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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Argentina, Australia, Bosnia and Herzegovina, El Salvador, Guatemala, Iceland, Ireland, Jordan, Liechtenstein, Mexico, Montenegro, New Zealand, Norway, Serbia, Switzerland, the former Yugoslav Republic of Macedonia and Turkey: draft resolution

Protecting women human rights defenders

The General Assembly,

Guided by the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant instruments, including the Convention on the Elimination of All Forms of Discrimination against Women,

Recalling its resolution [53/144](#) of 9 December 1998, by which it adopted by consensus the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms annexed to that resolution, and reiterating the fundamental importance of the Declaration and its promotion and implementation,

Recalling also all previous resolutions on this subject, including its resolution [66/164](#) of 19 December 2011 and Human Rights Council resolutions [16/5](#) of 24 March 2011¹ and [22/6](#) of 21 March 2013,²

Recalling further the Vienna Declaration and Programme of Action, the Declaration on the Elimination of Violence against Women, the Programme of Action of the International Conference on Population and Development and the Beijing Declaration and Platform for Action and their review outcomes, as well as the agreed conclusions and resolutions of the Commission on the Status of Women,

¹ See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53 (A/66/53)*, chap. II, sect. A.

² *Ibid.*, *Sixty-eighth Session, Supplement No. 53 (A/68/53)*, chap. IV, sect. A.



Welcoming the attention given by the Human Rights Council to the importance of women human rights defenders and of ensuring their protection and enabling their work in recent resolutions and the panel discussion on women human rights defenders convened on 26 June 2012,

Acknowledging that women of all ages who engage in the defence of all human rights and all people who engage in the defence of the rights of women and those related to gender, individually and in association with others, play an important role, at the local, national, regional and international levels, including in addressing all forms of human rights violations, combating impunity, fighting poverty and discrimination, and promoting access to justice, democracy, the full participation of women in society, tolerance, human dignity and the right to development, in accordance with the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms,

Noting with deep concern that in many countries persons and organizations engaged in promoting and defending human rights and fundamental freedoms, including women human rights defenders, frequently face threats and harassment and suffer insecurity as a result of those activities, including through restrictions on freedom of association or expression or the right to peaceful assembly, or abuse of civil or criminal proceedings,

Gravely concerned that women human rights defenders are at risk of and suffer violations and abuses, including systematic violations of their fundamental rights to life, liberty and security of person, to psychological and physical integrity, to privacy and respect for private and family life and to freedom of opinion and expression, association and peaceful assembly, and in addition can experience gender-based violence, rape and other forms of sexual violence, harassment and verbal abuse and attacks on reputation, online and offline, at the hands of State actors, including law enforcement personnel and security forces, and non-State actors, such as those related to family and community, in both public and private spheres,

Deeply concerned that historical and structural inequalities in power relations and discrimination against women, as well as various forms of extremism, have direct implications for the status and treatment of women, and that some women human rights defenders' rights are violated and their work stigmatized owing to discriminatory practices and social norms that serve to condone violence against women or perpetuate practices involving such violence,

Gravely concerned that impunity for violations against women human rights defenders persists owing to factors including a lack of reporting, documentation, investigation and access to justice, taboos with regard to gender-specific violations and abuses such as sexual violence and the stigmatization that may result from such violations and abuses, and a lack of recognition of the legitimate role of women human rights defenders, all of which entrench or institutionalize gender discrimination,

Concerned that all forms of discrimination, including racism, racial discrimination, xenophobia and related intolerance, can lead to the targeting or vulnerability to violence of women human rights defenders, who are prone to multiple, intersecting or aggravated forms of discrimination and disadvantage,

Aware that information-technology-related violations, abuses and violence against women, including women human rights defenders, such as online harassment, cyberstalking, violation of privacy, censorship and hacking of e-mail accounts, mobile phones and other electronic devices, with a view to discrediting them and/or inciting other violations and abuses against them, are a growing concern and a manifestation of systemic gender-based discrimination, requiring effective responses compliant with human rights,

Recalling the obligation of States to take concrete steps to prevent threats, harassment and violence, including gender-based violence, by State and non-State actors against all those engaged in the promotion and protection of human rights and fundamental freedoms for all, including women human rights defenders, who face particular risks of violence,

Mindful that domestic law and administrative provisions and their application should enable the work of women human rights defenders, including by avoiding any criminalization or stigmatization of the role, behaviours and activities of women human rights defenders and the communities of which they are a part or on whose behalf they work, as well as avoiding impediments, obstructions, restrictions or selective enforcement thereof contrary to international human rights law,

Underlining the need for all appropriate measures to be taken to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and other practices based on the idea of the inferiority or superiority of either of the sexes or on stereotyped roles for men and women, in accordance with international human rights law, thereby addressing harmful attitudes, customs, practices and gender stereotypes that underlie and perpetuate violence against women, including women human rights defenders,

Reaffirming that the empowerment, autonomy and advancement of women and the improvement of their political, social and economic status are essential to respect for all human rights and the achievement of representative, transparent and accountable government, democratic institutions and sustainable development in all areas of life,

Welcoming the opportunity afforded by the post-2015 development agenda for the global community to advance the human rights and fundamental freedoms of all persons, including gender equality and non-discrimination, as well as real and effective participation in decision-making processes,

1. *Calls upon* all States to promote, translate and give full effect to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, including by taking appropriate, robust and practical steps to protect women human rights defenders;

2. *Welcomes* the reports of the Special Rapporteur on the situation of human rights defenders, including in relation to women human rights defenders,³ and recalls with appreciation related reports of her predecessor, the Special Representative of the Secretary-General on human rights defenders;⁴

³ Including A/68/262, A/67/292 and A/HRC/16/44 and Corr.1.

⁴ Including E/CN.4/2002/106, A/61/312 and A/HRC/4/37.

3. *Stresses* that respect and support for the activities of human rights defenders, including women human rights defenders, is essential to the overall enjoyment of human rights, and condemns all human rights violations and abuses committed against persons engaged in promoting and defending human rights and fundamental freedoms;

4. *Expresses particular concern* about systemic and structural discrimination and violence faced by women human rights defenders of all ages, and calls upon States to take all measures necessary to ensure their protection and to integrate a gender perspective into their efforts to create a safe and enabling environment for the defence of human rights;

5. *Urges* States to acknowledge publicly the important and legitimate role of women human rights defenders in the promotion and protection of human rights, democracy, the rule of law and development, as an essential component of ensuring their protection, including by publicly condemning violence and discrimination against women human rights defenders;

6. *Calls upon* States to exercise due diligence in preventing violations and abuses against women human rights defenders and in combating impunity by ensuring that those responsible for violations and abuses, including gender-based violence, committed by State and non-State actors, online as well as offline, are promptly and impartially brought to justice;

7. *Also calls upon* States to ensure that the promotion and protection of human rights are not criminalized or met with limitations in contravention of international human rights law and that women human rights defenders are not prevented from enjoying universal human rights owing to their work, including by ensuring that all legal provisions, administrative measures and policies affecting women human rights defenders are clearly defined, determinable and non-retroactive and that legislation aimed at preserving public morals is compatible with international human rights law;

8. *Reiterates* the right of anyone, individually and in association with others, to defend the human rights of women, and urges States to promote and protect the human rights of all women, including their right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence, and to adopt and accelerate the implementation of laws, policies and programmes which protect and enable their enjoyment of all human rights and freedoms, including their reproductive rights, in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and their review outcomes;

9. *Underlines* the fundamental principle of the independence of the judiciary, and that procedural safeguards must be in place in accordance with international human rights law in order to protect women human rights defenders from unwarranted criminal action and sanction as a result of their work in line with the Declaration;

10. *Urges* States to strengthen and implement legal, policy and other measures to promote gender equality, empower women and promote their autonomy and to promote and protect the equal participation and full involvement and leadership of women in society, including in the defence of human rights through

women human rights defenders, and facilitate their active participation in decision-making processes, including peace, transitional justice, political transition, constitutional reform and development processes;

11. *Invites* leaders in all sectors of society and in their respective communities, including political, military, social and religious leaders and leaders in business and the media, to express public support for the important role of women human rights defenders and the legitimacy of their work;

12. *Calls upon* States to implement, effectively and expeditiously, Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013) and 2122 (2013) on women and peace and security, including through the provision of gender-sensitivity training for police officers and law enforcement personnel, inter alia, on the barriers that women human rights defenders face in gaining access to justice, ensuring the inclusion of sexual violence in the definition of acts prohibited by ceasefires and in provisions for ceasefire monitoring, and the exclusion of sexual violence crimes from amnesty provisions in the context of conflict resolution processes, as a step towards the effective protection of women human rights defenders;

13. *Strongly calls upon* all States to refrain from, and ensure adequate protection from, any act of intimidation or reprisal against women human rights defenders who cooperate, have cooperated or seek to cooperate with international institutions, including their family members and associates, and reaffirms the right of everyone, individually and in association with others, to unhindered access to and communication with subregional, regional and international bodies, in particular the United Nations, its representatives and mechanisms;

14. *Urges* States to develop and put in place comprehensive, sustainable and gender-sensitive public policies and programmes that support and protect women human rights defenders, including by providing adequate resources for immediate and long-term protection and making sure that these can be mobilized in a flexible and timely manner to guarantee effective physical and psychological protection, while also extending protection measures to their relatives, including children, and otherwise to take into account the role of many women human rights defenders as the main or sole caregiver in their families;

15. *Emphasizes* the need for the participation of women human rights defenders in the development of effective policies and programmes related to their protection, recognizing their independence and expertise with regard to their own needs, and the need to create and strengthen mechanisms for consultation and dialogue with women human rights defenders, including focal points for human rights defenders within the public administration, for example, through national women's mechanisms where they exist;

16. *Urges* States to adopt and implement policies and programmes that provide women human rights defenders with access to effective remedies, including by ensuring:

(a) The effective participation of women human rights defenders in all initiatives, including transitional justice processes, to secure accountability for violations and abuses, and also ensuring that the guarantee of non-recurrence incorporates overcoming the root causes of gender-based violations in everyday life and institutions;

(b) Adequate access to comprehensive support services for those women human rights defenders who experience violence, including shelters, psychosocial services, counselling, medical care and legal and social services;

(c) That women human rights defenders who are victims of sexual and other forms of violence are attended to by adequately trained and equipped personnel with gender sensitivity and expertise and are consulted during each step of the process;

(d) That women human rights defenders are able to avoid and escape situations of violence, including by preventing the recurrence of such violence in the exercise of their important and legitimate role in accordance with the present resolution;

17. *Also urges* States to promote and support projects to improve and further develop the documentation and monitoring of cases of violations against women human rights defenders, including by ensuring the safety of journalists, and to provide adequate support and resources for those working to protect women human rights defenders, such as government agencies, national human rights institutions and civil society, including national and international non-governmental organizations;

18. *Encourages* national human rights institutions to support the documentation of violations against women human rights defenders and to integrate a gender dimension into the planning and implementation of all programmes and other interventions related to human rights defenders, including through consultations with the relevant stakeholders;

19. *Encourages* regional protection mechanisms to promote projects to improve and further develop the documentation of cases of violations against women human rights defenders and to ensure that programmes for the security and protection of human rights defenders integrate a gender perspective and address the specific risks and security needs of women human rights defenders;

20. *Encourages* United Nations bodies, agencies and other entities, in consultation with the Special Rapporteur on the situation of human rights defenders and the Office of the United Nations High Commissioner for Human Rights, to address the situation of human rights defenders, including women human rights defenders, in their work and to contribute to the effective implementation of the Declaration;

21. *Requests* all concerned United Nations agencies and organizations, within their mandates, to provide all possible assistance and support to the Special Rapporteur for the effective fulfilment of her mandate, including in the context of country visits and through suggestions on ways and means of ensuring the protection of women human rights defenders;

22. *Requests* the Special Rapporteur to continue to report annually on her activities to the General Assembly and the Human Rights Council, in accordance with her mandate;

23. *Decides* to remain seized of the matter.