behaviour change among wider society, especially men.

PBI's vision

PBI envisions a world in which people address conflicts non-violently, where human rights are universally upheld and social justice and intercultural respect have become a reality.

About PBI

PBI has been working to support human rights and promote nonviolence for more than 30 years. We send teams of international observers to areas of conflict and repression to provide protective accompaniment to local human rights defenders whose lives and work are under threat. We currently have over 50 international volunteers working in field projects in Mexico, Colombia, Nepal, Kenya, and Guatemala.

Our work is based on principles of non-partisanship and non-

interference, in the belief that lasting transformation of violent conflict cannot be imposed from outside but must be based on the capacity of local people to build a genuine peace. We act only at the express request of local human rights organisations and it is they who determine where our assistance is most needed. PBI UK provides support to field projects in the form of advocacy, outreach, publicity, fundraising, and recruitment and training of volunteers.

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There is a need for a better understanding of the specific context and differing needs of WHRDs. Further monitoring and documentation, the need to engage men, as women are not the only agents of change, the importance of giving visibility and recognition to WHRDs.

JIVKA PETKOVA

Gender Advisor, European
External Action Service

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