



Global Affairs Canada: Feminist Foreign Policy Dialogue

Thank you for your contribution to the feminist foreign policy dialogue. We invite you to provide your contribution below, within the five (5)-page limit

Self Identification:

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Please indicate if you are submitting this contribution:

- ☐ As an individual
- ☐ On behalf of an organization
- ☒ On behalf of a group of organizations or individuals

Please indicate the areas covered in your contribution:

- ☒ Overarching considerations
- ☒ Enhanced diplomatic engagement
- ☐ Women, Peace and Security (WPS)
- ☒ Responding to evolving vulnerabilities
- ☐ Inclusive digital transformation
- ☒ Other: please specify Supporting greater visibility of violence against women human rights defenders and contributing to increased protection of women human rights defenders at risk

Written Contribution:



* Please respect the **five (5)-page limit**

We are pleased to write on behalf of the Mesoamerican Initiative of Women Human Rights Defenders (hereinafter IM-Defensoras) in order to make a few proposals regarding actions that Canada can take in the region, consistent with the country's feminist foreign policy. Over the past ten years, IM-Defensoras has designed and implemented a Feminist Holistic Protection strategy for Women Human Rights Defenders (WHRDs) in Mesoamerica. During this time, we have witnessed the important role that Canada has played leading diverse efforts to further women's rights within and beyond its borders.

We recognize the significance of Canada's political and economic support in the region, and its impact on facilitating the work of thousands of WHRDs and contribution to creating a more favorable environment so that we can all take on this important task.

In this regard, and in relation to the support that Canada has previously provided to the region, **we believe it is important to build on the work conducted by the Government of Canada through actions that would seek to:**

- i) Become a forceful voice in diverse international spaces (both in the continent of the Americas and globally) in support of WHRDs and their work, giving visibility to the violence against women defenders, and denouncing the situations of violence against them;
- ii) Support the opening of democratic spaces, enabling the participation of feminist civil society organizations, women, and women leaders;
- iii) Publicly back WHRDs and feminist and women's rights organizations, and support the recognition of their work;
- iv) Monitor compliance with international recommendations regarding the obligation to safeguard human rights defense work for and by women.
- v) Support the strengthening of protection systems;
- vi) Support sustained local processes of strengthening and protection with women's organizations through joint efforts among local organizations and national/international organizations that have a presence in, and work with communities during extended periods.

Additionally, and keeping in mind that one of every ten attacks that Mesoamerican WHRDs face is linked to criminalization processes against them, **we also believe it is of particular importance that the Canadian Embassies play an active role on this matter**, and we urge responses to the criminalization we face through the following actions:

- i) Participating as international observers in public hearings organized as part of the criminalization processes of women defenders, particularly in those countries where Canadian Aid has supported or is supporting with funds to strengthen the judicial system;
- ii) Encouraging the repeal of regulations that facilitate the practices of criminalization;
- iii) Promoting institutional practices and controls that make it difficult for officials to take illegal and arbitrary actions in this area.

As we considering the contributions that Canada has made to strengthen institutions in the region as a way of ensuring the fulfillment of human rights, we believe it is important to highlight the persistence of impunity in situations of violence against human rights defenders, which is

aggravated when the victims are women.¹ We must also note the huge difficulties in practice for making use of the protection mechanisms. These have shown to be inadequate in safeguarding the protection of WHRDs since – among other issues – they lack sufficient funds and resources, they do not respond in situations of criminalization and stigmatization, and they do not apply a gender perspective nor a cultural lens to the implementation of their protection measures. At best, they operate in contradiction to an institutional context characterized by repressing defenders in various ways.²

In view of the above, **we consider it important that the Government of Canada:**

- i) Monitor and bring to the attention of governments, as well as the bodies responsible for investigating and prosecuting these events, the risks and attacks that defenders, and especially women defenders, face;
- ii) Conduct more in-depth verification that the resources offered to States in the region are being used to ensure the fulfillment of the right to defend human rights and to respond to the specific protection needs of WHRDs;
- iii) Ensure coherence in the actions of different authorities by adopting a comprehensive public policy aimed at the protection of human rights defenders, taking into account the contributions of civil society organizations that are experts in this field.

At the same time, however, we cannot fail to recognize that these actions are at odds with some of the dynamics of Canadian foreign policy. The seriousness and continuation of cases of rights violations against human rights defenders – especially women defenders – who oppose the activity of companies with Canadian capital and their local subsidiaries, or those contracted by them (mainly security companies) is particularly worrisome. For these reasons, we consider it important for the Canadian State to develop actions that discourage these companies from using violence and other repressive practices to stop the legitimate processes of resistance against such projects. These actions can take various forms. Among them, we **request that the Government of Canada consider the following:**

- i) Withdrawing public funds from companies that criminalize the defense of human rights;
- ii) Facilitating access to Canadian Justice so that WHRDs, as in the case of the Guatemalan women from Lote Ocho,³ can claim their rights in national courts;
- iii) Strengthening national entities that control corporate activities abroad, particularly in the extractives sector;

¹ In Guatemala, freedom of expression, freedom of association, and the right to defend human rights are in serious danger. Between June and August of this year, the assassinations of at least eight defenders related to the defense of indigenous communities' land and territories were registered. IACHR, [The IACHR Condemns Murders and Attacks Against Defenders in Guatemala](#), 11 September 2020. Honduras continues to be one of the most dangerous countries in the world to defend the right to land and environmental rights. This is the context in which four community leaders from the Black Fraternal Organization of Honduras (OFRANEH) were disappeared and WHRD Aurelia Arzú was intimidated. See: Global Witness. [Four years since Berta Cáceres' assassination, Honduran defenders face greater danger than ever](#), 2 March 2020; and *The Guardian*. [Fears growing for five indigenous Garifuna men abducted in Honduras](#), 23 July 2020.

² The Mechanism to Protect Human Rights Defenders and Journalists in Mexico has shown to be inadequate to safeguard the protection of WHRDs since, for example, it lacks sufficient funds and resources, does not respond in situations of criminalization and stigmatization, and does not apply a gender perspective nor a cultural lens to the implementation of their protection measures. See: OHCHR. [UN expert encourages Mexico to increase protection of human rights defenders](#), 19 October 2020; and IM-Defensoras. [Kenia Hernández granted release, then arrested anew and confined in federal prison in state of Morelos](#), 27 October 2020; and DW. [Parlamentarios alemanes piden a México mantener Mecanismo de Protección de Defensores de DD.HH. y Periodistas](#), 8 October 2020. (Spanish only.)

³ Andrea Bolaños y Andrea Suárez. [The Case of "Lote Ocho": Indigenous women hold corporations accountable for violence](#)

- iv) Generating mechanisms that enable corporate activities to take place only if they ensure respect for international standards for businesses and human rights, and specifically ensuring respect for the right to free, prior, and informed consent for the development of extractive projects;
- v) Developing a periodic control and monitoring of corporate activities.

Additionally, and addressing the regional situation that is deeply marked by the repression that WHRDs face in the context of the COVID-19 pandemic, we offer some **recommendations towards a country-focused intervention that can be useful for Canadian Embassies in the region:**

Governmental statements and positions that put human rights defenders at risk have increased in **El Salvador, Guatemala, and Mexico**.⁴ Communicators who are critical of the way the crisis is being handled, sexual and reproductive rights defenders, and defenders of land and territory have found themselves particularly exposed to new acts of violence and repression.

Legislative changes have been made in **Guatemala and Nicaragua** to make the work of human rights organizations more difficult, increasing unjustified and arbitrary controls and limiting the ability to receive funding.

Repression and criminalization of social protest has increased in **Nicaragua, Guatemala, and Mexico**, particularly regarding actions where women are in the spotlight and that demand respect for women's rights.⁵

It is in this difficult context that **IM-Defensoras respectfully requests that Canada:**

- i) Require that the authorities in the countries mentioned above cease all actions of stigmatization, discrediting, and delegitimization that create a hostile environment for all WHRDs and particularly for the groups especially affected by these events;
- ii) Require that governments and legislative powers repeal regulations that hinder human rights defense and seek to create regulations and measures that facilitate and promote human rights defense work;
- iii) Demand that governments and policy authorities (both at the national and state level) cease violence against, and criminalization of people who participate in protests.

The political crisis sparked in **Nicaragua** in April 2018 continues⁶; the Government has adopted legislative measures to end all opposition⁷, and women defenders and activists who have been criminalized and deprived of their liberty because of their opposition to the regime face particularly

⁴ IM-Defensoras. [El Salvador: Organizations express concern about the increase in digital violence against Women Human Rights Defenders](#), 19 June 2020.

⁵ The National Commission of Human Rights, the Mexican Office of the UN High Commissioner for Human Rights, and the Inter-American Commission on Human Rights released a series of public statements condemning the excessive use of force in some of these demonstrations, highlighting the cases of [Guanajuato](#), [Estado de México](#) and [Quintana Roo](#).

⁶ *The Guardian*. [Five people die as anti-government protests spread across Nicaragua](#), 21 April 2018; also see United Nations High Commissioner for Human Rights. [Update on the human rights situation in Nicaragua, pursuant to resolution 43/2](#), 45th session of the Human Rights Council, 14 September 2020.

⁷ IACHR, [The IACHR and its Office of the Special Rapporteur for Freedom of Expression express concern about new legal threats to freedom of expression and indirect measures against the media and journalists in Nicaragua](#), 7 October 2020. Also see DW. [Nicaragua passes controversial 'foreign agent' law](#), 16 October 2020.

grave risks.⁸ The observation carried out by international human rights protection bodies during the crisis has been crucial for Nicaraguan defender organizations.⁹ **We therefore consider important that Canada support and further promote the following:**

- i) Initiatives in support of international human rights organizations that respond to the demands of feminist, women's and human rights organizations related, among others, to the release of political prisoners and the end of criminalization processes against women human rights defenders;
- ii) The repeal of regulations that have enabled the criminalization of defenders and restrict the defense of human rights (laws relating to the punishment of terrorism and money laundering, as well as the Special Law on Cybercrime and the Law on the Regulation of Foreign Agents¹⁰);
- iii) As part of the Human Rights Council, promote the renewal and strengthening of the mandate of the Office of the United Nations High Commissioner for Human Rights regarding the protection of human rights defenders.

On behalf of IM-Defensoras, we hope this information is useful for your feminist foreign policy and we remain attentive in case you would like more information from us.

Sincerely,

Lydia Alpízar Durán,

Co-Executive Director, IM-Defensoras

⁸ Amnesty International. [‘She doesn’t want to die there’: Women activists punished with jail in Nicaragua amid COVID-19](#), 14 August 2020.

⁹ For example, the Inter-American Commission on Human Rights conducted an official visit to the country, approved a large number of precautionary measures demanding the Government of Nicaragua to safeguard the life and integrity of several human rights defenders, students, and survivors of repression, and included Nicaragua in Chapter IV of its Annual Report. The Commission also created specific mechanisms to monitor the crisis in Nicaragua: the Special Monitoring Mechanism for Nicaragua (MESENI), the Interdisciplinary Group of Independent Experts for Nicaragua (GIEI), and the Rapid and Integrated Response Coordination Unit (SACROI), which work in coordination with the UN High Commissioner for Human Rights and its Office mission to monitor the serious human rights crisis in the country since April 2018. IACHR, [“Gross Human Rights Violations in the Context of Protests in Nicaragua”](#), OEA/Ser.L/V/II. Doc. 86, 21 June 2018, par. 273-276; IACHR, Annual Report 2019, [Chapter IV. B. Nicaragua](#); IACHR. [Special Monitoring Mechanism for Nicaragua \(MESENI\)](#), 24 June 2018.

¹⁰ Official Communication from the UN Special Rapporteur on the promotion and protection of freedom of opinion and expression; the UN Special Rapporteur on the rights to freedom of peaceful assembly and association; the UN Special Rapporteur on human rights defenders; the OAS IACHR Special Rapporteur on freedom of expression; and the UN Special Rapporteur on promotion and protection of human rights while countering terrorism, [REFERENCE: OL NIC 3/2020](#), 13 November 2020. (Spanish only.)