**Center for Women's Global Leadership**

# Addressing Gaps in the Defense of Women Human Rights Defenders

## A Report on the Strategic Conversation



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Addressing Gaps in the Defense of Women Human Rights Defenders: A Report on the Strategic Conversation

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Cover photo: Participants and staff for the strategic conversation on "Addressing Gaps in the Defense of Women Human Rights Defenders" taken by CWGL on June 29, 2009

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# I. Preface

The Center for Women's Global Leadership (CWGL) is pleased to publish this report on the ongoing efforts being taken by the Women Human Rights Defenders International Coalition (WHRD IC) and its allies to shed light on the unique challenges women human rights defenders face and to create new systems of advocacy on their behalf. The 2009 meeting of defenders was a collaborative effort between the WHRD IC and CWGL to bring together women working specifically on defenders' rights. We envisioned this meeting as an opportunity to develop strategies and tactics that would be undertaken by coalition members and then introduced to the larger human rights community. This strategic conversation continues a CWGL initiative started in the 1990s to deepen feminist strategies around women's rights by bringing together activists, academics, and policy makers to think and plan purposefully with regard to movement challenges and urgent concerns.

The strategic conversation on *Addressing Gaps in the Defense of Women Human Rights Defenders* was convened with the knowledge that more than a decade after the recognition of women's rights as human rights at the 1993 UN World Conference on Human Rights in Vienna, Austria and subsequently at the 1995 Fourth World Conference on Women in Beijing, China, there continue to be many gaps in the integration of women's concerns into the international human rights agenda. While the women's movement has been steadfast in raising awareness of women human rights defenders' issues, the fact remains that most women defenders still do not receive support from international human rights entities and are often unaware of such possibilities. Furthermore, defenders continue to confront challenges posed by the eroding of secular space, by the view of culture as a static concept, and the backlash against feminist and sexual rights organizing. The primary goal of the meeting, therefore, was to develop specific strategies, suggestions and solutions that the defender community could use for the protection and support of women human rights defenders.

The strategic conversation created the space to further consider women human rights defenders as subjects who encounter a range of gendered violations carried out by their families, communities, religious fundamentalists, and state actors. Participants examined the role that gender and social structures, such as patriarchy and heteronormativity, play in attacks on women human rights defenders. While facing abuses, their causes and aftermaths, participants also recognized the power women human rights defenders have to mobilize existing support and develop strategies to support themselves and women human rights defenders across the globe.

We hope that this publication will further continue discussion on women human rights defenders and advance implementation of meaningful action in their defense.


*Charlotte Bunch, Founding Executive Director, CWGL (1989-2009)*
*Mary Jane Real, Coordinator, Women Human Rights Defenders International Coalition*

## II. A Closer Look at Women Human Rights Defenders

*We've got to be talking about protection in a much broader understanding of safety. It's basically about prevention, not [only] about dealing with the violation once it's perpetrated.*
- Eleanor Openshaw

Efforts to highlight the need for protection of human rights defenders resulted in the 1998 adoption of the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, more commonly referred to as the UN Declaration on Human Rights Defenders.[1] Women human rights defenders, as both advocates and subjects, are protected under this declaration.

The term 'human rights defender' was codified in the 1998 UN Declaration on Human Rights Defenders. According to Article 1 of the Declaration of Human Rights Defenders, a human rights defender is any person "who promotes and strives for the protection and realization of human rights and fundamental freedoms."[2] The declaration underscores the rights of defenders to pursue their work as human rights advocates and "the corresponding obligation of the state to respect, protect and fulfill these freedoms."[3] While women human rights defenders are entitled to all of the rights and protection delineated in the declaration, the fact remains that they are infrequently recognized or afforded protection under its mandate.

To bring attention to women human rights defenders and advocate for the legitimacy of their contributions in the defense of human rights, an international campaign on women human rights defenders was launched in 2005. The campaign culminated in an international consultation on women human rights defenders, which brought together 200 defenders from 75 countries in Colombo, Sri Lanka from November 29 to December 2, 2005. To follow through on the initiatives that came out of the campaign, the Women Human Rights Defenders International Coalition (WHRD IC) was formally constituted in 2008. To date, it is composed of 21 member-organizations that belong to women's rights, human rights, and sexual rights movements in different countries and regions. Many of the members are also international organizations committed to the advancement of women's human rights.

The phrase "women human rights defenders," as defined by the WHRD IC, encompasses both women active in human rights defense who are **targeted for who they are** as well as all those active in the defense of women's rights who are **targeted for what they do**. Simply put, the term pertains to human rights activists who are women, as well as other activists who defend the rights of women and LGBTI people. The WHRD IC in its advocacy does not seek to establish a separate category of defenders, but has sought to "draw attention to the gendered nature of the abuses and challenges they face, and develop

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[1] Full text of the Declaration is available at
 http://www2.ohchr.org/english/issues/defenders/docs/declaration/declaration.pdf. For a more thorough discussion of the Declaration, please see the following: Asia Pacific Forum on Women, Law and Development. *Claiming Rights, Claiming Justice: A Guidebook for Women Human Rights Defenders*. (2007). Chapter 4.
[2] Asia Pacific Forum on Women, Law and Development. *Claiming Rights, Claiming Justice: A Guidebook for Women Human Rights Defenders*. (2007). p45.
[3] Ibid.

a more responsive framework for their protection," thus arguing for the full inclusion and recognition of women's rights and LGBTI rights activists as defenders of human rights.[4]

In 2000, Hina Jilani was appointed as the first UN Special Representative to the Secretary General on Human Rights Defenders and in 2002, she published a report on women human rights defenders. In 2007, she underscored the dire need for a continuation of the Coalition's efforts:

> Since the establishment of my mandate in 2000, I acted on over 450 cases of violations of women human rights defenders concerning more than 1,300 defenders. Over 40 of them were killed in connection with their human rights work. This is the tip of the iceberg of the human rights violations perpetrated against women defenders. It tells us how imperative it is to devise new protection mechanisms and strengthen existing ones to provide women human rights defenders with a secure environment for their work.[5]

Women human rights defenders experience shared risks and vulnerabilities as human rights defenders with their male counterparts. However, as women, they are also at risk and vulnerable to specific abuses because of their gender and/or gendered forms of abuse. Gender-specific risks and vulnerabilities threaten women human rights defenders as women or disproportionately impact them because of their gender. Forms of gender-specific risks and vulnerabilities include, but are by no means limited to, the following: sexual abuse; attacks and intimidation of family members; and sexuality-baiting or the manipulative use of sexuality to delegitimize political organizing. Women human rights defenders are also prone to abuse from non-state actors; actions which are seldom regarded as human rights violations. Violations from partners, husbands, and/or male colleagues, attacks by paramilitary units, fundamentalist forces, and other non-state actors abound with impunity because of inadequate mechanisms to hold them directly accountable for human rights violations. In addition, women human rights defenders face heightened risks and vulnerabilities because their work on women-specific rights and issues is perceived as an affront to cultural or religious traditions. Such efforts can result in high levels of hostility and associated abuses, particularly as women are often seen as the bearers of traditional culture and religion. Thus, the WHRD IC argues that as a result **"these problems require strategies to be gender-specific rather than gender-neutral."**[6]

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[4] Ibid. p45.

[5] Asia Pacific Forum on Women, Law and Development. *Claiming Rights, Claiming Justice: A Guidebook for Women Human Rights Defenders*. (2007). p9. For a more detailed discussion of the work of special rapporteurs as well as a broad range of avenues for pursuing women human rights defenders' claims, please see Chapter 9 of *Claiming Rights, Claiming Justice* entitled "Securing Accountability, Justice, and Protection."

[6] "About." *Women Human Rights Defenders International Coalition*. http://www.defendingwomen-defendingrights.org.

# III. A Summary of the Strategic Conversation

*If women are not able to exercise their human rights, then nobody is.*
- Liz Jordan

The continued marginalization of women human rights defenders globally led the WHRD IC, its members and CWGL to organize the strategic conversation on *Addressing Gaps in the Defense of Women Human Rights Defenders* from June 27-30, 2009. About 30 women human rights leaders representing 25 organizations and 19 countries convened at CWGL to discuss three thematic strands pertaining to gaps in the defense of women human rights defenders. These themes were based on the four core calls of the 2005 international campaign on women human rights defenders: the recognition of women human rights defenders; resistance to violence committed by the state and its agents; accountability for human rights violations perpetrated by non-state actors such as fundamentalist political groups, the family and community; and advocacy on the issue of sexuality in relation to abuses faced by women human rights defenders.[7]

The strategic conversation involved plenaries as well as breakout sessions for the three working groups: *Engaging with Families, Communities and Culture: Challenges Facing Women Human Rights Defenders*; *Sexuality-Baiting and the Use of Sexuality to Attack Women's Organizing*; and *Direct Accountability of Religious Fundamentalist Forces*. The working groups enabled participants to focus on these specific areas of concern for women human rights defenders that are not adequately understood and addressed globally, and continue to threaten women working to promote human rights. The plenaries provided a space to examine the crosscutting dynamics, issues, and solutions across the three themes.

The thematic strand on *Families, Communities and Culture: Challenges Facing Women Human Rights Defenders* was formed to pay particular attention to the complicated roles of families and communities as both sources of support for women human rights defenders as well as common locations of abuse and violation. Cultures and traditions are often used within non-state arenas to normalize and depoliticize human rights violations against women human rights defenders. Women who denounce these harmful practices, and contest their supposed legitimacy, are often discredited and habitually threatened by state and non-state actors alike.

Despite the misuse of culture and tradition to attack women human rights defenders, it is important to center the knowledge that just as no community is devoid of culture, women human rights defenders themselves do not exist outside of culture. Therefore, a chief concern of the working group on this thematic strand was to identify ways to engage the view of women as creators of culture in order to help promote the acceptance and safety of women human rights defenders. Women, in fact, can play a powerful and integral role in reclaiming and shaping the cultures that influence their communities and families. This positive engagement with culture, community, and family is important, while simultaneously developing methods of supporting many women human rights defenders who continue to be forced to leave their families or communities as a result of abuse or harassment.

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[7] Contextualizing the International Campaign on Women Human Rights Defenders in International Consultation on Women Human Rights Defenders Resource Book (2005). p5.

Defenders in all parts of the world face accusations, threats and even violence because of who they are seen to be and because of the advocacy they engage in.  In many instances, the antagonism they face is deployed through means somehow related to sexuality, either through outright assault, or through the use of ideas and labels intended to harm their reputations and destroy their work.  This issue needs to be better addressed by women human rights defender groups, women's rights advocates, human rights groups and others concerned with supporting activists.  The working group on *Sexuality-Baiting and the Use of Sexuality to Attack Women's Organizing* explored the range of concerns women human rights defenders face when sexuality is used to punish their efforts. Sexuality-baiting is a term used to address part of this phenomenon, and is most commonly taken to refer to the practice of using allegations about sexuality to attack the reputations of individual activists, their organizations and networks, and the political agendas they support.  It is a violation of human rights, an insidious practice hardly recognized by defenders themselves much less by those who document violations.  It is imperative that women human rights defenders and their allies recognize that sexuality-baiting is not only the manipulation of prejudices in regard to sexual orientation, but is deeply connected to ideas about women and men's sexuality broadly, and therefore affects a wide range of activists, including LGBTI  people and men.  It inhibits or destroys organizations, networks and political agendas in addition to having demonstrative effects on individuals.

Within the realm of international human rights, women human rights defenders who participate in anti-sexist and anti-homophobic efforts are frequently viewed by those in various forms of authority as susceptible targets for baiting.  Participants noted that one key ramification of this truth is its harmful effect on coalition building: certain activists and certain agendas are seen, often even by allies, as potentially harmful to broader causes.  Progress on responding to and ending sexuality-baiting is not possible without women human rights defenders and their allies being better able to identify the practices associated with it, and the tools and language to resist it.  This is especially important when allegations used against defenders are couched in claims related to culture and religion.  In other words, the group sought to ask and answer the question of how defenders can develop skills to challenge assertions that our identities and agendas "contradict" or even "offend" culture and religion, as if these are monolithic and fixed.

The working group on *Direct Accountability of Religious Fundamentalist Forces* strove to analyze and address the complex meanings and realities of religious fundamentalisms, and their effects on women human rights defenders. 'Fundamentalism' continues to be a debated word in terms of its breadth and application, as it may reference right-wing religious fundamentalisms or be considered part of a broad spectrum of violent extremisms.  This point is significant in the wake of 'war on terror' in which perpetrators of violations against women also have been victims of abuses by state actors.  Such victim and perpetrator overlaps have created significant barriers to seeking acknowledgment and accountability for religious fundamentalists targeting women human rights defenders and women broadly.  Taking the contentious nature of 'fundamentalisms' into account, the working group developed a working definition to guide their focus, objectives and recommendations.  Keeping note of the manifold ways in which women human rights defenders interact with fundamentalist forces, the group chose to define fundamentalisms "as political movements of the extreme right that manipulate religion, culture or ethnicity

in order to achieve their political aims, including in service of human rights violations generally and attacks on women human rights defenders specifically."[8]

The working group stressed that issues around religious fundamentalisms need to be addressed as critical concerns within the international human rights community. It is necessary to take into account that the threats of fundamentalisms to defenders often prove especially difficult to tackle given existing tensions between academics and practitioners, actors from the global North and the global South, religious entities and secular entities, and so forth. The working group spent more time on in-depth discussion and deconstruction of key terms and topics than the other two working groups. The already contentious nature of fundamentalisms plus the personal and emotional links of the participating defenders to the subject proved to be an initially difficult, yet ultimately enriching peculiarity for this theme.

In a recent session of the United Nations Human Rights Council, a draft resolution was introduced entitled *Strengthening Respect for Human Rights and Fundamental Freedoms through a More Profound Understanding of Traditional Values of Mankind*.[9] If put into effect, this resolution would essentially enable the justification of human rights violations on cultural, traditional and moral grounds.[10] This disturbing example is only one of many instances that embody the erosion of secular space, the advancement of fundamentalist ideologies, and the validation of culture as a static concept, three of the larger trends that the women human rights defender community sees as vital points of concern. Other concerns include the need to move beyond only state accountability and assess the effectiveness of existing human rights organizations and mechanisms. These topics were important to address in a time when the human rights of individuals and defenders are under threat as well as the human rights norms and standards themselves. Participants of the strategic conversation noted that these were important themes to address in order to support women human rights defenders, end impunity, create an enabling environment for women human rights defenders' activism, and improve women human rights defenders' well-being and security, access to resources, capacity-building and education.

Some key questions for the community, which resulted from working group and plenary discussions, included the following:

- What are the possible remedies for women human rights defenders who face violations perpetrated in the name of culture by family or community members?
- How can the misuse of culture be exposed in these circumstances?
- How can organizations be better at addressing sexuality-baiting?

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[8] Hélie-Lucas, Marie-Aimée. "What Is Your Tribe?: Women's Struggles and the Construction of Muslimness." Religious Fundamentalisms and the Human Rights of Women. By Courtney W. Howland. New York: Palgrave, (2001). pp21-22.

[9] Subsequently adopted on October 2, 2009 at the 12th regular session of the UN Human Rights Council.

[10] In July 2010, in their response to the OHCHR's request for views on the Secretary General's report on globalization and its effects on human rights, the Russian Federation stressed that, "one way to achieve universal respect for human rights was a more profound understanding of the traditional values of mankind," reiterating what they had stated the year before. (UN Report A/65/171)

- What are the mechanisms to make religious fundamentalist political forces directly accountable for violations against women human rights defenders?
- How do we work to create an enabling environment for women's activism?[11]

The three working groups sought to address these concerns and key questions. The following sections provide in-depth discussions of each working group, including the content and context of their subject matter as well as the recommendations they made. As WHRD IC Coordinator, Mary Jane Real, remarked at the opening of the meeting, participants would work together during the course of the meeting to identify, "how we have responded... [assessing] the effectiveness and gaps of responses, in order to make tangible changes in women's lives."

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[11] CWGL and WHRD IC. *Strategic Conversation Concept Note.* (2009).

# IV. Contextualizing Women Human Rights Advocacy

*We are in a backlash wherein the international human rights norms and standards we had successfully institutionalized are under threat, and the human rights of the individuals and organizations that continue to defend these are also being threatened.*
- Susana Fried

A context pervading the discussion on gaps in the defense of women human rights defenders is the general backlash on human rights. The phenomenal gains made in engendering human rights norms and standards are threatened by right-wing or ultra conservative advocacies gaining ground in the UN and other international circles. Advocates for human rights are themselves under threat. The very term 'defender' is being contested, subject to various forms of co-optation by different political forces that invoke it to further their own political agendas.

The 'war on terror,' which is now the prevailing framework for security, complicates the terrain for building movements around the defense of human rights. Defenders in some instances may find themselves arguing against each other regarding the prerequisite of 'non-violence' required under the UN Declaration on Human Rights Defenders to be considered a defender. Who defines 'violence'? When is violence justified as an act of self-defense? The answers to these could determine if the defender is entitled to protection or not. Rather than strive for a 'correct' answer, women human rights defenders must become aware of the politics underlying these arguments, discerning the different political interests laying claim to the label 'defender'.

In the face of these divisive politics, particularly where the state is strongly implicated in further constricting spaces for political dissent, women human rights defenders are challenged to meet the threats to organizing. By advocating not only for their rights, but also defending particular defenders' spaces, such as those of LGBTI people, women human rights defenders actually defend the precarious political spaces for movement-building. Traversing the trajectory from victims to survivors to defenders, advocates articulate their concerns from different standpoints and in a variety of political arenas.

Women human rights defenders face the threats of advancing religious fundamentalist ideas and the solidification of culture as static and unchangeable in many contexts. Customary laws and practices are finding their way in law reform projects. Secular spaces are shrinking as religious precepts and power converge with conservative forces within the state. Now, more than ever, women human rights defenders demand that the universality of human rights must prevail in principle and practice, eschewing any justification of violations of women's human rights on the grounds of culture or religion. Women human rights defenders are challenged to reclaim their own culture and redefine their religious communities to make them work for women.

Resources to advance women human rights advocacy remain scarce, especially in the context of the recent financial crisis. The limited availability of resources also affects the scope of protection accorded to those at risk. As they face dilemmas of prioritizing their needs, many forgo the necessities of protection. To address this issue of scarcity of resources which extends beyond the women's movement, women human rights defenders are engaging with those who advocate for the fulfillment of social and economic rights, such as advocates for land rights and labor or migrant rights' activists, among others. They are also forging alliances with broader social movements.

# V. The Working Groups

## Working Group I.
## Families, Communities and Culture: Challenges Facing WHRDs

*By definition, women human rights defenders make demands for change, but often their demands are in opposition to prevailing views of cultural acceptability. Therefore, by their very nature, women human rights defenders are often viewed as contentious.*
*- Aisha Shaheed*

Despite continued measures to raise awareness of violence against women, women and girls all over the world continue to face varying forms of violence and discrimination. Though families and communities may be sites of support, they are often also locations from which these violations against women and defenders arise. Culture, tradition and religious practice are often invoked by families, communities, and the state at large to justify patriarchal control over women and unwillingness to change harmful practices. In challenging these oft-overlooked sites of exploitation, the former UN Special Rapporteur on Violence Against Women, its Causes and Consequences, Yakin Ertürk, has suggested that "systemic engagement in a 'cultural negotiation' is a vital practice for defenders to adopt and implement." Here, positive elements of culture are highlighted and embraced while harmful aspects are debunked and challenged. Therefore, the aim of the working group on culture was to extend previous initiatives by women's human rights organizations and suggest tactics of engaging with culture. Recommendations were made to increase pressure on existing international mechanisms for the defense of women's human rights while simultaneously cultivating communities that reject cultural justifications for violence against women and defenders. Many of the proposals were geared towards creating more discussion of culture, a topic that is seldom discussed by even women's and human rights organizations because of its controversial nature.

> **Group Focus Questions**
>
> - What are your experiences as a woman human rights defender in relation to your family and community in terms of your activism?
> - In the context of families and communities, what are the factors that support or obstruct the work of women human rights defenders?
> - How is 'culture' implicated in the experiences of women human rights defenders in this context?
> - What can our organizations do to mobilize families and communities to support women human rights defenders?
> - What should organizations and governments do to hold family and community members accountable when violations occur in these spaces?

Throughout the session, the group developed working definitions of some of the key concepts of the theme. It was stressed that any discussion of terms such as 'culture,' 'family' or 'community' must account for fluidity, complexity, and dissonances that exist. Clarifying the usage of family and community in reference to women human rights defenders, the working group noted that communities and families are not only kinship groups or collectives of people within certain geographic spaces. They stressed that, especially with the widespread availability of new communication technologies, it is increasingly possible to be a member of a community of individuals spread across the

globe.  These are **elected communities**, which women and men become identified with based on common beliefs, ideas, interests, preferences, identities, etc.  Often, if not always, people are members of multiple communities and family networks that may overlap and/or be seen as in conflict with one another.

In discussions of culture, the group referenced recent publications by Ertürk, whose work has addressed cultural justifications for violence against women.  By culture itself, Ertürk means shared facets of the human experience (spiritual, material, emotional, intellectual, etc.) that are created and evolve within a social setting.  Although at the international level, commonly held notions regarding human rights have been made into binding laws, there has been difficulty in implementing them to counter culturally-justified violations against women and defenders.  As Ertürk points out, critics of internationally-recognized human rights agreements often cite that their supposed Western origin deem them inapplicable for non-Western settings, while Western critics may see themselves as above these binding agreements, and therefore superior to the standards of the law.  In either of these cases, violence and discrimination against women is justified as being "committed in the name (or guise of) 'culture,' 'custom,' 'tradition' or 'religion.'"  These excuses depend on certain myths regarding cultures, such as the notion that they are somehow static, absolute or monolithic.

During the course of the strategic conversation, the working group on this thematic strand focused on several issues as pressing concerns around the intersections of families, communities and culture from which practical strategies could be developed:

- The power of families and communities to sanction, control, regulate, violate, and silence women human rights defenders using cultural justifications to normalize violations; and the **stigmatization** that occurs in this process (e.g., calling feminists "Western," lesbians or 'bad' women);
- The limited space for women human rights defenders and women in general to explore and express alternative visions of culture;
- Systemic denial of multiple identities and rigid fixing/essentializing of single identities by patriarchal powers;
- Difficulty of holding states accountable for culturally or religiously justified violations against women, particularly in the context of shrinking of secular spaces and negation of equal citizenship rights for women;
- Lack of gender-specific responses to supporting and understanding defenders' needs among mainstream human rights community;
- Lack of respect for, engagement with, or acknowledgement by the women's and human rights movements of the importance and centrality of family, community and culture to the lives of many defenders;
- Affirmation that defenders are integral parts of communities and families and can be positively shaped and supported by them as well.

## Working Group I: Key Strategies

The group sought to identify effective methods to support women in claiming and re-claiming their right to be involved in defining, interpreting, and creating cultures, communities, families, and identities. While keeping in mind that no defenders exists outside of culture, the working group sought to develop approaches to engage with and confront community members and the human rights community in order to initiate change. To build alternatives to less than supportive community networks and create systems of support for defenders, the working group suggested the following key strategies:

**INCREASE ACCESS FOR WOMEN HUMAN RIGHTS DEFENDERS TO VENUES FOR DEMYSTIFICATION OF CULTURE, RELIGION AND COLONIAL LEGACIES AND BROADEN SPACES FOR THE DISCUSSION OF CULTURE AND WOMEN HUMAN RIGHTS DEFENDERS.**

By evaluating existing bodies of knowledge and systemizing resources that help reinterpret, reclaim and redefine cultural aspects and practices that are harmful to women, the defender community can gain the tools necessary to demonstrate how culture is being misused to control, define and stigmatize them. One example of successful strategies was the BAOBAB for Women's Human Rights' development discussion sessions in Nigeria, where women study religious texts from a feminist perspective. After developing their own analysis of the texts with this gendered lens, sessions are expanded to include local religious leaders with whom the women can discuss and/or challenge their interpretation of the texts. This strategy has proved useful in expanding the space in which women can interrogate and articulate their own cultures. These steps are helpful so as to avoid the danger of having other community representatives, such as "progressive men," speak on behalf of women.

**STRENGTHEN THE LEGITIMACY OF WOMEN HUMAN RIGHTS DEFENDERS BY PORTRAYING THEM AS PART OF FAMILIES, COMMUNITIES, AND DIVERSE CULTURES IN A WAY THAT AFFIRMS THEIR SELF-DETERMINATION.**

Although women human rights defenders work to realize human rights values in their communities, fellow community or family members may not always deem their activism important. Both defenders and those who criticize them need to remember that activists work to challenge the harmful effects of patriarchy within family, community and society, and not to destroy these institutions themselves. By implementing both human rights and community values, women human rights defenders should be looked upon as role models for promoting everyone's well-being. To break the stereotype that defender work is unnatural or imported, more work should be done to show that women human rights defenders are from the community, not external to it, and using personal stories can do this. An example of this approach is embodied in a collection of narratives accompanied by a training manual designed by Farida Shaheed and Aisha Shaheed of Women Living Under Muslim Laws (WLUML). This publication, entitled *Great Ancestors: Women Asserting Rights in Muslim Contexts,* emphasizes the instances in which women from varying Muslim communities and cultures have defended their right to gender equality, and the rights of

others, from as early as the 8th century.  This type of historical initiative succeeds in undermining the notion of defender work as a recent import from the West.

**STRENGTHEN ALTERNATIVE COMMUNITIES TO SUPPORT WOMEN HUMAN RIGHTS DEFENDERS MORE EFFECTIVELY IN RESPONSE TO CHALLENGES FROM FAMILIES, COMMUNITIES AND CULTURE.**

When women's rights are deemed culturally foreign or out of place within patriarchal communities, women are often made to feel guilty about their work as activists, and are forced to choose between two worlds.  While feminist communities have been emotional and supportive spaces in these situations, there is still a need to expand and build more safe spaces for women human rights defenders.  Alternative communities for defenders can only be defined by defenders themselves, but information on how to resource and build capacities for these communities is a key part of work on sustaining activism.  Strengthening alternative communities and support networks can sustain defenders both in local settings and in the mainstream, a goal that the working group recognized as a serious challenge in the face of shrinking resources.  Web-based communities similar to the Coalition are useful places to do this as they create a venue to share information and resources as well as provide moral support.  These virtual communities should be strengthened, as they are useful for rapid resource mobilization, urgent action response to violations, and general networking.

**SUSTAIN AND AMPLIFY THE VOICES OF WOMEN HUMAN RIGHTS DEFENDERS IN PUBLIC AND POLITICAL SPACES AT LOCAL, NATIONAL, REGIONAL AND INTERNATIONAL LEVELS.**

The working group noted that although the Coalition addresses issues that are vital to the defense of women human rights defenders, lack of access to the mainstream media as well as persistent disregard for women defenders' concerns by more mainstream organizations has silenced defenders' voices in many cases.  Countering this involves the active expansion and foregrounding of feminist voices within human rights discourse.  It calls for more efforts to create dialogue among defenders and increase the presence of defenders and women's organizations within international human rights discussions.  Related to previous strategies, this also calls for the creation of strong alternative communities that can gain access to multi-lingual and multi-pronged media as well as mainstream women's rights and human rights organizations and their networks.  The group acknowledged that many people, including some in the human rights community, still do not comprehend feminist demands and often do not recognize that women's rights are integral to human rights and are not a subordinate concern.

**DEVELOP KEY PRINCIPLES FOR RESPONDING TO GENDER-SPECIFIC NEEDS OF WOMEN HUMAN RIGHTS DEFENDERS, EVALUATE THE EFFECTIVENESS OF EXISTING SYSTEMS OF SUPPORT, AND CONSTRUCT MORE EFFECTIVE MECHANISMS OF RESPONSE.**

Member organizations of the Coalition need to formulate more principles for gender-aware responses to the needs of women human rights defenders.  Many organizations may choose to articulate what mechanisms they already have in place while the Coalition incorporates an ongoing documentation project to assess these systems of response.  This strategy allows the women human rights defender community to evaluate

what systems of support are in place and functional, while also enabling them to organize local or national options for redress of grievances in addition to taking them to the international human rights groups. An assessment of this kind would hopefully prevent unproductive efforts like the letter-writing campaign to save a young Somali girl from being stoned, in a case where letters were addressed to, and almost immediately returned from, the dysfunctional Somali government. As the working group noted, evaluation of this particular case would illuminate the need to intervene at the local level, with local actors rather than the state, an important finding for the effective defense of women human rights defenders.

**ESTABLISH ACCOUNTABILITY AS A CRUCIAL AREA OF RESEARCH, EXPLORING INNOVATIVE METHODS OF HOLDING SOCIAL INSTITUTIONS AND PERPETRATORS OTHER THAN THE STATE ACCOUNTABLE, CONSISTENT WITH HUMAN RIGHTS STANDARDS.**

Accountability of non-state actors is a particularly salient issue for women defenders since the state is often not effective in addressing violations that stem from the family or community, where many defenders are affected most. Further documentation and work on accountability will help to address situations where the state is unable to hold communities and families accountable. This issue is further complicated when it is not clear exactly who is accountable and what groups are in need of accountability. As the working group noted, it can be dangerous when defenders seek accountability outside of the legal parameters of the human rights system, in parallel legal structures. However, there was also the recognition that most women have very limited access to legal systems of accountability. Therefore, research is necessary to explore alternate routes of justice, which women and defenders can access when existing systems prove ineffective or too unsafe. While there was much positive discussion regarding accountability, the working group noted the urgent need for more resources to develop concrete proposals for accountability of social actors as well as continued discussion to expand spaces in which this topic is addressed.

## Working Group II.
## Sexuality-Baiting and the Use of Sexuality to Attack Women's Organizing

*A lot of our politics, a lot of that expertise that we have and we've built as individuals are discredited because they see us as the gay group.*
- Nadine M.

As noted in earlier reports by the WHRD IC, CWGL, and allied organizations, women human rights defenders face a range of abuses stemming from sexuality-baiting and related biases. From rape and murder to threats of forced detentions, women human rights defenders often risk their lives and well-being to work on human rights, women's rights and sexuality-related human rights issues. The report *Written Out: How Sexuality is Used to Attack Women's Organizing*, a collaboration between the CWGL and the International Gay and Lesbian Human Rights Commission (IGLHRC), authored by strategic conversation participant Cynthia Rothschild, names sexuality-baiting and its effects and the ways in which women human rights defenders and organizations working on sexuality and reproductive rights are targeted.[12] The findings reported in *Written Out,* along with similar analysis from the UN Secretary General's Special Representative on Human Rights Defenders, has helped bring visibility to the issue of sexuality-baiting. Nonetheless, it continues to be a rampant problem for women human rights defenders who defend any human rights, and the working group acknowledged that much work needs to be done across contexts and movements to address this issue.

As Ngozi Nwosu-Juba, a working group participant and staff member from BOABAB for Women's Human Rights, stated: "BAOBAB is targeted as a lesbian organization... there's a whole air of suspicion of who you are and what you're doing."[13] BOABAB being labeled as a "lesbian organization" is particularly striking due to the organization's focus, which is not on sexual rights, but "on women's legal rights issues under the three systems of law in Nigeria."[14] It is clear in this case that 'lesbian' is understood as synonymous with 'suspicious', underscoring the extent to which sexuality-baiting is truly about undermining women human rights defenders and their efforts, no matter what issues they may focus on, and regardless of the sexual or gender identities of their staff or members.

> **Group Focus Questions**
>
> - What are common forms of sexuality-baiting against women human rights defenders?
> - What tools or tactics should women human rights defenders and their organizations adopt to address sexuality-baiting?
> - What subtle kinds of baiting or sexuality-related marginalization do our own organizations replicate?

Sexuality-baiting is used as a tactic by state and non-state actors to thwart the agendas of, and sometimes to bring harm to, defenders. It is deployed precisely to attack the credibility of activists, to destroy reputations through the use of allegations, rumor-spreading, and manipulating prejudices related to gender and sexuality. Attacks may be

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[12] Rothschild, Cynthia. *Written Out: How Sexuality is Used to Attack Women's Organizing*. (2000). p5. http://www.cwgl.rutgers.edu/globalcenter/publications/written.htm.
[13] Working Group on *Sexuality-Baiting*. 30 June 2009. Raw data.
[14] *History*. Baobab for Women's Human Rights. http://www.baobabwomen.org/history.htm.

overtly focused on sexuality, as in lesbian-baiting, or they may take subtler forms, as in when women defenders are accused of being 'bad mothers and wives,' 'childless' or 'single,' etc.

From the working group members' experiences, as well as those of other strategic conversation participants, the following concerns regarding sexuality-baiting are vital to address by the women human rights defenders communities:

- A lack of understanding among defenders and allies of the issue and a systematic denial of baiting as a legitimate human rights issue;
- Limited discussion on what tactics are best to resist the phenomenon;
- Fears about being targeted for sexual and reproductive work, which leads many activists to be unwilling to take on sexual rights as a framework or as part of their agendas;
- A dearth of adequate skills and resources to document sexual baiting among human rights, women's rights and even sexual rights groups which may further exacerbate risks to women and women human rights defenders;
- The use of baiting as a tool to inhibit the agendas of many movements and those defenders who wok directly on issues related to sexuality and reproduction.

## Working Group II: Key Strategies

Having identified numerous manifestations of sexuality-baiting and its relationship with broader conference themes such as culture and direct accountability, the working group set out to develop a series of recommendations for addressing sexuality-baiting that drew upon their experience as women human rights defenders and the resources available among WHRD IC member organizations and allies.

### PROMOTE SEXUALITY-BAITING AS A LEGITIMATE HUMAN RIGHTS CONCERN.

Part of the hostility toward challenging sexuality-baiting lies in the fact that women's human rights concerns are often seen as recent, or a Western phenomenon. This proposition ignores the content of sexual rights as integral to being human, and the range of traditions regarding sexuality and gender across time and place and histories of colonization. A chief point made by the working group was to counter the manipulation of ideas of culture and religion that deny fundamental rights such as bodily integrity. A more nuanced approach to discussions of culture and sexual rights could prompt analyses that foreground the ways in which culture can also actually protect individuals from sexuality-baiting and related abuses.

Rather than accepting a demarcation of sexual rights as outside of the bounds of typical human rights or women's rights advocacy, it is necessary to identify and examine the ways in which sexual rights is integral to human rights and relevant across movements. The capacity of human rights organizations and groups from other social movements to research and document this phenomenon should be strengthened so they can become

allies in countering all forms of sexuality-baiting.  It is important to convey that sexuality-baiting is not solely an LGBTI concern, but rather an important form of human rights violation that groups other than LGBTI activists should also denounce.

**DEVELOP DOCUMENTATION AND RESEARCH STRATEGIES THAT CAN: INCREASE UNDERSTANDING OF SEXUALITY-BAITING; ASSIST IN CREATION OF NEW TACTICS TO RESPOND TO THE PHENOMENON; AND ESTABLISH SEXUALITY-BAITING AS AN IMPORTANT ISSUE AFFECTING WOMEN HUMAN RIGHTS DEFENDERS.**

By creating human rights tools that are user friendly, it will be possible to promote a comprehensive sexual rights analysis which includes baiting but also speaks to the range of violations women human rights defenders face in relation to sexuality.  Materials that are developed should speak to a broad range of attacks on credibility with a feminist methodology as a guiding framework, and where possible, be regionally or culturally specific.  It is also important that these materials include, but go beyond lesbian-baiting and just the experiences of LGBTI defenders.  They should address the myriad ways all women human rights defenders experience these violations in differing ways on the basis of their class, race, ethnicity and other social positions.

Research on sexuality-baiting at the national, regional and local levels will enable women human rights defenders and their allies to document instances of sexuality-baiting as it pertains to their specific cultures and regions and the particular prejudices, assumptions and fears that undergird the attacks.  These can help in the development of nuanced strategies to respond to sexuality-baiting and other sexuality-related violations, such as alliances with local leaders to develop critiques of homophobia and the patrolling of women's sexuality.  In addition, working group members noted the dearth of knowledge about sexual rights and histories of sexuality, including in relation to language and practices, across various contexts.  Participants felt that additional comparative research would be useful in this area.

**FURTHER DEVELOP ADVOCACY WITHIN THE UN SYSTEM AND BUILD COALITIONS WITH CIVIL SOCIETY AND ALLIED MOVEMENTS.**

It was noted by working group members that there is a need for work with Special Rapporteurs, regional commissions, and other UN experts to build or strengthen a focus on women human rights defenders issues and sexual rights.  This advocacy should utilize spaces such as the UN Human Rights Council and treaty bodies and highlight attacks on reputation and credibility as a valid human rights concern and promote support for additional research and documentation from the UN system.  Working group participants also noted that there should be an increase in direct advocacy with agencies such as the UN High Commissioner for Refugees (UNHCR) on issues related to sexuality as they affect asylum seekers and processes.  The working group suggested lobbying the UNHCR to grant asylum to LGBTI refugees, particularly those at risk because of their activism.

It is imperative to also build and sustain coalitions and collaborations with ally groups, networks and movements.  This is most important with regard to the women's movement where strengthened alliances can enrich analysis, documentation and reporting of sexuality-baiting as well as broaden access to resources to address this concern.  Sexual rights and defenders work can benefit from the expertise of other groups and activists who

focus on different social justice arenas. Enjoining them as allies is crucial to demonstrate the pervasiveness of this abuse across movements and all categories of gender.

**DEVELOP MEDIA AND INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT) TO STRENGTHEN NETWORKS TO ADDRESS SEXUALITY-BAITING.**

Information should be added about recent successes in the advocacy for sexual rights to the Coalition website as well as the websites of member organizations. This should include language from the African Commission and the Organization of American States resolutions that have incorporated sexuality and defender issues, as well as newer Human Rights Council and Special Rapporteur reports. Member organizations should also develop media guidelines for women human rights defenders and their allies to enable them to effectively identify and respond to cases of sexuality-baiting.

Networks and resources to address sexuality-baiting can be developed using ICT. ICT provides the opportunity to not only create and share useful materials on sexuality-baiting for a large and diverse population, but can also enable women human rights defenders to more effectively report and document cases of sexuality-baiting as well as assist women human rights defenders who are being baited. New media projects can include vehicles that allow for information and strategy sharing, including Facebook, Ning and blogging.

More developed use of ICT will also be beneficial in the creation of new analytical and training materials in advocacy and responding to urgent appeals that integrate sexuality-baiting and sexuality issues. There should also be widespread creation of educational opportunities including training workshops for women human rights defenders that include a focus on sexual rights. The workshops can be used to share and promote a sexual rights analysis in relation to defenders and to strengthen collaborative work with women's, human rights, LGBTI organizations and other groups.

## Working Group III.
## Direct Accountability of Religious Fundamentalist Forces

*The human rights movement has to confront the serious lapses of employing traditional forms of accountability around fundamentalist states to address violations against women and women human rights defenders.*
- Gita Sahgal

The inability within a human rights framework to properly address abuses by religious fundamentalists has been one of the serious gaps in the defense of women human rights defenders.  The main approach under international human rights and humanitarian laws of centering on state accountability translates into exculpating fundamentalist perpetrators from direct individual accountability for human rights violations.  The 'war on terror,' which has increased the level of state repression, has reinforced the notion of protecting victims of state violence.  Because of the lack of a gender perspective in understanding the 'war on terror,' violations committed by fundamentalist forces that engage in violent misogynist practices are generally not characterized as war crimes or crimes against humanity.  If the abuses are not framed as systemic forms of violence against women, then they do not merit prosecution under the international human rights legal system.

For example, in the context of Muslim fundamentalisms in countries such as Algeria, the practice among human rights organizations of pushing for "universality (of human rights) in approaches to victims actually means that victims of state-perpetuated violence who themselves commit human rights violations are not held accountable for their crimes," stressed Marie-Amée Hélie Lucas, one of the participants.  This strategy betrays a de-politicized narrative of innocence that adheres to a victim/perpetrator binary that essentializes victimhood instead of looking at the specificities of the experience wherein the victim could also be a perpetrator in certain circumstances.

> **Group Focus Questions**
>
> - What specific violations do women human rights defenders face in the hands of fundamentalist political forces?
> - What are the limitations of existing human rights mechanisms to redress these violations?
> - What are some of the best practice in addressing this issue within a human rights framework?
> - How can fundamentalist political forces be made directly accountable for violations against women human rights defenders within the current human rights framework?
> - What are alternative mechanisms to make religious fundamentalist political forces directly accountable for violations against women human rights defenders and what roles can women's rights and human rights organizations play in the creation of these alternatives?

Often liberal or left-wing groups, steer away from engaging with issues that demand accountability of religious Muslim fundamentalists for fear of being accused as racists.  Progressive groups including those of Muslim or Arab descent that expose this complicity of the Left with fundamentalists have been labeled as "witch hunters."  Their projects are under-funded and it has been difficult to gain momentum for this advocacy.  A complex interplay of identity-politics, which in certain instances valorizes Muslim victimhood, serves as a rationale for certain groups of activists to "remain politically correct" and

disengage with this issue.  In this context, there is little room left to consider women human rights defenders who are attacked for their activism against religious fundamentalisms as also victims of human rights violations.

The rise of religious fundamentalisms underscores the urgency of protecting secularism in all spaces.  It is very difficult to avert the rise of fundamentalist entities when they are deemed as "untouchable" under the pretext of respecting freedom of religion. Subscribing to this interpretation however reveals an anti-secular bias in the interpretation of human rights wherein there is no protection accorded to the freedom of non-belief.  In this context, violations against women committed by religious fundamentalists continue to proliferate because religious freedom is given more premium than secularism or the rights of all women.

## Working Group III: Key Strategies

The working group on this theme noted that religious fundamentalisms as a topic is very controversial and requires discussion beyond the strategic conversation.  For progress to be made in addressing this issue, there needs to be a more nuanced and gendered understanding of the political underpinnings of this phenomenon and its negative implications on the lives of women human rights defenders.  The working group suggested the following key strategies keeping in mind the crosscutting nature of this theme with issues of family, community, culture and sexuality-baiting:

**EXPOSE HOW THE PATTERNS OF VIOLATION AGAINST WOMEN COMMITTED BY FUNDAMENTALIST FORCES ARE EXONERATED UNDER EXISTING HUMAN RIGHTS PRACTICE.**

Fundamentalists use religion and commit human rights abuses for political gain, and women are often key targets in such pursuits.  It is imperative that human rights advocates examine the ideological positions and claims of groups to determine whether they constitute a threat to women's human rights because of a systematic promotion of discriminatory beliefs and policies backed by violence or the threat of violence. Characteristics of such ideologies may include systematic gender segregation, gender and sexual discrimination, as well as discrimination against other religions or against those with different religious practices within the same religion.

Equally important to this strategy is keeping in mind that the state-centric human rights framework used by most human rights organizations such as Amnesty International and Human Rights Watch has exculpated non-state violators like fundamentalist armed groups that violate women's rights and their defenders.  Therefore, not only is recognition of the threats of fundamentalisms vital, but so too is the need to address the limitations of the dominant interpretations of the human rights framework to address the violence.

In several instances, human rights organizations have supported the application for asylum by victims of state violence, even as these applicants are also guilty of violence against women, said Marie-Aimée Hélie Lucas.  Several of these victims have been provided platforms to speak about human rights violations before international audiences without raising their accountability for individual acts of violence against women in their own communities.  In the traditional framing of human rights, only the state is liable for violations.

Human rights defenders are generally characterized by their commitment to the principles of universality and non-violence, and their efforts to foster "the protection and realization of human rights and fundamental freedoms."[15] Therefore, there must also be overt criticism of applications that could be easily mistaken as bestowing the title of 'human rights defender' on actors whose work seeks to undermine women's rights and/or support religious fundamentalisms, as such behavior is in direct violation of basic human rights principles.

### EXAMINE DIFFERENT FORMS OF ACCOUNTABILITY AND FOSTER THE DEVELOPMENT OF MECHANISMS FOR DIRECT ACCOUNTABILITY OF NON-STATE ACTORS.

The working group noted that in the present human rights regime, the principle of due diligence has been the primary vehicle used to hold non-state actors accountable for human rights violations. However, under this doctrine, the state remains primarily responsible and only indirect accountability is attributed to non-state actors. Recently, women's rights organizations and other civil society groups have also pushed for gender-based violations including those committed by individuals in situations of armed conflict to be tried under the International Criminal Court. The principle of universal jurisdiction and the Alien Torts Claims Act in the United States have also been applied to prosecute individual criminal or civil responsibility by state agents or non-state actors for specific forms of human rights violations. The UN set of principles for the protection and promotion of human rights through action to combat impunity (updated in September 2004 by Diane Orentlicher as Independent Expert appointed by the UN Secretary General) also provide additional mechanisms to address impunity by state and non-state actors alike.

> **A Note on Parallel Legal Systems**
>
> "Customary law and practices operate alongside the formal legal system in many states. These quasi-formal legal systems run by village elders, religious courts, traditional chiefs or clan structures operate sometimes with powers formally granted to them by the state, sometimes informally, but with social legitimacy. These regulatory regimes, which function parallel to statutory law, monitor and control norms and practices in the community."[1] It is important to recognize that such systems "hand down severe forms of punishment to women presumed to have transgressed social norms" in violation of human rights norms.[1]

However, the difficulty of documenting violations to match the evidentiary requirements under these mechanisms mentioned above has been a major challenge. Attributing individual responsibility or establishing causality and collecting cases to illustrate the systemic nature of the violence against women is no easy feat. These documentation activities are often carried out in highly risky or unsafe situations with little provisions for protection of witnesses. In many instances, civil society actors risk their lives to produce such documentation as investigative units of the state are unable to carry out their functions in situations of armed conflict.

The working group also discussed the existence of parallel legal systems, which in many instances have been created in conflict and post conflict contexts in the name of

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[15] Asia Pacific Forum on Women, Law and Development. *Claiming Rights, Claiming Justice: A Guidebook for Women Human Rights Defenders*. (2007). p45.

"cultural authenticity" to the explicit exclusion of gender equality. Women tend to use them to seek redress for crimes perpetuated within families and communities as they are more accessible compared to formal courts in general. However, the lack of recognition of many legal concerns of women, while there is a simultaneous scrutiny and prosecution of women accused of infidelity, for example, reveals the gender bias of most parallel legal systems. Thus the establishment and emphasis on such institutions by religious fundamentalists strengthens their impunity, as women are frequently unable to obtain justice within these contexts.

There is a need to reinvent these traditional customary legal systems if they are to be beneficial to women. It is also necessary to go beyond the state-centered human rights system as the principle of due diligence does not account for direct accountability of non-state actors and it is difficult to apply in situations of armed conflict where the state may not be in control. It is important to surface not only group responsibility, but to also document individual responsibility and avail of the recent legal innovations that allow for the prosecution of criminal or civil liability of individuals for violations of human rights. Going beyond legal measures and advocating for other forms of reparation as enumerated in the UN set of principles to combat impunity is another alternative. In instances where the legal system is ineffective, more popular forms of accountability such as naming and shaming the perpetrators and exposing the extremist ideological underpinnings of their acts also become crucial. In Colombia, human rights organizations have denounced the violations of non-state actors, such as guerilla groups, and this can be done in similar circumstances elsewhere.

### DEVELOP TERMS THAT PROMOTE THE RECOGNITION OF HUMAN RIGHTS ABUSES AGAINST WOMEN HUMAN RIGHTS DEFENDERS.

Examples of using different phrases that more clearly fall into the human rights framework such as 'humanitarian law violations' rather than 'terrorism' have been successfully advanced by women human rights defenders to describe and gain recognition of the nature of actions by guerilla groups in Colombia. Fundamentalists fall under the rubrics of both 'terrorists' and 'counter-terrorists' and attacks on women human rights defenders by fundamentalists are discriminatory and violent regardless of the group's classification. Furthermore, in instances of politically violent conflicts that appear to be secular, such as in Colombia, religious actors may participate and/or support human rights violations along with state, paramilitary, and guerilla groups, thus demonstrating the blurring between fundamentalism, terrorism, and counter-terrorism across contexts.[16] There is currently a lack of consensus among women human rights defenders and their allies about concepts, terms and vocabulary that are relevant to this topic. Developing such frameworks that will be made accessible via ICT to human rights advocates would help promote recognition of the abuses and measures to institute accountability of the perpetrators.

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[16] Copelon, Rhonda, Working Group on *Direct Accountability of Religious Fundamentalist Forces,* June 28 2009.

**RECORD THE DISCRIMINATORY AND VIOLENT CONTENT OF RELIGIOUS FUNDAMENTALIST POLITICAL AGENDAS AND DOCUMENT VIOLATIONS AGAINST WOMEN HUMAN RIGHTS DEFENDERS WITHIN RELIGIOUS FUNDAMENTALIST CONTEXTS.**

Women and sexual minorities are frequently the targets of discriminatory acts committed by fundamentalist actors, in many instances these are manifestations of misogyny or systemic forms of gender discrimination. It is important to examine the ways that promotion of 'family values' and static definitions of culture are oftentimes radical restructurings of traditions. Such impositions may result not only in more patriarchal practices, but also in attacks on the free exercise of traditional religious practices deemed outside of religious fundamentalist parameters. Another general tactic that religious fundamentalists use against women is violence or the threat of violence for women participating in public spaces. This contributes to keeping the violations in the name of religion or tradition private and invisible.

It is important to extend collaborative efforts to document violations against women and women human rights defenders by religious fundamentalists. This will allow for an extensive, gendered analysis of fundamentalisms as well as the compilation of statistics that demonstrate the widespread and/or systemic nature of violations. Furthermore, by reviewing the initial work that has been done in documenting other authoritarian systems, women human rights defenders can learn to identify the dangers of and assess strategic and safe responses to fundamentalist forces.

The working group noted that there are a series of barriers to properly documenting and gaining direct accountability for human rights abuses carried out by religious fundamentalists. Human rights violations that have daily effects and constrain women's lives are not as easily documented and recognized as overt forms of violence. The working group proposed that one approach to exposing such violations is the production of shadow reports such as the *Talibanisation of Pakistan* (2007) that draw from the knowledge and experiences of local women's groups.[17] Drawing from the Colombian example, the study of statistics to document human rights abuses can effectively illustrate that violations are widespread.

It is also important to document the culture that condones the violence committed by religious fundamentalists and maintains the climate of impunity. Comprehensive documentation initiatives such as the report of the International Initiative for Justice titled *Threatened Existence: A Feminist Analysis of the Genocide in Gujarat* is one model to follow. Significant resources and capacity building have to be invested to develop a more systematic and rigorous infrastructure for documenting not only the range of violations committed by religious fundamentalists, but also the extensive reach of their networks including the charitable organizations they fund or have set up. A system of disseminating feminist documentation projects across networks should be explored to expose and delegitimize religious fundamentalisms of all religions.

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[17] Shirkat Gah. "Talibanisation & Poor Governance: Undermining CEDAW in Pakistan - Second Shadow Report." (2007).

**INVESTIGATE AND DOCUMENT THE WAYS IN WHICH THE SECULAR SPACES ARE BEING ERODED BY FUNDAMENTALIST ELEMENTS.**

Many fundamentalist entities are deemed 'untouchable' due to their religious classification. Rather than accept such groups as outside of human rights standards, the working group argued for supporting the importance of secularism to the protection of human rights. This is imperative as human rights encompass both gender equality **and** religious freedom.[18] Instead of taking an approach that views women's rights and cultural rights as in conflict or in hierarchical relationship, it is possible to seek a secular approach that emphasizes respect and protection.

It is also important to identify the particular situations in which fundamentalists encroach upon the secular realm, such as through the usage of charitable front organizations and manipulation of humanitarian crises. Such activities not only enable fundamentalist groups to significantly increase their funds, but also to gain social control of areas struck by disaster, particularly in cases where state and international supports are lacking and there is a dire need for aid. For instance, during the 2004 tsunami, Indonesian religious fundamentalist groups distributed basic resources to people in devastated areas, while simultaneously using their efforts as a platform from which to accuse women of sinning against the Koran and thus blaming them for causing the natural disaster. Similar examples can be found globally across religions, and such circumstances further threaten women human rights defenders through the strengthening of fundamentalist groups and their ability to exercise impunity in areas under their control.

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[18] Bennoune, Karima. "Secularism and Human Rights: A Contextual Analysis of Headscarves, Religious Expression, and Women's Equality Under International Law." *Columbia Journal of Transnational Law* 45.2 (2007). p371.

# VI. Concluding Recommendations

*It is very clear that as human rights defenders, we continue defending other people's rights with very minimal mechanisms and strategies of defending our own rights. My own experience shows that if women human rights defenders did not exist in Africa, I think, ¾ of women would be dead, and not dead only from physical abuses, but emotional, economical, and in all aspects of rights, it has all ended up being the work of WHRDs.*
*- Ruth Ojiambo Ochieng*

The June 2009 strategic conversation produced general recommendations for women human rights defenders and their allies in addition to the series of working group recommendations outlined earlier in this report. These points developed out of dialogue within and across the working groups as participants determined shared concerns and problems they encounter in their work. There are significant connections and overlap amongst them, and they should be seen as intimately connected to the working group-specific recommendations. The intent of these recommendations is to provide a framework for developing the work of the WHRD IC and its member organizations, particularly in terms of utilizing more effective means to respond to the needs of women human rights defenders and promoting alliances and perspectives that encourage a safer and more supportive environment for women human rights defenders to pursue their work locally, nationally, regionally as well as in international settings. The broader recommendations are presented below thematically:

### THE INTERNATIONAL HUMAN RIGHTS COMMUNITY: A CALL TO ACTION

To fully address the threats posed by religious fundamentalisms on women human rights defenders, we call on the international human rights community to undertake the following actions:

- recognize the grave threats posed to human rights and to women human rights defenders by religious fundamentalisms;
- prioritize the documentation of and reporting of these threats;
- actively take up the cases of women human rights defenders on the frontlines of these struggles against fundamentalisms;
- be wary of the implications of applying the term 'human rights defenders' to those who seek to undermine women's rights;
- use all available human rights mechanisms to challenge religious fundamentalisms; and
- recognize the importance of secularism for the protection of human rights.

**DEVELOPING GENDER-SPECIFIC SUPPORT FOR WOMEN HUMAN RIGHTS DEFENDERS**

Participants emphasized the need for more coordination among organizations in order to evaluate and respond to emergency situations involving women human rights defenders, ensuring that the currently limited resources available are used most effectively. This would provide the opportunity to more consistently convey to stakeholders the importance of and specific concerns of women human rights defenders. Particularly for women human rights defenders working on controversial issues such as sexual rights or exposing fundamentalisms, this approach would present their concerns as part of a broader threat to their security and requiring efforts from the human rights community as a whole to counter cultures of impunity and marginalization. The coalition and allied entities should:

> **Develop response principles** to improve the efficacy of existing support systems and responses and generate positive gender-aware responses to attacks on women human rights defenders from state and non-state actors. Through the creation of shared response principles and resources, coalition organizations will be able to more quickly and effectively respond to incidents in a consistent manner;

> **Expand rapid response systems** to support women human rights defenders in urgent situations. Such a structure would include immediate support for documentation and analysis of abuses that such advocates face in order to substantiate their claims; and the assessment and coordination of support provided to advocates;

> **Adopt a holistic concept of healing as a component of justice for women human rights defenders** by providing support for different aspects of their well-being, as a part of sustaining activism.

**STRENGTHENING ACCOUNTABILITY AND DOCUMENTATION OF HUMAN RIGHTS ABUSES**

Participants noted the need to explore more methods of holding perpetrators and social institutions accountable that are consistent with human rights standards. Such efforts necessitate the study of accountability systems, as well as a focus on documentation as a key to gaining recognition of abuses. Information gained from such inquiries must then be articulated for a range of audiences through ICT as well as on-the-ground trainings and materials. The coalition and allied entities should:

> **Critically engage with and monitor the effectiveness of UN accountability mechanisms** considering that these are still the prevailing avenues to demand for state accountability, calling attention to instances where their effectiveness have been compromised to cater to particular political interests;

> **Research the avenues for pursuing accountability across contexts** such as when a state is unwilling to enforce accountability or is itself complicit to the human rights violations; , or when non-state perpetrators such as fundamentalist armed groups are so powerful that the state is unable to provide accountability;

**Research alternative routes of justice** particularly in cases where existing systems are inaccessible or will not recognize abuses against women human rights defenders; examine parallel legal systems, which are often purported to be more accessible to women but may fall short of fulfilling gender justice in local communities;

**Engage in context-specific research** into the underlying assumptions and power dynamics that create hierarchies among victims and prevent accountability for abuse sustained by women human rights defenders in the hands of both state and non-state actors;

**Create educational opportunities** to better understand human rights systems and tools, and develop and synthesize materials on engaging regional and international human rights mechanisms; and

**Develop comprehensive databases concerning human rights abuses and women human rights defenders** as a collaborative effort.

## ADVANCING WOMEN'S RIGHTS FRAMEWORKS

There is a need to further promote women human rights defenders, women's and sexual rights issues as legitimate human rights concerns. This is key to countering the range of strategies used to rationalize attacks against such defenders. In order to continue this work, the coalition and allied entities should:

**Develop and circulate educational materials** as well as educational opportunities about the range of concerns explored in the strategic conversation regarding sexuality-baiting, religious fundamentalisms and cultural essentialism;

**Evaluate the accessibility and systemizing of resources** on topics such as sexuality-baiting, culture, and religious fundamentalisms so as to allow WHRD IC and its allies to be better able to respond to range of concerns across the working group areas;

**Develop media guidelines and toolkits** for responses to attacks on women human rights defenders, which should be both topically and culturally specific.

## BUILDING ALLIANCES TO SUPPORT WOMEN HUMAN RIGHTS DEFENDERS

In order to improve conditions for women human rights defenders, there needs to be a continued effort to build and develop alliances at local and international levels. Establishing relationships with the media, the UN, and other human rights groups will allow for partnerships that will enable easier access to human rights mechanisms. Apart from international partnerships, it is important to develop relationships with community leaders as a means for women human rights defenders to **gain access to powerful language that is consonant with human rights language**, but more intelligible to broader audiences. To do so, the coalition and allied entities should:

**Expand and build the capacity of feminist alternative spaces** where women human rights defenders are protected and given platforms. These alternative communities for defenders can and should be defined by defenders themselves;

**Incorporate work on how to resource and build capacities** for these communities into current   projects on sustaining activism;

**Foster dialogue across movements** including with human rights organizations in various venues  and  public spaces to generate a share understanding of the concerns that beset women human rights defenders and strengthen collective advocacy for women's human rights;

**Strengthen the coalition** by clarifying its key objectives and having members design and implement  projects to achieve them.

The meeting created space for participants to examine a variety of problems, strategies and resources as they addressed three crucial areas facing women human rights defenders currently. Through the working groups, it became clear that there is a continued need for women to determine what are the best ways to address the ongoing marginalization of women human rights defenders within international human rights work and their simultaneous targeting by adversaries on the basis of their gender and sexual orientation. This report is intended to provide women human rights defenders and their allies with an overview of the conversation's themes and strategies and the insights participants shared for strengthening advocacy for women's human rights.

# VII. Appendix I: Strategic Conversation Participants

**Mónica Alemán**
Foro Intenacional De Mujeres Indigenas (FIMI)/
International Indigenous Women's Forum (IIWF)

**Edna Aquino**
Global Campaign to Stop Killing and Stoning
Women

**Radhika Balakrishnan**
Center for Women's Global Leadership (CWGL)
Rutgers University

**Margot Baruch**
Center for Women's Global Leadership (CWGL)
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**Karima Bennoune**
Center for Law and Justice
Rutgers University

**Marina Bernal**
Artemisa/Mulabi

**Charlotte Bunch**
Center for Women's Global Leadership (CWGL)
Rutgers University

**Kamala Chandrakirana**
National Commission on Violence Against Women

**Rhonda Copelon**
CUNY School of Law

**Ana Maria Diaz**
Colombian Commission of Jurists

**Susana Fried**
United Nations Development Programme (UNDP)

**Emmerlyn Gil**
Forum Asia

**Shareen Gokal**
Association for Women's Rights in Development
(AWID)

**Sindi Medar Gould**
BAOBAB for Women's Human Rights

**Liz Jordan**
Human Rights First

**Marie-Aimée Hélie Lucas**
Women Living Under Muslim Laws (WLUML)

**Nadine M.**
Meem – a Community of LBTQ Women in
Lebanon

**Fadzai Muparutsa**
Coalition for African Lesbians/ Gays and Lesbians
of Zimbabwe (GALZ)

**Noelene Nabulivou**
Women's Action for Change-Fiji

**Ngozi wosu-Juba**
BAOBAB for Women's Human Rights

**Ruth Ojiambo Ochieng**
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# VII. Appendix II: Strategic Conversation Background Readings

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