

Submission in Light of the 20th Anniversary of the Human Rights Defenders (HRD) Declaration (A/RES/53/144) with Focus on Situation of Women Human Rights Defenders in YEMEN, SUDAN, EGYPT, IRAQ and BAHRAIN

Submission to the OHCHR | April 2018

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The WHRDMENA coalition is sharing the following information as part of a consultation process that was launched within the coalition. We have compiled the information from our members and translated most of it from Arabic to English.

The WHRDMENA Coalition was established in 2015, and covers the countries of the Middle East, North Africa, and the Gulf. We work in the Countries where we have membership in. By March 2018, the coalition membership was counted for 47. The WHRDMENA coalition works on mainstreaming and engaging with WHRDs as defined by the international Women Human Rights Defenders Declaration adopted in 2013 by the UN general Assembly.

We wish to highlight the following before sharing the submissions below:

- 1) The targeting of Mozn Hassan and Azza Solieman in Egypt is discouraging younger WHRDs from continuing their work.
- 2) The SR on HRDs have not addressed in specific statement the situation of WHRDs since 2016.
- 3) Despite cases in Yemen, and Sudan this year, No statements were issued by relevant offices.

The WHRDMENA coalition wishes to acknowledge though, the importance of this call for submissions, and to highlight that such a tool is very simple and accessible, and it enabled many of those who can't speak English or aren't experienced in using the tools already existing to submit.

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On the behalf of the WHRDMENA Coalition

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The Regional Coalition of Women Human Rights Defenders in the Middle East and North Africa

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Yemen

Organization background: to be foundation

Defense for Rights and Freedoms works on documenting human rights violations and forced disappearances in Aden. DRF advocates for the detained and works with the Abductees' Mothers' Association.

Progress point.

-Despite measures put by the United Nation offices, specialized agencies and departments, there is still a lot of work to be done in terms of the challenges and obstacles faced by women human rights defenders. Women human rights defenders risk their lives doing their jobs in a war-torn country, recently, Reeham Al Bader was [assassinated](#). Such risks pose a question of protection and sustainability. Especially in a context in which barely any measures are being taken to press state and non-state parties in the conflict to end systematic and targeted violence against women human rights defenders. Add to that, emergency responses more often than not have failed WHRDs who have received serious, brutal death threats and needed immediate temporary allocations (we add examples here) in order to continue providing essential lifelines in besieged and war-torn cities.

Good Practices:

-Promoting the Declaration on Human Rights Defenders and the landmark resolution on protecting Women Human Rights Defenders had a positive impact.

Recommendations:

-Concrete measures at the legislative and procedural levels to ensure the protection of human rights defenders and oblige States to provide protection through the institutions which are authorized to protect the rights of prisoners and to legally bind states into adopting the resolution on the protection of women human rights defenders.

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Egypt

Organization background: Freedom for Democracy and Human Rights (based in Port Said)

Freedom for Democracy and Human Rights advocates for human rights and women's rights.

Progress, achievements and challenges:

It is important to note that there's a crackdown in the Egyptian context, and more protection should be provided to women human rights defenders due to the unprecedented worrisome circumstances which have led to many human rights violations, including intimidation of women human rights defenders. In addition, the State makes information inaccessible, fabricate charges, and threatens women human rights defenders. Such circumstances make it hard for women human rights defenders to continue their work, whether in advocating or protecting human rights and reporting violations.

Recommendations:

-The Egyptian authorities constantly try to improve its image to the international community without holding responsibility and improving the human rights situation within the country. Therefore the OHCHR should pressure governments to ratify and implement the UN resolution on protecting women human rights defenders efficiently and effectively, along with providing resources to help women human rights defenders understand how the UN agencies, bodies, departments, and missions respond to violations and how to communicate with them immediately, and efficiently.

-Pressure the Egyptian government to adopt a more transparent method in cases of human rights violations, which doesn't expose, threaten or pressure women human rights defenders.

-Cases of assault, threats, or arrests of women human rights defenders must be taken seriously and demand urgent responses. All actions must ensure that women human rights defenders are safe in their places of detention and efforts must be placed into releasing them. In case of arbitrary detention, efforts should be joined in preventing such a violation again women human rights defenders.

-Pressure the Egyptian authorities into providing a safe environment for the work of women human rights defenders without any constraints, threats, and any form of tracking or targeting, which includes confiscating and freezing assets of civil society organizations.

-Ask the Egyptian authorities to open the public sphere in Egypt and to revive the much-needed role of the civil society. Government-monitoring and violation-tracking cannot be done if the civil society is inactive and women human rights defenders are behind bars.

-Ensure regular and periodic contact with women human rights defenders to ensure that they are not subjected to intimidation or threats. If women human rights defenders are at risk, direct contact with UN agencies and departments from their side might cause repercussions.

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-Pressure the Egyptian authorities to revoke the travel ban against women human rights defenders in Egypt.

-Demand the Egyptian government to remove all forms of militarization and military forces from the political and civil life in Egypt. The military must not deal with civilian in any form and under any circumstances. Only civilian police and regulations are responsible for engaging with civilians. The counter-terrorism law should not be used to invoke human rights violation or to justifying the military hold women human rights defenders accountable. Efforts must be put into pressuring the government to suspend the trials of civilians in military courts in Egypt.

Iraq

Organization background: Baghdad Women Association

Baghdad Women Association works to reduce discrimination and violence against women through advocacy campaigns aimed at abolishing unfair laws and regulations against women and to mainstream gender equality in national legislation. BWA also provides protection, legal assistance and effective listening services for women survivors of GBV.

Progress, achievements and challenges:

One of the main challenges is that the UN offices are not accessible and difficult to communicate with them more often than not, especially to non-English speaking women human rights defenders. The question of accessibility is difficult because women human rights defenders have no immunity. Most of them are at risk because they work in a dangerous environment due to state and non-state actor's violence targeted on them.

Recommendations:

-Pressure the government to include the international declaration on human rights defenders and the resolution on the protection of women human rights defenders and establish practical new mechanisms on the ground that will guarantee the safety of women human rights defenders.

Jordan

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Organization background: Arab Women Organization

Arab Women's Organization of Jordan has been involved in a long process to strengthen the status of Jordanian women to become equal and effective partners in development. AWO was founded in 1970 with perseverance to attain gender equality, women's rights and women empowerment throughout its history.

Progress, achievements and challenges:

UNDP, on behalf of all UN agencies, reports to the Human Rights Council on the situation in Jordan. These reports are often general and do not include violations against freedom of expression of civil and media freedoms, or the names of the journalists arrested on the grounds of freedom of expression. From our point of view, civil society spaces are becoming narrower, and they are not receiving any support from the UN agencies. Despite an increasing number of law violations on the licensing, sustainability and funding of organizations, no action is taken by the UN agencies. Although a number of journalists and bloggers have been detained for their writings in newspapers and on social media platforms, no one is speaking or taking actions to stop these violations or demands the release of these freedom advocates.

Recommendations:

Perhaps the most important issue to be highlighted during the commemoration of the twentieth anniversary of the Declaration on Human Rights Defenders is the recognition and protection of women human rights defenders, especially those who work on issues related to the right of women to grant citizenship and who are often subjected to scorn, and many times have their children deported.

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Bahrain: Bahrain Center for Human Rights

Challenges

Fear of repercussions by states if WHRDs contacts UN offices.

All the activists interviewed by BCHR said they had to practice self-censorship because of fears for their own safety or of reprisals against their families. Many of them abandoned their work or fled the country.

"I don't feel safe anymore even just organizing human rights trainings for young female activists. Everyone has become frightened," said one activist to BCHR.

Another women's rights defender told BCHR: *"I am afraid to talk. I am a mother and I feel worried for my children. Women who spoke out about issues like sexual violence used by the security services or the situation of women detainees have been harassed and threatened."*

For female journalists, the consequences of publishing articles about human rights can include prosecution and torture, as the case of Nazeeha Saeed, the most prominent Bahraini female journalist, illustrates. After her coverage of the 2011 protests, where she witnessed police officers killing a man at a protest and challenged the government narrative of events, the Bahraini police subjected her to hours of torture, ill-treatment and humiliation. Nobody has been brought to justice for that torture, after a court failed to convict a police woman alleged to have carried out the torture, despite evidence proving the abuse.

2) Travel Bans, which make international advocacy spaces unavailable.

Travel ban is not a new tool used by the Bahraini government but what has changed is the systematic use of this specific harassment that allow the government to suppress dissident voices without paying the high political price of putting activists in jail. what we see at BCHR is that the consequences for activists are more dramatic than just being prevented to travel and to attend fancy events, it means concretely that some of their cases would not be echoed anymore at the international level as it affect also their relationships with international NGO, preventing them to meet and exchange with them.

In the Bahraini case, and for BCHR staff in particular, travel ban have been imposed on activists also as a form of reprisals against activists who have spoken to the United Nations, made statements, sent information to the UN.

One of the specificity of the Bahraini community of activists, and WHRDS in particular is that they have been extremely active and visible in the UN fora trying to put Bahrain on the UN agenda. Now to be more specific about the situation WHRDs, they have been targeted by travel bans as a particular group and many of them have been impeded from travel since the beginning of this year. For BCHR only, we have most of our women's colleagues targeted by this type of sanction.

So in terms of obstacles they face, the most problematic is clearly the lack of reaction from the international community and the UN because its a more insidious form of persecution

We face huge difficulties in securing appropriate reactions from the UN and diplomats because it's not such a clear case of reprisals like someone who is put in jail for example, right after traveling to Geneva

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or

New

York.

Recommendations

- Make a full use of the current international and regional protection framework, in particular the Human Rights Defenders framework, and make it more accessible to those at risk. The issue of reprisals faced by those seeking to access international protection frameworks is also a worrying trend, which needs to be more documented for specific cases involving WHRDs
 - Involve WHRD's in making decisions about their security and protection. Protection measures to respond effectively to WHRD's security concerns, should integrate WHRDs themselves and they need to be supported to report and discuss risks, to come up with their own strategies for protection.
 - Recognize the variety of actors involved in violations against WHRDs, including non-state actors: WHRDs face specific challenges as they are more often subject to violations committed by non-state actors, like fundamentalist groups, religious institutions, paramilitaries or criminal networks involved in trafficking or slavery.
- Better monitoring and analyzing of the specificity of the threats and the gender-specific challenges they face by the UN mechanisms.

Sudan:

Progress, achievements and challenges:

In the past three months (January 7, 2018 until February 21, 2018) , the Sudanese authorities have led a nationwide [violent](#) crackdown [against women human rights defenders](#), who may or may not have engaged with the ongoing peaceful protests, through arbitrary arrests and interrogations. Many WHRDs were subjected to several forms of violence [during their detention](#). At least 50 women human rights defenders were detained. Such violations have been documented by some collectives and groups in Sudan. WHRDs who remained free were being followed and tracked, which made it hard for them to

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contact any UN agency both physically and virtually. Many press releases, reports, documentations, statements were released, and however, the OHCHR issued no such expected and much-needed statement, which is extremely worrying. The Coalition has reported the cases to the SR on the Situation of Human Rights Defenders but we haven't received any response yet. WHRDs in Sudan have also filed a memorandum to the Sudan National Human Rights Commission (SNHRC), which is the country's first and only national human rights institution, in which they documented human rights violations against the detained peaceful activists. The SNHRC, however, denied that the detainees were subject to ill-treatment, which further proves the SNHRC's inability to address serious crimes and violations of human rights.

Despite this, two progress points, which can definitely be a solid ground for women human rights defenders to work on and engage in, should be noted:

- a) The [extension](#) of the Commission on Human Rights in South Sudan, which has [recommended](#) the government of South Sudan to ensure the security, freedom of expression and work of civil society actors, including human rights defenders, and to initiate civic engagement and consultations with human rights defenders and women leaders and frame the transitional justice mechanism to meet their demands and context within South Sudan.
- b) The [upcoming visit](#) of the UN Independent Expert on the situation of human rights in Sudan, Aristide Nononsi who will assess the implementation of the recommendations made to the government by human rights mechanisms.

Good Practices:

UN agencies in Sudan have helped re-frame the dynamics between civil society and governments and shedding light on whatever is hampering the procedural implementation of human rights. In addition, periodic visits by mission have also helped establishing the face that women human rights defenders' voices are not to be silenced.

Recommendations:

- The urgent and immediate follow up on all released WHRDs in order to document any human rights violations that happened during interrogation and detention.
- Conduct an immediate, independent investigation into all allegations of excessive use of force against peaceful protestors as well as ill-treatment and torture of detainees by police and NISS.
- The UN Independent Expert is advised to arrange a meeting with WHRDs and to follow up on their cases to assess the commitment of the government to the UN mechanisms recommendations.
- Hold the Sudanese governments accountable to the international community as the detention of women human rights defenders is in violation of the Sudanese constitution: articles 29, 31, 40 (a) and 48 of the Interim Constitution of the Republic of Sudan. It also violates articles (2), (7), (8), (9) and (30) of the Universal Declaration of Human Rights, and articles 2, 5, 9, 17, 19, (2), (4) and article (6) of the African Charter on Human and Peoples' Rights, and articles 2, 3 (a), 4, 8, (28) of the Arab Charter on Human Rights.

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- Pressure the authorities to allow unfettered access to the United Nation and human rights organizations in order for WHRDs to be able to carry out their work.
- UN bodies, agencies, departments and missions are in Sudan are advised to put more effort into engaging women human rights defenders.
- Engaging women human rights defenders, who have been risking their lives documenting violations and establishing mapping and documentation initiative, with the UN human rights mechanisms.
