ADVANCING WOMEN’S AND LGBQTI+ RIGHTS
Gender and sexuality remain at the centre of a culture war waged by a well-organised and well-funded international network of ultraconservative forces leveraging these issues for political advantage. Civil society continues to work to mobilise solidarity and defend rights, and despite the hostility, in 2022 achieved some significant gains in rights around the world.

The year offered a reminder that the trajectory of rights is non-linear and reversible: regression is possible and hard-earned rights can be lost. Where advances were made, people gained a recognition of rights that once seemed impossible. Where regression took place, as with women’s rights in contexts as different as Afghanistan and the USA, people ended the year with fewer rights than those enjoyed by previous generations.

That regression can be reversed was proved in Tanzania, where following a civil society lawsuit, a ban on pregnant girls attending school was struck down. This was one of many civil society victories around the world in 2022.

According to World Bank data, around 2.4 billion women of working age are not afforded equal economic opportunity and 178 countries maintain legal barriers against full economic participation. In 86 countries women face some form of job restriction, and 95 countries don’t guarantee equal pay for equal work. Globally, women still have only three quarters of the legal rights afforded to men.

Crucially, women also continued to be grossly underrepresented in the places where decisions are made on issues that deeply affect them. This includes the climate crisis: women made up less than 34 per cent of country negotiating teams at the COP27 climate conference, and only seven of the 110 world leaders present.

Some countries elected or inaugurated their first-ever female political leaders in 2022, starting with Honduras’s Xiomara Castro in January. Slovenia elected its first female president, Natasa Pirc Musar, in November, while in Peru, Dina Boluarte was appointed president when the office holder was ousted after trying to shut down congress.

But the fact that female leadership isn’t necessarily

**WOMEN’S EQUALITY A MOVING TARGET**

Recent crises have had devastating impacts on gender equality. Gender-based violence continued to thrive in conflict settings, such as the war in Ethiopia. The gendered impacts of war were highly visible in besieged Ukraine, with women and children the majority of a staggering eight million refugees scattered across Europe, and often subjected to perils such as sexual and labour exploitation.

Refugees are mostly women and their children carrying small bags, since men aged 18 to 60 are banned from leaving. As women make up a large proportion of refugees, there is also a lot of need for all kinds of feminine-care products. Since the early days our organisation, Menstrual Action, has been shipping sanitary products to refugees.

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a victory for women was made clear in Hungary, where Katalin Novak, a close ally of authoritarian Prime Minister Viktor Orbán and a staunch supporter of his anti-gender policies, became the country’s first female president in May. Similarly, Italy got its first prime minister in October, but in the form of neofascist leader Giorgia Meloni.

No wonder the 2022 Global Gender Gap Index was pessimistic. This analysis of progress towards gender parity in 146 countries concluded that at the current pace, it will be 132 years before the global gender gap is closed.

GENDER-BASED VIOLENCE
AN ONGOING STRUGGLE

Violence against women and girls, long the most pervasive human rights violation around the world, only worsened under the pandemic. Gender-based violence was also sure to flare with every one of 2022’s many political, economic and environmental crises.

At the same time, activism to challenge violence and advance women’s rights has been made increasingly harder by rising anti-feminist and anti-gender movements that deny the problem and refuse to acknowledge the wellspring of gender-based violence – a persisting patriarchal system that denies women their status as full subjects of rights.

In our society, women’s bodies are subject to all kinds of violence due to custom and tradition, and this is reinforced by the lack of legislation on gender-based violence that could act as a deterrent. Religious discourse degrades women instead of strengthening our role in society. Public discourse not only normalises violence against women but also justifies it by blaming the victim.

Against this regressive backdrop, women’s movements continued advocating for change while working to support survivors of gender-based violence and mobilising in outrage against acts of violence and failures to hold perpetrators accountable.

Years-long advocacy efforts led to a breakthrough in Indonesia, despite relentless anti-rights disinformation campaigns, when a Sexual Violence Bill was passed to criminalise forced marriage and sexual abuse and enhance protections for victims. In Spain, a new Law on the Guarantee of Sexual Freedom, based on the principle of consent, was passed in an attempt to challenge widespread impunity for sexual and gender-based violence.

The ‘Only Yes is Yes Law’ is a clear example of the joint work done by the women’s movement, and particularly the feminist movement, present in all spheres, including civil society and government."

It took us 10 years to get here. During the past decade, we have organised and made sure we built a unified front pushing for a law that empowers victims. A victory like this provides confirmation of the great influence our work has on society."

AZZA SOLIMAN
Centre for Egyptian Women Legal Assistance

AZZA SOLIMAN
Centre for Egyptian Women Legal Assistance

CARMEN MIQUEL ACOSTA
Amnesty International Spain

NURIL QOMARIYAH
Perempuan Bergerak, Indonesia

INDIA: OUTRAGE AS GANG RAPISTS WALK FREE

INDONESIA: BREAKTHROUGH ON GENDER-BASED VIOLENCE
At the European level, the Istanbul Convention – the Council of Europe Convention on preventing and combating violence against women and domestic violence – emerged strengthened by two new accessions. A year after Turkey became its first defector, the treaty, which aims to prevent gender-based violence, protect victims and end impunity for perpetrators, was ratified by the UK and Ukraine in July.

The regional strike that we held on 6 July was just the start of our cross-border fight against gender-based violence. Transnational feminist solidarity is vital in this struggle. The driving force of our call was sheer anger at the current situation: we will not accept more piecemeal, ineffective solutions for a problem that is systematic and systemic.”

Following a pandemic hiatus, women’s movements were again able to take to the streets in numbers on International Women’s Day (IWD) on 8 March, articulating demands for gender justice. Unsurprisingly, mobilisations often had a strong focus on various forms of gender-based violence, including sexual violence. This was seen in a wide range of countries, including Argentina, Iraq and Kenya, to name a few, while protests focused on femicides were seen in countries such as Honduras, Mexico and Turkey.

Women mobilised on the key issues in their contexts: abortion rights in Poland, rural women’s rights in Tunisia, peace and solidarity with Ukrainian women and girl refugees in Bulgaria and military rule in Sudan were among the many issues raised.

IWD saw demands for economic rights, with people raising the issue of unpaid care work in Chile and Zimbabwe, a concern that was raised later in the year in the UK, where the March of the Mummies demanded childcare reforms. This is a key global issue of gender justice: according to data from the International Labor Organization, across 64 countries over 16.4 million hours are spent on unpaid care every single day – more than three-quarters by women. If paid the hourly minimum wage, this would amount to nine per cent of global GDP – more than twice the share represented by agriculture.

Multitudes also took to the streets in June and July, prime Pride season in much of the world, to demand LGBTQI+ rights. In Chile, marchers protested against the sexual consent age law, which discriminated against LGBTQI+ people. Ages of consent were equalised soon afterwards through a reform of the Criminal Code.

Pride events were marked by a return to the roots and renewed radicalism in places with a long tradition of mobilisation, as in New York, and by an expansion in more difficult contexts to offer much-needed safe spaces to LGBTQI+ people. This was the case in Tunisia, where the third edition of the Queer Film Festival held in September offered a welcome opportunity for LGBTQI+ people to assert visibility and confront homophobic social attitudes, in a context where a power-hungry president is actively spreading homophobic hate speech.

In Serbia, anti-rights groups drawing inspiration from both the US fundamentalist Christian movement and Russian nationalists at war with so-called ‘gender ideology’ tried to force the cancellation of the EuroPride event held in Belgrade in September. When the parade proceeded regardless, they gathered to try to stop it. Violent protesters attacked police and journalists and attempted to break through the security cordon.
DIVERGENT TRAJECTORIES ON ABORTION RIGHTS

Perhaps no issue was as contested as abortion rights. But while the global headlines were dominated by regression, several countries saw progress in 2022.

In June, the US Supreme Court positioned itself at the forefront of global backlash as it overturned Roe v. Wade, the ruling that for almost 50 years enshrined women’s right to choose. The decision left abortion regulations in the hands of the USA’s 50 states and had instant effects in several that had introduced ‘trigger bans’ that took effect as soon as the ruling was overturned. Within a few months, half of US states had banned or severely restricted access to abortion, and Republican lawmakers were pushing further, trying to restrict the freedom of movement and the circulation of abortion medication.

But Republican lawmakers looked out of step when abortion rights were on the ballot, sometimes literally, as in some states during midterm elections held in November. In California, Michigan and Vermont, voters approved amendments to state constitutions to guarantee abortion rights and other reproductive health services. Voters in Kentucky and Montana...
rejected proposals to change state constitutions to deny abortion rights – just as they had done in unmistakably conservative Kansas in August. This suggested that the ultraconservative backlash was out of sync with public opinion. It offered further evidence that, in the USA at least, this is something of a top-down strategy mobilised by extremist political and religious leaders and enabled by hefty financing.

The dynamics were completely different south of the Río Bravo. In the year that followed the Mexican Supreme Court’s historic 2021 ruling deeming it unconstitutional to criminalise women for voluntarily terminating a pregnancy in the first 12 weeks, 11 Mexican states changed their criminal codes to enshrine this right. Such opposite trajectories gave rise to feminist solidarity: Mexican feminists ramped up cross-border support, drawing from experience gained during decades of underground operations.

The green wave also continued to unfold in South America. In February, a Colombian Constitutional Court decriminalised abortion on demand up to 24 weeks. This long-awaited decision was the result of a decades-long struggle by the feminist movement – but it unleashed an instant anti-rights backlash, including initiatives to reinstate restrictive laws.

Further south, what could have been a huge step forward became a missed opportunity as Chile’s draft constitution enshrining sexual and reproductive rights, including the right to abortion, was rejected in a referendum in September. As a result, a 2017 law that only allows abortion in three narrow circumstances – rape, foetal unviability and risk to the pregnant person’s life – remains in force.

 Signs that regression could be reversed came in Brazil, where President Lula announced the country’s exit from the Geneva Consensus Declaration, an anti-abortion text co-sponsored by several regressive leaders, including former president Bolsonaro, and signed by 34 countries in October 2020.

LGBTQI+ STRUGGLES FOR EQUALITY

LGBTQI+ activism is the target of the same backlash mobilised by well-resourced alliances of far-right politicians and fundamentalist religious leaders of various faiths, in countries as diverse as Indonesia and the USA.

In Indonesia, despite its progress in criminalising forced marriage and sexual abuse, later in the year a regressive new criminal code was introduced, criminalising extramarital sex with prison sentences of up to a year. Since same-sex marriage isn’t legal, this provision effectively criminalises same-sex activity. The new code also recognises local-level Sharia laws that restrict women’s rights, as well as imposing restrictions on fundamental freedoms of belief, expression and peaceful assembly.

But despite the setbacks, around the world LGBTQI+ groups pushed forward on two key issues: the decriminalisation of same-sex relations and marriage equality.

Following years of civil society advocacy efforts, in 2022 four countries – all members of the Commonwealth – scrapped colonial laws that criminalised same-sex relations. While decriminalisation by no means signifies the end of discrimination and violence against LGBTQI+ people, it’s a vital first step, as criminalisation – even when not fully enforced – enables rights violations such as arbitrary arrests and emboldens anti-rights forces to take the law into their own hands.

In response to civil society lawsuits, the Eastern Caribbean Supreme Court decriminalised homosexuality in Antigua and Barbuda in July, and in Saint Kitts and Nevis in August. The Caribbean trend continued in December, when the High Court of Barbados ruled the criminalisation of same-sex relations unconstitutional.
In Singapore, parliament decriminalised sex between men in November, but the government tried to impose a red line on any further progress, announcing its intention to change the constitution to define marriage as being strictly between a man and a woman.

Over the past decade, a decriminalisation wave has swept a dozen countries, but a majority of Commonwealth countries still criminalise same-sex acts. More progressive change can be expected soon – particularly in the Caribbean, where a multi-country litigation initiative is bearing fruit. But activists will need to counter the anti-rights influence of the church: the recent global summit of Anglican bishops regressively reaffirmed notions of homosexuality as sinful and same-sex marriage as an aberration.
Same sex marriage became legal in Chile and came into effect in Switzerland – having being overwhelmingly approved in a referendum – in early 2022. In July, same-sex marriage was legalised by Andorra’s parliament and as a result of a Constitutional Court ruling in Slovenia. It also became legal in Cuba after a new Family Code was ratified by a referendum in September.

A measure of progress was achieved even in Latvia, once rated as the worst place in the EU to be gay: a court issued the country’s first ruling on same-sex couples, recognising the relationship fits the concept of marriage even though the constitution continues to define marriage as a union between a woman and a man.

At the European level, progress came in January 2023 in the form of a ruling by the Grand Chamber of the European Court of Human Rights, which established that the Russian authorities’ refusal to give legal recognition and protection to same-sex couples constituted a violation of the European Convention on Human Rights.

In late October, same-sex marriage became legal in all of Mexico as the two laggard states of Guerrero and Tamaulipas finally brought their laws into line with a 2015 Supreme Court ruling declaring bans on same-sex marriage unconstitutional. Meanwhile, in December the US Congress passed the Respect for Marriage Act, meant to protect both same-sex marriage and interracial marriages in case the Supreme Court overturns the ruling protecting these as it did with Roe v Wade.

Several Mexican states have passed and implemented equal marriage laws years ago, despite which many obstacles still remain. Legal change does not bring instant social change. Hence the importance of continuing to focus on cultural change. Laws can change very quickly, and they do change overnight, but culture does not."

A law providing a simplified registry process to change gender in legal documents went into effect in Switzerland in January. A court ruling in Colombia in March allowed non-binary people to have their gender legally recognised. In April the USA started issuing passports with a non-binary gender option.

But a missed opportunity came in Japan in June, when a court in Osaka declared the country’s ban on same-sex marriage constitutional. Alongside their peers over the world, Japan’s LGBTQI+ activists will keep pushing to shift public opinion – and with it the views of legislators and judges – until equal rights are secured.

Further vital legal change included bans on so-called ‘conversion therapies’ – introduced in Canada, India, Israel and New Zealand – and the reduction or elimination of restrictions on blood donations by men who have sex with men in Austria, France, Greece, Ireland and Lithuania.

Some important steps forward were taken in recognising the right to identity of trans and gender-diverse people, the focal point of a toxic backlash and confected moral panic mobilised by a bizarre alliance of ultraconservatives and self-styled ‘gender-critical’ feminists.

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In Spain, a self-identification system was approved in February 2023 for people who want to change their
legal gender without having to meeting any medical requirements. A similar system was introduced in Scotland in late December but blocked in January 2023 by a UK central government increasingly preoccupied with culture war politics.

**ANTI-RIGHTS REGRESSION**

In 2022 backlash came in all forms and sizes. In the USA culture wars continued to be waged in every sphere including education, with teachers in numerous states banned from mentioning sexuality or gender in class and books removed from libraries in response to attacks from organisations of conservative parents mobilised by disinformation.

Hundreds of anti-LGBTQI+ bills were introduced in state after state during the year. Many were specifically targeted at trans people, focusing on sport, education, healthcare, ID restrictions and religious exemptions. While these have had limited success so far – only about 10 per cent have become laws – they have had far-reaching effects on the lives of trans people, starting with the damaging consequences of demonising discourse.

Heavily funded by conservative US foundations, the anti-gender movement made strides in Latin America. In Guatemala it made a bold move: on 8 March, while IWD commemorations were underway, Congress passed a law raising prison sentences for abortion, banning same-sex marriage and limiting the teaching of sexual diversity. The prospect of a presidential veto following a rapid civil society backlash forced Congress to backtrack,
but this was a powerful reminder that anti-rights groups are becoming stronger, testing the waters and working towards long-term goals.

Anti-rights groups in Guatemala are part of a highly organised and well-funded transnational movement that aims to undermine the rights of women and LGBTQI+ people, as well as the broader participation of civil society in public debate and decision-making.°

In Sudan, hopes of further progress in women’s rights that began with the 2019 transition to democracy were short-lived: after the military regained power, the morality police associated with the old dictatorship have been reinstated to keep a close eye on women’s appearance and behaviour.

In Russia, the other country that provides the other main current of inspiration for global attacks on LGBTQI+ rights the year brought further regression. In November a new law was passed widening the state’s restriction of what it calls ‘LGBT propaganda’ to outlaw pretty much any public expression of LGBTQI+ identity. The state outrageously characterises LGBTQI+ rights as a component of ‘hybrid warfare’ being waged by the west.

As the year drew to a close, women’s and LGBTQI+ rights also threatened to regress alongside democracy in Israel after an extremist and ultraconservative new government took office in December.

The same battle lines were drawn when time came to renew the mandate of the UN Independent Expert on sexual orientation and gender identity in June. Since it was established in 2016, the office has played a key role in collecting evidence, raising awareness and reporting on states’ compliance with human rights standards. Deniers of LGBTQI+ people’s rights never stopped trying to hinder its work, and it took sustained civil society efforts to get the mandate renewed, thereby making sure LGBTQI+ rights stay on the UN agenda and sustaining a key international ally and critical advocacy space.

In the vote to renew the mandate we saw two groups of states putting up resistance: countries that have never made progress in recognising rights and where there is a lot of resistance to change, and countries that are moving backwards, such as the USA.°

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TO WEAR OR NOT TO WEAR

When it comes to clothes, liberation isn’t about wearing or not wearing a particular item; it’s about the freedom to choose what to wear.

While in Iran an allegedly ‘improperly’ worn hijab triggered the most widespread and sustained challenge the country’s theocratic regime has ever faced, in India the hijab became a symbol of dignity, pride and resistance against a spreading wave of Islamophobia.

In early 2022, in a move led by Prime Minister Narendra Modi’s Hindu nationalist party to stoke religious divisions for political gain, Muslim students in parts of the country were banned from wearing hijab to class. At a single stroke, they experienced violations of their rights to free expression, free manifestation of religious beliefs and education.

The hijab ban is a complete violation of women’s rights to express their own identities. It should be my choice alone whether to wear the hijab or not.

But this time around, right-wing populists may have picked the wrong target. Indian Muslim women resisted, refusing to be the pawns in someone else’s political game.

WOMEN AGAINST THE THEOCRACY

The most extreme example of regression came in the form of steps taken by the Taliban throughout the year to erase women completely. The Islamic Emirate of Afghanistan declared in September 2021 became real on 14 November 2022 when its supreme leader ordered the full implementation of Sharia law. This had immediate and far-reaching implications for LGBTI+ people who were forced to hide to survive and women who were pushed into the private sphere, isolated and bullied into compliance. For women, the last spaces to go were universities and civil society jobs, both of which they were banned from in December. Before then, in Kabul they’d been banned from public spaces such as funfairs, gyms and public parks.

Afghan women refused to go quietly, staying instead at the forefront of civil resistance. Violent repression saw them adapt, with protest numbers typically small, protests moving indoors or online as needed and protesters wearing masks to protect their identities.

Afghan women have been the main force behind civil or non-violent resistance to the Taliban. The first recorded women-led protest took place just days after the Taliban seized Kabul. It started with four or five major groups protesting for girls’ right to education, women’s right to work and freedom of movement.”

Protests – initiated by young women, soon joined by their male classmates, colleagues and friends – quickly made broader demands for political and social change. The authorities responded accordingly, escalating repression, manipulating the criminal justice system and using the death penalty to punish protesters and try to deter others.

While the Taliban consolidated their power in Afghanistan, Iran’s longstanding theocratic regime faced its biggest-ever threat. In mid-September the death of a 22-year-old Kurdish woman, Mahsa Amini, at the hands of the morality police for allegedly breaching strict hijab rules sparked an unprecedented wave of mobilisation.

Iranian women are routinely harassed in public by regime officials and pro-regime sympathisers for ‘bad hijab’ and are even banned from singing and dancing, hugging or touching men who are not their relatives, among too many other things. Many Iranian women are tired of the constant policing of their appearance and behaviour. They want to be free to get on with their lives as they see fit.”

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2023 STATE OF CIVIL SOCIETY REPORT
Iran’s theocracy withstood past protest waves, but the leaderless, fearless movement currently standing up to it is a bigger challenge. Convinced they have more to lose if they stay home and accept the status quo, young protesters have kept up the fight. But success is far from guaranteed: the regime they face remains a formidable force.

What happens next will depend on the capacity of protesters – the resources they can gather, the groups they can bring together, the leadership they build and the collective narrative they produce out of compelling personal stories – and international influences and pressures.”

In Iran as elsewhere, the future is uncertain, but one thing seems clear: in the struggle for rights defeats happen but even then the desire for change can’t be extinguished. Where there is oppression, resistance will sooner or later resurface.

With intense attacks taking place on gender equality and sexual and reproductive rights, transnational civil society solidarity is more necessary than ever to raise awareness, share tactics, pool resources and push back.

In the light of the critical role of street mobilisation in the fightback against attacks on gender identity and sexual and reproductive rights, civil society must focus on safeguarding the freedom of peaceful assembly, including by ensuring perpetrators of violence against protesters are held accountable.

Strategic litigation at the national and international levels has proven to be an effective strategy to expand rights. Civil society should engage with courts and human rights institutions to achieve further progress.