

# FEMINIST RESISTANCE AND RESILIENCE

Reflections on Closing Civic Space



# FEMINIST RESISTANCE AND RESILIENCE

Reflections on Closing Civic Space

**URGENT  
ACTION  
FUND +  
AFRICA**

FOR WOMEN'S HUMAN RIGHTS



**URGENT  
ACTION  
FUND**

FOR WOMEN'S  
HUMAN RIGHTS

Supported by



OPEN SOCIETY  
FOUNDATIONS

Responsibility for the content of this book lies solely with  
the Urgent Action Fund Sister Funds.

**Authors** Awino Okech-PhD | Hope Chigudu | Katrina Anderson | Soledad Quintana

### Contributors

#### Urgent Action Fund-Africa

Ndana Tawamba

Connie Nawaigo-Zhuwarara

Masa Amir

#### Urgent Action Fund-Latin America

Tatiana Cordero

Natalia Hernández

Fátima Valdivia

Sara Munárriz Awad

#### Urgent Action Fund

Nathalie Margi

Shalini Eddens

Kate Kroeger

Huong Nguyen

Olivia Trabysh

Caitlin Stanton

---

**Design and Layout** Backroom Designers S.A.S.

Nairobi, Kenya 2017

*This publication was made possible with the support of Open Society Foundation.*

***Creative Commons License***

We are proud to be publishing this report with designs by **Ola Abulshalashel**, who left us too soon on 25 September, 2017. We love you and miss you, Ola. Rest in peace, power and love.



# TABLE OF CONTENTS

ABBREVIATIONS AND ACRONYMS	3
ACKNOWLEDGMENTS	5
EXECUTIVE SUMMARY	8
PURPOSE AND METHODOLOGY	14
FRAMING THE CLOSURE OF CIVIC SPACE	16
HOW DO THESE SITUATIONS MAKE EVIDENT CONTINUITIES AND CHANGE IN CIVIC SPACES?	19
STABILITY AND CHANGE IN SHRINKING CIVIC SPACE	19
THE ROLE OF MULTILATERAL INSTITUTIONS	20
RECLAIMING SPACE	22
IMPLICATIONS FOR FEMINIST MOVEMENTS	23
CRIMINALISATION	23
VIOLENCE, THREATS, AND HARASSMENT	24
RESTRICTIONS ON FUNDING	25
SURVEILLANCE	26
CENSORSHIP	27
RESTRICTIONS ON FREEDOM OF ASSEMBLY AND EXPRESSION	28
INDIVIDUAL AND COLLECTIVE IMPACT	28
RESILIENCE STRATEGIES	30
RECOMMENDATIONS	34

# ABBREVIATIONS AND ACRONYMS

<b>CSO</b>	Civil Society Organisation
<b>DRC</b>	Democratic Republic of Congo
<b>DNB</b>	Dutch National Bank
<b>HIV</b>	Human Immuno Deficiency Virus
<b>LBTQI</b>	Lesbian, Bisexual, Trans, Queer, Intersex
<b>NGO</b>	Non-Governmental Organisation
<b>UAF</b>	Urgent Action Fund
<b>US</b>	United States of America
<b>WHRDS</b>	Women Human Rights Defenders







# ACKNOWLEDGEMENTS

The three Urgent Action Sister Funds—Urgent Action Fund, Urgent Action Fund-Africa, and Urgent Action Fund-Latin America are indebted to all the individuals who contributed to the successful completion of this report.

We are particularly grateful to all the women human rights defenders (WHRDs) and our grantees across many continents who took time to not only share their stories with us but were willing to provide valuable information as many times as we wanted—that in itself speaks resilience!

Documenting a subject of this nature is more than just an academic exercise, it comes with the passion of a lived experience—that is the case of the consultants who worked with us in delivering this report. We are most grateful to

## **Authors**

*Awino Okech-PhD, Hope Chigudu, Katrina Anderson, Soledad Quintana.*

## **Contributors**

### **Urgent Action Fund- Africa**

*Ndana Tawamba, Connie Nawaigo-Zhuwarara, Masa Amir*

### **Urgent Action Fund- Latin America**

*Tatiana Cordero, Natalia Hernández, Fátima Valdivia, Sara Munárriz Awad*

### **Urgent Action Fund**

*Nathalie Margi, Shalini Eddens, Kate Kroeger, Huong Nguyen, Olivia Trabysh, Caitlin Stanton.*

Dr Awino Okech and her assistant Wangui Kimari, Hope Chigudu, Katrina Anderson and Soledad Quintana for contributing their profound technical expertise and robust experience to the report.

The commitment and enthusiasm of all the UAF Sister Fund staff members is highly appreciated. We celebrate your invaluable contributions and your zeal to see a world where every human life is valued for who they are.

Finally, we are grateful to Open Society Foundation for supporting this project and for their commitment in creating a more vibrant and tolerant world.



“

*If we can't gain, we need to hold the ground.  
If we can't protest, even in small ways we go  
out to protest. Being visible is our main goal.  
We can't leave the streets to them.*

”





# FOREWORD

When you hear the words “human rights defender,” what comes to mind? Nearly twenty years ago, in 1998, the United Nations unanimously voted to adopt a Declaration on the Right and Responsibility of Individuals, Groups, and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, commonly known as the “UN Declaration on Human Rights Defenders.” At the time, had you asked a UN delegate whom they pictured in their mind when they heard the phrase “human rights defender” more than likely they would have described a male political prisoner, jailed for their work on political rights or to advance democracy.

Since the Urgent Action Funds’ founding, in 1997, we have known that those words “human rights defender” should imply a much more diverse set of images. When we think of human rights defenders we see the woman who was sexually assaulted in retaliation for her work on climate justice, the LGBTQI equality organisation that had their offices defaced,

the women beaten by police for peacefully protesting an unfair economic policy, the activists receiving death threats on social media, not from the state, but from their own neighbours, for speaking out against domestic violence. An intersectional, feminist lens brings us to this more complete understanding of who a human rights defender is and how we can support them.

Over the past year, the Urgent Action Sister Funds have collectively turned an intersectional feminist lens to the tidal wave of new restrictions on and existential challenges to civil society and human rights activism, colloquially known as the “shrinking civic space.” Looking with this lens we see the gendered impacts the “shrinking space” trends have had. And, we see the sheer ingenuity and fierce resilience that feminist activists have shown under great duress.

This report contains reflections, experiences, and strategies from frontline feminist human rights defenders in countries as diverse as Poland, Uganda, Honduras, Turkey, and Spain. The threats these defenders have faced range from new regulations that cut off funding to the use of violence to deter their activism. Their responses range from strategic litigation to forming an activist choir. What these testimonies have in common is their bravery, commitment to solidarity, and compassion for humanity, all evident throughout these lived experiences of resilience to the “shrinking space’s” many forms and faces.

# EXECUTIVE SUMMARY

Our hope is that this report takes academic conversations about “shrinking space” or “closing space” and grounds them concretely in the lived experiences of on-the-ground human rights defenders. Such grounding can only strengthen our collective work to hold open, to celebrate, and to expand civic space around the world.

In October 2016, UAF Sister Funds (Urgent Action Fund, Urgent Action Fund-Latin America and Urgent Action Fund-Africa) interrogated the unfolding meaning of closing space for civil society; how it is understood by non-governmental organisations, the kinds of political spaces being closed and the implications from a feminist perspective.

The objective of this report is to examine how closing civil society space affects WHRDs and LGBTQI actors working in various geo-political contexts, in order to understand the specific patterns of closing space: which spaces are closing, the forces driving this closure locally

and abroad and how these are interlinked. Our report examines how these trends are impacting Women Human Rights Defenders and LGBTQI human rights defenders at individual, organisational and movement levels.

This study brings together knowledge gathered from grantee partners from North America, Europe, Central Asia, Middle East, Africa and Latin America. Cumulatively, fifty interviews were conducted with partners from these regions. In Africa interviewees were drawn from Egypt, Nigeria, Liberia, Senegal, Kenya, Uganda and Zimbabwe; in the Middle East we spoke to activists from Lebanon, Turkey and Syria; in Asia our interviewee was from Kyrgyzstan; in Europe we engaged with organisers from Poland, Russia and Spain; in Latin America we heard from partners in Brazil, Colombia, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Peru and Venezuela; and we also drew from the voices of courageous partners in the United States.

Additional secondary material reviewed for this study include reports by the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association, resolutions related to precautionary measures of the Inter-American human rights system including reports by the Inter-American Court of Human Rights, and civil society documents prepared for the Universal Periodic Review.

## FRAMING THE CLOSURE OF CIVIC SPACE

The increased restrictions on human rights advocacy and practice globally are well documented.<sup>1</sup> These trends become apparent through the greater surveillance and harassment of civil society organisations and, at their most extreme, the killings of human rights activists. The assassination of Honduran activist Berta Cáceres demonstrates the network of actors and tools that operate at the nexus of state nationalisms and corporate power. Our interviews with activists emphasise that the activism of the most marginalised, including those of women and LGBTQI populations, have always been targets of the most punitive of state measures, both before and in what we currently understand as a period of closing space for civil society.<sup>2,3</sup>

Sexual and gender-based violence persists as a longstanding tool of gender oppression in both public and intimate spaces. Latin America, for example, remains the most deadly region for transgender populations, though the rise in these deaths

worldwide is “alarming.”<sup>4</sup> Since the equality and justice work of women, sexual minorities and gender non-conforming groups have historically challenged not only the actions of the state but its very male-centric and nationalist foundation, these groups are subject to inordinate institutionalised violence. This violence is manifest in a variety of intersecting ways that call attention to, as but one example, the collusion between fundamentalist religious groups and the state. For WHRDs and LGBTQI activists it has never been a level ‘playing field,’ or a completely free and democratic civic space.

Many of the women and LGBTQI human rights defenders who spoke of their engagement with human rights mechanisms at the global or regional level noted that though they remain active in these spheres, some defenders have decided not to engage, or have reduced their involvement, because of the slow pace of decision<sup>5</sup> making and the difficulty of measuring the impact of these decisions to the community affected.<sup>6</sup>

---

1. “People Power Under Attack: Findings from the CIVICUS monitor.” CIVICUS, accessed October 12 2017, [http://www.civicus.org/images/CM\\_Findings\\_7Oct\\_v1.pdf](http://www.civicus.org/images/CM_Findings_7Oct_v1.pdf)

2. Dennis Kuria Mbote. “For sexual minorities, ‘closing space’ for civil society means losing access to critical services. Open Democracy, July 6, 2016. <https://www.opendemocracy.net/openglobalrights/david-kuria-mbote/for-sexual-minorities-closing-space-for-civil-society-means-losing>

3. Transnational Institute. On “Shrinking Space”: a framing paper. Amsterdam: Transnational Institute, 2017.

---

4. Human Rights Campaign. “Alarming Number of Transgender People Killed Worldwide in the Last Seven Years.” Human Rights Campaign, May 12, 2015. <https://www.hrc.org/blog/alarming-number-of-transgender-people-killed-worldwide-in-the-last-seven-years>

5. Interview with a WHRD from the Middle East, 20 June 2017.

6. Interview with a WHRD from Turkey, 26 May 2017.

Therefore, the phenomenon of “shrinking space” is a result of deliberate efforts to silence dissenting voices—actions that stem from a reasserting hetero-patriarchal governance. In these modes of governing, the state, through a variety of regressive measures, seeks to roll back social justice demands that centre people’s voices and agency. Essentially, “shrinking civic space” is the articulation of the fragile nature of states that seeks to curtail freedoms.<sup>7</sup>

## IMPLICATIONS FOR FEMINIST MOVEMENTS

Below are some of the key concerns documented by UAF Sister Funds grantee partners.

**Criminalisation** The indiscriminate and abusive use of statutes to criminalise human rights defenders. While Latin American states are implicated in these machinations, the police and military forces, judges and private land corporations were also identified as involved in the manipulation of the law to constrain the work of activists.

Despite the right to assembly being guaranteed in a majority of constitutions worldwide, activists from all regions highlighted how this freedom is consistently being revoked during this period characterised by the narrowing

---

7. Okech, Awino. “Then They Came for Us: The Erasure of Civil Liberties in Kenya.” The Elephant, September 1, 2017. <https://www.theelephant.info/the-hustle/2017/09/01/then-they-came-for-us-the-erasure-of-civil-liberties-in-kenya/>

of civic space. For example, for the past two years LGBTQI organisations in Turkey have applied for and been denied permits to hold a ‘Pride march’ in Istanbul. Elsewhere, in the U.S., legislation criminalising or otherwise impeding the right of peaceful assembly has been introduced in 20 states as of March 2017.<sup>8</sup> The restrictions to assembly also function to obstruct activist freedom of expression and work.

## INDIVIDUAL AND COLLECTIVE IMPACT

The consequences of these widespread limits to human rights work have impact on the personal level as shown below:

**1. Self-censorship:** because of increased stigma and fear. This is a larger concern for communities of women and LGBTQI identified persons who would be cautious about engaging in campaigns that contest public narratives about gender and sexual orientation. The dangers involved in organising against a situation where they would face backlash as “cultural traitors” or “imperialists,” works to prevent many women and LGBTQI persons from taking part in civil society activities.

---

8. Kiai, Maina. Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association on his follow-up mission to the United Kingdom of Great Britain and Northern Ireland. New York: OHCHR, 2017.



2. Decreased space for strategising and organising: which reduces the ability of activists to support each other and in this way hinders the solidarity needed to respond to emerging threats. We have seen how limits to freedom of expression and assembly hamper the ability of activists to meet in person, make political statements and even express themselves through art. As a consequence, this encumbers greater collaborative visions and practices that would have made possible greater transformation on all scales.

3. Fragmented movements: since activists are unable to sidestep the massive oppression that is intensifying, especially when organising is being done across great geographical distances. Moreover, the fragmentation of movements exacerbates the rural/urban divide, and works to obstruct greater cross-class solidarity. This also limits the sharing of important information that could be used to access, for example, information on protection opportunities and much needed funds.

4. Decrease in material conditions: especially if donors stop providing funding, a condition that would be more critical for grassroots organisations, because of a civic environment that is less and less amenable to foreign funding.

5. The loss of leadership and inter-generational knowledge transfer: as organising is more restricted and activists are forced into exile, this creates a situation of ‘brain drain’ – feminist leaders, detained or in exile, are no longer available to transfer knowledge on values, histories and organising to the younger generation. This absence of vital information can impact the foundations of new and burgeoning groups and organisations.

6. Trauma and burnout: because of the stress brought about by an uncertain and increasingly dangerous climate constituted by constant threats, lack of support and a reduction in funding opportunities. Many activists are already overburdened with human rights work, and the prevailing conditions that increases demands on their time, in a context where this is less likely to be compensated, potentiates greater exhaustion for activists. This has direct impact on the work they are able to do in their organisations and communities.

## RESILIENCE STRATEGIES

Despite the many violent ways in which the “shrinking civic space” is manifesting in all contexts, women- and LBTQI-led organisations are responding in a variety of important ways.

### 1. Artistic expressions for self and collective healing

Art was noted as an important tool to creatively deal with and negotiate the restrictions and oppressions of the current moment. To these ends, U.S. activists spoke about “using artwork to make the invisible visible” and, in one instance, did this through organising a music protest in front of an immigration detention centre in downtown Los Angeles, to raise awareness about the vulnerabilities and resilience of invisible populations.<sup>9</sup> Similarly, a social justice comedy training programme led by trans women of colour in California has given the trans community a space for collective celebration in the face of mounting violence.<sup>10</sup> Equally, in Turkey LBTQI activists formed a choir with women’s rights activists, with the goal of providing a politically neutral space to meet and organise while also taking part in an activity that nourishes them.

---

9. Interview with WHRD(a) from the U.S., 20 June 2017.

10. Interview with WHRD(d) from the U.S., 19 June 2017

### 2. Increased cross-movement building through creative alliances

Coalition building through cultivating non-traditional alliances is a strategy intentionally adopted by women and LBTQI groups to survive and gain strength as the civic space contracts. As but one example of this, U.S. activists fighting right-wing Christian ideology have partnered with a network of progressive churches to engage local communities in the fight against fundamentalism, and do this by promoting alternate theologically based discourses that support the rights and inclusion of women and LBTQI people. In addition, following the declaration of the state of emergency in Turkey in 2017, LBTQI groups have found more opportunities for cross-movement building with groups that previously would not align with them.

### 3. Advocacy and litigation

Litigation remains a powerful tool to hold states accountable for human rights violations. WHRDs and LBTQI activists are demonstrating creativity in the advocacy strategies they use and the spaces they target. One activist described a three-pronged advocacy strategy: an interdependent engagement with 1) regional and global human rights mechanisms; 2) local governments implicated in human rights abuses; 3) and movements.<sup>11</sup>

---

11. Interview with WHRD from the Middle East, 20 June 2017.

## 4. Security measures

Developing individual and community security plans, hiring armed security guards at offices, participating and organising trainings on digital security, installing security cameras and sirens to secure office premises, saving for and travelling with money in case of an emergency, and creating rapid response networks in order to augment their security. Other measures include developing emergency hotlines, and applying for grants to acquire medical and psychosocial support and the provision of safe houses.

## 5. Creative ideological framing

Spanish activists are engaging in collective efforts with other European sexual and reproductive health rights organisers to test, refine, and share rights-based framing and messaging tools to campaign for abortion provision among a broader range of constituents. They plan to replicate this framing methodology in Spain for other activists.<sup>12</sup> Similarly, U.S.-based groups countering religious fundamentalism have developed an education tool, drawing from political and theological values, that challenges fundamentalism and promotes a rights-affirming vision.<sup>13</sup>

---

12. Interview with WHRD from Spain, 23 May 2017

13. Interview with WHRD(b) from the U.S., 15 June 2017.

## 6. Expanded online activism

Diverse groups highlighted the potential of technology to assist with both mobilisation and protection. An organisation in California has developed a secure technology platform, as a rapid response strategy, to defend communities against unjust immigration and law enforcement techniques. The platform allows community members to file complaints in real time, connecting them to a broad network of volunteers—community members, legal observers and healers—who are willing to mobilise instantly to respond to communities in crisis.

## 7. Self-care and wellness

The importance of ensuring women and LGBTI organisers take time out to care for themselves cannot be overemphasised. An increasing number of organisations are including self-care practices in their everyday processes to ensure activists do not become physically and emotionally overburdened by their work.

## RECOMMENDATIONS

Women- and LBTQI-led organisations are impacted both at the organisational and personal level. The resilience women and LBTQI activists exhibit within this difficult climate provides important opportunities for funders interested in supporting social justice transformation. These are:

1. Support the creative strategies employed by organisations heavily impacted by “shrinking civic space”. This includes supporting arts initiatives, cross-movement alliances, digital activism and self-care measures;
2. Prioritize security training, measures and funds, nearly all human rights groups are under surveillance;
3. Increase and offer urgent funding against the backdrop of intensifying violence directed towards civil society groups;
4. Increase and broaden policy influencing at both bilateral and multilateral levels to address the risks faced by WHRDs and LBTQI human rights defenders who are most at risk;
5. Develop mechanisms to work with movements whose registration status is threatened, revoked or not permitted;
6. Foster safe networking spaces for WHRDs and LBTQI defenders who are working on contextually charged issues, providing both safety and cross movement alliance building.





# INTRODUCTION

In October 2016, UAF Sister Funds (Urgent Action Fund, Urgent Action Fund- Latin America and Urgent Action Fund-Africa) held a joint board meeting in Zanzibar, Tanzania. At this meeting, we interrogated the unfolding meaning of the closing space for civil society; how it is understood by non-governmental organisations, the kinds of political space being closed and its many implications from gendered perspectives. This was the beginning of a conversation that would continue across the Sister Funds and among our grantee partners over the course of a year.

## PURPOSE AND METHODOLOGY

The objective of this report is to examine how closing civil society space affects Women Human Rights Defenders and Lesbian Bisexual Trans\* Queer and Intersex human rights defenders working in various geo-political contexts, in order to understand the specific patterns of closing space: which spaces are closing, the forces driving this closure locally and abroad and how these are interlinked. The report examines how these trends are impacting WHRDs and LBTQI actors at the individual, organisational and movement levels.

The study brings together knowledge gathered from grantee partner interviews from North America, Europe, Central Asia, Middle East, Africa and Latin America. Cumulatively, fifty interviews were conducted with partners from these regions. In Africa interviewees were drawn from Egypt, Nigeria, Liberia, Senegal, Kenya, Uganda and Zimbabwe; in the Middle East we spoke to activists from Lebanon, Turkey and Syria; in Asia our interviewee was from Kyrgyzstan; in Europe we engaged with organisers from Poland, Russia and Spain; in Latin America we heard from partners in Brazil, Colombia, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Peru and Venezuela; and we also drew from the voices of courageous partners in the United States.

This report is also informed by existing work in this area. Additional secondary material reviewed for this study include reports by the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association, resolutions related to precautionary measures of the Inter-American human rights system including reports by the Inter-American Court of Human Rights, and civil society documents prepared for the Universal Periodic Review.

Adopting feminist research methodology to bring together gendered legal, social and political analyses of closing space for civil society, we sought to understand how different actors understand “closure of space” and, above all, the survival strategies that WHRDs use. As part of this process, an intersectional approach<sup>14</sup> was prioritised consequently taking into account the power dynamics present in various embodied identities such as race, ethnic, religious, language, class, income, occupation, gender, ability, sexuality, immigration status, age, family status, geographic location and other social categories which have an impact on the activism of the WHRDs.

---

14. Intersectionality is an analytical tool developed by Kimberlee Crenshaw African American legal scholar for understanding and responding to the ways in which gender intersects with other identities, and how these intersections contribute to unique experiences of oppression and privilege. While all women are subject to gender discrimination, other factors including race and skin colour, caste, age, ethnicity, language, ancestry, sexual orientation, religious background, class, ability, culture, geographic location, and status as a migrant, indigenous person, refugee, internally displaced person, child, or a person living with HIV/AIDS, in a conflict zone or under foreign occupation, combine to determine one's social location. See: Kimberlee Crenshaw. 2018. *On Intersectionality: Essential Writings*. New Press



# FRAMING THE CLOSURE OF CIVIC SPACE

The increased restrictions on human rights advocacy and practice globally are well documented.<sup>15</sup> From Moscow to Dhaka, these trends become apparent through the greater surveillance and harassment of civil society organisations and, at their most extreme, the killings of human rights activists. An example of the most sinister of these restrictive state practices is the recent murder of Indian journalist Gauri Lankesh, that was linked to her criticism of Hindu nationalists including those who are members of the ruling Bharatiya Janata Party (BJP).<sup>16</sup> In Honduras, the assassination of indigenous activist Berta Cáceres, further demonstrates the network of actors and tools instrumental to these kinds of

oppressions that operate at the nexus of state nationalisms and corporate power. While these incidents speak to what is increasingly referred to as the “closing space for civil society,” our interviews with activists across the world also emphasise that the activism of the most marginalised, including those of women and LGBTQI populations, have always been targets of the most punitive of state measures, both before and in what we currently understand as a period of closing space for civil society.<sup>17,18</sup>

The phenomenon of “shrinking space” is a result of deliberate efforts to silence dissenting voices—actions that stem from a reasserting hetero-patriarchal governance. In these modes of governing, the state, through a variety of regressive measures, seeks to roll back social justice demands that centre people’s voices and agency. These oppressive state actions that target, primarily but not exclusively, civil society actors who receive foreign funding, are driven by corporate interests, state-sanctioned religious fundamentalisms and the need to sustain structural inequalities whether they are rooted in gendered race, religion or ethnicity. Essentially, the shrinking civic space is the articulation of the fragile nature of the state that seeks to curtail freedoms.<sup>19</sup>

15. People Power Under Attack: Findings from the CIVICUS monitor.” CIVICUS, accessed October 12 2017, [http://www.civicus.org/images/CM\\_Findings\\_7Oct\\_v1.pdf](http://www.civicus.org/images/CM_Findings_7Oct_v1.pdf)

16. BBC. “Gauri Lankesh: Indian journalist shot dead in Bangalore.” BBC News, September 6, 2017, <http://www.bbc.com/news/world-asia-india-41169817>

17. Dennis Kuria Mbote. “For sexual minorities, ‘closing space’ for civil society means losing access to critical services.” Open Democracy, July 6, 2016. <https://www.opendemocracy.net/openglobalrights/david-kuria-mbote/for-sexual-minorities-closing-space-for-civil-society-means-losing>

18. Transnational Institute. On “Shrinking Space”: a framing paper. Amsterdam: Transnational Institute, 2017.

19. Okech, Awino. “Then They Came for Us: The Erasure of Civil Liberties in Kenya.” The Elephant, September 1, 2017. <https://www.theelephant.info/the-hustle/2017/09/01/then-they-came-for-us-the-erasure-of-civil-liberties-in-kenya/>

The historical experiences of women and LGBTQI organising across the world, makes evident the dire consequences involved in human rights work for those who are furthest from the locus of power. These gendered implications are proliferating in this current moment of restrictive state politics.<sup>20,21</sup>

For example, though civil society broadly is targeted in Russia, members of the LGBTQI community are singled out most ferociously as a threat to President Putin's heteronormative nationalist project, prompting the arrest, torture, execution, and forced exile of many LGBTQI activists.<sup>22</sup> In Uganda, similar to other countries in Africa, the state works in conjunction with a policing done by non-state actors – under the guise of culture and religion – to criminalise homosexuality. Speaking to this, one WHRD from Uganda shared that “lesbian women who are trying to come out of the closet face countless risks and attacks which are also directed to their parents and relatives from both state and non-state actors.”

---

20. Mama Cash and Urgent Action Fund. Standing Firm: Women-and Trans-led Organisations Respond to Closing Space for Civil Society. 2017. [https://www.mamacash.org/media/publications/mc\\_closing\\_space\\_report\\_def.pdf](https://www.mamacash.org/media/publications/mc_closing_space_report_def.pdf)

21. Nana Darkoa Sekyiamah, Kamardip Singh and Angelika Arutyunova. “Shrinking Civil Spaces: Back Lash or Push Back?” AWID, August 12, 2015. <https://www.awid.org/news-and-analysis/shrinking-civil-spaces-backlash-or-push-back>

22. Human Rights Watch. “Russia: Government vs Rights Groups.” Human Rights Watch, September 1, 2017. <https://www.hrw.org/russia-government-against-rights-groups-battle-chronicle>

Similarly, in the United States of America (US), the Trump Administration's reinstatement of the Global Gag Rule (GGR)<sup>23</sup> in the first month of the new administration restricts women's and LGBTQI persons' access to abortion in facilities that receive any US funding. Unlike previous iterations of the GGR that were restricted to family planning programs, the current version is all encompassing: requiring that all US-funded global health programs refrain from providing critical reproductive services such as contraception and abortions. This has impeded women's access to much needed contraception, maternal and child health services, and even HIV, tuberculosis and malaria care for women, children and LGBTQI persons across the world.<sup>24</sup> That the effects of the shrinking space are more pronounced in the lives of women and LGBTQI persons is indisputable, and this disproportionate impact is emphasised by a Zimbabwean WHRD who points out:

*Spaces seem to be shrinking as a whole but women's organisations seem to be experiencing it more, a lot of women's organisations are closing down or have greatly downsized, very few organisations are thriving.*

Related, defenders in nearly every country surveyed reported an escalation of violent attacks and other forms of threatening behaviour directed towards their work and person. The arrest

---

23. The Global Gag Rule, blocks any assistance for family planning services through USAID for any programs that provide or furnish information about abortions. It was previously upheld by George W. Bush and was repealed by Obama. It has now been reinstated in a more extreme form by Trump

24. Boseley, Sarah. “How Trump signed a global death warrant for women.” The Guardian, July 21, 2017. <https://www.theguardian.com/global-development/2017/jul/21/trump-global-death-warrant-women-family-planning-population-reproductive-rights-mexico-city-policy>

and detention of Stella Nyanzi, Ugandan scholar and activist, on charges of offending President Museveni, illustrate the increasingly punitive measures applied to dissent and freedom of expression at both the local and global levels.<sup>25</sup> Furthermore, despite catalysing greater democratic space through their activism, as happened in Egypt after the 2011 revolution, women and minorities are excluded from the changes they have enabled, and remain imposed into traditional gender roles.<sup>26</sup>

While experiences differ from region to region, they operate within the sinister contemporary transnational effects of neoliberalism and militarisation. Noting this in Latin America, and speaking to the pervasive corruption and unaccountability witnessed in the region Quintana states that

*[...] there is a fundamental difference between the risks and challenges faced by Latin American civil society organisations today in comparison with the recent past, and that is, the current regional decline in civic space is happening within formally democratic contexts with the exception of Cuba.*

Undoubtedly, these changes have resulted in limits to the freedoms of expression, assembly and association, and that are characterized by some of the following activities against

25. Amnesty International. "Uganda: Stella Nyanzi free but ludicrous charges must be dropped." Amnesty International, May 10, 2017. <https://www.amnesty.org/en/latest/news/2017/05/uganda-stella-nyanzi-free-but-ludicrous-charges-must-be-dropped/>

26. Hafez, Sherine. "No longer a bargain: Women, masculinity, and the Egyptian uprising." *American Ethnologist* 39, no. 1 (2012): 37-42. <http://dx.doi.org/10.1111/j.1548-1425.2011.01344.x>

civil society organisations: criminalisation and harassment; laws and regulations that prevent registration and impede general operations; exclusion from the banking sector; constraints on the right to social protest and assembly; and funding restrictions. These are but a few of the repressive practices that become instrumental to shrinking the civic space.

Furthermore, against the backdrop of large-scale militarism explained away by the pervasive bromide "war on terror," new infringements to rights have been entrenched. In countries such as Kenya, the rights to assembly and association have been severely curtailed, with women inevitably left to deal the collateral of such measures. For example, one WHRD stated:

*Freedom of association and expression are declining in Kenya, the security amendment 2015 is a sad document, it allows government to get away with whatever they want under the guise of security but they are not telling us what security is. If in my organisation I engage women who were held by Al Shabaab as sex slaves, I will be arrested!*





It is also important to note that these rights infringements are exacerbated by state funding directed away from fundamental basic services – such as water, healthcare and education – and towards war. In a region where poverty is extremely feminized<sup>27</sup>, the effects of a shrinking civic space impact women and LBTQI populations on multiple scales.

An Ethiopian WHRD sees these trends as a signal for greater erasure where:

*Abortion rights would not be mentioned. Education equality programmes would stall. The word feminism would be erased from all dictionaries and no one would mention LBTQI. In every school textbook, women would be portrayed in traditional roles. The mass media would have a field day portraying feminists as dangerous for society. In the interests of promoting the family values, women would be told to go back to the kitchen. The feminist demand for real transformation would come to an end.*

*How do these situations make evident continuities and change in civic spaces?*

---

27. African Women's Development Fund. Futures Africa: Trend for Women by 2030. Accra: AWF, 2017.

## STABILITY AND CHANGE IN SHRINKING CIVIC SPACE

Sexual and gender-based violence persists as a longstanding tool of gender oppression in both public and intimate spaces. The threat of rape was consistently highlighted by a number of WHRDs as a reality of their work. Latin America, for example, remains the most deadly region for transgender populations, though the rise in these deaths worldwide is “alarming.”<sup>28</sup> Since the equality and justice work of women, sexual minorities and gender non-conforming groups have historically challenged not only the actions of the state but it is very male-centric and nationalist foundation, these groups are subject to inordinate institutionalised violence. This violence is manifest in a variety of intersecting ways that call attention to, as but one example, the collusion between fundamentalist religious groups and the state. For Women and LBTQI activists it has never been a level ‘playing field,’ or a completely free and democratic civic space. Highlighting this, one WHRD from Qatar stated:

*[The] kind of work we're doing is not an easy thing. In countries we work in, we have no civil space at all. It's not closing - it doesn't exist.*

---

28. Human Rights Campaign. “Alarming Number of Transgender People Killed Worldwide in the Last Seven Years.” Human Rights Campaign, May 12, 2015. <https://www.hrc.org/blog/alarming-number-of-transgender-people-killed-worldwide-in-the-last-seven-ye>

An activist from Oakland, California emphasised the need to:

*Fund trans women of colour! What I want to see, if we're talking about gender justice, women's human rights, look at trans WOC [women of colour]<sup>29</sup> being murdered and targeted at statistically ridiculous rates.*

As can be discerned from the statements above from Qatar and Oakland, while civic space is shrinking globally it has always been precarious for particular populations across all regions, even when one allows for specific geographical nuances. In Zimbabwe, one analogous trend takes the form of the state setting impossible bail conditions and amounts for activists who are detained without just cause. Reporting on this, a Zimbabwean WHRD shared that

*In one instance, we had to deal with a case where activists had been arrested and bail had been pegged at 10 000 USD and we could not withdraw it due to the prevailing cash crisis and we could only get 50 USD. We had our lawyers argue in court that the bail conditions were not practical and it was reduced to 4000 USD, which was still hectic to raise.*

---

29. The term women of colour has its roots in US feminist movement politics that was developed to reject the white centred nature of feminist organising by drawing attention to the experiences and presence of women from other non-white group.

## THE ROLE OF MULTILATERAL INSTITUTIONS

Though it has habitually been grassroots organisations that are most easily targeted and vulnerable to repressive state politics, the restrictions in the current “shrinking civic space” also impacts mainstream and more established human rights actors. It has even been suggested that this could be why there is increased attention directed to this phenomenon.<sup>30</sup> These issues are also visible at the international scale, working to undermine the effectiveness of multilateral institutions, with one activist from the Middle East sharing that “advocacy [at the global human rights level] is losing its momentum and impact. We can't materialize the impact from this.”<sup>31</sup>

Echoing these thoughts from Russia, a WHRD asserted that:

*We understand that there is a way of cooperation between global and regional human rights mechanisms that has seriously weakened during the last 5-6 years. The reasons are obvious: sanctions against Russia, the fear of “colored revolutions” like Arab Spring or Maidan, etc. The approach of Russia leaves little space for fruitful cooperation, and the implementation gap remains a major challenge for the realization of human rights in Russia. In my opinion,*

---

30. See Transnational Institute, 2017.

31. Interview with WHRD from the Middle East, 20 June 2017.

*the governments of G-7 countries, for instance, must put pressure on the Russian government to make it strengthen existing links and identify new approaches for cooperation between regional and international human rights mechanisms and procedures, and complement and support each other in promoting and protecting human rights.*

In Africa, parallel experiences were noted by a WHRD from the Democratic Republic of Congo (DRC) who stated

*The African Commission mechanisms should make efforts to interact with women. We don't feel their work. We have even invited Mrs Bineta Diop, the Special Envoy on Women, Peace and Security, to Beni and women there told her that they didn't feel their work and that the Commission needed to be closer to them.*

As in the cases above, many of the women and LBTQI human rights defenders who spoke of their engagement with human rights mechanisms at the global or regional level raised two major challenges.

The first is the lack of enforcement mechanisms: Governments are not enforcing the binding decisions of organisations such as the European Court of Human Rights, the South African Development Community or the African Union, notwithstanding the urgency of the situation on the

ground. Action, according to a Turkish WHRD, “only happens when a prominent journalist or activist is arrested.”

The second is crippling bureaucracy: International human rights institutions are perceived as moving too slowly to respond to urgent crises. Though many activists remain active in these spheres, some defenders have decided not to engage, or have reduced their involvement, because of the amount of effort required to secure a favourable result. Furthermore, the slow pace of decision making and the difficulty of measuring the impact of these decisions, provide additional challenges.<sup>32</sup> More often than not, decisions are reached when the situation has evolved and the verdict is no longer relevant to the community affected.<sup>33</sup>

For these reasons, advocacy at the local level, though not without its problems, is seen to be the focus of many organisations. In these pursuits, local members of powerful or ally governments are approached to apply diplomatic pressure on the country perpetrating the violations. Activists have also engaged UN representatives to leverage their power both outside and inside the UN.<sup>34</sup> It is also important to note that cross movement initiatives are frequently used to lobby within and across government and multilateral institutions in order to ensure the uptake of important human rights decisions. For example, sexual and reproductive

---

32. Interview with a WHRD from the Middle East, 20 June 2017

33. Interview with a WHRD from Turkey, 26 May 2017.

34. Interview with a WHRD from the Middle East, 26 May 2017.

rights activists in Spain are working with other national NGOs in Europe, through the Countdown 2015 Campaign, to pressure European governments to apply diplomatic pressure on Spain not to cede ground on sexual and reproductive commitments.<sup>35</sup> Elsewhere in Europe, Polish activists are raising awareness about a proposed regressive abortion bill, and building support among governments that have the ability to apply political pressure on the Polish state.<sup>36</sup> In Latin America, the Inter-American Court of Human Rights (IACHR), part of the Organisation of American States (OAS), has also provided a vital forum for putting in front focus the vulnerabilities of human rights defenders on the continent. At the same time, it is important to recognise that in the case of the OAS, for example, members are not bound by the decisions of this organisation. Nonetheless, in view of some of the possibilities enabled by this multilateral organising, while activists highlight the uneven outcomes and power disparities within them, they also agree that engagement with global and regional human rights institutions remains an important part of a multipronged strategy, since these spaces provide a platform to document and expose violations at the national level. Furthermore, these forums allow for international scrutiny of human rights violations that may translate into greater pressure on governments, while also expanding the space

---

35. Interview with a WHRD from Spain, 23 May 2017.

36. Interview with a WHRD from Poland, 24 May 2017.

for an augmented interrogation of harmful government discourses around gender and sexuality, and providing more opportunities to advance international solidarity.

## RECLAIMING SPACE

Despite the challenges of closing (or closed) civic space, WHRDs remain committed. A member of the Turkish organisation Mersin 7 Colours LGBT Education and Research Association conveyed the need for this unwavering determination by saying:

*We want to continue our activism. Even if we can't gain, we need to hold the ground. If we can't protest, even in small ways we go out to protest. Being visible is our main goal. We can't leave the streets to them [...] We learn from history that we have the biggest gain when we're on the streets. [We] don't want to leave the street, the country, give up political ground.*

Similar expressions of resolve amidst vulnerability and widespread oppression were heard from a majority of activists interviewed. Beyond the words they offered, their determination was also evident in the powerful and creative strategies they took up in the face of severe restrictions to organising that persist in their communities.

The following are some of the key concerns documented by UAF Sister Funds grantee partners.

# IMPLICATIONS FOR FEMINIST MOVEMENTS

## CRIMINALISATION

Several documented cases from Latin America suggest that the law is deliberately used against human rights defenders with the goal of undermining their work. A 2016 report by the El Observatorio para la Protección de los Defensores de los Derechos Humanos (The Observatory for the Protection of Human Rights Defenders) pointed to the indiscriminate and abusive use of statutes to criminalise human rights defenders. While Latin America states are implicated in these machinations, the police and military forces, judges and private land corporations were also identified as involved in the manipulation of the law to constrain the work of activists.

Similar practices are documented on the African continent, though in this context attacks on civil society are habitually conducted under the guise of protecting the

‘public interest’, ‘social cohesion’ or ‘national security.’ These hetero-patriarchal interests, affirmed at the highest level, are then mobilised to prevent, for example, LBTQI organisations from achieving registration status. Speaking to this in Egypt, one activist shared that:

*The idea of closing space is not necessarily about shutting down organisations but putting them under government scrutiny in such a way that a long process of gathering approvals is required before any work is conducted.*

What is more, when they do take their contentions to the court, activists are enrolled in protracted legal battles that are expensive, often with no guarantee of a favourable decision. In addition, the legitimate fear of a criminal record and its impact on one’s life chances, made all the more real by the fictitious charges often imposed on activists in the contemporary period, also impacts if and how women and LBTQI persons can take part in civic space.

Recently, the legislative assembly in Poland proposed a near-total ban on abortion—a bill put forward by the Law and Justice Party closely allied to the Catholic Church. Fortunately, this proposal was abandoned in October 2016 in the face of massive civil society mobilisation against it.<sup>37</sup>

---

37. Abortion is largely criminalized in Poland, with narrow exceptions for rape, incest, a severe and irreversible foetal anomaly or a severe threat to the mother’s health. The draft bill proposed to eliminate exceptions for rape and incest, leaving only the exception for life endangerment, and would have jailed women seeking an abortion and extended jail time for doctors performing an illegal abortion to five years. SeeBBC. “Poland abortion: Parliament rejects near- total ban.” BBC News, October 6, 2016. <http://www.bbc.com/news/world-europe-37573938>.

However, the government has aggressively pursued several “backdoor” means of criminalising abortion by using administrative procedures to harass abortion providers and organisations that advocate for abortion rights.<sup>38</sup>

All of these examples show the criminalisation of activism that occurs in public and intimate fronts; a criminalisation that determines whether women and LBTQI organisations can register an organisation or even provide sexual and reproductive health services.

## VIOLENCE, THREATS AND HARASSMENT

Defenders in nearly every country surveyed reported an escalation of violent attacks and other forms of threatening behaviour directed at women and LBTQI activists over the last few years. In many cases, the perpetrators appear to have links to state actors or powerful non-state actors colluding with the state. In Latin America, an essential factor for understanding the context in which WHRDs operate is the permanent struggle against gender-based violence. In October 2016, the Economic Commission for Latin America

and the Caribbean (ECLAC) presented a report which revealed that twelve women and girls are assassinated daily in this region due to their sex.<sup>39</sup> These conditions are exacerbated by the attacks on indigenous people that gain ground in a context of increased commodification of natural resources. The assassination of Berta Cáceres emphasises these trends. Moreover, it is important to note that these situations are further galvanised by the militarisation conducted to counter the drug trade. Highlighting this, the *From Survivors to Defenders* report that focuses on women’s activism in Mexico, Guatemala and Honduras, points to how the war on drugs essentially became a war against women. The report states that:

*Mexico, Honduras and Guatemala have been experiencing an alarming increase in violence against women these last few years, and there is evidence of negligence by governments in complying with obligations to protect their citizens from direct participation in acts of violence. Although, at the present moment, these countries are not engaged in open warfare, their massive deployment of military and police forces has seriously affected civil society and has generated an increase in violence and human rights violations with specific repercussions for the lives and rights of women.*<sup>40</sup>

---

38. See Ariadne et al., at 8.

---

39. Economic Commission for Latin America and the Caribbean (ECLAC), Annual Report 2013-2014. Confronting violence against women in Latin America and the Caribbean (LC/G.2626), Santiago, Chile, 2014.

40. Nobel Women’s Initiative. *From Survivors to Defenders: Women Confronting Violence in Mexico, Honduras and Guatemala*. 2012. [https://nobelwomensinitiative.org/wp-content/uploads/2012/06/Report\\_AmericasDelegation-2012.pdf](https://nobelwomensinitiative.org/wp-content/uploads/2012/06/Report_AmericasDelegation-2012.pdf)



There are many examples of these types of physical threats and violence against women and LBTQI activists, and our interview transcripts evidence these trends. At the same time, it is necessary to indicate that while physical violence may not be witnessed in all regions, online harassment remains a key symbol of threats to activists worldwide. The gendered dimensions of this are indisputable, and the harassment of pro-choice campaigners in Spain and an LBTQI organisation in Ankara, Turkey by ISIS, as but two instances, serve as a grave register of the gendered and pervasive nature of violence and harassment during this period of shrinking civic space.

## RESTRICTIONS ON FUNDING

Restrictions on the fundraising capacity of NGOs take many forms,<sup>41</sup> but most defenders interviewed discussed the proliferation of statutes halting foreign funding for domestic NGOs. In Europe, Russia's 2012 Foreign Agents law, which requires all organisations receiving any amount of foreign funding and engaging in undefined "political activity" to register as foreign agents, is but one example. This law does not technically prohibit groups from accepting foreign funding, but it imposes heavy fines

---

41. Carothers, Thomas and Saskia Brechenmacher. *Closing Space: Democracy and Human Rights Support under Fire*. Washington, DC: Carnegie Endowment for International Peace, 2014.

on NGOs that do not comply with its provisions. As a consequence, 150 NGOs have since been labelled foreign agents and 30 have closed because they did not want to be subjected to that categorisation.<sup>42</sup>

Equally, in 2009 the Ethiopian legislature enacted the Charities and Societies Proclamation, which defines all NGOs receiving more than 10 percent of their funding from foreign sources as "foreign charities," and prohibits them from implementing politically related activities, or those related to human rights or the rule of law. As a result of this law, many of the country's most influential human rights groups have had to abandon or significantly curtail their advocacy activities, and several prominent human rights activists were forced to seek refuge abroad.<sup>43</sup>

In Iran, the combination of sanctions and state policies restricting foreign funding is a double-edged sword for activists. The sanctions imposed by Western governments prevent foreign bank transfers to Iranian organisations or individuals, while domestic laws prevent NGOs from receiving foreign funds under the guise of protecting the Islamic Republic from corrupting influences. Many women's rights activists are unfamiliar with the laws and do not know the risks of accepting foreign funding until they are arrested.

---

42. See Human Rights Watch, 2017.

43. Amnesty International. "Ethiopian Parliament Adopts Repressive New NGO Law." Amnesty International, January 8, 2009. <https://www.amnesty.org/en/latest/news/2009/01/ethiopian-parliament-adopts-repressive-new-ngo-law-20090108/>

Frustrated with these conditions, an Iranian WHRD explained:

*We can't accept money from outside. Security forces track money from outside for activists. If they know we get money from 'foreign money' they will shut us down and put us in jail. I didn't accept foreign money, but some of my friends did and they got arrested. They had to pay back to the government the amount they accepted from abroad. One friend lost all her money and is now in debt. Two months ago I had to reject money for work I did for a human rights project. I don't have a job or much money, but I prefer to stay low profile. The [lack of] money doesn't limit me. What impacts us is that they are tracking down foreign money or foreign people who they think are trying to bring "new views on women's rights." They jail you for five years. They don't want the wall of the Islamic Republic to break.<sup>44</sup>*

In both of these examples, restrictions on NGO funding are implemented ostensibly to protect national sovereignty against what is often framed as imperialist intervention, or even, as in the case of Poland, to reassert nationalism and conservative Catholicism.<sup>45</sup> Whatever national goal is offered, it is evident that these actions reinforce a heteropatriarchal state and in this way work to diminish the reforms enabled by previous years of collective and courageous organising by, principally, communities on the margins.

44. Interview with a WHRD from Iran, 8 June 2017.

45. Human Rights First. Poland's New Front: A Government's War against Civil Society. 2017. <http://www.humanrightsfirst.org/sites/default/files/Poland-Report-August-2017.pdf>

## SURVEILLANCE

WHRDs worldwide are under extreme levels of surveillance, a situation that has greater bearing for those working in historically precarious conditions. This is both a physical surveillance of their activities, as well as a heretofore unparalleled scrutiny of digital spaces. Discussing this, a WHRD from Egypt shared that:

*Many WHRDs have access to a huge array of instruments that can support their work; mobile phones, laptops, and digital cameras. These can enable WHRDs to document and transmit data swiftly. Social media sites and information sharing/storing platforms enable HRDs to share human rights information widely. However, while these instruments are helpful and have arguably been key factors in many recent human rights struggles, they can also be used by the 'drivers' of closing spaces for surveillance, monitoring and censorship.<sup>46</sup>*

Related, a WHRD from the Middle East emphasised this through her own experience where:

*Governments are clamping down on both digital and physical space. We have seen this in just the last two years. It was much easier back then to get people together. You*

46. Interview with WHRD from Egypt, 11 May 2017.

*can sense how much governments are clamping down. Before, we had authoritarian rule, but after the revolutions the internet came. Governments were confused at first, but then they increased their capacity to be able to control digital space. Surveillance is now rampant. Countries use surveillance tools against activists, and some are in jail now because of these tools. The fear is extreme. Activists are scared of communicating with us, even using encryption.*<sup>47</sup>

These fears do not dissipate even after the recipients of online threats relocate to safer places. As but one example of this, some displaced Syrian WHRDs living in Lebanon fear that armed security forces from Syria are colluding with the Lebanese authorities, placing them at threat now even after fleeing Syria.<sup>48</sup>

## CENSORSHIP

Governments are becoming more sophisticated in the methods they use to censor information necessary for human rights activity. In Turkey, women journalists have been targeted in a press purge that has resulted in the closure of over 100 media outlets to date.<sup>49</sup> In November 2016, Jin News Agency (JINHA), an all women news agency in Turkey, was closed without notice following the

publication of two statutory decrees.<sup>50</sup> In December, female journalists responded by starting the Şûjin Gazette, an online newspaper focusing on the rights of women and Kurds. The BTK, Turkey's telecommunications regulator, blocked access to the Şûjin Gazette site from within Turkey on 15 June 2017.<sup>51</sup> In addition to the crackdown on media, activists in Turkey struggle to find and share information as a result of the government's periodic shutdown of Twitter and other social media platforms. Television and public information websites such as Wikipedia are also censored in Turkey.<sup>52</sup>

Addressing the intimate impact of these kinds of censorship practices, a WHRD from Honduras noted:

*In my case, from the time I became a spokeswoman and began to appear in the media, one of the media broadcast my participation on its Facebook page and you could see all the commentaries, calling me 'child killer,' 'assassin,' 'witch.' The most telling was the day of the sit-in<sup>53</sup>; on the day of the sit-in they really threw everything they could at us. They threw stones, sticks, mangos, avocados, and bottles, and in fact they were going around with jack-knives and they ripped one of the banners we were carrying with one of the jack-knives.*

50. Sims, Alexandra. "Turkish authorities shut down first Kurdish all-female news agency," Independent, November 1, 2016. <http://www.independent.co.uk/news/world/europe/turkish-authorities-shut-down-first-international-feminist-news-agency-a7390766.html>

51. Committee to Protect Journalists, 2017.

52. Interview with WHRD from Turkey, 26 May 2017.

53. The testimony refers to a protest convened by feminist organisations to demand recognition of the right to abortion. It took place in Tegucigalpa and defenders from various organisations, members of the Platform for Sexual and Reproductive Rights, from all over the country took part in this activity.

47. Interview with WHRD from the Gulf, 20 June 2017.

48. Interview with WHRD from the Gulf, 20 June 2017.

49. Committee to Protect Journalists. "Turkey Crackdown Chronicle: Week of January 22." Committee to Protect Journalists, January 23, 2017. <https://cpj.org/blog/2017/01/turkey-crackdown-chronicle-week-of-january-22.php>

## RESTRICTIONS ON FREEDOM OF ASSEMBLY AND EXPRESSION

Despite the right to assembly being guaranteed in a majority of constitutions worldwide, activists from all regions highlighted how this freedom is consistently being revoked during this period characterised by “shrinking civic space”. For example, for the past two years LBTQI organisations in Turkey have applied for and been denied permits to hold a ‘Pride march’ in Istanbul. Elsewhere, in the U.S., legislation criminalising or otherwise impeding the right of peaceful assembly has been introduced in 20 states as of March 2017.<sup>54</sup>

Coupled with the restrictions on freedom of assembly, activists fear for their safety when they do exercise these rights since, even though they are often constitutional guarantees upholding the right to protest, they can be met by aggressive law enforcement practices and other forms of militarisation when they engage in peaceful forms of assembly.<sup>55</sup>

The restrictions to assembly also function to obstruct activist freedom of expression and work. As a consequence of these co-functioning constraints in the DRC, a WHRD expressed frustration that:

*Every meeting and every activity you carry out is monitored. When we organise meetings, we often suspect that there are people who infiltrate our meetings, secretly record conversations and share with authorities. We are failing to do our work effectively.*

Equally, in Egypt restrictions to freedom of expression are forcing some human rights defenders who use art to think twice before they engage in work that can be seen as political. According to an Egyptian WHRD:

*It has become the case that anyone conducting a theatrical show must have authorisation from Artists Syndicate, which necessitates requirements that activists who use artistic form lack [...]. The idea of closing space is not necessarily about shutting down organisations but putting them under government scrutiny in such a way that a long process of gathering approvals is required before any work is conducted.*

54. Kiai, Maina. Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association on his follow-up mission to the United Kingdom of Great Britain and Northern Ireland. New York: OHCHR, 2017.

55. Ibid.

## INDIVIDUAL AND COLLECTIVE IMPACT

The consequences of these widespread limits to human rights work have impact on the personal level—beyond the organisational effects documented above. On an intimate front, there is concern that these restrictions allow for:

**Self-censorship:** because of increased stigma and fear. This is a larger concern for communities of women and LBTQI identified persons who would be cautious about engaging in campaigns that contest public narratives about gender and sexual orientation. The dangers involved in organising against a situation where they would face backlash as “cultural traitors” or “imperialists,” works to prevent many women and LBTQI persons from taking part in civil society activities.

Decreased space for strategising and organising: which reduces the ability of activists to support each other and in this way hinders the solidarity needed to respond to emerging threats. We have seen how limits to freedom of expression and assembly hamper the ability of activists to meet in person, make political statements and even express themselves through art. As a consequence, this encumbers greater collaborative visions and practices that would have made possible greater transformation on all scales.

**Fragmented movements:** since activists are unable to sidestep the massive oppression that is intensifying, especially when organising is being done across great geographical distances. Moreover, the fragmentation of

movements exacerbates the rural/urban divide, and works to obstruct greater cross-class solidarity. This also limits the sharing of important information that could be used to access, for example, information on protection opportunities and much needed funds.

**Decrease in material conditions:** especially if donors stop providing funding, a condition that would be more critical for grassroots organisations, because of a civic environment that is less and less amenable to foreign funding.

**The loss of leadership and inter-generational knowledge transfer:** as organising is more restricted and activists are forced into exile, this creates a situation of ‘brain drain’ – feminist leaders, detained or in exile, are no longer available to transfer knowledge on values, histories and organising to the younger generation. This absence of this vital information can impact the foundations of new and burgeoning groups and organisations.

**Trauma and burnout:** because of the stress brought about by an uncertain and increasingly dangerous climate constituted by constant threats, lack of support and a reduction in funding opportunities. Many activists are already overburdened with human rights work, and the prevailing conditions that increases demands on their time, in a context where this is less likely to be compensated, potentiates greater exhaustion for activists. This has direct impact on the work they are able to do in their organisations and communities.



# RESILIENCE STRATEGIES

Despite the many violent ways in which “shrinking civic space” is manifesting in all contexts, women and LGBTQI-led organisations are responding in a variety of important ways.

Artistic expressions (including storytelling, music, dance) for self and collective healing. All interviewees registered art as important tool to creatively deal with and negotiate the restrictions and oppressions of the current moment. To these ends, U.S. activists spoke about “using artwork to make the invisible visible” and, in one instance, did this through organising a music protest in front of an immigration detention centre in downtown Los Angeles,

to raise awareness about the vulnerabilities and resilience of invisible populations.<sup>56</sup> Similarly, a social justice comedy training programme led by trans women of colour in California has given the trans community a space for collective celebration in the face of mounting violence.<sup>57</sup> Equally, in Turkey LGBTQI activists formed a choir with women’s rights activists, with the goal of providing a politically neutral space to meet and organise while also taking part in an activity that nourishes them.

## INCREASED CROSS-MOVEMENT BUILDING THROUGH CREATIVE ALLIANCES

Coalition building through cultivating non-traditional alliances is a strategy intentionally adopted by women and LGBTQI groups to survive and gain strength as the civic space contracts. As but one example of this, U.S. activists fighting right-wing Christian ideology have partnered with a network of progressive churches to engage local communities in the fight against fundamentalism, and do this by promoting alternate theologically based discourses that support the rights and inclusion of women and LGBTQI people. In addition, following the declaration of the state of emergency in Turkey in 2017, LGBTQI groups have found more opportunities

---

56. Interview with WHRD(a) from the U.S., 20 June 2017.

57. Interview with WHRD(d) from the U.S., 19 June 2017.



for cross-movement building with groups that previously would not align with them. These are, for example, medical associations, teachers' unions and political parties that are choosing to show support to the LBTQI community through practices such as, for example, providing non-discriminatory medical care, offering meeting spaces, and forming protective rings around LBTQI protesters as they engage in unauthorized peaceful protests.<sup>58</sup>

## ADVOCACY AND LITIGATION

Litigation remains a powerful tool to hold states accountable for human rights violations. Environmental activists in Africa and Latin America who are challenging the extractives industry are finding some success from suing the financial institutions that fund these projects, especially when litigation is coupled with divestment campaigns.<sup>59</sup> For these reasons, activists have launched legal cases at the national, regional and global levels to pressure governments to comply with human rights standards, even while states continue to resist implementing judgments by regional courts and global human rights bodies.<sup>60</sup> Furthermore, women and LBTQI activists are demonstrating creativity in the advocacy strategies they use and the spaces they target.

---

58. Interview with WHRD(a) from Turkey, 26 May 2017.

59. Interview with WHRD from the U.S., 30 May 2017.

60. Interview with WHRD from Poland, 24 May 2017.

61. Interview with WHRD from the Middle East, 20 June 2017.

One activist described a three-pronged advocacy strategy: an interdependent engagement with 1) regional and global human rights mechanisms; 2) local governments implicated in human rights abuses; 3) and movements.<sup>61</sup> These activists are also following the money trail to challenge the corporate financing of large capital projects that violate their human rights. In one instance in 2016, a collective of indigenous women activists protested in front of the headquarters of DNB, Norway's largest bank, to create awareness about how the Dakota Access pipeline would impact them and their communities. This targeted protest helped pressure DNB to divest its stake in the project, and it eventually sold its ten percent share in the pipeline.<sup>62</sup>

## SECURITY MEASURES

Include developing individual and community security plans, hiring armed security guards at offices, participating and organising trainings on digital security, installing security cameras and sirens to secure office premises, saving for and travelling with money in case of an emergency, and creating rapid response networks in order to augment their security. Other measures include developing emergency hotlines, and applying for grants to acquire medical and psychosocial support and the provision of safe houses.

---

62. Interview with WHRD(c) from the U.S., 30 May 2017.

## CREATIVE IDEOLOGICAL FRAMING

Spanish activists are engaging in collective efforts with other European sexual and reproductive health rights organisers to test, refine, and share rights-based framing and messaging tools to campaign for abortion provision among a broader range of constituents. They plan to replicate this framing methodology in Spain for other activists.<sup>63</sup> Similarly, U.S. based groups countering religious fundamentalism have developed an education tool, drawing from political and theological values, that challenges fundamentalism and promotes a rights-affirming vision.<sup>64</sup> Other, innovative ideological interventions have been registered across all regions.

## EXPANDED ONLINE ACTIVISM

Diverse groups highlighted the potential of technology to assist with both mobilisation and protection. An organisation in California has developed a secure technology platform, as a rapid response strategy, to defend communities against unjust immigration and law enforcement techniques. The platform allows community members to file complaints in real time, connecting them to a broad network of

volunteers — community members, legal observers and healers—who are willing to mobilise instantly to respond to communities in crisis. This tool has been used successfully in at least two cases, in neighbourhoods with high rates of police killings or immigration raids.<sup>65</sup> In addition, feminists in Iran used Twitter to expose the state's hypocrisy in allowing women into sports stadiums for political rallies but not sports events. As part of this campaign, they launched an online discussion that shifted people's views and helped them understand the initiative for Open Stadiums as a gender equality issue. The importance of the digital realm, to enhance human rights work on many fronts, is stressed by one WHRD who expressed that:

*In digital space, we build capacity and do coaching to get people to go to international fora and speak for themselves around privacy, access, harassment, and bullying. They have the knowledge about what is being censored. It's a training of trainers, so they come back and train people. We have limited funding for training, and we are much slower than the fast pace of governments that are learning how to control through technology. But it's working, in a sense. People can still reach out to us.*<sup>66</sup>

---

63. Interview with WHRD from Spain, 23 May 2017.

64. Interview with WHRD(b) from the U.S., 15 June 2017.

---

65. Interview with WHRD (a) from the U.S., 20 June 2017.

66. Interview with WHRD from the Middle East, 20 June 2017.

## SELF-CARE AND WELLNESS

The importance of ensuring women and LGBTQI organisers take time out to care for themselves cannot be overemphasised. As the demands of human rights work increase, and the need to respond to constricting civic space takes up a lot of their time, preventing burnout and trauma becomes imperative. For these reasons, an increasing number of organisations are including self-care practices in their everyday processes to ensure activists do not become physically and emotionally overburdened by their work. All of these resilience strategies are part of a 'culture shift' that has been propelled by the need to diversify responses to "shrinking civic space". What is evident from the diverse approaches documented above is that activists have taken up novel collaborations and organisational and personal strategies to be able to determinedly continue their work despite the restrictive climate.

While "shrinking civic space" may look different from region to region, there are a variety of common trends registered worldwide. Most frequently, these include the criminalisation of activists and their work, restrictions to freedom of assembly, association and expression, physical and digital violence and surveillance, as well as legal impediments to registration and funding. Women and LGBTQI-led organisations are impacted inordinately both at organisational and personal level, but they also respond to these challenges with creative strategies.



# RECOMMENDATIONS

The resilience women and LBTQI activists exhibit within this difficult climate provides important lessons for funders interested in supporting social justice transformation. These are:

1. Support the creative strategies employed by organisations heavily impacted by “shrinking civic space”. This includes supporting arts initiatives, cross-movement alliances, digital activism and self-care measures;
2. The importance of prioritising security training, measures and funds for nearly all human rights groups since they are under surveillance;
3. Increase and offer urgent funding against the backdrop of intensifying violence directed towards civil society groups;

4. Increase and broaden policy influencing at both bilateral and multilateral levels to address the risks faced by WHRDs and LBTQI human rights defenders who most at risk;

5. Develop mechanisms to work with movements whose registration status is threatened, revoked or not permitted;

6. Foster safe networking spaces for WHRDs and LBTQI defenders who are working on contextually charged issues such as women’s rights, sexuality and reproductive justice, land grabbing and extractive industries. This will also allow for alliance building across various movements.





# FEMINIST RESISTANCE AND RESILIENCE

**URGENT  
ACTION  
FUND +  
AFRICA**

FOR WOMEN'S HUMAN RIGHTS



**URGENT  
ACTION  
FUND**

FOR WOMEN'S  
HUMAN RIGHTS

---

Supported by



OPEN SOCIETY  
FOUNDATIONS