

PBI's submission to the Conservative Human Rights Commission (CHRC) on women human rights defenders

Peace Brigades International (PBI) would like to thank the Conservative Human Rights Commission (CHRC) for the opportunity to present evidence to the commission. We understand that the aim of the CHRC is to produce a report on "Supporting Women Human Rights Defenders" and specifically to identify what the UK Government should be doing to support women human rights defenders around the world.

PBI is an international NGO that has been promoting non-violence and protecting human rights since 1981. Following a request we send teams of international volunteers to areas of repression and conflict, to provide international observation and protective accompaniment to human rights defenders, civil society and communities threatened by political violence. Our work is based on the principles of non-partisanship and non-interference in the internal affairs of the organisations we accompany. We believe that a lasting resolution of conflicts cannot be imposed from outside, but must be based on the capacity and desires of local people. Therefore we do not engage in the work of the organisations we accompany; rather our role is to open political space and provide moral support for local human rights defenders to carry out their work without fear of repression. Our wide access to information and our objectivity increases our credibility with all parties to a conflict and gives us access to authorities nationally and internationally. Since 1981 PBI volunteers from more than 30 countries have protected the lives of hundreds of activists working for social change in nine countries. We currently have teams in Colombia, Guatemala, Mexico, Nepal and Indonesia. This submission will draw on our experience from the five countries where PBI continues to have a presence.

It should be acknowledged that carrying out human rights-related work in many countries in the world is not only challenging but also dangerous for those engaged in defending the rights of others. Women human rights defenders (WHRDs) like their male counterparts work to protect a wide range of rights: civil and political rights and economic, social and cultural rights, as well as to defend and promote women's rights. WHRDs often experience threats because of their gender and are targeted because of who they are not just because of what they do. WHRDs are threatened, persecuted and assassinated because of their effort to defend the rights of others.

Human rights defenders are essential to the creation of any strong and inclusive democracy. They are key to monitoring, reporting and promoting human rights. They also have a substantial role in the strengthening of peace through dialogue and justice. They enable civil society to claim their rights and to seek justice through non-violent and legal means. Therefore Foreign Policy is a valid instrument with which to defend human rights and human rights defenders (HRDs) all over the world.

Recommendations

It is important that the UK works bi-laterally and in cooperation with the EU in order to ensure the safety of WHRDs. Many of the threats to the work of WHRDs are the same as those for all HRDs but others go beyond this as WHRDs are also oppressed and threatened because of their gender. These recommendations lay out what we consider would be good practice (in many cases for all HRDs) but specifically in the case of WHRDs.

- 1) In countries where human rights are systematically violated it is essential to consult, in a regular way, with all HRDs, but within this framework the UK government and UK embassies should ensure that WHRDs are adequately represented and their voice is heard. They should also pay attention to the recommendations of local human rights organisations.
- 2) Meetings should be held with HRDs prior to any political dialogues; in these meetings adequate representation by WHRDs should be ensured. Protection of HRDs should be a priority discussion topic during political dialogues between the embassies and country governments.
- 3) WHRDs often need safe (women only) places to meet for networking purposes and in order to take respite when forced temporarily to leave the local situation for their own safety. Safe houses for women in major towns and cities can be an essential part of their network of protection. They also create a space for networking, support from other WHRDs. Funding should therefore be prioritised for in-country safe houses.
- 4) Ensure that there is a special section in the UK annual report on Women HRDs in order to inform parliament and the public about the actions taken on their behalf, and that there is funding specifically allocated to WHRDs and their organisations.
- 5) Active monitoring of the impacts of actions taken by embassies on behalf of WHRDs. Embassies should also be prepared to take further actions if there is no improvement in the situation.
- 6) Design a 'tool-kit' of actions that can be taken on behalf of HRDs and which can gradually increase pressure. This should be available to embassy staff. This tool-kit should take into account the specific situation of WHRDs and the cultural context in which the embassy is operating.
- 7) Training on the implementation of the 'tool-kit' actions means that the embassy's capacity to react is not reliant on one person, and its capacity is not reduced when they are in the process of changing personnel.
- 8) WHRDs and Women's human rights organisations frequently suffer from being under resourced. This engenders even greater risk for WHRDs; therefore international funding should be prioritised for their work.

- 9) The UK government should ensure that there is close liaison between the FCO teams working on the UN Human Rights Committee (HRC) and the EU to ensure that Free Trade Agreements and GPS+ agreements have taken into account the human rights conditions of the country and the recommendations on HR made by the UN HRC in the Universal Periodic Review and Special Rapporteur reports.
- 10) Monitor cases that have been specifically identified by UN special procedures on Violence against Women and Human Rights Defenders to ensure that the State implicated complies with the recommendations.
- 11) Ministers visiting third countries where WHRDs are stigmatised should ensure that public statements are made about the human rights defenders' crucial role in the building of democracy.
- 12) WHRDs need to travel in order inform civil society on an international level about the human rights situation of their countries and to build international support networks. At times it is essential that they travel with their children. It is therefore important to review the way, in which the UK issues travel visas for this purpose, to ensure that WHRDs are not refused visas on the grounds that they are threatened in their home countries. A specific category (similar to that for business visas) could be created for HRDs in order that criteria appropriate to their situation could be considered.
- 13) It is important to provide opportunities for HRDs to obtain emergency visas should they need to leave the country because of the risk to their lives. Support should therefore be given to the potential EU initiatives of Shelter Cities.
- 14) The UK should take steps to find out about the personal situation of human rights defenders and, where appropriate, intercede on their behalf. To this end, diplomatic missions should set up, alone or alongside the EU, points of contact with HRDs who are under threat. To ensure monitoring on the ground, by sharing information about HR defenders, maintaining contact with them and expressing concerns to the authorities in those countries where they are threatened. There should be specific recording of information on WHRDs.
- 15) Systematically monitor legal proceedings against women human rights defenders (including observation of trials), visit women human rights defenders in custody and express public support to them and their families.
- 16) Offer technical assistance to governments to implement the recommendations of the OHCHR, to ensure that intelligence gathered on human rights defenders is justified and subject to data protection legislation, including access, judicial oversight and deletion.

- 17) Support an international programme of events whereby WHRDs globally can come together to find solutions to the obstacles generated due to their gender.
- 18) End impunity for gender-motivated crimes in order to create a safer environment for WHRDs defenders to operate.
- 19) More effective and efficient investigation into threats, stigmatisation, and killings of WHRDs.
- 20) UK government to offer technical support to countries to end the processing of cases of human rights violations committed against civilians under military jurisdiction, and to ensure that these crimes are processed in civilian courts.
- 21) Establish benchmarks for international government aid to be withheld in credible cases of gross human rights violations and breaches of international humanitarian law.
- 22) Substantially strengthen collaboration with women's human rights and civil society organisations, especially with those that work on issues related to the defence of human rights
- 23) As a Mission directive the effective implementation of EU Guidelines should form part of the job description and performance evaluation of ambassadors and other Embassy officials.
- 24) Ensure that the members of diplomatic missions are fully aware of the need to systematically implement the EU Guidelines on Human Rights Defenders and have undertaken specific training or preparation on how to implement them (see [International Conference on Security and Protection for Human Rights Defenders.](#))

Intimidation, harassment, attacks and disappearance of WHRDs

In internal conflict situations the search for relatives of the detained and disappeared has been an activity spearheaded by women. It is often one of the most agonising struggles for justice arising out of political repression. These WHRDs are among the few who are willing make a stand against this form of State oppression and stand up to the terror which lies behind the disappearances. They often form grass-roots organisations such as Associations of the families of the detained and disappeared. Their investigations into the disappearances of loved ones often lead them to the highest echelons of the State. Often women human rights defenders in these organisations do not have a high international profile, making them more vulnerable to politically motivated attacks. They also have restrictions placed on their lives by their situation; these include: a lack of financial resources owing to the loss of the breadwinner of the family; displacement, often on account of fear, or further threats against the rest of the family once they report the case; stigmatisation and threats from the local community when the work they are doing becomes public knowledge. These threats are

frequently directed not only at the WHRD but also at their families as a result of which they are often forced to move house for their own safety.¹

According to the Colombian Commission of Jurists in Colombia, seventy-four assassinations of HRDs were registered between August 2002 and September 2008 nineteen of which were WHRDs².

In Colombia in 2009, Luz Elsie Almanza coordinator of the Association of Relatives of the Detained-Disappeared (Asociación de Familiares de Detenidos Desaparecidos – ASFADDES) was declared a "military target". Almanza works to end impunity in cases of enforced disappearances in Colombia. Two men who had identified themselves as paramilitaries approached her and verbally threatened her. Later she received a threatening text message "Ms. Luz Almanza this is to let you know that you as representative of the organization which you are leading are declared a military target, sincerely self defence forces" Rumours were also circulating that her name was on a list of people whom the paramilitaries were planning to kill.

Family members and WHRDs who accompany them are often harassed and threatened by soldiers when they attend exhumations. They feel oppressed in situations that are already tense and emotional.

'On 24th May 2008 a soldier pointed his gun at me, it's not clear if it was a threat or an act of harassment. In July 2008, during the excavations that took place in the Military Barracks of Atoyac, where people who disappeared are supposedly buried, the family members were harassed by the Federal Investigations Agency, the AFI, who asked them intimidating questions, like: "If you received a death threat, would you stop the work you are doing? I know I would"... they asked many people who they were and what they did. I've been put under surveillance. The climate of violence is bad; there's been many kidnappings and murders. The family members have many doubts and little hope that the government want to clear up the facts, they're also scared. Scared the same will happen to them as happened to their disappeared relatives. The people say: it's the government and they clearly won't be punished. The state ignores us. They receive us at their meetings but don't care about our demands.' (Tita Radilla HRD Association of Relatives of the Disappeared and Victims of Violations of Human Rights in Mexico (AFADEM) Testimony given to PBI.)

Grass-roots organisations like the families of the detained and disappeared, *campesino* and indigenous leaders and social organisations working in rural areas or in the poor barrios surrounding the cities are often some of the most vulnerable defenders. As they rarely have a high international profile violations against them are more likely to go unnoticed.

1 In some cases WHRDs strongly resist moving house in the hope that their loved ones may return. They are often concerned that if they move, the disappeared person will not be able to find the family.

2 Colombian Commission of Jurists, *List of victims of socio-political violence in Colombia. The right to life. Violations against human rights defenders. July 1996 to September 2008.*

The case of Nohora Cecilia Velásquez

On 21 July 2003 Nohora Cecilia Velásquez Cortés, President, Cundinamarca section of the National Association of Peasant, Indigenous and Black Women of Colombia (ANIMUCIC), was forcibly disappeared by paramilitaries of the United Self-Defence Forces of Colombia (AUC). Velásquez and her family had received threats from paramilitaries accusing her of supporting the guerrillas. On 23 March 2002, Velásquez and her daughter were kidnapped by a group of paramilitaries who took them to a village called La Hoya de Tudela. Once there, the paramilitaries accused them of visiting guerilla zones and said their work with women was encouraging armed conflict and opposition. They threatened them, telling them to leave the region. Subsequently, the threats intensified: Velásquez received telephone calls at home and at her office; she reported the presence of strangers and suspicious cars near her home late at night and a number of people asked neighbours about her and her family.

On 21 July 2003, Velásquez left the farm where she lived to meet her daughter. On the way, a group of heavily armed paramilitaries forced her onto a pick-up truck and drove away. During the journey they subjected her to physical and verbal abuse, accused her of being a member of the guerrillas and persistently asked about her work with ANMUCIC and the organization's funding. The journey ended on a farm where she was continuously beaten. *"They tied me up ... told me that they would kill my family and my daughter... They asked me if ANMUCIC was an NGO... They asked me how we were financing our work, whether it was a hobby or a vice, or if I worked because I didn't know what to do at home". The questioning went on for many hours. Velásquez was found alive on 23 July 2003, after her family had requested that the Public Prosecutor's Office undertake an urgent search. It seems that what led to her liberation was the government's request that the paramilitaries, with whom they engaged in dialogue, stop violating the ceasefire which had been agreed.*³

According to Yolanda Becerra, Director of the Popular Women's Organisation⁴ (OFP) "When we demand our rights and condemn violations of human rights, we are turned into military targets."

³ Colombian Commission of Jurists - CCJ

⁴ Organización Feminina Popular

Yolanda Becerra Vega

Based in Barrancabermeja, an oil-refining centre, where links between Colombia's security forces and paramilitary groups are well documented. The OFP has reported guerilla forces for human rights abuses, paramilitaries for their brutal tactics for imposing "order," and the Colombian government for failing to protect civilians against the violence. The women who work with the OFP have received many threats over the years, three WHRDs, have been assassinated and two others were "disappeared."

Becerra in 2007 was confronted by armed men who forced their way into her home, put a weapon to her head, and threatened her family. They gave her 48 hours to leave, and then destroyed her apartment. She was forced to move to Bucaramanga (the capital of the department) but she has continued her work despite the threats.

Women leading indigenous organisations

PBI⁵ has documented a series of systematic attacks against various indigenous organisations in Guerrero, particularly in the Ayutla region. These communities suffer the highest rates of poverty and marginalisation within Mexico, and the crimes committed against them are neither investigated nor punished.⁶ Women community leaders form part of the Organisations of: - the Indigenous Me'phaa People (OPIM) and the Future of the Mixteco People (OFPM) These NGOs have reported false criminal accusations, threats, theft, attacks, torture, sexual aggressions, forced disappearance and murder. All of these crimes remain unpunished.

Obtilia Eugenio Manuel, has been forced to leave Ayutla due to the threats against her and the levels of impunity that exist⁷. Following her election to president of the OPIM the aggressions and intimidations increased. On the 24th January Obtilia was followed by three vans one of the people in the vans issued a death threat against her

Death threats and threats against family members

According to the UN Special Rapporteur on the situation of human rights defenders' 2009 report: 'Patterns of harassment and persecution against HRDs, and often their families' continues in Colombia. Death threats are used widely as a means to threaten and intimidate WHRDs into stopping their work. These threats affect not only the lives of WHRDs but also their families. As a result of threats of this kind WHRDs are forced to change their routine, move house, move region and/or they seek the physical accompaniment of international organisations like PBI, or they have to leave the country permanently or temporarily.

WHRDs not only experience threats against their own lives but also the lives and well-being of their children. The psychological and emotional pressure of having to decide whether you can continue with your work when the threats

5 Data collected between 2003 and 2009

6 <http://www.amnesty.org/en/library/asset/AMR41/040/2008/en/617b0f2c-9467-11dd-8a66-2b277e06f5bd/amr410402008spa.pdf>

7 <http://www.tlachinollan.org/inicio.htm>

are directed at you are onerous in themselves but they enter another plateau when they are directed against the children of HRDs.

Claudia Julietta Duque (HRD/Journalist – accompanied by PBI)

“When they realized that their terror and scare tactics did not have any effect on me, they went after my then 10 year old daughter. They told her repeatedly that they would rape her, kill her and cut her up in pieces”. I consider myself a strong person, I can handle much more than others, and I know that. But with my daughter it is different. She was my “weak point” and they figured that out”.⁸

The threats that were made against Duque's daughter who was only 10 years old included the threat of sexual violence. They told her that her daughter was going to suffer, they were going to violate her and burn her alive.⁹

Duque ended up leaving Colombia for a short period of time with her daughter following these threats. In total she has had to leave the country three times to allow the situation to calm down, each of these was due to concerns about her daughter.¹⁰

A scandal broke in Colombia in 2009 about illegal operations of intelligence gathering in Colombia. This had been systematically happening for several years and had been targeted against HRDs, politicians, Supreme Court Judges etc. Lists of people had allegedly been passed from this department to paramilitaries. Worryingly the illegal surveillance had in the case of WHRDs not only been directed at them but their children – their route to school had been documented, their friends, places they went to regularly¹¹

According to Carlos Bernstien a well-known and respected psychologist: ‘in psycho-social terms, threats against family members and this type of illegal surveillance can impart a strong sensation of vulnerability, given that all aspects of one’s personal, family and collective life have been spied on and turned into counter-insurgency objectives. This feeling of vulnerability leaves the affected persons helpless against the State’s power. It also represents a violation of personal privacy that can be understood when compared to some of the frequent effects of a sexual violation: attack against one’s dignity, control of privacy, humiliation....’¹²

Stigmatisation of WHRDs and their organisations

Stigmatisation of WHRDs particularly by high-level government officials can have wide ranging implications: WHRDs can be declared 'military targets', it can undermine the credibility of their work, cause funders to halt funding

8 Semana Magazine, “Comisión Interamericana de Derechos Humanos preocupada por 'chuzadas' del DAS”, 26 February 2009

9 ibid

10 <http://www.svenskakyrkan.se/default.aspx?id=343435> for further information.

11 Ccajar (2009) The Colombian State Employs the DAS against HRDs <http://www.colectivodeabogados.org/The-Colombian-State-Employs-the>

12 Peace Brigades International. Quarterly Journal December, 2009:14

pending an investigation or influence possible new funders to 'play it safe' and not fund the organisation. Lack of resources for human rights work can limit effectiveness of human rights work and can cause the organisation itself to have to shut. If this happens there will be no international protest, even though the motivations behind its disappearance have been deliberate and politically motivated.

Margaret Sekaggya, the UN Special Rapporteur on the situation of human rights defenders, following her visit to Colombia in September 2009 explained, "A prime reason for the insecurity of human rights defenders lies in the systematic stigmatisation and branding of defenders by Government officials."

WHRDs are often stigmatised in conflict situations, are falsely accused of links with insurgency groups and can be publicly smeared as "terrorists". In Colombia it is frequently suggested that they are the collaborator with the guerrilla, with phrases like 'the legal arm of the guerrilla' or calling them 'terrorists'. Leaders of the Peace Community of San Jose de Apartadó have been accused of giving food or medical assistance to the guerrilla and are falsely branded 'collaborators'.

On 12th February, 2009 a report about the impunity of HR violations against Colombian trade unionists was used during a hearing in the United States House of Representatives. Following this hearing the Colombian President Uribe accused the participants of distorting the truth and being motivated by "political hatred." Subsequently the Colombian Commission of Jurists (CCJ) received a fax signed by the Bogotá front of the paramilitary group the Black Eagles (Águilas Negras) declaring the author of the report, lawyer Lina Paola Malagón Díaz, a "military target" and threatening to kill her. Following this threat, she was forced to live outside Colombia for eight months."¹³

Criminalisation of WHRDs

The criminalising HRDs has been a growing problem. The UN Special Rapporteur on the situation of human rights defenders, during her visit in February 2009 to Guatemala, highlighted the threat. According to her report, existing figures about the prevalence of criminalisation have been underestimated. HRDs working on the defence and promotion of rights concerning territory, environment and collective territorial rights of tribal and indigenous peoples have been specifically targeted with spurious charges. PBI has noted the trend towards criminalisation of HRDs in the majority of countries where we are currently working; Colombia, Guatemala, Indonesia and Mexico.

Elizabeth Gomez and Luz Marina Arroyabe WHRDs working with Inter Church Commission for Justice and Peace (CIJP), Gomez and Arroyabe assist communities to peacefully reclaim land illegally appropriated. They were preventatively detained on May 17, 2008, by the Police Inspector of Riosucio and charged with violent association and attempting a coup (*asonada*). Upon investigating the charges the Prosecutor found that there were insufficient grounds for preventative detention and released them. At the time of their detention, they were not informed of the charges against them and were allegedly asked to sign documents without the presence of an attorney. The defence attorney was reportedly not given access to their files, potentially violating the right to defence.¹⁴

Use of the Justice System to attempt to illegally obtain convictions on spurious charges is an extremely worrying trend. WHRDs also increasingly face legal accusations based on false testimony¹⁵, obstruction of the right to defence, manipulated evidence and intelligence information, without reliable sources to back the accusation¹⁶. The UN has drawn attention to their concern about the potential consequences that intelligence archives may have, not only on the implementation of lawful activities by the NGO, but also on the lives and integrity of their members. Recent revelations showed that illegal and systematic wiretapping and surveillance of human rights organisations has been carried out by the Administrative Security Department (DAS) for many years. Targets include many WHRDs and their organisations, as illustrated by the cases studies already mentioned of Soraya Gutierrez, ASFADDES and Julieta Duque. In addition to WHRDs suffering assassinations, forced disappearances, sexual violence and legal accusations, human rights and peace organisations have become targets of illegal raids.

14 Taken from Baseless Prosecutions of Human Rights Defenders in Colombia by Frontline Defenders

15 In Colombia these can be paid testimonies or declarations given by ex-combatants that have been reintegrated into society

16 Peace Brigades International. Quarterly Journal No. 6: Patterns of Irregularities, February 2008, p7; Human Rights First report, "Baseless Prosecutions of Human Rights Defenders in Colombia: In the in the Dock and Under the Gun"

Claudia Montoya Lawyer for the Young Person's Network of Medellín, Colombia. Represents juveniles illegally detained and physically abused by public authorities.

The Provincial Inspector General for the Valley of Aburra brought a disciplinary process against her, on 18th October 2006. Montoya was arrested and charged with rebellion. She was detained until December 2006, when a reviewing prosecutor found the detention to be illegal. The charges against her were dismissed on 9th February 2007, and she was released. The prosecutor had found the testimonies of the witnesses 'vague and reliant on hearsay information'. That witnesses were not able to accurately describe or identify Montoya as the supposed guerrilla referred to in a CTI intelligence report, which lacked sufficient information or strong supporting evidence to accuse Montoya. The prosecutor stated that the witnesses had been led by the initial prosecutor, who had named Montoya as the accused before witnesses had identified her. Some witness statements were worded almost identically, suggesting interference and coaching by the initial prosecutor. The initial prosecutor also failed in its duty to investigate exculpatory evidence, such as the fact that a university corroborated Montoya's attendance. 'The prosecutor found that criminal charges against human rights defenders are often false and must be reviewed with caution.'¹⁷

Justice System

Frequently State authorities don't take WHRDs and the issues they raise seriously, as one Nepalese WHRD said: 'It often seems that the authorities purposefully try to frustrate our efforts'.

The police officer in charge told the victim "You won't find justice with this gang of women (NGO DAFUO). They have destroyed their own homes and now they'll destroy yours. If you want justice, come alone next time".

The legal systems in many countries are slow processes. This fact affects both victims and WHRDs. Victims lose faith in the system and they can also lose faith in the ability of the WHRDs. One Nepalese WHRD put it like this, 'the behaviour from the State authorities makes us feel we'll never have their support and may never be able to provide justice to the victims'.

A political party had originally strongly encouraged the WHRDs to raise the woman's issue (domestic violence issue). However, her husband met with the party representatives and offered them his allegiance and some money. After this, the party turned on the victim and the WHRDs threatening that they'd get them divorced if they didn't drop the case.

17 Taken from Baseless Prosecutions of Human Rights Defenders in Colombia by Frontline Defenders

Human Rights Violations and the Military Justice System

One of the problems that face WHRDs pursuing human rights violations of disappearance or rape committed by the armed forces is that these cases in countries like Mexico are dealt with in the military courts. According to Human Rights Watch, the Mexican military investigations into grave human rights abuses committed by the military over the past few decades have routinely failed to hold perpetrators accountable, contributing to a culture of impunity.¹⁸ Military courts often fail to condemn members of the army when they are accused of crimes, further perpetuating cycles of impunity and violence.

Inés Fernández Ortega and Valentina Rosendo Cantú, both indigenous women are part of the Organization of Indigenous Me'phaa People (OPIM) in 2002 they reported being raped by members of the Mexican Army. Their cases were sent to the military courts, which archived the cases. Valentina Rosendo Cantú and Inés Fernández Ortega submitted appeals citing the incompetence of the military court to try human rights crimes as unconstitutional both were rejected. After seven years of demanding justice using all the legal resources at their disposal, neither Inés Fernández nor Valentina Rosendo managed to end the impunity via the military courts of the crimes that they suffered

The Inter American of Court Human Rights in the recent case of Tita Radilla's father, Rosendo Radilla,¹⁹ questioned the military tribunals and called on Mexican authorities to adopt reforms that would guarantee that human-rights violations committed by the military be dealt with in civilian courts²⁰.

Sexual violence against women human rights defenders

Sexual violence and rape are often used as weapons of war. It is not the sexual act itself that is important but it is rather it is used as a tool to demonstrate power over and humiliation of your enemy. It is also used to humiliate those that are considered to be sympathising with the enemy.²¹

¹⁸ <http://www.hrw.org/en/node/82539/section/5>

¹⁹ <http://en.wordpress.com/tag/rosendo-radilla-pacheco;>
http://www.peacebrigades.org/fileadmin/user_files/international/files/special_report/en_impunity_final_v2.pdf

²⁰ *Case No. 12.511, Rosendo Radilla Pacheco v. Mexico.*

²¹ Oxfam Briefing Paper on Sexual violence in Colombia September 2009

Jineth Bedoya, is a journalist who reports on the situation of the victims in the Colombian conflict. According to Frank Smyth from the Committee to Protect Journalists. "She has covered the human drama of the victims in a compelling way at the same time that she has investigated the perpetrators of violent acts, including the Colombian state support of illegal paramilitaries..."

Bedoya learnt that she was on a hit list of AUC paramilitaries. She decided to go and speak about this to one of the AUC paramilitary leader who was in prison in Bogotá. Whilst she was waiting to enter the prison she was attacked, a drug-soaked cloth was put on her face and she was kidnapped. They drove her about three hours out of Bogotá, where they tortured and repeatedly raped her.

Due to the psychological impact of this trauma and the fear that it generated for sometime afterwards, Bedoya found it extremely difficult to write about situations that were similar to her own or to report paramilitary attacks and atrocities²².

In patriarchal societies authoritarian attitudes will define how women are seen. Such patriarchal systems can generate certain beliefs that will move the blame from the perpetrator to the women who suffered sexual violence. Sexual violence in these contexts stigmatises the victim as a result many women do not report the abuse.

In Acham Nepal, four male colleagues raped a policewoman. The political parties together with the police turned on the victim describing the women as "a fallen, characterless woman". The WHRDs defending the victim were accused by the police of exaggerating the issue. (Information from Dalit Feminist Uplift Organisation – DAFUO)

This effort to dismiss the actions of the WHRDs as exaggerated can stigmatise them and their work in the eyes of the local community and leaders within those communities.

Social Control

Violence against WHRDs in some countries can be used as a political tool and to preserve conservative cultural patterns. Many WHRDs work to protect others from violence and intimidation in an atmosphere where fundamental attitudes are held. The enforcement of strict gender norms can mean that WHRDs themselves become a target. Attacks against them can be associated with issues of social control; this can mean that attacks come from conservative members of the community and family members

Shanushree, Bardiya District, Nepal, a woman abused for 10 years by her husband, became quite ill; her husband refused to take her to a doctor. DAFUO WHRDs brought the case to the area police. From the husband's perspective, his wife had tolerated living with him for many years, therefore it was the interference of the WHRDs that had caused his family's 'private business' to be aired to the world. He threatened the WHRDs with rape and promised to get their husbands to divorce them. The consequence of this was that the families of the WHRDs involved ordered them to stop working on the case, 'or find shelter with the persecutor'. The husband assembled a group of men who went to the home of one of the WHRDs and verbally and physically harassed her.

Information provided by DAFUO

Domestic violence in some cultures continues to be seen as the family's private affair and not a public issue. WHRD who try to work with these situations are often themselves threatened and vilified.

Patriarchal attitudes and gender norms in Nepal mean that there is a lack of recognition and respect for WHRDs undertaking human rights work. As one Nepalese HRD from the Dalit Feminist Uplift Organisation (DAFUO) put it, 'work on HR issues has not become accepted in society yet. When a woman works on human rights issues local people put pressure on her family, asking "Why is your wife/daughter/sister involving herself in others' affairs?" They ask our family to control us better. As a result, family members of WHRDs often become critical and attempt to isolate them from society in a bid to stop them carrying out their work. Many WHRDs are divorced by their husbands; leaving them in a vulnerable position in society... [where as male] HRDs are often highly regarded in society as doing a reputable job; the status of women in Nepal is such that people usually regard WHRDs as 'out of control'.

Radha is Dalit and cofounder of DARFOU. Her husband and many of their relatives disliked her working on human rights and social issues. Still she continued with her work, however, this finally led to a divorce. As a divorced Dalit women Radha says, 'you can only imagine how hard it is in this society! All the scorn that society poured on me was like salt in my wounds' She explained how people react to her: on the negative side, they think that I intend to break up other people's marriages, or they worry that my work will have no clout because I myself am so discriminated against. Being a divorced woman is hard in Nepal. A woman without a husband next to her creates a negative impression in society. It's strange that people worry I will encourage other women to get divorced. On the positive side however, some think I should be respected and listened to because of my experiences.

Testimony from DAFUO WHRD given to the PBI team December 2009

Attacks against WHRDs by the Security Services.

One of the issues that is frequently raised by UN Special Rapporteurs on the situation of HRDs is the illegal gathering and use of intelligence information on HRDs. Recently the Colombian Courts ordered the disclosure of some intelligence files from the Security Department (Departamento Administrativo de Seguridad – DAS) these documents revealed that it was the DAS that had issued threats against Gutierrez and Duque and their daughters (Duque case mentioned above).

Soraya Gutierrez (HR lawyer)

Gutierrez received in the post a parcel containing a doll with a red cross marked on it and a note saying 'your daughter is very beautiful take good care of her'. In 2009, government intelligence files were made available to the lawyers firm that she works for and it appears that a member of the Colombian intelligence services had sent this.

It is therefore essential that UN recommendations are implemented regarding the removal of intelligence information on HRDs from State security files.

'Though ...every State requires an effective system of intelligence to guarantee the exercise of sovereignty, self-determination, and security for society and the State, this intelligence service must be based on the absolute respect for human rights and principles that support a social and democratic rule of law. In other words, intelligence agencies must be subjected to the law and the constitution, rather than become the unconditional instruments of a government ...'²³

Impunity

According to the UN Special Rapporteur on the situation of HRDs, in her 2009 report: '[I]mpunity for violations committed against human rights defenders [in Colombia] ... contribute significantly to their insecurity'. The Rapporteur also identifies that 98 per cent of crimes against HRDs in Guatemala remain in impunity. The perpetrators of threats and assassinations of WHRDs may be anonymous or identified as being from one particular group or another. In some instances the defenders know the perpetrators but even in these instances they are often not investigated or charged by the police. The lack of an effective response by the police or the State to the killing and/or death threats against WHRDs creates a climate of impunity that can perpetuate these violations.

It is therefore essential to address the issue of impunity if support is to be given to WHRDs and to democracy.

"They can silence me and kill me and torture me, but there will always be someone willing to expose the truth. And they cannot kill everyone."
(Bedoya)²⁴

23 Ccajar (2009)The Colombian State Employs the Administrative Department of Security –DAS- against Human Rights Organisations <http://www.colectivodeabogados.org/The-Colombian-State-Employs-the>

24 A Spirit Uncrushed by Rita Colorito for *IWMFWire* , October 2001