

WE DEMAND GREATER SAFETY FOR WOMEN HUMAN RIGHTS DEFENDERS!

OBJECTIVE:

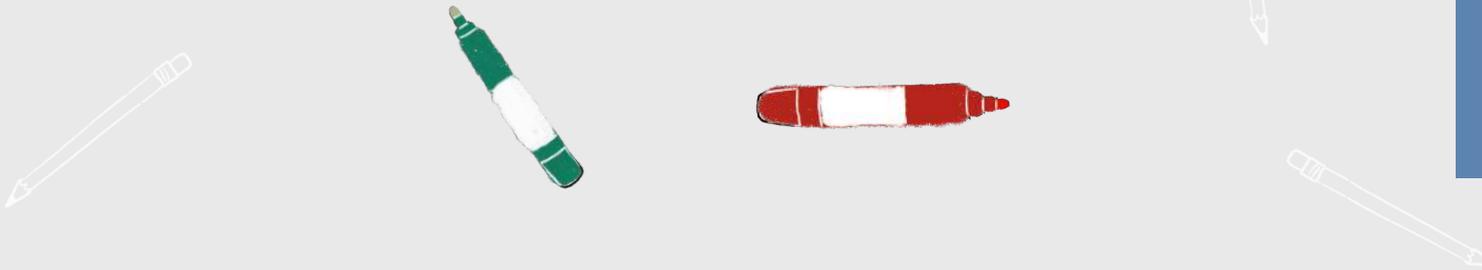
Participants will identify different ways in which the Special Rapporteur's Report on women human rights defenders can be used as an advocacy tool with governments and local communities and help strengthen protection and support struggles.

ESTIMATED
TIME

4 hrs

MATERIALS

Newsprint, markers,
colored cards.



The Report of the Special Rapporteur states:

The Special Rapporteur recognizes and celebrates the significance of women defenders in the promotion and protection of human rights worldwide. Women are, and have been, critical to the furtherance of human rights worldwide, but, because of their identities and their activism they continue to face systematic discrimination, marginalization and repression.

The Special Rapporteur calls on all stakeholders to work together to ensure that women defenders are supported and strengthened to promote and protect human rights.

Report of the Special Rapporteur on the situation of Women Human Rights Defenders.

SESSION 1.

Taking the recommendations of the Special Rapporteur on defenders to our communities, organizations, governments and other actors critical to our protection.

Introduction:

The Report on women human rights defenders presented by UN Special Rapporteur Michel Forst in 2019 contains specific recommendations for States and other actors to assume their obligation to ensure an enabling environment for the defense and promotion of human rights, which can be useful in strengthening our protection. It can also be a useful tool for helping our communities to support and value our work, participation and contributions.

Through this exercise, we will explore together how to contribute to our protection plan by taking this report to additional spaces and actors. In the Annex we have included an interesting article by the International Service for Human Rights (ISHR) that will help us better understand

the different features of this report and how the United Nations is promoting the protection of human rights defenders, as well as the advances made, the ongoing challenges and the strategies that we defenders can promote to strengthen our voices in these international arenas.



Activity: Getting to know the Rapporteur's report recommendations and prioritizing them within our particular context:

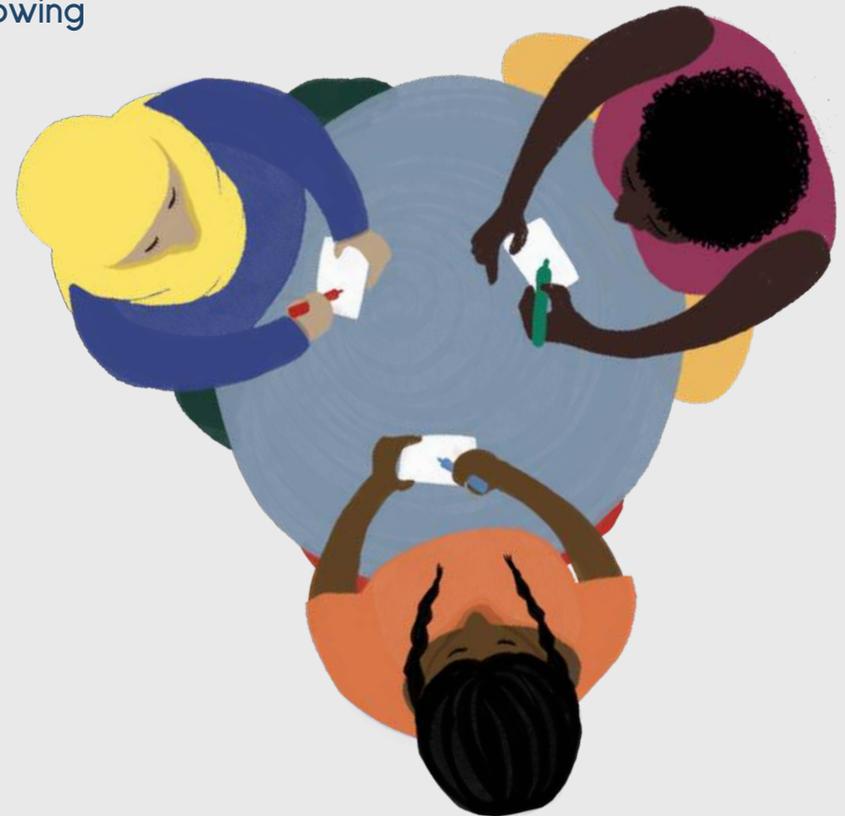
Step 1.

Three groups are formed. Each group reviews the recommendations from the Rapporteur's report (see texts below) and responds to the following questions:

What do we think about these recommendations?

Which of these recommendations are of highest priority to strengthen our security in our particular context?

What additional recommendations would we add to further develop our protection plan?



- Group 1

Will review the recommendations to the Member States (governments and other State institutions and branches);

- Group 2

Will review the recommendations to multilateral institutions, intergovernmental organizations and regional bodies (mechanisms of the UN and/or regional human rights system, multilateral bodies with in-country representation, embassies, etc.)

- Group 3

Will review the recommendations to national human rights institutions, civil society, human rights defenders of all genders, donors and other stakeholders (including our own communities and organizations).

The Special Rapporteur recommends that Member States:

- Protect the rights of women defenders, including by taking a public stand against all State and non-State actors who violate these rights, ceasing all attacks and threats against women defenders and investigating all that occur, ensuring that impunity does not prevail;
- Ensure that women defenders enjoy a safe and enabling environment to exercise their rights, considering their specific and diverse needs. This includes addressing systemic and structural discrimination and violence that women defenders experience and enacting laws that recognize and protect the rights of all human rights defenders, with a specific focus on the needs of women defenders;
- Ensure that non-State actors – including businesses, faith-based groups, the media and communities – meet their legal obligations to respect human rights. The Guiding Principles on Business and Human Rights are key for business enterprises;
- Prioritize the protection of women defenders in online spaces and adopt laws, policies and practices that protect their right to privacy and protect them from libel and hate speech;
- Dedicate part of their budget to strengthening the participation of women in human rights activities, ensuring that they are supported to respond meaningfully to issues in a sustainable manner;
- Refrain from interfering with funding provided to women for human rights work and ensure that legal and administrative frameworks do not restrict access to funding for human rights activism;
- Address barriers to the participation of women defenders in public life, including in regional and international human rights forums, such as travel bans, visa restrictions and their lack of identity or travel documents and resources;
- Assess protection practices for women defenders against the seven principles underpinning good protection practices and examine ways of strengthening those practices.

The Special Rapporteur recommends that multilateral institutions, intergovernmental organizations and regional bodies:

- Identify ways in which the right to promote and protect human rights and women's rights are being opposed and take measures to counter regression;
- Ensure that women defenders who engage with multilateral institutions and international and regional human rights bodies can do so without fear of persecution or violence and that any allegations or instances of reprisals are promptly investigated;
- Recognize the initiatives, strategies and networks created by women defenders themselves and ensure that they are adequately resourced;
- Strengthen and support women's leadership and feminist, community-centered approaches to protection;
- Renew efforts to ensure the security, protection and well-being of women human rights defenders, while respecting confidentiality, the need for informed consent and the principle "do no harm";
- Ensure that there is effective follow-up, implementation and accountability for recommendations to Member States concerning the security and protection of women defenders.

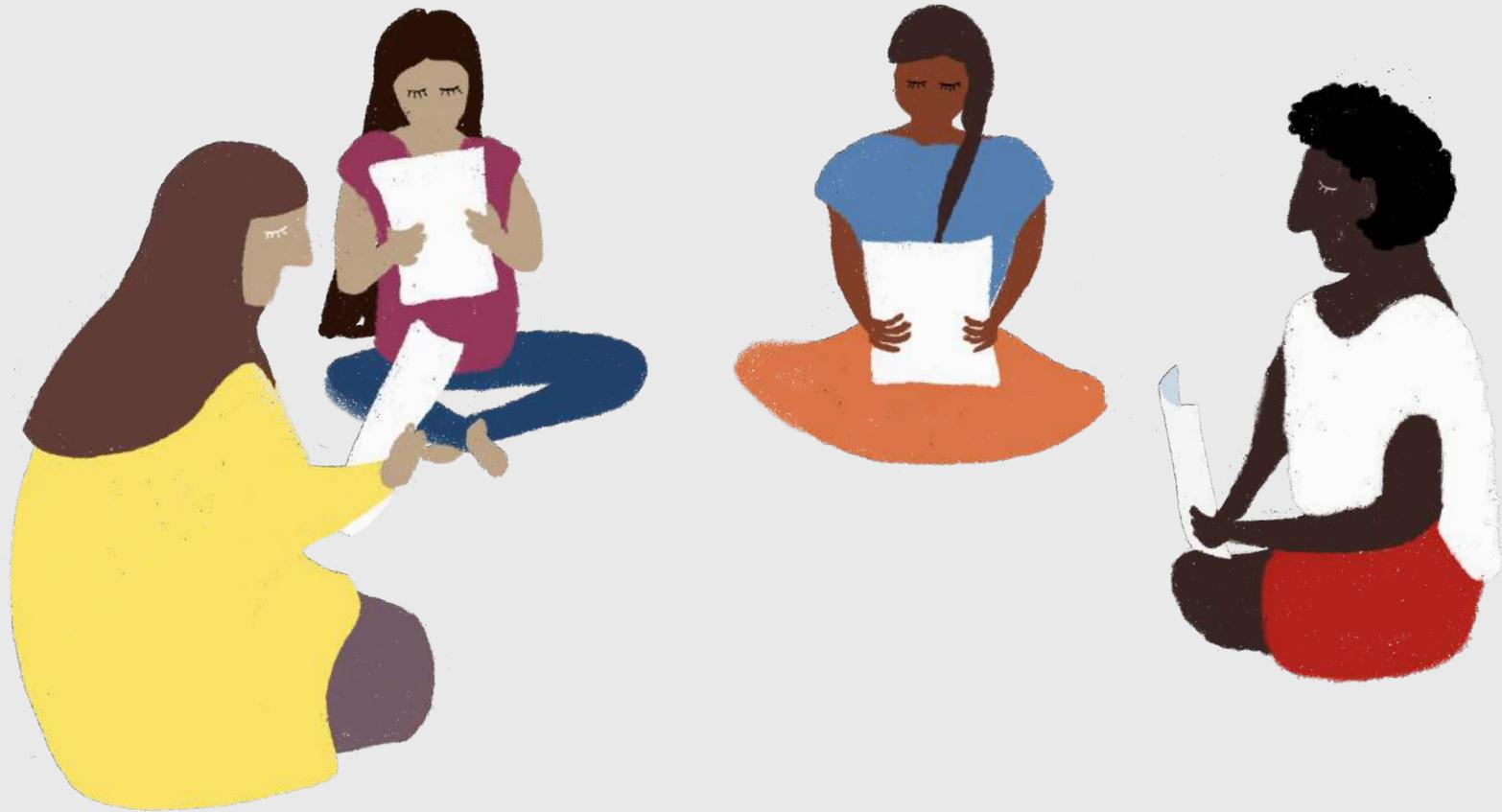


The Special Rapporteur recommends that national human rights institutions, civil society, human rights defenders of all genders, donors and other stakeholders:

- Document, monitor and denounce the threats and attacks faced by women defenders, highlighting whether perpetrators were brought to justice;
- Respond to women defenders' concerns about sexism, discrimination and marginalization within communities and human rights movements, including by taking measures to prevent those phenomena;
- Develop and support specific programmes of work on the security and protection of women defenders, recognizing their diversity;
- Develop a deeper understanding of how protection practices can be gender-sensitive, by viewing them through the lens of intersectionality;
- Assess protection practices led by multiple stakeholders for women defenders against the seven principles underpinning good protection practices and examine ways of strengthening these practices.

Step 2.

Idea sharing: Each group presents the recommendations it prioritized and those it added. Participants give their opinions and complement what is presented by each group.



Activity: Developing an advocacy plan to strengthen our protection:

Step 1. Using the same working groups that were formed for the previous technique, participants prepare a proposal on how to transmit the prioritized recommendations to the different actors and how to ensure they will be listened to and considered. To do this, they can use the following format:

<p>Who specifically do we want to know about these recommendations?</p> <p>(Write the name of each person, institution, organization and/or community.)</p>	<p>How can we get them to listen to us and commit themselves to comply with these recommendations (actions, strategies)?</p>	<p>What do we need to accomplish this (resources, partnerships, training, etc.)?</p>
---	--	--

Step 2. Idea sharing: The plans are shared. The participants ask questions, complete information and jointly agree on the next steps for carrying out these plans.

SESSION 2.

Achieving a deeper commitment from our communities and organizations to the protection of defenders.

Introduction:

We know that better support from our communities and organizations translates into greater protection. Therefore, in addition to introducing and trying to get compliance with the recommendations of the Special Rapporteur and others that are important for our protection plan, it might be helpful to develop a specific strategy to raise awareness in our communities and organizations, i.e., a plan that will help us get greater commitment and support from them. We're going to use all our creativity for this!



Step 1.

The facilitator gives two cards, each of a different color, to each participant. On one, they will write an obstacle or resistance to the recognition and support of their work as defenders within their communities or organizations. On the other card, they will write an idea of how to overcome this obstacle or resistance.

Step 2.

All the participants present their cards and place them in two columns - one with the obstacles and the other with the ideas.

Step 3.

In groups, they select one or two ideas that they would like to promote and then propose how they would do so. It is very important to free our imaginations and use all our creativity. We should think of initiatives that use art, community culture, laughter, care, resistance, rebellion, etc.

Step 4.

The ideas and implementation proposals are presented in plenary, and the entire group chooses those they consider most viable for realizing in the short term.

OBSTACLE

IDEAS

DISUNITY

**COLLECTIVE
MURAL**

FEAR

**COLLECTIVE
ALTAR**

INDIFFERENCE

**THEATER
PLAY**

Activity: The Light of Life.

20 minutes

Depending on the type of group and its needs, the facilitator can choose to close the module in one of the following ways:

MATERIALS

Matches or lighter
and a large candle

Option 1.

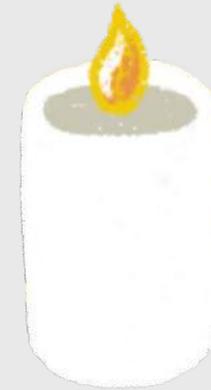
- The facilitator asks participants to make a circle, and asks the person at her right to light the candle and share one of her most significant learning around collective power and protection, and one thing she will draw on for hope and strength. When she finishes, she hands the candle over to the participant next to her. Each participant shares her learning and source of hope and strength, and passes the candle to the person next to her.
- The facilitator closes the circle thanking everyone for their contributions to the process, and invokes the groups' collective light and wisdom, as well the commitment to take care of ourselves and each other in our struggles.



Option 2.

- The facilitator asks participants to make a circle, and asks the person at her right to light the candle and share something she needs from the group to strengthen her collective protection and power, and something she can offer to the group to strengthen the collective protection and power of others. When she finishes, she hands the candle over to the participant next to her. Each participant shares her need and her offering, and passes the candle to the person next to her.

- The facilitator closes the circle thanking everyone for their contributions to the process, and invokes the groups' collective light and wisdom, as well the commitment to take care of ourselves and each other in our struggles.



ANNEX:

“Colossal force of action”: WHRDs organize within UN human rights spaces

By Pooja Patel, Programme Director, International Service for Human Rights

Women human rights defenders (WHRDs), including their networks, coalitions and solidarity movements, have strategically and diligently engaged with the United Nations (UN) human rights mechanisms to build an important body of norms related to their experiences and protection needs.

And yet, WHRDs working in contexts of increased authoritarianism, extremism and fundamentalism are at the front lines of struggles to reclaim civic space even

as they face a history of discrimination cemented in patriarchal structures, institutions and practices. The resulting backlash is often experienced first by women and gender diverse people themselves, as their rights become deeply politicised and come under attack.

The UN intergovernmental spaces are mirrors of such dynamics unfolding in all regions. As WHRDs hold their ground and assert their place in the corridors and meeting rooms, their rights are contested, traded-off and undermined in State-led negotiations.

The work of the Special Representative to the Secretary General and the Special Rapporteurs on the situation of Human Rights Defenders

The 1998 UN Declaration on Human Rights Defenders (HRDs) presented an important landmark moment where the right to defend human rights and be protected while engaging in human rights work was squarely provided for in international human rights law. Since its adoption, women’s rights advocates and activists mobilised to ground an understanding of the fact that women, trans and gender non-binary activists experience a degree of discrimination and face barriers that their cis male colleagues do not.

In her first report to the UN General Assembly (2002), Hina Jilani, the former Special Representative to the Secretary-General on the situation of HRDs, pointed to the particular risks facing WHRDs. Through consultations, as part of her mandate, narratives on the specificities of the WHRD experiences were given a focus. Her successor, Special Rapporteur on the situation of HRDs, Margaret Sekaggya, focused her 2010 annual report on WHRDs by drawing analysis from specific cases of violations that her mandate had received concerning the situation of WHRDS. This has contributed further to some important developments at the international level, including:

1. Bringing greater recognition to WHRDs and their work;
2. Strengthening the legitimacy and credibility of WHRDs;
3. Monitoring systematically threats, challenges and violations experienced by WHRDs;
4. Developing or strengthening various mechanisms and policies protecting the rights of WHRDs at the national, regional and international levels;

5. Strengthening networks of solidarity and support that have been built by WHRDs and their supporters.

The current mandate holder, Michel Forst, revisited the situation of WHRDs nearly a decade later. His assessment goes beyond analysis on the basis of communications of individual cases, as he undertook a number of regional consultations to gain deeper insights into the current experiences and needs of WHRDs. Among the important contributions that his report to the HRC in March 2019 made, the following in particular expanded the framework for WHRD protection:

1. The specific experiences of trans and gender non-binary defenders, and the added challenges they face based on discrimination on grounds of gender identity;
2. The specific challenges of WHRDs working on the rights of sex workers;
3. Marginalisation, discrimination and violence that WHRDs may face from within human rights organisations and movements;

4. The needs of sustaining feminist movements through collective care and holistic security.

Forst outlined key priorities for supporting WHRD movements, shifting the narrative away from one based on vulnerability and closer to one that supports WHRDs as agents of change. His report also shifted the narratives of a more paternalistic view of protection towards one that seeks solutions in the collective self-defined strategies of the movements themselves.

Framework for WHRD protection at the UN

While this paper does not set out to capture in detail the full picture, some notable advances have been made at the UN human rights bodies and mechanisms. Of course, each has come with its own risks and challenges, and these are discussed in the subsequent sections.

Since the creation of the HRC in 2006, WHRDs have been mentioned in resolutions. Each reference to WHRDs incrementally created a framework from which WHRD protection could be more deeply interrogated.

The General Assembly resolution 64/163 expressed concern over the serious nature of risks indicated in communications submitted by the Special Rapporteur in particular as faced by WHRDs. It urged States to “to take appropriate measures to address the question of impunity for attacks, threats and acts of intimidation, including cases of gender-based violence, against WHRDs and their relatives”. In 2011, the General Assembly built on this to include the question of impunity of non-State actors and their role in gender-based violence and violence against WHRDs.

Meanwhile, at the HRC in March 2010, States adopted a consensus resolution encouraging them to “create and strengthen mechanisms for consultation and dialogue with human rights defenders, including through establishing a focal point for human rights defenders within the public administration where it does not exist, with the aim of, inter alia, identifying specific needs for protection, including those of women human rights defenders”. The following year, the mandate of the Special Rapporteur was asked to “integrate a gender perspective throughout the work of his/her mandate, paying particular attention to the situation of women human rights defenders”. In March 2013, the HRC once

again passed a consensus resolution that expressed “particular concern about systemic and structural discrimination and violence faced by women human rights defenders, and calls upon States to integrate a gender perspective in their efforts to create a safe and enabling environment for the defence of human rights”. Thereafter, the adoption (by consensus) of the first-ever resolution specifically on WHRDs by the UN General Assembly in 2013 presented a significant step forward in recognising the important work of WHRDs.

However, it was regrettable that this consensus came at the expense of crucial paragraphs containing language calling on States to condemn all forms of violence against women and WHRDs, and to refrain from invoking any customs, tradition or religious consideration to avoid obligations related to the elimination of violence against women. Also removed were important references from the initial draft acknowledging the risks faced by those working on issues of sexual and reproductive health and rights, as well as rights related to sexual orientation and gender identity. Several aspects of the resolution were fiercely debated during negotiations, with African and several Asian States arguing that the text should focus more on the duties and responsibilities of those who

defend rights and should not create special rights or privileges for certain groups of defenders.

While the resolution as adopted does not comprehensively address all risks and protection needs of WHRDs, it remains an important resolution that provides a useful tool for activists because 1) States from all regions have committed themselves to take concrete steps to protect WHRDs; 2) The resolution presents a detailed roadmap for implementation, and provides concrete recommendations to States, NHRIs and multilateral institutions for follow-up; and 3) It also presents ‘agreed language’, or text from a UN outcome that enjoys consensus by all UN member States and enables the possibility of building and strengthening norms on this basis.

Challenges we face

Recent years have shown that world over there is a trend towards democratic societies giving way to increased populist and extremist leadership, while authoritarian institutions and systems consolidate themselves. There has been a shift in foreign policies and in geopolitics resulting in:

1. A well-coordinated anti-rights mobilisation by conservative civil society actors seeking to drive traditional values and cultural relativist discourse through human rights frameworks;
2. A denial of recognition and backlash against rights for HRDs, civil society and social movements, by States;
3. An attack on the human rights institutions themselves, by both State and non-State actors.

We have witnessed the watering down of existing agreements and commitments; deadlock in negotiations; sustained undermining of UN agencies, treaty bodies and Special Procedures; and success in pushing through regressive language in international human rights documents.

Conservative States and blocs of States aggressively negotiate out positive language and introduce hostile amendments to resolutions, most often focusing on rights related to gender and sexuality, as well as on the rights of WHRDs. For example, during the June 2016 session of the HRC, opposition was mounted towards a resolution on discrimination against women by the member states of the Organization of Islamic Cooperation (OIC) and allies. During contentious negotiations, multiple provisions were removed, including women's and girls' right to have control over their sexuality, sexual and reproductive health, and reproductive rights; and the need to repeal laws that perpetuate the patriarchal oppression of women and girls in families, and those criminalising adultery or pardoning marital rape. Hostile amendments were also introduced to remove references to WHRDs, but these were voted down.

The HRC has also been the site of unhelpful initiatives to co-opt human rights norms and enact cultural relativist language, such as that of the Russia-led "traditional values" resolutions, and the "Protection of the Family" agenda.

The issue of reprisals faced by WHRDs engaging, or seeking to engage, with the UN system, experts and offices remains of increasing concern. Instances of threats, harassment and violence against any individual engaging with the UN is increasingly expected, rather than being exceptional. Threats and intimidation have also been extended to Special Procedures mandate holders, particularly those who are women.

Strategies to counter challenges

Working in coalitions and networks, civil society engaging with the UN human rights bodies and mechanisms have identified three key strategies to mitigate the backlash faced by WHRDs engaging in these spaces:

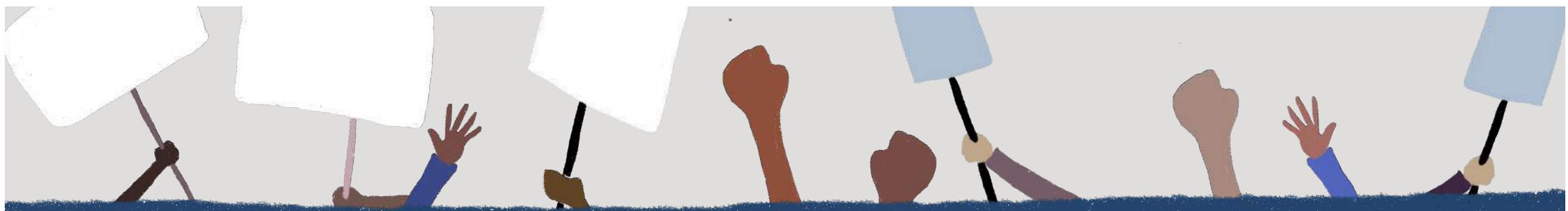
1. Strengthening access and participation of WHRDs by addressing the multiple barriers that cause impediments, including NGO accreditation, resources, discrimination from within movements, among others;
2. Strengthening coalitions for broad-based campaigns and strategic tactics to hold ground on the

standards already gained, while advancing rights from feminist perspectives to confront power, privilege and patriarchy;

3. Strengthening the capacity of WHRDs and expanding the pool of expertise in strategic engagement with the UN human rights system.

In conclusion, WHRDs are at the forefronts of struggles against populism, extremism and fundamentalism in all regions of the world. These struggles are mirrored at the UN. Global backlash against gender equality, particularly rights related to bodily autonomy, present additional challenges to WHRDs who are already working in contexts of shrinking civic space.

A coordinated, well-resourced feminist movement that puts well-being and collective care at the centre of its practices is important to not only prevent regress on advances made at the UN level, but also to strategically reclaim UN agenda and spaces from a feminist perspective.



FIRST VERSION 2020



**UNITED NATIONS SPECIAL RAPPOREUR
ON THE SITUATION OF HUMAN RIGHTS DEFENDERS**



**INTERNATIONAL SERVICE
FOR HUMAN RIGHTS**