

'Women Human Rights Defenders': Gendered Challenges in Defending Human Rights in Southeast Asia

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This paper introduces the concept of 'human rights defender' adopted in the 1998 United Nations Declaration of Human Rights Defenders as a possible strategic framework to enforce the fundamental human rights of activists or those who act in defense of human rights. It narrates the attempt of the Women Human Rights Defenders International Coalition (WHRD IC) to use it as a strategic opening for cross-movement mobilization in support of the global advocacy for women's rights and sexual rights. Using data collected by the Coalition and examples of case studies from Southeast Asian countries, the paper brings into focus violations, risks and constraints faced by those who defend women rights and the rights of sexual minorities. From a gender perspective, it assesses the adequacy and appropriateness of existing mechanisms at the national, regional and international levels to protect and support women human rights defenders in Southeast Asia. It reflects on the fundamental challenges in engendering the protection for defenders and the critical need to evolve a more holistic notion of 'security' that takes into account the well-being of women human rights defenders and their families and the sustainability of their organizations and movements.

There are three main sections in this paper: The first section clarifies the definition of 'human rights defender' and explains the Coalition's concept of 'women human rights defenders'; the second section explains the specific risks, constraints and violations faced by those who defend women's rights and sexual rights; the last section is a gendered assessment of mechanisms established by the State and civil society at the national, regional and international levels for the protection and support of defenders in the region.

What's in a name? Defining a 'human rights defender'

The term 'human rights defender' comes from the United Nations Declaration on Human Rights Defenders, adopted by the General Assembly on 9 December 1998¹, after thirteen years of negotiations between member-states and human rights advocates. The Declaration does not create new rights, but recognizes that the act of defending human rights is a right in itself. It affirms that human rights also apply to activists, providing a new framework of obliging the State to protect, promote and fulfill all rights related to the advancement of human rights activism. Although not legally binding, the Declaration draws authority from the rights already protected in the International Bill of Human Rights.² (OHCHR 2004: 19)

¹ Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, General Assembly 53rd session, 8 March 1999 [A/RES/53/144]

² The International Bill of Human Rights is a collective reference to the Universal

Article 1 of the Declaration identifies a ‘defender’ as any person “who promotes and strives for the protection and realization of human rights and fundamental freedoms.” Unlike other instruments that confer human rights only to individuals, the Declaration clarifies that a defender can be a person or a group of persons, or a collective or any organization working for human rights. Careful not to adopt a fixed definition, United Nations Special Representative on Human Rights Defenders, Hina Jilani explained that what characterizes a defender is the *activity* of promoting and protecting human rights. (OHCHR 2004: 6 – 7, emphasis mine) Instead of a specific definition, the Special Representative applied a broad categorization to include all those who advocate for human rights.

As clarified by the Special Representative in interpreting the Declaration, no qualification is required to be a human rights defender. A defender can be a person working as a volunteer or in a professional capacity. S/he can engage in human rights activities occasionally or on a full-time basis. (OHCHR 2004: 6 - 7) For example, not all student leaders are human rights defenders *per se*, but they become defenders when they take on human rights issues or advocate for the defense of the human rights of others. It is the activity undertaken, not the nature, length or context of engagement in human rights that defines a defender.

Prior to the Declaration, activists have referred to themselves by different names: ‘activists’ or ‘NGO activists’; ‘human rights advocates’; ‘community organizers’; ‘student leaders’; ‘trade unionists’; ‘lawyers’; ‘health professionals’; ‘humanitarian workers’; ‘peace advocates’ and others. Even with the introduction of the term in the Declaration, still many activists have not heard of it and many remain confused of when to refer to themselves as such. In a survey conducted by the Coalition in 2008 among 100 women human rights defenders from different countries, a respondent said that she just started her activism so does not consider herself a defender; another said that he has not engaged in human rights advocacy publicly so could not be a defender. (Real 2008: 4)

There is no obligation, legal or otherwise, for activists to adopt the term ‘defender.’ There are also no corresponding duties expected of them when they assume the identity of ‘defenders’. In fact, in the deliberations during the drafting of the Declaration, one of the contentious issues was a proposal to also specify the duties of human rights defenders. There was a division between governments interested in strengthening the degree of protection for human rights defenders, and those that were determined to restrict the freedom of activists by emphasizing the duties of defenders and the limitation to their rights. Fortunately, the proposal was defeated after much debate with the final version of the Declaration, specifying instead the role and contributions of human rights defenders in safeguarding democracy and promoting human rights.

Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights, which are fundamental international human rights instruments.

While the use of the term ‘defender’ is not an imposition, there are potential political and practical advantages to be gained in adopting it. For a group of women’s rights and human rights advocates working with the Special Representative on Human Rights Defenders, it became a strategic opportunity for activists to choose to work across movements and establish an International Coalition on Women Human Rights Defenders (WHRD IC). The Coalition emerged from an international campaign on women human rights defenders in 2005, which served as a platform to advocate for women’s rights and sexual rights from the margins to the center in a cross-movement collaboration among representatives of women’s rights and human rights, and lesbian, gay, bi-sexual and transgender, intersex (LGBTI) groups³. As a follow up to the campaign, the Coalition was constituted as a resource and advocacy network for the protection and support of women human rights defenders worldwide. It has 22 members consisting of international, regional and national networks and organizations⁴ committed to:

“...begin a process of mobilization and reflection among key players in the human rights arena on matters affecting women human rights defenders, and to support the many and varied initiatives designed to deepen the understanding of human rights and push for universal application of human rights principles, especially in the current global context”. (Contextualizing the International Campaign on Women Human Rights Defenders, in Real and Chai, eds. 2005:16)

Pursuant to its strategic objectives, the Coalition appropriated the reference to ‘defenders’ and coined the term ‘women human rights defenders.’ It refers “both to women active in human rights defense who are targeted for who they are as well as all those active in the defense of women’s rights who are targeted for what they do.” (Contextualising the International Campaign on Women Human Rights Defenders in Real and Chai, eds., 2006: 6) It refers to human rights activists who are women, as well as all activists who also defend the rights of women and LGBTI persons. The apostrophe *s* was dropped as women’s rights organizations among the members prevailed in keeping

³ cf. Collis, Victoria. 2006. International Consultation on Women Human Rights Defenders: Proceedings. WHRD IC Secretariat, Chaingmai, Thailand.

⁴ As of June 2010, the members of the WHRD IC are: Amnesty International (AI); Asia Pacific Forum on Women, Law and Development (APWLD); Coalition of African Lesbians (CAL); Asian Forum for Human Rights and Development (Forum Asia); Association for Women’s Rights in Development (AWID); Baobab for Women’s Human Rights; Center for Women’s Global Leadership (CWGL); Center for Reproductive Rights; Front Line International Foundation for the Protection of Human Rights Defenders (Front Line); Human Rights First; Information Monitor (Inform); International Federation of Human Rights (FIDH); International Service for Human Rights (ISHR); ISIS-Women’s International Cross-Cultural Exchange (ISIS-WICCE); The Latin American and Caribbean Committee for the Defense of Women’s Rights (CLADEM); MADRE (International Women’s Rights Organization); Peace Brigades International (PBI); Urgent Action Fund for Women’s Rights (UAF); Women’s Initiative for Gender Justice (WIGJ); Women Living Under Muslim Laws (WLUML); and World Organization against Torture (OMCT).

the emphasis not on defenders of human or women's rights in general, but on activists who are women in particular and the specific manifestations and consequences of the violations they experience because of their gender (Real in Hodgson, ed., forthcoming).

Why does gender matter? The case of women human rights defenders

According to then Special Representative on Human Rights Defenders, from 2000 – 2007, 22% of the 3,376 communications acted upon by the office during that period pertained to women. Cases involving women defenders constitute 21% of the 1,115 appeals received from Asia Pacific, with the highest number of defenders' communications coming from this region. (Jilani 2008: 8 – 9) For 2008, the United Nations Special Rapporteur on Human Rights Defenders acted on about 121 communications pertaining to women human rights defenders, or an average two cases per week. (Sekaggya 2009) Urgent appeals circulated among members of the WHRD IC from 2008 – 2009 averaged at least one per week. (WHRD IC 2009) Overall, the number of reported human rights defenders' cases increased steadily over the years, and violence against women human rights defenders persist.

The figures above, while indicative of the occurrence and persistence of violations, do not present a complete picture of the situation of women human rights defenders. Women human rights defenders encounter risk as they defend a wide range of human rights, such as the struggle of Hellan Empaing and other indigenous leaders from Sarawak, Malaysia:

Hellan and 14 other leaders of the Jaringan Orang Asal Se Malaysia (Indigenous Peoples Network of Malaysia) were arrested on 17 September 2009 as they were about to meet with the Sarawak state government and submit a memorandum opposing the construction of the Barama and Murum dams in the Baram valley in Sarawak, Malaysia. They were released evening of the same day, but were required to appear in court to face charges (Forum Asia Statement).

Not embedded in the human rights movement hence not referred to as defenders in the first instance, it has been more challenging to get acknowledgment for Hellan and similar cases that the violations they face are human rights violations. Because of the lack of legitimacy accorded to their role as human rights defenders, often threats against women human rights defenders are trivialized and the political nature of the abuse is lost as incidents are classified either as common crimes or dismissed as minor infractions. Documentation of the gender-specific nature of the violations also has to be systematized and gender-sensitive methodologies and processes of documenting cases have to be institutionalized to break the interlocking culture of silence and shame that often surround sexual violence particularly against women and LGBTI defenders.

The context and the locus of their activism critically account for the situation of vulnerability of women human rights defenders. Defenders that work at local or national

levels experience more violations compared to those who belong to regional or international organizations. (Real 2008: 6) Moreover, the more repressive the socio-political environment, the greater the risks for activists in general. There are more violations against defenders and their families in countries where human rights and fundamental freedoms are challenged. In fact, in post-communist countries such as Laos and Vietnam that claim a certain degree of ‘equality between women and men’ in their societies, there exist no women human rights defenders’ organizations or networks. Women’s empowerment is necessary, but not sufficient to foster a culture of defenders if there is no enabling environment for political action and dissent that creates the space for civil society and social movements to develop and prosper. Activists like Ms. Le Thi Cong Nhan remain at risk:

Mr. Nguyen Van Dai and his associate, Ms. Le Thi Chong Nhan are Vietnamese lawyers who have been vocal about their views on religious freedom and human rights in Vietnam. On 6 March 2007, Vietnamese authorities arrested both of them for violating Article 88 of the Criminal Code of Vietnam, which prohibits the distribution of “hostile propaganda against the Socialist Republic of Vietnam”. They were brought to court on 11 May, after more than one month of detention. The trial and sentencing lasted for only half a day and neither the families of the accused nor the public were allowed in the courtroom. It appears that the accused were not given a fair and public hearing by a competent, independent tribunal nor accorded the right to be presumed innocent until proven guilty according to law. (Forum Asia 14 May 2007)

In the 2008 survey conducted by the Coalition, women human rights defenders experience not only one, but multiple violations. The 5 most common forms of which, in descending order, are: 1) intimidation and harassment; 2) surveillance and blacklisting; 3) attacks and intimidation of family members; 4) defamation, slander, vilification; and 5) killing and attempted killing. Gender stereotypes of women as mothers or caregivers account for the high incidence of threats or attacks against family members of women defenders. Several of the respondents were subjected to sexual harassment, sexual assault or rape. (Real 2008: 4)

One recent form of sexual violence is called ‘sexuality baiting’ or the manipulative use of sexuality to attack women’s organizing. This form of baiting strategically manipulates prejudices about women’s gender roles and sexuality in order to achieve a political end. By ascribing negative connotations of sexuality to defenders of women’s rights or sexual rights, it is designed to challenge the credibility of individual activists and inhibit or destroy their organizations, networks and political agendas. It is not only LGBTI activists who are targeted in this way, but women and other activists who defend a range of rights are subjected to this practice too (Rothschild 2005) as demonstrated in the case of Ms. Teresa Kok, a journalist from the *sin Chew Daily News* in Malaysia:

Ms. Kok was allegedly subjected to repeated threats, arrests and

her family threatened because she has been among the activists at the forefront of calling for the abolishment of the Internal Security Act (ISA) in Malaysia. The ISA is a preventive detention law enacted in early 1960s, but has been used recently to detain political dissenters for up to 60 days without a warrant or trial and without access to legal counsel. On 27 September 2008, two Molotov cocktails containing nails and a warning letter was thrown into the house of Ms. Kok's parents. The letter translated into English, partly reads: "Woi Teresa pig!!! You watch out, don't be a troublemaker.... Otherwise I will burn you and your family, UNDERSTAND!!! YOU CUNT...TERESA KOK." (Forum Asia Case File 2008)

Looking closely at the results of the survey reveal that the vulnerability of women human rights defenders to violations is fundamentally related to underlying gender and other forms of discrimination. Gender discrimination is more pronounced in the cases of abuse against LGBTI defenders. Transgender activists are particularly subjected to more or intensified forms of abuse because of their gender identity. This form of structural discrimination against LGBTI people is grounded on 'heteronormativity', which assumes that heterosexuality is normal and/or natural for all people. It circumscribes gender roles for women and men, creating the foundation for heterosexism, homophobia, transphobia and related biases. It accounts for the specific violations against LGBTI defenders as illustrated in the attacks against LGBTI groups in Thailand:

On 21 February 2009, LGBTI organizations participating at the 2nd Annual Gay Parade in Chaingmai, Thailand were verbally abused and physically attacked by the Rak Chaingmai 51, a political group associated with the 'Red Shirts' faction. They were locked in a compound and denied access to food and water until they acquiesced to the demand to cancel the parade. Police witnessing the incident did not intervene and refused to provide protection (Forum Asia Case File 2009).

The marginalization of the rights they advocate for make women human rights defenders more vulnerable. Attacks against women's organizations and LGBTI groups are directly linked to their specific advocacy on women's rights or sexual rights, which are deemed as 'controversial' or 'not recognized as human rights.' The assertion of these rights is considered as acts of transgression in the increasingly ultra-conservative contexts where they operate. A disturbing trend however is where the marginalization of sexual rights and the acts of discrimination against LGBTI people are increasingly accepted publicly and laws and regulations have been adopted particularly to criminalize homosexuality or LGBTI identities. This marks a shift from informal to formal (or legal) persecution of sexual minorities and their defenders.

The intensification of religious fundamentalisms and other forms of extremism in countries in Southeast Asia such as Indonesia, Malaysia, southern Thailand and the Philippines further endanger defenders of women's rights and sexual rights. These are political projects of the extreme right that manipulate religion, culture or ethnicity in

order to obtain or retain power, religious or other. Extremists seek to control women's minds and bodies and threaten defenders who are accused of being deviants to dominant religious or cultural norms and traditions. In Indonesia, for example, the government decentralization process unwittingly has led to the institutionalization of fundamentalist religious precepts into local legislation. There are about 78 local regulations in 52 regencies and cities prescribing Islamic-sanctioned norms and behavior for women (WEMC 2008: 27), creating an atmosphere of risk for women human rights defenders. A case of sexuality baiting and religiously justified violence against women defenders in Aceh, Indonesia illustrates this point:

Women human rights defenders in Aceh have been targeted for not wearing their veils, which is an obligation under local regulation. In February 2006, four women activists were arrested for not wearing a veil while talking in front of their rooms in a hotel where the training they participated in was taking place. They were paraded to the city hall and during the interrogation, the head of the Shariah police in the district called them "promiscuous" and "demons to all Aceh women". The defenders complained to the local police, but were treated rudely and even asked to withdraw their complaint. When the case reached the prosecutor's office, it was rejected on grounds that there was insufficient evidence. Some local authorities used the case of their arrest as a means of showing how being "involved in women's rights activism" could be a threat to the morality of the Aceh women (APWLD 2007: 72).

Aside from the violations, many of which are grave and repeated, women human rights defenders indicate that they face major constraints in their work. Respondents of the Coalition's 2008 survey cited lack of resources, particularly the lack of funding for their organizations and activities, as a major obstacle. Many complained of being overworked, and given the funding constraints, continue to work more for less pay and few social benefits. As one respondent said: "Funders must understand that the current funding we have is nowhere near the resources of the highly powerful interest groups we are fighting against. It is not that we are asking for more, it is that we have so much less to be able to do our work effectively". (Real 2008: 10) In an AWID study, about 54% the women's organizations surveyed operate with a budget of under US\$40,000 per year. In this light, lack of resources forces defenders to make unsafe choices and in the context of well-entrenched stereotypes about gender roles, women human rights defenders have often opted to de-prioritize their own safety and security.

How safe, how secured? Assessing protection for women human rights defenders

The State and its agents are still among the most common perpetrators of violations against women and all other human rights defenders. Special Representative Jilani stressed that "increasingly, defenders have been accused of terrorist activities, subversion, aiding and abetting illegal organizations, endangering the integrity of the State...." (Jilani 2005: 10) Based on an in-depth survey tracking government counter-

terrorism policies from over 40 countries in response to the 9/11 attacks, the International Commission of Jurists concluded that the framework of international human rights is being actively undermined, not only by regimes who are notorious for doing so, but also by liberal democracies that in the past have subscribed to the importance of human rights (ICJ 2009:13). Under the cloak of the ‘war against terror’, several governments in Southeast Asia have twisted the legal system and issued counter-terrorism measures or revived the application of national security acts to criminalize political dissent. Repressive regimes like Burma simply cracked down on any form of human rights activism to retain military rule.

Aside from State violence, an alarming trend is the increasing prominence of allegations of abuse committed by non-state actors. The identified perpetrators are varied, including fundamentalists, paramilitary units, insurgents, criminal gangs, drug cartels, and in several instances, members of the family or community. The physical and sexual attacks against women human rights defenders in Nepal as narrated in the case below is emblematic of violations committed by community members that occur in ultra-conservative contexts increasingly prevalent in Southeast Asian communities:

On 14 June 2007, some 60 -70 men with sticks marched into the office of the Women’s Rehabilitation Center (WOREC) in the Siraha District, Nepal. They threatened the staff with rape, physical abuse and verbally abused them of being “loose women”. On 9 June, the main gate of the office was dismantled and thrown in the middle of the road. On 2 June, sharp bricks were thrown at the office while the staff were inside, and when they tried to go out to check, they were again hit with sharp bricks hurled by attackers hiding in the dark. The staff were threatened that they would be killed and were told to leave the village entirely within the next five days. Witnesses from the community identified that among the attackers were the alleged perpetrators accused of raping and physically abusing two victims of rape that WOREC staff assisted (Forum Asia Case File 2007).

At the international level, defenders have availed of the United Nations Special Procedures as the most common channel of protection. Defenders try to raise their concerns during the Rapporteurs’ country visits or in annual reports delivered before the United Nations Human Rights Council or General Assembly. For example, Special Representative Jilani highlighted the plight of women human rights defenders in her 2002 report. As well, the 2011 report of incumbent Special Rapporteur on Human Rights Defenders Margaret Sekaggya will specifically focus on women human rights defenders. As mentioned above, the Special Rapporteurs through the communications system also make contact with the government of the State where the alleged violation occurred by sending an urgent action letter (concerning a violation that is allegedly on-going or about to occur) or an allegation letter (if the violation has occurred already). In several instances, both the Special Rapporteur on Human Rights Defenders and the Special Rapporteur on Violence against Women have issued joint communications in cases involving women human rights defenders. However, the average rate of response from

governments is at 52%, decreasing from 64% in 2004 to only 34% in 2007. (Jilani 2008: 8 – 9)

For defenders who are citizens of countries that signed specific treaties, they could file individual cases under the Optional Protocol of the treaties, including the Optional Protocol for the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW). But a requirement of exhaustion of national remedies has made this more of a remote rather than a relevant mechanism for redress. A more recent development is the inclusion of defenders' concerns in the Universal Periodic Review (UPR) conducted by the Human Rights Council, such as the submission made by civil society representatives in the Philippines included in the OHCHR Report considered during the Council's review of the country. Defenders can further raise their claims through oral interventions before the Council during the review process or during any of its regular sessions. These channels however serve more as venues for political advocacy rather than legal accountability mechanisms for human rights violations against defenders.

At the regional level, the European Union Guidelines on Human Rights Defenders (revised in 2008) can also be applied in third countries or in countries where the European Union (EU) has established missions, including embassies and consulates of the members and delegations of the European Commission. Under the Guidelines, the EU can adopt a range of different measures to protect defenders including maintaining contacts and monitoring and reporting on the situation of human rights defenders. Many of these missions have been tapped to assist defenders at risk, and in several instances like the mission of Sweden, for example, they have been active in giving particular focus to women human rights defenders. During the Spanish Presidency of the EU that ended last June 2010, the Spanish leadership has built on the national launching of the EU Guidelines in various third countries and pushed for the appointment of liaison officers in 72 countries and the development of a local human rights strategy (LS) in 64 countries, including all the countries in Southeast Asia except Laos. These institutional steps are expected to further reinforce the relevance of the EU Guidelines in third countries.

Launched in October 2009, the ASEAN Intergovernmental Commission on Human Rights (AICHR) was established after two years in gestation with the mission to “promote and protect human rights and fundamental freedoms of the peoples of ASEAN.” However, criticisms abound that it is a ‘toothless’ human rights body since it will make decisions by consensus—meaning authoritarian regimes like Singapore, Burma, Cambodia, and others can wield veto power and individual governments can appoint or remove commissioners as they see fit. There are speculations that the body will merely be used as an excuse to whitewash human rights violations among the ASEAN member-states. Civil society groups have been skeptical that the body could function to protect defenders.

At its first meeting last 28 March – 1 April 2010, NGOs have submitted reports of human rights violations against defenders, including women and other defenders killed in the massacre in Ampatuan, Maguindanao last November 2009. Noemi E. Parcon, the

widow of one of the 32 Filipino journalists killed in massacre pleaded: “I appeal to the Commission to help our families to seek justice,” adding that “the Philippine government is not responsive to our petition. We, therefore, come here to appeal to the AICHR.” However, while a Commissioner reportedly met with Ms. Parcon and other victims of human rights violations and representatives of civil society, they were simply informed that the Commission will receive thematic reports on human rights issues, but not individual complaints. (AI Statement 2010) Such refusal to include investigation and reporting on cases of human rights violations among its mandate to “develop strategies for the promotion and protection of human rights and fundamental freedoms” confirms the criticisms that this mechanism would not be useful for the protection of human rights defenders.

There are no specific laws protecting women or other human rights defenders in any country in Asia, Southeast or elsewhere, although human rights groups in Nepal were proposing a “Human Rights Defenders Security Act” for the Parliament to establish a Human Rights Defenders Commission. Defenders seeking protection or redress at the national level can avail of existing mechanisms in their respective national legal systems such as proceedings before the human rights court in Indonesia or applying the Supreme Court directive in 2007 to adjudicate cases involving political activists in regional trial courts in the Philippines. There are government-established witness protection programs in the Philippines, Indonesia, Malaysia and Thailand. The programs, however, are gender-neutral and do not provide any special protection measures for women or LGBTI defenders. As women human rights defenders in the 2008 Coalition survey complained, some forms of abuse are “integrated in the security measures provided by the State.” Examples of such are harassment, including sexual, and surveillance (Real 2008: 6).

In the Philippines, innovative legal remedies have been introduced in 2007 and 2008 respectively. The ‘writ of amparo’ is a constitutional remedy available to any person whose right to life, liberty and security is violated or threatened with violation by an unlawful act or omission of a public official or employee or a private individual or entity. The reliefs provided for include pro-active measures such as protection of witnesses or a court order for an investigation or inspection. The ‘writ of habeas data’ is also available to individuals whose right to privacy in life, liberty or security is violated or threatened. The available remedies include updating, rectification, suppression or destruction of database or information or files pertaining to their case. Both writs have been invoked in several instances of extrajudicial killings and forced disappearances of defenders such as requiring the release of the military ‘order of battle’ that ‘blacklisted’ defenders or ordering investigations in cases involving the abduction of defenders.

Aside from the Philippines, there are also national human rights institutions in Indonesia, Malaysia and Thailand. In varying degrees, these institutions possess the power to investigate cases, including complaints involving human right defenders. There is no data available to track the extent to which these institutions have assisted defenders, or women human rights defenders in particular. While it does not have the same formal investigative powers as Komnas Ham (National Commission on Human Rights) Komnas Perempuan (National Commission on Violence against Women) in Indonesia has trail

blazed its role to monitor violations against women. It has developed its own initiatives for the protection of women human rights defenders such as conducting official visits to local authorities with participation of women's organizations and advocates; extending emergency assistance such as urgent interventions during the height of armed conflict in Aceh and East and West Timor; capacity building that include provisions for psychosocial help and long-term empowerment (Chandrakirana in Real and Chai, 2005: 57 – 61). In 2007, it conducted a consultative study to document the specific situation of women human rights defenders in Indonesia, developing its own typology of naming the violations and identifying the sources of strength of the women defenders themselves (Komnas Perempuan 2007).

To fill the gaps in the State responses, there is a proliferation of civil society initiatives to protect and support women human rights defenders. These include the provision of safe houses; giving of awards of recognition; psycho-social networks; advocacy campaigns; consultations and solidarity meetings and visits. (APWLD 2007: 103 – 108) The following members of the WHRD IC have also developed programs to respond to urgent appeals and emergency support to defenders, including women and LGBTI activists in different countries or regions: AI, Forum Asia, Front Line, FIDH and OMCT (Observatory for the Protection of Human Rights Defenders); and PBI. UAF and WLUML specifically assist women human rights defenders as defined by the Coalition. The support the organizations extend vary depending on the needs identified by the defenders such as fact-finding missions; temporary relocation within the country or abroad; legal aid; trial monitoring; solidarity visits; protective accompaniment; stress management programs; and fellowships.

Gender-responsiveness requires women or LGBTI specific responses. For example, a transgender activist could experience harassment because the 'sex' indicated in the passport is different from his/her physical appearance. In addition, gender-responsiveness also requires integrating a gender analysis in the interpretation of the different rights recognized under the UN Declaration on Human Rights Defenders. It is important not to simply treat women human rights defenders as a separate category, rather to consider gender as a concern that cuts across the different categories of defenders. Not employing gender as a crosscutting analytical lens could lead to reification of the category of women and sexual minorities, which on the one hand could point to the need for women or LGBTI-specific interventions, but on the other hand, reinforces the "ghettoization" of their rights. As a result, the development of responses appropriate to the specific nature of the experiences of women human rights defenders continue to be under-resourced and as pointed out by Coalition members, women's rights and sexual rights advocates in the network continuing to bear the bulk of the burden of identifying and meeting the gender-specific needs of women human rights defenders.

Each organization's assessment of risk prescribes its response to an urgent appeal case. A gap in the responses is the differing assessment of risk among responding organizations, with some cases falling in the cracks because they do not meet the criteria. The members discussed the case of Lubna Hussein who was convicted for public indecency for wearing trousers in Sudan. Some members did not consider this as a defender's case

since she was perceived as advocating only for her own right. Given the history of repression in Sudan manifested in the fundamentalist control over dress codes, Lubna acted in defense of the freedom of expression. Moreover, Lubna could have opted not to go on trial, but she chose to resign from her UN position that gave her immunity. Her actions of going to trial to protest against Sudan's morality laws are in defense of human rights. This emphasizes the need to develop gender-specific criteria to guide the assessment of cases or the development of responses among organizations responding to urgent appeals or extending assistance to defenders.

In assessing its responses to urgent appeals, members of the Coalition pointed out that they address different forms of violence against women human rights defenders - physical, sexual and psychological. However, most of the urgent appeals point to state agents as perpetrators. Among the appeals issued by the organizations, there are not many action alerts pertaining to violence by non-state actors. This includes abuse committed by colleagues such as the case of a defender in an international network accused of beating his wife, also an activist in the movement. Human rights advocates stress caution in raising the latter as it might backfire because governments could use it against the movements. But under the principle of upholding the universality of human rights, women's rights advocates insist that such forms of abuse must be challenged and movements must also be made accountable for violence against sexual minorities, women and their defenders.

An emerging principle discussed by the Coalition in providing gender-sensitive responses is the notion of "equitable balance in the responses between women and human rights defenders". It is not just important to adopt a range of responses, but also to ensure that efforts to protect women human rights defenders are at par with their male colleagues. For example, responding organizations might only focus on the needs of individual defenders and not consider provisions for children of women human rights defenders who are single mothers. While it might be more costly or require additional efforts, women human rights defenders are entitled to protective measures that foster substantive equality and correct the gender differences manifested in the situation of defenders.

Lastly, full protection for women human rights defenders requires revising the prevailing concept of 'security'. Narrowly limited within the State's notion of 'national security', a masculinist ideology of militarism underpins the existing definition, giving primacy to the use of force or exertion of military might to ensure security. Responses that overemphasize addressing physical threats or anchor the definition of defenders on the basis of the risk they face mirror this narrow definition of security. Women human rights defenders insist that a holistic concept of security underscores responding to immediate as well as underlying and structural causes of the non-realization of rights. For example, in developing security measures, responding organizations should consider the different nature of sexual violence and the stigmatization or ostracization surrounding sexuality-related offenses that create heightened risks for women human rights defenders. It entails addressing visible or often neglected needs, such as provisions for child care, health care, psycho-social support, and other forms of support that look into the well-

being of defenders and their families. It aims to generate an enabling environment that addresses structural discrimination and sustains defenders, their organizations and movements.

Conclusion

As demonstrated by the experience of the WHRD IC, there is strategic advantage to be gained in subscribing to the term ‘human rights defenders’. However, within this framework, there is a persistent dichotomy between human rights and women’s and sexual rights in policy and practice. The challenge remains of engendering the interpretation and application of human rights in order to ensure full protection and integrated security for women human rights defenders. It is imperative to develop a gender analysis of the rights of human rights defenders contained in the United Nations Declaration on Human Rights Defenders and for human rights organizations and other stakeholders to share the burden of identifying and meeting the gender-specific needs of women human rights defenders.

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