RESEARCH POLICY AND
ADVOCACY

SURVEY RESPONSE

To the UN Special Rapporteur on Human Rights Defenders on the Status of WHRDs

IWDA
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IWDA INTERNATIONAL WOMEN'S DEVELOPMENT AGENCY

Section 1 – Trends and Issues that threaten WHRDs

The greatest threats to WHRDs are:

- **Shrinking space for civil society:** Shrinking civil society space is one of the greatest contemporary threats to human rights and rights defenders. "Closing space for civil society organisations is characterised by increasingly restrictive legislation designed to control the activities of civil society organisations" in an atmosphere of increased hostility, vilification and intimidation.[1] IWDA works in countries across the Pacific and Asia, and have tracked trends that show a shrinkage of civil society space. For instance, the Royal Cambodian Government does not have a history of protecting WHRDs: in 2013, garment workers (who are overwhelming young and female) took to the streets of Phnom Penh to protest low wages, unsafe working conditions and general abuses of their human rights. Police forces killed at least three (women) garment workers during the protest. As reported in the Phnom Penh Post and other media outlets, Cambodian WHRDs face outright violence alongside judicial harassment including arbitrary arrest, unlawful detention and unreasonably harsh sentences for minor offences. These abuses are often met with impunity.
- **Increased government surveillance in lead-up to elections:** Fiji's recently passed *Law on Online Safety*; Cambodia's dissolution of the main opposition party alongside their crackdown on and expulsion of several INGOs (National Democracy Institute, LICADHO) and closing/barring of media outlets (Radio Free Asia and Cambodia Daily, most notably); as well as Myanmar's treatment of international rights activists, investigators and service providers as well as their *Law on INGOs* are all indicative of a worrying shift in government surveillance of and interference in human rights work. WHRDs are particularly at risk because women's rights work is inherently political: WHRDs bring attention to the systemic and systematic violation of women's rights by and on behalf of the state, as well as the impunity with which violators are treated. Previously uncontroversial work, such as leadership training for women of any and all political parties, is now dangerous. Several of IWDA's partners in Fiji and Cambodia are concerned about their ability to continue with such programs.
- **Increased fundamentalism and resurgence of patriarchal values:** While there is a global resurgence in gender equality movements, it is within the context of and in response to an increase in fundamentalist movements in government and civil society space, including the reassertion of patriarchal values. Patriarchal governments and non-state actors such as The Holy See and the Organisation of the Islamic Conference are using nationalist, religious and sexist rhetoric to justify their policing of women's bodies and actions. The 2017 OURs report on anti-rights activism and the rise of fundamentalism shows the worrying impacts of this rhetoric, citing the watered-down 2015 Declaration from the Commission on the Status of Women as well as more recent documents that have back pedalled on calls for governments to repeal harmful laws and policies.[2] On a more local level, the narrow interpretations of biblical passages by fundamentalists in the Pacific are used to authorise and justify violence against women and/or the exclusion of women from leadership roles. Without the support of international bodies such as the United Nations and declarations put forth by these bodies, WHRDs are at a greater disadvantage.
- **Gender norms and the masculine understanding of human rights and rights violations:** WHRDs experience different kinds of violence than their male counterparts. WHRDs receive threats of sexual violence, experience sexual harassment and violence, and are more likely to receive threats against their children and families. WHRDs directly contradict prevailing gender norms that assert that women should not engage in public life or discourse. Human rights activists are likely to be maligned as unpatriotic or disruptive, but, in addition, WHRDs are likely to have their reputation as women,

[1] Bishop, "Standing Firm: Women- and Trans-Led Organisations Respond to Closing Space for Civil Society," 9.

[2] OURs, "Rights at Risk: Observatory on the Universality of Rights Trends Report 2017."

including their suitability as wives/partners, called into question. These attacks on reputation can result in domestic violence and social ostracisation. Further, WHRDs are likely to experience psychological trauma from threats leading to chronic stress and burn-out.

- **Increasing role of corporate interests in local politics:** Campaigning for accountability on the operation of Export Processing Zones (EPZs) and Special Economic Zones (SEZs) along with extractive industries poses a risk to WHRDs. EPZs/SEZs are governed by different regulations than the countries in which they reside: this means that labour laws and the right to unionise, may not apply. Protestors who advocate for better working conditions or pay are particularly at risk in these areas. Three female garment workers in an SEZ in Svay Rieng, Cambodia were seriously injured during a protest when a government official shot them: he received only 18 months in prison more than three years after the fact. Women protestors in Papua New Guinea have a history of collective action, as seen with the Panguna Mine protests in 2017. Given prevailing gender norms and the ways in which WHRDs are dismissed, these sorts of public opposition to both government and corporate interests is particularly dangerous. 66 environmental defenders have been assassinated in 2018 alone, including three from Cambodia.[3]

Section 2- High-Risk WHRDs: environmental/land rights, LGBTQI, rural women

High-risk Activism

- **Environmental/land-rights activism**: As mentioned, the intersection between corporate and government interests with regards to land concessions and/or extractive economies makes environmental activism particularly dangerous.
- **Remote/rural women:** Women in remote or rural areas have less access to resources—in terms of basic resources such as education, functioning police force and judicial functions as well as more complex resources such as survivor support services—and as a result are not regarded as legitimate holders of knowledge . They are therefore dismissed in public forums by authority figures. WHRDs from these areas or working on behalf of people in rural and remote communities are at risk. The Boeung Kak 13, a group of female land activists in Cambodia, is an example of the way land rights, gender and poverty intersect. In 2011 the Cambodian government began an aggressive series of land grabs from the impoverished area of Boeung Kak Lake. The government had sold the lake to a real estate developer. The Boeung Kak 13 were a group of women who refused to leave their land and were imprisoned for illegally occupying land.[4] After enormous amounts of international and local pressure, they were released early. The judge noted that because they were women, they had children to look after, and because they were poor, they did not know much about the law, and should thus be released. In this way, poor women dismissed as ignorant, and precluded from active participation in public discourse on issues that affect them.
- **LGBTQI+ activists:** face political and community backlash, especially WHRDs in this space. Given the dearth of research in this field it is hard to ascertain the extent to which WHRDs in this area experience violence—DiVA, one of IWDA's partners in Fiji, is conducting research on this.
- **Sexual rights advocates:** WHRDs in this space face enormous backlash from politicians, local and international religious groups. WHRDs are subjected to sexual harassment and threats of sexualised violence, perceived to be immoral or ostracised from community/national identity (i.e. 'this isn't how a good Cambodian woman should behave') and discriminated against in other ways.

[3] Ulmanu, Brown, and Evans, "The Defenders."

[4] L.H., "The Boeung Kak 13."

Section 3 – WHRD concerns in public, private and online

The main concerns for WHRDs are:

Public and Online:

- Increased visibility=increased risk of threats/harm
- Perception that WHRDs working in the public space are neglecting their private duties, and potential for increased domestic violence and/or public harassment/threat to reputation
- Having authority questioned on the basis of community gender norms about women's voice and leadership
- Authorities de-legitimising WHRDs on the basis of gender norms around women's rights, women's place in society and women's legitimacy as knowledge holders
- Online activism is being increasingly monitored by state actors and, in some places, can be used as grounds for imprisonment or dissolution of human rights organisations (i.e. LANGO in Cambodia, Law on INGOs in Myanmar and Fiji's Online Safety Act)
- Online violence: women in general and WHRDs specifically are subjected to widespread harassment and threats of sexual violence online. Given the widespread availability of personal information, threats to personal or familial safety are legitimate. Further, these types of threats are psychologically traumatising and damaging not only because they directly threaten an individual woman's safety, but because they are visible to the public at large.

Private:

- Increased risk of domestic violence if family/partner is unsupportive or feels his masculinity threatened as a result of his wife's public role
- Threats to WHRDs family members: WHRDs are often primary care givers and their children and anti-rights agitators often use these relationships to threaten WHRDs
- Psychological trauma as a result of public harassment/smear campaigns
- Chronic stress as a result of public opinion (voiced publicly or via social media outlets)
- Economic and livelihood implications: WHRDs often take on their roles as volunteers. This means they have less time to participate in income generating activities as well as their unpaid domestic labour.

WHRDs grow up in the same victim-shaming and blaming culture that pervades patriarchal societies. This means that they are less likely to speak out about their own experiences of abuse for fear of losing face in their communities. IWDA's work with Nazareth Centre for Rehabilitation (NCfR) in Bougainville revealed that many WHRDs face open resistance from women and men in their communities. Specifically, nearly half have been challenged by community members in public spaces, one-quarter have been hurt by someone as a direct result of their roles as WHRDs while nearly one-third experience harassment and 16% have been threatened with physical harm. The public and private nature of these violations demonstrate the specific challenges for WHRDs.

Section 4 – Best Practice for intersectional Defence of WHRDs (legal, policy, administrative)

Dismantling deeply rooted gender norms is the only way to change the way WHRDs are treated. IWDA affirms the position of Margaret Sekaggya, in her time in the mandate, that WHRDs need gender-specific protection measures. These measures "cannot be conceived as separate from the political, social, economic, environmental and other systems and factors which produce and reproduce conflict, displacement, inequality, violence, patriarchal attitudes and practices which are at the root of these challenges."[5]

[5] OHCHR, "Women Human Rights Defenders," 1.

Adopting an intersectional approach to the protection of WHRDs is paramount. Ensuring that WHRD protection measures take the 'soft' forms of violence women and WHRDs experience on a daily basis—trauma, burn-out, psychological torture, threats and attacks upon reputation—is the first step in expanding the way we support WHRDs. Documenting WHRDs personal experiences of retaliation is a concrete way to expand the way we understand and approach the needs of WHRDs. In 2015, the Women Human Rights Defenders International Coalition produced a guidebook on strengthening documentation processes.[6]

The best practice for enabling WHRDs to carry out their work include:

- Legal mechanisms that protect WHRDs from 'mainstream' violence (physical harm, sexual assault) as well as 'soft violence' such as harassment, libel/slander and threats; this necessitates expanding the way we conceptualise violence
- Support services for WHRDs that acknowledge the challenges of working as a WHRD and are tailored to manage chronic stress, psychological trauma and burn-out often experienced by WHRDs; these services need to be gender sensitive and to be accessible for women in all of their diversity—linguistic, location, religious, ethnicity/race and age.
- Supportive workplace policies for WHRDs within their human rights organisation/network: at every meet-up, We Rise Coalition in Fiji makes specific space to talk about the experiences of WHRDs in their network. This provides women with time to talk about the stresses they face in their work and how their activism impacts their lives.
- Legal mechanisms that enshrine the right to free speech and open media
- Legal mechanisms that protect the right to assemble and protest
- Forums where WHRDs can engage in respectful, meaningful debate with relevant authorities
- Networks that link disadvantaged groups (i.e. women engaged in insecure labour, rural women, impoverished women, women from minorities etc) with resources (United Sisterhood, an umbrella network that links commercial sex workers and garment workers with relevant resources as well as one another, is a good example of this)

Section 5 – How can women's rights movements be strengthened?

IWDA is currently involved in a variety of women's rights movement building activities. Our experience across Asia and the Pacific, as well as direct feedback from our partners, has informed our practice in this space.

Appropriate and adequate resourcing for movements and collective action is the most concrete and fundamental part of supporting women's rights movements and WHRDs**. Developing emergency funds** for sudden issues—be it disasters or raising awareness about new, harmful legislation—is another way to enable these organisations to undertake their important work. Resourcing includes monetary resources as well as human resources in the form of technical skills and capacity building. These resources must be committed in the long term and flexibly administered so that women's rights organisations and movements have the security and agility to respond to and transform gender inequality.

Connecting existing actors is another way to support women's rights movements and to create a network or collective within a given thematic or geographical area. The We Rise Coalition in Fiji is an example of a powerful network of WHRD organisations. Feminist international organisations such as IWDA have wide networks and are thus well-equipped to connect existing organisations and movements.

Strengthening existing connections between organisations and between organisations and their constituencies is a similarly important way to support women's rights movements. **Supporting activities that connect organisations** with the communities they represent helps to foster a joint vision for the future and keep movements ad organisations connected to their base.

[6] WHRD-IC, "Gender Documentation: A Manual For and About Women Human Rights Defenders."

Section 6--What recommendations should the Special Rapporteur include in his report? What opportunities for advocacy on women human rights defenders are presented by this report?

IWDA recommends that greater attention must be paid to the specific needs of WHRDs. Strengthening response mechanisms as well as creating a strong base of evidence on the experiences of WHRDs should be a central focus of the Special Rapporteurs report. Furthermore, the Special Rapporteur should highlight the importance of using existing legal mechanisms and international treaties and declarations as basis for protecting rights.

1. Protection of free speech in public, in private and online, the right to assemble, right to protest
2. Promote opportunities for WHRDs to be heard in national, regional and international forums
3. Support existing and new urgent action funds to provide immediate support to women who are in immediate danger due to gender-based violence and/or to WHRDs who experience threats, intimidation or violence as a result of their activism; IWDA's Urgent Action fund in PNG and Bougainville—which supports WHRDs to a) physically remove themselves and others from dangerous situations and b) respond to ramifications of violence through funding legal fees, medical treatment, counselling and transportation—and the Asia Pacific Urgent Action Fund are two examples
4. Advocate for an expanded understanding of violence against HRDs to include a gender-sensitive perspective—chronic stress, threats against person and family, increased risk of ostracisation and domestic violence should all be incorporated into the way we think about violence
5. With regards to extractive economies and land dispossession: advocate for responsible business practices, greater oversight and meaningful consultation with affected communities.
6. Supporting and expanding the spaces and mechanisms for solidarity and movement building (i.e. providing resources for national or regional networking, promoting capacity building work etc)
7. Resourcing women's rights organisations: supporting the organisations WHRDs work for, with flexible and long-term funding, capacity building and networking, is of utmost importance.
8. Advocate for financial compensation for WHRDs: many WHRDs take on their roles in a voluntary capacity, which can lead to economic hardship.
9. Ensure that international commitments to protecting the rights of women, in all their diversity, are honoured
10. Working to engage young women in human rights activism is crucial to understand intergenerational priorities. Developing toolkits and plans to specifically engage young women in the WHRD community should be a focus of the report.

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