

## **Inputs by the Women Human Rights Defenders International Coalition<sup>1</sup> to the UN Women Strategy relating to Women Human Rights Defenders**

The Women Human Rights Defenders International Coalition (WHRDIC) welcomes the decision by UN Women to undertake a consultation process with the view to inform their strategy related to women human rights defenders (WHRDs). The development of such a strategy must be informed by WHRDs themselves, based on an assessment of their needs and challenges as well as the added value of UN Women's work and engagement.

Two of UN Women's guiding documents - the Convention on the Elimination of All Forms of Discrimination Against Women and the Beijing Declaration and Platform for Action - articulate a human rights based approach to combating discrimination and inequality based on gender. UN Women's Strategic Plan 2018-2022 further articulates as one of its guiding principles a human rights based approach in line with international standards.

All UN agencies have a shared responsibility towards the full realisation of all human rights. Women human rights defenders are key partners in ensuring that the UN realises its mandate towards this end. They play important roles in terms of advancing the goals and priorities of the UN, as well as in the implementation of the UN's key outcomes, decisions and agreements.

This document contains the key recommendations by the WHRDIC to UN Women to help inform its strategy on WHRDs, and as such is intended also to be tool for the external consultants mandated by UN Women to assist in this endeavour.

At the outset, the WHRDIC has the following recommendations to make regarding the consultation process to be undertaken by the external consultants:

- Ensure that the strategy is informed primarily by the views and inputs of WHRDs working at the local and national levels across a variety of sectors, for instance, from those working on sexual and reproductive health, to those working on rights related to the land and the environment, to those working on political reforms.
- Collaborate with the WHRDIC for a global consultation of WHRDs for collective inputs and collective buy-in from WHRDs.
- Seek guidance and information from other UN agencies and bodies who engage in human rights defenders protection work, including the UN Special Procedures as well as the UN Environment Programme.

### **A. Who are Women Human Rights Defenders (WHRDs)?**

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<sup>1</sup> The Women Human Rights Defenders International Coalition was formally established in 2008 in order to develop gender-specific narratives and tools for the recognition and protection of women human rights defenders around the world. A full list of its members can be found at the following link:  
<http://www.defendingwomen-defendingrights.org/about/members/>

Women human rights defenders (WHRDs) are women and any other human rights defenders who engage in the promotion and protection of women's rights and gender equality as well as all women working on any issue related to human rights and fundamental freedoms individually and in association with others in any region of the world.<sup>2</sup>

A history of discrimination coupled with a struggle for gender equality sets women human rights defenders apart from other defenders. Patriarchal structures, institutions and practices makes the context within which women human rights defenders work challenging in particular ways. As acknowledged by the UN Special Rapporteur on the situation of human rights defenders and the UN Working Group on discrimination against women in law and practice, "Women human rights defenders face unique challenges, driven by deep-rooted discrimination against women and stereotypes about their appropriate role. Today's rising fundamentalisms of all kinds and political populism, as well as unchecked authoritarian rule and uncontrolled greed for profit-making further fuel discrimination against women, intensifying the obstacles facing women human rights defenders. In addition to the risks of threats, attacks and violence faced by all human rights defenders, women human rights defenders are exposed to specific risks. Those working on rights contested by fundamentalist groups such as women's sexual and reproductive health and rights and those denouncing the actions of extractive industries and businesses are at heightened risk to attacks and violence."<sup>3</sup>

The types of violations they face may be categorised according to the following:

- Attacks on life, bodily and mental integrity, including femicide, sexual violence
- Physical and psychological deprivation of liberty
- Attacks against personhood and reputations, including isolation and marginalisation from the community
- Invasion of privacy and violations involving personal relationships, violence within the home
- Legal provisions and practices restricting women's activism, including justice systems that perpetuate discrimination based on sex and gender
- Violations of women's freedom of expression, association and assembly
- Gender-based restrictions on freedom of movement
- Non-recognition of violations and impunity

However, the former Special Representative Hina Jilani clarified, 'this is not to define women human rights defenders as a special category'.<sup>4</sup> Rather, the intent is to highlight the specific risks, challenges and vulnerabilities they face in order to develop responsive protection strategies.

## **B. Rooted in human rights principles**

The UN Women strategy on WHRDs must be firmly rooted in international human rights norms and principles.

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<sup>2</sup> <http://www.ohchr.org/Documents/Events/WHRD/OnePagerWHRD.pdf>

<sup>3</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20938&LangID=E>

<sup>4</sup> E/CN.4/2002/106, 27 February 2002.

The international legal instruments for the promotion and protection of human rights clearly set out the rights of women human rights defenders to carry out their activities safely without discrimination and the obligation of States to take measures to respect, protect and give effect to those rights. It should be noted that the observance of the principle of non-discrimination and the principle of equality is fundamental in terms of the ability of women human rights defenders to carry out their work without fear of being attacked or hindered regardless of the area in which they have chosen to operate.

In particular, the following enshrine the rights of WHRDs:

- International human rights treaties - including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).
- UN 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 (known as the UN Declaration on Human Rights Defenders)
- UN General Assembly resolution 68/181, 2013

This list is not exhaustive, and all relevant resolution of the Human Rights Council and Third Committee of the General Assembly should be considered. Relevant UPR recommendation and Treaty Body Committee concluding observations for activities at country-level must also be taken into account.

#### *Recommendations to UN Women*

1. Ensure that the UN Women strategy on WHRDs is in line with existing human rights frameworks that articulate the rights of WHRDs to engage in their legitimate work, as well as the protection contained therein.
2. Work across UN bodies and mechanisms to ensure compliance of UN outcomes related to WHRDs with the norms and standards already developed and articulated above.
3. Ensure that UN Women's country and regional offices integrate into their programmes the implementation of State obligations related to the protection of WHRDs.
4. Ensure intersectional approaches to programmes, policies and activities relating to WHRDs, with a focus on WHRDs that are particularly marginalized (e.g. those working on sexual and reproductive health and rights; lesbian, bisexual, trans and intersex defenders; WHRDs working with sex workers, indigenous defenders and defenders of land and territory, etc)

#### **C. Engagement and collaboration with WHRDs**

Women human rights defenders are key partners of the UN to implement State obligations and operationalise programmes and projects. WHRDs at the local and national levels understand contextual realities and needs for the advancement of rights. WHRDs in all regions have been

organizing themselves to develop their own protection strategies which include measures that take into account their specific needs given the particular context of discrimination and violence against women they face. These experiences have not only favored the participation and security of women working for human rights, but have also led to changes in traditional protection approaches and practices that were used by both States and civil society organizations.

#### *Recommendations to UN Women*

1. Ensure genuine engagement and collaboration with WHRDs in developing the UN Women strategy on WHRDs, and for its implementation.
2. Support WHRD movements including through sharing of best practices and knowledge.
3. Build strong collaborations with WHRDs and their movements by including them in governance and decision-making.
4. Provide opportunities for capacity-building and training for WHRDs, based on needs.
5. Advocate for a more enabling environment for WHRDs to do their work at the local and national levels free from fear, threats, harassment or violence, taking into consideration the gender-specific impacts of restricting civic space on WHRDs, especially marginalised groups.
6. Address the holistic security needs and concerns of WHRDs, including by developing or strengthening digital security policies and practices of UN Women.
7. Develop means of small-scale, flexible and direct core funding to WHRDs and their movements.
8. Ensure that WHRDs engaging in UN spaces are prevented from facing any forms of reprisals. Where allegations of reprisals are made, advocate for the effective investigation of the allegations through the office of the Assistant Secretary-General, focal point on reprisals.

#### **D. Accountability and protection**

Spotlighting violations faced by WHRDs or the troubling context within which WHRDs are facing challenges is important in seeking accountability from the State as well and ensuring that victims receive adequate redress and protection.

#### *Recommendations to UN Women*

1. Strengthen UN Women's actions in relation to serious cases of violations against WHRDs.
2. Initiate and encourage as well as reinforce, join and strengthen the actions that are being carried out by other UN agencies and bodies, including the UN Special Procedures.
3. Engage in urgent appeals and public statements that spotlight violations, with the view to lend protection
4. Develop global and national campaigns to popularise, legitimise and visibilise the recognition of WHRDs and their work.
5. Provide emergency support through emergency funds, diplomatic initiatives, legal assistance or temporary relocation.

6. Advocate for thorough, prompt and independent investigations of attacks and intimidation of WHRDs so that perpetrators are brought to justice

#### **E. Follow-up and Implementation**

The WHRD International Coalition believes that partnerships with WHRDs and their movements need to continue into the follow-up and implementation of any strategy relating to WHRDs.

##### *Recommendations to UN Women*

1. Maintain regular dialogue with WHRDs, through offices in New York and Geneva as well as through country and regional offices.
2. Establish an advisory group of WHRDs to provide support for UN Women's strengthened approach on WHRDs.
3. Create a focal point within UN Women tasked with the mandate to oversee implementation of the WHRD strategy.

## **ANNEX**

What is the context within which WHRDs work?<sup>5</sup>

### ***Patriarchy***

Patriarchal power relations result in the systematic abuse of women's human rights. Patriarchy divides the public and private spheres. Such separation has serious implications in the lives of women. The same structural gender inequality and disempowerment of women that create inequalities in society, for example in relation to gender roles, wages, access to opportunities, etc, also account in part for the non-recognition and lack of protection of women human rights defenders. They have to fight continually against gender stereotypes that invalidate their role as leaders of the community, despite being at the forefront of the defence of civil, political, economic, social, and cultural rights. As a result, they seldom obtain the kind of protection given to human rights defenders in general.

An analysis that takes into account gender, as well as other categories of social marginalisation is critical to understanding the sphere or type of violence women human right defenders experience. This intersectional approach looks at the various factors of social identity and axes of discrimination - including gender, race,sexual orientation, gender identity/expression, ethnicity, (im)migrant status, health status, age, physical disability, language – which mutually constitute not only the exercise, but also the violation of human rights of an individual or group. In particular, Special Rapporteurs on Violence Against Women Radhika Coomaraswamy and Yakin Erturk explained, '(When) patriarchy intersects with other sites of oppression such as class, race, ethnicity, displacement, etc., discrimination becomes compounded, forcing the majority of the world's women into situations of double or triple marginalisation'.<sup>6</sup>

### ***Heteronormativity***

Hetero-normativity, or the imposition of heterosexuality as the societal norm, results in the privileging of heterosexuality and the prescription of marriage and reproductive sex as the only accepted form of sexual relations for women. This results in various forms of discrimination and other human rights violations, such as violence and abuse by police, colleagues or even community and family members who only accept heterosexuality and the representation of binary genders only.

### ***Militarisation***

Militarisation is the process whereby military values, institutions and patterns of behaviour have an increasingly dominant influence over society. This process is accompanied by an increasing justification of the use of violence to resolve 'disputes' - be them internal armed conflicts or, increasingly, public assemblies. The ideology of militarism is inextricably linked to processes of normalisation of military presence in civilian life and in decision-making structures.

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<sup>5</sup> <http://defendingwomen-defendingrights.org/wp-content/uploads/2014/03/book3NeoWithCovereng.pdf>

<sup>6</sup> E.CN.4/2005/72, 17 January 2005 citing Coomaraswamy, A/CONF.189/PC.3/5, para 2.



Under the pretext of national security, many governments have adopted counter-terrorism measures or national security acts. The Special Rapporteur on HRDs has observed that special security legislation has been used to legitimise violations of human rights and seriously impair the work of human rights defenders. Restrictions placed on the freedoms of association and assembly have led to limitations on, and even criminalisation of, civil society activism.

For WHRDs, the impact of such state violence can be severe. There are impacts of militarisation on women's security, and on measures to enforce gender norms. Weapons proliferate and violence becomes an everyday means of social interaction. During internal and low-intensity conflicts, women human rights defenders are targeted by paramilitary forces – as well as by State agents – for their activism during conflict situations. Frequently, they find themselves caught between opposing forces. In addition, conflict can reinforce sexist stereotyping and profiling of lesbians, gay or transgender people who do not conform to expected gender norms.

### ***Fundamentalisms and extremisms***

Religious fundamentalisms are political projects used to obtain and retain power. They may seek to control a state or a community through a selective reading of religious texts to create a single collective identity that is deemed to be 'pure' or 'authentic'. Dissent is frequently viewed as blasphemy.

Relatedly, extreme nationalist movements may also be constructed around a single 'pure' ethnicity and myth of origin. Such movements frequently seek control through threat, intimidation and the strategic use of violence to attain their political ends.

The intensified social control of women and the enforcement of strict gender norms make women activists a target for defending human rights. They find themselves protecting others from violence and intimidation in an atmosphere where they too, may be the subject of attacks from fundamentalists and conservative forces in the community.

### ***Globalisation and corporate power***

The range of economic processes which are referred to by the term 'globalisation' is a set of neo-liberal policies focused on economic growth, liberalisation of national economies, privatisation of public services, and de-regulation of trade and finance. The implementation of these policies has had complex results and has exacerbated social tensions and competition for scarce resources within the poorest and most marginalised communities in the world. In this context, the struggle for economic, social and cultural rights has become more critical than ever.

Women human rights defenders work on a broad range of economic, social, and cultural rights - such as labour rights, indigenous peoples' rights, environmental rights, minority rights, health rights and reproductive rights. Women advocates have demanded accountability from state agents as well as multinational and other corporations that violate human rights in pursuit of greater profit under liberalised economies. Often there is collusion between local and national authorities and the private sector in the attacks and threats against defenders addressing environmental issues, labour rights, and land rights, and women activists are among the victims.



**Women Human Rights Defenders**  
**International Coalition**  
*Defending Women Defending Rights*