

OPPRESSION AND OPPORTUNITY

A STUDY ON SRHR
AND SHRINKING SPACE

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EXECUTIVE SUMMARY

2018 was the thirteenth consecutive year in which states with negative democratic development outnumbered those with positive democratic development. The international CIVICUS network classifies the space for civil society in all UN member states in categories ranging from closed to open. Their April 2017 compilation shows that only three percent of the world's population live in what can be considered open societies for civil society organizations. Around 44 percent live in states where civic space is either completely closed or subjected to severe restrictions. Actors in civil society face increasing social, financial and legal restrictions as well as threats against themselves and their families and even physical violence. Restrictions and attacks on civil society have detrimental consequences for women's rights and sexual and reproductive health and rights (SRHR), including LGBTIQ activists who already face structural discrimination and often depend on civil society as the only sphere where they can express themselves and organize. Increasing religious fundamentalism and the close ties and frequent interaction between religious institutions and the state means that women's reproductive rights are under constant attack.

Civil society plays a crucial role in promoting and upholding human rights. International agreements such as the Sustainable Development Goals (SDGs) and the Paris Climate Accord depend on a strong civil society to act as watchdog, advocator and implementer.

In this study we look more closely at the situation for SRHR including LGBTIQ activists with help from interviewees in partner organizations of RFSU around the world. We asked them about the obstacles they experience in their work to advance SRHR rights; their strategies to get the work done in difficult circumstances; and what they consider to be the factors that enable them to do their work. Through these interviews and a workshop with the interviewees, it has become clear that there is no simple answer to the question whether SRHR activists and organizations face more severe restrictions on their work because of the global trend of shrinking space for civil society. In some cases SRHR organizations in fact seem to do better than some of the more high-profile human-rights based or anti-corruption organizations. Sometimes this is due to the state depending on them for service delivery; sometimes it seems to be connected to the country striving to get closer to certain international communities; or sometimes it is because of adopting to international conventions. The formal space for SRHR issues is widening in some areas of the world. On the other hand, the Global Gag Rule has had enormous negative impact on the ability of organizations to exercise the right to freedom of expression and assembly and, as a result, the advancement of the right to safe abortion.

It became clear during the work on this study, that SRHR activists are now so used to being threatened, called names or laughed at, due to the controversial nature of the issues, that they do not even consider mentioning it, or identify it as oppression in interviews. "It comes with the territory", they seem to think. Working in an environment that is hostile, at least in part, has become normalized or internalized for them. The hostility isn't necessarily an expression of shrinking space in the way that trend has been described in the last, let's say, decade – state orchestrated restrictions on civic space. However, the restrictions identified – which have been implemented in the name of the nation, morality or God – do limit the space for these organizations and activists, and are implemented in parallel or together with authoritarian and protectionist ideologies.

SRHR organizations working on service delivery and public health issues have some advantages when it comes to cooperation with and access to authorities, as well as funding. But those advantages come with some strings attached, requiring them to "play by the rules" and be cautious with criticism. They need to adapt the language they use so as not to come into conflict with the official discourse. Like other civil society organizations, they experience a silent marginalization by being excluded from meetings and processes. They receive threats online and in real life. In some cases they are forced to risk their personal safety. Most of them are constantly short of core and long-term funding.

In order to cope, they seek to mobilize community support. They are able to do this quite successfully as they are often involved in outreach and community based work. Again, service provision and their focus on health work to their advantage. This also helps in building coalitions with other civil society organizations. They implement security measures to guarantee the safety of their staff, and they use the court system and international conventions to make their cases. They do innovative communication work to counter the well-financed and internationally-organized resistance from socially-conservative, religious and right wing opposition groups. Partners strongly believe that international support and networking is of huge importance. They also underline the need for evidence-based research to bolster the case for the need for sexual and reproductive rights to be accessible for everyone.

1.

INTRODUCTION TO THE STUDY, BACKGROUND AND TERMINOLOGY

Introduction

Civil society is founded on the realization of three fundamental rights: free association; peaceful assembly and freedom of expression. These rights define the boundaries of civic space that allow civil society to function.¹

Over the past few decades, civil society has been facing what is commonly referred to as a shrinking space. This refers to a global, regional and national clamp-down on civic space and democracy. This often manifests itself in restrictive laws, limiting the scope for the activities of civil society organizations. Some regimes use both formal and informal tactics to restrict civil society, including targeting foreign funding, freezing accounts and unlawful deregistration among others.² This growing phenomenon has many deep-seated structural drivers, which is in part linked to an authoritarian turn across the globe and a growing anti-liberal social agenda.³ Organizations that work on issues that are legally or socially restricted such as abortion, comprehensive sexuality education and LGBTIQ rights, face additional threats of social exclusion, imprisonment or even physical violence or murder.⁴

The report *"Suffocating the movement - shrinking space for women's rights"*⁵ states that although shrinking space is widely debated and documented - the gender aspect of shrinking space has mostly been overlooked. The report also finds that groups that historically have been excluded or experienced social discrimination are the most affected by such restrictions. The report is important evidence of the experiences of women's rights activists and the obstacles and threats they experience as women who speak up (challenging what women can do) and claim women's rights (challenging the prevailing norms and attitudes).

RFSU and its international partners have identified the existence of shrinking space as well as the lack of documentation linking shrinking space in civil society with the thematic issues we are addressing. Several partner organizations have experience of using their time and funds to counter harassment and implement security measures, rather than focusing on their ordinary work. Similarly to the conclusions of the "Suffocating the movement"-report,⁶ one possible consequences of the gaps in documentation on shrinking space for SRHR and LGBTIQ organizations is that the international community might fail to respond and provide support.

A specific challenge for civil society organizations working with sexual and reproductive rights is the widespread, strongly-felt and deeply-rooted resistance to such rights among decision makers, civil society actors and individuals in society. Working for everybody's right to decide over their lives and their body is one of the most fundamental rights in a democratic society – but also one of the most controversial. That everyone should have the authority to decide whether to have a child or not, when and with whom, to express their gender identity, and to have those rights acknowledged – these are questions that challenge deeply-rooted norms and values in all societies. The ability of SRHR organizations to advocate is determined by policy, legal frameworks and access to financing, and also by the societal climate. Active civil, religious and political resistance is organized against SRHR actors nationally, regionally and globally.⁷ This also represented something of a challenge for this study, as it can be difficult to distinguish between the "traditional" resistance to SRHR organizations and activists, and expressions of shrinking space for civil society.

SRHR is a broad and comprehensive area to cover. This study focuses on: organizations working for the rights to Comprehensive Sexuality Education (CSE); the right to abortion; and non-discrimination, mainly with regards to LGBTIQ rights. These three areas are considered to be the most disputed; they therefore attract greater risks in terms of safety, as well as other limitations of the civil society space.

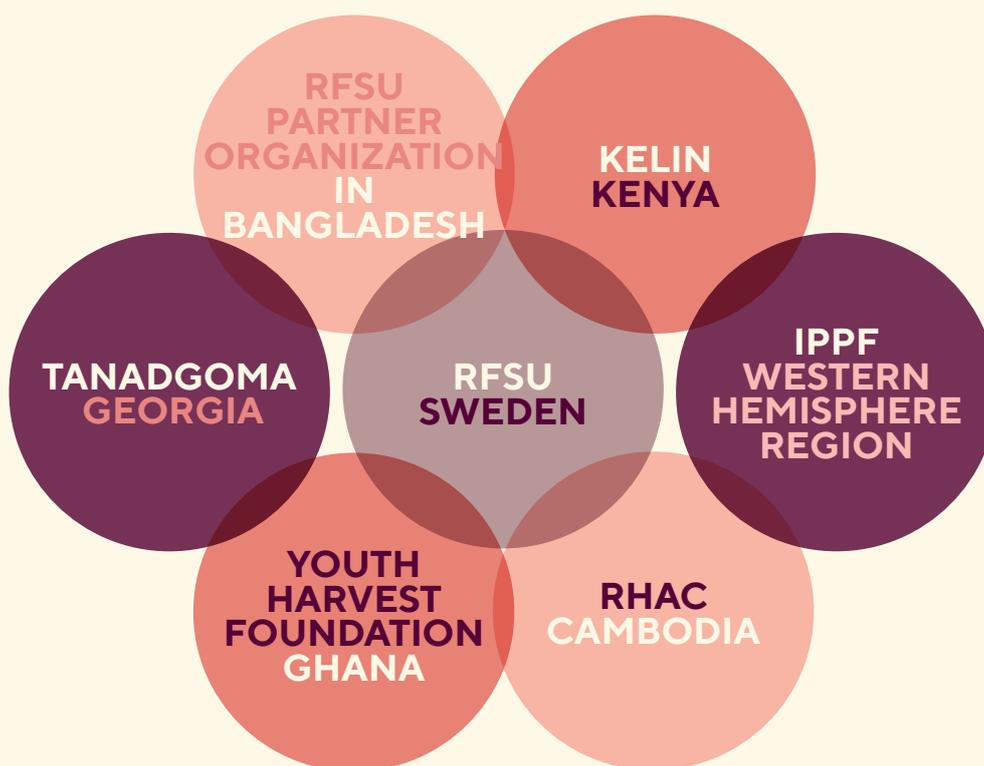
The Learning for Change (L4C) network

The Swedish Association for Sexuality Education (RFSU) is a Swedish nonprofit organization that works to form public opinion formation on sexual and reproductive health and rights, providing information and education on sexuality and relationships.⁸ L4C is a network developed by SRHR civil society organizations for SRHR civil society organizations – all of which are partners of RFSU. By providing a platform for learning between partners and RFSU to learn from each other, opportunities are created to gather a diversity of experiences, ideas and knowledge.⁹

The L4C network represents civil society organizations from several countries. Their experiences of shrinking space for SRHR and LGBTIQ work varies depending on the context, issues and country. But despite of the variations and differences, there are similarities. It is considered important to include aspects of belonging to a discriminated group and simultaneously working for the rights of that group, which increases the vulnerability.

The L4C network has therefore agreed to take the initiative with this study to documenting experiences of the shrinking space and the specific issues related to working on abortion rights, CSE and LGBTIQ rights. In addition to experiences from civil society organizations and rights holders, this study also includes a review of the literature and discourse on the shrinking space. The objective is for this study to be useful as an advocacy and evidence-based learning tool.

Current members of the L4C network:



¹State of civil society 2016 civic space: rights in retreat, civil society fighting back.

www.civicus.org

²Directorate-General for External Policies (2017) "Shrinking Spaces for Civil Society; The EU Response" available at [http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578039/EXPO_STU\(2017\)578039_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578039/EXPO_STU(2017)578039_EN.pdf)

³Directorate-General for External Policies (2017) "Shrinking Spaces for Civil Society; The EU Response" available at [http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578039/EXPO_STU\(2017\)578039_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578039/EXPO_STU(2017)578039_EN.pdf)

⁴L4C Research Study: Draft Concept note

⁵Suffocating the Movement - Shrinking space for women's rights; Kvinna till Kvinna, Christina Wassholm 2018

⁶see nr 5

⁷Position paper by RFSU, Nov 2016

⁸See www.rfsu.se/om-rfsu/om-oss/in-english/

⁹RFSU ppt L4C for change – a creative network of RFSU partners

Methodology

The research and documentation process involved a desk review and interviews with seven key interviewees as the main tool in data collection. The findings were analyzed with the interviewees in a workshop in November 2018 and can be found in this report.

All of the interviewees were given the chance to authorize the use of their information and quotes. Those who so wished have been made anonymous.

Limitations

This study was not seeking to produce an academic paper, but to make voices heard and experiences visible. This is a case study based on the experiences of seven SRHR organizations working in seven countries or regions. We cannot conclude that the findings of this study are applicable to other organizations in other countries. All but one of the interviewees are based in capitals or large cities. Their experiences are likely to differ from those experiences of smaller organizations based in rural areas within the same country.

Definition of terms in this report:

SRHR:

The term "sexual and reproductive health and rights" (SRHR) was explored nearly 20 years ago at the Cairo International Conference on Population and Development and the 1995 Fourth World Conference on Women held in Beijing. The 2018 Guttman–Lancet Commission proposed a new and comprehensive definition of sexual and reproductive health and rights:

Integrated definition of sexual and reproductive health and rights¹⁰

Sexual and reproductive health is a state of physical, emotional, mental, and social wellbeing in relation to all aspects of sexuality and reproduction, not merely the absence of disease, dysfunction, or infirmity. Therefore, a positive approach to sexuality and reproduction should recognize the part played by pleasurable sexual relationships, trust, and communication in the promotion of self-esteem and overall wellbeing.

All individuals have a right to make decisions governing their bodies and to access services that support that right. Achievement of sexual and reproductive health relies on the realization of sexual and reproductive rights, which are based on the human rights of all individuals to:

- have their bodily integrity, privacy, and personal autonomy respected;
- freely define their own sexuality, including sexual orientation and gender identity and expression;
- decide whether and when to be sexually active;
- choose their sexual partners;
- have safe and pleasurable sexual experiences;
- decide whether, when, and whom to marry;
- decide whether, when, and by what means to have a child or children, and how many children to have;
- have access over their lifetimes to the information, resources, services, and support necessary to achieve all the above, free from discrimination, coercion, exploitation, and violence.

Essential sexual and reproductive health services must meet public health and human rights standards, including the "Availability, Accessibility, Acceptability, and Quality" framework of the right to health. The services should include:

- accurate information and counseling on sexual and reproductive health, including evidence-based, comprehensive sexuality education;
- information, counseling, and care related to sexual function and satisfaction;
- prevention, detection, and management of sexual and gender-based violence and coercion;
- a choice of safe and effective contraceptive methods;
- safe and effective antenatal, childbirth, and postnatal care;
- safe and effective abortion services and care;
- prevention, management, and treatment of infertility;
- prevention, detection, and treatment of sexually transmitted infections, including HIV, and of reproductive tract infections; and
- prevention, detection, and treatment of reproductive cancers.

¹⁰Accelerate progress — sexual and reproductive health and rights for all: report of the Guttman–Lancet Commission [https://www.thelancet.com/pdfs/journals/lancet/PIIS0140-6736\(18\)30293-9.pdf?code=lancet-site](https://www.thelancet.com/pdfs/journals/lancet/PIIS0140-6736(18)30293-9.pdf?code=lancet-site) page 2646

CSE:

”Comprehensive sexuality education (CSE) is a curriculum-based process of teaching and learning about the cognitive, emotional, physical and social aspects of sexuality. It aims to equip children and young people with knowledge, skills, attitudes and values that will empower them to: realize their health, well-being and dignity; develop respectful social and sexual relationships; consider how their choices affect their own well-being and that of others; and, understand and ensure the protection of their rights throughout their lives.”¹¹

Sexuality and non-discrimination:

The principle of non-discrimination seeks ”to guarantee that human rights are exercised without discrimination of any kind based on race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status such as disability, age, marital and family status, sexual orientation and gender identity, health status, place of residence, economic and social situation.”¹²

Abortion rights:

Everyone has the right to safe and legal abortion. Abortion should not be restricted, prohibited or criminalized.

The right to safe and legal abortion is supported by numerous binding international treaties, grounded in the rights to life; health; liberty and security of person; privacy; equality and non-discrimination; information; freedom from cruel, inhuman or degrading treatment or punishment; and the enjoyment of the benefits of scientific progress.¹³

¹¹UNESCO: International technical guidance on sexuality education – an evidence informed approach, UNESCO 2018

¹²Committee on Economic, Social and Cultural Rights, General Comment No. 20, Non-discrimination in economic, social and cultural rights; 2009

¹³RFSU International Programme Strategy: 2015-2020. SRHR for all. Page 9

2.

SHRINKING SPACE

What does shrinking space look like?

We will start by considering the rights of civil society. As mentioned in the introduction, these can be summarized as the freedom to exercise three interdependent rights: freedom of assembly; freedom of association; and freedom of expression. Shrinking space is characterized by state-sponsored or non-state actors' placing restrictions on these fundamental rights.

Shrinking (civic) space is the most frequently used term to capture the process of increasing restrictions on civil society, and it is also the term used in this report. Sometimes the context makes it relevant to use the term closing or closed space.

Shrinking space describes a situation of increasing criminalization and bureaucratization of human rights work, aiming to make life difficult for activists and civil society organizations, and preventing them from carrying out their work. Sometimes freedom of association and assembly are directly restricted, but authorities can also use other forms of legislation to harass human rights defenders. This means, for example, that human rights defenders might find themselves forced to use human and financial resources to counter an administrative burden or harassment rather than to perform their work. Public defamation campaigns and prosecutions aimed at discrediting activists and organizations cause long-lasting damage to the public image of human rights defenders. This also leads to self-censorship – with activists becoming cautious about what they do and say.

Countries copy legislation and practices from each other. Between 2014 and 2016, more than 60 states adopted laws that classify organizations receiving international support as foreign agents.¹⁴

Restrictions and attacks on civil society have detrimental consequences for women's rights and minority groups who already face structural discrimination and often depend on civil society as the only sphere where they can express themselves and organize.

The global context of shrinking space

2018 was the thirteenth consecutive year in which states with negative democratic development outnumbered those with a positive democratic development. The CIVICUS international network classifies the space for civil society in all UN member states in categories ranging from "closed" to "open". Their compilation from April 2017 shows that only three percent of the world's population lives in what can be considered open societies, where space for civic activism is truly open. Around 44 percent live in states where civic space is either completely closed or subjected to severe restrictions.

Most countries with severe restrictions on civil society are societies witnessing high levels of militarization, an increasing focus on political and nationalistic security, and growing social conservatism.

Among their top ten trends, CIVICUS noted divided societies, the personal rule of political leaders and the undermining of democratic institutions. We can see a trend of authoritarian leaders acting in a setting that looks democratic, but where the institutions are either weak or politicized. Several countries have re-written legislation to criminalize public protests. Independent media is under attack, and restrictions on online media are limiting online freedom. The report also discusses the rise of "un-civil" society, or GONGOS (Government Organized Non-Governmental Organizations), as a smooth way for authoritarian regimes to pretend to support civil society while at the same time getting rid of criticism. A calculation by Reuters shows that 34 out of 47 Chinese organizations with the right to attend meetings of the UN Human Rights Council could be considered to be GONGOS.¹⁶ One trend called "Patriarchy under spotlight" refers to the #metoo – a movement that was not primarily driven by NGOs but by individuals; a social movement that was formed on social media. (Other similar examples include the mobilization in Argentina and the "green wave"). "These are issues that demand long-term change, and it is our duty as progressive civil society to deepen the discussion and recognize

overlapping inequalities and discriminations, and push for greater representation and remedies for the disadvantages faced by women from excluded groups, impoverished and immigrant women, and lesbian and transgender women, among others”.¹⁷

Civil society plays a crucial role in promoting and upholding human rights. International agreements such as the Sustainable Development Goals (SDGs) and the Paris Climate Accord depend on a strong and diverse civil society to act as watchdog, advocator and implementer.

How shrinking space affects different groups

Groups that have historically been excluded or experienced social discrimination are the ones most affected by the restrictions. They are often targeted by both state and non-state actors. In its State of Civil Society Report 2016, CIVICUS argues that those who are excluded already have the smallest voice in society, and therefore can least afford to experience any further restrictions.¹⁸

For civil society to be effective in advocating for democracy and human rights, it has to be diverse and inclusive, so that the voices of marginalized groups can be heard. This prerequisite faces serious risks as the shrinking space phenomena hits unevenly.

Recent reports by Mama Cash and Urgent Action Fund,¹⁹ and The Kvinna till Kvinna Foundation²⁰ have researched the gender aspect of shrinking space. Those reports found some important differences in how women human rights defenders are attacked and obstructed in their activism, compared to the male activists. For example, women human rights defenders are more often targets of slander and alleged sex scandals designed to destroy their reputation. They are also threatened with or exposed of sexual violence. Although these reports examine some aspects related to SRHR, most noticeably the opposition to LGBTIQ activists, there is a lack of research on the specific ways that shrinking space affects SRHR activists and organizations.

¹⁴Civil Society Under Assault: Repression and Responses in Russia, Egypt and Ethiopia (2017) by Saskia Brechenmacher at Carnegie Endowment for International Peace

¹⁵https://www.civicus.org/documents/reports-and-publications/SOCS/2018/socs-2018-over-view_top-ten-trends.pdf

¹⁶<http://www.icnl.org/news/2018/Effective%20donor%20responses%20FINAL%201%20May%202018.pdf>, page 11

¹⁷https://www.civicus.org/documents/reports-and-publications/SOCS/2018/socs-2018-over-view_top-ten-trends.pdf page 15

¹⁸https://www.civicus.org/documents/reports-and-publications/SOCS/2016/summaries/State-of-Civil-Society-Report-2016_Exec-Summary.pdf, page 15

¹⁹Standing Firm – Women- and Trans-Led Organisations Respond to Closing Space for Civil Society, Mama Cash and Urgent Action Fund, 2017

²⁰Suffocating the movement – shrinking space for women’s rights, Kvinna till Kvinna, 2018

The connection between nationalism and limitations of SRHR/LGBTIQ rights

Democracy as a governing system is declining and being replaced by authoritarian models, with nationalistic parties gaining more influence globally. There are clear links between oppression related to gender and sexuality and the rise of nationalism in societies. It is therefore important to try to separate the resistance to the rights of women and LGBTIQ-persons that is originating from nationalistic ideology from governmental limitations of space for civil society organizations in general.

For nationalistic parties the politics of family and sexuality is strongly connected to the nation. Nationalism focuses on the "designated" different roles that women and men have in a nation. The traditional heterosexual nuclear family is the foundation underpinning the nation. In the eyes of nationalism, the right to abortion is a threat to the nation's ability to survive.²¹

The essential idea of pushing for traditional values is to preserve the hetero-normative patriarchal family which further contributes to the shrinking space for women in general, and for SRHR and LGBTIQ activists in particular.

Abortion rights at risk

The traditional resistance to abortion is generally based on one argument; human life begins at conception. The same argument is also used by right-wing populists and extremists, but they are more interested in the nationalist argument. This says that women who have abortions are letting the nation down and undermining its survival.²²

What we are seeing today is the coming together of traditional religious-based resistance and increasing right-wing populist resistance. For example, this could be seen in the European parliament at the end of 2013, when the so-called Estrela report – with recommendations to the member states on sexual education, access to contraception and the right to safe and legal abortions – was voted down.²³ It is also visible in negotiations on SRHR at the UN, where the current administrations of countries such as the US, Iran, Egypt, the Vatican, Russia and Hungary share positions and strategies.

The Global Gag Rule (GGR) reinstated by the Trump presidency is another example of this. As a relatively large part of the health sector in several low-income countries is financed by US development aid and civil society actors, the GGR has a huge negative impact. Funding cuts limits the freedom of expression of civil society organizations and their ability to contribute to awareness about and access to abortion, and to information about and access to contraceptives. As a consequence, the number of unwanted pregnancies increases and more women die in unsafe abortions.²⁴

There are also warnings that the funding for health services will instead go to Christian evangelical groups with a conservative agenda. In fact, the US State department has proactively encouraged those groups to apply for funding to provide health services abroad.²⁵ A recent leak from the US State department revealed plans for US diplomats to no longer use the phrases such as "sexual and reproductive health and rights" and "comprehensive sexual education".²⁶

²¹Patriotism and Patriarchy – The impact of nationalism on gender equality, Kvinna till Kvinna 2014, page 4

²²Ibid, page 4

²³<https://euobserver.com/social/122418>

²⁴<https://www.opensocietyfoundations.org/explainers/what-global-gag-rule>

²⁵<https://thehill.com/opinion/healthcare/417619-under-trump-there-has-been-a-takeover-of-global-public-health-services>

²⁶<https://www.politico.com/story/2018/10/31/state-department-ban-terms-sexual-health-907134>

“Gender ideology”

In nationalist ideology, the smallest unit of a nation is the heterosexual nuclear family, with traditional gender roles. Traditional gender roles imply that women are responsible for giving birth and caring for children and the elderly. This is why nationalist ideology is claiming the rights over women’s bodies and their reproductive rights. Feminism and the fight for women’s rights and the rights of LGBTIQ people rights are often said to be about “western values” and are described as not being part of the country’s national and cultural identity.

It has for example become increasingly difficult to raise and discuss women’s sexual and reproductive rights in the UN, or indeed to talk about gender equality. The term gender has become strongly connected to the promotion of homosexuality and the destruction of traditional family values. UN resolutions adopted by the Human Rights Council in Geneva contain clashes between the individual human rights of women, on the one hand, and traditional and family values on the other. What is problematic with these resolutions is that human rights are individual rights, but the resolutions want to protect the unit, the “family”. In this unit, women and girls often do not have the right to make decisions. Civil society organizations working on LGBTIQ-rights face multiple challenges. Some countries systematically refuse to grant registration – and therefore legal personality – to these organizations, on grounds of public order and morals. At the UN level, these organizations are facing delays or denial of their requests for obtaining ECOSOC status. On top of this, the consultative status of the Coalition of African Lesbians – at the African Commission of Human and People’s Rights (ACHPR) has been withdrawn.

In South and Latin America there has been an increase in campaigns against “gender ideology”, which are gaining traction throughout the region. 2016 saw the launch of a new movement opposing comprehensive sexuality education in Peru. The movement, “Con mis hijos no te metas” – or “don’t mess with my children” – is aimed at opposing curricula that highlight gender equality and LGBTIQ rights through advocacy and the media. Most recently, this movement could be seen vehemently opposing the reform of Argentina’s sexuality education law.

One example occurred in São Paulo, Brazil, in November 2017, when right-wing activists organized a protest against the visit of the American gender theorist Judith Butler to a democracy seminar. The protesters set fire to a doll symbolizing Butler, and held up signs saying “Death to gender ideology” and “Girls and boys are born different”. Prior to the seminar, the right-wing group had gathered 300,000 signatures protesting against Butler’s appearance in Brazil. Right-wing groups have been growing in Brazil over recent years and their political candidates have considerable support.²⁷ In October 2018, one of them, Jair Bolsonaro, was elected as president of Brazil.

Increasing religious fundamentalism and the close ties and frequent interaction between the religious institutions and the state means that women’s reproductive rights are under constant attack; SRHR activists can bear witness to this having been the case long before the term “shrinking space” was on anyone’s lips.

While discrimination against women is evident in almost all areas of life, it is in the area of sexual and reproductive health that it reaches its most shocking levels. Gender stereotypes and bias are most clearly revealed in the regulation of woman’s sexuality and reproduction. This also brings into focus prevailing ideas about the roles that women should play in society and how these are imposed on all women through legislation and highly discriminatory practices.²⁸

²⁷<https://sverigesradio.se/avsnitt/973096>

²⁸<https://www.amnesty.org/download/Documents/AMR0133882016ENGLISH.PDF> page 6

3.

**VOICES ON
SHRINKING SPACE FOR
SRHR ORGANIZATIONS**

In this section we present our findings from our interviews with RFSU partners from seven countries or regions. An important question here is how to distinguish between the traditional opposition to the advancement of women's rights, particularly sexual and reproductive rights, and the degree to which this is an expression of shrinking space. It is safe to say that the global anti-democratic, populist and right wing trend does not work in favor of advancing SRHR. Evidence from activists confirms that this opposition is now more organized than ever.



"What is new about this opposition is that it is more organized and more capable of spreading nimbly throughout the region – we might see an incident or protest in one country one week, followed by an incident in another country two weeks later. This movement has also been able to gain significant traction on social media, including videos on YouTube using well-known figures to deliver their message," says Alejandra Meglioli of IPPF/WHR.

Below we summarize what our interviewees identified as the limitations on their activism, and the consequences of these limitations. This is followed by a list of coping strategies and what can be considered as enabling factors in a shrinking space context.

Obstacles for organizations and activists engaged in SRHR and LGBTIQ rights

Firstly, many of the interviewees stated that there is indeed a space for SRHR organizations to act, even in some countries or regions where the overall climate for civil society is tough. In countries such as Kenya and Cambodia, the regimes are coming down hard on independent media and NGOs criticizing the government. But at the same time SRHR organizations can exist and even experience some successes, in improved legislation or implementation of CSE in the school system.



"There is a tendency to attack CSOs who receive foreign funding, especially those working on governance issues, when there have been terrorist attacks. For us in health services it is easier," says Nerima Were from the organisation Kelin organization in Kenya.

An interviewee from Bangladesh puts it like this:



"The government doesn't want to see that the civil society becomes too strong and empowered in general. But when it comes to organizations like ours, there is some positive development, on sexual education, for example. I believe it is thanks to education from the development partners, and international pressure."

At the same time, it is clear that there are boundaries within which these organizations are allowed to operate. Conditions for this seem to be do not to criticize the government in public and to "play by their rules".



“It’s fine when you go to meetings and give input, but when you start criticizing you start seeing a shift of attitude. The NGOs working on governance are more attacked, but it’s just a slippery slope, the government doesn’t like to be crosschecked,” says Nerima Were from Kelin.

So, there is awareness that when some parts of civil society are facing repression, the chances are quite big that other parts of civil society will be targeted as well, sooner or later.



“Those who work on lands issues and human rights issues, they experience a shrinking space. They try to adjust what they do and what they say. For us, we work more on services, even though we of course talk about rights too. We feel a little bit more concerned than we used to feel. From the passing of the new NGO law, the news that the government closed down a newspaper, arrested activists - overall there is a general concern”, says Chivorn Var from RHAC in Cambodia.

A common feature of restricted space is the silent marginalization of civil society. For example, when six East African countries met to discuss a regional SRHR bill, civil society was not included in the negotiations. The bill was not passed. CSOs are allowed to be present at observers at the African Union, but only those who do not have any foreign funding.

The interviewees also raised concern about what they experience as a way of being marginalized by the state, for example when state institutions take over some tasks and responsibilities that previously had been carried out by civil society – in this case related to health services – without acknowledging the experience and community contacts of civil society organizations. Another interviewee described how his organization was denied permission to work with CSE in schools in the country. The ministry of education said the reason was that they wanted to streamline CSO activities in schools, but the interviewee suspects the real reason was to manipulate the CSE content in less a progressive curriculum.

Another form of opposition is stigmatization, a feature so common for SRHR activists and so “normal” to the activists interviewed, that they don’t even seem to notice it. “In general we have a good climate”, they say, adding “of course, people say we teach children to have sex”.



“The state is dismissing our agenda, or misleading our agenda, and they are using the media to discredit us. Basically, if you are working with the LGBTIQ issue – you have foreign money; if you work with SRHR – you are an abortionist, wanting to destroy family values; and if you work with CSE – you are teaching children to have sex”, says Nerima Were from the organization Kelin in Kenya.

There are examples of online threats, but these are not reported on a very large scale. In the case of RFSU Stockholm, the online threats often come from more fundamentalist religious groups, attacking the abortion rights and sexuality education for children; however, these seem random rather than organized.



"I did receive threats, on social media, comments on that we should stop breaking norms of society, saying that if I don't stop I there will be consequences."

Several organizations in Latin and South America have had their offices vandalized, with threatening messages written on the walls. When the abortion law was discussed in Chile last year, the office of one abortion rights organization was vandalized and their computers were stolen. The information on the computers was leaked. Similarly, in connection to the congressional debate on abortion in Argentina, CSOs have had their offices vandalized and graffiti with threatening messages was painted on the walls of a clinic. The RFSU office in Stockholm was visited by the extreme-right wing Nordic Resistance Movement group, who put up barrier tape and wrote threatening messages.



"We are seeing more violent attacks. When there are events connected to new laws, the voice of the opposition is amplified, and visible everywhere," says Alejandra Meglioli of IPPF/WHR.

When the media came up during the interviews, it was often as a voluntary conduit for spreading rumors or reinforcing stereotypes. Media close to the government, or to non-state actors such as religious communities, channel messages about CSOs receiving funds from the west, insinuating that they are in fact foreign agents with a demoralizing agenda, for example connected to the rights of the LGBTIQ population.

An example of how non-state actors contribute to the shrinking space is the meddling of the Orthodox Church in secular matters in Georgia. The Tanadgoma organization was giving sessions on reproductive health at a summer camp for teenage school students, organized by the Ministry of Education. The media published stories about one of the organization's facilitators being gay and that the sessions were propaganda for homosexuality. The organization was told to stop with the sessions by the Ministry of Education.



"The fact is that the ministry pays a lot of attention to what the religious actors are saying. The church is intervening in a lot of things, even though we are living in a secular country," says an interviewee from Tanadgoma.

Overall, the lack of core and long-term funding constitutes a barrier to the work of SRHR organizations. Some of the interviewees operate in countries where legislations restricts their ability to receive foreign funding. The Global Gag Rule has had severe consequences for several of these, and while some donors are stepping in to bridge the gap, this is not sufficient.



"Some national funding is coming with requirements, like not to do things with the LGBTIQ issue, or with CSE - if your program contains topics like LGBTIQ or abortion you cannot get that grant. When looking for funding opportunities we carefully look at what the requirements are, and don't apply if the requirements are not appropriate in our context," says Urban Akagwire at the Youth Harvest Foundation in Ghana.

Consequences for being a right-based organization and activist within human rights

For some interviewees, the consequences are risk to their personal security. Stigmatization and trans- and homophobia are strong in many of the countries where the interviewees operate. That also affects the individual space a person experiences.



"Personally, I have to follow travel restrictions and be careful about my movement. After several activists were murdered in 2016, we produced security guidelines in the organization. I have to be very, very careful in terms of traveling and my movement. I have also been suggested to relocate, but I refuse," says an interviewee from Bangladesh.



"Part of my life is that I am a trans gender person. I have had to relate to security a big part of my life. I sometimes think that I should get involved in party politics, but that it is not worth it because of the exposure and the risks. It is awful that I think like that," says Noah Elstad from RFSU Stockholm.

Nearly all the interviewees state that they experience restrictions on the language they can use, based on what is seen as culturally and politically acceptable in their society. They use words and terminology in line with the national policies to be able to access institutions. One partner organization in Kenya offers trainings for the police and has to find ways to frame the discussion in a country where there is hardly any space to talk about abortion rights.



"Yes of course we have to compromise. We are very careful in terms of language, we never use the term LGBT publicly. Instead we use buzzwords that the government can accept. We are very open within the organization, and with friendly stakeholders. Our concern is with the government, to be honest," says an interviewee from Bangladesh



"It is increasingly difficult to have discussion about abortion rights. Especially to raise them at more high-level meetings, it is a contentious issue in our country. For them it is considered a crime. How we frame our discussion is highly influenced by the atmosphere in the country," says Nerima Were from Kelin.

Coping mechanisms used and strategies applied to counter the development of shrinking space

Mobilizing the community support is absolutely crucial to being able to act in a tough climate. One of the most common features in the context of a shrinking space context is the attempts of the regime, and sometimes other actors, to discredit the CSO. Having a strong support base in the local community that knows what you are doing, even when you are portrayed as a foreign agent, or accused of money laundering or supporting terrorism, is a precondition for being able to survive such attacks. IPPF/WHR is currently exploring how to mobilize existing support for IPPF among their clients, to make them their defenders. This is something that Planned Parenthood USA is already successfully doing. Targeting key community members to overcome social opposition to "controversial" topics is a strategy used by many organizations working in a climate of social and cultural opposition to the topics.

After an attack on RFSU Stockholm office, the organization had to assess its **security measures**. They had meetings with local and special police to analyze the security situation. When they organized an office-warming party a few months later, they hired security guards for the first time. IPPF/WHR has also been taking security measures. They have hired a security firm to address their security concerns and help their partners build the infrastructure to make themselves secure. Cases of vandalism and threats have been taken to the legal system, and they have partnered with a legal organization that is working with them to develop a protection plan.

Building coalitions with other civil society organizations is another way of protecting the space and feeling safer. IPPF/WHR are looking into building new and strategic coalitions, considering who else could be brought in to the dialogue to raise more support. Another concern is how to build stronger ties with organizations working on other social justice issues, such as disability and LGBTIQ rights, and how those organizations could include sexual and reproductive health and rights on their agendas.



"If there are violations to human rights, we join with a coalition, rather than speaking individually. We are in the coalition with prominent persons, so the government would think twice before taking action," says an interviewee from Bangladesh.

Another strategy is to **find the smartest way** to work within the existing context. This can mean, for instance, adapting the language so that the government's buzzwords are used rather than the vocabulary being used by other rights-based organizations. Or a cooperative approach to decision-makers could be used, rather than openly criticizing. Some of the interviewees who are more focused on service provision explained how they see this approach as the smartest one in the long term. "It is a matter of building trust", one interviewees says.



“Our strategy is not to wave flags to decision makers. It takes time - we work slowly. We believe that if we had a more aggressive approach, we wouldn't have more success. Sometimes we have to step back,” say representatives of Tanadgoma in Georgia.



“I think we need to be more polite. Not because it is something that is required, it is a matter of building trust. As a service provider and a long-term partner of the ministries, it is better to approach them nicely, not attacking them. I never faced the situation where I needed to protest publicly. RHAC are not activists, we work with service provision, our approach has been softer,” says Chivorn Var from RHAC in Cambodia.

It is also about **framing the message** in a way that is acceptable into the context the organization is working in – using the health angle to push for political rights. The prevention of violence against women, unwanted teen pregnancies and child marriages could be used to provide the framework and entry points for a space to advance other rights. It is about providing a way to maintain the dialogue even with groups opposing parts of the agenda, such as religious communities, and influencing policies by focusing on common interests, related to health and prevention of, for example, maternal mortality. This is a kind of unique space for SRHR organizations to avoid being excluded from the arenas of dialogue and decision-making arenas. One organization presents its work on LGBTIQ issues within the umbrella of HIV/AIDS-STI prevention. This allows the organization to create a safe and comfortable environment for vulnerable populations and also creates political opportunities for constructive dialogue with identified governmental officials.

IPPF/WHR is currently working on developing new ways of **communicating** around for example the issue of abortion. How could the client base be a support base, which actually articulates their support? And is it time to revise the old unwritten rule on not engaging in arguments with the opposition? They have engaged with a communication research firm to identify messengers – and who are not the usual suspects – to talk about abortion, such as doctors and men who accompany women who have abortions. They are looking to refine their messaging



“In the past, when IPPF started working on abortion, there was this sort of rule that we will not engage with the opposition: They will end up being aggressive, they will stick to one argument, and so on. This is something that we are revising – the speed of modern day communications doesn't allow for that approach anymore,” says Alejandra Meglioli.

In some countries using the legal system to combat attacks and limitations of rights has been shown to be a workable approach. IPPF/WHR is taking a more proactive approach, and has started examining those who hamper their work, for example checking if they are registered organizations or not. Sometimes they find that they are in fact dealing with a front organization that is claiming to represent many more people than they do. In Kenya, the legal system has been found to be a credible institution. During the elections in Kenya, when NGOs were prohibited and their accounts frozen, the courts ruled against this. The Supreme Court decision that the presidential election must re-run is another example. So our Kenyan partner is retaining the courts as an option in its coping strategy.

Finally, there might also be a key in channeling the anger and frustration provoked by resistance. Unexpected supporters may show up, and, managed wisely, a momentum for mobilization could develop. When Trump was elected a significant number of new members joined RFSU Stockholm. Can the "Trump effect" be channeled into more organized resistance? The office of RFSU Stockholm was visited by the extreme-right Nordic Resistance Movement in the spring of 2018. When the employers arrived in the morning they were met by a closed off area, and signs with messages like "Stop the homo lobby". Even though the incident made staff member feel very worried and had a huge impact on the organization, it also sparked their anger. "We will not let them silence us!" they said. Indeed, the biggest news in the annual report from Human Rights Watch released in January 2019, is not the continuation of the authoritarian trend but rather that a growing resistance to it is appearing.²⁹



"The opposition also makes us angrier, more determined to fight on," says Noah Elstad at RFSU Stockholm.



"We face a heavy backlash, and it is critical that we prepare. One possibility is that you retract. But we have decided to go in the opposite direction. Not only will we resist – we want to be one step ahead," says Alejandra Meglioli from IPPF/WHR.

In the harshening climate in South and Latin America, IPPF/WHR has seen more collaboration throughout the region in areas like communications and advocacy, as well as from their local service providers. IPPF/WHR sees it as part of their responsibility to raise the visibility of these issues with donors and the international community, to amplify support for their work. This is something that also works to their advantage.

²⁹<http://manskligsakerhet.se/2019/02/12/attacker-pa-manskliga-rattigheter-moter-vaxande-motstand-ny-rapport-fran-human-rights-watch/?fbclid=IwAR25vUk376h8o6CUMQGIDU-JfWcKcdQ1ktb2KQTQOa1Tr8ErVJcJYwDTJnDI>



“That social movement that started in Argentina is something that will replicate throughout the region, as it has already started to do. There will be more women marching in the streets together with other social justice movements because of the momentum generated by the green wave,” says Alejandra Meglioli.

Enablers that make it possible for CSOs to thrive within shrinking spaces

The importance of **international support and networking** cannot be underestimated. The opposition is organized, coordinated and financed across borders, and that is also how the civil society needs to work. Interviewees describe how they use their contacts in international organizations and UN agencies to put pressure on decision makers. A simple mention of an international contact can make a difference when dealing with local decision makers.

It is important not to forget that financial support has to be part of the international solidarity. For strong and independent organizations to be able to thrive, there has to be predictable core support over the longer term.

Another part of the international support network is the sharing of **evidence based research**, facts and data that can be used to advocate for the changes the CSO wants to make. Organizations who manage to profile themselves as a reliable scientific source have found this to be a way of pushing forward SRHR issues. This profile has contributed to opening up spaces as special advisors to governmental health agencies, for example.

4.

**SOME SUGGESTIONS
FOR NEXT STEPS**

This small-scale study is not an academic paper and the conclusions in it should be seen as glimpses based on the reality of a number of individuals – not as proof or facts that can be attributed to other SRHR activists and organizations in other parts of the world, or even in the same countries as our interviewees. It does however raise several questions that would benefit from more comprehensive studies. One is the role of development aid partners and donors. Several of the interviewees thought recommendations to international partners on how to adjust, act and react should be developed. With the different sophisticated ways of closing civic space for local (and international) CSOs being spread and copied from country to country, there is now even greater need for international partners to understand the context in which their partners exist.

Further study of the specific advantages that organizations working within the health sector and in service provision have would also be interesting. How can this be used even more strategically? Service providers often have stable and strong relationships with the authorities and they have possibilities to find (and mobilize?) some unusual allies in support of their work (male relatives of women in need of abortions, some religious communities working with similar beneficiaries and objectives). On the other hand, it is important to raise the question of whether the fear of hurting long-lasting relationships can sometimes lead to the risk of being too cautious with criticism.

Another finding that could merit further consideration is what is referred to above as the "Trump effect". When so many things are going wrong in the world, it fuels the anger of many people. When thinking about organizing and resisting, this might generate momentum that shouldn't be ignored. Can SRHR organizations channel the anger and fury that people feel into something constructive and powerful?

Finally, to repeat what has already been said; the resistance towards SRHR issues is coming both from conservative and religious groups and from state actors – and it is not always possible to determine if the resistance should be categorized as organized attempts to shrink the space for independent civil society organizations. What is clear though is that the individual organization and activist experience a limitation of her space to act, no matter who is behind it. This is definitely an area to study more closely. So are the consequences of growing nationalism for specific groups of activists and specific issues within the human rights spectrum, such as women's rights, LGBTIQ rights and sexual and reproductive rights.

5.

END

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List of interviewees

Alejandra Meglioli, IPPF/WHR, New York office
Nino Tsereteli, Tanadgoma, Georgia
Khatuna Khazomia, Tanadgoma, Georgia
Nerima Were, Kelin, Kenya
Noah Elstad, RFSU Stockholm, Sweden
Urban Akagwire, Youth Harvest Foundation, Ghana
Chivorn Var, RHAC, Cambodia
Interviewee, Bangladesh

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