

# **REGIONAL CONFERENCE OF WOMEN HUMAN RIGHTS DEFENDERS**

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## **Women Human Rights Defenders in Bangladesh**

**Saira Rahman Khan<sup>1</sup>**

### **Introduction**

In 1792, Mary Wollstonecraft<sup>2</sup> wrote, in her *Vindication of the Rights of Women*<sup>3</sup>, that the struggle for rights of women is located within the personal space – the home and the family; and within the public sphere – the political and economic world. More than two hundred years later, around the world, women are now promoting human rights in various roles- as advocates, social workers, nurses, counselors, grassroots activists, journalists, teachers, and lawyers. Their activism is vital as they effectively advance the rights of all people by challenging inequality and repression. Women activists have been able to identify the source of their subordination, experiences of violence and disadvantage as being located within patriarchy and practices that give privilege to male power, and assign women to the private sphere, deemed to be an inferior place. This creates perpetual inequality – leading to violations to women’s human rights.

In order to address violations of women’s human rights, women in groups – or as individuals – have worked fearlessly to defend their rights and the rights of others. Such women are called women human rights defenders<sup>4</sup>. ‘Women human rights defenders include women active in human rights defence who are targeted for who they are, as well as all those active in the defence of women’s rights who are targeted for what they do.’<sup>5</sup>

### **Areas of Work**

Anyone, man or woman, regardless of occupation, can be a human rights defender. Defenders may act on their own or in association with others, in a professional or personal capacity. Many defend human rights in their ongoing work, while others become human rights defenders because of one individual action or stance they have taken in favour of human rights.

Human rights defenders, regardless of profession or gender, have several characteristics in common. They are all involved in upholding the fundamental principle that all human beings are equal in dignity and rights, regardless of gender, race, ethnicity, or any other status; they are committed to the realisation of international human rights standards; they respect the rights and freedoms of others in their own actions<sup>6</sup>.

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<sup>1</sup> Founder member of Odhikar and Assistant Professor, School of Law, BRAC University. The paper was written with assistance from Taskin Fahmina, project coordinator of the Women Human Rights Defenders Project, Odhikar and Isabel E. Whisson, intern, Odhikar.

<sup>2</sup> Mary Wollstonecraft (27 April 1759 – 10 September 1797) was an eighteenth-century British writer, philosopher, and feminist. She is best known for *A Vindication of the Rights of Women* (1792), in which she argues that women are not naturally inferior to men, but appear to be only because they lack education. She suggests that both men and women should be treated as rational beings. She envisioned a social order founded on reason.

<sup>3</sup> Published by W. Scott, London 1892. Source copy consulted: University of Virginia Library Electronic Text Centre. <http://etext.lib.virginia.edu/modeng/modengW.browse.html>.

<sup>4</sup> According to Article 1 of the Declaration of Human Rights Defenders, a human rights defender is any person ‘who promotes and strives for the protection and realization of human rights and fundamental freedoms’.

<sup>5</sup> Perry, Laura (Ed.). *Claiming Rights, Claiming Justice*. Asia Pacific Forum on Women, Law and Development (APWLD). 2007. p15.

<sup>6</sup> See <http://www.amnesty.org/en/human-rights-defenders/background> for more information.

Women human rights defenders do not only defend women's rights. They also work in the broader range of civil, political, social, economic and cultural human rights. This may involve multiple issues that affect the community they live in, or affect the general population or even affect themselves. On the other hand, there are women human rights defenders who are involved in defending the rights of a particular sect or community with a specific focus on women's rights<sup>7</sup>. There are also women human rights defenders who focus specifically on women's rights and the violations of such rights. These women human rights defenders challenge patriarchal norms and practices that discriminate against women.

Women human rights defenders fall in various categories, but they deserve special attention and focus in order to ensure their protection. The manipulative use of culture, tradition, custom and religious misinterpretation, expose them to additional, gender-specific violence and risks.

### **The Working Environment for WHRD<sup>8</sup>**

When women human rights defenders rally and work to promote and protect human rights, they face several gender-specific risks, in addition to those risks that are faced by their male counterparts. Women human rights defenders speak out against abuses of women's rights, thus often challenging ingrained cultural beliefs and attitudes about the role of women in their societies. Because the changing role of women is often highly contested within societies, when women take action to defend their rights, they may be perceived as a threat to social stability.

They are also faced by social pressures, such as prejudice and exclusion, and even victimised at home where they may suffer domestic violence. Women human rights defenders may be subject to verbal abuse, sexual harassment and even rape, which may again lead to gender-specific repercussions.<sup>9</sup> Given the culture of 'shame against a woman is shame against the family', the silence of the victim and the male-dominated legal system, also ensure that many of such violations are not made public and the experience is suppressed. This has serious repercussions on the well-being of women human rights defenders.

In South Asia, patriarchy has been identified as one of the most influential practices towards the repression of women<sup>10</sup>. 'Patriarchy is a term used to describe the oppressive and exploitative relations experienced by women as a result of privileging male power in society...women who step outside the social norms of femininity can face severe retribution. Such patriarchal power relations result in the abuse of women's human rights.'<sup>11</sup>

Hina Jilani, the former UN Special Representative on Human Rights Defenders, expressed: 'Women defenders may arouse more hostility than their male colleagues because, as women human rights defenders, they may defy cultural, religious or social norms about femininity and the role of women in a particular country or society. In this context, not only may they face human rights violations for their work as human rights defenders, but even more so because of their gender and the fact that their work may run counter to social stereotypes about women's submissive nature, or challenge notions of the society about the status of women'<sup>12</sup>.

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<sup>7</sup> For example, WHRDs in India working to ensure the rights of Dalit women, WHRDs working with the urban poor to push for the recognition of women's rights to work and be recognised as the head of the family, etc.

<sup>8</sup> WHRD: Women Human Rights Defenders.

<sup>9</sup> Such as sexually transmitted diseases and pregnancy.

<sup>10</sup> I mention South Asia specifically, as this conference revolves primarily around this region. However, the concept of patriarchy is universally recognised as a root cause of violence against women and women's subordination.

<sup>11</sup> Supra note 5. P 23

<sup>12</sup> Report submitted by the UN Special Representative of Secretary General on Human Rights Defenders, Hina Jilani, to the 58<sup>th</sup> session of the Commission on Human Rights. E/CN.4/2002/106.27. February 2002. para 91.

Given the circumstances under which women human rights defenders courageously voice their demands, how can they be protected? Human rights are fundamental rights everyone has by virtue of being human, regardless of their status in any given society. Article 1 of the Universal Declaration of Human Rights provides that ‘All human beings are born free and equal in dignity and rights.’ and Article 2 states that everyone is entitled to all rights and freedoms contained in the Declaration without any discrimination whatsoever. Non-discrimination is further elaborated in Article 1 of the UNCEDAW. Thus, upholding the principles of gender equality and non-discrimination of women is vital to the protection of women human rights defenders. States must take measures to correct gender biases in their legal systems, repeal biased laws and policies and modify social attitudes that do not consider women as equal under the law. Such mechanisms may ensure some basic protection for women human rights defenders.

### **Women Human Rights Defenders in Bangladesh: The Project**

Human rights defenders are, basically involved in uncovering violations and subjecting them to public scrutiny; form pressure groups to demand accountability; and empower individuals and communities to claim their basic entitlements as human beings. This is also the mandate of Odhikar, an organisation that has trained and enhanced the activities of more than 200 human rights defenders across the country. Keeping the mission of the Organisation in mind, in October 2008, Odhikar, with support from the Canadian International Development Agency (CIDA), embarked on a project entitled ‘Empowerment of Women Human Rights Defenders’ with a view to educate community/grassroots level women human rights defenders regarding fact-finding and documentation on human rights violations; and to create a network among the families of women victims of violence and women human rights defenders. 80 women received such training from Odhikar in the four districts of Munshiganj, Tangail, Sirajganj and Satkhira. The network was envisioned to work both as a pressure group to seek redress from the State and facilitate in monitoring the human rights situation in the community and the status of the victim/s.

After the training programmes, the women human rights defenders from each district would organise, at their own initiative, district level human rights meetings to analyse the existing human rights situation in their particular district and chalk out community human rights watch strategies. Discussions would revolve around critical challenges of human rights in Bangladesh and focus on specific challenges faced by women human rights defenders in their relations with government institutions-law enforcing agencies in particular.

### **Outcomes of the Project**

The project was aimed at training and enhancing the capacity of local women human rights defenders in four areas of the country, and to carry out fact finding missions and monitor the status of cases involving acid violence, rape and dowry-related violence. Also included in the WHRD district level meetings were the widows of two men who had been extra-judicially killed by law enforcement<sup>13</sup>. The participants of the training programmes were mostly lawyers, journalists, NGO officers, teachers and students, selected on the basis of their commitment to the cause of human rights.

Many women in contact with the WHRDs taking part in the training programmes, and many, who attended the district level meetings as observers, stated that they were interested in women rights activism. Initially, they said that they were concerned about the conservative attitude of conventional rural society that might hamper any activism and shared that their philanthropic work

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<sup>13</sup> One was the widow of Choles Ritchil, who was tortured to death by the army and one the widow of Afsaruddin, killed by the Rapid Action Battalion (RAB). For more information on their cases, please contact Odhikar.

was not appreciated by the society. However, by working together with the Odhikar WHRDs, they found ways to try and overcome such obstacles.

Victim networks were created in all the project areas. The victims of violence were linked with WHDR, who in turn linked them to the local lawyer groups and police.

At the local meetings, representatives from the local administration made promises to either take immediate action against the perpetrators of violence against women or ensure proper investigation into cases of gender-based violence. Unfortunately, the promises were made at a meeting where journalists were present and did not translate into action. For example, a rape victim in Sirajganj reported that she had been receiving continuous threats from the family members and relatives of the perpetrator to withdraw the case she had filed. Odhikar reported the matter to the local police but they did not take any immediate action, thus aggravating the situation. Furthermore, the widows of the two men who were killed stated that they were in extreme economic hardship and had young children.

### **Obstacles Faced**

As has been discussed earlier in this paper, the obstacles for WHRDs are high and sometimes difficult to overcome. Prejudices, patriarchal social traditions about how women must 'behave' have often led to the labelling of victims of violence as women with questionable morals and having 'encouraged' the violence perpetrated – rape or acid. Women human rights activists are also seen as having too much 'freedom' and 'disrespect' for men, especially if they are working at the local or grass roots level. They are sometimes considered bad examples.

One of the major obstacles the WHRDs faced during this Odhikar project was the non-cooperation from the police, particularly, in respect of providing information relating to cases of violation of women rights. The WHRDs also reported that the police did not take immediate action against the perpetrators in cases where the perpetrators were threatening victims and witnesses, with a few exceptions. For example, in Sirajganj, the person accused of acid violence, who was threatening the victim to withdraw the case, was arrested a few days after the Additional Superintendent of Police of Sirajganj pledged to take action against the perpetrators of gender-based violence at a meeting organised by the WHRDs. However, in Munshiganj, the police did not arrest the persons who gang-raped a 12-year-old girl, though the police were informed about the continuous threats the victim's family were receiving from the perpetrators.

### **Future Hopes**

The Odhikar project covered only a year's worth of activity. In order to maintain the links made with WHRDs and to strengthen the victim's network – including monitoring the progress of investigations and trials – and carry out refresher courses, more time is necessary.

Human rights defenders cannot work or achieve their goals without proper legal assistance. In this regard, efficient police protection and proper implementation of laws must be made a regular practice and not just something the police reserve for those with power or money. Victims of violence must find an understanding, welcoming atmosphere when they come to a police station to lodge complaints, as should women human rights defenders who are active in the areas. Sadly, this is lacking in Bangladesh, where a great deal of sensitisation is necessary among the police force, many of whom still consider 'domestic violence' a social and not a legal issue. Women police officers also need to be sensitised and not only work as a 'police officer' but also play the role of comforter and activist in the area of crimes perpetrated against women.

In all, the State must make room for women human rights defenders and stop the discrimination against them. Recognition must be given for women human rights defenders for the critical work they do to further human rights. They must also be seen by the other human rights and development actors as equal partners and leaders in the defense and promotion of human rights.

In order to protect WHRDs it is necessary to first acknowledge and understand the gender-specific concerns of women human rights defenders and afford their protection in accordance with the 1998 UN Declaration on Human Rights Defenders and other international instruments and mechanisms. Without having proper legal, social and economic mechanism in place – with monitoring and proper implementation – the conditions in which WHRDs work in Bangladesh will remain frustrating.

Women in Bangladesh must be able to stand up for their rights and freedoms, as guaranteed in the Constitution. The State must take measures to ensure that women can voice injustices and see that the perpetrators are punished, without fear of threat. Women must no longer give in to customs and traditions that demean them. There needs to be more WHRDs at the local level to create pressure groups to stop discriminatory attitudes and customs. As Begum Rokeya Sakhawat Hossain writes: "*a lion is stronger than a man, but it does not enable him to dominate the human race. You have neglected the duty you owe to yourselves and you have lost your natural rights by shutting your eyes to your own interests.*"<sup>14</sup> WHRDs must ensure that all women open their eyes to what is wrong and unjust and ensure that women's voice is strengthened and clearly heard by those in authority.

THE END

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<sup>14</sup> Rokeya Sakhawat Hossain (1880 – 1932), Muslim feminist, social worker and writer: *Sultana's Dream*. The book is a classic work feminist science fiction, written in 1905. It was originally published in English in *The Indian Ladies Magazine* of Madras. It depicts a feminist utopia (called Ladyland) of role reversal, in which men are locked away in seclusion, in a manner corresponding to the practice of purdah for women. As a result, women run everything, aided by "electrical" technology which enables labour-less farming and flying cars. Crime is eliminated, since men were responsible for it all. The workday is only two hours long, since men used to waste six hours of each day smoking. The religion is one of love and truth, rather than any traditional faith with a history of denying the rights of women. The quotation is a dialogue by a Ladyland dweller 'Sister Sara' to Sultana, who lives in the real world, observing purdah.