



Feminist activists demonstrate for abortion rights outside the National Cathedral in Buenos Aires, Argentina on International Women's Day 2020. Photo by Marcos Brindicci/Getty Images

2021 STATE OF CIVIL SOCIETY REPORT

CHALLENGING EXCLUSION AND CLAIMING RIGHTS

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CONTENT WARNING: PARTS OF THIS CHAPTER DETAIL CASES OF SEXUAL ABUSE, ASSAULT AND RAPE.

2020 was a difficult year for most people, but particularly for those already excluded, who disproportionately experienced the highly unequal impacts of the pandemic. The pandemic's impacts came on top of and reinforced a backlash mobilised in recent years by anti-rights groups and politicians in response to the successes of excluded groups in making themselves visible and claiming rights. But the year also proved, once more, that far from being passive victims of circumstances beyond their control, women, LGBTQI+ people and migrants and refugees – the focus of this chapter – and Black people – the focus of this report's special chapter on the global struggle for racial justice – were determined to take action to fight for their lives and rights.

As the pandemic spread, it quickly became clear that, while anyone could catch the virus, nothing about it was egalitarian. Those most denied rights and with the least economic power struggled the most. State support schemes to compensate for the slowdown of economic activity, where these existed, often overlooked excluded groups, such as undocumented migrants, or reinforced patterns of exclusion, including by channelling support through men as heads of households. The civil and political rights that, when realised, give people the opportunity to challenge their exclusion threatened to be a silent victim, as it became clear that numerous states and non-state groups were taking advantage of the pandemic to further restrict the civic space of excluded groups. States used emergency measures as a cover to **roll back** ↗ hard-won rights.

But their targets fought back. Excluded groups and the civil society organisations (CSOs) that support their rights **moved fast** ↗, stepping forward to meet urgent needs of food, personal protective equipment and essential sanitary items, offer financial aid, provide health services and psychological support, and counter disinformation and share life-saving information, all while continuing to monitor human rights, report violations and advocate for lasting change.

With an eye on the greater struggle that will continue after the pandemic, and in the face of criminalising and dehumanising narratives, activists for

women's rights, LGBTQI+ rights and migrants' and refugees' rights persevered in their long-term efforts to change meanings, shift perspectives, articulate the unspoken and make visible the invisible. Around the world, they mobilised in numbers to denounce discrimination, violence and rights violations. In doing so, they called public attention to urgent problems such as gender-based violence (GBV), the denial of sexual and reproductive rights and politicised homophobia and xenophobia, brought issues onto the agenda and demanded – and sometimes won – policy change. In country after country, they succeeded in turning non-issues into agenda items requiring policy solutions, reframing individual misfortunes as collective grievances and reconceptualising ideologies and practices of oppression as not somehow natural but rather as human-made, and therefore open to challenge and change.

All available tactics, including street action, public campaigning, advocacy and litigation, were employed and combined to demand visibility, claim space and win change. Progress was achieved. Homosexuality was decriminalised in Bhutan and Gabon, while same-sex marriage became legal in Costa Rica. Following decades-long struggles, abortion became legal in Argentina and New Zealand, while Chilean women demanded and obtained equal representation in the constitutional change process that will shape the country for decades to come. Sudan banned the practice of female genital mutilation, and a ban on pregnant girls attending school was **lifted** ↗ in Tanzania.

A **landmark ruling** ↗ in Uganda, following a civil society lawsuit over the deaths of two women in childbirth in 2011, mandated the government to increase its health budget to ensure women receive decent maternal healthcare. A German court **established** ↗ that associations cannot arbitrarily discriminate on the basis of gender. Progress through the courts also came in France, where it was established that fraternal acts towards migrants and refugees can be legitimately pursued either individually or in association with a CSO, and in Greece, where the leaders of a neo-Nazi party were convicted for heading a criminal organisation and several were jailed for violent attacks on migrants. More recently, an Italian prosecutor gave the green light to a trial of former

Deputy Prime Minister Matteo Salvini for his targeting of migrants and refugees while in office.

While progress was achieved on some fronts, setbacks were experienced on others. GBV, one of the world's most widespread rights violations, reached pandemic dimensions under COVID-19. A wave of homophobia purposefully instrumentalised for political gain swept Central and Eastern Europe. In numerous countries, women and LGBTQI+ rights defenders sadly paid for their activism with their freedom, and sometimes their lives. These setbacks served as a reminder of the many struggles people still face.

All the breakthroughs of the year were the result of long-running advocacy and campaigning, and typically occurred after bitter reversals were overcome over the years. New gains in rights also tended to bring hostile reaction, often in the form of harassment, threats and violence, pointing to the need to guard fragile conquests even while pushing further. Civil society will need to keep engaging in the never-ending battle for rights.



Women protest against gender-based violence in Piazza del Popolo in Rome, Italy on 28 November 2020. Photo by Simona Granati/Corbis via Getty Images

THE EXCLUSIONARY IMPACTS OF THE PANDEMIC

The pandemic presented a series of specific challenges for women. Even in countries considered to be in the vanguard of recognising women's rights, the position of women regressed during the pandemic, particularly when it came to access to work and the distribution of unpaid domestic and care duties. Governments around the world often failed to consider the gendered impacts of the pandemic and restrictions such as lockdowns, further endangering those already at risk. Women were more exposed to GBV, lost access to contraception and were forced to resort to unsafe abortions during lockdowns, and continued to be denied adequate and timely sexual and reproductive healthcare where restrictions eased, given that public healthcare resources were largely focused on fighting the virus.

Many young **LGBTQI+ people** were forced back into family homes, which often meant going back into the closet and being cut off from vital support networks, sometimes leading to spikes of depression and suicide. There were instances of LGBTQI+ people being slurred and accused of spreading the virus, as seen in a **homophobic backlash** that came when an outbreak was linked to a nightclub in South Korea. In many cases, ethnic, racial and religious minorities were also scapegoated and shunned as alleged sources of contagion, particularly when associated by their attackers with China, as seen in a wave of hate crimes against Asian-Americans in the USA. The poor conditions in which many migrants and refugees live put them at higher risk of both contagion and punishment for violating lockdown regulations. Many domestic workers, mostly employed in the informal sector and overwhelmingly female, lost their jobs or stopped getting paid, or were forced to continue working in unsafe conditions.

These challenges forced civil society activists and organisations to revisit their tactics and reinvent themselves. In the Philippines, **Youth Voices Count** helped respond by distributing LGBTQI+ care packs, including to people living with HIV/AIDS. Humanity and Inclusion provided personal psychological support to **Rohingya refugees** from Myanmar living in Bangladesh. Countless others undertook similar initiatives all over the world.

Many responses mobilised to meet urgent new needs in relation to GBV. Barely weeks into the pandemic, **concerns** ⁷ rose about the safety of women trapped indoors with their abusers, and data showing spikes in GBV made news headlines. Women's rights organisations around the world had anticipated this, knowing that economic downturns, natural disasters and disease outbreaks all have disproportionate impacts on women: women experience the effects first, worst and for longer, and are disproportionately impacted on by the actions and failures of markets and decisions made or not made by governments.

Women's rights organisations issued early warnings to their governments and went on to pressure them into recognising the gendered impacts of the pandemic and acting accordingly, including by adopting gendered approaches to post-pandemic reconstruction. Despite the pressures they already faced – lack of resources, absence of government recognition, restricted civic space and attacks from anti-rights groups – women's organisations rushed to fill gaps in service provision left by governments and markets. Women-led initiatives were often at the forefront of the response, helping women and a variety of other excluded and vulnerable groups.

For organisations working against GBV, the main goal was to maintain and scale up services and introduce innovations at a time of rising need and new restrictions on in-person work. In some cases, women's organisations had to confront the authorities to make sure that women's needs were met. The **Mor Çatı Women's Shelter Foundation** ⁷, one of the first organisations in Turkey to focus on combating GBV, realised that the police were giving women experiencing GBV false information about available services. In response it took to social media to communicate the vital message that the police were obliged to act on reports of GBV and that shelters were still open. As the courts in Tunisia closed, the **Tunisian Association of Democratic Women** ⁷ successfully lobbied the government to have GBV cases included among the emergency court cases that could be heard under lockdown.

As they found themselves subjected to emergency restrictions, activists explored additional and alternative ways to help women report violence and protect themselves against abuse. A common tactic was to move online services that did not need to be delivered in person, adapting and scaling up phone and web-based helplines and counselling services, and

providing services through alternative platforms, including WhatsApp and other mobile apps, to offer women locked down with their abusers multiple channels to call for help. Some organisations offered access to a cloud-based service for women to store evidence of abuse safely. Where the discontinuation of in-person services would have put women at greater risk, new protocols were devised and implemented to continue operating shelters, emergency centres, transition houses and other facilities as safely as possible, including through staggered appointments and the establishment of quarantine spaces for newcomers and isolation rooms for COVID-19-positive people inside facilities.

Organisations used creative methods to spread hotline numbers. In Lebanon, the **Resource Centre for Gender Equality** ⁷ launched a campaign, #LockdownNotLockup, asking people to share their hotline number from their windows and balconies, while producing 'camouflage videos' with the number secretly embedded in tutorials and in subtitles, so that women could safely watch them while confined with their abusers. Brazil's **Observatório de Favelas** ⁷, an organisation focused on slums and urban issues, followed a similar camouflage strategy. When it disseminated vital information about the virus and hygiene measures to avoid infection via text messages, voice memos, catchy memes and infographics, it threw in tips on how to get help if experiencing GBV.

New and old technologies were combined in attempts to secure wide coverage: in a variety of contexts, CSOs used social media platforms and messaging apps alongside flyer distribution, loudspeaker vehicles, community radio and local television, and spread their messaging in multiple languages. CSOs built alliances with private partners – allowing Mexico's **National Network of Shelters** ⁷ to run coordinated rescue operations – and government agencies. Such was the case for India's **International Foundation for Crime Prevention and Victim Care** ⁷; as a result, women were issued circulation passes to move safely during lockdowns. In Malawi, the **Centre for Social Concern and Development** ⁷ pushed for the inclusion of GBV prevention information in materials on COVID-19 prevention prepared and distributed by healthcare providers. In Mexico, a **civil society campaign** ⁷ called on the government to adopt a cross-sectional, rights-based approach to address the impacts of the pandemic on women and allocate the resources needed to implement gender justice policies.



During a protest against femicides on 20 July 2020 in Mexico City, a protester holds a sign that reads 'being a woman should not be a risk factor'. Photo by Héctor Alfaro/Agencia Press South/Getty Images

A FEMINIST RECOVERY?

In country after country, from [Canada](#) to the [UK](#), women's organisations led the way by developing, sometimes alongside policymakers, **feminist plans and policies** for a more just post-pandemic recovery. Across the board, these policy packages were based on the principles of solidarity and intersectionality and sought to address the root causes of multidimensional exclusion; they sought the recognition and reward of care work as essential work, and focused on education and healthcare, quality jobs and unemployment insurance, and GBV. Although feminist recovery plans often remained a civil society project, in some cases, usually at the local level, they came to be embraced by governments, as was the case, among others, with the state government of [Hawaii](#) in the USA.

In Argentina, the feminist recovery plan was the result of a new partnership spearheaded by civil society and including women leaders in business and politics, focusing on closing the gender gap in employment, which widened under the pandemic. As [Gala Díaz Langou](#) of Argentina's **Centre for the Implementation of Public Policies for Equity and Growth** explains, the initiative was designed on the understanding that the key to recovery lies in promoting women's employment and redistributing unpaid care work.¹

*The **Agenda for Equality** had three objectives: first, to promote the hiring of women in formal jobs in the private sector and to encourage better participation of women in traditionally masculine sectors; second, to redistribute unpaid care work; and third, to challenge stereotypes and promote and make visible the participation of women in public discussion and decision-making.*

The Agenda for Equality was launched on 30 July. It was initially supported by 200 women leaders from academia, civil society, unions and companies of all kinds, from multinationals to small and medium-sized enterprises

and cooperatives. Once the initiative was made public, it was opened for signature, and as of today it has been supported by 1,500 leaders, of various genders, from all over the country and from a variety of sectors.

In the context of the pandemic and the changes that it brought about, which could have lasting regressive effects, it is important to emphasise that the groups that promoted the Agenda are committed to collaborating with the authorities to promote public policies that reduce and redistribute unpaid care work.

Putting together the Agenda was an important first step, but a long road awaits women's organisations and wider civil society to ensure it translates into actual change.

First, change needs to happen within organisations. The vast majority of people who joined the initiative lead organisations from different sectors and have the potential to promote real changes within their organisations. I believe that there is a role for civil society to play, and particularly for organisations that specialise in these issues, which can provide the tools needed to drive these changes.

Second, these changes must occur at the level of public policymaking. Many of the recommendations that have been made imply changes that should be discussed at different levels of government and within different branches of the state. Here, too, civil society has a role to play in terms of advocacy and joint work with the authorities to contribute to the design of these policies.

Finally, since the problem of gender disparities and their widening as a result of the pandemic is far from exclusive to Argentina, civil society should also work on them within the framework of regional and global networks.

¹ Quotations cited in this chapter come either from interviews with civil society representatives or from a webinar convened by CIVICUS to enable a range of activists to contribute to this report. These are edited extracts. Full versions of interviews are available [here](#). A recording of the webinar, 'Challenging exclusion and claiming rights', is available [here](#).

PANDEMIC IMPACTS ON MIGRANTS AND REFUGEES

Few were impacted upon as harshly as the many migrants and refugees around the world. Asylum seekers, for example, were often left in limbo under the pandemic as processes to gain permanent status ground to a halt, while living conditions continued to worsen. Even before the pandemic, those trying to navigate their way through official systems complained that these were slow, inefficient and unfair, leaving them waiting for years, often in unsanitary and cramped conditions in migrant reception centres and camps; these conditions threatened their lives as the pandemic intensified. Many migrant workers were left stranded, sources of income suddenly stopped, but with no ability to return home. Along with refugee communities, they were often missed by support schemes.

In such difficult times, it was key to assert the humanity of migrants and refugees and enable their demands for rights; to condemn the stories of abuse while also celebrating the stories of resistance and agency that migrants and refugees managed to claim, and to provide as much support as possible. All over the world, CSOs scrambled to meet the basic needs of migrants and refugees. Solidarity was simultaneously grassroots and internationalist. Early in the pandemic, Myanmar's Soi Dog Foundation **distributed food** ↗ to families of migrant workers whose work in construction and leisure industries had ground to a halt. Walking Borders (Caminando Fronteras), a CSO that supports migrants in Morocco and Spain, worked with partners on both sides of the Mediterranean to **provide** ↗ essential supplies and health kits. In Italy, when sex workers who had been trafficked from Nigeria by criminal gangs were abandoned during lockdown, civil society **stepped in** ↗ to provide food as well as psychological support as the women tried to break links with their traffickers.

As well as working to meet immediate needs, CSOs tried to respond to the changed reality with longer-term solutions. In April the Italian campaign 'I was a **Foreigner**' ↗ called on the government to grant legal status to foreign citizens from outside the European Union (EU) who were in Italy, many of whom were employed in agriculture, asking for them to be issued a stay permit so that they could remain in paid employment and food production could continue uninterrupted. Union organiser Aboubakar Soumahro led distanced protests to assert the rights and make visible the contribution of these migrant workers dubbed 'the Invisibles'. ↗



Migrants left homeless after a fire demand housing and jobs outside the municipality building in Lepe, Spain on 24 July 2020. Photo by Niccolo Guasti/Getty Images

MIGRANTS' RIGHTS DURING THE PANDEMIC: COUNTERING HOSTILITY IN MALAYSIA

In Malaysia, state hostility towards migrants and refugees increased under the pandemic, as the government blamed them for spreading the virus while simultaneously creating the conditions that made it easier for them to catch it. The authorities repeatedly turned away boats carrying Rohingya refugees fleeing desperate conditions in Bangladeshi camps, and those who managed to disembark were convicted under the Immigration Act and **sentenced** to seven months in prison, with many also caned as well under Malaysia's draconian laws. Migrant workers were left out of support schemes provided for Malaysian citizens. Many migrants were rounded up and confined in overcrowded detention centres, which became a breeding ground for the virus: around 10 per cent of Malaysia's reported COVID-19 cases were recorded there.

Journalists and media outlets were targeted for reporting on the treatment of migrants during the pandemic. In May, the police **summoned** South China Morning Post journalist Tashny Sukumaran for questioning over an article that described raids that targeted thousands of undocumented migrants and highlighted concerns that these actions could undermine efforts to combat the spread of COVID-19.

In July, Al Jazeera faced an official investigation and its staff were **subjected** to online harassment and threats after broadcasting its **documentary** 'Locked up in Malaysia's Lockdown', focusing on the plight of detained undocumented migrants. Police investigated staff for sedition, defamation and violations of the Communications and Multimedia Act. The police **raided** the offices of Al Jazeera and two other broadcasters, seizing computers. A preliminary report by the Malaysia National Film Development Corporation **concluded** that Al Jazeera had not obtained a licence to produce the video, although no such licence is required by law. A Bangladeshi migrant worker, Rayhan Kabir, was **arrested** for appearing in the documentary, in which he had given a first-hand account of the treatment of migrants in Malaysia during the pandemic; in punishment for whistleblowing the immigration department **revoked** his work permit and he was **deported** and blacklisted from re-entering Malaysia. Several Al Jazeera journalists who worked on the documentary were also **forced to leave** Malaysia when their visas were not renewed.

In July, the police **questioned** Heidy Quah, director of Refuge for the Refugees, over a Facebook post about alleged ill-treatment of refugees at immigration detention centres, which included a description of her experience working with a woman who had been confined in a detention centre immediately after giving birth. She was placed under investigation and received a barrage of hateful comments and threats on social media.

Against this hostile background, **Adrian Pereira** of **North South Initiative** describes how civil society, including many groups that normally work on other issues, responded to the worsening situation of migrant workers in Malaysia amid the pandemic:

We are coaching migrant leaders to ensure their communities have access to networks that provide services and can provide accurate information about needs to those who are providing services. Some public networks, such as the Care Mongering Malaysia group, are proving a platform for Malaysians to reach out to help migrants and refugees in need. This is an online platform that links those who need help with those who can afford to provide the service. Sikh temples are providing groceries and packed lunches.

Other CSOs working hard on the ground to provide groceries include BERSIH2.0, Beyond Borders, Dapur Jalanan, Engage, Geutanyoe Foundation, HOPE, Liga Rakyat Demokratik, Malaysian Trades Union Congress, Our Journey, The Patani, Refuge for the Refugees, Tenaganita and also migrant and refugee community organisations. Migrant workers can call them when they need assistance with food.

We are forming a network to ensure services can be delivered in the long term, as we foresee the problems continuing. Many migrant workers will remain and will need aid, so we are developing a supply chain to support them.

We are ensuring migrants receive accurate information from global bodies such as the International Organization for Migration, United Nations (UN) Development Programme and UN Refugee Agency and also from the various government agencies related to health, labour, security and welfare. This

includes providing information via infographics on counselling services and on health issues in different languages.

We are also fighting misinformation related to migrant workers and refugees. There has been a lot of fearmongering blaming them for the spread of the virus.

We are encouraging migrants to seek medical treatment if they are sick and

monitoring employers who are taking advantage of the current situation and committing labour offences, particularly as movement control orders have partly restricted lawyers from providing legal representation and legal aid.

Other CSOs are providing counselling, doing fundraising, monitoring human trafficking, providing gender-sensitive and maternity-related services and catering to women's needs.



Migrants line up for document checks after being rounded up during an immigration raid on 11 May 2020 in Kuala Lumpur, Malaysia. Photo by Rahman Roslan/Getty Images

WOMEN'S PROTESTS FOR CHANGE: FOCUS ON GBV

While responding to the pandemic and the steep rise in sexual violence and GBV it brought, women's rights activists and organisations continued to challenge the underlying causes of that violence – the gender norms and unequal power relations that place women in subordinate positions and deny them full personhood and agency – that preceded and would outlast the pandemic. Even in a pandemic year when it was difficult to protest, women took to the streets as often as necessary, in every corner of the world, from Mexico to Poland and from Namibia to Bangladesh.

Not surprisingly, **five years** after the eruption of the #NiUnaMenos (Not One Woman Less) movement, which originated in Argentina and quickly spread through the region and beyond, Latin America continued to be a hotspot both for **femicide** and the struggle to put an end to it. Protests often came in reaction to cases of sexual violence and femicide that made the headlines and touched a nerve. In Paraguay, **protests** against GBV were triggered in June by the sexual abuse and murder of a 12-year-old Guaraní Indigenous girl, one in a long string of such violations. Protesters also decried the categorical denial of



A protester holds a cross as part of a feminist flash mob against gender-based violence outside the National Palace of Culture in Guatemala City on 12 January 2020. Photo by Josue Decavele/Getty Images

abortions even to those made pregnant by abuse. In **Guatemala**, hundreds of women **protested** against GBV on 10 October, the International Day of the Girl Child; protesters mobilised after **two young women**, 22-year-old teacher Laura Hernández Guevara and 20-year-old student Litzy Cordon Guardado, were killed in the same week in the Zacapa department.

Nowhere were Latin America's protests louder than in Mexico. Just weeks into 2020, artist and women's rights activist **Isabel Cabanillas** was found dead in Ciudad Juárez, a day after being reported **missing**. The National Women's Institute **described** her femicide as 'an attack against activism, which for months has faced hostility and assaults by those trying to silence women's rights to protest to demand a life free of violence.' The killing sparked a renewed wave of protests against GBV. Days earlier, activists had placed hundreds of **red women's shoes** on Mexico City's main square to call public attention to the fact that, on average, 10 women and girls are murdered in Mexico every single day, and less than 10 per cent of femicide cases are ever solved. The protest was a repeat of a performance first staged by artist Elina Chauvet in 2009 after the killing of her sister.

A heated Valentine's Day **demonstration** erupted in Mexico City on 14 February in reaction to the killing of 25-year-old **Ingrid Escamilla** and the publication of graphic photos of her mutilated body. Dozens of activists gathered outside the presidential palace, splashed its doors with blood-red paint and wrote the words 'femicide state'. It was no surprise that on 8 March, International Women's Day, almost **80,000 women** gathered in Mexico City to call for an end to GBV. Many wore purple, the colour representing the feminist movement, and held photos of loved ones who had been killed or gone missing. While most of the day's events were peaceful, clashes with counter-protesters and other episodes of violence reportedly left 52 people injured and 13 **hospitalised**. Some cases of **vandalism** were reported, with store fronts and government buildings spray-painted with messages such as 'misogynistic Mexico' and 'the president doesn't care about us'. The next day, women across the country stayed home as part of a **general strike** (labelled 'Un Día Sin Nosotras', 'a day without us') to protest against rising GBV and the government's inaction in the face of the crisis. The José Martí University **posted** photos of its half-empty classrooms online, explaining that this was what classrooms would eventually look like if femicides continued.

Students of the National Autonomous University, who had protested since October 2019 over the school's failure to address GBV and sexual assault, **continued** doing so into 2020, even after classes were moved **online** due to the pandemic. According to official data, in March, barely weeks into the pandemic, Mexico's GBV hotline was **flooded** with more than 26,000 reports, the highest number since it was established. But President Andrés Manuel López Obrador, who has repeatedly dismissed feminism, brushed aside the announcement, baselessly dismissing most of the calls as little more than pranks.

Protests subsided as the pandemic raged, but on 16 August, more demonstrations against GBV were held in Mexico City. According to news outlets, police forces **outnumbered** protesters but the march was mostly peaceful, with one reported clash between protesters and police. A few days earlier, authorities in the state of Quintana Roo had arrested 12 people on sex trafficking charges, so in Cancún and Playa del Carmen students and activists **protested** outside courthouses demanding justice and an end to impunity.



A protester paints graffiti that reads 'Justice' on the wall of a police station during a march against femicides in Cancún, Mexico, on 15 November 2020. Photo by Erick Marfil/Getty Images

In early September, two separate **murders** of transgender women brought new protests in Ciudad Juárez. On 13 September, a suspect was **arrested** and charged with gender-based aggravated murder in connection with the killing of activist **Mireya Rodríguez Lemus**, of the Union of Trans Women of Chihuahua. Also in September, feminist groups literally reclaimed space when they **occupied** the building of the National Human Rights Commission in Mexico City, repurposing it as a survivors' shelter and urging the government to take decisive action to address GBV. The **occupation** lasted several weeks. **Protests** also took place outside local human rights commissions in cities around Mexico, including Puebla, San Cristóbal, Tampico and Villahermosa.

On 9 November, around 2,000 people protested in Cancún, Quintana Roo, after the dismembered body of 20-year-old Bianca 'Alexis' Lorenzana was found, days after she disappeared. The police's reaction to protesters' dismay at this act of violence was to **open fire** on them; among those injured were at least four **journalists**, three with **gunshot wounds**. Further indicating that the police were part of the problem, detained protesters reported cases of **sexual assault** by police officers.

On 25 November, the International Day for the Elimination of Violence against Women, **thousands** joined a feminist march in Mexico City. While the protest was largely peaceful, there were **clashes** between groups of protesters and the police, with protesters throwing objects and officers using teargas and flashbang grenades in return. According to news reports, **confrontations** took place between some protesters and religious fundamentalist counter-protesters.

Beyond Latin America, protests against GBV took place on every inhabited continent, reflecting the fact that the crisis is truly global. In Africa, protests were held in response to rapes and femicides in **Liberia** and **Nigeria**, while Asia saw protests in **Afghanistan** and India, to name but few. In Albania, thousands of women **protested** against sexual violence after a story of a teenager's repeated sexual abuse came to light in June. In July, hundreds of people dressed in mourning **marched** through the streets of Port Moresby, capital of Papua New Guinea, following the murder of 19-year-old Jenelyn Kennedy, allegedly by her partner.

#SHUTITALLDOWN UNTIL GBV IS NO MORE: A MOVEMENT ARISES IN NAMIBIA

As in many of these cases, it was the killing of a young woman that triggered protests against GBV in **Namibia** ↗. At least 200 cases of GBV are **reported** ↗ in Namibia every month, and more than 1,600 rapes were reported in the 18 months prior to June 2020. However, the case of one missing person touched a nerve that activated a protest movement.

In April 2020, the **disappearance** ↗ of 22-year-old Shannon Darlikie Wasserfall in Windhoek, Namibia's capital, sparked a social media campaign in which hundreds of users posted, shared and retweeted the hashtag #BringShannonHome, seeking clues to find Shannon and demanding the police focus on her case.

Months later, on 16 July, protesters caught the global wave of Black Lives Matter protests (see this report's chapter on the global struggle for racial justice) and **took to the streets** ↗ in Windhoek to **protest** ↗ against police brutality and GBV. They called for holistic public education on GBV, rape culture and LGBTQI+ rights, and demanded an amendment of the Rape Act of 2000 to include a sexual offenders' registry.

In early October, following the police **discovery** ↗ of what were believed to be Shannon's remains, hundreds of protesters took to the streets under the #ShutItAllDown banner in Windhoek and other cities across Namibia. Youth activist **Bertha Tobias** ↗ was among those who got involved in the fight against GBV after the news came out, and recounts the mass reactions that it set off:

The release of the headline on the Twitter account of one of the major national news outlets spurred a lot of young people to action, to mobilise and organise ourselves to take to the streets. It injected urgency into the conversation around GBV and femicide in Namibia.

This was not an isolated case, as young Namibian women continuously go missing. But when this case emerged, it revived the national conversation. Somebody on Twitter rightfully stated that something needed to happen, something needed to change, and I responded to this and got involved.

Together with other young people, we sent out emails, garnered the support we needed, and organised ourselves within less than 24 hours, mostly and primarily

through social media. We made a flyer that was circulated widely, and people showed up to the protest. Young people took ownership and that was how it started. This was an example of both the power of the internet and the power of young people. It was young women who were at the forefront, with young men providing support.

The active role played by young people, and young women in particular, are part of what made #ShutItAllDown different to past protests for women's rights, along with the adoption of disruptive tactics and the intensive use of social media. In addition, the prominent role played by LGBTQI+ people marked a positive turn from the past. The philosophy behind #ShutItAllDown is radical in its simplicity.

It means that everything needs to be brought to a standstill until we can re-evaluate what it is about Namibian systems of safety that is not working for Namibian women. Until we have answers to those questions, we do not believe it is right, healthy or in the best interest of anyone to continue doing business as usual. We don't want economic activity of any sort to continue as usual if young women do not feel safe.

Protesters demanded that the president declare a state of emergency to deal with the country's high rates of femicide and GBV and called for training of police officers in handling GBV cases. They were however quickly **dispersed** ↗ by security agents using teargas, rubber bullets and batons. The previous day, protesters had marched to government headquarters to demand the resignation of the minister of gender equality and child welfare. A few days later, the government issued a statement promising to implement measures to address the escalating problem, including by establishing a sexual offenders' registry and introducing dedicated courts to handle cases of sexual violence and GBV. On 17 October, President Hage Geingob **met with protesters** ↗ and acknowledged that more needed to be done to tackle the problem, but the movement kept pushing for more.

Unfortunately, we did not obtain the declaration of the state of emergency for which we were hoping. But other demands, such as strengthening security

through patrolling, implementing school curricula and establishing task forces or committees to revive efforts to curb sexual violence and GBV were positively responded to. Another petition demand that was important and received a positive response was training for police officers to be more sympathetic and empathetic when dealing with cases and reports of GBV. We know that the reception that survivors get at police stations and the lack of attention and urgency with which their cases are handled is one of the major reasons why women do not report sexual violence.

While triggered by a horrific case of femicide, the #ShutItAllDown movement brought to the forefront several issues in addition to GBV.

Out-Right Namibia, a leading LGBTQI+ human rights organisation in Namibia, used its momentum to propel #ShutItAllDown and create a strong, well-connected network for advocating for our collective rights as Black and queer women.

The #ShutItAllDown protests also brought to the forefront the illegality of abortion in Namibia and our reproductive health rights. We intensified our conversations about the issue of reproductive health rights of women in general. These were some of the vital issues that were highlighted by #ShutItAllDown, which made it apparent how much work still needs to be done so that the rights of all women are recognised and respected.



Poster published by Out-Right Namibia on social media calling for a #ShutItAllDown protest in October 2020. Photo by Out-Right Namibia/Facebook

In India, protests focused on the experiences of **Dalit women**⁷, who face multiple layers of exclusion and violence due to the fact that they are both women and members of the lowest caste (see this report's chapter on the global struggle for racial justice). In October, the **gang rape, torture and murder**⁷ of a young Dalit woman in Hathras, Uttar Pradesh – sadly only one of a recent string of brutal rapes against Dalit women – triggered large protests across India. But reflecting the continuing denial of the humanity of Dalits in India, the government and its supporters seemed to side with the alleged assailants. The first instinct of the authorities was to **cover up**⁷ the crime. Before her death, the woman had named her attackers, but the police delayed registering her complaint and instead hurriedly cremated her body without her family's consent, making it impossible to gather evidence. Before outrage erupted, a government minister even described the case as a 'small incident'.

‘FREEDOM, NOT PROTECTION’: IMPUNITY CHALLENGED IN BANGLADESH

In early October, a **wave of protests** against sexual violence and GBV rose in Bangladesh after video footage of five men gang-raping a woman went viral on social media.

Human rights CSOs, cultural organisations and student groups, as well as a mass of students and other people, most of them women, mobilised in the capital, Dhaka, and in several other cities, behind the banner of a newly formed platform, ‘Bangladesh against Rape and Impunity’, to demand justice for survivors of rape, sexual harassment and GBV. Women also embraced online protest on social media.

Bangladeshi human rights defender and independent filmmaker **Aparajita Sangita** describes the experience:

People from different walks of life, including members of political parties, writers, cultural activists, online activists, national cricket team players, women’s rights activists and journalists, converged in the anti-rape protest movement. For the first time in Bangladesh, women marched against rape in the middle of the night. In Dhaka, they marched from Shahbag to Parliament House, carrying torches and shouting slogans.

For many, just to be out at night was an act of empowerment. Going out at night to protest was ‘something so many of us couldn’t even imagine before the march that night’ **said** a member of the newly formed Feminists Across Generations coalition. Many young women had to fight concerned parents to be able to come out, but, the young activist said, ‘for those few hours, it felt like we could do anything’.

Echoing the lyrics of ‘**A rapist in your path**’, the Chilean song that struck a global chord (see below), Bangladeshi protesters **chanted** ‘The guilt is only yours... the rapist is you’, shifting the blame away from victims and towards the patriarchal power structures that oppress women, and the judges, police and politicians that perpetuate them. In the same vein, protesters insisted that this was not an individual call for help

but a collective expression of indignation and desire of change, as they chanted ‘We want freedom, not protection.’

Protesters urged the resignation of the home minister, who had not just failed to act against GBV but worse, had made confusing and even bizarre comments about rape that protesters viewed as emboldening rapists. They also demanded the government be **held accountable** for the fact that many of the rapes being denounced had allegedly been committed by leaders and activists of the ruling party, and **urged** the authorities to take steps to stop hate speech against women and prevent women being objectified in literature, drama, cinema and advertisements.

Among protesters, some called for the death penalty to be imposed as the highest punishment for rapists. Most feminist organisations, however, opposed this demand, antithetical to human rights, as they view the very low rate of conviction rather than the severity of the punishment as the primary barrier to bringing rapists to justice. Almost absolute impunity is fed by powerful stigma and victim-blaming that greets any public acknowledgement of rape and major barriers that survivors face when trying to report rapes to the police. Women’s rights organisations called for the introduction of procedures to avoid re-victimising women.

Protesters demanded an end to all sexual and social abuse of tribal women, the establishment of a committee to prevent sexual harassment of women in all government and private organisations as well as in educational institutions, and the full implementation of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). They urged the abolition of laws and practices that create inequality towards women.

Other calls included putting a stop to the mental harassment of victims during investigations and ensuring their legal and social security, the inclusion of crime and gender experts in Women and Children Repression Prevention Tribunals and the establishment of more tribunals to ensure the quick processing of cases.

Finally, they urged the amendment of sections of the Evidence Act to end the admissibility of character evidence of complainants in rape trials and the elimination from textbooks of all materials deemed defamatory of women or depicting them as inferior.

In reaction to the protests, the authorities first offered repression and called into question the motivations of protesters, before delivering a policy response that most of the women's rights movement rejected as a non-solution.

On 6 October, protesters marched from Shahbag to the Prime Minister's Office with black flags but were stopped by the police at the Hotel Intercontinental Junction. Several leaders and activists of a left-wing student body were injured by the police.

In addition, a statement issued by the police headquarters on 10 October attempted to vilify the protesters. It stated that 'vested quarters' were trying to use the protest 'to serve their interests' by undermining law and order and 'creating social chaos'. The police warned protesters to avoid any 'anti-state activities' and announced that the police were committed to ensuring internal

peace and order at all costs. This statement caused panic among protesters, who feared a crackdown.

Besides facing police repression, several women activists who participated in the anti-rape movement, including the leader of the Left Students' Association, were threatened with rape over the phone and on Facebook Messenger. Some of the activists were also threatened with criminal cases.

After the protests against rape and sexual assault spread across the country, the Women and Children Repression Prevention Law was amended. Although it was not the change many feminist groups had been seeking, the death sentence was imposed as the most severe punishment for rape. Previously, the maximum punishment for rape in Bangladesh was life imprisonment. The death penalty was only applied in cases of gang rape, or rape that resulted in the victim's death.

Following this the protests halted, as many thought that the death penalty would see a reduction in rape crimes. However, many women's rights campaigners insist the death penalty is not the answer and will continue to demand a thorough reform of the legal system and more education to address an epidemic of violence against women in Bangladesh.

MIGRANTS' STRUGGLES UNDER THE PANDEMIC

Also mobilising against difficult odds to try to make sure they were not overlooked were migrants and refugees. Protests preceded the pandemic. In January, dozens of asylum seekers from Ethiopia and Sudan, most of them women and children, **protested** ⁷ across the road from the UN Refugee Agency's office in Beirut, Lebanon. Alongside CSO activists, including members of the Anti-Racism Movement, they demanded the reopening of their case files and the processing of applications that had been pending for years. They denounced racism and demanded respect for their rights and dignity.

As the pandemic spread, migrants and refugees protested at the lack of attention their situation was receiving from the authorities. In Tunisia in April, a group of migrants launched a weeks-long **hunger strike** ⁷ at a migrant holding facility in Tunis, to demand an improvement in sanitary conditions;

their demands led to the authorities distributing masks and sanitiser to the migrants. In Rwanda, refugees who had been relocated from inhumane camps in Libya **protested** ⁷ at the impacts of pandemic lockdown, which halted planned transfers to countries that had agreed to receive them.

State authorities seemed to show little hesitation in meeting such protests with violence. In November, Sudanese migrants and refugees **protested** ⁷ over the brutal killing of a child in Cairo, Egypt; they were dispersed by the police with teargas and water cannon, and dozens were arbitrarily arrested. Protesters were subjected to beatings with batons, along with racial and xenophobic slurs and other forms of ill-treatment. That same month in France, migrants who had been evacuated from makeshift shelters in the northern Parisian suburb of Saint-Denis and who had camped on the central Place de la République were **evicted** ⁷ and dispersed with violence, including teargas. It seemed the French authorities preferred these excluded people not to be seen and not to have a public voice. Similarly, in **Spain** ⁷,

it seemed the authorities wanted migrants and refugees to be invisible: journalists **reported** that the government was preventing them taking photos of the **arrival** of refugees in the Canary Islands, which resulted in the growth of precarious camps near the harbour.

Protesters mobilised in solidarity with migrants and refugees. In Taiwan, one of the few places where International Workers' Day demonstrations could proceed on 1 May despite the pandemic, scores of migrant workers and workers' rights advocates **protested** outside the Ministry of Labour in Taipei, calling on the government to guarantee safer working conditions for migrant workers. According to the Migrants Empowerment Network in Taiwan, some workers had been barred by their employers from going outside due to the

pandemic, while others had been unable to return to their jobs in Taiwan or visit their home countries. Protesters also called for government regulations to ensure the separation of factories and workers' living quarters, to reduce the impacts of fires.

In Melbourne, Australia, in May, activists made a hotel where refugees were being held the site of their **protest**. The hotel hosted refugees who had been transferred due to illness from Australia's inhumane detention centres in Nauru and Papua New Guinea, under the Medevac law that the government controversially **repealed** in December 2019. A group of protesters climbed onto the roof while others barricaded themselves inside the hotel to demand that more than 65 asylum seekers held there be released.



People from across France converge at Place de la République to call for migrants' rights on 17 October 2020 in Paris, France. Photo by Siegfried Modola/Getty Images

#ABOLISHICE: A NEW URGENCY IN THE USA

The USA's already inadequate and inhumane immigration procedures, deliberately made more barbaric under President Trump, were brought to an almost complete standstill by the pandemic, with the processing of visas, benefits and immigration court hearings all heavily affected. Barriers rose for both legal and undocumented migrants. Entry through the country's land borders was severely restricted even for asylum seekers and unaccompanied children, and although they reduced in number, immigration raids did not stop. Tens of thousands of people remained in crowded detention centres run by the Immigration and Customs Enforcement (ICE) agency, leaving them highly vulnerable to COVID-19 contagion. Millions of migrant families were excluded from emergency support schemes and struggled to stay afloat.

Throughout the year, reports repeatedly surfaced of the **horrific conditions** experienced by migrants in ICE detention centres. Mistreatment in one such centre in Georgia included a lack of healthcare and a high rate of hysterectomies among women, apparently performed

without their full consent, a rights violation that was grimly evocative of past practices of **eugenics** against Black people. Investigations also uncovered that heart attacks, miscarriages and even a death had taken place on **ICE deportation flights**.

In the year in which Black Lives Matter protests mobilised in great numbers in the USA and around the world, people rose in protest against these appalling conditions. Between March and September, around 2,500 people joined **COVID-19-related hunger strikes** in detention centres across the USA. In June, people detained at the **Mesa Verde** Detention Facility in Bakersfield, California organised what the CSO Centro Legal de la Raza described as the first Black Lives Matter protest inside an ICE jail. People saw that the Black Lives Matter and anti-ICE protests were clearly connected, embedded in systemic racism and emblematic of a state that sees Black and brown people as a problem to be repressed, controlled and **jailed** (see this report's chapter on the struggle against systemic racism).

Outside ICE detention centres, the Abolish ICE protests that mobilised throughout the Trump presidency continued, now fuelled by the urgency imposed by the pandemic. In April, more than a hundred protesters wearing masks took part in a **car rally** in Arizona. Planned by several grassroots groups including Puente Human Rights Movement and No More Deaths and promoted as a COVID-19-safe action, the protests called for the release of migrants detained in facilities where the virus was spreading fast. Participants taped posters to the sides of their cars reading 'Free Them All' and 'Detention Is Deadly' and drove in loops past the fence surrounding the Eloy Detention Center and La Palma Correctional Center, honking their horns and beating pots and pans.

Protests against US immigration policies under the pandemic also took place across the border in Mexico. On 21 September, asylum seekers **gathered** near the border in Ambos Nogales to protest at the US government's refusal to process applications during the pandemic. They claimed that the Trump administration was using the health emergency as an excuse to prevent migrants from Mexico and Central America lawfully entering the USA, contributing to growing tensions in border towns, where migrants were being forced to wait until they could have their cases heard. On 31 October, migrant activists in Tijuana burned effigies of President Trump and **called on voters** to support his opponent in the presidential election. They will be hoping for a more compassionate approach from his successor.



Activists protest outside the United States Supreme Court in Washington, DC during a hearing in a major case concerning the rights of asylum seekers on 2 March 2020. Photo by Drew Angerer/Getty Images

In June, hundreds of people staged an anti-racism **rally** in Glasgow, UK. Soon afterwards, a Black Lives Matter **protest** was held outside the Scottish Parliament in Edinburgh in solidarity with Scotland's Sudanese people; this protest came in response to the problems faced in Glasgow by asylum-seekers who had been moved by a private-sector contractor into temporary hotel accommodation because of the pandemic and given minimal support. A few days before the protest, a Sudanese asylum-seeker was shot dead by the police after stabbing other asylum-seekers and hotel staff. He had evidently been suffering from profound mental health problems exacerbated by the move. In September, people held a further **protest** in Glasgow against the treatment of refugees following the deaths of two refugees who were going through the asylum process; led by the Stand Up to Racism organisation, protesters urged the devolved Scottish government to break immigration laws imposed by the UK central government to protect the lives of vulnerable asylum seekers. Throughout the year, protests by **asylum seekers** decrying their living conditions took place in cities across the UK.



Abdul Safi, an Afghan asylum seeker, sits in a hunger strike outside the Home Office building in Glasgow, UK on 23 September 2020. Photo by Jeff J Mitchell/Getty Images

The British context, however, was of an ongoing anti-rights reaction by an increasingly isolationist section of the post-Brexit public, furthered by the ruling party and reinforced by the fears, uncertainties and resulting scapegoating brought about by the pandemic. Migrants and refugees were frequently dehumanised in public discourse. Right-wing politicians described the arrival of refugees, including children, as 'a shocking invasion', and made proposals to respond to small boats crossing the English Channel by launching surveillance aircraft and naval warships. The government responded by **announcing** its appointment of a 'clandestine Channel threat commander' with a military background; the word 'threat' made clear how it viewed those risking everything to cross the sea. Toxic political discourse fuelled aggression. Videos posted by far-right organisations **showed** activists entering hotels where asylum seekers were being held during the pandemic, knocking on their doors to interrogate them and accusing them of wasting taxpayers' money. In a climate of hysteria, a parliamentary committee **concluded**, immigration policies tended to be based on 'anecdote, assumption and prejudice' rather than evidence.

Similarly xenophobic discourse, in Bosnia and Herzegovina, led to hundreds of people blocking the road to a migrant camp to **demand** that it be shut down; in another camp, a Pakistani refugee was prosecuted for organising a protest.

INTERNATIONAL WOMEN'S DAY MOBILISATIONS

While many protests for rights had to adapt to the pandemic, or risk harsh treatment for breaching pandemic rules, the vibrancy of mass public action was showcased just before the virus came to dominate life for many, on International Women's Day, 8 March. In the last pre-pandemic mass global demonstrations, women mobilised to claim rights and celebrate achievements on every inhabited continent. Across **Latin America**, mass marches focused on femicide, abortion rights and inequality. In other contexts, major themes ranged from climate change and Indigenous rights to domestic workers' and migrants' rights.

In **Canada**, thousands **marched** in Toronto to call on the authorities to respect Indigenous land rights, support education funding and address the climate crisis. Organised by a coalition of community groups, students and

trade unions, the theme of 2020's event was 'The World is on Fire and We Are Rising', and it offered a celebration of women's role in fighting for change. Across the world in Taiwan, International Women's Day protests brought together women's and migrants' rights groups to **demand** ↗ better conditions for women migrant domestic workers and caregivers – a reflection of the reality that there are around a quarter of a million migrant workers in Taiwan, who are typically women and are often subjected to ill-treatment.

In **Fiji** ↗, celebrations included a concert entitled 'If women stop, the world stops' to support the Women's Global Strike. In Bosnia and Herzegovina's capital, Sarajevo, the CURE (GIRLS) Foundation held a **march** ↗ under the slogan 'Bully, on your way!', while in the southern city of Mostar women marched under the motto 'Give us back our vote!'.

In Zagreb, capital of Croatia, 7,000 women joined the **Night March** ↗ for the fifth year in a row, demanding an end to violence against women and an increase in public health services, including abortion, as well as policies to address the gender salary gap. Moldova's **Solidarity March** ↗ was dedicated to demanding the ratification of the Istanbul Convention on GBV (see below). Peaceful **protests** ↗ were held in Montenegro, focused on rejecting fascism, exclusionary nationalism and inequalities.

In many countries, however, women marching for their rights or attempting to do so faced a variety of restrictions from states and non-state groups. More often than not, they found ways to get around restrictions, but these indicated a climate of suspicion towards attempts by women to assert rights.

In Pakistan, the platform of feminist CSOs behind the International Women's Day **Aurat March** ↗ faced a challenge in the form of a **petition** ↗ filed by a religious advocate, seeking a permanent ban on their march on the grounds that it was 'anti-state' and 'un-Islamic'. The court accepted to hear the petition and as 8 March approached, smears and **threats** ↗ against the march organisers increased. Their bold slogan asserting **bodily autonomy** ↗ – 'Mera Jism, Meri Marzi' ('my body, my choice') – provoked **backlash** ↗ from religious groups and political parties, whose representatives described it as obscene, westernised and against Pakistan's cultural ethos. Despite the attempts to stop them, on 8 March thousands of women marched in the main urban centres for the third successive year. The movement has **grown** ↗ to include transgender rights and



A rally is held in Amsterdam, The Netherlands, against inequality and gender-based violence on 8 March 2020, International Women's Day. Photo by Getty Images News

to raise awareness about the increasing power of right-wing, conservative Muslim leadership that has often fuelled restrictions on women's freedoms.

In several cases, problems arose after International Women's Day marches were prohibited or forced out of city centres. Such was the case in Azerbaijan, where the authorities **refused** ↗ permission for the march to be held in the centre of the capital, Baku, and tried pushing it to the outskirts. Ahead of the march, several people were ordered to report to police stations and one had her Telegram account hacked. As the march proceeded in Baku regardless of the prohibition, its route was blocked by the police, which forcefully tried to disperse the crowd, injuring dozens of protesters. A group of men who were part of the protest were arrested and taken to a remote site. Others were monitored until they reached their homes and journalists were assaulted and their cameras taken.

In Kyrgyzstan, local authorities sought to **prevent** ↗ the 8 March demonstration taking place in the capital, Bishkek, by seeking court bans on all non-official assemblies in the capital until 1 July, citing the need to prevent the spread

of COVID-19. Although they eventually backed off and the march followed its course, women protesting against GBV on 8 March were twice subjected to violence, first by unknown perpetrators and then by the police. The police attempted to justify detentions and ill-treatment by calling the march 'unsanctioned', although advance permission for assemblies was not required by law. Police claimed they were trying to prevent clashes between protesters and their attackers.

In Turkey, a **prohibition** was in place as women gathered in Istanbul's central Taksim Square. For the second year in a row the governor's office refused permission for the annual rally to be held in that location, but several thousand women showed up regardless, and were blocked by hundreds of riot police, who used pepper spray and teargas pellets to disperse them and detained dozens. At the Turkish border, female asylum seekers also **protested** to be allowed to cross into Greece.



Masked women take part in International Women's Day protests in Santiago, Chile on 8 March 2020. Photo by Claudio Santana/Getty Images

In **Nicaragua**, International Women's Day's **meetings and flashmob demonstrations** demanding an end to GBV and justice for victims of femicide were met with police harassment and **repression**, even though these were held mostly within private properties. This was in stark contrast to a government-sanctioned march featuring vice president Rosario Murillo, which took place without incident. In the capital, Managua, at least 10 police patrols reportedly **surrounded** the headquarters of the CSO La Corriente, setting up a **blockade** at the entrance to stop people leaving and protesting. Two members of the Permanent Commission on Human Rights of Nicaragua were **assaulted** by security forces when attempting to leave the building. Other events, including a rally inside a church by women of the opposition Alianza Cívica movement and a colloquium by the Movement of Working and Unemployed Women, also reported facing heavy policing and attempts at intimidation. Still, women found **creative ways** to protest. At the Central American University, for instance, activists left pairs of shoes around campus, with red paint symbolising blood and signs showing the names and ages of Nicaraguan victims of femicide. Radio and online **broadcasts** formed part of the mobilisation.

In Chile, an unprecedented number of women – two million, according to the organisers – **took to the streets** on 8 March, keeping a focus on women's equality in the context of the constitutional referendum (see this report's chapter on democracy under the pandemic) alongside demands on legal abortion, GBV and workplace equality. A much-heard **slogan** was 'Never again without us women' (Nunca más sin nosotras), demanding that women have an equal voice in decision-making processes, starting with decisions on the constitution. In the capital, Santiago, police used **water hoses and teargas** to disperse crowds, but many protesters were ready with gasmasks. Excessive force against protesters, including teargas and beatings, were also seen in **France**, among many other instances.

Retaliation sometimes came after the fact. In Kazakhstan, two women were **convicted** after protesting on International Women's Day; they were found guilty of petty hooliganism for burning a funeral wreath in a public place and were fined. In **Guatemala**, the community news outlet Prensa Comunitaria and its women journalists were subjected to a **smear campaign** in conservative media and on social media for their coverage of the International Women's Day march held in Guatemala City. During the protests, Prensa Comunitaria showed

images of street posters and graffiti on walls and public monuments; this coverage led to accusations that its reporters were responsible for the spraying and street poster campaign. Following these baseless accusations, they were subjected to insults, defamation and hate speech. Such were the risks that women could face for stepping forward on International Women's Day.

PRIDE VERSUS PREJUDICE

Unlike International Women's Day, in most of the world LGBTQI+ Pride events could not proceed as planned because they had mostly been scheduled for when pandemic restrictions were at their highest. The danger was that the invisibility of LGBTQI+ people that Pride events exist to challenge would instead be reinforced, and there would be no opportunity for the joyful celebration of LGBTQI+ lives that helps sustain communities.

In **New York** ⁷, a city particularly hard hit by the pandemic, what was to be a spectacular 50th anniversary Pride celebration became an extremely modest event after the City Mayor cancelled the official march and encouraged people to 'stay safe, stay home, stay proud'. In place of a massive parade there was a symbolic procession of several dozen people and a handful of rainbow-coloured vehicles. The Queer Liberation March, started in 2019 as a radical alternative to the official celebration, held its own event focused on the burning issue of racism and police brutality, which drew more than 1,000 people.

Taiwan, after its government got to grips with the pandemic early, was one of the few countries able to host a full **Pride March** ⁷, on 28 June. For around an hour, hundreds of people – often wearing rainbow-coloured masks – marched in Taipei's Liberty Square as music played; many held **placards** ⁷ with the names of major global cities that had been unable to celebrate Pride Month due to the pandemic. Taiwan – which became the first Asian country to **legalise same-sex marriage** ⁷ in 2019 – usually holds its main Pride March in October, but in 2020 the organisers decided to hit the streets in June to bring hope to those around the world could not.

A few days later, around 500 people in Croatia took part in the **Proud Zagreb** ⁷ bicycle ride, devised as a safe means of asserting visibility. Organisers announced the names of 117 candidates running in the July

parliamentary election who signed onto demands prepared by LGBTQI+ groups, an important commitment in a region with increasingly politicised homophobia.

But most Pride events around the world, from **Colombia** ⁷ to **Turkey** ⁷, were held entirely online. In Argentina, where the annual **Pride March** ⁷ is held in November, the event included virtual floats and countless rainbow-coloured avatars that occupied a virtual Plaza de Mayo, reproduced on an online interface. One year earlier, the real Plaza de Mayo had hosted nearly 200,000 people. Under the motto 'We take care of each other, our community supports us', the 2020 event celebrated the life of one of the local LGBTQI+ movement's founders, who had died two months earlier, and focused on demanding the implementation of the Trans Quota and Labour Inclusion Law: as a result of persistent civil society pressure, in September the government issued a **regulatory decree** ⁷ to implement an article of the National Public Employment Law that would reserve a minimum of one per cent of all staff positions in the national public sector for trans people. During the Pride event, LGBTQI+ activists reminded the government that it needed to take further steps to implement this law, and that more comprehensive legislation was still needed to ensure the inclusion of trans people in the workforce across the economy. A positive side effect of the virtual event was that it allowed the participation of people from all over Argentina, including from provinces far from the capital where LGBTQI+ people usually face entrenched discrimination and anti-rights attacks and find it very hard to leave the closet, let alone mobilise for their rights.

In Latin America, the big exception to the virtual rule was **Uruguay** ⁷, where the **Diversity March** ⁷ held in the capital, Montevideo, in September gathered thousands of masked people in the largest public event since the pandemic struck. This was also an exception for Uruguay, where other annual events – such as the Silence March held in May to demand justice for the victims of military dictatorship – took place online in 2020. The Diversity March's decision not to go virtual was presented as part of the movement's strategy of 'neither regressing on rights nor taking a step backwards.' As a precautionary measure, however, the organisers chose an alternative route through a wider avenue more conducive to physical distancing, and cancelled the usual artistic and musical performances that attract crowds, offering instead a collective reading of a proclamation before dispersing.

In recent years, the Pride space has become more contested in contexts where political leaders have stoked homophobia for political gain, as in several European countries. Even as constraints on street protests limited the opportunities for aggressive reactions by anti-rights groups, in hostile contexts the backlash still managed to emerge. Such was the case in **Serbia**⁷, when the **fake announcement**⁷ that an LGBTQI+ pride parade would be held in the

city of Leskovac motivated several hundred people to protest to demand that the non-existent rally be banned. Violent protesters targeted the police and shouted hate messages, threatening LGBTQI+ people with lynching. However, apart from one arrest connected with an act of aggression against a journalist, there was no reaction by the authorities, sending out a renewed message that homophobia would go unpunished.



A Diversity March, following a COVID-19 prevention protocol, is held in Montevideo, Uruguay on 25 September 2020. Photo by Marcha por la Diversidad/Facebook

WOMEN AT THE FOREFRONT OF PROTESTS

Women of course played a leading role not only in protests for women's rights. 2020 saw millions of people taking to the streets to insist on action on a range of pressing issues, calling for immediate social needs to be met under the pandemic, demanding civic rights and democratic freedoms and urging action on climate change, economic inequality and systemic racism. Despite the disruption caused by the pandemic, protests still mobilised, and women were at the forefront of a variety of demands for change.

Female leadership continued to keep up the pressure for climate action (see this report's chapter on economic and environmental activism), demanding that post-pandemic reconstruction be in harmony with the planet, and it was not just Greta Thunberg who made the headlines. Young female climate leaders such as **Licypriya Kangujam** in India

and **Vanessa Nakate** in Uganda continued to hold Fridays for Future climate strikes in their respective countries. In the UK, women locked themselves to railings outside the Houses of Parliament in an **Extinction Rebellion** protest to demand climate action.

As a global movement confronted systemic racism (see this report's chapter on the global struggle for racial justice), women were highly visible as Black Lives Matter organisers and frontline protesters, in the USA and around the world, in solidarity mobilisations and in longstanding anti-racist movements that in 2020 were able to scale up their struggles, as seen in Brazil. Many related struggles focused on police brutality also featured women in prominent roles. The call to **dissolve** Nigeria's Special Anti-Robbery Squad (SARS), for instance, was championed by thousands of young Nigerians, and notably by young women who organised, strategised and raised funds. Organising also took place **online**, with women using social media to spread information and coordinate medical assistance and legal aid.

Protests against other forms of violence, and notably those exercised against children, were often initiated by women. Such was the case in Cameroon, where despite a ban on gatherings, hundreds of women **marched** in October to express their anger and demand justice following an **armed attack** against the Mother Francisca International Bilingual Academy in Kumba, South West Region, that left seven children dead and at least 13 injured.

Women played leading roles in claiming the rights of refugees. Many of the protests mobilised by asylum seekers around the world, notably in Greece (see below), were led by women, and there were instances in which women and their children made up the overwhelming majority of those protesting. In late January, for instance, 300 women, mostly Afghani, who had applied for asylum and were housed in the Moria camp on Lesbos, **rallied** alongside their children in the centre of the island's main town, protesting at the camp's overcrowding and unsanitary conditions and demanding to be transferred.

Women also led and strengthened movements for democracy and political change, from Belarus to Thailand (see this report's chapter on democracy under the pandemic). In Belarus, women were at the forefront of protests to demand that democracy be respected, as dictatorial President Alexander Lukashenko fraudulently claimed victory in the August **election**. Belarusian women came out in droves to support opposition candidate



A women's march is held in central Minsk, Belarus on 12 August 2020 after President Alexander Lukashenko claims victory in a fraudulent election. Photo by Misha Friedman/Getty Images

Svetlana Tikhanovskaya, a woman with no previous political experience who entered the presidential race when her husband was arrested and blocked from registering his candidacy. Tikhanovskaya became the president's toughest challenger in years, leading large rallies in the run-up to the election. Other women leaders threw their weight behind her campaign after Lukashenko said Belarus was not ready for a woman president, and women came out in their thousands, dressed in white, holding flowers and flags and forming 'solidarity chains', risking harassment, arrest and police violence. The women's protests encouraged workers' groups to stage strikes in support.

Thailand experienced **waves of protests** demanding the resignation of the military leader turned supposedly civilian prime minister, Prayuth Chan-ocha, and for the first time, calling for reform of Thailand's powerful monarchy. Many of the most vocal organisers of the protests were female students, and a high proportion of protesters overall were women. For Thai feminists, protests offered a window of opportunity to bring up **women's issues**, adding to the protest agenda items such as taxes on menstrual products, abortion, sexism and sexual harassment in education and outdated ideologies of femininity that force girls to conform to patriarchal expectations.

Women threw off traditional roles to put themselves at the heart of protests in India. At the start of the year, women from all walks of life came out in large numbers as part of protests to reject a new **citizenship law** that discriminated against Muslims and undermined the secular foundations of the Indian state. Women repeatedly abandoned their daily duties to **block** major highways and organise sit-in protests. Resistance against the citizenship law saw Muslim Indian women, whose rights have historically been denied, take centre stage and contest patriarchal leadership. And then in the mass farmers' protests that erupted in late 2020 (see this report's chapter on economic and environmental activism) women's participation proved vital to the sustainability of the movement, through roles that included organising meetings, making speeches and holding press briefings, as well as duties considered more traditional, such as leading communal cooking and providing medical care for protesters experiencing harsh state repression. During the year, Indian women also demanded changes in **gender-biased inheritance laws** that account for the fact that while women farmers represent 75 per cent of the female working class in rural India, they own barely 13 per cent of farmland.

Women have faced backlash for their leadership. In January 2021, the Chief Justice of the Supreme Court of India **stated** that female and older protesters should return home,

a remark that was interpreted not only as an attempt to exclude women and debilitate the protest movement, but also as a threat of violence to come, given that the presence of women had offered male protesters some level of protection from the worst excesses of security forces. But women **refused to back down**. And in other places, women mobilised to preserve their right to play these roles, including during continuing anti-government protests in **Iraq** (see this report's chapter on economic and environmental activism), when a radical cleric **reacted** against women's presence in protests alongside men and called for gender segregation at protest sites.



A Muslim woman confronts Indian police officers after being vacated from an anti-citizenship law protest site on 24 March 2020 in the Shaheen Bagh area of New Delhi. Photo by Yawar Nazir/Getty Images

WOMEN IN POWER: PROGRESS AND CHALLENGES

At all levels, from the frontlines to the highest sites of decision-making, women played **critical leadership roles** in the pandemic year, both in responding effectively and inclusively to the pandemic and paving the way for a more equitable recovery. The women leading the governments of countries such as Denmark, Finland, Germany, Iceland and New Zealand (see this report's chapter on democracy under the pandemic) were recognised for responding rapidly and effectively to the emergency, using evidence-based measures to contain the virus and lower contagion and death rates, and communicating with clarity and transparency, while also leading by example and transmitting calmness and compassion. It would be easy to stereotype them as displaying what are traditionally considered feminine traits, such as 'emotional intelligence'. But such leaders combined empathy with rational responses rooted in the best available data and knowledge and articulated through clear public justification, approaches that might stereotypically be presented as the preserve of men. The real comparison was with the aggressively macho leaders of countries such as Brazil, Mexico, the UK and USA, who offered bluster, swagger and apparently undented male self-confidence, and presided over disastrously high death rates.

In the face of the pandemic, **successful leaders** employed a style that was relational and collaborative, focused on guiding rather than commanding, and on encouraging and motivating others to act in unison. Empathy, collaboration and accountability are not innate female traits, but prevailing gender expectations and gender roles seem to have driven women towards more empathetic, collaborative and accountable approaches to leadership, and this is a leadership style that is closest to the way civil society works.

One of the results of these visible successes in combating the pandemic may be a shift in attitudes towards women's leadership. Before the pandemic began, almost half the world's population **believed** that men made better political leaders than women; the results obtained by female leaders facing the pandemic may help counter the discriminatory social norms driving that belief. At the same time, such leadership styles may stop being the province of women and become the norm, particularly since the **weaknesses of strongman leadership** have become painfully apparent.

Beyond the headlines, there were of course also **concerns** about the impacts of the pandemic on women's ability to participate in politics, given that many women were forced out of work and back into roles as unpaid care providers, while many women may have found it harder to assert their voices when campaigning switched to the online sphere, in which they often feel **excluded** (see below). At the same time, where women became visible as leaders of community pandemic response, there was potential for them to build on the reputations acquired as potential political leaders.



A woman wears a mask in support of the constitutional convention during a protest in Santiago, Chile, in October 2020. Photo by Marcelo Hernandez/Getty Images

‘NOTHING ABOUT US, WITHOUT US’: GENDER PARITY IN THE CHILEAN CONSTITUTIONAL PROCESS

On 20 March, the Chilean government enacted a gender parity law for the election of representatives in the convention to create Chile’s new constitution. The proposal to develop a new constitution through a directly elected body was overwhelmingly endorsed at a referendum held in October (see this report’s chapter on democracy under the pandemic). As well as gender balance, the constitutional convention will have a quota of Indigenous representatives elected by Indigenous peoples.

The decision to have a gender-equal body reflected decades of campaigning for women’s rights and fair representation that helped shift public opinion, to the extent that **polls** [↗] showed that more than 70 per cent of Chileans, both women and men, agreed that gender parity in the constitutional process was important. **Carolina Carrera** [↗] of **Humanas-Regional Centre of Human Rights and Gender** [↗] **Justice** [↗] describes how the intensive work of a women’s rights movement, revitalised by a massive influx of young feminists aimed at changing perceptions and cultural understandings, turned into reality an aspiration that not long ago seemed unthinkable.

This is going to be the first constitution that will be characterised by full parity: not only will there be parity in candidacies, but also in the composition of the constitutional convention. This was achieved thanks to the sustained and systematic work of the feminist and women’s movement, which had a very strong moment in 2018 when the so-called ‘fourth wave’ of feminism took off in Chile. Back then, high school and university students took over educational establishments and stopped education for several months over the issue of sexual violence, non-sexist education and a set of demands for substantial equality.

*Then, on 18 October 2019, **protests** [↗] broke out in which citizens said they no longer wanted a neoliberal constitution that does not grant rights or guarantees to the people, and there were a lot of women on the frontlines of those protests. Police violence was fierce; many people were injured and lost their eyesight as a result, and a lot of sexual violence took place in police stations. This led to a **famous performance** [↗] by Las Tesis, a Chilean activist collective, of their song ‘A Rapist in Your Path’, which became a global anthem for women’s movements in 2019.*

In this climate of protest, on 8 March, more than two million women marched in the metropolitan region alone. This meant that it was not possible to propose a new constitution that did not ensure parity, because it would have provoked a very strong social outburst from the feminist movement.

We have high expectations, firstly, because of the fact that the constituent convention will have parity of representation, and secondly, because of the work we are doing to ensure that the women who represent us are feminist women.

We are preparing teams that can accompany the convention. We don’t want to focus solely on women’s human rights, but we also want to give our opinion on what the Chilean political system will look like: whether it will be presidential, semi-presidential or parliamentary, whether voting will be compulsory or voluntary, and so on. We have conducted surveys in which we asked women whether they will vote, how they will participate in the campaign, whether they would vote for other women, whether they would call on women to vote for women, and what issues they want the new constitution to include. We are getting ready because we are aware of the patriarchal resistance we may face.

As 2020 began, divides remained deep. Women **accounted** [↗] for only 6.6 per cent of heads of state and 6.2 of heads of government worldwide, as well as 24.9 per cent of parliamentary seats, while only 20.5 per cent of parliaments had female speakers. Only 15 of 190 countries had cabinets with at least the same number of women as men. Although these numbers reflected substantial progress when compared with the meagre 11.3 per cent of women in parliament recorded in **1995** [↗], the year the Beijing Platform for advancing women’s rights was born (see below), it showed the scale of the challenge still remaining.

Soon after the year began, the balance shifted a little further in Greece, when its parliament elected the country’s **first female president** [↗] in 200 years of independence. The newly appointed head of state, Katerina Sakellaropoulou, was a liberal high court judge and human rights advocate known for her focus on environmental protection. At the year’s end, the USA elected its first-ever female vice-president, Kamala Harris, who was also the first African-American and Asian-American to hold the office (see this report’s chapter on democracy under the pandemic). This happened in no small part in reaction to an outgoing administration that

had become the paradigmatic example of toxic macho leadership.

Several other countries saw **some form of progress**⁷, often as a result of the application of gender legislative quotas. In Niger, women's legislative representation rose from approximately 15 per cent to 26 per cent following the 2020 election. In Mali, the election held in March and April tripled female representation in parliament, up to 28 per cent; however, that parliament was dissolved following a military coup in August (see this report's chapter on the democracy under the pandemic).

In Europe, significant gains in women's parliamentary representation were

observed in Croatia and Ireland. New Zealand saw an unprecedented increase – both in parliament and government – in the number of women and other traditionally under-represented groups, including Maori and Pacific Island people, people from New Zealand's other ethnic minorities and LGBTQI+ people, with the first-ever members of parliament of African, Latin American and Sri Lankan descent elected.

Nevertheless, a quarter of a century after the commitments laid out in Beijing, the world is still far from having a critical mass of women in parliament: while many countries have reached or exceeded the initial 30 per cent threshold, only four countries have achieved or surpassed parity.

MORE WOMEN, BETTER POLITICS: THE EXPERIENCE OF VOTE RUN LEAD

More women in politics can be good not just for women, but for democratic politics, as women's leadership often translates into greater responsiveness to people's needs. In the context of US politics, **Pakou Hang**⁷ of **Vote Run Lead**⁷ fleshes out the reasons why more women are needed in politics and the lessons from the pandemic:

A big reason why we need more women in public office is because they govern differently than men. Women in government are more collaborative, more civil, more communicative. They are more likely to work across the aisle to solve problems. They bring home more money for their constituents, pass more bills, and their bills focus more on vulnerable populations like children, older people and sick people. Women broaden the political agenda, well beyond traditional women's issues. And the result is better policies for all of us, not just for women and girls but also for men and boys. Because they bring an entirely new set of perspectives and life experiences into the policymaking process, the presence of women also ensures that women's perspectives are not sidelined, and issues such as GBV or childcare are not ignored. All in all, women in public office tend to be more effective than their male counterparts. And given the current gridlock and hyper-partisanship in politics, we need to do things differently. More women in public office translates into better government and a more robust democracy.

The need for women in power and politics has become even more critical in the context of the pandemic. This past electoral cycle, donors wanted to contribute to female candidates' campaigns more than before, because the pandemic brought awareness not just about the many inequities that plague our society and the healthcare system, but also of the outstanding work women, and in particular women of colour, are doing in their communities to respond to urgent needs, fill in the gaps left by inadequate government policies and address the needs of excluded populations who have been disproportionately impacted on by COVID-19 and the economic downturn.

Research that looks at the ways in which various countries have responded to the pandemic seems to show that countries with female leaders tended to have fewer cases and fewer deaths from COVID-19. It seems that women in power have embraced a transformative style of leadership, which may be better at handling crises. This type of leadership focuses on deep human relationships, investment in teams and sharing knowledge, and being a role model and motivating others. These qualities are very useful in our current context.

A new generation of young, progressive women have made the headlines by being elected to Congress in recent years; however, the USA still has a low proportion of women, and particularly African-American, Asian-American and Latinx women, in its

legislative body. The exclusion is structural, and Congress remains disproportionately male and disproportionately white, a situation that is replicated at the subnational level.

There are still too many structural reasons why women do not run nor get elected. Women still do a disproportionate amount of housework and child-rearing and there is still sexist media coverage that focuses on women's appearances and personalities rather than their policies. Further, those in party structures and the people with political knowledge, networks and money still continue to be men, and often they determine who is politically viable; for example, a young man who studied community development at Harvard is deemed more viable than a middle-aged Black woman who has been a community organiser for the past 20 years.

Paradoxically, female candidates win at roughly the same rates as their male counterparts, and according to polls, voters are excited about getting women elected. But the second reason why women don't get elected is simply that women don't run at the same rate as men – and of course, you can't win if you don't run.

Why don't women run for public office? Perhaps the most pervasive reason is that women are self-doubters. They do not believe they are qualified. They do not see other women who look like them or think like them in those positions of power, and thus it's a self-fulfilling cycle. But it's not just women who self-doubt. Outsiders do plenty of that too. If a woman has never filled a position of power, then a question that keeps coming up in the media, said in a doubtful tone, is: is a woman electable? We heard a lot of that during the 2020 Democratic presidential primary race.

There's also the fact that certain qualities that are deemed positive in men are given a negative connotation when applied to women, like assertiveness or ambition. While angry and vindictive men have surely been elected president, women who are perceived as 'angry', or 'vindictive' are deemed unlikeable, and thus disqualified. Women candidates are held to much higher standards of competency, sometimes by themselves, but more often by others, and as a result we do not have gender parity in our political representation.

To help break down the barriers that keep women away from power, Vote Run Lead trains US women – including Black and Indigenous, rural, transgender and young women – to run for office and win. In 2020, over 55 per cent of their programme participants won their races, and 71 per cent of those were women of colour. The key to the programme's success lies in focusing on women's leadership strengths and encouraging them to run as they are.

The women we train often decide to run for public office because they see something wrong in their community and they want to fix it. But they do not see a lot of people who look like them in positions of power. Vote Run Lead offers a number of training modules that teach women the basics about campaigns, from delivering a stump speech to building a campaign team or crafting a message, to fundraising and getting out the vote. But what makes our training programme different is that we train women to run as they are. Women often need support to view themselves as qualified, capable and deserving candidates. We show them that they don't need to obtain another promotion or degree and that in fact, their personal story is their biggest asset. Our Run As You Are training curriculum reminds women that they are enough and that they are the fierce leaders we need to elect to build the just democracy that we all deserve.

As a result of such efforts, the 2020 national elections yielded the most diverse Congress in history. Alongside Kamala Harris' victory, in another first, half of the Biden-Harris administration's appointed cabinet was female.

I surely was disappointed that we ended up with two older, white men leading the two major presidential tickets – but now we also have a Black, Indian-American woman as our vice president.

When the 2020 presidential election was called for Joe Biden and Kamala Harris, I contacted my nine-year-old niece with the news. She was ecstatic. I was reminded that she belongs to a new generation of Americans who were born under President Barack Hussein Obama. And growing up, she will know that Donald Trump was the President, but she will also know that Trump was beaten by a Black, Indian-American woman. As we were talking, my niece said to me, 'We are almost there, Auntie.' And it dawned on me: yes, we are almost there.



Congressional candidate Ilhan Omar speaks during a get-out-the-vote event on the University of Minnesota campus on 3 November 2020 in Minneapolis, USA. Photo by Stephen Maturen/Getty Images

GOING GLOBAL: WOMEN'S REPRESENTATION IN INTERNATIONAL BODIES

If women's representation in national governments and political institutions matters, then the same is true at the global level. Still very few international institutions have been led by women. The UN celebrated its 75th anniversary in 2020 (see this report's chapter on civil society in the international arena), but in all those years there has never been a female UN Secretary-General (UNSG). Invisible but very real glass ceilings continue to limit the presence of women in international decision-making spaces.

Civil society is working to overcome female under-representation in international arenas and particularly the UN, including through GQUAL, a global campaign seeking to include gender parity as a criterion for selection processes to fill positions in international bodies. **Viviana Krsticevic** ⁷ of **GQUAL** ⁷ describes the problem, and the solutions needed:

The absence of women in decision-making sites is not the result of their own choice but the effect of glass ceilings, implicit discrimination and the segmentation of labour markets, among other factors. On top of this, there is the argument of the impact of equal participation in terms of enriching debate, innovation and due diligence in decision-making and improving the legitimacy and sustainability of certain processes, among other possible beneficial effects of the inclusion of women in decision-making spaces.

At the international level, in the spaces where decisions are reached on war and peace, the evolution of international criminal law, the scope of human rights, economic law and environmental law, and various other key issues, women are under-represented at extreme levels. For instance, the International Court of Justice currently includes only three female judges (19 per cent) and historically it has only included four women out of a total of 108 magistrates (four per cent). Only one of the seven

current members of the Inter-American Court of Human Rights is a woman (14 per cent), and in the International Criminal Court there are only six women out of a total of 18 members (33 per cent). Finally, 10 of the 56 special mechanisms of the UN to date have never been led by a woman.

In other words, women are on the fringes of the decisions that are made on most of the issues that are most significant for the future of humanity in the areas of politics, justice and peace. This reality contrasts with the recognition of the right to participation in the international arena under conditions of equality enshrined in CEDAW article 8, widely ratified worldwide, and with the aspirations of balanced or equal participation proposed in various spaces of the UN system and other institutions.

Among the campaign's actions are the monitoring and distribution of information on available positions in the sphere of international justice. We send letters and post information on networks calling attention to opportunities and disparities, we promote academic research and we make proposals to modify the procedures for the nomination and selection of those who occupy positions in justice and monitoring institutions at the national and international level. Among our most interesting initiatives is a ranking that includes the number of men and women in these positions, by country. We also hold meetings of experts to contribute to the development of specialised documents. Additionally, we create synergies with selection processes in judicial spaces at the national level and participate in debates on representation at the national and international levels, in order to advance the broader agenda of political and social change towards equality.

We have had several significant achievements, including resolutions by the UN and the Organization of American States on gender balance in the composition of international bodies, the systematisation of information on the composition of positions at the UN level disaggregated by gender and excellent research that supports the international obligations of states and international organisations.

BEIJING 25: TAKING STOCK OF A QUARTER CENTURY OF STRUGGLES FOR GENDER EQUALITY

2020 should have been a key year to come together at the international level to take stock of progress and reflect on what needs to be done next to achieve gender equality. In September, the **Beijing Platform for Action**⁷ turned 25. The most progressive international blueprint for advancing women's rights, the Beijing Platform was adopted unanimously by 189 states at the UN's **Fourth World Conference on Women**⁷, held in China in 1995. The Beijing Platform focused on eliminating violence against women, ensuring access to family planning and reproductive healthcare, removing barriers to women's participation in decision-making and providing decent jobs and equal pay for equal work. It also called on states to address the impact of environmental degradation on women and recognised the disproportionate burden of unpaid care that falls on women.

While the pandemic demanded attention, the 25th anniversary remained full of meaning for the women's rights activists and organisations that took part in that historical gathering. Back in 1995, they brought in their experiences of struggle and their aspirations, successfully pushing for the inclusion of language on gender in UN documents and broadening the global understanding of human rights as including women's rights. They shaped international standards and then spent the next 25 years domesticating those standards to shape policy and practice on the ground, joined by fresh generations committed to the struggle for women's rights, including those documented in this report's pages.

In difficult contexts, civil society has tirelessly advocated to make the Beijing Platform real by demanding legal change, such as by calling for the cancellation of personal status laws that make women legally inferior to men and instead enshrining legal equality between women and men. When victories were won on these, efforts were then redirected towards making the recognition of equal status real by winning equal social security coverage and paid maternity leave, prohibiting discrimination in employment, recognising and criminalising violence against women and providing the appropriate services to survivors, codifying and punishing marital rape and sex trafficking, establishing representation quotas or parity in electoral lists and, crucially, empowering women to stand up for their rights.

A quarter of a century after women's rights were officially declared as human rights, **interviews**⁷ conducted with civil society activists, leaders and experts make clear that significant progress has occurred, in large part due to unceasing civil society efforts, but progress has been unequal, reversals are an ever-present possibility and much remains to be done.

We saw some progress in the past. Over the years, through the monitoring meetings of CEDAW, the Committee on the Elimination of Discrimination against Women told the government to make some changes and we saw those changes happening. The number of shelters was not enough and now we have more shelters. But now we see that there is a lack of a feminist approach.

The elimination of violence against women is one of the main challenges remaining. That is why we will continue to put this issue on the agenda when mobilising around Beijing+25.

Elif Ege⁷, **Mor Çatı**⁷, Turkey

*Legal change is slow because women remain extremely under-represented in politics: in Lebanon, **less than five per cent**⁷ of current members of parliament are women. In some cases, local media also play a role in marginalising women politically. This was documented by studies conducted after the 2018 parliamentary elections. Women also have a minimal presence in workers' unions.*

Hayat Mirshad⁷, **Lebanese Women Democratic Gathering**⁷

On the ground, the situation is different from the law, as inequalities are still very present. Many discriminations persist in practice. Statistics are alarming. Half of all Tunisia women have been victims of some form of violence. Socio-economic crises have worse impacts on women than on men. Among women, the unemployment rate is almost double the rate for men. Women's access to land is limited: only four per cent of women own land, although they make up almost 90 per cent of the agricultural labour force.

Ramy Khoulli⁷, **Tunisian Association of Democratic Women**⁷

We still have a long way to go to ensure that women can live autonomously without the burden of discrimination. Clearly, there are disparities and different effects among women due to age, economic situation, skin colour, ethnicity, migration status, rural conditions and several other situations that partly define our experience.

Global figures for disparities in education, access to health, property and positions of power show the enormous disadvantage that women are at in most societies and the differential weight of inequality.

Viviana Krsticevic [↗], **GQUAL** [↗]

A FEMINIST UN?

If the UN is to monitor and help drive progress on the Beijing Declaration commitments, there is a need to ask how well the UN has done in internalising women's rights in its own processes. While it has never had a female UNSG and women remain under-represented in senior leadership, civil society believes some progress has been made.

In January, the Feminist UN Campaign, a coalition of women's rights and human rights organisations, issued its third annual report card on current UNSG António Guterres, in which it assessed his work to build a more feminist UN, including by promoting feminist leadership, enabling transparent and accountable financing for gender equality and strengthening women's rights institutions and forums. The awarded grade, B-, recognised the UN chief's feminist commitment while highlighting the limited progress achieved.

Lyric Thompson [↗] of the **International Center for Research on Women** [↗], a member of the Feminist UN Campaign, explains what the campaign seeks to achieve, and how:

The Feminist UN Campaign is an effort to create a collective proposal to deliver real and meaningful change toward advancing women's rights and gender equality at the UN – in all its policies and programming – and to assess annual progress toward that vision. The campaign brings together leading feminist thinkers and activists in civil society, philanthropy, academia and former UN staff around a shared agenda. This agenda requires not only the UNSG's visible and proactive

leadership, but also system-wide reforms to overcome internal obstacles at the UN.

To assess progress and prepare the report cards the Campaign conducts interviews with key UN experts and civil society stakeholders, issues a global civil society survey and tracks key speeches, social media posts, appointments, travel and other initiatives. Report cards have been issued annually throughout this UNSG's term.

The grade obtained by the UNSG in 2020 reflects significant progress in some areas – such as championing parity – and very limited advances in others, such as funding for gender equality.

The report card finds Guterres' public messaging on women's rights and gender equality actually increased in 2019, tripling the number of speeches he gave on gender equality and continuing to tout his credentials as a 'feminist'.

Previously strong progress towards gender parity within the UN continued at pace, although backlash also increased. Progress has been stalled by bureaucratic inertia, funding shortfalls and overt internal opposition.

There are five specific areas in which we would like to see progress step up. First, prioritising civil society and feminist engagement in all UN and global processes. Second, pushing for greater transparency around UN activities and funding commitments. Third, ensuring zero tolerance for sexual harassment across the UN system and ending sexual exploitation and abuse, including in UN peacekeeping operations. Fourth, ensuring the full implementation of Goal 5 of the Sustainable Development Goals (SDGs) – that is, the implementation of all of its components, including those member states are more



Opening of the 64th session of the Commission on the Status of Women at UN headquarters in New York, USA on 8 March 2020. Photo by UN Women/Ryan Brown

willing to challenge, such as sexual and reproductive health and rights – and the integration of gender across all the SDGs. And fifth, achieving greater political accountability for issues related to gender equality, intergenerational leadership, solidarity, collaboration and intersectionality, funding for women’s rights programmes, movements and initiatives, a shift in power and more inclusive and expansive decision-making.

The Feminist UN Campaign continued monitoring the work of the UNSG to hold him accountable for his commitment as a self-declared feminist, and its **fourth report card**⁷, issued in early 2021, found that Guterres’ focus on gender equality had increased during the pandemic, earning him a B, his highest score to date. In a very challenging year, his scores increased in three of the six areas of the Campaign’s agenda: feminist leadership and agenda-setting, feminist implementation of the SDGs and freedom of information. However, his scores stalled in one area, parity and rights protections, and went down in two: financing for gender equality and enabling a feminist transformation of the Commission on the Status of Women (CSW) and UN Women. The Feminist UN Campaign will continue to push this agenda in 2021, and as the UNSG campaigns to earn a second term at the head of the UN, it will demand from him a bold feminist leadership and a strong commitment towards financing for a gender-equitable recovery.

CSW 2020: AN EARLY REVELATION OF THE CHALLENGES OF ONLINE ENGAGEMENT

At the international level, a key opportunity to review progress and push for more should have come at the CSW, the principal annual global forum on gender equality. In 2020, a year that had been **described**⁸ as ‘pivotal for the accelerated realisation of gender equality’, the CSW had been due to take place from 9 to 20 March at the UN’s New York headquarters. CSOs from all regions of the world, along with state representatives and a range of UN bodies, were expected to attend the session, which would focus on the review and appraisal of the implementation of the Beijing Declaration and Platform for Action and the SDGs, particularly Goal 5 on gender equality and the empowerment of women and girls.

But a week before the session was due to begin, the emerging pandemic prompted the organisers to amend the CSW's format and duration, and the planned two-week event with its approximately 12,000 confirmed participants was **scaled back** ⁷ to a one-day procedural meeting on 9 March to adopt a draft political declaration marking the anniversary the Beijing Declaration. Possibly the most valuable global space for women's rights activists and organisations had closed overnight, as the CSW general debate and accompanying events, including civil society events, were **cancelled** ⁷ and participants from all over the world told not to travel to New York.

Further international processes subsequently moved online and civil society gradually tried to make the most of the new routines (see this report's chapter on civil society in the international arena). But the gender-specific challenges that women faced when trying to participate in online UN processes and other online meetings were usually neither acknowledged nor mitigated.

Women activists **experienced first-hand** ⁷ the deepening of pre-existing inequalities in access and voice caused by the pandemic. They faced strain as boundaries blurred between the personal and professional spheres, risking burnout. They noted, among other things, that online calls and meetings often took place outside working hours or collided with their other responsibilities, including a disproportionate burden of unpaid care work. In many African countries in particular, digital inequalities came to the fore. Due to the gendered character of the digital divide, many women activists had been more reliant on in-person organising to begin with, and the forced shift to the online sphere left them cut off from many normal channels of connection and support. In some countries, women's activism was obstructed by high data costs; in others, state surveillance was the problem. To avoid detection and retaliation, activists in countries such as Egypt and Sudan had long relied on low-tech tactics, including word of mouth and flyer distribution, and the pandemic left them without that recourse.

Women who managed to gain access to online spaces often realised that unlike many of the real-life forums where women had elbowed their way in for decades, online events were much more male-dominated, and the ways online meetings work and are run make it harder for diverse voices to be heard. When women, particularly those from the global south and ethnic minorities and those working in languages other than their mother tongue, were not able

to speak up in meetings, outputs unsurprisingly tended not to reflect their perspectives and concerns.

The pandemic laid bare the difficult choices that female activists frequently have to make and the costs of activism, privileging those from wealthier backgrounds who can afford to buy in help with care, excluding women from poorer backgrounds. With inequalities in global vaccine rollout threatening to keep women in many global south countries at home for longer, and online working by default potentially becoming more common even once the pandemic is over, these threatened to be no passing problems.

PROGRESS IN CHANGING DISCRIMINATORY LAWS

Also struggling due to their inability to mobilise in public space were activists for LGBTQI+ rights, given the lack of many Pride events. Nevertheless, despite the barriers it was a year when some further progress was made in challenging and changing laws, reflecting years of civil society efforts. Progress for LGBTQI+ campaigners came on two key fronts in 2020: in decriminalising same-sex relations in countries where these were still illegal, and in legalising same-sex marriage in countries where LGBTQI+ people and organisations have won greater visibility and acceptance.

According to the **Human Dignity Trust** ⁷, in early 2020 more than 70 countries had laws criminalising private sexual relationships among same-sex consenting adults, exposing millions of people to the risk of arrest, prosecution, imprisonment and, in several countries including Iran, Saudi Arabia, Somalia and Yemen, to the death penalty.

Such laws prohibit either certain types of sexual activity or any form of sexual activity between people of the same sex and are often vaguely or ambiguously worded with references to morality and natural order. Most of the laws explicitly criminalise sex between men, referred to as 'sodomy', 'buggery' or an 'unnatural offence'. Many also criminalise 'lesbianism' or refer more broadly to 'sexual relations with a person of the same sex' and 'gross indecency', a catch-all that can apply to both women and men. More than a dozen countries also have laws that refer to 'cross-dressing', 'impersonation' and 'disguise', explicitly criminalising

the gender identity and expression of transgender people. In many other countries transgender people are further targeted by laws that criminalise vagrancy, hooliganism, sex work and public order offences. Around half of the countries that criminalise same-sex relations are Commonwealth members: far from being the expression of 'traditional' practices and beliefs, most of the laws that continue to be used to punish gay men, particularly in Africa and the Caribbean, were simply copied over from British laws long since repealed in the UK, and as such are one of the many lingering legacies of colonialism. Despite some powerful inertia and fierce anti-rights backlash, in 2020, two countries, Bhutan and Gabon, took a step forward and ended the shameful practice of criminalising consenting sex between adults.

As for equal marriage, as the year started this right was legally recognised in fewer than 30 countries, or jurisdictions within countries, around the world. But throughout the year, campaigns for equality kept pushing, from **Japan** to **Lithuania**. Despite months of protests from far-right and conservative Catholic groups, **Italy's** lower house of parliament **passed** a bill, currently pending Senate approval, to make discrimination and hate crimes towards LGBTQI+ people **punishable offences**. In 2020, joining the ranks of countries with equal marriage was Costa Rica. Although long-anticipated celebrations had to be small in scale due to the pandemic, the first same-sex weddings took place right away.

BHUTAN AND GABON: DECRIMINALISATION

In July, **Gabon** joined the select group of Sub-Saharan African countries that do not punish consensual same-sex relations. With 48 votes for, 24 against and 25 abstentions, its lower house of parliament passed a government initiative to decriminalise homosexuality in late June, and the Senate did the same in early July, with a 59 to 17 vote and four abstentions. This bill reversed the effects of a law that had been passed just a year earlier, which declared same-sex relations in Gabon as 'an offence against morality' and punished them with prison sentences of up to six months and fines of up to 5 million Central African francs (approx. US\$8,500). Before the new Penal Code entered into force in July 2019, same-sex relations were neither permitted nor prohibited by law, and there was a level of tolerance for diverse sexual orientations.

The decision to reverse the prohibition sharply **divided** public opinion as well as the ruling party. Protesters decrying the Senate's decision mobilised during the vote, and prominent politicians and religious leaders **characterised** the new law as being against 'national values' and designed to appease foreign donors. Its supporters, including Gabon's First Lady Sylvia Bongo Ondimba, defended it as the restoration of a fundamental human right and a triumph of love and dignity against hate.

On 10 December, Human Rights Day, Bhutan's parliament **passed** a bill that amended sections 213 and 214 of the 2004 Criminal Code to scrap the provision that criminalised so-called 'unnatural sex', widely interpreted as referring to homosexuality. By a vote of 63 against 69, same-sex relations were decriminalised, pending the King's formal approval.

This legislative act was **claimed** as a victory by LGBTQI+ organisations such as Rainbow Bhutan, which had been advocating for change for years, including in global forums such as the UN Human Rights Council. Largely as a result of this advocacy, in the Human Rights Council **Universal Periodic Review** that it underwent in May 2019, the state of Bhutan had been urged to ensure 'non-discrimination of members of the LGBT community' and to 'amend provisions of the Penal Code that are discriminatory, and that penalise relations between persons of the same sex.' Bhutan's leaders came to see the continued ban as an international embarrassment for their country.

A bill to repeal sections 213 and 214 had already been **approved** by Bhutan's lower house of parliament by an overwhelming vote in June 2019, but in early 2020 progress hit trouble when the upper house proposed to amend those sections of the Criminal Code rather than remove them altogether, meaning that the bill was returned to the lower house for re-deliberation in February 2020. Due to disagreements between the two houses, the issue had been referred to a Joint Committee, before, thankfully, the more progressive voices ultimately prevailed.

COSTA RICA: EQUAL MARRIAGE

In May, Costa Rica became the latest country to recognise equal marriage rights, and the **first** in Central America to do so. The change came 18 months after Costa Rica's Supreme Court set a deadline that the government should

legislate on same-sex marriage or its ban would automatically expire. As the deadline passed, same-sex marriage became legal.

As [Herman Duarte](#) of [Igualitxs Foundation](#) describes, this was a change in which the norm-setting role of international institutions, in this case the Inter-American Court of Human Rights (IACHR), was key:

In the context of a decades-long struggle by the LGBTQI+ rights movement, the kickstart came from the government of Costa Rica, which in May 2016 asked the IACHR for an advisory opinion regarding the patrimonial rights of same-sex couples. This consultation opened a window for all interested parties to present their arguments, which more than 90 very diverse actors did, including states, international organisations, CSOs, universities and individuals. Hearings took place on 16 and 17 May 2017 and we **took part** in them. The momentum generated by this event was reflected in the organisation of the First Equal Marriage Congress, held in the capital, San José, in November 2017, which brought together more than 54 speakers from all over the region.

In January 2018, the IACHR published its decision, which stated that state parties should regulate the status of non-heterosexual families, opening the doors of civil (non-religious) marriage to same-sex couples. A group of 60 LGBTQI+ organisations in the region celebrated the decision as the most important in the history of LGBTQI+ rights to date.

Ahead of the change in Costa Rica, the IACHR's judgement had already led [Ecuador](#) to become the fifth Latin American country to recognise same-sex marriage fully, in 2019, following Argentina, Brazil, Colombia and Uruguay, along with the federal district and some states of Mexico.

It was, however, not all plain sailing, as LGBTQI+ groups had to face down considerable hostility, including an attempt to use the pandemic as a pretext to **delay** the change. While Costa Rica's President, Carlos Alvarado Quesada, publicly welcomed the move, the political context was highly polarised. Civil society was able to benefit from Costa Rica's relatively open civic space and strong traditions of **rules-based law-making**; however, influential segments of the public remained opposed and mobilised in outrage.



After years of civil society campaigning, same-sex marriage and the equality of all families is recognised by a court ruling in Costa Rica. Photo by Familias Homoparentales y Diversas de Costa Rica

Costa Rica's constitution expressly recognises Catholicism as its official religion. In recent decades, evangelical congregations have expanded in number, reaching nearly 3,800. By 2017, more than 80 per cent of the population identified themselves as Catholic or evangelic; clearly, Costa Rica is a culturally conservative country.

Conservative reaction has been brutal. It is important to understand that the LGBTQI+ community has framed its struggles around the demand for recognition of their human dignity and their equal value as human beings and that religious groups have mobilised as identity groups – groups whose identity is defined in a narrow, not universalistic way, in opposition to an enemy. These groups channelled resentments brought about by legal changes that advanced equality and gave hope to those who had felt displaced by them, leading to the rise of religious political parties.

The 2018 presidential election became some sort of referendum on the rights of LGBTQI+ people, and specifically on equal marriage. An evangelical pastor, Fabricio Alvarado, then the lone congressman from an evangelical party, ran for the presidency, exploiting conservative people's feelings of outrage and fear at the Supreme Court ruling. The candidate was noted for his incendiary statements; he declared, for example, that homosexuality was 'caused by the devil'. This is how he climbed to the top of pre-electoral polls: in just one month, he went from three per cent to 17 per cent of voting preferences, and came first in the first round of the election, winning 14 of the 54 legislative seats as well. This represented a 1,300 per cent increase in the legislative presence of his political party.

The run-off presidential election revolved around the rights of the LGBTQI+ population. The first-round runner-up, Carlos Alvarado, was the candidate of the incumbent party and was favourable to LGBTQI+ rights. His position eventually prevailed, but the elections forced us to confront the enormous power achieved by evangelical churches.

Carlos Alvarado's victory can be explained by several factors, one of which was the formidable mobilisation of civil society. Among the civil society campaigns that had an impact was that of the **Coalition for Costa Rica**, which sought to generate an informed and inclusive debate, disseminating the candidates' proposals so

that citizens could deliberate before voting, and '**For all families**', a campaign that Igualitxs launched a week before the elections to spread an inclusive message and demand equal treatment for the LGBTQI+ population.

In all the countries that have recently either recognised same-sex marriage or decriminalised same-sex relations, legal victories are only part of the battle, as civil society also faces the challenge of shifting public opinion, needing to win people's hearts and minds to counter homophobia, gain acceptance of the new law and prevent regression.

Legal change is one thing and cultural change is another. Legal change has been the result of a decades-long struggle by the LGBTQI+ community. But there is still homophobia, discrimination and violence against LGBTQI+ people. Once legal change has been achieved, public policy should continue to focus on structural exclusion. Because legal change by itself does not necessarily improve the feeling of belonging to a community. People's attitudes do not change automatically just because a law is implemented.

Therefore, to prepare the ground for legal change, in the 18 months between the publication of the Supreme Court ruling and the entry into force of the decision, more than 35 local CSOs developed the '**Yes, I accept**' campaign, calling for recognition of the equal dignity of all human beings. This campaign was accompanied by the media, by companies that are part of the advertising union, unions such as the Business Development Association, the UN and embassies such as those of Canada and the Netherlands.

The campaign featured testimonies from LGBTQI+ individuals, couples and families, as well as their relatives, neighbours and friends, with the aim of promoting acceptance and changing perceptions of what it means to be an LGBTQI+ person in Costa Rican society. It was activated nationwide, with videos that were broadcast for months not only on social media but also on national television.

The videos appeal to emotion and generate empathy. They led thousands of people who were not politically involved to give up their sacred right to privacy and stand up to exist as a reality rather than an abstraction.

It put a human face on the abstract idea of 'gays', as presented by newspapers. By telling people that they would not be rejected, it created the conditions for them to lose their fear, since most LGBTQI+ people suffer some type of rejection in their daily lives, regardless of their social status. As a result, an active citizenry took part in the campaign, making it known that with or without a pandemic it would not take a step back from ground that had been won. This was decisive in making legislators who were trying to sabotage equal civil marriage understand that it would not be possible for them to stop it.

This was one of the most important civil rights campaigns in history, and will remain in memory as a light that shone amid the darkness of the pandemic. Just one day before access to civil marriage took effect for all adults in Costa Rica, the Catholic Bishop of Alajuela delivered a **message** that said: 'We are glad that there are different types of human relationships, different ways of being a family, and I think that where there is a demonstration of affection and family love, in a way God manifests himself, and we have to favour this.' Although not necessarily reflecting the position of the entire institution, the words of this religious representative were the result of the excellent work done by activists to achieve the cultural change that was necessary to gain acceptance of LGBTQI+ people.

It is remarkable how Costa Rica went from criminalising homosexuality in the 1970s and closing gay bars deemed to be 'perverse' and persecuting gays with raids under the pretence of public health in the 1980s, to requesting an advisory opinion from the IACHR in 2016 and, after a presidential election focused on the issue, appointing a presidential commissioner for LGBTQI+ affairs in 2018 and recognising equal marriage two years later.

Many people have understood that the fact that the union and life plans of two same-sex adults receive legal protection does not affect them in any way – if anything, it validates the institution of marriage in which they are also part – and that there is nothing wrong with being gay, and in any case no one 'becomes gay' as a result of this normalisation.

The potential impacts of this progress in a region that remains extremely hostile towards LGBTQI+ people are enormous.

Costa Rica, as the first Central American country to approve equal marriage, should be a model for the entire region. The advisory opinion of the IACHR is valid for the 20 countries of the Americas that recognise its jurisdiction. **Panama** could soon follow the path of Costa Rica: an unconstitutionality demand based on the ruling of the IACHR has been filed, and the Iguales Panamá Foundation is coordinating the participation of international and domestic civil society in the process that is taking in Panama's Supreme Court.

The Igualitxs Foundation has also long been working along the same lines in **El Salvador**. Salvadoran civil society has made immense progress. Based on the regressive leanings of the Legislative Assembly regarding equal civil marriage, for a decade and a half our efforts have focused on filing demands for the restrictive articles of the Family Code to be declared unconstitutional. I filed one of those lawsuits on 11 November 2016. Shortly afterwards, several CSOs, such as Asociación Entre Amigos, Comcavis and Hombres Trans El Salvador, as well as numerous independent activists, filed a similar lawsuit.

As in Costa Rica, conservative sectors reacted strongly. In the Legislative Assembly they rushed to start the ratification process of an exclusionary constitutional reform that had been stagnant for years, and that would give constitutional status to the restrictive definition of marriage that we were questioning in the Family Code, which would effectively ban same-sex marriage. In the face of this, we requested a precautionary measure against the constitutional reform process and got the Supreme Court to stop it.

The two unconstitutionality demands filed in 2016 were eventually admitted in August 2019, and in January 2020 a justice of the Constitutional Chamber of the Supreme Court **announced** that the court would shortly rule on this issue, and admitted that this is one of the court's major outstanding overdue decisions. So we may be close to achieving our goal.

The danger of backlash was also palpable in Guatemala, where homophobic attacks are rife and President Alejandro Giammattei won office in **2019** on the back of a highly homophobic and anti-abortion platform that saw him compared to Brazil's right-wing populist President Jair Bolsonaro. In July the

country's Ombudsman, Jordán Rodas, was **summoned** ↗ for questioning by the Congressional human rights commission over his work in support of LGBTQI+ rights and sexual and reproductive rights. Among the actions that evidently caused offence was his use of the rainbow flag on social media to celebrate Pride month. He had twice before faced **attempts** ↗ to remove him from office. A bill was also **introduced** ↗ in Guatemala's Congress in 2017 to try to make

same-sex marriage unconstitutional as well as further restrict abortions and sex education. Similarly, in Panama, **protests** ↗ calling for the Supreme Court to rule in favour of same-sex marriage have been responded to with **attempts** ↗ to constitutionally define marriage as being exclusively between a woman and a man, sparking further protests. Harassment, threats and violence remain a serious **problem** ↗ for Central America's LGBTQI+ people.



The National Congress building in Buenos Aires, Argentina is lit with the colours of the rainbow flag to celebrate the 10th anniversary of the Equal Marriage Law on 15 July 2020. Photo by Marcelo Endelli/Getty Images

TEN YEARS ON: LESSONS FROM THE STRUGGLE FOR EQUAL MARRIAGE IN ARGENTINA

Around the world civil society keeps pushing for equal marriage, looking to build on breakthroughs such as Costa Rica's. Ten years after the Equal Marriage Law, a milestone for Latin America, was passed in Argentina, LGBTQI+ leader **María Rachid** ⁷, who co-founded the **Argentine LGBT Federation** ⁷, set out the strategies they used and the tactics that worked best to advance the equality agenda. The keys to their success are still relevant to movements fighting the same struggle today.

FORM AN UMBRELLA ORGANISATION ALIGNED BEHIND THE EQUALITY AGENDA

The Federation brought together almost all relevant sexual diversity organisations. It was created as a result of the convergence of a number of longstanding organisations based not only in Buenos Aires but also in several provinces, to advocate for an agenda that initially included five points. First, equal marriage allowing for adoption; we specifically demanded the recognition of adoption rights because we saw that in other countries the right to adopt had been relinquished to achieve equal marriage. Second, a law recognising gender identity. Third, a nationwide anti-discrimination law. Fourth, the inclusion of diversity in a comprehensive sex education curriculum. And fifth, the repeal of the articles of misdemeanour codes that were still used in 16 provinces to criminalise 'homosexuality' and 'transvestism' – in their words.

ADOPT A MULTIDIMENSIONAL STRATEGY

We concluded that we needed to go simultaneously through the executive, legislative and judicial routes. At the same time, we needed to reach out to the media and bring out the issue to the public. This became clear to us after a meeting we had with the then-minister of the interior, who told us that we had executive backing, but that we needed to create proper conditions so we would not lose the congressional vote. So we went through years of work to reach out to public opinion and thereby create the conditions to turn the scales of Congress in our favour.

FIND YOUR WAY THROUGH THE COURTS

In 2007 we submitted our first amparo petition for equal marriage; we came to submit more than a hundred. As a result of an injunction, in 2009 a gay couple managed to marry with judicial authorisation in Ushuaia, and in 2010 eight more couples, including a lesbian couple, were able to marry in the city and province of Buenos Aires. By then our strategy had changed: we initially litigated in the civil family jurisdiction, where Opus Dei, a hard-line Catholic institution, had a very strong presence. Change occurred when we realised that, as we were making a judicial claim against the Civil Registry, dependent on the Government of the City of Buenos Aires, we could resort to the contentious, administrative and tax courts, which can be appealed to when the state is a party in the conflict. As this is a jurisdiction that mainly deals with tax-related issues, and in Argentina the Catholic Church is exempt from paying taxes, we were not going to find activist judges belonging to the Catholic Church or Opus Dei, since this jurisdiction is of no political interest to them. Following this change in strategy, we only obtained positive rulings in the city and province of Buenos Aires.

TELL A GOOD STORY

Although at first we thought of the amparos quite literally, as a way to obtain judicial support for our claims, they ended up being above all an excellent communication strategy, because each of these amparos became a story that we told the public about why equal marriage was just, necessary and timely. For that purpose, we provided a lot of coaching for the couples who were submitting amparo petitions, especially the first ones, who we knew would get a lot of media exposure. So this ended up being a communication strategy rather than a judicial one.

We worked a lot with the media. We had breakfasts with journalists, at first with just a few that were our allies, but later these meetings expanded. We worked so much in this area that in the last months of debate you could no

longer find signed op-eds against equal marriage, not even in the traditional newspaper *La Nación*, which only opposed it through its editorials, since all articles signed by its journalists were favourable to it. In other words, even in hostile media, journalists ended up being our allies. We prepared a booklet for communicators explaining what the bill was about, why it was important, what our arguments were. We also prepared advertising spots, but since we didn't have any money to broadcast them, we asked journalists and media managers to pass them on as content in their programming, and they did this a lot. These were amusing spots that attracted a lot of attention.

SEEK ALLIES, INCLUDING UNLIKELY ONES

To gain further support, we needed to exhibit the support we already had in respected sectors and from well-known individuals. So we started to publish our list of supporters, which at first was very short, but ended up being a huge newsletter containing the names of all the trade union federations, countless unions, political leaders from almost all parties and personalities from the art world, the media and religions.

As the congressional debate approached, we began to hold events, generally in the Senate, to show the support we received from various sectors. These events had great media repercussions. The event 'Culture Says Yes to Equal Marriage' featured musicians and artists; the 'Science Says Yes to Equal Marriage' event included academics and scientists, and we gathered 600 signatures from academia, research and professional associations of psychology and paediatrics, among others. Unlike the other ones, the 'Religion Says Yes to Equal Marriage' event was held in an evangelical church in the Flores neighbourhood, and was attended by Catholic priests, rabbis – both male and female – evangelical pastors and leaders of other Protestant churches. Regardless of what we as individuals might think of religion and the separation of church and state, we wanted to show people that they did not need to choose between their religion and equal marriage, as they could be in favour of equal marriage no matter what their religion was.

WORK WITH PUBLIC OPINION

We presented a variety of arguments in favour of equal marriage to focus groups and we observed people's reactions to identify the arguments that worked best. Answers depended a lot on how the question was asked. For instance, when we asked people if they believed that homosexual and heterosexual people had the same rights, around 90 per cent said yes; but if we asked them if they agreed that they should be able to get married, the percentage dropped to 60 per cent, and if we asked about the right to adopt children, the approval rate would drop to 40 per cent. However, if we informed them that gay people in Argentina were in fact already legally authorised to adopt children individually, and then we asked them if they would want to take that right away from them, the majority said no.

While only 40 per cent were in principle in favour of allowing adoption by same-sex couples, more than 50 per cent refused to prohibit it if it was already allowed. Therefore, part of the discussion consisted in informing people and explaining to them that children adopted by homosexual persons would enjoy half their rights, because since their parents could not marry, one of them would not be able to, say, leave them a pension. When we asked them whether they thought that these people should be able to marry so that their children would have all their rights, more than 80 per cent would say yes.

As a result of our working on the argumentation, support grew steadily throughout the campaign, to the point that we began to receive unexpected shows of support, such as from the student centre of a Catholic university that called to join. In the end, I would say that all public figures from art, culture, trade unions and journalism supported us. All those who continued to stand against represented some religions, but among our supporters there were also many religious figures.

USE YOUR PUBLIC SUPPORT TO PERSUADE LEGISLATORS

With the numbers of public opinion and the lists of our supporters in hand, we toured the parliamentary committees and the houses of Congress, and we operated politically during the debates until the very moment the law was passed.

ABORTION RIGHTS: A BITTERSWEET STRUGGLE

Also challenging unjust laws, struggling to overcome conservative opposition and working to change public attitudes were the movements to demand recognition of sexual and reproductive rights, and particularly abortion rights. Strict limitations on the ability of women to access abortions apply in numerous countries, and particularly across most Latin American countries, making abortion a key battleground for women's rights activists in the region. Often mobilising in response to heart-breaking stories of rights violations, demands typically face considerable backlash; but by the end of the year, some long-running struggles had come to fruition.

In Brazil, scores of women **took the streets** in early August to protect a 10-year-old child from religious extremists who tried to stop her undergoing a legal abortion after being raped. When, after flying more than 900 miles, the girl reached the hospital where the termination was to be performed, its entrance had been blocked by anti-rights activists and politicians who hurled vile abuse at her and hospital staff.

In the Dominican Republic, one of six Latin American countries that apply a **total abortion ban**, dozens of women **protested** in front of the National Congress in early October, demanding decriminalisation of abortion in cases of rape or incest, or when the life of the pregnant person is at risk or the fetus is not viable. Women's rights groups demanded the inclusion of these three exceptions in the new Criminal Code, which was in the process of being approved, and rejected the proposal to legislate about abortion separately in the future, seeing this as an attempt to distract activists while a Criminal Code penalising abortion with no exceptions was approved.

Pro-choice **protests** were held in Mexico, prompted by a Supreme Court decision in July that dodged a ruling on a complaint that could have opened a legal path towards decriminalising abortion. In a four-to-one decision, the court missed its appointment with history, rejecting on purely technical grounds an application that argued that abortion restrictions contravened women's rights and international treaties ratified by Mexico, without addressing the substance of the argument. Demands continued, and on 28 September, International Safe Abortion Day, a feminist group demanding legal abortion in Mexico City



Feminist activists use shields to protect themselves from riot police during an abortion rights protest on 27 September 2020 in Mexico City. Photo by Karen Melo/Agencia Press South/Getty Images

mobilised, facing **excessive police force** and arbitrary detentions. The police used **teargas**, encircled protesters and prevented them leaving for **several hours**.

In neighbouring Guatemala, on the day after International Safe Abortion Day, politicians **filed a criminal complaint** against a youth organisation for sharing information on safe and legal abortion, which they viewed as 'inciting to crime'. Journalists were also attacked for reporting on activities held that day. Pro-choice events were obstructed in **Honduras** too, where a webinar about the criminalisation of abortion held by Somos Muchas ('We are many') in May was **interrupted** by a cyberattack, with its chat flooded with misogynistic, sexist and racist messages.

USA: ESCALATION OF HOSTILITIES TOWARDS REPRODUCTIVE RIGHTS

In the USA, **access to reproductive health care**, including abortion and contraception, continued to deteriorate in 2020 amid a toxic and politically polarised environment. Some US states exploited the pandemic to **pass measures** obstructing access to abortion, while in other states women's rights organisations **succeeded** in protecting these rights. Overall, fewer anti-choice laws were enacted than in 2019, because legislative activity slowed down under the pandemic. But anti-choice bills continued to be introduced, further seeking to pave the way towards a Supreme Court showdown in which the court, now packed with conservatives, could overturn the landmark 1973 *Roe v. Wade* decision that recognised women's right to choose.

In November, when women's rights champion Justice Ruth Bader Ginsburg died after serving 27 years on the Supreme Court, the Trump administration further skewed the court, hastily forcing through the confirmation of a conservative judge barely days before losing the presidential election. The court will have a significant anti-choice majority for decades to come. In January, Donald Trump had become the first US president to attend and speak at the annual anti-abortion **March for Life** held in Washington DC.

In the meantime, **new cases** came to the attention of the Supreme Court aimed at imposing medically unnecessary requirements on abortion providers, with the aim of shutting them down. Millions of women were left without effective access and by the end of the year, there was not a single US state providing total access to these essential health services.

The impact of the reactionary backlash in the USA was far from merely domestic, given the global role that the country plays both through official development aid supporting health services overseas and private funding flowing from US ultra-conservative and evangelical groups towards anti-rights groups all over the world.

A ray of hope came as Democrats introduced a **bill** to repeal the Helms amendment, a 1973 piece of legislation that prevents the use of US foreign aid for providing abortions.

Although the amendment considers exceptions in cases of rape, incest or when a woman's life is in danger, it is generally interpreted as a total ban on funding abortion services. While the new bill is not expected to pass soon, it signals a long-term Democratic strategy to uphold women's reproductive rights against attacks from Trump-aligned politicians, bringing some hope that some of the Trump administration's regressive actions will be reversed under President Biden.



Mourners hold a vigil outside the United States Supreme Court in Washington, DC to honour Justice Ruth Bader Ginsburg on 18 September 2020. Photo by Sarah Silbiger/Bloomberg via Getty Images



Protesters in Los Angeles take part in a pre-election demonstration to encourage voters to vote out anti-women's rights politicians on 17 October 2020. Photo by Mario Tama/Getty Images

LANDMARK PROGRESS IN ARGENTINA AND NEW ZEALAND

Alongside setbacks, some longstanding battles were won. In 2020, landmark progress was achieved in two countries at opposite ends of the world: Argentina and New Zealand.

ARGENTINA: A RAY OF HOPE FOR LATIN AMERICA

Argentina's National Campaign for the Right to Legal, Safe and Free Abortion ⁷ started small but resolute in 2005 and came to encompass hundreds of CSOs and social movements, inspiring a new wave of feminist activism across the region. As a result of its efforts, what used to be taboo became the subject of open public conversation, and what was once viewed as a fringe issue championed by lone, strident feminists became the massive struggle of a generation. That struggle won a decisive victory with the approval of the Voluntary Interruption of Pregnancy Law on 30 December.

The pro-legalisation camp hugely expanded in support as it connected with the energy of the #NiUnaMenos movement, with hundreds of thousands of women, including teenagers and high school students, most with little to no political experience, making an instant connection between violence against women and the denial of women's autonomy, glaringly obvious in the realm of sexual and reproductive rights. The energies unleashed were remarkable. Women young and old, wearing the movement's symbol of green scarves, mobilised in mass numbers ahead of and during congressional votes held in 2018, and continued to do so after the bill drafted by the civil society campaign, already passed by the lower house of parliament, was defeated in the Senate in August 2018.

Following that legislative defeat, viewed as nothing more than a temporary setback, **María Alicia Gutiérrez** ⁷, a member of the National Campaign, recounted the origins and evolution of the abortion rights movement:

The Campaign was officially launched on 28 May 2005, International Day of Action for Women's Health. It was a broad and diverse federal alliance. Its foundations pivoted between the principle of social justice (since



Activists hold a banner that reads 'No more deaths due to clandestine abortions' on International Women's Day 2020 in Buenos Aires, Argentina. Photo by Marcos Brindicci/Getty Images

access to safe abortion is discriminatory, and morbidity and mortality occur among vulnerable women), the idea that women's lack of freedom and autonomy to decide about their own bodies is a deficit of democracy (since it results in the curtailment of their freedoms as citizens) and public health considerations.

Since its beginnings, the Campaign has been federally organised, including grassroots forms of participation through networks and commissions, supported by more than 500 political, social, trade union and student organisations, among others. Its constitution is plural, transversal and diverse, and its functioning is horizontal.

Identified with the slogan, 'Sex education to decide, contraceptives to not abort, legal abortion to not die', the National Campaign submitted its first draft bill in 2007, and successively every two years until March 2018.

Through the action of feminist journalists, the mass media allowed us to move from the debate on harassment to the debate on abortion. The National Campaign was invited onto countless television programmes. The Campaign developed strategies to diversify the struggle through



Women in Buenos Aires, Argentina celebrate with green flares after abortion becomes legal on 30 December 2020. Photo by Ricardo Ceppi/Getty Images

the formation of networks to disseminate the demand in schools, neighbourhoods, hospitals, universities and other spaces. Thus, abortion was placed on the public agenda.

The 2018 parliamentary debate saw an unprecedented level of mobilisation and included presentations both by those in favour of and against legalisation. In the course of the debate, those pushing for the change made clear that the debate was not about whether abortions would or would not take place, but rather about whether they would be legal and safe, or clandestine, unsafe and potentially deadly. Although the vote was lost, the debate was won. Amid their disappointment, activists realised that change was just a matter of time.

The green tsunami highlighted the generational change that had taken place in Argentina's non-institutional political scene. Thousands of young people became aware of the pressing needs they faced and the impact of the denial of rights on their daily lives. Hence the shaping of a new public/political agenda to set the horizon for the coming years. On 8 August 2018, the Senate ignored their massive street presence, but this does not mean that it can be silenced and denied in the long term.

The campaign continued. In December 2019, the inauguration of a new president who had responded to public pressure with a promise to introduce a new initiative to legalise abortion was the opportunity that the tenacious feminist movement was looking for. Coming from a politician who was hardly considered a feminist, President Alberto Fernández's public commitment to legalisation demonstrated the remarkable success of the National Campaign in shifting the narrative about abortion.

On 19 February, declared to be Green Action Day, thousands gathered outside Congress to demand the decriminalisation of abortion once more. Protests took place in a hundred cities across Argentina. On International Women's Day, thousands mobilised again, to demand legal abortion and action against femicides and human trafficking. President Fernández vowed to submit a legalisation bill to Congress, but the pandemic erupted soon afterwards, and for most of the year it was instrumentalised to delay the legislative process, as it was argued that there were more urgent matters to deal with.

The bill was finally submitted to Congress on 17 November and legislative debate resumed, appropriately, on 10 December, Human Rights Day. This time, with the extra push of the president's support, the bill was passed by a 131-to-117 vote in the House on 11 December and by 38 votes to 29 in the Senate on 30 December. The new law recognised the right to abortion in all cases up to and including the 14th week of pregnancy, and with no time limit in cases of rape and risk to the pregnant woman's life. It was a triumph of enduring civil society advocacy.

Legislative change in Argentina could have broader regional significance. Abortion is currently legal in just two other Latin American countries – in Cuba since 1968, and since 2012 in Uruguay – as well as in Mexico City. The situation is particularly bad in countries such as El Salvador, where abortion is illegal under any circumstances and dozens of women have been charged, prosecuted



Activists spell out the word 'abortion' during a demonstration on the eve of International Women's Day 2020 in San Salvador, El Salvador. Photo by Camilo Freedman/APHOTOGRAFIA/Getty Images

and handed lengthy prison sentences for homicide, following not only self-induced abortions but also miscarriages and stillbirths. Across Latin America, women's rights activists and organisations will take inspiration from Argentina and keep pushing. They will not stop until women's personhood is recognised through the granting of full, unconditional rights.

NEW ZEALAND: LEGAL CHANGE FOLLOWS CHANGE IN THE CULTURE

Similarly, decades of campaigning by the women's rights movement paid off in New Zealand on 18 March, when the government passed a landmark bill that **decriminalised abortion**⁷. The previous law had allowed abortion only in cases of rape, incest, foetal abnormality, or when the physical or mental health of the pregnant woman was at serious risk; for other cases, it imposed jail terms of up to 14 years. Although the law was never fully enforced, access to abortions required women to go through a complicated process of 'proving' that they experienced serious mental issues as a result of unwanted pregnancy, a hurdle that particularly worked against women from excluded groups. Passed on its third reading by 68 votes to 51, the **new law**⁷ removed abortion from the Crimes Act, allowing women to terminate a pregnancy at up to 20 weeks after consultation with a doctor.

Terry Bellamak⁷ of Abortion Law Reform Association of New Zealand⁷ (ALRANZ) describes the tactics applied:

A lot of New Zealanders were surprised that we didn't already have abortion on demand. In a sort of way, we were a hybrid system where abortion was illegal but you could get one if you were willing to lie about your mental health. The law had been established back in 1977 and even at that time it was quite retrograde. The fact that practice shifted so far away from the letter of the law was probably the reason why the law lasted so long: for 40 years, about 98 per cent of abortions in New Zealand were granted on mental health grounds. If you were willing to lie about your mental health, you could get an abortion. It was an easy way out, considering that so many people around the world die exercising their reproductive rights.

Lots of people were willing to lie about their mental health to get an abortion. And people who got an abortion didn't really want to talk about it because they just wanted it done and over with, and abortion stigma also stopped people talking about it. Those are some of the reasons why the system lasted so long. Unfortunately, the system left out a lot of people, such as those in rural communities, who tend to be more economically disadvantaged.

We called out the perversity of a system that requires you to lie about your mental health in order to get healthcare. It's particularly embarrassing for a country that prides itself on its feminist credentials. New Zealanders like to think of themselves as one of the earlier adopters of female suffrage, so calling that an embarrassment was an important tactic.

We conducted our own poll and discovered that a majority of New Zealanders supported abortion on demand, which was not a huge surprise. For a long time in New Zealand, and probably in many other countries as well, citizens have been much less conservative than those who govern them. Our message about that disconnect resonated, and during the next election cycle, the Labour Party came up in favour of the reform and actually put some political capital behind the fight, which changed everything.

We used simple and positive messaging, saying that people should decide for themselves whether and when to become parents. That resonated because New Zealanders don't like to be told what to do and like things that are simple and make sense.

We faced opposition from religious extremists, but their reputation was tainted by positions they have historically taken on other issues, such as supporting parents hitting their children or opposing contraception, so many of the arguments they made didn't resonate quite as much. New Zealand is a very secular country: half of the population is linked to no religion at all and the next highest group are Anglicans, accounting for less than eight per cent of the population. Most New Zealanders are not big on traditional family values; marriage has been declining because civil unions offer pretty much the same legal protections. So the religious position was hard to sell.

Legal change requires a change in culture, which is hard and long-term.

SUDAN'S BREAKTHROUGH

A different kind of breakthrough that helped advance women's autonomy over their own bodies was achieved in Sudan in 2020 with the banning of a very specific form of violence against women, female genital mutilation (FGM). Sudan has one of the highest rates of FGM in the world. This particular violence comes with several specific **challenges** ↗: women are its victims but also have traditionally been involved in its perpetration; in practising communities it is done routinely on almost all girls and promoted as a highly valued cultural practice and social norm; and it is almost always carried out on minors, so it is also a violation of children's rights. According to **UN Women** ↗, 87 per cent of Sudanese women have undergone FGM, usually between the ages of five and 14.

In early May, **Sudan's** ↗ transitional government, which took over in 2019 following the ousting of President Omar al-Bashir, **abolished** ↗ a series of Islamist laws established by Bashir during his 30-year rule. Among other advances, such as the decriminalisation of apostasy, several laws that restricted women's rights were abolished, including one mandating women to get travel permits, and a ban on FGM was introduced.

Women's rights organisations and activists celebrated the move and claimed it as a victory yielded by decades of advocacy and campaigning. It built on the recognition of women as leaders, challenging their submission, in the **mass protests** ↗ that led to the revolution in 2019. However, they also warned that the struggle was only beginning, as eradicating a practice so fully ingrained in Sudanese culture will take time, and there are other laws that must also be changed. Sudan women's rights activist **Fahima Hashim** ↗ describes the ongoing struggle:

This law had been pushed by women's organisations for more than 40 years; this is no surprise because FGM was a tradition, part of our culture, and cultural change takes a long time. Over the past 30 years, fundamentalist governments elevated it and made it harder for women to advocate against. In 2010 a ban on FGM was included in the proposed National Child Act, but unfortunately that article was removed due to pressure from fundamentalists. We continued to advocate against FGM and signed up for the revolution that made it happen

in 2020.

*But changing the law is only a first step to abolishing FGM. Girls continue to be mutilated at an alarming rate. Laws are important but are not enough. A lot needs to be done to implement those laws. How are we going to look at it: are we criminalising parents? Are we criminalising practitioners? It takes a lot of awareness-raising, through all possible means, through the media and in schools, for this to become embedded in society. For people to start taking it as a serious issue, it takes longer than we could imagine. But having this new law in place is indeed a big success. And it was not the only success we have recently achieved: in late 2019, a restrictive public order law that controlled how women acted and dressed in public was also **repealed** ↗.*

*For the last 30 years, the women's movement never kept quiet about these two laws, and now they are gone. But we still have to deal with the 1991 Personal Status Law for Muslims, also known as 'family law', which allows child marriage and is based on the principle of male guardianship, stipulating a wife's obedience to her husband and denying wives the possibility of working outside the home without their husbands' permission. Women advocating for its repeal have long been silenced because nobody is supposed to question this law as it is deemed to be based on sharia. After the revolution, a **Steering Committee** ↗ was formed to guide the development of a new family law.*

Even after so many years of struggles, there is much still to push for. The goal must be to implement the ban properly and eradicate this practice in Sudan. But in a world in which around 200 million girls have undergone FGM, this law should send a powerful signal that FGM can be ended, and set an example for other countries where the practice is still widespread to follow.

A small part of this bigger, **global struggle** ↗ played out in 2020 in the UK, where human rights lawyers **challenged** ↗ the government for failing to grant asylum to an 11-year-old girl, originally from Sudan and residing in the UK since 2012, who was found by judges to be at high risk of FGM if removed from the country. Global efforts will continue.

ANTI-RIGHTS REACTIONS: ACTIVISTS UNDER ATTACK

While in Argentina and New Zealand human rights groups prevailed over attempts by anti-rights forces to stymie change, in many other countries anti-rights groups and governments fuelled disinformation, stoked prejudice and made moves both to block further progress and strip excluded groups of existing rights. LGBTQI+ groups were among those forced to fight back.

Much of the anti-rights reaction came in the form of attempts to enact hostile legislation or delay progressive reform. Such was the case in the UK, where following lobbying by those opposed, the right-wing government **scrapped** ↗ plans for a promised new law that would have made it easier for people to change their gender in official paperwork and documents. It did so despite a consultation process indicating that the bill enjoyed broad support.

Anti-LGBTQI+ legislation was proposed in Estonia, Indonesia and Russia, among other countries. Estonia's government proposed to hold a **referendum** ↗ to introduce a constitutional amendment to define marriage as being exclusively a union between a man and a woman. The proposal reflected the inclusion in the coalition government of a right-wing populist and nationalist party that effectively politicised homophobia to win support; the proposal fell when the government collapsed in January 2021. In **Indonesia** ↗, where government ministers have **fuelled homophobia** ↗, a draft bill sought to force LGBTQI+ people into government-sanctioned religious rehabilitation centres to 'cure' them of their sexual orientation or gender identity. In Russia, where President Vladimir Putin has appealed to homophobia to shore up his support base, most recently in the 2020 vote that enabled him to run for further terms (see this report's chapter on democracy under the pandemic) a bill was proposed to change the Family Code to **prohibit** ↗ same-sex couples and transgender people from getting married and adopting children. People in Moscow and St Petersburg responded by holding solo pickets, pretty much the only form of spontaneous protest now possible in Russia, and when a journalist was detained for covering the solo protests, they held further **pickets** ↗.

In other cases, such initiatives became law. In **Romania** ↗, parliament passed a law to ban gender identity studies in schools and universities, suggesting that, as in Russia, Hungary and Poland (see below) homophobia was being

stoked for political gain, ahead of the December parliamentary election. However, demonstrating judicial independence, Romania's Constitutional Court **overturned** ↗ the ban.

In South Korea, as polarisation increased on LGBTQI+ and women's rights, stoked by conservative faith groups reacting to prior progress, the army **discharged** ↗ its first openly transgender soldier, Byun Hui-su, after she underwent gender confirmation surgery. She had wanted to continue to serve as a woman to show what was possible. Sadly in March 2021, she was found dead, apparently by suicide.

Pandemic restrictions sometimes further extended exclusion on sexual orientation and gender identity lines. In Panama, for example, in an effort to reduce crowds, rules specified that women and men must go out on different days of the week, leaving trans people, whose identities and official documents may not coincide, **vulnerable** ↗ to punishment.

Pandemic restrictions came on top of ongoing trends of criminalisation, physical violence, threats and censorship that sought to silence the voices of activists for women's and LGBTQI+ rights. In **Chile** ↗, the national police **filed a lawsuit** ↗ against the feminist activist collective **Las Tesis** ↗ (see above), claiming that the group was inciting violence against police officers in the continuing protests over the new constitution with its **song** ↗ '1312'. Released in May jointly with the Russian feminist group Pussy Riot, the song denounced the violence unleashed by Chile's police in response to protests, along with the rise in domestic violence under the pandemic and the entrenched inequalities that Chile's protest movement sought to change. In response to their criminalisation, feminist groups started an anti-censorship **campaign** ↗, subsequently echoed by **UN rights experts** ↗. In January 2021, a court **dismissed** ↗ the police's complaint.

Feminist activist Mery Paulín of the Women's Issues Defender Network, which has reported on **femicides** ↗ in Cuba, **revealed** ↗ that police officers threatened her and a fellow activist with fines for using the internet to conduct 'counter-revolutionary activities'. The police also threatened to cut off their phone lines if they continued their work. The only organisation **authorised** ↗ to work on women's rights in Cuba is the official, Communist Party-affiliated Federation of Cuban Women.

Across the world in **Indonesia** ↗, the East Jakartan offices of the Legal Aid Foundation of the Indonesian Women's Association for Justice (LBH APIK), one of the country's few major women's rights organisations, were **raided** ↗ without a warrant – or paid 'unannounced visits', as the authorities put it – and searched several times by plainclothes police, who also threatened the organisation's staff. The raids were believed to be connected to a case handled by LBH APIK, as police officers accused staff of abducting and hiding a client who had recently asked the organisation for help in connection with a domestic violence case.

In other countries, organisations campaigning against GBV saw their right to protest obstructed and were unable to voice their demands. Such was the case in Mozambique, where in January the Municipal Council of Lichinga **banned** ↗ a planned demonstration of the Forum of Feminist Organisations of Niassa, aimed at protesting against public insecurity, particularly relating to sexual violence and femicide.

Women helping women who experienced rape and sexual assault were often criminalised. In **India** ↗, two women's rights defenders, Kalyani Badola and Tanmay Nivedata of the CSO Jan Jagran Shakti Sangathan, were **arrested** ↗ while accompanying a gang rape survivor to record her statement with the police. While recording her statement, the woman allegedly raised her voice, insisting that she would only sign it after one of the activists had seen it. All three were then arrested on charges of preventing government servants from doing their duty. While the rape survivor was released following a public outcry, the two activists remained detained for 25 days. In Somalia, a journalist was **arrested** ↗ in April for reporting on the death of a 14-year-old girl who had been raped.

In June, the authorities of Komsomolsk-on-Amur, in **Russia's** ↗ far east, **charged** ↗ the young feminist activist Yulia Tsvetkova with 'pornography dissemination'. Tsvetkova runs a social media **blog** ↗ that features artwork depicting vulvas, celebrating female bodies and protesting against taboos around female anatomy and menstruation. As she faced the prospect of spending up to six years in prison, on 27 June, Russia's national day of youth, over 50 media outlets organised a 'Media Strike for Yulia', demanding an end to her prosecution and circulating an online petition signed by close to 233,000 people. As a part of the campaign, activists held single-person

protests in Moscow; at least 40 people were detained and charged with violations of Russia's harsh rules on public gatherings.

In Egypt, five female social media influencers were given two-year **jail terms** ↗ and fines for allegedly violating public morals online; in recent years, the Egyptian government has systematically cracked down on female singers and dancers over online content that it deems too suggestive. In Iran, additional accusations were brought against already imprisoned women human rights defenders including Atena Daemi and Saba Kord Afshari, adding **extra years** ↗ to their sentences. In June, Afshari was **sentenced** ↗ to 15 years for 'promoting corruption and prostitution through appearing without a headscarf in public', an act of retaliation for her role in the White Wednesday protest movement against **mandatory veiling** ↗.

Similarly in Saudi Arabia, **judicial procedures** ↗ continued against several imprisoned women's rights defenders, including Maya'a Al-Zahrani and Loujain Al-Hathloul, belying the government's **attempts** ↗ to co-opt social media influencers to improve its image. In 2020 female rapper Asayel Slay **faced arrest** ↗ over her 'Mecca Girl' YouTube music video celebrating women from Mecca, Islam's holiest city, as 'powerful and beautiful'.

Yemeni blogger and activist **Mohamad Al-Bokari** ↗ also fell victim to Saudi repression when he was arrested on 8 April after posting a video on social media. His detention appeared to be in retaliation for his call for equal rights for LGBTQI+ people. Although no specific charges were brought against him, the authorities accused him of being a 'sodomiser' and claimed that the video he posted on social media contained 'sexual references' that 'violated public order and morals'; the video showed Al-Bokari simply stating that 'everyone has rights and should be able to practise them freely, including gay people'.

STAND AS MY WITNESS: LOUJAIN AL-HATHLOUL, SAUDI ARABIA

Imagine being in prison? The 'crime'? Speaking up and standing for what you believe in. In 2020, CIVICUS shared the stories of people behind bars and urged people to call on governments to protect rights, uphold justice and stop harassing and imprisoning human rights defenders across the globe. Among the human rights defenders who were the focus of the #StandAsMyWitness campaign was Loujain al-Hathloul, a 31-year-old Saudi woman human rights defender, writer and activist who was imprisoned for campaigning for the right of women to drive and the end of the male guardianship system in Saudi Arabia⁷.

In 2015, Loujain was ranked third in a profile of the most influential Arab women by Arabian Business Magazine, shortly after she was arrested for attempting to drive between the United Arab Emirates and Saudi Arabia, raising the profile on the discriminatory gender laws that banned women from driving. Her activism defending human rights in Saudi Arabia included bold campaigns for women's participation in public life, including running for local elections in December 2015. This election was the first to include women, but Loujain was barred from running.

Even after the driving ban was officially lifted and other restrictions that dictated women's dress and gave male relatives great control over women's lives were loosened, Loujain **remained in jail**⁷ and was put on a sham trial on charges such as communicating with Saudi dissidents abroad, seeking to change the kingdom's political system and speaking with foreign diplomats and journalists.

While in prison, several women's rights defenders were **subjected**⁷ to electric shocks, flogging, sexual threats and other forms of torture, with some held in prolonged solitary confinement. Detainees, including Loujain, were pressured to deny the torture to obtain their freedom; Loujain was kept detained after refusing to deny her experience of torture.

While targeting women's rights and human rights activists, Saudi Arabia continued to work to whitewash its image, including by organising major sporting events and international concerts, trying – unsuccessfully – to be re-elected to the UN Human Rights Council and hosting global gatherings such as the G20 Summit. To denounce these tactics and advocate for change, in 2020 many CSOs boycotted the G20 meetings hosted by Saudi Arabia (see this report's chapter on civil society in the international arena).

Following sustained international pressure, Loujain was **released**⁷ in February 2021, after spending more than two and a half years in prison. She had been sentenced to five years and eight months in December 2020 but was given credit for time served and a suspension of the remainder of her sentence. However, she still faces a three-year probation and a five-year ban on foreign travel after finishing her sentence.



In the Maldives, **attacks** came from anti-rights groups exploiting their connections with the state: in June, extremist groups launched social media attacks on Uthema, the country's main women's rights organisation, calling for it to be banned and accusing it of being anti-Islamic, in backlash to its reporting to the CEDAW committee; the government had already retaliated by deregistering Uthema and seizing its funds. In **Morocco**, harassment took the form of an online 'outing' **campaign** targeting men using same-sex dating apps. Users' photos were shared on social media alongside insulting captions and threats; because same-sex relations are illegal in Morocco, this campaign had devastating impacts on those who were outed.

The spectrum of violence levelled at women's and LGBTQI+ rights activists ran from threats and harassment to severe physical attacks and murder, with transgender activists disproportionately targeted. In Tunisia, Frifta, a transgender activist and member of the Tunisian Association for Justice and Equality, was violently **attacked** and subjected to electric shocks by three men, including a police officer. **Bekim Asani**, a North Macedonian LGBTQI+ activist and the



Activists arrange 13,000 chairs in front of the Reichstag in Berlin to symbolise that Germany has enough capacity to welcome all the refugees from Greece's Moria refugee camp on 7 September 2020. Photo by Omer Messinger/Getty Images

president of LGBTI United, was physically attacked in the street when he was recognised as an LGBTQI+ activist. A Russian journalist, **Elena Milashina**, who two years earlier had broken the story of the brutalisation of gay men in Chechnya, was attacked in the city of Grozny in February.

In an **escalation of violence** in Afghanistan, **Fawzia Koofi**, a prominent women's right advocate and member of the Afghan team tasked with negotiating in peace processes with the Taliban, sustained injuries in an attack perpetrated by unknown gunmen in the capital, Kabul. In Honduras, **Scarleth Cáceres**, a young LGBTQI+ rights defender, was shot dead in July. **Nare Mphela**, a 28-year-old South African transgender activist who three years earlier had won a landmark discrimination lawsuit against the Department of Education, was found dead at home in January. Sadly, these were just a few of the examples throughout 2020 that showed the unacceptably high price too often paid by activists for women's and LGBTQI+ people's rights.

BATTLEGROUND EUROPE: RIGHTS UNDER ROLLBACK

As this report shows, struggles for the rights of excluded groups – of women, LGBTQI+ people and migrants and refugees – are playing out around the world. On every inhabited continent there were steps forward and setbacks in 2020. Disturbingly, it is on the continent that in recent times was seen as making advances in recognising the rights of excluded groups – Europe – that some of the most concerted efforts to roll back established rights are taking place. Governments, particularly when controlled by right-wing populist and nationalist parties and leaders, and buttressed by ultra-conservative faith groups and sometimes violent far-right groups, are leading the assault. Hatred, division and polarisation are being mobilised, partly out of ideological zeal, but also cynically, driven by political calculation as politicians seek to appeal to core population groups by turning them against visible others. In 2020, Europe took centre stage as the battleground between inclusion and exclusion. Three countries epitomised the struggle, as Greece cracked down on migrants' and refugees' rights, Poland continued to take away women's sexual and reproductive rights and Hungary tried to push LGBTQI+ people back into the closet. Whether these attacks on rights are allowed to succeed or whether civil society can halt them and reverse their effects could say much about the future of struggles for rights, in Europe and around the world.

GREECE: NO ROOM FOR MIGRANTS' RIGHTS IN FORTRESS EUROPE

Perhaps nowhere were the tensions starker during 2020 than in Greece, which remains the frontline for refugees arriving from Africa and the Middle East. Although in 2020 far fewer refugees came than at the 2015 peak, they continued to arrive daily, mostly from Afghanistan and **Syria** ↗, but also from the Democratic Republic of the Congo, Iraq, Palestine and Somalia, adding to the numbers of those already in Greece, as the closing of European borders due to the pandemic left them with nowhere else to go.

Greek camps became unbearably overcrowded. The Moria camp on the island of Lesbos, designed to host under 3,000 people, grew to hold around 20,000. People were packed in **hellish conditions** ↗, with no electricity, a limited water supply, a lack of hygiene and no adequate medical attention; as the camp grew, more and more were forced to live in tents and makeshift shelters outside the perimeter fence. People were stranded, facing uncertain futures. Originally intended as a transit point, Moria risked becoming a permanent destination – and an increasingly unsafe and violent one.

For migrants and refugees, Greece had long been a gateway to Europe. This changed with the 2016 **EU-Turkey Common Declaration** ↗ that turned Greece, a country that did not have a clear policy towards migrants and refugees, into a final destination. When this happened, civil society came to the rescue: new organisations such as the **Legal Centre Lesbos AMKE** ↗ (LCL) were founded, while others, such as **Solidarity Now** ↗, established in 2013 to respond to the growing needs of Greek people during the financial crisis, shifted their focus to cater to the needs of this most vulnerable population. **Maya Thomas-Davis** ↗ of LCL relates the response:

LCL was founded following the EU-Turkey statement, an agreement of questionable legality through which the EU turned people seeking freedom, safety and dignity into commodities and bargaining chips: agreeing to pay €6 billion (approx. US\$7 billion) to President Recep Tayyip Erdoğan's authoritarian regime in exchange for Turkey acting as a border guard to fortress Europe. This 'deal' transformed the island of Lesbos into a site of indefinite imprisonment for migrants.

LCL provides access to legal information and assistance in solidarity with migrants trapped here, without losing sight of the fact that migration to Europe is intimately connected with the continent's imperialist past and present and the interests of global capitalism; that the brutal violations witnessed here are always political choices; and that the people most affected are the most important political actors in challenging and resisting this.

As 2020 began, the situation in refugee camps was already untenable, and Turkey warned that it would no longer contain refugees in its territory, which would surely mean that many more people would soon reach Greece. The UN Refugee Agency called for the urgent evacuation of families with children and sick people from the Moria camp; even before COVID-19 broke out, doctors working with refugees in Moria expressed concerns that the **unsanitary conditions** ↗ of the camp would lead to an epidemic breaking out there.

In February, anger told when around 2,000 migrants and refugees, including young children, **marched** ↗ out of Moria and started walking towards the island's main town, Mytilene, to protest against the conditions in the camp and delays in the processing of asylum applications. The **police** ↗ blocked them on the road, so some staged a sit-in while others tried to go around police lines; they were repelled with teargas and flash grenades and beaten. Forty people were arrested.

Protests obviously became harder as the pandemic struck. In March, the government responded to the pandemic by **prohibiting** ↗ all non-essential transport and movement of people. This meant that neither Greek citizens nor migrants and refugees were able to protest against the government's decision to **suspend** ↗ the reception of asylum applications or against conditions in the camps. Ahead of the looming lockdown, in March 256 organisations published an **open letter** ↗ to the Greek prime minister and EU leaders, expressing deep concern about the 'victimisation' of people trapped at Europe's borders and asking them to 'protect legality and humanity'. The letter also criticised attacks towards humanitarian and human rights organisations working with refugees, pointing out that 'the climate of suspicion against solidarity, which is also promoted by government representatives, fosters violence and lawlessness in the wider society'. Later in the month 121 organisations signed on to another

letter ⁷ highlighting the dangers of arrangements for refugees entering Greece. Maya describes the situation:

The Greek state's unlawful **suspension of the right to asylum** ⁷ on 1 March and its violent border fortification – with the EU praising Greece as Europe's 'shield' and The European Border and Coast Guard Agency, Frontex, providing **increased material support** ⁷ – coincided with the escalation of the pandemic in Europe. Although the EU has been perpetrating violence against migrants at its borders for many years, including through pushbacks, it seems Greek and EU officials believed the pandemic would provide the perfect cover to escalate their attack on migrants in the Aegean Sea, with complete impunity.

Since March, the official number of arrivals by sea to Greece has drastically dropped by a reported 85 per cent as compared to 2019. In the same timeframe, numerous reports and investigations have revealed a systematic practice of collective expulsions on the part of Greek authorities, carried out through a **consistent modus operandi** ⁷, with Frontex's documented complicity. In every account shared with LCL by pushback survivors, Greek authorities have summarily expelled migrants from Greek territory without registering arrival or facilitating access to asylum procedures. Whether in the middle of the sea or following a landing on an Aegean island, Greek authorities forcibly transfer migrants towards Turkish waters before abandoning them at sea on motorless, unseaworthy dinghies or life rafts, with absolute disregard for whether they live or die. Despite numerous **reports** ⁷, **statements** ⁷, **investigations** ⁷ and **denunciations** ⁷ of this ongoing attack against migrants, pushbacks at the Aegean Sea border continue with impunity, functioning as an unofficial implementation of the EU-Turkey deal's objectives while the Turkish border remains officially closed.

Meanwhile in Lesbos, pandemic-related restrictions have only compounded the situation of police violence, discrimination and **effective mass detention** ⁷ for migrants. COVID-19-related restrictions, including curfews and the requirement to carry a justification for movement, have been applied in an unjustifiably discriminatory manner. On 15 February 2021, for example, the curfew for the general population of Lesbos was lifted from 6pm to 9pm, yet for migrants living in the camp a separate regime of restrictions remains in place:

people are subject to a more stringent curfew starting at 5pm and only one family member can leave the camp once a week except for medical or legal appointments. Even with written justification, permission to leave the camp is often arbitrarily denied. The police racially target people in checking documents and justifications for movement as well as in imposing fines.



Greek police disrupt a migrants' sit-in demonstration over conditions in Moria camp and delays in processing asylum papers in February 2020. Photo by Ivan Romano/Getty Images

CIVIC SPACE RESTRICTIONS TARGET MIGRANTS' RIGHTS CSOS

During the first half of 2020, The Greek government introduced additional registration and certification requirements for CSOs working with migrants, as part of an array of new laws. Law 4664/2020, passed in February, set out new **general requirements** for the registration of CSOs working on asylum, migration and social integration. The new law made provision for a registry of non-governmental organisations (NGOs) to contain information not only about the organisations but also about their members, employees and associates. As the law passed, a government spokesperson **told reporters** that the new regulations would help the government 'control the activities' of CSOs and claimed that CSOs helping asylum seekers were operating in a 'faulty and parasitic manner'. This slur did not come as a surprise, as the Greek government has consistently vilified CSOs working on asylum issues, labelling them 'smugglers' and 'people traffickers'.

Ministerial Decision 3063/2020, issued in April, set out conditions for the registration, reregistration and certification of CSOs, while article 58 of Law 4686/2020, approved in May, added further details on the legal requirements for the registration of CSOs and emphasised that **only registered CSOs** could undertake activities in the field of asylum, migration and social integration. In September, the government **introduced** even stricter and more intrusive registration requirements that will place a heavy burden of compliance on CSOs.

Civil society decried the new regulations as unconstitutional and contrary to European standards. They noted that the new registry, which would not be an independent agency, would be able to reject or revoke registrations even if all legal requirements were met. They pointed out that the requirement to disclose the names, addresses and email addresses of CSO members was inconsistent with the constitutional principle of proportionality, and that the new regulations placed onerous accounting obligations on CSOs working with migrants and refugees, preventing the smaller ones from operating. The Expert Council on NGO Law of the Conference of International NGOs of the Council of Europe **concluded** that the changes could lead to 'a worrying humanitarian situation' and recommended that the new laws be substantially revised to be brought into line with European standards.

In addition, in April the Greek Minister for Immigration and Asylum **introduced** a bill, the Improvement of Migration Law, providing for the systematic detention of asylum seekers whose appeals have been rejected and allowing the substitution of open refugee camps with 'closed controlled centres'. The move was **condemned** by civil society, not least for its likely impacts on helping to spread COVID-19, and for its violation of international law, which says that detention should be used as a last resort.

Not surprisingly, given increasing government hostility, anti-migrant protests mobilised. In January, right-wing groups protested in the capital, Athens, against the government's refugee policy. During the demonstration, an anonymous group **attacked** journalist Thomas Jacobi and destroyed his equipment. Such attacks against journalists, and restrictions on reporting migration, came throughout the year. In February, on several Greek islands including Lesbos, residents launched a **labour stoppage** following clashes between police and anti-refugee protesters who had tried to block the unloading of machinery to build new migrant facilities on Lesbos. Following the publication of a news article about these clashes, the Greek public broadcaster ERT **issued** a new policy requiring approval from ERT regional management prior to the publication of news reports about the islands, and the article was removed from the website.

On 1 March, a group from the local community claiming to 'want our islands

back' tried to **block** asylum seekers landing on Lesbos and attacked journalists who were covering the arrival. Several journalist associations **urged** the EU and its member states to take swift action to create a safe environment to protect those reporting on the situation. Independent reporters stated that stories of refugee landings on Greek islands, documented in photographs and confirmed by reliable witnesses, were systematically denied by the authorities and **censored** from the media. Journalists continued to be barred from camps to prevent them reporting on the growing problems. Iason Athanasiadis, a journalist who reported from a refugee settlement, was **attacked** and detained by police as he left the site on 11 September.

Protests continued, both for and against migrants' rights. When pandemic restrictions had been temporarily lifted, on World Refugee Day, 20 June, around 2,000 people **protested** in Athens against the government evicting migrants and refugees from temporary accommodation. Anti-racist groups, joined by

refugees from migrant camps, held banners reading 'No refugee homeless, persecuted, jailed'. But the government's response was to announce that the lockdown in migrant camps would be extended for two weeks, despite having reopened the country's borders in the hope of attracting tourism.



People take part in a demonstration marking World Refugee Day in Athens, Greece on 20 June 2020. Photo by Milos Bicanski/Getty Images

Soon after the protest the government submitted a bill to parliament to impose tighter restrictions on assemblies, stating that it would stop protests disrupting traffic and city-dwellers' lives. If passed as proposed, participation in a protest held without police permission would have become punishable by up to a year in prison, and protest organisers would have been held liable for damage caused to public or private property during a protest.

In response, thousands of people **rallied** in Athens on 2 July, and just four days later, the government introduced a series of improvements to the bill. Under its new version, the police would need to secure the approval of a court judge to prohibit gatherings, and approval from a prosecutor to break them up. The provision that participants in banned gatherings would face prison time was scrapped, and the law was passed on 9 July. While stripped of its worst clauses, it still marked an increase in protest restrictions, sparking even **bigger protests**.

Back in Moria, in early July, members of the African community **protested** following the murder of a 19-year-old refugee, Karamoko Namori. Around 200 people gathered outside the European Asylum Support Office (EASO) building in the camp, calling for safety and an end to their confinement. EASO remained closed for some days before police violently dispersed the protests, firing volleys of teargas and sound and flash grenades; at least two people were injured. The following week, Syrian families and several Iraqis gathered in Mytilene in protest at the confinement of migrants and the systematic rejection of Syrian people's applications for asylum, on the basis of the untenable assumption that they would be safe in Turkey. The protest began at Mytilene's ferry port, but the police used physical violence to forcibly remove the protesters, who then moved through Mytilene before being intercepted by the police.

the other side of the spectrum, **far-right protesters** gathered on 21 July on the road between Mytilene and Moria after online posts blamed migrants for a large forest fire several kilometres from the camp. In August, locals gathered to protest against the expansion of Moria. Prior to the announced time of the gathering, police patrolled the road adjacent to the camp, instructing CSOs and journalists to clear the area. Police blocked the protesters' access to the camp and after several hours they dispersed.

On 9 September, a **blaze** at Moria forced people to find alternative and even more unsuitable places to sleep, such as roadsides, doorsteps and even the local cemetery. The facility had been under lockdown, and the local population feared the destruction of the camp would cause the virus to spread. **Police** were deployed outside Mytilene to block access to the town, not allowing through even those seeking medical help. Tensions sparked between refugees, locals and the police, giving rise to spontaneous **protests**, in which thousands of refugees demanded to be allowed to leave Lesbos. Protests were mostly peaceful, with many children and women in attendance. However, on 12 September, as another fire broke out next to a police blockade near a **new temporary camp**, under construction to replace Moria, some protesters threw rocks at the police. The police **responded** by firing teargas and stun grenades at protesters, and at least three people were **arrested**. Over the following weeks, former residents of the camp **refused** to move to the new temporary site, and instead demanded that the authorities either let them leave Lesbos or deport them. A crowd of women and children protested with banners asking the EU to save them.



Refugees protest in the wake of the blaze that destroyed the Moria camp on 11 September 2020. Photo by Niels Wenstedt/BSR Agency/Getty Images

Hardening attitudes of local communities toward migrants and refugees, as expressed in anti-migrant protests, suggest new efforts are needed to foster respect and integration, indicates **Lefteris Papagiannakis of Solidarity Now**:

At the early stages of the influx of migrants in 2016, the people of Lesbos were nominated for the Nobel Peace Prize. Today, Lesbos is showing signs of intense segregation, similar to the kind of segregation seen in the US south in the 1960s. Lesbos has unfortunately turned into a racially and socially segregated island, a far cry from its previous reputation. As a country and at a political level we have not analysed this breakdown in humanity. The Greek government has often acted independently without consulting local inhabitants. It does not engage with mayors and local authorities, yet the local authorities have gone beyond their jurisdiction because the national state has been absent in action.

The **migrants' protests in Moria Camp** and the lack of policy has definitely affected conversations on integration in a very negative way. **The events of March** at the land border of Evros, where Turkey drove thousands of refugees to the border with Greece, brought negative sentiments that this was an 'invasion' or a 'hybrid war', and Greece was referred to as the 'Shield of the EU'.

The main challenge that we face after five years of this migration reality is integration. The main question is how we are going to implement a concise, complete and logical integration policy on the basis of a reasonable migration and refugee policy. We need a change in the narrative and in the way in which politicians deal with migration, and not only in Greece, but also in Europe and on a global scale. As an example, the USA is repealing Trump-era migration policies, which is somewhat reassuring and the beginning of a change that will hopefully bring back some policies that the Trump administration stopped altogether. We need this type of change.

Acknowledging the fact that we need a more robust integration policy is key in changing other policy areas. This would help us answer the questions of what migration is, what it means, what the role is of migration in human history and how it can be helpful within our countries. Greece is a country of 10 million people, with a diasporic population of approximately another 10 million. Migration is part of the human fabric and this is a reality that we need to accept.



At a protest following the fire that destroyed the Moria camp, a refugee holds a sign in German that reads 'This is not Europe'. Photo by Niels Wenstedt/BSR Agency/Getty Images

PROGRESSIVE RULINGS IN GREECE AND FRANCE

It was not all setbacks, and in the struggle against anti-rights groups in Greece, a **landmark ruling** came in October, when leaders and members of the neo-Nazi Golden Dawn party were convicted for forming or taking part in a criminal organisation that orchestrated or colluded to kill Pavlos Fyssas, an anti-fascist activist and rapper, and Shehzad Luqman, a Pakistani migrant, both murdered in 2013 by Golden Dawn supporters. The Golden Dawn leaders were implicated in numerous other brutal attacks against migrants, trade unionists and human rights defenders, and received **jail sentences** of up to 13 years.

Another **historical ruling** was issued on 26 February by the French Court of Cassation, France's highest court, in favour of people who stand up for migrants' rights.

In June 2017, Raphaël Faye-Prio, a member of the CSO **Roya Citoyenne**, picked up four migrants who were stuck at a railway station in the Alpes-Maritimes region and offered them accommodation. He was intercepted at traffic stop, prosecuted and given a three-year suspended sentence for 'aiding illegal entry, movement and residence'. His appeal, on the grounds that the principle of fraternity had been enshrined in French law by a Constitutional Council ruling in July 2018, was rejected on the grounds that he had no knowledge of the migrants being in a situation of distress and his actions were neither spontaneous nor purely individual, as they were part of an activist undertaking that he pursued as a member of a CSO.

After reviewing the 2017 case, the Court of Cassation ruled that the protection of acts of fraternity is not limited to purely individual and personal actions and does not in any way exclude activist action carried out within or in association with a CSO. Civil society activism is now considered a valid reason for solidarity and should no longer be criminalised.

On 21 September, Greece reported its highest number of COVID-19 cases since lockdown ended in May, causing the government to announce new measures to prevent the spread of the virus. By the end of September, several refugee camps had been placed back on **lockdown**. While some restrictions may have been needed on health grounds, CSOs saw in the move an attempt by the government to repress protests by migrants and refugees and take the issue out of the headlines. But the situation continued to worsen, as **Maya Thomas-Davis** explains:

The state has systematically failed to evacuate individuals at risk from overcrowded, unsanitary camps in Lesbos, where distancing measures are impossible. Like the previous Moria camp, the new reception and identification centre in Mavrovouni/Karatepe – widely known as 'Moria 2.0' – is not fit for human habitation. As if conditions of inadequate shelter, healthcare, privacy, food, electricity, running water, hot showers, toilets and other hygiene facilities were not bad enough, since 1926 and until its hasty transformation into a camp in September, the site of Moria 2.0 had been a military firing range, and the Greek government has admitted that a high concentration of **lead** has been found in samples taken from the site. Lead poisoning causes organ damage, cancer and developmental harm in fetuses and children. In such conditions, the Greek state's failure to transfer people who are disproportionately exposed to danger and death in the inhumane conditions of Moria 2.0 to appropriate living conditions amounts to an **attack** on migrants' lives.

That hundreds of people have been, and continue to be, forcibly transferred then abandoned in the middle of the sea by Greek authorities without means to call for rescue, on unseaworthy, motorless dinghies and life rafts, constitutes a spectacular form of state violence against migrants. Beyond rights violations, LCL's position is that the constituent elements of the consistent *modus operandi* of collective expulsions in the Aegean, along with the widespread and systematic nature of this attack, amount to crimes **against humanity**. The practice of systematic pushbacks with impunity reveals the extent to which Fortress Europe treats migrants' lives as disposable, in a manner that has historically accompanied the commission of atrocity crimes.

The same disregard for migrants' lives is inherent in the conditions in camps and detention centres people are forced to endure in Lesbos,

which are violations of the right to freedom from inhumane and degrading treatment and torture, the rights to liberty and security, to private and family life, to effective remedy, to freedom from discrimination and to life.

While the violence of pushbacks in the Aegean is scandalous and should be treated as such, it is by no means an aberration from the logic of Europe's border regime, which instrumentalises human suffering for the purpose of deterring migration, at any cost. Even if due process and reception standards mandated by the Common European Asylum System were complied with in Lesbos, many people would still be excluded, and the system would remain violent and fundamentally insufficient to secure the conditions of human flourishing that everyone deserves. For this reason, while the LCL will continue to document, denounce and seek redress for the systematic rights violations in Lesbos, we are conscious that we must simultaneously organise for systemic change: Europe's human rights framework cannot fail people it was never designed to protect.

What is needed is a reframing and recontextualisation of migration and asylum, rather than hostile closed-doors policies that can only temporarily block or displace the movements of people caused by conflict, poverty, economic inequality, climate change and the repression of civic space. This can only come through greater international solidarity, mobilising as a counter to narrow nationalism and xenophobia. In engaging in a battle of competing narratives, solidarity can help overcome the smears and attacks that will keep being levelled against migrants and refugees and those who stand with them.

International support and solidarity is needed in the struggle against the increasingly hostile environment for migrants and those working in solidarity with migrants in Greece. Far-right disinformation campaigns making allegations of criminality against migrants and migrant solidarity organisations are increasingly reflected in Greek state practice, such as in the Greek police's identification of four human rights and migrant solidarity groups in an **investigation** ⁷ that accuses them of espionage, forming and membership of a criminal organisation; the Greek state's **systematic prosecution** ⁷ of migrants for facilitation of illegal entry/exit; its perverse **decision** ⁷ to prosecute the father of a six-year-old

child who tragically drowned in a shipwreck near Samos in November for endangering his son's life; and its decision to bring criminal charges against a woman who set herself on fire ⁷ in desperation in Moria 2.0 in February 2021. Such measures to frame migrants and those who act in solidarity with them as criminals and threats to the nation is a deliberate and effective tactic to obscure the fact that it is states that possess the monopoly on violence and to distract from their systematic violations of migrants' rights.

Internationalist solidarity will always be our best weapon to organise resistance from below to all these measures.



Protesters in Berlin, Germany demand the immediate evacuation of Greek refugee camps on humanitarian grounds on 20 September 2020. Photo by Omer Messinger/Getty Images



People rally outside the Greek Embassy in London, UK, in response to increasing violence against migrants and those helping them on 10 March 2020. Photo by Ollie Millington/Getty Images

HOLDING POWER TO ACCOUNT: ANTI-MIGRANT ACTIONS ON TRIAL IN ITALY

Hopes rose in 2020 that Matteo Salvini, head of Italy's far-right League political party and former interior minister and deputy prime minister, could be held to account for his inhumane actions against migrants and refugees and those helping them. Salvini was indicted for kidnapping and dereliction of duty in **two separate court cases** involving the coastguard ship Gregoretto and a Spanish rescue vessel, the Open Arms.

A charge of illegal detention and abuse of power, which could carry a prison term of up to 15 years, was **brought** by the migrants' rights organisation Open Arms in connection with an incident that took place in August 2019, when in his role as interior minister, Salvini blocked its rescue ship, which was carrying 147 migrants that it had picked up at sea, from docking in an Italian port. The vessel was forced to anchor off the island of Lampedusa for 20 days, as conditions on board deteriorated. The rescued migrants were eventually able to disembark on the orders of a local prosecutor. Those on board the Gregoretto experienced similar treatment. In a public statement, Open Arms said that the case was also directed at the Italian government and other European governments that had violated international conventions on sea rescues and refugees' rights.

In mid-2020, the Italian Senate **voted** to strip Salvini of his parliamentary immunity, paving the way for prosecution.

Sea rescues became easier following a change of government in September 2019 that removed Salvini and the League from the ruling coalition. In September 2020, after an almost two-week wait, Italy **authorised** the CSO rescue ship Sea-Watch 4 to bring 353 migrants to the port of Palermo. The mission, managed by United4Rescue – an initiative led by the Protestant church in Germany and backed by more than 500 CSOs – was possible thanks to a **crowdfunding campaign**, #WirSchickenEinSchiff ('We send a ship'). Before landing in Italy, the ship had performed three rescue missions and had taken on around 150 people from the Louise Michel, a new rescue ship funded by the British street artist Banksy. A Sea-Watch spokesperson attributed the positive decision to the support received from civil society, the German Protestant Church and Banksy, who had helped create 'significantly more attention for sea rescue missions'.

The first preliminary hearing in the Gregoretto case took place in October; proceedings were adjourned as the judge summoned several government ministers as witnesses. In January

2021, Salvini appeared before a judge on the Open Arms case. Following the closed-door hearing, he continued to **characterise** the refugees he tried to block as 'potentially dangerous people' who he had defended Italy against.

In January 2021, the **City Council of Barcelona**, where Open Arms is based, sided with the CSO and began civil legal actions against Salvini for the property damage caused by blocking the vessel, the resulting increase in costs and the holding up of the mission, as well as damage to the image of Barcelona as a consequence of the slurs he directed against the city.

On 20 March 2021, an Italian prosecutor **formally** called for Salvini to be tried for kidnapping in the Open Arms case. Civil society will be watching with interest, in the hope that abuses of power will be held to account.



Protesters in Catania, Italy, hold a banner that reads 'We stay human' as former interior minister Matteo Salvini appears in court. Photo by Fabrizio Villa/Getty Images

POLAND: ABORTION RIGHTS ERASED

The government of Poland used the pandemic as a cover to attack women's rights, **reintroducing** ↗ bills to restrict access to abortion and sex education. The two bills had met with huge opposition and nationwide protests when they were first proposed in **2018 and 2019** ↗ by conservative groups close to the ruling party. The 'Stop Abortion' bill sought to tighten Poland's abortion laws, already amongst Europe's strictest, to prohibit terminations even in cases of severe or fatal foetal anomaly, while the 'Stop Paedophilia' bill aimed to criminalise those who educate young people about sexual and reproductive health. Although following the protests both these bills were sent back to parliamentary committees for further work, the constant threat of undoing reproductive rights loomed. In 2020, they were reintroduced at a time when it was much harder to protest against them.

Polish women had for years been fighting back against restrictions. In 2016, a **women's strike movement** ↗ formed to resist an earlier attempt to change the abortion law. One of the founders of the **Polish Women's Strike** ↗, Klementyna Suchanow ↗, describes the reaction of the women's rights movement to the latest measures, and the ways in which people found creative ways to voice dissent during pandemic restrictions:

From the very beginning this government has been clear that it does not support women's rights and does not care about violence against women. Since the government came into power, funding to centres that help women has been cut and these centres have had to resort to crowdfunding or are surviving on private donations, because they have no access to state funding anymore. However, some progress has also taken place, as with a law that was passed, proposed by a leftist party, that empowers police officers to issue an order to forbid perpetrators of violence from entering the household of the victim for 14 days. This has helped separate victims from perpetrators.

Taking advantage of the pandemic, the government and other groups made several attempts to roll back women's sexual and reproductive rights. In May, the Polish parliament proposed a bill that would remove the legal obligation for medical facilities to refer patients to other facilities if they refuse to provide abortion care based on their staff's

personal beliefs. Under Polish law, a legal abortion could only be performed if the mother's life was at risk, the pregnancy was a result of rape, or the foetus had a serious deformity. About 98 per cent of abortions fell under the latter category, but a bill was proposed in May to eliminate this clause. In June, new provisions in the Criminal Code imposed harsh prison sentences on those who support women by providing them with abortion care.

The amendments to abortion laws during the pandemic came about through a civic project submitted by a fundamentalist organisation. We organised protests, which was a slightly crazy thing to do, because how do you protest during a pandemic when you are not allowed to gather? That is why we got creative: we invented new forms of protest because we had to. We staged 'queueing protests', standing two metres apart in a queue outside a shop close to the parliament building, to comply with lockdown regulations, while holding signs and umbrellas. This happened in several cities, not just in the capital, Warsaw. As we were not allowed to walk freely, we also organised 'car protests'. We interrupted traffic and blocked Warsaw's main square for about an hour.



An activist delivers a speech at a protest over police violence against an abortion rights demonstration on 19 November 2020 in Krakow, Poland. Photo by Omar Marques/Getty Images

But after years of attrition, conservative forces got their way. On 22 October, the Constitutional Tribunal **ruled** that access to abortion on the grounds of ‘severe and irreversible foetal defect or incurable illness that threatens the foetus’ life’ was unconstitutional. Questions were raised about the independence of the court, given that 14 of its 15 members had been selected by the ruling majority, in some cases in violation of the Polish Constitution; Poland’s ruling party has long been accused of politicising the judiciary and undermining its independence.

This decision unleashed a further wave of massive protests, with the ninth day of uninterrupted mobilisation, 30 October, seeing the **largest protest** held in Poland since the fall of communism in 1989. It was estimated that around half a million people attended demonstrations in cities across the country. **Violent incidents** occurred as black-clad bands of pro-government nationalists attacked protesters in central Warsaw. But the great numbers mobilising in protest initially saw some success in delaying a change to the law. The government announced it would postpone the publication and implementation of the ruling.

In early November, President Andrzej Duda **proposed** an amendment to the abortion law that would allow the termination of pregnancy in cases of lethal foetal abnormality, but not for other abnormalities. Rejecting this proposal that would only narrow rights, protesters again took to the streets. The police issued **fines** against hundreds of protesters for contravening pandemic restrictions **prohibiting** public gatherings of more than five people. There were multiple reports of **police brutality** against protesters, including the use of pepper spray, teargas and batons. Protesters were arrested and called in for questioning. While women were protesting outside parliament, leading ruling party politicians inside publicly smeared them and the opposition legislators who supported them, threatening them with prison time for encouraging protests under the pandemic.

Although the new law was still unpublished at the end of the year, the Constitutional Tribunal ruling had already had an immediate chilling effect, as many health institutions and professionals stopped providing abortions for fear that they would later be prosecuted. Those fears seemed vindicated in February 2021, when the authorities, at the urging of an anti-abortion group, asked hospitals to **provide** details of women who had abortions after the October

2020 ruling, creating the fear that the women and healthcare professionals would be punished. By then the ruling had come into effect, on 27 January 2021, when it was **published** in the Polish Journal of Laws.

An anti-abortion group announced that it intended to go even further, **seeking** a total ban, showing how rollbacks of rights prepare the ground for further attacks. Women kept up the pressure, with mass protests greeting the publication of the ruling. But the risks were considerable. Numerous women, including Klementyna Suchanow and other protest leaders, faced a barrage of death and rape **threats**, indicating how the criminalisation of abortion was creating a permissive climate for broader attacks on women. Polish women had been badly let down by their government. Many will not forgive or forget.



People hold a banner with the Women’s Strike logo at a protest against the Constitutional Tribunal ruling restricting abortion on 1 November 2020 in Krakow, Poland. Photo by Omar Marques/Getty Images

THE ISTANBUL CONVENTION UNDER ATTACK

Abortion was not the only facet of women's rights that Polish activists had to defend in 2020. In July, Polish women and their allies protested following the announcement that Poland would begin the process of withdrawing its ratification from the Council of Europe's Convention on Preventing and Combating Violence Against Women and Domestic Violence, known as the Istanbul Convention.

In a year when GBV spiralled under emergency restrictions and many governments stood accused of doing little to protect women, Poland went further still, actively stating its intention to rob women of protections. Poland's decision to withdraw was made on the stated grounds that some of the Convention's mandates conflicted with Polish people's religious beliefs or personal ideologies, and therefore violated their constitutional rights. Leaked documents showed that the government **planned** ↗ to replace the Convention with its own treaty, which other states would be encouraged to adopt, banning abortion and same-sex marriage.

Behind this move lurked the influential and ultra-conservative Ordo Iuris organisation; thousands of women protested outside its headquarters dressed in Handmaid's Tale costumes. Women's rights CSOs called on the EU to link its funding more closely to respect for human rights.

Klementyna Suchanow ↗ of Polish Women's Strike ↗ relates the current struggle:

We have seen announcements from the authorities that they are thinking about pulling Poland out of the Istanbul Convention. In the beginning we didn't take it too seriously. But it is always like this: first they test the waters to see how far they can go, and if they don't find too much resistance they start pushing forward. During the presidential campaign and election, the topic was not raised, but only a week afterwards it became an issue. Many serious developments, such as arrests of activists, took place right after the election.

Now the situation is becoming serious. Announcements have been made by several ministers and the president has approved the idea to withdraw from the Istanbul Convention. There is also a lot of propaganda on state media to convince people that this Convention is about so-called 'gender ideology'. However, surveys show that over 60 per cent of the population is against leaving the Convention compared to only 15

per cent who support the idea.

*We are trying to convince the international community that European funds should be allocated bearing in mind the actual human rights compliance records of each EU member. A new instrument introduced in the EU established that funding should be linked to adherence to democratic principles and practices. We are trying to convince the Council of Europe to introduce similar measures towards the governments that are relinquishing their people's rights. It's all about linking funding to human rights compliance. Money is the only language governments will understand. Six Polish cities are currently **not receiving** ↗ European funds following their declaration of so-called 'LGBTI-free zones', which is considered an act against human rights.*

*We would like to raise this question, together with Turkish women, who are facing a **similar battle** ↗ against their government's initiative to withdraw from the Istanbul Convention. You cannot be destroying human rights, like Hungary and Russia are doing, and still be treated by the Council of Europe like anyone else, as a partner in the conversation.*

Indeed, Turkey's authoritarian government also proclaimed its intention to withdraw from the Istanbul Convention. Back in 2012, Turkey had been the first country to ratify the Convention, but as the ruling party moved to shore up its socially conservative support base it rejected it on the grounds that it was antithetical to 'Turkish family values'. As in Poland, the main objection against the Convention was that it was an expression of so-called 'gender ideology', a myth used by anti-rights forces to characterise women's and LGBTQI+ rights as a foreign imposition and smear rights activists as agents of foreign interests.

Elif Ege ↗ of Mor Çatı ↗ sets out why civil society wants to keep the Convention:

*Our domestic law is in sync with this Convention, so withdrawing from this Convention would **hinder** ↗ any attempts to prevent violence against women. The groups and parties that suggest withdrawing from the Convention say that we can create our own domestic laws. But the Convention itself was already created by the efforts of feminists from Turkey. If we withdraw from this Convention, it means that we do not believe in gender equality. Recently we tried to have a forum about the Istanbul Convention, and it was banned, so it's not easy.*

We need coordinated and correctly implemented policies on violence against women. It is not just about the police force or shelters. When a woman wants to leave a violent environment, she needs legal, social and financial support. She needs to stay in a shelter if she has nowhere else to go. All these things, which are mentioned in the Istanbul Convention, need to come together to create a safe environment for women. When the whole support mechanism falls apart, like it did during the pandemic, it becomes impossible for women to leave the house and start their own lives. What we need right now is to discuss not withdrawal from the Convention but how to implement it.

The withdrawal proposal came at a time when violence against women had skyrocketed under the pandemic and there was rising anger at some grotesquely lenient sentences for femicide. When news broke in July that 27-year-old Pinar Gültekin had been killed by her ex-boyfriend, outrage erupted. On 21 July, women held a [vigil](#) for Pinar and other femicide victims in Istanbul's Beşiktaş neighbourhood and three other cities across Turkey. Shortly after, thousands protested against the government's plans to withdraw from the Convention. Women's rights organisations circulated a petition that collected over 450,000 signatures, calling on the government to refrain from doing so. In both Poland and Turkey, activists will not give up on the Convention without a fight.



Women rally in Istanbul on 5 August 2020 as part of a coordinated wave of protests throughout Turkey in support of the Istanbul Convention. Photo by Chris McGrath/Getty Images



LGBTQI+ activists protest against discrimination two days before the presidential run-off vote on 10 July 2020 in Krakow, Poland. Photo by Omar Marques/Getty Images

Poland's government used the same arguments about 'gender ideology' levelled at the Istanbul Convention to also persecute LGBTQI+ people. In July, President Duda narrowly won the presidential run-off election by mobilising grotesque **homophobia** against an opponent smeared for supporting LGBTQI+ rights (see this report's chapter on democracy under the pandemic). Driven from the top down, hate quickly spread at the local level. According to the **Atlas of Hate**, a civil society initiative, in 2020 almost 100 municipalities, accounting for a third of Poland's territory, had declared themselves 'zones free from LGTB ideology'. While the activists who created the Atlas of Hate faced **legal action** initiated by several local governments, support came from outside Poland's borders. A Dutch town **severed ties** with its Polish twin town when it declared itself 'gay-free' and, as indicated above, six Polish towns **lost** EU funding.

Later in the year, a bill was **proposed** to ban LGBTQI+ parades and public gatherings. Labelled as the 'Stop LGBT' bill, the proposal came from a citizens' initiative, which allows groups to propose legislation if they gather over 100,000 signatures. The ultra-conservative Life and Family Foundation collected more than 200,000 signatures, claiming that the move would 'protect Polish families' and 'put an end to homo-propaganda'. The proposed law would ban gatherings viewed as promoting 'sexual orientations other than heterosexuality', the idea of non-biological gender, same-sex marriage, civil partnerships, or the adoption of children by same-sex couples. Events like Pride marches would no longer be possible. The proposed law was the latest in an ongoing campaign to deny the reality of LGBTQI+ experience and force people back into the closet.

HUNGARY: TOP-DOWN TRANSPHOBIA AT A TIME OF CRISIS

Poland and Hungary are often in lockstep, allies in pushing back against EU attempts to uphold rights for women and LGBTQI+ people across its member states. Hungary's strongarm Prime Minister Viktor Orbán has consistently mobilised attacks on excluded groups, notably LGBTQI+ people and migrants and refugees, to consolidate his power. At the same time he has ruthlessly **closed down** the spaces for dissent.

The pandemic offered Orbán an additional opportunity to grab power, and he seized the chance. A state of emergency was declared on 11 March, and on 30 March the **Authorisation Act** was passed, allowing the government to prolong emergency measures for as long as it deemed necessary and impose jail sentences of up to five years on those considered to be hindering the government's attempts to control the virus. Attacks ensued against independent media outlets for allegedly spreading 'fake news' as they reported on the shortcomings of pandemic response.

The government wasted no time in enjoying its new powers. Under emergency conditions in May, the government swiftly **amended** the Civil Registry Act, at a stroke removing recognition for trans and intersex people and forcing them to live by the gender that corresponds to the sex identified at birth. The change called into question the government's priorities, at a time when it should have focused on fighting the pandemic, and raised the suspicion that it had taken advantage of a time of crisis when other European countries and institutions had their attention elsewhere.

As if to prove that the timing of this repressive move was no coincidence, in November, as a second wave of COVID-19 struck many European countries and Hungary declared another state of emergency and reapplied lockdown measures, the ruling party **submitted** a constitutional amendment to write 'Christian culture' into the Constitution and define a mother as a woman and a father as man, excluding same-sex couples from adoption rights. At the same time it amended the Civil Code and Child Protection Act to require single people to obtain special ministerial permission before adopting a child, closing a loophole through which members of LGBTQI+ couples might have been able to adopt as single parents.

The ruling party's two-thirds majority guaranteed that the amendments were **passed**, while the introduction of a blanket ban on protests ensured no mass protests would take place in outrage at their approval. In November, the government also **introduced** a draft law to abolish the Equal Treatment Authority, a body that has in the past stood up for LGBTQI+ rights, and transfer its functions to the Commissioner for Fundamental Rights, who has never shown any interest in defending LGBTQI+ rights. An **advertisement** aired in December to raise awareness of LGBTQI+-headed families brought the response of legal proceedings. It was abundantly clear that LGBTQI+ people were being targeted.

The constitutionality of the Civil Registry Act was challenged by the Transvanilla Transgender Association on behalf of two transgender applicants who were directly affected. **Krisztina Kolos Orbán** of the **Transvanilla Transgender Association** describes the rapidity with which the change was made, the lack of consultation and the political agenda driving and capitalising on transphobia:

This law change fits into the fight against gender led by the Christian Democratic party, which is part of the governing coalition. This party has already banned gender studies and has argued that there is no such thing as gender, as in the Hungarian language there are not even separate words for 'sex' and 'gender'. But in the past year, it has resorted to using the word 'gender' in English so as to be able to attack gender as a concept. So this is part of a larger attack against so-called 'gender ideology'. The protection of what the new law calls 'sex at birth' is a part of this. For the past six years we have worked to come up with legislation on these

issues, and initially we thought the authorities wanted to tackle it as well, but after a while it became obvious to us that our initiatives were being blocked along the way.

There is no public discussion and civil society is not involved. We were not consulted regarding these specific changes to the Registry Act. The proposal came from the government, and specifically from the Christian members of the government coalition, and was supported by CSOs that promote so-called 'family values'. Timing also raised a lot of questions. Why was it so important to address this issue in the middle of a pandemic? Why now, and why in this way?

The context in which the change has come is, like in Poland, one of increasing political hostility towards LGBTQI+ organisations.

Our freedom to conduct our legitimate activities is being challenged. In 2019, for instance, there were several attacks against events organised around Pride month. A speed-dating event for pansexual people organised by Transvanilla was interrupted by far-right activists. We couldn't continue the event and the police didn't protect us. Far-right activists video-recorded participants for over an hour and we were not allowed to close the door. They were obviously acting illegally but the police took no action against them. In other instances, venues were ruined or damaged by far-right activists. This was a new development – in the past, our events had received police protection when such things happened.

Year after year there have also been attempts to ban Pride events, but the courts have **declared** that these events cannot be banned. It's a constant fight. The authorities have **fenced off** Pride routes on the pretence of protecting marchers, but this was obviously an attempt to restrict their movement.

The impacts were immediately felt by trans people, who rightly felt that their very existence was being denied, that they were being cornered and forced to hide, and that the future they aspired to no longer existed.

It was a traumatic event because it was a clear attack against us. This amendment only affected trans and intersex people who would like to

change their gender markers and trans people who don't want to change their gender markers but would still like to change their name, which is no longer possible in Hungary. But the whole community now feels like second-class citizens, like outcasts who the government does not respect.

Personally, as a non-binary person, it had a huge effect on me, because I was already far from being recognised in my documents and now I am a lot further away from that. Many of my friends who were in the process of changing their legal gender recognition are in a limbo. At least a hundred applicants' cases had already been suspended in the past two and a half years, as requests were not being evaluated. Those people have now lost all hopes. They are frustrated and devastated.

Increasing numbers of people who began to transition may look different from the sex registered in their documents. And if someone is openly and visibly transgender it becomes difficult to find a job; discrimination is part of everyday life. And now it is becoming more serious. We have seen a rise in discrimination, not just in employment but in everyday life. In Hungary you often must present your ID papers, so you have to out yourself all the time. People don't believe you and you are questioned. For example, recently a trans person was trying to buy a house and the lawyer who was drawing up the paperwork raised questions about their ID because it didn't match their gender description.

There is also fear because we don't know what is next, what else is coming to us. Even though the law can be challenged, it might require many years. And even if we get rid of this law, the situation may not improve. Some people are suicidal, and many people want to leave the country. A big part of the community is just suffering silently and has no voice. While some activists have emerged from this situation and these activists are gaining visibility, the vast majority are suffering at home, alone. People were already isolated before, and it will not get any better. From now on, more people will hide their identity.

Given the impossibility of engaging with the government, LGBTQI+ organisations increasingly focused their advocacy efforts on two arenas: the courts and European institutions.

In parliament the opposition is powerless because Fidesz, Prime Minister

Orbán's party, has two thirds of the seats and can thus win any vote. We turned to the Commissioner for Fundamental Rights and we asked him to do whatever he could to stop the amendment. He could have intervened but didn't.

The law was passed, and the day it came into effect we launched two cases at the Constitutional Court. The court could turn them down for whatever reason, but we hope that it will not. At the same time, we are putting pressure on the Commissioner for Fundamental Rights because he has the power to request the Constitutional Court to look into the law, and if he does, then the court must do so.

Pressure is very important, and many international groups are helping, including Amnesty International Hungary, which has launched a campaign. We have 23 cases before the European Court of Human Rights, all of which deal with gender recognition, and the applicants are represented by our lawyer.

We also continue to engage with EU human rights mechanisms, the Council of Europe and the UN. We got CSOs to sign a statement to put pressure on the European Commission (EC), which so far has been silent on this. We want to make sure that what happened in Hungary doesn't happen in other countries, so we have created a civil society alliance to convey the message that if other governments try to do the same, they will face huge resistance. And of course, we keep trying to engage with the ministries, although we have sent them letters and have received no response.

While the governments of Hungary and Poland seemed increasingly to be on a collision course with the EU, civil society called on the EU to take a tougher stance.

The EU should act not only on this specific legislation but also on other, bigger issues related to the rule of law and fundamental rights in Hungary. It should do something about its own member states, or else it should not pass comment on any non-EU country. The fact that the EC fails to mention Hungary explicitly is outrageous. When the Authorisation Act was passed in late March, giving Orbán extra powers to fight the pandemic, EC President Ursula von der Leyen made a statement that was

clearly about Hungary, but did not mention it by name, and then Hungary was a signatory to the statement. The EC's Commissioner for Equality was recently asked to condemn Hungary for the anti-transgender amendment and she refused to do so; instead, she decided to speak about trans rights in general. This is something that we cannot accept.

It is important to attempt to unify the different movements and to act as bridge between them and I think international CSOs can play a role in this. As a trans organisation we are responsible for trans people, but trans people come in all sizes and shapes – there are migrant trans people, Roma trans people, disabled trans people – and we all have to come together. While trans people are currently under attack in Hungary, we don't know which vulnerable group is next on the list.

In Hungary, international pressure is important because Orbán still sometimes cares about how Hungary is perceived. So the engagement that comes from the international community is helpful. International civil society can also assist in presenting good examples, because the better the situation is in other countries for trans people, the more shame it can bring to the Hungarian government. But if other EU countries start to follow Hungary, then the government will get away with this.

In **response** ⁷ to the regression observed in Hungary and Poland, EU plans were announced in November to criminalise LGBTQI+ hate speech under EU law and recognise same-sex partnerships in all EU member states. These proposals were part of the EC's first-ever strategy to secure equality for LGBTQI+ people. In March 2021, the European Parliament, in direct riposte to attacks on LGBTQI+ rights, specifically those in Poland, **declared** ⁷ the whole of the EU to be an 'LGBTQI Freedom Zone'. The struggle is on to stop the rot and reverse the trend of attacks on women's and LGBTQI+ rights.

Across Europe and around the world, the struggles outlined in this report will continue, and further setbacks alongside successes can be anticipated. Breakthroughs will come, but so will reminders that any victories are subject to reversal. Mass protest will remain a key weapon in civil society's arsenal, to be employed in ever greater numbers as pandemic restrictions ease, alongside awareness-raising, advocacy, legal action, political alliance-building and appeals to international institutions. The key civic freedoms – of association, peaceful assembly and expression – need to be defended as part of the

response, because without these, people cannot fight back, and wherever states and anti-rights groups are repressing civic freedoms, they can be sure to be attacking those of excluded groups the most. Those who attack the rights of excluded groups will continue to do so, for reasons of ideology and political calculation, and they need to be overcome with broad civil society coalitions, unleashing the extra power that comes from practising intersectionality, and enabling excluded people to tell their own stories, lead their own struggles and be bold in challenging their own exclusion. If the message of the pandemic year is that no one is safe until everyone is safe, then it might equally be said that no one is free until we are all free.



Police stand between members of far-right groups standing on the stairs of a church and pro-choice protesters mobilised against the Constitutional Court ruling in Warsaw, Poland, on 28 October 2020. Photo by Omar Marques/Getty Images