




# Women Human Rights Defenders: Compounded Violence, Limited Protection



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Women's Rights Team

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## Introduction

Women Human Rights Defenders (WHRDs) play a fundamental role in the promotion of human rights worldwide, and their importance is particularly demonstrated in advocating for specific rights, such as women's rights, gender equality, and sexual and reproductive rights. Nonetheless, WHRDs face several challenges; besides the issues common to Human Rights Defenders (HRDs), including verbal and physical attacks, threats, torture, forced disappearances, murder, and arbitrary detentions, WHRDs are faced with additional obstacles, such as gender-based violence.

Against this backdrop, the present report will be divided into two main parts. Firstly, it will identify and explain the challenges and violations faced by WHRDs, and how they differ from the violations faced by HRDs generally. In the second chapter, the report addresses the forms of protection available in international law for WHRDs, and lastly, based on the analysis conducted, the report provides recommendations with the intent of ensuring that WHRDs can carry out their work safely and effectively.

## 1. Problem definition

HRDs are defined as all persons who, individually or in association with others, act on the peaceful promotion and protection of human rights.<sup>1</sup> WHRDs, on the other hand, is used as an inclusive term that includes women or gender non-conforming people who fight for human rights. Particularly, they advocate against enforced disappearances, torture, and arbitrary detention, as well as promote the rights to education, housing, and health, of migrants and indigenous people, alongside protect the environment from the effects of climate change, protect women's rights, LGBTI rights, sexual and reproductive health, women's political participation, and combat violence against women.<sup>2</sup>

As explained by Amnesty International, the term (WHRD) represents

*the struggle for recognition of the specific challenges faced by women who engage in the defence of any human right, and people of all genders who defend women's rights or work on a range of gender-related issues and sexuality.*<sup>3</sup>

WHRDs are not always described as such and do not always self-identify as WHRDs.<sup>4</sup> They can be women from diverse backgrounds, promoting rights in diverse contexts,<sup>5</sup> and operating at the international, regional, national, and local levels.<sup>6</sup> Furthermore, as identified by the OHCHR, WHRDs can be

*[...] civil society representatives, grassroots activists, lawyers, journalists, parliamentarians, members of the judiciary, bloggers or vloggers, influencers, social workers, and health service providers who often play fundamental roles in ensuring that women and girls can exercise their rights.*<sup>7</sup>

WHRDs play a crucial role in today's society, acting on combating all human rights violations. Their actions include

*“promoting access to justice and combating impunity, resisting state repression and responding to gender-based violence, fighting poverty and discrimination, and opening spaces for the full participation of those most marginalised in society”.*<sup>8</sup>

- 1 United Nations. (n.d.). *Special Rapporteur on human rights defenders.*
- 2 Amnesty International. (2019, November 29). *Challenging power, fighting discrimination: A call to action to recognise and protect women human rights defenders.*
- 3 *Ibid*, p. 10.
- 4 Office of the United Nations High Commissioner for Human Rights. (n.d.). *Women Human Rights Defenders.*
- 5 UN Human Rights Council. (2019, January 10). *Situation of women human rights defenders: report of the Special Rapporteur on the Situation of Human Rights Defenders.*
- 6 Amnesty International. (2019, November 29). *Challenging power, fighting discrimination: A call to action to recognise and protect women human rights defenders.*
- 7 Office of the United Nations High Commissioner for Human Rights. (n.d.). *Women Human Rights Defenders.*
- 8 Amnesty International. (2019, November 29). *Challenging power, fighting discrimination: A call to action to recognise and protect women human rights defenders.* p . 29.

Despite their undeniable relevance, WHRDs face several challenges as they operate in an environment of violence, discrimination, and inequality, predominating patriarchal and heteronormative social models that resist change; this puts them at a disadvantage, preventing them from carrying out their work. Hence, it is identified that WHRDs are the main, and sometimes the only advocates for women's rights, gender equality, and sexual and reproductive health rights - demonstrating their indispensability for the promotion of human rights.<sup>9</sup>

Based on such premises, the present report aims at investigating the following question: in what ways do Women Human Rights Defenders experience specific forms of compounded violence and discrimination as women, and how are they (un)protected by the international legal framework?

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<sup>9</sup> Amnesty International. (2019, November 29). *Challenging power, fighting discrimination: A call to action to recognise and protect women human rights defenders.*

## 2. Violence faced by Women Human Rights Defenders

Both HRDs and WHRDs face risks of diverse forms of violations in the promotion of human rights. They are generally subjected to the same risks and violence, which include verbal and physical attacks, threats, torture, forced disappearances, murder, and arbitrary detentions. As identified by Amnesty International, the statistics of such attacks continue to rise every year, including deadly ones.<sup>10</sup> The difference between the attacks suffered by HRDs and WHRDs is that the latter are attacked because of their identity and what they do (HRC, 2019). As such, there are specific challenges faced because they are women or gender non-conforming people, or because of the rights defended by them, which can be connected to women's rights and sexuality.<sup>11</sup>

The UN General Assembly in a Resolution concerning the protection of WHRDs, expressed concern over the many violations and abuses that WHRDs are at risk of suffering. These include:

*[...]systematic violations and abuses of their fundamental rights to life, liberty and security of person, to psychological and physical integrity, to privacy and respect for private and family life and to freedom of opinion and expression, association and peaceful assembly, and in addition can experience gender-based violence, rape and other forms of sexual violence, harassment and verbal abuse and attacks on reputation, online and offline, by State actors, including law enforcement personnel and security forces, and non-State actors, such as those related to family and community, in both public and private spheres.*<sup>12</sup>

It is observed that in addition to the forms of violence common to HRDs, attacks on WHRDs can be acts of gender-based violence, meaning

*human rights violations used against women, LGBTI and gender non-conforming people to punish them because of the work they do or as a means of discouraging their engagement in human rights work.*<sup>13</sup>

These include gendered verbal abuse and harassment, which can occur online and offline, sexual harassment, rape, sexual violence, and physical attacks such as femicides, i.e., the killing of women because they are women.<sup>14</sup> It is identified that WHRDs are more vulnerable to certain forms of violence, such as sexual violence and attempts at “shaming”, and to restrictions from public or political spaces and resources, and facing systemic opposition to the rights advocated.<sup>15</sup>

10 *Ibid.*; Office of the United Nations High Commissioner for Human Rights. (n.d.). *Women Human Rights Defenders*.

11 Amnesty International. (2019, November 29). *Challenging power, fighting discrimination: A call to action to recognise and protect women human rights defenders*.

12 UN General Assembly. (2014, January 30). *Promotion of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms: protecting women human rights defenders*, p. 2.

13 Amnesty International. (2019, November 29). *Challenging power, fighting discrimination: A call to action to recognise and protect women human rights defenders*, p. 14.

14 *Ibid.*; Office of the United Nations High Commissioner for Human Rights. (n.d.). *Women Human Rights Defenders*.

15 Amnesty International. (2019, November 29). *Challenging power, fighting discrimination: A call to action to recognise*  
[www.ghrd.org](http://www.ghrd.org)

These attacks against WHRDs usually focus on their reputation or sexuality as nonconforming with dominant stereotypes of “appropriate” behaviour by women and men. Therefore, they can be specifically targeted when participating in collective public actions or movements and may find themselves isolated by their communities and families.<sup>16</sup>

There are additional factors that may contribute to the perpetration of violations against WHRDs. When WHRDs advocate for specific rights, such as the right to abortion and same-sex marriage, they may be specifically targeted due to the promotion of these rights. The same applies to women who engage in politics, particularly Indigenous, lesbian, bisexual and transgender, and intersex activists.<sup>17</sup>

Furthermore, when WHRDs disrupt power relations and challenge traditional ideas of family, gender roles, and sexuality, attacks intensify. It is found that in this context WHRDs are most at risk of physical and verbal attacks.<sup>18</sup> It is seen that the context of armed conflicts also exacerbates violence against women. The militarisation of public security, and the consequent widespread violence created, intensify violence and discrimination against women, consequently increasing risks and challenges for WHRDs. Such violence can be perpetrated in the public or private sphere and is used to intimidate women and minorities.<sup>19</sup>

In these situations of a crisis of governance, there is less space for human rights activities, and States may be unwilling or unable to protect HRDs generally. WHRDs can be particularly targeted as a means to impose fear in the movement. For instance, in the protests in Sudan in 2018 many WHRDs were targeted with arbitrary detentions and women were reportedly raped and murdered.<sup>20</sup>

From this analysis, there are three main categories of violence faced by WHRDs which can be identified and the same will be briefly analysed in this chapter. These are physical violence, sexual violence, and online gender-based violence. Furthermore, there are some additional types of violence that will be addressed, including violations suffered in specific fields.

### Physical violence

As previously discussed, WHRDs and HRDs are subjected generally to the same forms of violence and violations. In the context of physical violence, these violations can take the forms of physical attacks, torture, or murder. Nonetheless, women are more vulnerable as they can experience gender-based violence, as well as specific attacks such as femicides, defined as the killing of women because they

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*and protect women human rights defenders.*

16 Office of the United Nations High Commissioner for Human Rights. (n.d.). *Women Human Rights Defenders*.

17 *Ibid.*

18 *Ibid.*

19 Amnesty International. (2019, November 29). *Challenging power, fighting discrimination: A call to action to recognise and protect women human rights defenders*.

20 *Ibid.*



are women.<sup>21</sup>

For instance, Amnesty International indicates that, although statistics demonstrate that fewer WHRDs are killed than male HRDs, they are at a heightened risk merely because they are women or LGBTI people. As such, they are statistically more at risk of misogynistic, homophobic, and transphobic attacks.<sup>22</sup> One recent example of physical violence against WHRDs can be identified in the acts perpetrated in Sudan, in December 2022. After the signing of an agreement for a transition to civilian forces, protests emerged across the country, which demanded a “comprehensive transitional process that respects the people’s demands for accountability, peace, and justice”.<sup>23</sup>

During the security forces’ crackdown on protests, attacks on WHRDs and women groups were reported in the conflict areas. These events put an unprecedented threat to women, particularly those working on corruption issues.<sup>24</sup> In this context, the following examples of violations against women have been identified:

[...] *Jameela Adam, 30 years old, mother of 3 children was killed on 31 December 2022 while fetching wood in South Darfur. On 6 January 2023, members of the former regime kidnapped and raped a 15 year old girl, who is the daughter of Osman Altayeb, one of the members of the dismantling committee of the Albashir regime. Hundreds of women have been displaced in Darfur since 15 December 2022. Dozens were injured and at least one woman was killed during militia attacks in Central Darfur. In Khartoum, one woman protester lost her eye during protests on 13 December 2022, in Omdurman. She was shot by a gas canister shotgun in her eye when the security forces violently cracked down on the protests. On 14 December 2022, the office of Alharisat, one of the prominent women groups, was raided by security forces, and the staff were threatened.*<sup>25</sup>

Another example is found in Ukraine, in July 2018, when Kateryna Handzyuk, an anti-corruption campaigner who had exposed the corruption of local authorities, was attacked with sulphuric acid; she died three months later. It is reported that this killing was part of a series of attacks against human rights defenders.<sup>26</sup>

Furthermore, the killing of Marielle Franco in Brazil, a black women human rights defender, is also

21 *Ibid*; Office of the United Nations High Commissioner for Human Rights. (n.d.). *Women Human Rights Defenders*.

22 Amnesty International. (2019, November 29). *Challenging power, fighting discrimination: A call to action to recognise and protect women human rights defenders*.

23 El Hosseiny, S. (2023, January 13). One month after signing political framework in Sudan: Women killed, raped, and civil society attacked - Protection, justice and accountability must be prioritised!. *International Service for Human Rights*.

24 El Hosseiny, S. (2023, January 13). One month after signing political framework in Sudan: Women killed, raped, and civil society attacked - Protection, justice and accountability must be prioritised!. *International Service for Human Rights*.

25 *Ibid*.

26 UN Human Rights Council. (2019, January 10). *Situation of women human rights defenders: report of the Special Rapporteur on the Situation of Human Rights Defenders*.

a relevant episode that demonstrates the risk of physical violence for WHRDs. Marielle was a city councillor in Rio de Janeiro, known for fighting for the defence of minorities in the favelas of Rio. In March 2019, she was fatally shot in her car, along with her driver, Anderson Gomes, and to this date, her murder remains unsolved.<sup>27</sup>

## Sexual violence

One issue that particularly affects WHRDs is the risk of suffering sexual violence, including harassment, rape, and other forms of sexual violence. As identified by Amnesty International, WHRDs are more at risk than HRDs generally of suffering from sexual and other forms of gender-based violence.<sup>28</sup>

For instance, it is identified that a wave of violence and sexual attacks were perpetrated against women protesters in Sudan, by paramilitary forces, in June 2019.<sup>29</sup> During the protests in 2022, the kidnapping and rape of Osman Altayeb's 15-year-old daughter was a particularly shocking incident, demonstrating the historical pattern of the use of rape as a weapon in political conflicts in Sudan, where women's bodies have been used as battlegrounds.<sup>30</sup>

One important aspect to address is the fact that sexual violence can be used as an intentional and targeted form of social control, as found by the Inter-American Court of Human Rights.<sup>31</sup> In the case, the IACHR found that the detained women's bodies were used by police agents as instruments, in order to transmit messages of repression and condemnation of the protests conducted by demonstrators.<sup>32</sup>

One example addressed by the court refers to the sexual assaults committed against women during the 2005 protests in Egypt, which were designed to silence them and deter their activism in political affairs. It is also said that, in this case, sexual violence was used as a tactic of control, domination, and imposing authority.<sup>33</sup>

In the context of conflict, women in general and WHRDs are at particular risk of sexual violence. It is also identified that women and girls are targeted as a tactic of war to dominate, humiliate, insert fear,

27 Silva, C. (2023, March 14). Marielle Franco: five years later, the murder remains unsolved. *The Brazilian Report*; Amnesty International. (2020, March 14). *Brazil: Two years after killing of Marielle Franco, Rio de Janeiro authorities must solve unanswered questions*; Telesur. (2022, March 14). *Brazil: Marielle Franco Murder Remains Unpunished After 4 Years*.

28 Amnesty International. (2019, November 29). *Challenging power, fighting discrimination: A call to action to recognise and protect women human rights defenders*.

29 *Ibid.*

30 El Hosseiny, S. (2023, January 13). One month after signing political framework in Sudan: Women killed, raped, and civil society attacked - Protection, justice and accountability must be prioritised!. *International Service for Human Rights*.

31 Inter-American Court of Human Rights. (2018, November 28). *Case of Women Victims of Sexual Torture in Atenco v. Mexico*.

32 *Ibid.*, §204.

33 *Ibid.*

and more, even after the cessation of hostilities.<sup>34</sup> Furthermore, in armed conflicts, the IACHR refers to sexual violence as “a symbolic means of humiliating the other party or as a means of punishment or repression”.<sup>35</sup> It is also relevant to notice that the mere threat of sexual violence is often used in order to silence WHRDs, as rumours of sexual violence committed during detention alone can be damaging.<sup>36</sup>

### Online gender-based violence

With the rising of new technologies and social media, as well as the increasing reliance of society on digital spaces, the emergence of new forms of and means for human rights violations is also observed. In the digital context, it is found that HRDs generally experience censorship, takedowns, and online harassment. However, WHRDs are also subjected to online gender-based violence and encounter particularly high levels of harassment.<sup>37</sup>

According to the UN HRC, women and girls are 27 times more likely to suffer from online harassment, which leads to impacts on physical and mental health and dignity, as well as discouraging women to use social media, contributing to perpetuating inequalities within the space. In a study conducted in 2020, it was identified that 18 per cent of the surveyed women who had experienced cyber violence had chosen to withdraw from social media as a result. Also, 70 per cent described feeling anger, and 30 per cent experienced worry after the harassment.<sup>38</sup>

As identified by the Special Rapporteur on the situation of human rights defenders, WHRDs are subjected to

*[O]nline harassment, violence and attacks, which include threats of sexual violence, verbal abuse, sexuality baiting, doxing (a practice in which private information about a person is shared online by others) and public shaming.*<sup>39</sup>

Furthermore, women can be subjected to “deepfake” videos. These are images and videos combined and manipulated to create computer-generated replicas of women saying and doing things they have not done.<sup>40</sup> As such, women’s images can be manipulated into derogatory situations, which can be particularly damaging in conservative societies, and they can be further subjected to harassment due to

34 Amnesty International. (2019, November 29). *Challenging power, fighting discrimination: A call to action to recognise and protect women human rights defenders.*

35 Inter-American Court of Human Rights. (2018, November 28). *Case of Women Victims of Sexual Torture in Atenco v. Mexico*, §200.

36 UN Human Rights Council. (2019, January 10). *Situation of women human rights defenders: report of the Special Rapporteur on the Situation of Human Rights Defenders.*

37 Pultz, K. (2023, March 8). *Online Harassment and Censorship of Women Human Rights Defenders.* DanChurchAid.

38 Pultz, K. (2023, March 8). *Online Harassment and Censorship of Women Human Rights Defenders.* DanChurchAid.

39 UN Human Rights Council. (2019, January 10). *Situation of women human rights defenders: report of the Special Rapporteur on the Situation of Human Rights Defenders*, §45.

40 *Ibid.*

the content of these fake images and videos. Due to the realism generated by new technologies, it can be difficult for women to defend themselves from these acts.

It is important to stress that these online attacks can also lead to physical assault, demonstrating the importance of combating online violence.<sup>41</sup> The issue of online gender-based violence is also particularly relevant as social media is an intrinsic part of modern life and an essential tool to spread information. Therefore, the harassment of WHRDs poses a serious threat to human rights and democracy. The violations on social media also pose additional threats, as it can be difficult to identify who is behind an organised attack, since digital tools make it easy to be anonymous, and harassment can be perpetrated at scale.<sup>42</sup>

### Other types of violations

Besides the three main categories above addressed, WHRDs are also subjected to other types of violations, which should be pointed out. These include acts of public shaming, judicial harassment, criminalization, arbitrary detention, and more, as well as higher risks and threats due to the nature of specific rights advocated.

Firstly, public shaming is identified as a tactic used against WHRDs, because it leads to the alienation of women, and can turn family members, colleagues, and neighbours against them. This tactic is particularly effective where families and communities represent the primary source of protection, leaving WHRDs vulnerable to physical attacks and psychological harm.<sup>43</sup>

There are also reports of WHRDs suffering from judicial harassment and criminalisation. Sometimes, the activism can be interpreted as a challenge to religious customs, charged with blasphemy. Also, WHRDs working with sexual and reproductive rights can be charged with violating public morality laws. Not only that, but WHRDs also face false accusations, such as engaging in adultery, prostitution, or terrorist acts.<sup>44</sup>

In addition, WHRDs are subjected to travel bans, interrogation, arbitrary detention, and harassment, with the intent of preventing them from engaging with international and regional human rights systems.<sup>45</sup>

Attacks on freedom of association and expression are also concerns for WHRDs. These violations have

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41 *Ibid.*

42 Pultz, K. (2023, March 8). *Online Harassment and Censorship of Women Human Rights Defenders*. DanChurchAid.

43 UN Human Rights Council. (2019, January 10). *Situation of women human rights defenders: report of the Special Rapporteur on the Situation of Human Rights Defenders*.

44 UN Human Rights Council. (2019, January 10). *Situation of women human rights defenders: report of the Special Rapporteur on the Situation of Human Rights Defenders*.

45 *Ibid.*

been identified in Sudan, as reported in the following:

*[...] Women's rights groups and defenders face continuous smear campaigns and surveillance of their work and movement. Journalists and social media activists have been arrested and prosecuted, dozens received threats or were dismissed from their jobs due to their activism. Women leaders and members of professional and trade unions have been threatened with dismissal because of their support for the protest movement against the coup. Women civil society groups and WHRDs are under serious threats amid these circumstances. Urgent actions must be taken to ensure stable democratic transition that provides justice, peace and respect of human rights for Sudanese people.<sup>46</sup>*

Furthermore, the Special Rapporteur on the situation of human rights defenders stresses that WHRDs also face risks in the private sphere. Sometimes women experience domestic violence because of their activism and can be forcibly confined at home by family members in order to prevent them from engaging in human rights activism.<sup>47</sup>

It is also observed that WHRDs may face violence when they are working in the defence of specific rights. For instance, in the context of defending the environment and their territories, Amnesty International identifies that WHRDs are the target of powerful economic interests and violence from multiple forms.<sup>48</sup>

It is also observed that WHRDs are increasingly on the front line of environmental and territorial defence, thus leading to a rise in attacks.<sup>49</sup> For instance, as of 2018, it was reported that 2017 was the deadliest year for land and environmental rights defenders. In 2016, feminist indigenous leader Berta Cáceres was killed in her home in Honduras. Due to her work defending land and environmental rights, she had been facing death threats, sexual harassment, and criminal charges.<sup>50</sup>

Furthermore, women defending their lands or engaging in activism related to the environment are often excluded from land ownership, community negotiations, and decisions about their lands, and can be criticised for neglecting their domestic duties and endangering their families.<sup>51</sup>

When WHRDs work in areas such as sexual and reproductive health, they are at higher risk of attacks

46 El Hosseiny, S. (2023, March 3). *Statement at 52nd session of the UN Human Rights Council*. International Service for Human Rights.

47 UN Human Rights Council. (2019, January 10). *Situation of women human rights defenders: report of the Special Rapporteur on the Situation of Human Rights Defenders*.

48 Amnesty International. (2019, November 29). *Challenging power, fighting discrimination: A call to action to recognise and protect women human rights defenders*.

49 *Ibid.*

50 UN Human Rights Council. (2019, January 10). *Situation of women human rights defenders: report of the Special Rapporteur on the Situation of Human Rights Defenders*.

51 UN Human Rights Council. (2019, January 10). *Situation of women human rights defenders: report of the Special Rapporteur on the Situation of Human Rights Defenders*.

and violence and can be challenged by fundamentalist groups during conflict situations.<sup>52</sup> In this context, the Special Rapporteur on human rights defenders has expressed concern over judicial harassment of WHRDs working in these fields, through the use of laws on public morals.<sup>53</sup>

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52 United Nations. (2018, November 28). *Increasingly under attack, women human rights defenders need better back up.*

53 Office of the United Nations High Commissioner for Human Rights. (n.d.). *Women Human Rights Defenders.* [www.ghrd.org](http://www.ghrd.org)



### 3. Protection Available for WHRD in International Law

WHRDs are protected by a number of international legal instruments. As discussed previously, they face challenges similar to other HRD but should also be awarded specific protection for the gendered aspect of the violence they may face in their fight to protect human rights.

#### a. The UN Declaration on Human Rights Defenders (1998)

The United Nations' Declaration on Human Rights Defenders<sup>54</sup> is the reference document when it comes to legal protection of human rights defenders, including WHRDs. It is not a binding document in itself but it builds on existing binding legal frameworks and therefore its content is regulated and imposed on states through other legal channels. More specifically, many of the protective clauses in the declaration are similar to the provisions of the International Covenant on Civil and Political Rights (ICCPR)<sup>55</sup>. Additionally, the declaration was adopted by consensus of the General Assembly of the UN meaning that states have shown a strong commitment to its content and implementation.<sup>56</sup>

The declaration provides for rights of HRDs (Articles 1, 5, 6, 7, 8, 9, 11, 12, 13) as well as obligations of states (Articles 2, 9, 12, 14, 15).

Among those rights, the declaration states that HRDs should be able to enjoy the following freedoms:

- to work towards the realisation of human rights at the national and international level (Article 1) and to exercise the profession of HRD freely (Article 11).
- to participate in peaceful meetings and events, to “form associations and non-governmental associations” and to communicate with such organisations (Article 5).
- to know and have access to information relating to human rights and their implementation in practice and to disseminate such information (Article 6).
- to define new fields of human rights and to work towards their protection (Article 7).
- to participate in government and public affairs fully and equally, including the right to be heard by governmental bodies in order to work toward the improvement of human rights policies (Article 8).
- to have access to effective remedy when their rights are violated, through all appropriate means, as well as be provided with, or provide to others, assistance in defence of human rights (Article 9).

54 UNGA, *Declaration on Human Rights Defenders*, General Assembly Resolution A/RES/53/144, 8 March 1999.

55 UN, *International Covenant on Civil and Political Rights* (ICCPR), General Assembly resolution 2200A (XXI), 16 December 1966

56 OHCHR. (n.d.-a). *Declaration on human rights defenders*. <https://www.ohchr.org/en/special-procedures/sr-human-rights-defenders/declaration-human-rights-defenders>

- to be protected against repression when peacefully opposing acts or omissions of the state that result in human rights violations (Article 12).
- to “solicit, receive and utilise resources” to carry out their work efficiently (Article 13).

On the other hand, states are required by the Convention, and related documents to provide specific protections to all HRDs. Those positive obligations contain the following duties:

- to “protect, promote and implement all human rights and fundamental freedoms” through all appropriate means, including adopting legislative and administrative steps to ensure that the Declaration is properly implemented in national law (Article 2).
- To provide effective remedy to all individuals claiming violations of their human rights and conduct prompt and impartial investigations (Article 9).
- To ensure the protection by the appropriate authorities of all persons exercising their right to peaceful assembly including when opposing acts of omissions attributable to the states, and in their exercise of all rights mentioned in the Declaration (Article 12).
- To ensure full transparency of the state on matters of human rights, making all necessary documentation accessible to all and by supporting and developing independent national human rights institutions under its jurisdiction (Article 15).

Although WHRDs may not have been thought of specifically when drafting the declaration, it is interesting to note that Article 7 opens the door for future developments in human rights. In ensuring the right of HRDs to define new fields of human rights and to stand up for their acceptance and protection, the declaration allows itself to remain a flexible and evolving document that is applicable to WHRDs even today.

In addition to the declaration, the rights of all human rights defenders are also protected by Article 6 of the ICCPR on the right to life.<sup>57</sup> More specifically, the general comment on Article 6 i.e., the right to life, reinforced the positive obligation of states to provide protection to all HRDs against violence, threats and reprisals due to their work and to ensure a safe environment for them to act within.<sup>58</sup>

## **b. Protections Specific to Women Human Rights Defenders**

Following this, there are specific protections available for WHRD due to the gendered aspect of the discrimination and violence they may face in their work and life. The protection of women’s human

<sup>57</sup> UN ICCPR, General comment No. 36 on article 6 of the International Covenant on Civil and Political Rights, on the right to life, Human Rights Committee, UN Doc. CCPR/C/GC/36, 30 October 2018.

<sup>58</sup> Amnesty International. (2019). *Challenging power, fighting discrimination: A call to action to recognise and protect women human rights defenders* (ACT 30/1139/2019). <https://www.amnesty.org/en/documents/act30/1139/2019/en/>  
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rights has long been integrated in all human rights instruments in equal terms for all. In this sense, all general provisions that may have been written without women in mind, should be applied equally to women and all gender minorities. However, because of the particular vulnerability to which WHRDs may be exposed in their defence of human rights, there is a need for additional protections.

Those can be found in multiple documents: we note first that the reference in terms of women's human rights is the United Nations' Convention on the Elimination of all forms of Discrimination Against Women (CEDAW).<sup>59</sup> This Convention contains various provisions aimed at protecting women's equal rights and freedoms and against gender-based discrimination and violence. In its General Recommendations No. 33, the CEDAW has approached the question of WHRD directly by recalling that states have a duty to ensure that "women human rights defenders are able to gain access to justice and receive protection from harassment, threats, retaliation and violence."<sup>60</sup> The Committee also comes back to WHRDs in its General Recommendations No. 35 on gender-based violence against women.<sup>61</sup> In these Recommendations, the CEDAW states that acts of violence and repression against women HRDs are forms of gender-based violence against women. This is important in defining the compiling forms of violence faced by WHRDs and is fundamental in creating an effective and appropriate protective framework. This is particularly efficient when coupled with the position of the CEDAW (and most human rights bodies) on the right of all women and girls to live a life free of gender-based violence and discrimination. In its General Recommendations 15, the CEDAW defines this right as

*indivisible from and interdependent on other human rights, including the rights to life, health, liberty and security of the person, equality and equal protection within the family, freedom from torture, cruel, inhumane or degrading treatment, and freedom of expression, movement, participation, assembly and association.*<sup>62</sup>

The protection of WHRDs is not only limited to the necessity to protect women against acts of violence and discrimination committed against them due to their identity as women. Indeed, it must also include their protection from threats and reprisals against the content of their work. Indeed, even when WHRDs are not working directly towards the realisation of women's human rights specifically, their mere identity as women means that they will be faced with gender-specific threats. In this sense, women HRDs will always face structural and intersecting forms of discrimination and violence, which in term affects their capacity to carry out work properly. This was first recognized by the United Nations' Human Rights Council in 2019 when it published a resolution regarding the protection of

59 Convention on the Elimination of all forms of Discrimination against Women, General Assembly resolution 34/180, 18 December 1979.

60 UN CEDAW, General recommendation No.33 on women's access to justice, the Committee on the Elimination of Discrimination against Women, UN Doc. CEDAW/C/GC/33, 3 August 2015., at. 15(i).

61 UN CEDAW, General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19, Committee on the Elimination of Discrimination against Women, UN Doc. CEDAW/C/GC/35, 26 July 2017.

62 *Ibid.*, at. 15.

environmental human rights defenders. This resolution mentioned the important place that women hold in the promotion and defence of the environment and, in doing so, explicitly referred to the specific harms faced by women environmental human rights defenders and WHRDs in general.

From another angle, the protection of WHRDs also includes the protection of WHRDs who promote and work towards the achievement of equal human rights of sexual and gender minorities. This right is protected by Principle 27 of the Yogyakarta Principles, which, although non-binding, is a strong reference when it comes to the protection of human rights of LGBTI persons.

Finally, while this report concerns the protection of *women* HRDs, it is necessary to mention that there are additional protection for children and adolescent HRDs, including specific to girls who also face gender-specific obstacles and violence disproportionately. Such protections are provided by the United Nations' Convention on the Rights of the Child<sup>63</sup> which has been signed and ratified by all countries but the United States of America. More specifically, the Committee on the Rights of the Child expanded on the protection of adolescent girls HRDs in its General Comment No. 20,<sup>64</sup> mentioning the “gender-specific threats and violence” they face. The General Comment notes the necessity to protect the right of children to peaceful assembly, both in and out of school, online and offline, and their active protection against threats and violence.<sup>65</sup>

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63 UN Commission on Human Rights, *Convention on the Rights of the Child*, UN Doc. E/CN.4/RES/1990/74, 7 March 1990.

64 UN CRC, General comment No. 20 (2016) on the implementation of the rights of the child during adolescence, Committee on the Rights of the Child, UN Doc. CRC/C/GC/20, 6 December 2016.

65 *Ibid.*, at. 45.

## 4. Recommendations and Conclusion

The protection of women human rights defenders needs to be complete in the sense that it needs to ensure their protection against reprisal both due to the content of their human rights advocacy work, which may or may not be related to issues of women's rights, and against reprisal and threats aimed at them solely because of their identity as women. In all actions and policies created to protect WHRDs, the state should make sure to adopt a gender-sensitive and intersectional approach in order to reflect this dichotomy and best protect WHRDs.

Women Human Rights Defenders should be provided with specific protection and support by states in order to ensure that they can carry out their work safely and effectively. This can be divided in two forms of support: actions to create an enabling and safe environment for WHRD at the national level and the creation of protections for WHRD that are forced to seek asylum because of the danger created by their advocacy work.

### a. Creating an enabling environment for WHRD at the national level:

Work towards the realisation and protection of all human rights equally for all.

Ensure that protections are available for HRDs, including the implementation and the respect of the principles set out in the *UN Declaration on Human Rights Defenders*.

Ensure that they can exercise their right to freedom of expression, assembly and association freely.

Ensure that public authorities are trained and aware of the specific harm faced by WHRD, both in their quality as HRDs and in their identity as women.

Publicly advocate and support the work of WHRDs

Publicly Recognise the importance of the human rights advocacy work done by WHRDs and vehiculate positive stories and images to the general public.

Create protection tools to ensure WHRDs' safety in online spaces.

Systematically produce and provide data disaggregated by gender, age, disability status, sexual orientation, and more, in order to create specific and accurate policies to empower and support WHRDs.

Ensure that WHRDs have access to real, effective and efficient legal remedy.

Ensure that police and judicial officers are trained to receive complaints from WHRDs, particularly that they are aware of, and able to adopt, the gender-sensitive aspects of the harm faced by WHRDs.

Ensure that WHRDs are provided with all fair trial required accommodations such as affordable legal

aid, access to translation or interpretation services and a fair, independent and impartial tribunal.

**b. Protecting WHRDs fleeing persecution in another state:**

Create accessible, fair and dignified asylum procedures that allow WHRDs to obtain protection and a regularised status when fleeing their home state due to their advocacy work.

Eliminate all forms of discrimination in asylum procedures, particularly linked to gender, age, disability status, family status, race and ethnic origin, sexual orientation, sex characteristics and more.

Provide specific visa and authorisations for (W)HRDs such as humanitarian visas in order to allow them to enjoy protection in the reception state while still operating work in their home state.

Ensure that asylum authorities are trained to provide a gender-sensitive response to cases concerning WHRDs' request for international protection.

Ensure that the asylum or migrant status of WHRDs having fled their country is not challenged or endangered by the continuation of their human rights advocacy work.

## BIBLIOGRAPHY

Amnesty International. (2019). *Challenging power, fighting discrimination: A call to action to recognise and protect women human rights defenders* (ACT 30/1139/2019). <https://www.amnesty.org/en/documents/act30/1139/2019/en/>

Amnesty International. (2020, March 14). *Brazil: Two years after killing of Marielle Franco, Rio de Janeiro authorities must solve unanswered questions*. Retrieved 30 May 2023, from <https://www.amnesty.org/en/latest/news/2020/03/brazil-two-years-after-killing-of-marielle-franco/>

Convention on the Elimination of all forms of Discrimination against Women, General Assembly resolution 34/180, 18 December 1979.

El Hosseiny, S. (2023, January 13). One month after signing political framework in Sudan: Women killed, raped, and civil society attacked - Protection, justice and accountability must be prioritised!. *International Service for Human Rights*. Retrieved 30 May 2023, from <https://ishr.ch/latest-updates/one-month-after-signing-political-framework-in-sudan-women-killed-raped-and-csos-attacked-protection-justice-and-accountability-must-be-prioritised/>

El Hosseiny, S. (2023, March 3). *Statement at 52nd session of the UN Human Rights Council*. International Service for Human Rights. Retrieved 31 May 2023, from <https://ishr.ch/wp-content/uploads/2023/03/HRC52-Sudan-joint-oral-statement-final.docx.pdf>

Inter-American Court of Human Rights. (2018, November 28). *Case of Women Victims of Sexual Torture in Atenco v. Mexico*. Retrieved 30 May 2023, from [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_371\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_371_ing.pdf)

Office of the United Nations High Commissioner for Human Rights. (n.d.). *Women Human Rights Defenders*. Retrieved 30 May 2023, from [https://www.ohchr.org/sites/default/files/Documents/Issues/Women/WRGS/SexualHealth/INFO\\_WHRD\\_WEB.pdf](https://www.ohchr.org/sites/default/files/Documents/Issues/Women/WRGS/SexualHealth/INFO_WHRD_WEB.pdf)

OHCHR. (n.d.-a). *Declaration on human rights defenders*. <https://www.ohchr.org/en/special-procedures/sr-human-rights-defenders/declaration-human-rights-defenders>

Pultz, K. (2023, March 8). *Online Harassment and Censorship of Women Human Rights Defenders*. DanChurchAid. Retrieved 30 May 2023, from <https://www.danchurchaid.org/report-online-harassment-and-censorship-of-women-human-rights-defenders>

Silva, C. (2023, March 14). *Marielle Franco: five years later, the murder remains unsolved*. *The Brazilian Report*. Retrieved 30 May 2023, from <https://brazilian.report/liveblog/2023/03/14/marielle-franco-murder-unsolved/>

Telesur. (2022, March 14). *Brazil: Marielle Franco Murder Remains Unpunished After 4 Years*. Retrieved 30 May 2023, from <https://www.telesurenglish.net/news/Brazil-Marielle-Franco-Murder-Remains-Unpunished-After-4-Years-20220314-0011.html>

UN CEDAW, General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19, Committee on the Elimination of Discrimination against Women, UN Doc. CEDAW/C/GC/35, 26 July 2017.

UN CEDAW, General recommendation No.33 on women's access to justice, the Committee on the Elimination of Discrimination against Women, UN Doc. CEDAW/C/GC/33, 3 August 2015.

UN Commission on Human Rights, *Convention on the Rights of the Child.*, UN Doc. E/CN.4/RES/1990/74, 7 March 1990.

UN CRC, General comment No. 20 (2016) on the implementation of the rights of the child during adolescence, Committee on the Rights of the Child, UN Doc. CRC/C/GC/20, 6 December 2016.

UN General Assembly. (2014, January 30). *Promotion of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms: protecting women human rights defenders*. Retrieved 30 May 2023, from <https://undocs.org/Home/e?FinalSymbol=A%2FRES%2F68%2F181&Language=E&DeviceType=Desktop&LangRequested=False>

UN Human Rights Council. (2019, January 10). *Situation of women human rights defenders: report of the Special Rapporteur on the Situation of Human Rights Defenders*. Retrieved 30 May 2023, from <https://digitallibrary.un.org/record/1663970>

UN ICCPR, General comment No. 36 on article 6 of the International Covenant on Civil and Political Rights, on the right to life, Human Rights Committee, UN Doc. CCPR/C/GC/36, 30 October 2018.

UN, *International Covenant on Civil and Political Rights (ICCPR)*, General Assembly resolution 2200A (XXI), 16 December 1966

UNGA, *Declaration on Human Rights Defenders*, General Assembly Resolution A/RES/53/144, 8 March 1999.

United Nations. (2018, November 28). *Increasingly under attack, women human rights defenders need better back up*. Retrieved 31 May, 2023, from <https://news.un.org/en/story/2018/11/1026861>

United Nations. (n.d.). *Special Rapporteur on human rights defenders*. Retrieved 3 June, 2023, from <https://www.ohchr.org/en/special-procedures/sr-human-rights-defenders>




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