

Thousands celebrated in India in November at the country's first Pride Parade since the Supreme Court decriminalised gay sex.

Credit: Indraneel ChowdhuryNurPhoto via Getty Images

PART 2

CHALLENGING EXCLUSION AND CLAIMING RIGHTS

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2018 was a year when all around the world, people from communities denied power rose up to challenge their exclusion. Members of excluded groups – among them migrants, refugees, women, young people and LGBTQI people – put themselves in the forefront of response, coming together in protests, social movements and civil society organisations (CSOs) to challenge the terms of power, take on the politics and economics of exclusion and change the terms of debate. The most effective civil society responses were often those led by excluded people, and those that took on the multiple layers of exclusion that contrive to deny so many people rights.

In countries as diverse as Cameroon, Chile and South Korea, women started #MeToo movements to challenge sexual harassment, and also overcome related fundamental barriers, such as unequal pay, gender-based violence and women's underrepresentation in politics. In Argentina, Kenya and – with remarkable success – Ireland, abortion rights were fought for, defended and advanced. Survivors of sexual abuse in the Catholic Church challenged their status as victims to seek redress across a range of countries. But at the same time as these civil society victories and campaigns, in civil society, including in the two giants of Oxfam and Save the Children, we were forced to confront questions of our own complicity in reinforcing unequal power structures and enabling sexual exploitation and abuse, and by extension, our workplace cultures and the assumptions that underpin our work.

Major advances were made in advancing LGBTQI rights in India, where civil society took to the courts to win decriminalisation, and in countries including Costa Rica and Portugal, but there were also setbacks, notably a vicious new witch hunt in Tanzania. In the USA, young people

challenged their exclusion from politics, defying the power of the gun lobby by refusing to play by conventional rules and turning themselves from survivors into activists.

Those who had the least were the migrants and refugees abandoned by states, or worse, vilified by governments and right-wing populist politicians, across a swathe of European countries and further afield. Migrants and refugees struggled to make their voices heard where they could, and civil society stood with them, asserting the values of compassion and the right to humanitarian assistance, pushing back against demonisation and drawing attention to the essential reasons – humanitarian emergency, the denial of basic freedoms, grinding poverty – that drive people to migrate. For doing so, and whenever it challenged exclusion and called into question the power of the privileged, civil society became a target for attacks – physical and verbal – and state repression.

SURVIVORS BECOME ACTIVISTS: US STUDENTS CHALLENGE GUN LOBBY POWER

On 14 February, a former student opened fire against students and staff of Marjory Stoneman Douglas High School in Parkland, Florida, **USA**, killing 17 people. It was the USA's **deadliest** mass shooting of 2018, although sadly it was neither the first nor the last.

But this was not another moment that would be bracketed as a ‘tragedy’ and then quickly moved on from, once the funerals had been held and the customary ‘thoughts and prayers’ offered. The response to the Parkland shooting was different. Young people, among them survivors of the attack, mobilised as never before to challenge their exclusion from political discourse and decision-making. Survivors became activists, channelling their trauma into determination to bring change and proving their agency to advance ideas that had been kept off the agenda. They reshaped the gun control **debate** by reaching out to the wider public, building alliances and putting pressure on elected politicians, targeting them according to their position on gun regulation. Started by the people most directly affected by the problem it addressed, the student-led gun control movement won hearts and minds by reacting fast, dreaming big, changing the narrative, disregarding old scripts and speaking from the heart: **lessons** that many of us in civil society could learn from.

Starting with the #NeverAgain hashtag, the movement quickly grew; on-the-ground organising **began** the day after the shooting. Parkland students started speaking up, online and in mainstream media, while funerals were still underway. At a rally in Fort Lauderdale on 17 February, **Emma González** became one of the best-known faces of the movement, **calling out** the failure of politicians to take action and highlighting the donations politicians receive from the National Rifle Association (NRA).

Days after the shooting, students from the Washington, DC area staged a ‘lie-in’ **protest** outside the White House to urge President Donald Trump to act. Shortly afterwards, a busload of Parkland students **travelled** to Tallahassee, Florida’s state capital, to make themselves heard while legislators voted on a motion to take up a bill proposing a ban on assault rifles. As the motion failed, students reminded the legislators of the coming November midterm elections and warned them that they would soon be able to vote.

In March, the student-led March for Our Lives **converged** on Washington, DC, to demand stronger gun control. It was one of the **largest** protests in



Emma González was one of at least 1.2 million March for Our Lives protesters.

Credit: Noam Galai/WireImage

US history. At least 1.2 million people marched in the capital and at over 450 other events around the USA and further afield. Momentum was sustained when March for Our Lives became an ongoing movement, and began campaigning for young people to register to vote and therefore hold representatives accountable for their views on gun regulation and NRA funding. Their efforts paid off when youth turnout **increased** by 10 per cent in the November elections, with a marked preference to support progressive candidates that in some close votes proved decisive.

We asked **Jaclyn Corin (JC)** and **Matt Deitsch (MD)** from **March for Our Lives** what was different about the reaction to the Parkland attack:¹

JC: It was really important for young people to stand up, because with every mass shooting before this one, either nobody stood up, or they were too quiet and nobody listened to them. This time, there were 16, 17 and 18-year-olds appearing on TV screens, screaming at the very people that they were meant to 'respect'. We were yelling at them, and people were intrigued by our fierceness.

MD: The NRA has practised something that is sometimes referred to as 'normalisation', where they create a narrative that is not grounded in reality, but this story is told so many times that it becomes fact to some people. So we immediately knew that what we needed to do is just speak with the truth on the matter. They have of course been trying to discredit this truth, but they have been unable to. When it came to Parkland, I was personally terrified for my brother and sister, and when they came home, my sister – it was her birthday – was pretending like everything was fine, but my brother was visibly angry. At that point we thought that only three people had died, and my brother was like, "I need to find out if so-and-so is okay," and he was so angry, he looked at

me and said "I'm not traumatised, I'm pissed. I'm pissed because something needs to happen." He was saying this 20 minutes after getting home, and we felt then that we could do anything.

The media was outside almost every funeral, if not at all of them. Every funeral I attended, I walked out and there was a camera on my face. So they give you a choice: you can either mourn and internalise that anger about the need for change, or you can voice it. We then took advantage of the eyes on us and voiced a very powerful message. It's not that other mass shooting victims or other gun reform advocates have had less powerful messages – what made the difference is that we did something that people were not used to seeing: we broke the cycle that happens when there's a crime: the families on TV, the funerals, the graduation – it's almost like watching an exhibit. And we didn't allow ourselves to be turned into an exhibit. There was something that Joaquin Oliver's dad said that stuck with me: he said, "When reporters call me, I tell them I'm not news. What we are doing may become news, but we are not news anymore. The shooting in Parkland happened, and it's done. We need the news to be something better, positive, something that produces change." He told me this a week after his son's funeral, and his message really inspired me. We are not telling people what happened: everyone knows what happened. They may be twisting their own version of it, but everyone knows what occurred. It's just about making sure that we don't have to go through something like this again, and that no family feels the way these amazing families now feel.

The momentum continued. On 20 April, the 19th anniversary of the Columbine school shooting, thousands of students joined a **National School Walkout** to call for gun control. As the movement expanded, Columbine survivors were among those who **joined with** the Parkland students. That same month, activists launched the **#NoRA** (No Rifle Association) campaign to encourage citizens to vote out NRA-funded

¹ All interviews quoted in this report are edited extracts. Full versions of interviews can be found on our website at <https://www.civicus.org/index.php/media-center/news/interviews>.

candidates in the November elections. Parkland survivor David Hogg initiated a boycott **campaign** against two financial firms that invest in gun companies. In early May, protesters showed up at the NRA's annual meeting in Dallas, where 80,000 NRA members were gathered for the first time since Parkland. Social media pressure also **mobilised** to boycott companies that give discounts to NRA members, with success: early in 2018, a number of airlines, banks, car-hire companies and hotels **severed** ties with the NRA. The headlines the March for Our Lives movement attracted through protest action dovetailed with and helped make more powerful individual social media action.

In mobilising, the movement was confronting head on, in a way that rarely happens in US politics, the entrenched lobbying power and vast resources of the NRA. As the newly mobilised students pointed out, the power of its political donations could be the only reason why no substantial federal gun control legislation has been passed since the Columbine shooting in 1999. The movement showed that it was possible to work another way; it wasn't necessary to try to match the NRA's entrenched power dollar for dollar. The power of the boycott, for example, could offer a different but effective economic power against that of the political donation.

This meant that the movement was on the receiving end of a backlash by a defensive establishment. Companies that had disassociated themselves from the NRA were in turn threatened with a boycott by NRA supporters. As has sickeningly become customary in the USA's toxic and polarised politics, the credentials of the survivors were called into question: they were **accused** of being 'crisis actors' – paid agents of some imagined conspiracy – and their family backgrounds were called into question on far-right websites and conservative media. On the first day of the NRA's Dallas convention, President Trump nailed his colours to the mast, **speaking** in defence of Second Amendment rights – the right to keep and bear arms. The gun-control movement was not surprised: his 2016 presidential campaign **benefited** from more than US\$30 million in NRA support, including funding of almost US\$20 million for extensive

attack ads against his opponent, Hillary Clinton.

Despite the inevitable backlash, Jaclyn and Matt remain positive about the movement's ability to make a difference, pointing to a generational confidence that time is on their side:

*JC: We think our chances are incredibly high; it's just a matter of time. The easy stuff is going to come first: for instance, the Centers for Disease Control and Prevention will now be able to **research** gun violence on a funded level; a digitised register may be created. All that is going to come first. It's going to be a longer push for assault weapons and high-capacity magazines to be banned. But it's going to happen, because we are not going anywhere until it's done.*

MD: David Hogg was asked on TV whether he thought we would be successful. He said yes, and the reporter said: "But the people against you are very powerful, they are a large organisation, they are training leaders every day, and they have tons of money." And David goes: "Yeah, but we are going to outlive them." It's that simple: young people are coming together to save each other's lives. The selfish older generation, including the NRA leadership, is going to crumble. It's bound to happen, because they have been a part of the corruption of our democracy and of America's freedoms for so long.

JC: There are very few people on the other side compared to ours because young people have a more open mind now, in the 21st century, compared to ever before, and that makes us optimistic. Our open minds stem from the education we have received and the fact that we are aware we have so much more to learn.

MD: We model a lot of what we do after Martin Luther King Jr. and the Freedom Riders, the civil rights movement, the women's suffrage and the women's liberation movements: all the movements that



Credit: John Lamparski/WireImage

expanded democracy. We are getting the same sort of message out. It worked – we didn't have a democracy in America until everyone was granted the right to vote. America has only been a democracy for around 50 years! And we talk about being a free country, but even now, with the trend of mass incarceration, voter ID laws, registration requirements – all tactics of voter suppression (see Part 3) – we are not actually a true democracy. We are using the same methods that worked in the past to expand our democracy.

The gun-control protests came in a context of increasing mobilisations in the USA, with around **one in five** people having attended a political protest since 2016. **Jesse Chen** of **Powerline** puts the March for our Lives movement within this broader protest context:

*When Trump won in November 2016 and took office in January 2017, we witnessed an entire movement and energy on the left, but also on the right. People have been marching on the streets from the resistance and **women's marches** over the first weekends of the Trump presidency to the science marches that came shortly after. On the right, the energy has been rising as well, not only with Donald Trump beating 16 other candidates for the Republican nomination, but also, for example, his rallies as well as the Charlottesville marches, a display in August 2017 of white nationalism and threatened white patriarchy.*

The students participating in the March for Our Lives had plenty of recent context, fresh in their minds, that they could look to and say, "We've seen people marching very recently. Agree or disagree, it's irrelevant. Being an activist is normal, socially acceptable behaviour. I'm going to do this, too." That said, I think it's unwise to draw conclusions from a snapshot in time. To me, this moment that we are in right now, with students forming mass protests for gun reform, is naturally aligned with a trend line that can be traced back over the last 10 years at least.

*In my view, this trend started in the early years of the Obama administration when many on the left realised that Barack Obama was not as far to the left as they had hoped. I believe this realisation partly led to the rise of **Occupy Wall Street**.*

*Fast-forward a few years and we saw the Dreamers (see below), we saw **Black Lives Matter** and, of course, we saw Bernie Sanders, among others on the left. A clear thread of anti-establishment energy can be seen across each of these movements. Similarly, at the same time, on the right, the conservative Tea Party movement was forming with rallies and marches across the country in response to the loss of the 2008 election. The Tea Party would go on to win several seats in Congress in 2010, leading not only to control of Congress and a number of government shutdowns, but also, indisputably, to the remarkable rise of Donald Trump a few years later.*

Throughout this same period, we have gone through several mass shootings. We had the Sandy Hook Elementary School shooting in 2012, 14 years after Columbine. Six-year-olds were gunned down in an elementary school, and this country's government and its people did nothing. That was a moment of collective failure for this country where people suddenly realised that, if we can't act on something so tragic, then maybe there actually is no way to act feasibly on guns. So, I definitely think there was a feeling of hopelessness after the years of Sandy Hook and the failure of our government to do something meaningful about it. That hopelessness seems to have given way, at least partially, with the Parkland students. Also, now that we have the Trump administration, all issues are back on the table, both open and closed.

We asked Jesse what lessons pre-existing movements, such as Black Lives Matter, might have had for March for Our Lives:

One important thing that Black Lives Matter shows is that translocal movements work. The notion of centralised control

under a CSO's campaign or under some iconic leader is one of the reasons, in my view, why progressive movements aren't as successful on the whole as a lot of conservative movements. Conservatives know that you don't need to march on Washington, DC to affect change – you can march in your own town, in your own city, in your own neighbourhood. Comparatively speaking, liberals over-extend and over-invest their trust in government as the solution and fail to get involved at the personal and local level. This is something that Black Lives Matter really helped bring out of the shadows and into the mainstream. I think Black Lives Matter's leadership really deserves credit for positively disrupting progressive activism in the USA in that way because that hyperlocal, translocal model can be extremely effective, especially for systemic change.

The cofounders of March for Our Lives have become iconic, but the movement also includes people here in Brooklyn or New Jersey. The leaders in those translocal spaces are leaders too, and they are not being 'controlled' by a central leadership, just like how the Black Lives Matter activists are not being 'controlled' by the leadership at the Black Lives Matter network or any of the other facilitating networks. CSOs need to think about this too: movements are too centralised in CSO offices in too many parts of traditional civil society.

Of course, the elephant in the room for the difference between Black Lives Matter and March for Our Lives is that the students are a diverse group of citizens. So to many bystanders, there appears less of a direct challenge to the existing power structure and the white patriarchy. I look at Black Lives Matter and I see a story of fundamental oppression that has literally been both part of the DNA of this country and the driver of an enormous movement. It tells me a number of things, but number one is that democracy is a struggle that never ends. That struggle includes the Civil Rights Act of 1964, the Voting Rights Act of 1965, Jesse Jackson's candidacy in the 1984 Democratic primary and the election of Obama as President in 2008. But we don't win

democracy with new laws, elections, or even with revolutions. Democracy is something that you need to keep on fighting for.

I think what Black Lives Matter teaches us is that, in general, this fight is a fight that never ends. I hope our educators within school spaces are walking the student activists through this process because, as those students have undoubtedly already learned in the last months, it's not enough for people to feel sorry for you over a tragedy in order to get people to change what is a remarkably ingrained injustice in our system.

Despite current challenges, Jesse remains optimistic about the future, with a new generation growing up as activists to challenge establishment power:

Activism is less nerdy than it used to be. The popular response in the past used to be 'I'm not into politics.' But try 'not being into politics' in Donald Trump's America, and you're seen as both uninformed and uncool. We're seeing a ton more engagement in civic space, and this is one of the best non-partisan things Trump has done for the USA given its years-long declining citizen participation. Now, people are talking civics again, and they're even talking politics in sports arenas. This is fundamental for a democracy. We can't just keep going along on autopilot, holding an election every four years and expecting our leaders to do the right things for us. We must learn to organise, channel and sustain pressure between elections translocally and at scale on the government we do have, not the one we wish we had. These students are showing us ways in which that can be done, and I can't be the only one that thinks that's pretty cool.

From the student perspective, it gives us great hope that these kids will not have to wait until they've gone through a couple of years of college and 'come out of their shell' for a fraction of them to become activists as young adults. You have kids that

were marching in the streets of their own towns, in some cases much to the chagrin of their own school administrations and city councils, and they were out there standing up for themselves. Good for them. Youth are the future in human form. They deserve to have their voices heard just like the rest of our citizens.

With activism being popular in high school now, we've got more people joining the ranks of active citizenship and, hopefully, they're not going to wait five years until they are in college to get involved. If we look at the larger trend line, this gives all of us an opportunity to reconnect with the grassroots and to reconnect on issues that even some of us, despite best intentions, may have given up on in the past. So yes, I am hopeful about where this larger trend will eventually lead.

THE POWER OF COMPASSION: CIVIL SOCIETY STANDING WITH MIGRANTS AND REFUGEES

Civil society worked to defend the rights of migrants and refugees in multiple contexts in 2018, and experienced state and political pushback for doing so. In the Mediterranean Sea, a key frontier across which migrants and refugees seek to cross from North Africa to Europe, civil society tried to offer humanitarian response, striving to keep people alive and prevent them drowning in a very dangerous context: an estimated **2,275 people** died while crossing the Mediterranean in 2018. In countries that border the Mediterranean and across Europe, civil society offered the essential help that states no longer provide to migrant and refugee communities and advocated for the rights of people vilified

by governments and politicians. In the USA, the debate became seemingly ever more vicious, and the rights of migrants and refugees were subjected to renewed onslaught. In Latin America, political and humanitarian crises – notably in Venezuela – caused people to uproot themselves, demanding a fresh response from civil society in neighbouring countries.

These are difficult and contested times. The right-wing populism that has gained ground, including across a swathe of European countries, (*see Part 3*) wins its support by mobilising major population blocs against minorities, exploiting people's genuine fears about their livelihoods, security and access to services to focus anger and hatred onto migrant and refugee communities. Hate speech and aggression towards migrants, refugees and, by extension, long-settled minority communities, has become more normalised. Even when right-wing populists are not in power, they have tilted political discourse, and governments and established parties have hardened their stances on migration and asylum to try to bolster support. As a consequence, humanitarian assistance has been **criminalised** in many European countries and is under attack on the USA/Mexico border. Civil society has been made a target and brought into direct confrontation with governments and political parties. While the space for civil society – civic space – is **under attack** as a whole, including in country after country across Europe, space for the civil society that works with migrants and refugees is collapsing alarmingly quickly. Civil society, increasingly vilified as aiding criminals and people traffickers, was left trying to assert the values of compassion and solidarity, and its right to offer humanitarian response.

ITALY: MEDITERRANEAN HUMANITARIAN RESPONSE CRIMINALISED

A particularly alarming trend in 2018 was the criminalisation of search and rescue (SAR) missions offered by CSOs in the Mediterranean Sea, with the government of **Italy** at the forefront of this crackdown. Under its 2017 financial deal with the government of **Libya**, endorsed by other European Union (EU) states, the Libyan coastguard is left to play the lead role in preventing migration across the Mediterranean. This is despite the ongoing conflict and instability in Libya, and credible accusations that the coastguard is itself implicated in **people trafficking** and violence and human rights **abuses** against migrants and refugees. In May, UK-based CSO Global Legal Action Network brought a **lawsuit** to the European Court of Human Rights challenging the deal, based on the testimony of 17 survivors of a shipwreck who were returned to Libya and subjected to horrendous human rights abuses.



CSO-led search-and-rescue operations were vital for saving people's lives in the Mediterranean Sea.

Credit: Chris Grodotzki/Sea-Watch.org

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Even though crossings across the Mediterranean into Italy declined in 2018, anti-immigration discourse and policies continued to escalate, and it was a key issue in the country's March election that led to the formation of an anti-migrant, anti-EU and anti-civil society populist government. The new government was quick to take a harsher line, with Matteo Salvini, incoming Minister of the Interior, courting headlines with statements that Italy would no longer be “Europe's refugee camp.” This tough rhetoric placed the government at odds with SAR operations being mounted by CSOs.

In June, shortly after coming to power, the Italian government **prevented** one of the last civilian SAR boats, the **Aquarius**, operated by Médecins Sans Frontières (MSF) and SOS Méditerranée, from docking in Italy. The ship was left stranded at sea for a week, carrying around 630 people, including 123 unaccompanied minors. It was also refused permission to berth in **Malta**, before it was allowed to **dock** in Spain by the country's incoming centre-left government. Things came to a head in November, when the Italian authorities **impounded** the Aquarius. The authorities froze MSF's assets in Italy, imposed a fine of €460,000 (approx. US\$528,000) and placed 24 people under investigation for “trafficking and the illegal management of waste.” The prosecutor involved had previously made public statements alleging cooperation between SAR CSOs and human smugglers, even though these have so far proved unfounded. The following month, the Aquarius had its Panamanian registration **revoked**, and in December MSF and SOS Méditerranée **announced** that the ship had ended its operations.

The crackdown continued on land. In September, the Italian government **passed** a bill making it easier to deport migrants and strip them of Italian citizenship if they are found guilty of serious crimes. And the following month, it went further, when it arrested **Mimmo Lucano**, the mayor of Riace, a town that has rejuvenated itself by welcoming migrants. Mimmo Lucano was placed under **house arrest** for alleged economic and financial crimes; his supporters suspected that his championing of a model of a thriving multi-ethnic community put him at odds with the new government.

The Italian government was defiant in the face of extensive international condemnation. In her first speech as the incoming United Nations (UN) High Commissioner for Human Rights in September, Michelle Bachelet **criticised** the government of Italy for its action against CSO SAR operations, as well as increasing attacks on migrants and Roma people, announcing her intention to send UN teams to **Austria** and Italy. In response, Matteo Salvini **commented** that, “We do not

accept lessons from anyone, let alone from the UN.” In November, UN human rights experts and special rapporteurs combined to **condemn** Italy’s toughening legal environment for migrants and refugees and attacks on civil society’s SAR operations, stating: “Saving lives is not a crime. Protecting human dignity is not a crime. Acts of solidarity and humanity should not be prosecuted.” The EU Agency for Fundamental Rights drew attention to the increasing **criminalisation** of SAR CSOs in **Greece**, Italy and Malta.

The UN’s **Special Rapporteur** on Extrajudicial, Summary or Arbitrary Executions, **Agnes Callamard**, weighed in. Her 2018 report, ‘**Saving lives is not a crime**’, outlined how closing civic space affects people who need humanitarian help, in the Mediterranean and further afield. We asked Agnes to give the background:

This particular report initially grew out of outrage. Outrage over the repeated examples that I came across of people acting in solidarity with others and being threatened with legal action, such as in Europe and the USA in the context of anti-migration policies. Outrage as well over the criminalisation of humanitarian organisations and assistance because of the counter-terrorism and sanctions regime. My subsequent research into empirical evidence and international law applicable to these situations showed that governments were violating their obligations to protect the right to life whenever they prevented or criminalised people from intervening in situations characterised by or leading to arbitrary killings or deprivation of life.

The greatest direct impact I found was on migrants at borders, whether in the Mediterranean or in desert areas. It’s very clear in the case of the Mediterranean that the number of refugees and migrants killed or murdered has increased due to the fact that there are no longer any humanitarian actors engaged in SAR for those who are taking the risk of crossing the sea.

Agnes sets out what civil society could do in response:

Civil society needs to use every possible opportunity to question the legal framework of counter-terrorism and national security more generally, for what it is doing to civil society and society more generally. It’s essential for civil society to go on the offensive because this global discourse has become a monster that is devouring international law and ethically-based global governance. We cannot afford to be on the defensive and to accommodate the security language.

Far more must and can be done to protect life-saving interventions by domestic and international civil society. Civil society could advocate for the principle of ‘humanitarian exemption’ to be fully recognised by international bodies and states, and implemented in the context of both counter-terrorism and migration policies. Civil society could research and report regularly on the impact of counter-terrorism, migration, or sexual and reproductive health policies on the human rights of beneficiaries, including their right to life.

I hope civil society can also rely on the legal analysis and interpretation in my report to strengthen the protection of their work, including for litigation purposes. They can use it to back the argument that it is not just their right to the freedom of association that is being threatened, but also the rights of the people they are serving: in the first place, their right to life, their right not to be arbitrarily killed. The services CSOs provide help fulfil state obligations, and if the state is unable or unwilling to provide those services, at least it should not stop others from doing what it should be doing in the first place.

Solidarity is not a crime. Acts of solidarity should be protected, should be put forward as a model for societies, and should never be criminalised. Brotherhood and sisterhood are values that we need to protect. Saving lives is not a crime.

While resisting these international pressures, the Italian government strongly pressed the EU to take a tougher line on immigration. In June, it **threatened** to collapse a key EU summit if its concerns about migration were not addressed. A deal was eventually reached which included a commitment to set up migration centres in countries outside Europe.

Civil society has also been pushing for a new cross-European response on migration, but one that puts human rights at its heart, and asserts the right to humanitarian action. **Silvia Stilli** of **AOI** in Italy sets out what civil society is trying to do and could do further, in her country and across Europe:

Civil society has been mobilising to try to connect global, regional and national issues. Migration is not a standalone issue. It's something that affects us domestically, but this is because of our geographic location in the Mediterranean region.

On 24 July, several parts of civil society in Italy collectively organised an 'email bombing', all sending an email to the coastguard. This initiative was joined by millions of citizens. This was a huge mobilisation to request that the coastguard disregard instructions to devolve the management of migrants to the Libyan coastguard. This was the first time since the election that we witnessed such a massive mobilisation.

After a very difficult period when civil society groups in Italy have faced defamation, smear campaigns and accusations, this event was positive and showed negative trends being challenged, with citizens offering a massive mobilisation in support.

Italian civil society is almost unanimously aligned on one point: that basic and fundamental human rights cannot be denied, and so they do not support the closure of ports and the blocking of ships and their return to Libya. In the case of the Aquarius, the response has mostly been to point to international treaties and



Thousands protested against racism and the government's increasingly harsh stance on migration in Rome, Italy in November.

Credit: Stefano Montesi – Corbis/Corbis via Getty Images

norms, and to call for opening ports in the name of safe ports. Libyan ports clearly don't meet the definition of safe ports.

Civil society is asking that humanitarian organisations can continue to work with the coastguard and others involved at sea, as was the case in the past. There have been a number of judicial decisions that back the actions of civil society rescue ships. When rescue ships have been blocked, judges have determined that the ships have been in compliance with international norms, especially the Law of the Sea, and that this definitely overrides the state's ability to block them.

Civil society is trying to mobilise different actors within Italy – not only civil society groups, but also local authorities and parts of government, such as those that deal with health and education, and is calling for a more integrated and strategic approach, at least at the national level, looking into rescue at sea and also best practices in integrating communities. It is also calling for changes in foreign policy and development cooperation policy, to look at the complexities and dynamics of countries and regions that migrants come from, and how best to stabilise these and prevent people from needing to migrate: to take a more joined-up approach, at least at the Italian level, but this should also be the approach at the European level.

Civil society points to the need for a strategic policy at the European level on this issue. On this, if not on the issue of the closure of ports, there is an alignment of civil society and government views.

Within key European civil society networks there is recognition of the need to bring forward a new narrative on migration and the integration of migrants in Europe, which could point to the positives of these, and not only the economic argument, but also the benefits of social and cultural growth for Europe. There

is a need to invest in this as a medium and long-term political strategy. This is one of the most crucial things that Italian civil society should be doing together with broader European networks to change views of fear about insecurity and instability.

At the sharp end of SAR operations in the Mediterranean have been **Giorgia Linardi** (GL) of **Sea-Watch** in Italy and Julian Pahlke (JP) of **Jugend Rettet** (Youth Rescues) in **Germany**. We asked them what motivates their work:

JP: Jugend Rettet was founded in early 2016 by a couple of young people in Berlin. As young Europeans, we couldn't let Europe become a mass grave. Ours is such a rich continent. Why would we leave less fortunate people to drown at sea? We might be geographically disconnected from the Mediterranean, but as Europeans we cannot be disconnected from the issue, because if you look at the way our countries are treating migrants and refugees, this is not the Europe we want.

*When the idea of organising first came up, the media was reporting drownings in the Mediterranean on a daily basis. In the hopes of deterring migrants from crossing the Mediterranean, in late 2014 the EU and its member states pulled back from sea rescue. We mobilised in response to our governments' lack of action, which was – and is – causing thousands of people to die. As we organised and raised funds, in early 2016 we managed to buy and convert a ship, the **Iuventa**, which started patrolling the Central Mediterranean in July 2016.*

GL: Sea-Watch is also a SAR CSO, and is also pretty young. We started in the summer of 2015 with just a few people and are now supported by around 150 active volunteers. We didn't want to watch from the sidelines while thousands of people were dying in the Mediterranean. As civil society, we wanted to be there because we were not convinced by the information we

were receiving about what was happening, and we knew there was a void in terms of SAR capacity. We wanted to be present to monitor the situation, demand accountability and put pressure on authorities to take up the responsibility of providing adequate SAR capacity. And we increasingly equipped ourselves to be able to perform rescues, because we soon realised that it was not enough to just be in the Mediterranean, locate people in distress and provide emergency assistance while waiting for the authorities to come, because they could take too long to arrive, or not come at all.

The name of our organisation, Sea-Watch, tries to convey the idea of an independent civil society eye able to see what happens without any filters and correct the narrative that is disseminated about what is going on, while also taking action to rescue people and hence uphold the values of solidarity and human rights at sea, which are being increasingly neglected.

What the two make clear is that the provision of SAR response from civil society is nobody's first choice; rather, civil society stepped in when governments withdrew from providing these essential services:

*JP: We try to fill a gap by doing what our governments are failing to do: rescuing people who would otherwise die. We demand a government programme focusing on sea rescue and the decriminalisation of asylum seekers and refugees, while conducting SAR operations ourselves. Our ship sailed, before it was **confiscated** by the Italian authorities in August 2017, near Libyan territorial waters, searching for boats in maritime distress. We rescued the people on the boats, offered them food and water, provided first aid and tried to take them to safety. In 2016 and 2017 we carried out 15 rescue missions and saved more than 14,000 people.*

But what was once a relationship characterised by tolerance and some level of cooperation worsened once the decision was made to devolve

operations to Libya and as Italy's government tilted rightward, with politicians seemingly competing as to who could offer the most divisive rhetoric on migration:

JP: In 2016 and for part of 2017 the Maritime Rescue Coordination Centre (MRCC) directed rescue cases to civil society, and cooperation with the authorities, particularly in Italy, was pretty good. But sometime in 2017 the situation changed, and the MRCC started not redirecting cases to us but sending them to the Libyan coastguard. And in August 2017 our ship was searched and confiscated, and we still haven't got it back. The previous day we had refused to sign a so-called Code of Conduct with the Italian government, which would have forced us to break international maritime law.

There has been a massive change. SAR is mainly in the hands of civil society, but civil society is under attack. Now it is not only people on the move who are targeted, but also human rights defenders and CSOs that are slandered, harassed and subjected to prosecution. Ten of our crew members are currently under judicial investigation and our organisation has been accused of colluding with people smugglers, aiding illegal migration and carrying weapons. Even if the case goes nowhere, they are still getting what they want: in the meantime, we are unable to do our rescue work and other rescue CSOs have left the Mediterranean and suspended their missions.

GL: Our relationship with the Italian government also changed for the worse. We never, ever engaged in a SAR operation without the coordination of the MRCC. They coordinated all SAR operations in the Mediterranean for a long time, and at some point even came to consider the civil society ships as a sort of civic fleet. But when the situation changed, it did so quite rapidly. The change

possibly started around February 2017, as the **Malta Declaration** was signed, which empowered the Libyan coastguard to contain migration in Libya.

This came alongside a heavy campaign to delegitimise and criminalise organisations and activists working with migrants and refugees. Besides ‘colluding with smugglers’, we are also accused of ‘unintentionally helping criminals’ by encouraging smugglers to ship people in even worse conditions, of being a ‘pull-factor’ encouraging more migrants to attempt the crossing.

Our relationship with the authorities became increasingly tense as they tried to delegate responsibility for rescue operations to the Libyan coastguard. We know that Libya is not able to control the SAR area under its jurisdiction. First, they don’t have the capacity. Second, according to the legal definition, a rescue cannot be considered finalised if people are returned to a place where their lives are in danger. Our missions follow international maritime law and humanitarian principles, so we cannot allow SAR missions to end with people being forcibly returned to Libya, where there is a civil war. When it apprehends people trying to cross to Europe, the Libyan coastguard sends them to detention camps where they are kept in terrible conditions and their human rights are systematically violated.

If our governments keep supporting and funding a system that sends migrants to Libya, it puts us in a position where we cannot collaborate with the authorities as we used to. What we do instead is strictly follow the international legal framework regulating SAR operations at sea from the point of view of maritime law, refugees law and human rights and humanitarian principles. Unfortunately, state practice is legitimising an unlawful system, which puts us in a conflicting relationship with the authorities, even though it is absolutely not what we want. Now, every time we engage in



Protesters with their hands marked red, to symbolise the blood of people who have died at sea, protested against the migration policies of Italy’s new government.

Credit: Simona Granati/Corbis via Getty Images

a rescue operation, we lack a competent authority of reference that will take responsibility for the case and indicate a safe port of disembarkation as soon as possible, as provided by law.

The criminalisation we are facing at every level – media, political and judicial – is connected with the direction politics are taking. In Italy, the way in which migration has been depicted greatly influenced the outcome of the elections. The country is now governed by someone who promised to put “Italians first” and talks negatively about migrants all the time. The situation in the Mediterranean was manipulated to gain the trust of people through fear.

But it is particularly difficult for us to make people see any of this because we have been intensely depicted as criminals and people not trusted. So we need to work to shift public perceptions of CSOs. But as we are busy reacting and defending ourselves, we have less and less time and resources to do our substantive work.

*In November, along with the ships of two other CSOs – the Spanish Open Arms and the recently formed Italian platform **Mediterranea** – we assisted a Spanish fishing vessel engaged in a rescue operation. The Libyan coastguard intervened and took 26 people, but 12 people were left behind and were rescued by the Spanish fishing vessel, which didn’t know what to do with them. Their instructions were to return them to Libya, but the rescued people told them they would rather be left to drown than go back to Libya. The fishing vessel crew understood that they could not return them to Libya. But as nobody would let them disembark, they had to stay out there in terrible weather for over 10 days, until eventually it was agreed that they would disembark in Malta and be transferred to Spain. Twelve people! Multiply this by the hundreds and thousands, and it gives you an idea of how difficult the situation has become, and what little space for humanitarian action is left.*

JP: With the rise of right-wing populism, the context is changing rapidly all over Europe. Politicians in several countries are basically telling people to get used to the idea of people drowning on our doorstep and raising public suspicions against human rights and humanitarian organisations. The media have disseminated false accusations against us and created an atmosphere where it is difficult to operate.

*Although in Germany the political situation is different from Italy’s in many ways, there is a lot of distrust towards organisations like ours in Germany too. The German Minister of the Interior recently said that SAR activists should be arrested so they don’t endanger any more people. We have a **far-right party** that gets 15 to 20 per cent of the vote – fortunately, unlike in Italy, it is not part of the government – and has greatly contributed to the misperception of our work. Their message has been widely disseminated because even the parties at the centre have the clear objective of keeping people out, even if that means sending people back to places where their human rights are brutally violated. Among the many people who still believe that human rights are universal and can’t be taken away from anybody, there has been a shift towards the Green Party and leftist parties. Therefore, politics is moving simultaneously in both directions.*

In response, CSOs that have been involved in SAR operations have been trying to build stronger connections with the rest of civil society, breaking down the **divides** that classically exist between humanitarian CSOs and development and human rights CSOs and mobilise citizens in defence of human rights:

GL: We are attempting to work with other parts of civil society that we didn’t have many links with in the past. The issue of migration is divisive and it is not easy to mobilise people around it in progressive terms, but there is a layer of civil society working

to advance human rights that it is possible to appeal to. The moment we started being openly attacked for the work we do with migrants and refugees was also the moment when we connected the most with civil society on land. So while on the one hand those attacks marked the beginning of a downward trend, on the other, having some of our energies diverted from SAR operations and channelled towards creating connections turned out to be productive as well.

A common cause was built on the recognition that not only is the violation of the human rights of migrants a violation of human rights per se, but also that governments will not stop after stripping migrants and refugees, the most vulnerable people, of their rights – they will go on to reduce civil liberties for us all. This kind of discourse has helped build connections between civil society at sea and human rights-oriented civil society on land. This has been the main effort of the new Italian platform Mediterranea, and it is interesting that just now, when it seemed that there was no hope in Italy anymore, as ports were closed, boats were confiscated and CSOs were put under investigation, this platform was born out of the convergence of progressive, rights-oriented civil society groups.

The situation is also challenging because it shifts our focus from humanitarian work to politics, and we do not want to politicise our message too much. But, in any case, progress has been made in creating connections and advancing advocacy, especially within EU institutions, and the European Parliament in particular.

JP: It's all about connections, advocacy and campaigning. There is a need for a counter-narrative to combat what risks becoming common sense: that it is okay to send people back to a place where there is a civil war. In response to anti-migrant protests, more than 200,000 people mobilised to demand that Germany

take in more migrants. This is the kind of civil society action we need so people become aware that human rights are in danger and they should be concerned about it.

Beyond what needs to be done immediately, which is to put together a state rescue programme, what is needed in the long term is a legal pathway so people can seek asylum in European countries without risking a dangerous crossing of the Mediterranean. A humanitarian visa or proper resettlement programmes that do not depend on the collaboration of the dictators who rule the countries that people are fleeing could offer possible solutions. But the problem is that for the time being our governments don't see a reason for doing this, so while we keep campaigning for political change and advocating for the rights of migrants and refugees, in the short term we try to focus on doing our SAR work – which in turn has is being increasingly obstructed, coming almost to a halt.

GL: We need help in putting more pressure on governments to uphold their international obligations and human rights standards. We need help because right now we are in resistance mode, as we are clearly unwanted in many contexts where we need to be present to do our work. And it is our duty to stay there and keep on, or otherwise in 30 years Europe will look back in horror and ask, 'How could we let that happen?' So we need help to build more solid bridges between work in the field and advocacy at international institutions, including the UN. International civil society can help by listening to and amplifying the human rights message.

JP: What not just international organisations and civil society, but any individual who cares about human rights can do at this time is help us on board, help us on land, come when we mobilise – and donate if they can, because we are all volunteer-based organisations, doing what governments should be doing but funded exclusively through the voluntary contributions of regular people.

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IN AUGUST, A CIVIL
SOCIETY REPORT
DOCUMENTED
THE INTIMIDATION
AND HARASSMENT
FACED BY AID
WORKERS HELPING
MIGRANTS AND
REFUGEES.

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FRANCE: CONTINUING HOSTILITY

France's President Emmanuel Macron was another high-level politician who attacked civil society for doing humanitarian work. In June, he **criticised** the German CSO Mission Lifeline after it rescued 233 migrants in the Mediterranean. The boat had spent four days stranded at sea after being refused permission to dock at several ports. Despite receiving some of the migrants, President Macron accused the rescue ship of “playing into the hands of smugglers” and of violating “all the rules” by coming to the migrants’ rescue when the Libyan coastguard was already intervening.

While targeting civil society, President Macron also criticised the Italian government for its increasingly hardline behaviour. When the Aquarius was banned from docking in Italian ports, he **criticised** Matteo Salvini as being “cynical and irresponsible.” However, his government did not go as far as to offer to receive the ship.

Hostility was extended to those on French soil. In August, a civil society **report** documented the **intimidation and harassment** faced by aid workers helping migrants and refugees in Calais and Dunkirk on France’s northern coast, from where people try to cross to the UK, and where despite clearances of refugee camps, around 1,500 homeless refugees are still estimated to live. The report found that over eight months, aid workers had been subjected to 645 incidents, including surveillance, repeated ID checks, stop and search and verbal and physical violence from the security forces. They had been prevented from giving refugees food and water. Disturbingly, women aid workers were disproportionately targeted: despite constituting only just over half of the workforce, women were subjected to 87 per cent of body searches.

Recent hostility from the state taps into and fuels a long-running seam of racism and xenophobia in French society, as reflected in levels of support for the far-right Rassemblement National (National Rally, previously the Front National) party. **Jean-Marie Fardeau** of **Vox Public** describes the current state of debate about diversity and fundamental values in France:

Several politicians, including our president, have publicly criticised CSO work, in particular that of organisations working with migrants in Calais or the Mediterranean Sea. This kind of criticism creates an unfortunate climate of distrust towards civil society.

There is a whole debate about whether there is structural, state-sanctioned racism in France. Does the state, through its policies and choices, maintain a multi-speed society in which people of foreign origin are considered as second-class citizens? Several

organisations have formed and mobilised around this issue, advocating for recognition of the plurality and multiculturalism of French society, and the specific contributions that people of foreign descent make to this society. Many of these groups, such as Les Indivisibles and the Collectif contre l'Islamophobie en France, have gained influence. They have been able to affirm their difference and their singularity and demand that the discrimination of which they are victims be recognised as such.

The gap is growing between those who continue to convey the myth of a Republic that is one and indivisible, which should be the case, and those who seek recognition of the fact that many citizens of today's Republic are not respected due to their origins. These communities are increasingly determined to defend their rights and their very existence within society, in reaction to this society that rejects them.

France's civil society is evolving, with a burgeoning of new forms of organisation to demand rights for excluded groups, and advocacy to assert the value of humanitarian solidarity, as Jean-Marie explains:

More traditional rights advocacy organisations are struggling to connect with these new forms of organisation, which come from and function within lower-class neighbourhoods. Those organisations have institutionalised and deliver generic messages on human rights and fundamental freedoms, which is of course necessary, but these messages are often disconnected from the daily struggles of the people who are discriminated against. It is not enough anymore to declare that 'racism is bad!'; their struggle should be connected to the concrete reality of people living in poor neighbourhoods. Our challenge at Vox Public is to help strengthen ties and build bridges between the more institutional and traditional human rights organisations and these new civil society actors grown out of so-called visible minorities.

*Civil society is engaging in the debate to emphasise the importance of humanitarian solidarity as an underpinning value in civic action. In a victory for civil society, in July, France's Constitutional Court ruled that fraternity is a key constitutional principle that could offer a defence against prosecution for aiding migrants and refugees. The case was brought after farmer **Cédric Herrou** was convicted and fined €3,000 (approx. US\$3,400) in 2017 for helping people cross from Italy to France; the law stipulates fines of up to €30,000 (approx. US\$34,000) and jail sentences of up to five years for such offences. The ruling offers hope that civil society will be able to continue providing humanitarian aid under the principle of fraternity without falling foul of the law.*

GREECE AND MALTA: FOLLOWING SUIT

The governments of **Greece** and **Malta** have taken a similar stance, denying migrants their rights and targeting civil society. In August, Nassos Karakitsos, field director of Greek CSO Emergency Response Centre International, and two of its volunteers, were **arrested** and detained on charges of human trafficking, espionage and money laundering, potentially facing a 20-year jail sentence for their work to help migrants and refugees. In September, the founder of the organisation was also arrested on charges of helping immigrants enter Greece illegally. The four were **released** on bail in December, but continued to face serious charges.

In July, the Maltese government closed its ports to rescue ships and stopped SAR operations based in Malta, leaving SAR ships stranded. The move sparked peaceful **protests**, coordinated with protests across several German cities. Activists gathered outside the courts in the capital, Valletta, to call on the government to allow SAR ships to carry out their humanitarian work. CSOs working for the rights of migrants and refugees also **reported** being on the receiving end of increasing incidences of hate speech and death threats, accusations of being people traffickers and attacks on their funding.

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THE UK'S 'HOSTILE
ENVIRONMENT'
POLICY AGAINST
UNAUTHORISED
IMMIGRANTS
ATTRACTED
INCREASING
CONTROVERSY
IN 2018.

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BOSNIA AND HERZEGOVINA AND CROATIA: A NEW ROUTE MEANS A NEW CHALLENGE

Although **Bosnia and Herzegovina** was not initially on the '**Balkan route**', the main path by which migrants landing in Greece sought to pass through East and Central Europe, that changed in 2018, when the number of people entering the country more than **quadrupled**. The change showed how tightening borders – notably in Croatia, Hungary and Serbia – does not necessarily stop the movement of migrants, but can rather displace them, with Bosnia and Herzegovina particularly receiving migrants expelled from neighbouring Croatia.

Pomozi.Ba, a CSO supporting migrants and refugees, called attention to the increasing numbers of arrivals, and the **challenges** faced by domestic civil society in responding in the absence of government support. New arrivals were forced to sleep rough when the shelter provided by CSOs and citizens was exhausted. But rather than deal with the issue, politicians accused CSOs of hosting and aiding illegal migrants. Such criticism did not prevent civil society from showing solidarity: ahead of the EU-Western Balkan Summit in May, Bosnian civil society issued a **statement** calling for the human rights of migrants and refugees, and the civil society working with them, to be respected.

Across the border, several **Croatian** CSOs **complained** that the Ministry of Interior was interfering with their work to provide humanitarian and legal support to migrants and refugees. They reported that the state was obstructing their investigations into crimes committed against refugees, and they had been threatened with legal charges for helping refugees on arrival in Croatia. CSOs called for greater civilian oversight of the police, and for the state to respect its obligations towards refugees.

UK: 'HOSTILE ENVIRONMENT' FOR MIGRANTS – AND CIVIL SOCIETY

The **UK's** 'hostile environment' policy against unauthorised immigrants attracted increasing controversy in 2018 due to the **Windrush scandal**, which saw the forced deportation to the Caribbean of around 60 people who had been legally resident in the UK for many decades, and the denial of basic rights in the UK to many more. But while these forced deportations hit the headlines for their egregious treatment of people who had spent a lifetime contributing to British society, other deportations went on more quietly.

It had been to stop a flight deporting 60 people to Ghana, Nigeria and Sierra Leone that 15 activists from the **End Deportations** group locked themselves onto a plane at Stansted Airport in March 2017, preventing the flight from taking off. The group, who became known as the Stansted 15, were charged with the rare offence of endangering the safety of an airport, under a law passed in response to the terrorist bombing of a flight over Scotland in 1988. At their trial in December the 15 were found **guilty** after the judge instructed the jury to ignore key evidence the defendants had given.

The verdict marked a grim day for civil society action in support of migrants. It suggested that the state was particularly sensitive about the exposure of the practicalities of its 'hostile environment' policy, which means that people are deported on secretive flights before they have a chance to appeal against the deportation decision; as a direct consequence of the action of the Stansted 15, **11 of those** due to be deported on the blocked flight were subsequently able to win the legal right to stay in the UK.

The guilty verdict brought the threat of life sentences for the group, and while they were later **spared** these, they announced their intention to **appeal** against their convictions. The verdict showed how laws supposedly introduced to prevent **terrorism** – (*see Part 1*) – can creep into spheres of legitimate action; whether the group's actions were judged as proper or misguided, they were clearly not terrorist acts. If allowed to stand, the verdict would constitute a major **setback** for the UK's tradition of non-violent direct action, raising the risk that similar actions, including those in support of migrants, could be convicted under anti-terrorism laws.

BELGIUM: POLARISATION OVER MIGRANT TREATMENT

Issues of migration have created ferment in **Belgium**. In June, two reporters and three technicians from the RTBF TV station were arbitrarily

arrested as they refused to stop recording a peaceful protest organised by the activist group #NotInMyName, and their recording equipment was seized. Protesters had blocked access to a new detention centre in the Steenokkerzeel municipality, protesting at the detention of women and children. The government was subsequently reported to be suing the protesters to recover costs for damage it said was sustained during the protest. Anger at the Steenokkerzeel detention centre did not go away. A further protest was staged in August, and that same month, police in the capital, Brussels, **arrested** and briefly detained two women as they staged a topless protest against the centre. The two protesters held a banner that read, "This is not a scandal, but locking children up is."

However, polarisation over the treatment of migrants was evident in a December **protest** under the banner of 'March against Marrakesh' to oppose the government's support of the Global Compact for Migration, adopted in Marrakesh, Morocco that same month (*see Part 4*). The protest, organised by far-right groups, drew significant support, with around 5,500 people attending. Following violent clashes with the police, around 90 people were arrested and teargas and water cannon were used. A counter-protest supporting the Compact mobilised around 1,000 people, including from progressive civil society groups. In a sign of how divisive the issue is, the largest party in the governing coalition, the right-wing nationalist New Flemish Alliance, **quit** the government after the prime minister endorsed the Pact; the government **collapsed** when the prime minister lost a vote of confidence.

DENMARK: MUSLIM WOMEN TARGETED

The xenophobia that is mobilised against migrants and refugees also targets visible minorities. In May, **Denmark's** parliament overwhelmingly passed a law **banning** the wearing of the burqa, niqab and other face and head coverings in public. This is a measure that overwhelmingly affects Muslim women as an already excluded group; forms of dress rooted in other faiths are not affected. Under the law, women can be

fined for wearing coverings in public. As the example of protests against compulsory hijab in Iran ([see below](#)) shows, questions of the wearing of face and head coverings, identity and the status of women can be complex and nuanced, but much of the complexity of that debate seemed to be lacking in Denmark. Given the relatively small number of Danish Muslim women who wear head and face coverings, critics saw the law as a concession to the [growing](#) anti-migrant sentiment in the country. The parliamentary debate took a decidedly Islamophobic tone, with the Minister of Justice arguing that Islamic face coverings are “disrespectful” and “incompatible with Danish values,” and the right-wing populist Danish People’s Party, which came second in Denmark’s 2015 election, explicitly criticising what it called the “Islamicisation of Denmark.”

This was part of a wave of such measures recently introduced across Europe, including in Austria, Bulgaria and France; what these bans have in common with Iran’s insistence that women wear the hijab is that they all remove the crucial ability of women to choose voluntarily whether and how they signal an aspect of their identity.

In August, hundreds of people [protested](#) against the measure, with women wearing burqas and veils standing alongside people with makeshift coverings. A few days later, the [first fine](#) was handed out to a woman wearing a niqab.

MIGRANTS, REFUGEES AND MINORITIES UNDER ATTACK AROUND THE WORLD

Far-right groups were on the march against excluded groups elsewhere in Europe. In [Ukraine](#), far-right nationalist group C14 [attacked](#) a Roma camp in April, and two more attacks followed in May. The concern this sparked among Ukrainian civil society is that hatred and the violence that results are becoming normalised. [Georgia](#) also saw worrying developments in February, when far-right networks [announced](#) their intention to organise a ‘people’s patrol’ of the capital, Tbilisi, targeting

migrants committing crimes. The groups involved had organised an anti-migrant march in 2017.

These challenges were not confined to Europe. Around the world, governments and dominant population groups are targeting migrants, refugees and minorities, and these excluded groups are striving to organise to claim their rights. Progressive, rights-oriented civil society stands in solidarity with them, often facing repression for doing so.

Refugees from the [DRC](#) face a hostile and difficult environment in [Rwanda](#). In February, around 2,000 people marched out of a refugee camp to complain about a cut in food rations from the UN Refugee Agency, the UNHCR. The response of Rwandan forces was to open fire. At least two people were reported wounded. Worst was to follow two days later, when 11 protesters were [killed](#) and over 20 injured by police, mostly when police forcibly evicted them from an occupation of UNHCR offices. In May, Congolese refugees at another camp were arrested following [clashes](#) with security forces. The violence left one protester dead. Clashes began when camp residents allegedly pelted visiting government officials with stones; the police responded with teargas and live ammunition. Tensions were raised by falling humanitarian funding levels, which led to the food ration reductions.

[India](#) is home to an estimated 40,000 [Rohingya](#) refugees from [Myanmar](#), part of a displaced population of an estimated one million who fled their country to escape appalling human rights violations, particularly a surge of genocidal violence in 2017. The threat they face remains. In July, UN Special Rapporteur on the situation of human rights in Myanmar, Yanghee Lee, [reported](#) that “democratic space in Myanmar continues to sharply deteriorate,” pointing to the use of repressive laws and arrests of protesters. In August, a UN fact-finding mission found [evidence](#) of serious crimes against Rohingya people and other groups, and noted that critical voices were being silenced in Myanmar. In September, the International Criminal Court

ruled that it has jurisdiction over the forced migration of Rohingya people from Myanmar. But despite these clear indications of the continuing dangers for Rohingya people in Myanmar, India's government seems determined to force them to return.

In October, seven Rohingya people were **deported** back to Myanmar, in spite of the risks they will surely face in a country where they are not recognised as citizens, and in violation of the international principle of non-refoulement, which decrees that people should not be returned to places where they are threatened. The deportations formed part of a plan announced by the government in 2017 to deport “illegal foreign nationals,” which potentially includes all 40,000 Rohingya people. Rohingya people in India have also been subjected to violence and police harassment, and vilified as terrorists. Already some have chosen to **flee** India for **Bangladesh**, which may well be the objective of the harassment. The backdrop to this repression is that of a Hindu **nationalist** government **targeting** the most vulnerable group of Muslim people by characterising them as a national security threat.

In **South Korea**, the arrival of around 500 people from Yemen on Jeju Island brought out the worst in people and provided fuel for anti-rights groups, as South Korean activist **Gayoon Baek** relates:

Korean society is not very open to other ethnicities. When people come in from South-East Asia to live in the country, they are taught how to assimilate Korean habits, rather than us accept a different culture.

In this case, within a few days there was a petition signed by 800,000 people against accepting the refugees. Instead of declaring that under international law it would accept the refugees, the government's response was to say they would tighten the refugee screening process, verify who are the real refugees compared to the fake ones, and expand its patrol system. That is disappointing from a human rights perspective.

The government has shown no ability to control hate speech and prevent extreme right-wing religious groups from organising. There are far-right evangelical groups protesting against proposals for an anti-discrimination act and they closely work with conservative media. They are very organised and lobby hard against LGBTQI rights and refugee rights. CSOs working on human rights receive so many threatening calls from these groups.

To stand for Tibetan rights in **Nepal** can be to court danger. In March, Adak, a Tibetan refugee and activist based in Nepal, was reportedly **detained** for 10 days, during which time he was



Pro-refugee activists chant slogans denouncing racism and welcoming refugees in Seoul, South Korea.

Credit: Jean Chung/Getty Image

threatened with deportation by the police, after posting on photo on Facebook in which he posed with the Tibetan national flag. He was released after Nepalese human rights organisation HURON **intervened** on his behalf. Adak is a member of the Tibetan Volunteers Group in Nepal, a community of Tibetans who have staged peaceful protests against Chinese human rights violations in Tibet. It has become **harder** to voice pro-Tibetan views in Nepal as the country has cultivated closer relations with its powerful neighbour.

Meanwhile, in **China** itself, during 2018, the government's systematic repression of its **Uighur** minority increasingly came to light. The Uighur people, a Muslim minority located in China's north-western Xinjiang region, have long been subject to persecution. But the August session of the UN Committee on the Elimination of Racial Discrimination **revealed** the scale of the problem. The Committee's Co-Rapporteur for China, Gay McDougall, highlighted serious human rights violations, including arbitrary, extended detention, affecting Uighur people and other Turkic Muslim minorities, and suggested that more than two million people had been detained in 'counter-extremism centres' and 're-education camps', on the pretext of countering religious extremism and promoting social stability. Almost all forms of religious expression, including wearing a full beard or headscarf or possessing particular halal products had, she said, been criminalised. More details **followed** of forced political indoctrination and forced **renouncing** of religion, collective punishment, mass surveillance and brainwashing of **children**, suggesting that a programme of ethnic cleansing was underway in what amounted to one vast internment state. Undeterred by the exposure, in October the government signalled its intention to continue its campaign of forced detention and indoctrination when it **legalised** 'vocational skill education centres'.

The Chinese government's treatment of its Uighur minority bore similarities to its systematic suppression of activism and expressions of identity in Tibet, where the pretext of a campaign against organised

crime is now being used to repress activism and the defence of rights. The promotion of local language and culture and advocacy for the protection of the local environment are now banned in Tibet, and many forms of traditional and community organisations have been prohibited as forms of organised crime. In May, Tibetan activist **Tashi Wangchuk** was sentenced to five years in jail under a national security law for advocating for the Tibetan language. An all-powerful state seems set on eliminating any form of identification around which people might organise as different to the model citizens they are expected to be.

China's government, confident of its global economic power, **rejected** criticisms of its human rights abuses in Tibet and Xinjiang that came its way during its Universal Periodic Review session at the UN Human Rights Council, brushing these off as politically motivated. The example of China showed that when civic space is closed and **hardly any** independent civil society exists, governments are free to follow their worst impulses.

Like Rohingya people in Myanmar and Uighur people in China, **Kuwait's Bidoon** community are not migrants, but they are treated like them and marginalised all the same. The Bidoon people are a stateless Arab minority who were not recognised as citizens when Kuwait achieved independence, and have subsequently been categorised as illegal residents, even though many have no meaningful connection to any country other than Kuwait. To stand up for their rights in a context of repressed civic space can be dangerous. In August, human rights lawyer **Abeer Al-Haddad** received several threats following a tweet she posted that related to her ongoing defence of the rights of the Bidoon community, in which she expressed her intention to sue the Minister for the Central Apparatus for Illegal Residents' Affairs. The Central Apparatus for Illegal Residents' Affairs has been **criticised** for failing to address the situation of Bidoon community, with people accusing it of making their lives worse.

CIVIL SOCIETY IN AUSTRALIA: CHALLENGING THE 'PACIFIC SOLUTION'

Few responses to migration are as controversial as the government of **Australia's** continuing use of offshore detention centres, in **Nauru** and on Manus Island, **Papua New Guinea**, to hold those found to have entered the country illegally. Originally known as the 'Pacific Solution', the detention centres operated from 2001 to 2008 before being reopened in 2013. An estimated 1,600 people are held in open-ended detention; many have been incarcerated for years. In her September speech, Michelle Bachelet **condemned** Australia's offshore system as "an affront to the protection of human rights." Before then, in July, the UN Working Group on Arbitrary Detention **described** the indefinite detention of refugees and asylum seekers as arbitrary and illegal.

Conditions inside the detention centres are a sensitive issue in Nauru, where the Australian aid that comes as part of the package is important to the island nation's economy and the detention centre is one of the few sources of employment. In October, the government of Nauru **ordered** MSF to leave Nauru immediately, accusing it of engaging in political activism. MSF had been providing mental health services to refugees and asylum seekers. In response, MSF called for the immediate evacuation of all people detained in the Nauru centre and an end to the offshore policy. Later that month an Australian senator, Nick McKim, was **refused** permission to visit Nauru, apparently because the Australian government did not support his visit.

The government of Nauru's sensitivity about its treatment of Australia's asylum seekers was also evident in July, when Nauru hosted the intergovernmental Pacific Islands Forum. The government **banned** the Australian Broadcasting Corporation from entering Nauru, accusing it of biased and false reporting; the broadcaster had reported critically on detention centres. In response, the Australian Parliamentary Press Gallery stated that it would boycott the event. The ban came within an

already difficult climate for the freedom of expression in Nauru, where foreign journalists are **charged** an expensive and non-refundable visa application fee, something that hampers independent reporting on the detention centre.

Similarly, when Papua New Guinea **hosted** the Asia-Pacific Economic Cooperation regional forum in November, it moved sick refugees and asylum seekers who were receiving medical treatment in the capital, Port Moresby, back to Manus Island. The move came as part of an expensive clean-up of the capital ahead of the meeting. The inference was that refugees and asylum seekers were an unsightly embarrassment, inconsistent with the image the government wished to project, and needed to be tidied away out of sight. One man **attempted suicide** on learning that he would be returned to Manus Island.

As in Nauru, in Papua New Guinea the authorities are evidently sensitive to abuses in detention centres being exposed to international attention. In April, Kurdish Iranian writer **Behrouz Boochani**, detained on Manus Island for almost six years, **revealed** that journalists had largely been banned from accessing the detention centres on spurious national security grounds and inmates had been denied access to mobile phones for over three years, forcing them to rely on smuggled phones. Behrouz wrote a book, *No Friend but the Mountains*, about his experiences in detention, composing it one text message at a time to overcome the limitations on his ability to communicate. In January 2019, it **won** Australia's prestigious Victorian Prize for Literature; his book could travel, but he could not. He was not alone among those detained in taking risks to draw the world's attention to the injustice of their situation. In August, Sudanese refugee **Bashir Osman** held a solitary protest against the lack of adequate care provided by companies running the detention centre.

In solidarity with the detainees working to draw attention to the injustice of their treatment, Australian civil society helped bring moral pressure

to bear on their government in 2018 through several protests. In July, marking the fifth anniversary of the policy's reintroduction, thousands **marched** in a number of Australian cities to call for the evacuation of the centres. Four women were charged in Melbourne after occupying a Department of Home Affairs office as part of the protests. In October, over a thousand people gathered in **Sydney**, and others in Melbourne, in a further **protest** against the centres. This protest came after 11 children were evacuated from the Nauru detention centre on medical grounds, amid **reports** that children in detention were experiencing psychological trauma and engaging in acts of self-harm. In December, an MSF report **described** the situation in Nauru as a "mental health crisis." In June, an Iranian asylum-seeker, **Fariborz Karami**, was reported to have killed himself in the Nauru centre, the 12th detention centre **death** since they reopened.

As the pressure built, by the end of 2018, most children held in detention had been **evacuated** to Australia, with the government appearing to have quietly reversed its policy of fighting evacuation orders in court. But with many adults remaining in limbo, class action lawsuits were **launched** by human rights lawyers claiming torture, crimes against humanity and the intentional infliction of harm.

VENEZUELA'S EXODUS: A REGIONAL CHALLENGE

Venezuela's political crisis (*see Part 3*) was also a humanitarian crisis, which became a migration crisis. According to the **International Organization for Migration**, 2.3 million Venezuelans – a staggering seven per cent of the country's population – have since 2014 fled what used to be one of the richest countries in Latin America.

Oil exports account for 96 per cent of Venezuela's income, and in 1998, the state-owned oil company PDVSA had 40,000 employees and produced 3.4 million barrels a day; by 2013, with triple the number of workers, the company was producing only **2.7 million barrels a day**,



Venezuelans crossed through the low waters of the Táchira River after the Simón Bolívar international bridge, which connects Venezuela and Colombia, was closed in February 2019.

Credit: Joe Raedle/Getty Images

and this dropped further to **1.5 million in 2018**. As in several other countries covered in this report (*see Part 1*), Venezuela's economy was ill-prepared for a global drop in oil prices. The oil price fall, on top of all other problems, resulted in an economic crisis that began in 2013, the year President Hugo Chávez died, to be replaced by Nicolás Maduro.

Inflation quickly spun out of control. According to the International Monetary Fund, the inflation rate for 2017 was 2,600 per cent, and an incredible one million per cent rate was **expected** for 2018. **Hyperinflation** had dramatic effects on purchasing power. According to the last published official data, the poverty rate, at **34 per cent** in 2013, was up to **87 per cent** in 2018. **Acute scarcity** of basic goods, including food, hygiene products, medicine and medical supplies, prompted a **warning** from the UN Special Rapporteurs on the rights to food and health, and on poverty and human rights. Shortages in essential medicines meant that **mortality rates** spiked among people with chronic health conditions. A 2017 **bulletin** published by the Ministry of Health warned of a 30 per cent increase in child mortality and a 65 per cent increase in maternal mortality. **Malaria** became endemic again.

As described by **Beatriz Borges** of the **Justice and Peace Centre**, despite civil society's warnings, a humanitarian crisis was exacerbated by an embattled government's reluctance to seek international help:

*As we said in a **report** submitted to the UN High-Level Political Forum on Sustainable Development in July, since 2015, Venezuelan civil society has made sustained efforts to warn, on the basis on evidence, about the large-scale complex, severe and urgent humanitarian emergency that Venezuela is going through. This emergency had its origin in government policies that dismantled the rule of law and democratic order; destroyed the country's economic and institutional capacity, depriving millions of Venezuelans of essential goods and services; and*

applied coercion and state violence against those who questioned or opposed those policies.

At the cost of extensive and profound suffering and loss caused to the Venezuelan population, the government ignored offers of and criminalised international cooperation and humanitarian aid, despite the demands expressed by the people affected, CSOs, the National Assembly, the UN Office of the High Commissioner for Human Rights, the committees that monitor international treaties, the special rapporteurs of the universal human rights protection system, the Inter-American Commission on Human Rights (IACHR), the Organization of American States, the EU, Mercosur and various countries from several continents.

From 2013, Venezuela sank into a downward spiral of strikes, protests and repression. All major **regional** and **international** human rights organisations and international CSOs agree that Venezuela is undergoing a full-blown human rights crisis, possibly the worst in its history. In response, to escape hunger, social and political **violence** and state repression, Venezuelans started **migrating** in massive numbers to neighbouring countries and beyond. Colombia, the main destination, received 870,000 Venezuelans, followed by Peru (354,421), the USA (290,224), Spain (208,333), Chile (105,756), Argentina (95,000), Panama (75,990), Brazil (50,000), Italy (49,831) and Ecuador (39,519). Given the Venezuelan government's inability to issue passports, waiting times increased and the **black market** soared. The UNHCR **estimated** that 60 per cent of Venezuelans abroad lacked legal status and proper documentation.

Venezuelans who migrated did not do so lightly, since they faced public criticism from their country's authorities. The president of the National Constituent Assembly **said** that people migrate in search of status and because it is "fashionable," while President Maduro **told** them to stop cleaning bathrooms and return to Venezuela. Vice-President Delcy

Rodríguez cast doubts on the extent of the crisis as she **warned** that the numbers of migrants were being inflated to justify a US-led international intervention. The Minister of Communications **dismissed** the migration and humanitarian crisis as “fake news.”

Massive migration caused pressures in other countries. Colombia, which first established an ‘open arms’ policy, faced internal division on migration, with many expressing **concerns** about the impact on jobs. In response, Colombia’s Foreign Affairs Minister **urged** the international community to adopt a collective approach to the crisis, including by establishing a multilateral fund. **Anti-immigrant riots** and **violent attacks** were reported in **Brazil**, where right-wing populist Jair Bolsonaro was elected as president in October (*see Part 3*). Authorities in **Ecuador** and **Peru** began requiring passports and IDs from Venezuelans entering their countries, even though most people lacked these.

Venezuelan migrants, as noted by the IACHR, face discrimination, threats to their lives and personal integrity, sexual and gender-based violence, abuse, exploitation, including the possibility of becoming victims of human trafficking and disappearance, and obstacles in obtaining international protection. They have limited access to humanitarian assistance, housing, health, food and education.

But civil society in countries that Venezuelans are migrating to is trying to make a difference to the lives of migrants. We spoke to **Alicia Pantoja** of **Manos Veneguayas**, a CSO run by Venezuelans in **Uruguay** that offers support to Venezuelan migrants. Alicia first makes clear that many had no choice but to flee:

The situation in Venezuela is critical: literally, people are starving to death. Malnutrition has increased; there are more and more cases of children who are nothing but skin and bones. Older people are dying, and children in hospitals are dying as a result of completely preventable infections, just because hospitals are contaminated. I see a very tough future. It will be difficult for this

generation that is growing up in Venezuela today to have the strength to push the country forward.

Venezuelans are not migrating in search of better opportunities; they are migrating to save their lives. From 2014 to the present, the quality of life in Venezuela has deteriorated to unimaginable levels. For those of us who still have families there, this is very hard. When you are at home at night and the telephone rings, your heart stops. You always fear that call in which you will be told that so-and-so died, or so-and-so has been killed.

Instead of trying to get other countries to open their arms to receive a massive influx of migrants from Venezuela, something needs to be done to change the situation that is causing people to flee their country. But in the meantime, we are trying to help Venezuelans arriving in Uruguay.

Alicia goes on to describe the crucial emotional and material support her organisation provides to those arriving in Uruguay:

Initially our idea was to provide emotional support. People were arriving who ignored lots of important things about this country, such as that summers are hot and winters are cold. They had no idea what it is like to live in a country with four seasons. Many arrived with nothing, so we collected and distributed necessities such as warm clothing.

The idea was to help newcomers adapt to Uruguay, so they felt they were not alone throughout the migration process. As the main urgency for new arrivals is to get a job, the first thing we did was create a jobs bank, which we named Clasificados Veneguayos. We now have a database with hundreds of resumes that we provide to potential employers. And while many people come to us with requests for domestic help, we try to get people jobs within their professional areas of expertise.

But our priority is to make sure that at least one member of each household receives an income, and we think that all jobs dignify. We give talks so that newcomers learn about their rights regarding healthcare and work, and we help them prepare a resume or get ready for a job interview. We also provide them with support so that they can obtain their legal papers.

We have done a survey to better understand the needs of Venezuelans arriving in Uruguay. For those who are arriving right now, housing is an additional problem on top of finding work. Increasing despair is causing whole family groups to leave Venezuela, making the process all the more difficult. In the past, the head of the family, usually a man, often came first, stayed in a residence and focused on working, so three or four months later he would be able to provide the required deposit to rent a small apartment so that he could bring his wife along to work, and eventually rent a bigger place together. But now it's families of four or five people arriving, and residences and even rental rooms are out of their reach. Legally, rental collaterals can only be obtained after being employed for a minimum of three months. Otherwise, you need to pay a lot of money up front, and in the case of recent Venezuelan migrants, if I told you that one per cent are bringing a sizeable amount of money, it would be an exaggeration. Shelters are overflowing because not only are Venezuelans currently arriving, but also Cubans and Dominicans.

We know that as far as migrants are concerned, it is common for the reputation of the whole national group to be put into question as a result of the actions of just a few individuals. If one Venezuelan makes a mistake, it will be said that all Venezuelans are dishonest or unreliable. Therefore, we are very careful in helping people prepare to find a job. When people arrive and tell us that they are desperate and want a job no matter what, we ask them to identify their own limits, because they need to commit to whatever job they get; they cannot stay in a job for two weeks and then leave.

Of course, there are people who think that Venezuelans are coming to take job opportunities from Uruguayans. But that is obviously not true: there is simply a range of offers that fit some people and not others. While there are many Venezuelan professionals working as Uber drivers, waiters, vendors and delivery people, there are also professionals employed within their area of expertise: nurses, physiotherapists, engineers, even some architects who have been able to validate their college degrees. The migration of Venezuelan

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Migrant caravan members walked through Mexico after crossing from Guatemala in October.

Credit: John Moore/Getty Images

professionals has been very important for Uruguay, since it has allowed the country to tap into a high-quality pool of professionals while not investing a cent in their training.

Finally, Alicia looks forward to a time when she and at least some of those who have left Venezuela will be ready to return:

There are some who consider that their life is here now, and they are here to stay, but a high proportion of us are of the view that we are here to learn, because our plan is to go back and help rebuild our country. I want to go back, and I believe most people think that this is just temporary, that our country is going to move forward and will eventually need us. In the meantime, the best we can do is try to leave a deep mark in this country that has hosted us, so that tomorrow they can say that Venezuelans have indeed played their part.

THE MEXICO/USA BORDER: A DIVIDED SOCIETY, ACTIVISTS UNDER ATTACK

The exodus from Venezuela was not the only episode of migration across the region in 2018. Many fled lethal state violence against protesters in **Nicaragua** (*see Part 1*), with around 30,000 applications for asylum received in **Costa Rica**.

The migrant caravan that **marched** north from **Honduras** towards the **USA** during late 2018 was not the first of its kind either – there had even been a smaller one earlier in 2018 – but the timing was such that it met head-first a polarised and febrile US debate on migration. Around 500 people from **El Salvador**, **Guatemala** and **Nicaragua** as well as Honduras set off in October with the avowed intention of walking to the USA to escape repression, violence and poverty. In the USA, those marching were quickly demonised as criminals, leftists and an invading force by supporters of President Trump, who tried to use the issue as a way of galvanising support for the November elections. The Trump administration promised to meet any attempt to enter the USA with force and sent **troops** to its border with **Mexico**. It also **threatened** to withdraw aid from neighbouring states that allowed the caravan to pass through.

When the caravan reached Guatemala in October, one of its leaders, journalist and activist **Bartolo Fuentes**, was arrested and deported to Honduras. The move was condemned by civil society as being a response to US government pressure and a reaction to his work reporting on the caravan and the human rights abuses experienced by its participants. The IACHR expressed its

concern about the repeated human rights violations caravan participants experienced and called for their protection. But when the caravan tried to cross into Mexico en masse rather than be individually processed, they were met by police in riot gear and dispersed with teargas. Then once the group had arrived in Mexico, US activist **Irineo Mujica**, who had been helping to provide humanitarian aid, was arrested. Despite threats and violations, numbers swelled as the caravan went along, and by late November, several thousand people were camped at the Mexico-USA border. When people, including families with young children, made an attempt to enter the USA, they were dispersed with teargas.

The backdrop was of course one where migration across the Mexico-USA border has been made a major political issue by President Trump and his supporters, with illegal immigrants repeatedly demonised as violent criminals and the promise to build a border wall a headline, albeit still unfulfilled, campaign promise.

The rhetoric affected those already in the USA too. Under the Obama administration, a civil rights movement was formed by people who had been brought illegally to the USA from Mexico by their parents while children, and who had grown up in the USA having known little other life. The movement became known as **Dreamers**, in reference to the proposed Development, Relief and Education for Alien Minors (**DREAM**) Act, a bill that promised to give over a million young people the opportunity to apply for permanent legal status and eventually become eligible for US citizenship. First introduced in 2001, the bill was never passed by a divided Congress.

When the bill failed again in 2012, President Obama instituted a less ambitious solution by executive order, the Deferred Action for Childhood Arrival (**DACA**) programme. This allowed many young unauthorised immigrants to apply for 'deferred action' – a commitment by the federal government not to initiate deportation proceedings against them for two years. Successful applicants received a permit to work and study. As

a result, thousands of young people had the chance to work legally for the first time. Research **indicated** that those benefiting from the DACA scheme saw increased salaries and upward social mobility. Despite the increasing salience of migration as a political issue, polls also showed that an overwhelming majority of US citizens – 87 per cent – **approved** of protections for Dreamers.

However, in September 2017, the Trump administration implemented an anti-immigration campaign promise by ordering a halt on new applications under the programme. As DACA protections were temporary, this would have meant that all protections would expire before 2020. The Dreamers swung into action, converging on Washington, DC to lobby Congress. In March, on the proposed date by which the programme was to end, Dreamers marched in the capital and other US cities. By then, in two court rulings in the early months of 2018, judges had ruled that the renewal process should **continue**; in April, a further court **ruling** insisted that new applications should also be accepted. The issue became something of a political football, as President Trump tried to trade the continuance of the programme for a vote to fund his promised wall; in late December, the issue of funding for the proposed wall led to a deadlock and the USA's longest-ever federal government shutdown, which dragged on through much of January 2019. Dreamers continued to **organise** to try to ensure that in the country's frenetic politics, the question of their future remained on the political agenda.

Another divisive action in 2018 was the Trump administration's '**zero tolerance**' policy, introduced in April, which replaced civil deportation proceedings with criminal proceedings for those caught illegally crossing the Mexican border and separated children from their parents. When adults were sent for criminal prosecution, they were detained in jail, which meant that children were taken from them and placed in government facilities, some of an improvised nature on military bases. Shockingly, it became clear that the **practice** had been going on long before the 'zero tolerance' policy was announced; under the new policy,

the separations had increased, and become higher in profile. Even more disturbingly, it seemed that the policy was intended to have a **deterrent** effect: images of family separations were supposed to put other adults off trying to cross the border with children.

The family separation policy was suspended in June in response to a public backlash, fuelled by videos showing children being kept in cages and crying for their parents. Although short-lived, the policy separated at least 3,000 children from their parents; according to some sources, the number may have **exceeded** 5,000 during the Trump administration to date. No plans had been made for **reuniting** the families who had been torn apart. The policy had been a **failure** on every front, but in November, a further divisive, hardline measure was **announced**: people crossing the border illegally would be considered ineligible for asylum. The ban, which effectively opened the doors to **summary** deportations, was immediately **blocked** by a court decision, which determined that President Trump did not have the authority to override existing immigration legislation.

Public protests played their part in building the pressure that led to the reversal of the 'zero tolerance' policy. Around 15,000 people **marched** in Los Angeles on May Day to demand migrants' rights as well as workers' rights, and hundreds **rallied** against family separations on the National Day of Action in June. Around 700 **protests** were held in cities across the USA, including border cities, under the banner of 'families belong together' at the end of June. In August, around 2,000 union members **rallied** in Philadelphia against immigration policy. Protests continued throughout the year. In December, under the banner of '**Love Knows No Borders**', a week-long series of rallies were held in support of migrants; at an **event** attended by around 400 people in San Diego, close to the border, at least 32 people were arrested.

In June, a spontaneous movement known as **Occupy ICE** (the Immigration and Customs Enforcement agency) made its first public appearance

outside the ICE office in Portland, Oregon. The protest started with a few people demanding that the agency move out of their city and grew quickly over the course of a week as people camped outside the office, forcing the building to close, until the Department of Homeland Security intervened to clear the area. The Portland occupation ended with eight protesters **arrested**. Similar camps were soon set up in other cities, including Philadelphia, San Diego and San Francisco. As one camp was removed, another would spring up in another city, virally inspired by reports of occupations, and protests outside ICE offices **continued**. '**Abolish ICE**' became a popular rallying call, **adopted** by some Democratic candidates standing in the November elections.

This opposition in turn provoked a backlash from the authorities. Advocates for migrants' rights were targeted on the basis of their own migration status. Ravi Ragbir, who leads the **New Sanctuary Coalition**, a network of faith groups that advocates for migrants' rights, was one outspoken critic who was **targeted**. In January, Ravi was **detained** following a routine check-in with ICE. Despite being legally resident in the USA since 1994 and married to a US citizen, he stands at risk of deportation to **Trinidad and Tobago** on the basis of a former **conviction**; he is convinced he was targeted as a vocal critic of the immigration policies of the current administration. At the time of writing, he continues to **appeal** against deportation.

Other activists have been subjected to similar measures. In January, activist **Jean Montrevil** was deported to **Haiti** after living in the USA for over three decades. In March ICE **detained** Alejandra Pablos, a well-known activist in Arizona, following a routine check. Alejandra, who was brought to the USA from Mexico as a baby and identifies as a Dreamer, **believes** she too was targeted because of her activism. She had previously been detained in January at a peaceful protest against ICE raids and over-policing, and again in March, when she was held in custody for 43 days before eventually being released on a US\$8,000 bond. Her activism had a material cost: while in detention, she **lost** her job.



Activists protested outside the ICE offices in Portland, Oregon in June.

Credit: Diego G Diaz/Icon Sportswire via Getty Images

What these cases had in common was that people were being doubly punished on the basis of historic criminal convictions, with the second punishment of sudden deportation. But activist Daniela Vargas also seemed to be targeted in March when she was **detained** following a press conference about migrants' rights, in which she **expressed** her fears of deportation. The case drew nationwide attention because her DACA permit had **expired** but her renewal application was under review.

Humanitarian support for migrants was also penalised. In September, it was reported that activists from a faith-based humanitarian group, No More Deaths, working near the border in Arizona, were being harassed and arrested for leaving water in the desert to help people crossing from Mexico. Harassment increased after the group published a **report** alleging that the US Border Patrol was intentionally destroying water containers. On the day the report was published, a member of the group was **arrested** and charged with "harbouring illegal aliens" and at least seven others were charged in the following days. Leaked **messages** indicated that the group had been targeted because of its public criticisms of immigration policies and agencies. The impact of this crackdown on humanitarian response will be to deny potentially **life-saving** resources to those making the hazardous crossing through the desert.

In the same speech in which she criticised Italy's action against SAR operations and Australia's offshore approach to migration, Michelle Bachelet also **condemned** the Trump administration's family separation policy, along with the state's breach of the principle of non-refoulement, limitations on the right to appeal which leave to people being deported without due process, and the lack of redress by migrant families separated by the state. Many in civil society who spoke out, protested and provided humanitarian response during 2018 will have welcomed her words – but in a context where the least powerful people are being targeted by the most powerful for political advantage, civil society still faces the challenge, in the USA and elsewhere, of mounting effective resistance to a world of increasingly implacable walls.

CHALLENGING PATRIARCHY: THE UNSTOPPABLE FIGHT FOR WOMEN'S RIGHTS

The anger and determination to achieve systemic change that fuelled the **#MeToo** and **#TimesUp** movement in 2017 has not gone away, because in every country, the issues of sexual harassment and discrimination and the broader power imbalances that underpin these, remain largely unaltered, and demand sustained engagement to bring about structural change. A year after the revelation of allegations that began with the downfall of Hollywood mogul Harvey Weinstein and exposed the abuse of a slew of other powerful men in country after country, **research** revealed that the hashtag **#MeToo** had been used over 19 million times, averaging 55,319 uses a day. The global resonance of the issues raised was shown by the fact that almost a third of the tweets were in languages other than English. While critics had initially tried to paint the movement as one led by relatively privileged women working in the entertainment industry in the global north, the reality belied this. In country after country, and across the global south, women bravely stepped forward, offered their testimony and demonstrating their agency as participants in a growing groundswell for change.

As the examples below suggest, the movement adopted a range of causes in different contexts, connecting to struggles against economic inequality, political exclusion and bodily rights. Often, these responses were intersectional, with people experiencing **overlapping layers of exclusion** – such as indigenous women, low-income women and young women – to the fore and drawing attention to the multiple, structural ways in which they are denied rights. While sometimes movements were

sparked by high-profile women with media access telling their stories, they drew their strengths from the shared voices of many citizens who felt empowered by example to speak out.

Something that was largely overlooked was the movement's impact on discourse, and the way in which the movement challenged and changed how many men speak and think about their roles and behaviours; expressions that were once unknown to many people – such as rape culture, mansplaining and toxic masculinity – are now much more commonly used and understood. At the same time, there has of course been considerable backlash from anti-rights groups, which continued to grow in confidence.

SOUTH KOREA: #METOO MOBILISES

In 2018, **South Korea's** protest momentum, demonstrated during its 2017 **Candlelight Revolution**, did not dissipate. Protesters urged that political change be sustained and labour rights realised (*see Part 3*), and they also turned their focus to demanding women's rights. January revelations by **Seo Ji-hyun**, a public prosecutor, that she had been sexually harassed by a senior Justice Ministry official proved the spark that unleashed **#MeToo** outrage.

Ranhee Song of **Korea Women's Hotline** describes how women spoke out in South Korea:

The trigger was the fact Ms Seo is a prosecutor and went on TV to speak about her case. In Korea there has been a lot of victim blaming, so usually victims could not expose their faces in public. After the interview by Ms Seo, many others across Korean society began to join the #MeToo campaign. Despite the fact that she was a prosecutor, she still had not been able to talk about the sexual harassment against her. This made many people angry and they woke up to how difficult speaking about sexual harassment is. There were a few high-profile cases involving political and

entertainment figures, but also countless regular women shared their stories. In that way, the #MeToo movement showed a very clear picture of the reality of sexual harassment in Korea.

We at Korea Women's HotLine compiled a list of known sexual offenders. Within one month, the list already contained 139 names. We wanted to show how big the problem is, and how pervasive.

The #MeToo movement's demands are simple: punishment of offenders, strengthening of guarantees of the human rights of those who experience harassment, and changes in the government's attitude towards sexual harassment. While its main target is the government, our civil culture is also being questioned.

As often happens, the movement quickly broadened out from its initial focus on sexual harassment to encompass wider issues of the denial of women's human rights:

Along the way, the #MeToo movement has become wider and has begun to touch on many other issues: gender discrimination in the workplace, anti-feminist bullying, spycam crime, gender discrimination in investigations and within the judicial system, and so on. In Korea, the pay gap is immense, and the glass ceiling is too hard to break, so the number of women in key positions of power in the workplace is still negligible. And within the legal system, victims often must prove how strongly they resisted assault; otherwise they are blamed rather than supported. The changes needed are very profound.

Protests mobilised on **International Women's Day** in March and continued throughout 2018. As Ranhee indicates, one flashpoint issue was the use of spy cameras to take illicit photographs, which are then shared on porn sites. In May, at least **12,000** women protested about biased police investigations into allegations of spycam crimes made by women. They made the point that male victims of spycam crimes receive a far better police response than women, even though most victims are women. **Statistics** suggest that only three per cent of men accused of spycam crimes are arrested. This discrepancy therefore stands as a symbol of the broader discrimination that women experience in every facet of life.

Protests grew in scale; in August, around **70,000** people – many of them women wearing the movement's signature red shirts along with masks and sunglasses to demonstrate their opposition to illegal filming – took to the streets of the capital, Seoul. The scale of anger about the issue was



South Korean citizens demanded an end to sexual harassment in 2018's #MeToo protests.

Credit: Seung-il Ryu/NurPhoto via Getty Images

also shown by the fact that over **200,000** people supported a petition on the presidential website calling for stronger punishment of offenders and a ban on spycam sales. The message had impact: in June, President Moon Jae-in **called** for tougher punishments for perpetrators of spycam crimes and greater protection for victims, and in September, Seoul's city government announced plans to increase inspections of restrooms for hidden cameras. Still the protests continued, and the fifth protest in October mobilised around **60,000** people, kitted out in red raincoats and umbrellas. In December, the anti-spycam movement received recognition when the BBC recognised **Park Soo-yuen**, one of the protest leaders, as one of its 100 influential women of the year.

Another protest in August saw **hundreds** of women demonstrate outside a court building to denounce the not guilty verdict given to a former senior politician who was charged with repeatedly sexually abusing his secretary. Women's rights groups declared that the verdict showed how hard it is to challenge impunity for sexual abuse by powerful men. In November, students also led a 'School Me Too' student **protest** against sexual harassment and mistreatment by teachers.

In a further development, 2018 also saw a growing social media movement to challenge social preconceptions and conventional advertising about women and beauty, in the '**escape the corset**' movement. As part of this, women posted social media images of themselves removing cosmetics and skin products. A video of YouTube celebrity Lina Bae doing so went viral, attracting over five million views, but also drew death threats, indicating the challenge South Korean women still face.

Another target for campaigners is the reform of South Korea's defamation laws, criticised for favouring powerful people, with the threat of harsh sanctions deterring women from speaking out. Civil society also put forward a proposal to establish a new investigative agency to ensure oversight of powerful officials who might otherwise commit abuses with

impunity. As this suggests, and as Ranhee relates, civil society is leading the response and taking practical steps to challenge inequality:

First of all, we formed the Citizens Action with #MeToo movement. This is a network of civil and feminist organisations and individuals. Almost 340 organisations are involved in this group.

We organised protests calling for the end of sexual harassment and gender discrimination. We held discussion programmes with citizens, and we have plans to expand the #MeToo movement. Along with the Citizens Action with #MeToo movement, many other groups, large and small, held numerous demonstrations, discussion programmes and lectures.

I think the indisputable achievement of #MeToo is that women have woken up about the reality of women's lives in Korea. Many women are saying "we cannot go back to the period before #MeToo." It has opened so many possibilities to achieve change. The #MeToo movement shows us that we, Korean society, have much work to do. #MeToo is a feminist movement, and feminism perfects democracy.

South Korea's women know that they have the power to achieve change. The momentum seems unlikely to falter.

CHILE: STUDENTS DEMAND CHANGE

Like South Korea, **Chile** is a country with a strong protest tradition, with **student-led** demonstrations an almost annual feature since the massive protests in which millions of students mobilised in **2011**. In 2018, student protests **focused** on sexual harassment and sexual discrimination in Chile's universities. Protests erupted in Austral University in April and spread to over 25 other institutions. One of Chile's most prominent law professors was publicly accused of harassment and suspended, but students, angered at weak rules on sexual harassment, occupied

the University of Chile's law faculty. As in South Korea, the movement broadened its focus from its initial subject of sexual harassment to encompass issues of the lack of women in positions of authority in universities and on reading lists, and the male-centric language used in classrooms.

The student protests were part of a broader response, building on the **#NiUnaMenos** (Not One Less) movement that originated in Argentina in 2015 and quickly spread across Latin America to protest about the region's outrageously high levels of gender-based violence, and widespread impunity for violence. Participants saw a wave of feminism spreading across Chile. In June, Chilean women's rights activists held a **vigil** outside the presidential palace in the capital, Santiago, demanding action against gender-based violence. The protest was prompted by the murder of five women in 36 hours, and a reported comment by a prosecutor describing one of the murders as a "crime of passion." Earlier that month, student organisations led a protest in which thousands took to the streets across various cities. These protests were mostly peaceful, apart from some reported clashes in Santiago. But if Chile has a robust protest tradition, it is sadly **matched** by one of excessively forceful state response to protests. A Chilean students' **protest** on educational reform in March saw riot police violence and 17 arrests.

In response to the demands, President Sebastián Piñera, who was previously in office during the 2011 protests, agreed to amend the constitution to make clear the state's duty to promote equal rights and promised to appoint more women to senior roles. Civil society vigilance over progress on these commitments can be assured.

INDIA AND CAMEROON: #METOO

India's #MeToo movement moved up a gear in September when actor **Tanushree Dutta** revealed that she had been sexually harassed on a film set. For thousands of women, this was the trigger to take to social media to share their stories of abuse by powerful men in the media,

entertainment and politics. The movement made an impact the following month, when Minister of State for External Affairs **M J Akbar** was forced to quit after numerous allegations were made of sexual harassment during his former role as a newspaper editor; he had initially **tried** to brush off the mushrooming accusations as politically motivated.

The response in India disproportionately came from women in minorities, and notably Dalit women, highlighting how intersecting forms of exclusion make women more vulnerable and combine to disempower them. It connected to a greater contestation of rights for Dalit people by the Hindu nationalist government and its supporters: the year saw several **arrests** of Dalit rights activists for taking part in anti-government protests, including two Dalit women's human rights defenders, Durga Jha and Varinita Sinduria, **arrested** in July for participating in a protest against Prime Minister Narendra Modi. The two were detained for longer than their male counterparts who were arrested at the same time.

In November **controversy** was stirred when Twitter CEO Jack Dorsey, on a visit to India, held up a poster reading 'Smash Brahmanical patriarchy'. The poster had been designed two years before by US-based Dalit activist and artist Thenmozhi Soundararajan, who now found herself at the centre of a media storm and accused of hate speech against India's Brahmin caste, the highest caste. The heated exchanges that followed showed how difficult it can be to start a reasoned debate about the intersection of caste and gender exclusion in India, and the corresponding need to build intersectional responses that enable Dalit women to lead.

As in India, sexual harassment in the media was a key concern in **Cameroon**. Award-winning journalist **Comfort Mussa** launched the **#StopSexualHarassment237** campaign in August, quickly recruiting women journalists to her fight to combat sexism in media newsrooms. The campaign used social media to offer women a safe space to share their stories, and then started to make connections with journalism



Protesters gathered in front of the US Capitol to protest against the confirmation of Supreme Court nominee Judge Brett Kavanaugh.

Credit: Chip Somodevilla/Getty Images

educators and media managers to define and raise awareness of what constitutes sexual harassment in the media workplace.

CANADA AND THE USA: WOMEN ON THE MARCH

The inauguration of President Trump in January 2017 provoked massive women's marches in the USA, Canada and further afield. On its first anniversary in 2018, **Canadian** activists kept that spirit alive, when organisations that had formed in the wake of the 2017 marches **worked together** to stage a series of **rallies** across Canada, mobilising thousands. Among issues in the spotlight were the status of First Nations women, misogyny and white nationalism, the under-representation of women in politics and the need for a new generation of women leaders. The annual Women's Memorial March the following month saw **thousands** of people take to the streets of Vancouver to **commemorate** Canada's murdered and missing First Nations women. First Nations women are three times more likely than other women to experience domestic violence and murder; as in India, different forms of exclusion intersect with and reinforce each other.

In the **USA**, President Trump's determination to appoint right-winger Brett Kavanaugh to the Supreme Court was a key issue for women activists in 2018. Before the nomination, **Christine Blasey Ford** stepped forward to allege that Kavanaugh had sexually assaulted her when they were students. Several similar allegations followed. The response of many on the right was to attack those who came forward: at an October rally, President Trump **mocked** Ford, and her credibility was called into question. At a special **hearing** in which both Kavanaugh and Ford testified, Ford was subjected to harsh questioning but stayed calm, while Kavanaugh was generally considered to have given an emotional, aggressive and partisan performance, calling into question his ability to act impartially as a Supreme Court judge.

Massive crowds protested in September outside the Supreme Court and Capitol buildings in Washington, DC as the hearings were being held.

Around 300 people were reported to have been arrested, including 60 people held on charges of “unlawful demonstration activities” after they blocked a street near the venue. There were confrontations between protesters and some senators who were openly contemptuous of the activists, including those who had shared their stories of sexual abuse, although more positively, it was following an **intervention** by survivors of sexual assault that Republican Senator Jeff Flake was persuaded to change his position and support further investigations of Kavanaugh. In comparison, President Trump made the ludicrous and unsubstantiated **claim** that those protesting were “paid professionals” funded by the far-right’s favourite hate figure, George Soros; as noted elsewhere in this report ([see Part 3](#)), this was a familiar tactic used by right-wing political leaders to smear activists in 2018.

Despite the protests, at the crucial vote to confirm Kavanaugh in the role, Senators voted almost entirely on party lines, leading to a narrow decision in favour. Women activists will now be concerned about the influence of Kavanaugh’s conservative views about abortion on future Supreme Court decisions, while the harsh treatment Ford received from conservative forces and media may deter other women from coming forward as whistleblowers and challenging establishment power in future.

In a politically polarised context, the events around Brett Kavanaugh’s nomination reaffirmed the power of patriarchy. They showed that powerful men, up to and including the president, who has of course faced numerous allegations of sexual misconduct, can choose to ignore the voices of women when these come up against their political prejudices. They marked the growing confidence of a right-wing male backlash to #MeToo and #TimesUp that seeks to present men as **victims** of the movement. It was notable that, according to polling, opinion on Brett Kavanaugh divided broadly on gender lines: while most women opposed his confirmation, at 55 to 37 per cent, most men supported it, at 49 to 40 per cent. There are clearly stark divisions and much work to be done. But more positively, members of the #MeToo and #TimesUp

movement felt their cause had gained fresh **momentum** that carried into the November elections, which saw a number of progressive **activist women** of diverse backgrounds elected to Congress for the first time. They also felt they had connected with survivors of sexual abuse, opening space for them to tell their stories.

CLAIMING WOMEN’S RIGHTS AROUND THE WORLD

The above examples were only a few of 2018’s many mobilisations to claim women’s rights. Five million people were reported to have participated in **Spain’s** first nationwide ‘**feminist strike**’ in March, protesting against sexual discrimination, domestic violence and the gender pay gap. Pickets temporarily brought key parts of Barcelona to a standstill, and many of Spain’s best-known female politicians publicly expressed their support for the strike.

South Africa also saw women-led protests, under the **#TotalShutDown** banner, in August, with thousands marching in several cities against gender-based violence. Protests spread to neighbouring **Lesotho**. However, following the march, South African protest organisers faced charges of violence and intimidating the president for staging a protest outside government headquarters.

Vanuatu’s women are trying to challenge their exclusion from the heart of power. All 52 seats in Vanuatu’s parliament are currently filled by men. In July, to begin to challenge this, the Vanuatu National Council of Women **created** a new party, the Leleon Vanua Democratic Party, to put forward women candidates in the next election, scheduled for 2020. Their aim is to see 50 per cent women’s representation in parliament.

Even in the very restricted context of **Egypt**, women have created their own translation of #MeToo, ‘**Ana Kaman**’, and some women are slowly feeling able to share their experiences of sexual harassment, in a context where harassment is institutionalised and reporting abuses to the police

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WOMEN IN IRAN
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REVOLUTION.

”

is likely to cause more problems than it solves. But activists who try to lead the response risk paying a heavy price. In September, actor **Amal Fathy** received a two-year jail sentence on a charge of ‘spreading false news’ for uploading a Facebook video detailing her experience of being sexually harassed and complaining about the government’s failure to realise women’s rights. She is not alone: Lebanese citizen Mona el-Mazbough was sentenced to eight years in jail for posting a similar video in July before having her sentence reduced and being deported, while **Moza Hassan**, Founder and Executive Director of **Nazra for Feminist Studies**, has been subjected to a long campaign of judicial harassment for allegedly receiving foreign funds.

IRANIAN WOMEN MAKE A STAND: PUSHING ASIDE THE VEIL

In another highly repressed country, **Iran**, women bravely came forward, **protesting** against the wearing of the hijab. In Iran all women must wear the head covering whenever they go outside their homes, and risk punishments if they do not. The fact that hijab wearing is mandatory, rather than something women can choose, therefore stands as a symbol of the ongoing repression of women since the 1979 Islamic Revolution, in a society where women are treated as second-class citizens and systematically denied the same rights as men. In a gesture of protest that began in late 2017 and continued into 2018, women began to remove their headscarves. As anti-hijab protests were shared on social media, despite not being covered by Iran’s state media, they became known worldwide.

Jasmin Ramsey of the **Center for Human Rights in Iran** describes the protest:

Several women – at least 30 – went out into the streets, took off their hijabs in public and waved them either on a stick or with their hands. Some men also did this to support these women. This became the beginning of what appeared to be a new movement – admittedly, a small one – with women engaging in civil disobedience against the country’s compulsory hijab law, including by walking in the street without a hijab, and posting pictures of themselves doing so on social media. The vast majority of these women have not shown any desire to make the hijab illegal; instead they are saying it should be a choice. So generally speaking, these were anti-compulsory-hijab protests.

*This particular movement was started by **Masih Alinejad**, an Iranian activist living in exile in the USA. A few years ago she started a **social media campaign**, #MyStealthyFreedom, to*

encourage women in Iran to walk freely without their head covered and submit photos of themselves doing so. In late December 2017, a photo of one woman, Vida Movahed, waving her white hijab while standing on a utility box in a busy street in the capital, Tehran, went viral on social media and she and protesters like her came to be known as the Girls of Revolution Street. She did this one day before mass protests broke out in various cities throughout Iran against a range of other issues. It seems that after that photo went viral, several followed her example. It happened over the course of several weeks and months.

However, it's not clear whether those women who waved their hijabs in public during the first few months of 2018 were part of Masih's campaign. Some said that they did this independently because they wanted to make a statement about something they have believed in all along.

This was no isolated event. Jasmin locates this most recent protest within a decades-long tradition of women fighting back, however they can, against this symbol of the repression of their rights:

Women in Iran have been fighting for their rights since the Islamic Revolution. Shortly after the compulsory hijab was implemented, many went out into the streets to say they did not support it. Some marched arm in arm with their hair flowing freely demanding that the hijab be a choice. But the hijab was enforced anyway with great force until the cost of resistance became very high.

But women in Iran haven't backed down. For the past four decades, they have been challenging this law in various ways, including indirectly. In the beginning of the revolution, women had to observe the hijab strictly, showing barely any skin apart from their face and hands. But as the years passed, while some devout women continued to wear the hijab strictly, many others started pushing it back further and further, so today if you walk

through the streets of Tehran you can see a lot of hair showing at the front and even a little at the back. Women are also now wearing more form-fitting clothing and showing a little more skin as well. Women wear the hijab very fashionably and try to integrate it within their sense of style; they keep on pushing the envelope. It's very interesting to look at the ways the hijab has been creatively challenged and reformulated by Iranian women throughout the years.

Sohrab Razzaghi of the **Volunteer Activists Institute** locates the hijab protests into a broader context of emerging activism led by women and young people:

*A significant recent development in Iranian civil society has been the emergence of a new generation of civil society activists in fields such as women's and young people's rights, community solidarity and the environment. Although their numbers are not large, this new generation has taken upon itself to expand civil society and challenge government policies on the matters they care about. They have launched a number of creative civic initiatives, both online and offline, such as **I am Lake Urmia**, which mobilised huge efforts to raise awareness of environmental degradation and push for action to prevent northwest Iran's Lake Urmia from completely drying out. Another initiative, **Wall of Kindness**, created wall spaces across neighbourhoods where citizens could hang unneeded clothes to be taken by those in need. The **Campaign to Change the Masculine Face of Parliament** called attention to the scarcity of women legislators and urged for more women to be elected to parliament.*

Civic courage and audacity are two significant characteristics of this new generation of activists who have successfully torn into the power myths of the past. Social protests have steadily increased in recent years, and particularly since the inauguration

of President Hassan Rouhani in 2013. Their cumulative effect is changing the landscape of Iranian civil society.

But, predictably, given the tensions they exposed, protests experienced backlash, both from state forces and conservative groups within society. In a particularly sinister development, Masih Alinejad's sister, **Mina Alinejad**, was paraded on state TV in July to denounce her sister's activism, something she later said she had been forced to do. Jasmin describes other facets of the reaction:

*Women protesters engaging in peaceful acts of civil disobedience came head to head with government hardliners. The security forces are typically made up of hardline conservatives. So it is not surprising that protesters were harassed by security agents and some were arrested. At least three were **prosecuted** and faced suspended **prison sentences**.*

***Nasrin Sotoudeh**, a prominent human rights lawyer, was arrested and jailed shortly after representing some of these women. When she was defending one of the arrested protesters, a prosecutor lodged a complaint against her. She's now been charged with many other things and faces several years in prison.*

*Nasrin's husband, **Reza Khandan**, and a fellow activist, **Farhad Meysami**, were also sentenced to six years in prison. Among the so-called evidence used against them were badges that read 'I oppose compulsory hijab', which security agents confiscated when they raided their houses. These men who stood by women fighting for their rights now face six years in prison each and have been banned from leaving the country and going online.*

*There were reports on social media of men and women **publicly reprimanding** women who were not wearing the hijab. There was also a lot of backlash from conservative media, which published stories accusing protesters of being directed by outside powers.*

But these are not independent media; they are affiliated with the security agencies.

Hardliners within the government, both in the executive and the legislative branches, accused the women of protesting against the hijab law not because they made a choice but because they were being misguided and directed by others. These people refused to acknowledge these women as independent people with minds of their own.

*On the other hand, the state is not homogeneous and other sectors have more moderate positions. It is clear that in the long term, faced with such clear-cut human rights issues, the state doesn't really know how to react and is relying on old methods of repression for what it sees as quickly growing problems. It doesn't have any new solutions to these new issues. Recent studies commissioned by the government show that at least **half** of the Iranian population opposes the compulsory hijab. A parliamentary group did **another study** that ultimately offered different scenarios on how to deal with the growing desire for hijab to be a choice, including less strict enforcement. This indicates that the government is well aware that a significant and increasing part of the population does not stand by this policy, and may be contemplating other options.*

Given these different currents within Iranian society, and some evident potential for reform, Jasmin concludes that it is important for the outside world not to try to direct the struggle, but rather to amplify the voices for change:

It is important to understand that the women's movement in Iran is independent and has been around for decades. The women who are leading it from inside Iran and taking all the risks say that change has to be brought about by the Iranian people themselves. Iranian activists do not need my or your



Iranian women risked imprisonment by publicly defying the law against compulsory hijab.

Credit: Twitter, #MyStealthyFreedom

guidance. What they need is to have their voice and actions amplified, and the human rights abuses committed against them documented and protested against. There is need for nuanced coverage highlighting not just the bad but also the good things that are going on in Iran, so people get a good understanding of the country and its issues and are able to discuss them in a constructive and intelligent way.

Awareness and constructive advocacy are key. When public officials, businesspeople or celebrities engage with Iranian officials, including Iran's counterparts from other countries and international organisations, such as the UN and the EU, they should bring up human rights issues there that are being protested about by activists and people in the streets. They should ask: why are women being arrested for taking off their hijabs? Why are women kept as political prisoners and denied the right to see their families as punishment for engaging in peaceful protest for their basic rights in prison?

*It is also important that the people of Iran be allowed and enabled to engage, communicate and experience the world outside their country's borders in the same ways you and I are able to. The government does not allow **internet freedom**, so other countries should not implement mechanisms that prevent Iranians from accessing tools and services that enable them to bypass online censorship. Iranian authorities do not want activists and others targeted by the state to travel outside the country, and in some cases even outside their provinces, and speak about their issues, so other countries **should not help these state actors** by doing the same thing and banning Iranians from entering their countries. Most crucially, Iranians should not be blocked from accessing basic humanitarian goods and medicines due to reinstated sanctions. The entire international community must come together to ensure these **channels remain open**.*

When Iranian people go out into the streets and protest, or protest individually by waving a hijab or calling for the country to revise a policy in a tweet or Facebook post, they are taking major, life-changing risks. Many have been imprisoned for years for doing these things. It is our responsibility, as people who take these rights for granted, to listen, learn and amplify their voices. They are leading the way so we can follow.

INTERNATIONAL WOMEN'S DAY: A KEY MOMENT

In several of the above examples, the celebration of **International Women's Day** on 8 March provided a focus for women to take to the streets to demand rights. The day was marked all over the world. A group of **Rohingya** women in **Bangladesh** organised under the banner of **Shanti Mohila** ('peace women') and held an 8 March rally to protest against the unjust treatment of their people. Carrying banners and chanting, over 250 people marched through the Kutupalong-Balukhali refugee camp that has become their involuntary home. The initiative came after a group of around 400 Rohingya women started meeting in the refugee settlements to formulate a list of demands, including for their Rohingya identity, denied in **Myanmar**, to be recognised, their religious freedom to be respected and their lands in Myanmar to be restored to them.

On International Women's Day in **Nepal**, women **marched** on the streets of the capital, Kathmandu, wearing #RageAgainstRape t-shirts to protest against an increasing number of acts of rape. Under the **One Billion Rising** banner, women activists in **Mongolia** knitted hundreds of red 'pussyhats' – hats with stylised cats' ears – and wore them in a **protest** against gender-based violence. A 2017 survey revealed that 31 per cent of Mongolia's women had experienced sexual or physical violence from their partner, but hardly any had reported even severe assaults. A coalition of CSOs is now pushing for Mongolia's labour laws to take a tougher line on sexual harassment.

In **Serbia** on International Women's Day, nine organisations worked together to stage a **protest** in the capital, Belgrade, to demand an end to gender-based violence, and the protection of women's reproductive rights and labour rights. Under the banner of 'Death to fascism – Freedom to women', the protest called attention to the attacks on rights coming from newly emboldened patriarchal, conservative and far-right groups. Later in the year, in September, over a thousand mothers, pregnant women and their families gathered in Belgrade, with further protests held elsewhere in Serbia, as part of the 'Mothers rule' initiative, to **protest** against changes to the Law on Financial Support of Families with Children. However, the government hit back at protesters, with the labour minister labelling them "politically biased."

BACKLASH AGAINST WOMEN'S ACTIVISM

Several of the above cases demonstrate the state and social hostility that women experience when trying to claim rights. There were sadly many other examples, including around International Women's Day. **Kazakhstan's** KazFem movement was **forced** to call off its planned march after one of the organisers, Veronica Fonova, was visited by the police at her home the day before and threatened with negative repercussions. The police revealed that they had been monitoring her social media activity.

In repressive **Turkey**, several International Women's Day protests were allowed to go ahead, but others were **refused** permission on security grounds. While the protest in Turkey's most populous city, Istanbul, was peaceful, excessive force was used against a protest in the capital, Ankara, with teargas used and 15 people detained. Protests focused on issues such as domestic violence, inequality and Kurdish rights.

For over two decades, the Saturday Mothers, a group of Kurdish women, have organised silent sit-ins and communal vigils to protest against forced disappearances and political murders in Turkey during the 1980s and 1990s. Even as state repression increased in recent years, the half-hour peaceful Saturday vigil, in which participants held up photographs

of their lost loved ones, was one of the few remaining protests allowed to take place near Istanbul's central Taksim Square. Their landmark **700th** gathering was due to be held on 25 August, but to prevent it, the police **launched** a brutal crackdown, using teargas and plastic pellets. Around 100 people were arrested, including an 82-year-old woman who had been among the first to protest in 1995. In response, the organisers **filed** a criminal complaint on the grounds that they had been ill-treated and their right to assembly had been unduly violated. The vigils were subsequently **banned** by the authorities, which claimed that terrorist groups were involved in them, but the Saturday Mothers **continued** to defy the threats to meet in another location.

The government of **Saudi Arabia** commanded international attention when women were allowed to **drive** for the first time in June, only for its reputation to plummet following the brutal murder of journalist **Jamal Khashoggi** at its consulate in Istanbul in October. But even before this notorious attack, women human rights defenders knew the force of the state's repression of voices that challenge establishment power.

Over a dozen women human rights defenders, some of them the country's most **high-profile** activists, were **detained** as part of an apparent **crackdown** during 2018. Those detained included several **advocates** for women's right to drive, who were locked up before they even had an opportunity to access that hard-won freedom. The authorities, having granted the concession, evidently feared it would be used as an opportunity for women to demand more of the fundamental rights they remain denied, including the end of the hated guardianship system that makes women subservient to their husband or a male relative. The detentions showed how simultaneously challenging state power and Saudi Arabia's ingrained patriarchy put women human rights defenders at particular risk. State media branded the detained women as traitors and accused them of being agents of foreign powers, and the women were reportedly subjected to **ill-treatment**, including torture and sexual harassment, in detention.



Thousands marched down Istanbul's famous Istiklal street during a rally for International Women's Day in Turkey in March.

Credit: Chris McGrath/Getty Images

As the murder of Jamal Khashoggi showed, even living outside Saudi Arabia does not guarantee freedom from the state's repression. Manal al-Sharif, a women's rights campaigner who lives in exile in Australia, **reported** receiving phone calls from Saudi security forces warning her to cease her activism, as well as online death threats.

With closed civic space meaning that no independent domestic CSOs that could defend the detained women's rights are **allowed** to operate, international civil society rallied to support the women. In October, over 170 CSOs **called on** the UN to suspend Saudi Arabia's membership of the UN Human Rights Council. In solidarity, women in the UK staged a driving **protest** outside the Saudi embassy in August.

IRELAND: CIVIL SOCIETY CAMPAIGNING PAYS OFF WITH ABORTION VOTE WIN

Abortion rights were firmly in the spotlight in several countries in 2018, with some notable advances achieved. These did not come by accident, but resulted from dedicated and sustained civil society campaigning that often stretched back for years.

This was certainly the case in **Ireland**, where in a landmark May referendum, citizens voted to legalise abortion. They turned out in great numbers and across the country to overturn **decisively** – at 66 per cent for to 34 per cent against – the 1983 Eighth Amendment to the constitution, which had banned abortion, forcing Irish women to resort to risky and illegal measures or travel to the UK to have an abortion. In a symbolic reversal of those journeys, thousands of Irish citizens living abroad **returned** home to cast their ballots, with many sharing their journeys on social media with the hashtag #HomeToVote.

In a society long seen as a conservative one in which the Catholic Church held great sway, the vote, and the decisive margin, was one of a series of profound social changes won through recent referendums (*see Part 3*). It built on an earlier key advance achieved after civil society **campaigning**,

when Ireland became the first country in the world to legalise same-sex marriage by **popular vote** in 2015.

Many commentators seemed surprised by the Yes campaign's decisive win, but for those who had done the hard work, the vote reflected a growing groundswell for change they had spent years nurturing. **Ivana Bacik, Irish Senator** and abortion rights campaigner, describes the size and scale of the vote:

Commentators were quick to characterise the Yes vote as being young and urban, but men and women, both urban and rural and of all age groups except the over 65s, voted for repeal. This resounding endorsement across all demographics gives great reassurance that the Irish people are ready for change. An exit poll found that the overriding influencing factor for voters was a woman's right to choose. This says a huge amount about the respect for women's health in Irish society. The same poll found that 24 per cent of those who voted Yes had changed their mind over the last five years.

Over the years, public opinion had shifted towards supporting repeal of the ban and for legal abortion to take place in Ireland. This change was also influenced by a number of international law cases in which the Irish state was found to have breached women's human rights by forcing them to carry pregnancies to term even in cases where they knew their babies would not be born alive. The positive experience of the marriage equality referendum in 2015 showed that Irish people were capable of great compassion and showed how successful a civil society campaign for social change can be.

Ivana goes on to relate how the campaign's key messages struck home:

The main message of the Yes side was that sometimes a private matter needs public support, and this really resonated with

voters. A number of brave individuals and couples told their own stories of having to travel for terminations and this struck a chord as well. The focus of the Yes campaign was very clear: that Irish women are having abortions in their thousands each year, either travelling to the UK or taking unregulated abortion pills in Ireland. A vote to repeal allows us to address this reality and treat women compassionately with the care they need at a time of crisis. The campaign also engaged with male voters successfully.

Linda Kavanagh of the **Abortion Rights Campaign** describes the years of campaigning that led up to the vote:

*My organisation, the Abortion Rights Campaign, began in 2012. We started work in reaction to two major incidents around abortion rights that took place in Ireland in 2012. In the summer of that year, Youth Defence, a very militant anti-choice organisation, put up billboards all around Dublin, saying that abortion hurt women, stigmatising women who had abortions, and saying lots of things that weren't true. The protests that took place in reaction to this campaign were the biggest pro-choice demonstrations in a long time. We were also organising online, on Facebook and Twitter, and this made it easier to get information out, so the protests were quite large. The first **March for Choice**, held in September 2012, gathered a couple of thousand people. It was the biggest in about a decade.*

*A month later, **Savita Halappanavar** died. Savita was pregnant and died because she was refused an abortion. She had been told she was going to have a miscarriage and there was a risk of infection but, according to the law, doctors were not allowed to intervene until her life was at imminent risk. This was a real wake-up call and put us under the global spotlight. Soon afterwards, in January 2013, the Abortion Rights Campaign began its work.*

Savita's death was a turning point: many young people started their journey when it happened. From then on, the Marches for

Choice got bigger and bigger every year, and at some point, we figured out that we had to call a referendum to repeal the Eighth Amendment and push for political change. We had been agitating for a while, marching in the streets and getting bigger and stronger.

*In early 2016 Amnesty International commissioned a **poll** that showed overwhelming support for change, with a breakdown of where people stood regarding different causes for legal abortion, including incest, rape, risk to the woman's health and foetal abnormality. A little under 40 per cent were in favour of allowing women to access abortion as they choose, while about 40 per cent were in favour of allowing it only under very restrictive circumstances. Going in, we estimated we were looking at a maximum of 45 per cent support.*

So we started with a strong, solid base of 40-plus per cent, and we knew the other side had a solid 10 to 20 per cent. There were lots of people, another 40 per cent, who were in doubt, unsure of where they stood. These were the people who could tip the scales, so we had to talk to them. The common thinking is that people who are unsure will stick to the status quo because that's what they know. But we knew that when people get the facts, when they get to listen to the evidence, they tend to come to a more pro-choice position. We saw this time and again and knew it was just a matter of letting people have these conversations.

At some point we needed to start talking to politicians to make sure they understood that they couldn't brush the issue under the carpet anymore. So we decided to make abortion a red-line issue in the 2016 general election – a key issue that politicians would be asked about daily as they knocked on our doors to ask for our votes. And we gave people the language to talk to their politicians about the issue. We knew that if politicians encountered the issue again and again when they were canvassing, they would

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pay attention. We had civic engagement training sessions where we would give people information about how referendums work, how the law works, what it says about the issue, what we can do and what our position regarding free, safe and legal abortion is. And it worked! We succeeded in forcing the issue into the agenda.

Linda also points to the importance both of social media, and of grassroots campaigning that reached far beyond the capital:

A key takeaway is that it is vital to use social media to create a space so people can have a nuanced discussion about these issues. With traditional media, our hands were tied, because when it comes to controversial issues, they are required to provide 'balanced coverage'. Any broadcaster that receives state funding must allocate equal airtime to both sides. Even if someone was telling their actual story of needing an abortion and having to travel to the UK, saying exactly what had happened to them, there would be someone who would be called in to 'balance' that. The rule was interpreted very broadly, so it applied not just during the referendum campaign but also for years before. It was very stifling.

We had to bypass the mainstream media to get to the people. Fortunately, we exist in the time of social media, and we put a lot of effort into it and gave people the language and the nuance to talk about these things. We were used to hearing discussions about the morality of abortion where it was either right or wrong: there was no middle ground for people who were not that comfortable with it but thought the status quo was bad, and there was no room to talk about it.

There was so much discussion about the dark web, bots, trolls and possible interference with the campaign – but there were hundreds of pro-choice Twitter accounts and Facebook profiles set up by hundreds of pro-choice people, and we had tools to protect the space we had created where these discussions were taking place. For instance, a group of volunteers created Repeal Shield, a public list of bots and troll accounts. When a user flagged an account by messaging [@repeal_shield](#), a volunteer would investigate, and if the account met the criteria of being a bot or troll, it would be added to the list. As a result, people could keep having a conversation without interference.

One big takeaway from this is that people have power. They usually don't feel they do, but what they do matters. Someone clicking 'like' on your page because they really like it

means so much more than paid advertising. Of course, there's a lot more to activism than clicking 'like' on a Facebook post, but every little thing adds up.

We are always told that there we are an echo chamber, that we only talk with people who already think alike, but it turned out that we weren't doing this at all. We got 66 per cent of the vote. That was not an echo chamber. That was reality.

The other thing we realised was that it couldn't just be a Dublin-based campaign – we had to go national. So we worked very hard to set up regional groups in every county around Ireland. By the time the referendum came, there was a pro-choice group in every county. And those groups went on to form canvassing groups that would hold their own events and talk to their politicians.

We gave people the language and an understanding of the political process, and that didn't happen on social media; it happened on the ground. We would talk to people and they would bring the issue to their doorsteps. We had monthly meetings so people would learn about the organisation and how they could join, and sometimes we had somebody bring in a different perspective, such as a migrant or somebody from Direct Provision, a terrible institution for asylum seekers. We also developed training activities for marginalised groups about abortion in a wider reproductive context.

We sold t-shirts and repeal jumpers, so we gave people visibility. People became visibly pro-choice. You knew somebody was on your side when you saw them. You felt supported on a decision that maybe before you took and never told anybody about.

Other groups would lobby politicians. We are now probably going to do so, but at the time the grassroots campaign was our main concern. We also did advocacy at both the national and

international levels, including submissions to various UN bodies. And we maintained links with Irish groups in other countries, because the Irish diaspora is very focused on this issue. We also had connections with other organisations that didn't have a direct pro-choice mandate but might support a repeal stance, such as migrants' rights groups, disability groups and others.

Beyond women's rights organisations, we got the support of international human rights organisations, including Amnesty International, which meant a lot because everyone knows who they are, as well as some migrants' rights organisations. An awful lot of the charity organisations in Ireland have a nun or priest on their board, so they would not take a stand on this issue. But a lot did, and we got a lot of support. More than a hundred organisations eventually signed up.

A particularly interesting aspect of the vote in Ireland was the role played by the country's Citizen Assembly, an institution of deliberative democracy, as Ivana explains:

The Citizens' Assembly is a body comprising a Chairperson and 99 citizens, randomly selected to be broadly representative of the Irish electorate, established to consider some of the most important issues facing Ireland's future. Its conclusions form the basis of reports and recommendations that are submitted to the Houses of the Oireachtas (the Irish Legislature) for further debate by our elected representatives.

Since October 2016, the Assembly has met on a regular basis. It is an exercise in deliberative democracy, as was the Constitutional Convention, held in 2013, which among other topics voted overwhelmingly in favour of same-sex marriage. The process has two main strengths: first, the random selection of participants, which ensures they are representative of Irish society; and second, the use of expert witnesses, including from the legal and medical

profession, which ensures that participants deliberate on the evidence before them. The process has shown how much citizens engage with the facts and are willing to learn. With a topic as sensitive as abortion, the public benefitted hugely, not just from the Citizens' Assembly, but from the subsequent process of deliberation at the Joint Oireachtas Committee on the Eighth Amendment.

In April 2017, the Citizens' Assembly voted 64 per cent to recommend that the termination of pregnancy without restriction should be lawful. In late 2017, the Joint Oireachtas Committee on the Eighth Amendment found cross-political support for holding a referendum and legislating for terminations at up to 12 weeks. The mandate for change arising from these public and parliamentary processes showed a huge willingness to accept the reality of abortion in a modern Ireland.

The Eighth Amendment was introduced in 1983 by way of a referendum, due to effective pressure from so-called 'pro-life' campaigners. Therefore, the only way to remove the amendment was by way of another referendum. The successful campaign shows how important it is to have a considered campaign which really engages with citizens. Due to the importance of the Constitution, and the sovereignty of the people, Ireland has a long record of holding referendums and this contributed to widespread public engagement and interest with the topics under debate. While the Brexit referendum in the UK in 2016 could make countries wary of holding referendums, the experience in Ireland shows how important it is to have an open and transparent process leading to such a vote, which gives voters the chance to engage fully with the implications of the vote.

Ireland's progressive civil society will not rest, not least to ensure that positive laws are now enacted and implemented. Linda sets out the next steps to be taken:



Campaigners for a 'yes' vote in Ireland's abortion law referendum celebrated as their decisive victory was confirmed.

Credit: Charles McQuillan/Getty Images

Our job is to keep the pressure on to make sure that the legislation includes the right language and people who continue to travel or take pills are taken care of. The Abortion Rights Campaign has a broader mandate, to seek the establishment of free, safe and legal abortion, but we also have a longer-term mandate aimed at destigmatising abortion. We've taken huge steps towards that because we've had this national conversation and it's not possible to avoid the issue any more, but we still have a long way to go.

We need to make sure our legislation is good enough, that it allows people to get access. All along, part of the ban on abortion was also a ban on information about abortion, and most of all about how to get one. You were basically left to your own devices to go and sort yourself out in the UK, and there were rogue pregnancy agencies giving terrible advice and purposefully delaying women seeking abortions. So a big part of what will come in the future will be making sure that doctors can actually take care of their patients.

Finally, Ivana sets out what should happen next to further women's rights in a changing Ireland:

*The next thing that needs to happen is to ensure that the proposed legislation to provide for the termination of pregnancy is enacted, and that free contraception is introduced with it. Aside from the area of reproductive rights, the next step in reforming our Constitution will be to amend Article 41.2, which places women in the home, so that instead we respect the role of carers, male or female. At present, older women are suffering a loss in their pensions due to lost earnings imposed on them by the marriage bar on employment, which only ended in 1973. Separately, many older vulnerable women who were incarcerated in **Magdalene Laundries** up until the early 1990s ([see below](#)) are only now receiving redress and justice; it is important that this group of women gain the respect they deserve. There are plenty of other reforms needed regarding migrant and*

*traveller women, who suffer a double discrimination. The gender pay gap is another area that is currently being addressed, after I introduced a **Private Members Bill** to bring in mandatory reporting of the pay gap in companies. The National Women's Council, which played a pivotal role in the *Together for Yes* campaign, has a key role to play in advancing these reforms too.*

ARGENTINA: A STEP FORWARD IN THE FIGHT FOR ABORTION RIGHTS

Something new also happened in **Argentina** in 2018: for the first time ever, the country's lawmakers voted on the question of liberalising Argentina's strict abortion laws. In June the House of Representatives – Argentina's lower house – voted to remove the broad ban on most forms of abortion, only for the higher chamber – the Senate – to vote against the change in August. But many of those in civil society who have long campaigned for reform did not see the vote against as a decisive setback. Rather, they saw that the debate had advanced and the issue had been put firmly on the agenda, making further discussion and an eventual change in the law inevitable. Argentina's campaign for abortion law reform therefore shows the crucial role civil society plays in shaping discourse and transforming public attitudes.

The campaign to legalise abortion – spearheaded by the broad-based National Campaign for the Right to Legal, Safe and Free Abortion, bringing together over 500 CSOs – had begun in 2005, but in 2018 it drew fresh inspiration and momentum from the #NiUnaMenos ('Not one less') Movement, with activists making the **connection** between action on violence against women and the denial of and culture of silence around women's reproductive rights. We asked **Eduardo Cárdenas** of the **Centre for Legal and Social Studies** to describe how civil society organised and advocated:

It was the seventh time an initiative of this nature was introduced, and it was drafted and promoted by the National Campaign for the Right to Legal, Safe and Free Abortion. Before 2018, initiatives

had not progressed, even within the congressional committees that had to issue an opinion to allow for debate to proceed to the full house. Argentina has a tradition of highly mobilised feminism and, since 2015, the campaign has had a lot of street presence and has made a clear demand for legal abortion. 2018 began with a novelty: in his opening speech of that year's legislative session, the president raised the issue, which alongside feminist pressure enabled parliamentary debate. This was absolutely unprecedented.

The whole process was led by the women's movement. All other movements and organisations aligned behind their leadership. In the House, the initiative succeeded because the strategy was multi-partisan and diverse, there was strong social movement participation and street pressure made itself heard. In the Senate, a more conservative chamber, additional work was required. Our alliances failed us, as we couldn't make them as cross-cutting as they were in the House.

A range of groups, including trade unions, church groups and students, **mobilised** in peaceful protests ahead of the vote, with thousands of people wearing green scarves, the movement's symbol. Several student groups organised occupations of their institutions to demonstrate support for reform. Thousands gathered outside as the Senate debated and voted in August, and news of the Senate's vote against sparked further, mostly peaceful, **protests**, although there were some arrests. Some media workers complained that they had been prevented from attending the debate. Following the vote, as a symbolic protest at its stance on the issue and in a country where a majority of the population identifies as Catholic, several thousand people started formal proceedings to **leave** membership of the Catholic Church; Pope Francis, who comes from Argentina, was reported to have intervened to urge anti-abortion Senators to lobby their colleagues.

The protests were largely tolerated, although state **violence** and the **criminalisation** and repression of protests have lately increased in

Argentina. Edurne points to the importance of the mass mobilisation that braved these risks, and the way it complemented the focused diplomacy and presentation of evidence within Congress:

*We were present on the streets, not only sharing the vigils that were held during the voting sessions, but also organising, providing support and coordinating with the women's movement, with the other organisations within the Campaign for Legal Abortion and with high school students, health professionals and other mobilised groups. This coordination and the sustained presence of the movement on the streets were what made the difference during 2018. We **defended** the freedom of expression and the right to peaceful assembly, since throughout this process the groups mobilised against legal abortion perpetrated various acts of violence against legalisation activists.*

As this last comment suggests, conservative and anti-rights groups proved formidable opponents for the reform movement. The anti-abortion campaign argued that the reform agenda was imperialist, emanating from the global north, and was part of an imposition of 'gender ideology'. Edurne outlines the challenge these groups pose, and the ways in which progressive, rights-based civil society, in Argentina and throughout Latin America, needs to take these challenges on:

The defeat in the Senate made it clear that we need to work more to understand and counter the 'post-truth' discourse of our opponents. We are seeing conservative advances that put democratic institutions at risk.

The process had a negative side effect: because the issue that was placed on the agenda was so divisive, and mobilisation became so massive and acquired such centrality on the political scene, a strong reaction from the most conservative sectors ensued. These sectors gained a level of organisation and visibility they did not have in the past.

As these conservative voices emerged, the debate on abortion rights also brought back into the discussion some things we thought were long settled and part of a basic, untouchable consensus. These sectors began to say out loud certain things they wouldn't have dared say only a few years ago. Such was the case with the campaign 'Do not mess with my children', against the implementation of the law mandating comprehensive sex education, which called into question the role of the state in education.

Anti-rights groups have grown and are organised under a common umbrella, against what they call 'gender ideology'. They saw this debate as an opportunity to organise like never before. Now they are more numerous: there used to be groups linked to the Catholic Church, but now there are also numerous groups with links to evangelical churches, well-organised and well-funded, alongside other groups that are not necessarily faith-based. Their presence demands our attention because their goals run against the rights of a large part of the population, as they seek to limit access to rights by children, women and LGBTQI people. They are appearing throughout Latin America and their existence raises questions about their alliances and goals: how and when did they arrive in Argentina? What are their demands? How far are they willing to go?

The debate over the legalisation of abortion was a spearhead to think about other issues. The system of limited grounds for legal abortion has been in place in Argentina since 1921. The transition from a system of grounds to a system of deadlines requires a simple legislative decision to amend the Criminal Code. Why such a big fuss then? Because this debate puts other discussions on the table, including what we think the role of women and pregnant women is, what the role of the state should be, to what extent and regarding what issues the state should get involved – and this is where conservative sectors exhibit their contradictions: they want the state to get inside your bed to criminalise your behaviour, but when it comes to education or vaccination, they want it not to interfere.

*We cannot stay on the defensive. We need to go on the offensive and place secularism and the role of the state on the agenda. And we are forced to do so in a very regressive sub-regional context. **Brazil**, our next-door neighbour and most powerful partner, has just elected a president who is committed to advancing the agenda of its powerful evangelical caucus and has just appointed to lead the Ministry of Human Rights an evangelical minister who says that women are born to be mothers.*



Women took to the streets in Argentina to demand legal and free abortion.

Credit: Agustin Marcarian/Getty Images

The progressive movement needs to think of a strategy to face them. The strength of the human rights movement is our use of creativity and the strategy of reason. But the anti-rights movement is making us waste our time discussing things we thought were long settled. What we get into is not even an honest discussion, since the statements they make and data they use do not withstand the slightest fact check. The result is not actual debate – that is, a genuine exchange of arguments and reasons. Still, we have no alternative but to respond. So, when we engage in such ‘debate’, we do not really discuss with them or try to convince them, but we share our reasoning before an audience, to try and convince that audience.

For this task, social media is key, although this has clearly been a double-edged sword. It was during this debate that we were able to see first-hand the way so-called ‘fake news’ operates, particularly when it finds an echo in influential voices outside social media, who disseminate it elsewhere. For instance, totally fake data found on social media were quoted by legislators during the congressional debate. In that area, there is a lot of work for us to do.

Still, concludes Eburne, ground has been gained, and with a presidential election looming, the issue seems sure to stay on the agenda. Civil society will keep up the pressure to ensure it does:

We undoubtedly gained in terms of mass participation and public presence – both in the streets and in public opinion. In 2018 abortion was discussed like never before, so silences and taboos broke. The pictures of disappointment when the Senate rejected the initiative do not tell the whole story. When we take stock, the list of what we won is much longer than the list of what we lost. Losses of course include a missed opportunity – but we only missed one opportunity, that of 2018, because I really believe change is inevitable, and it is just a matter of time. I do not know

if it will happen in 2019, but it will eventually. But one thing does need to happen in 2019: with elections due, all the issues that were put on the table during this process have to be part of the presidential campaign agenda.

EL SALVADOR: A SHOCKING DENIAL OF RIGHTS

As the example of Argentina suggests, the challenges for women who need abortions can be profound in Latin America, and nowhere more so than in **El Salvador**, where in 2018, the case of **Imelda Cortez** sparked global outrage and focused attention on the country’s draconian abortion law. El Salvador is one of four countries with an absolute ban on abortion in all circumstances, and since the law was passed in 1998, over 25 women have been jailed, often in questionable circumstances and with decades-long sentences.

Imelda Cortez’s story offered a particularly appalling example of how strict laws penalise vulnerable women. Repeatedly raped from a young age by her stepfather, Cortez fell pregnant without being aware of the fact. When she prematurely gave birth, even though her baby survived, she was accused of trying to abort it. This means that while her father was detained, she was treated not as a victim of sexual abuse deserving of the state’s compassion, but as a criminal. In April 2017, she was charged with attempted murder and detained, facing a potential **20-year** sentence.

In December, following a trial conducted against a backdrop of protest and worldwide anger, she was found not guilty and **released**, to the joy of the hundreds of supporters who had gathered outside the courtroom. Nothing can bring Imelda back the months she languished in jail fearing for her future, but supporters hope the unexpected verdict, surely influenced by the high levels of international attention that were for once focusing on the country and issue, can set a precedent so that women in desperate circumstances will not face long jail sentences. Domestic and

international civil society campaigning has called attention to the horrendous impact of the law, and achieved some success: Imelda was the sixth woman freed in 2018.

But 24 other women are reported to remain in jail. **Alba Lorena Rodríguez**, for example, received a 30-year sentence after having a miscarriage in 2009. As well as offering Imelda the support that until now she has been denied, the need is to focus attention on those who remain in jail. Beyond this, civil society will continue to advocate for legal reform and attempt to influence the broader social and political culture that makes it possible for El Salvador's women to be robbed of their rights. El Salvador's hardline abortion law penalises women who already have least access to their rights: those in jail disproportionately come from poor and rural backgrounds, because they have had less access to healthcare than wealthier women, leaving them more vulnerable to being criminalised when they have miscarriages or other birth complications. Low-income women often have limited legal representation or understanding of the legal process, making it likelier that they will be convicted on flimsy medical evidence. Meanwhile wealthier women are able to leave the country to have abortions.

The Citizens' Group for the Decriminalization of Abortion continues to work to free jailed women, but its attempts to change the law have so far met with fierce resistance. Civil society also complained that its ability to hold protests during Imelda's trial was **restricted**, with the judge instructing the police to secure the perimeter around the court building.

However, a 2018 **poll** showed that over half of El Salvador's citizens support decriminalisation in the most extreme circumstances, such as when a pregnant woman's life is in danger or when the foetus is not viable. Campaigners for decriminalisation therefore believe they have some momentum and public attitudes are changing, but two reform proposals remain stuck at the committee stage in the legislative assembly, having never been brought to a vote. With the right-wing ARENA party winning the 2018 assembly elections and the Catholic Church mobilising to insist on the retention of the draconian law, civil society in El Salvador still has much work ahead.

ABORTION RIGHTS MOBILISATIONS AROUND THE WORLD

Campaigning from women's rights groups and others in civil society managed to **overturn** an abortion ban placed on Marie Stopes **Kenya**. The ban was **imposed** in November after it was alleged that the CSO was promoting abortion in radio adverts. Abortion is illegal in Kenya unless there is a serious danger to the pregnant woman; unlicensed abortions are estimated to kill

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seven women a day. The ban had forced clinics to turn women away, putting them at greater risk of seeking unsafe abortions elsewhere. The campaign to reverse the ban included extensive social media activity and the filing of a **legal action** by the Center for Reproductive Rights. The ban was lifted in December.

The **Dominican Republic** saw mobilisations in support of the decriminalisation of abortion in 2018. International Women's Day was marked by a **protest** for legal abortion and against gender-based violence, and thousands **protested** in July to demand decriminalisation of abortion in the most extreme circumstances, such as when a pregnancy results from rape or incest, is a threat to a pregnant woman's life, or when a foetus is severely impaired. Proposals to change the law to allow abortion in such cases have been debated by Congress for years, but as in Argentina and El Salvador, no changes have been made so far. The July protest was organised by the Coalition for the Rights and Life of Women, which brings together over 100 CSOs, showing the broad-based nature of the civil society campaign for change. But the scale of opposition was shown in November, when **thousands** turned out for the 'One Step for My Family' demonstration organised by the Catholic Church.

The issue of abortion rights remains controversial in **Poland** too, where the government has repeatedly threatened to make abortion laws more restrictive. Massive protests in **2016** forced the government to withdraw its support for a proposal to further criminalise abortion, in a country that already has one of Europe's strictest abortion laws. With the state now planning to ban abortions in cases where the foetus has congenital abnormalities, thousands held renewed **protests** in March. Over 200 CSOs **joined** together to call on legislators to block the proposed change and respect women's rights. It seems clear that conservative attempts to further tighten the law are not going to go away; Poland's progressive, rights-based civil society will stand vigilant to offer continued resistance.

WOMEN'S RIGHTS: CIVIL SOCIETY ABUSES UNDER THE SPOTLIGHT

In all the above cases, it is civil society – including organised civil society, social movements and those powerful moments when citizens join together in protest – that is working to win and defend the rights of women, particularly the most marginalised women, and other vulnerable and excluded groups. But this makes it particularly troubling when it is those who work in civil society who betray the trust the public puts in us by harming the people we are supposed to be working for.

In June, the government of **Haiti** **banned** Oxfam GB from operating in the country after its staff were alleged to have committed sexual misconduct, including sexual bullying, exploitation and intimidation, following 2010's devastating earthquake; Oxfam GB had been suspended from operating in February. The organisation was accused of covering up a 2011 investigation that led to its country director and several staff being sacked for gross misconduct. Because the information was not shared, those who had been dismissed were free to go on to find jobs in other aid organisations, where they could potentially continue their abusive behaviours. Oxfam GB was also accused of not supplying the **Charity Commission**, the UK's regulatory body, with full information about the scandal, and there were allegations that similar abuses had been **committed** in Chad.

The impacts on Oxfam GB were material. In February, the UK's international development minister **threatened** to cut off its funding unless it shared all information and cooperated with the Haitian government. In June, the organisation **warned** staff that it urgently needed to find £16 million (approx. US\$20.6 million) of savings, shed jobs and cut back its programmes and priority countries following a downturn in its financial support. The loss of public trust had led to an immediate collapse in donations – Oxfam GB **reported** that in the month the story broke it lost 7,000 regular givers – while the organisation agreed to **suspend** its

bidding for support from some major donors. In response, Oxfam GB's chief executive, Mark Goldring, **announced** he would stand down at the end of 2018, and Oxfam set up an independent **commission** of women's rights experts to review its working culture and practices.

It seemed clear that Oxfam was not the only large, international CSO with skeletons in its cupboard. Allegations and accusations swirled about sexual misconduct in other international CSOs involved in Haiti and elsewhere, including MSF and **Save the Children**. Attention focused inwards, on harassment and abuse of staff within CSOs, as well as outwards, on the way we treat citizens and communities with whom we work.

What concerned many in civil society was that the initial response seemed to be one of putting reputational management and the financial bottom line first, rather than one of listening to the survivors of abuse and prioritising their needs. But a mission to change the world for the better has to be lived and modelled; there can be no claim that the ends of our missions as civil society outweigh the means by which we work.

As the organisation most exposed for the wrongdoing of its staff, it was right that Oxfam should take the lead in overhauling its cultures and systems – but so we must all. In civil society, we must face up to troubling questions of how our head office cultures influence and enable abusive behaviour in the field, and how practices of harassment towards staff are reproduced in communities. We must check and improve our systems of safeguarding and whistleblowing, become more **accountable** and transparent and be open about our failings.

We should do this in civil society because it is the right thing to do, and also because if we do not take the lead in responding, measures will be applied from the top that will hurt the space for civil society's work as a whole. Without the public trust in civil society that is one of our essential assets, it will be much easier to restrict civil society. The government of Haiti, for example, subsequently announced that it intended to draft a law to subject CSOs operating in the country to greater state oversight,

potentially threatening civic space. Opponents of the UK's commitment to give 0.7 GDP in official development assistance (ODA) were also given fresh ammunition to call the policy into **question**.

Our response as civil should not be defensive. Rather, it is time to re-examine how we view the people we work with and what agency we enable them to have and develop, and confront the bigger questions of whether we mimic and perpetuate society's cultures and structures of power and patriarchy, rather than challenge and disrupt them.

DEMANDING EQUALITY: CIVIL SOCIETY CLAIMING LGBTQI RIGHTS

2018 was another year in which civil society made a difference for LGBTQI rights, demanding decriminalisation in the 70-plus countries where gay sex is still criminalised, pushing for marriage equality beyond the 25 countries where same-sex marriage is legal and challenging the second-class status of LGBTQI people all over the world. 2018 was a year of major successes, not least in India, where following legal action brought by civil society, gay sex was decriminalised. But the year also saw significant setbacks, notably in Tanzania, where an increasingly repressive state targeted LGBTQI people in a vindictive witch hunt.

INDIA : A BREAKTHROUGH

India's Supreme Court took a major step forward in September when it decriminalised gay sex, striking out an archaic law that stipulated fines and jail sentences of up to 10 years. The **colonial-era law** was enshrined in Section 377 of India's Criminal Code on "unnatural offences."

Reading the verdict, Chief Justice Dipak Misra **said** that, "Constitutional morality cannot be martyred at the altar of social morality" and "social morality cannot be used to violate the fundamental rights of even a

single individual.” Being gay, **stated** Judge Misra, is a “variation” not an “aberration.”

The ruling came as a result of decades-long civil society **struggles** led by the **Naz Foundation**, an LGBTQI rights CSO, and **Lawyers Collective**, a law organisation involved in civil and sexual rights issues. We asked **Anand Glover** of Lawyers Collective what the verdict means for India’s LGBTQI community:

When the Supreme Court decriminalised consensual adult sex in private, it meant a lot to many people in India. Section 377 ostensibly applied to both heterosexuals and homosexuals, and to gay men and lesbian women, but it was mostly used as a tool in the hands of the police to harass, extort and blackmail gay men. It prevented gay men from seeking legal protection from violence, for fear that they would end up being penalised for sodomy. Criminalisation resulted in stigma and prejudice, which in turn perpetuated a culture of silence around homosexuality and resulted in rejection at home and discrimination in the workplace and public spaces.

The Supreme Court ruling lifted such a heavy burden from many people that we call it the second independence of India – the independence of all those groups that were still criminalised by a British law. Section 377 was imposed in 1861, under colonial rule. Before the British came, sexual practices were not criminalised in India.

As an immediate result of the legal change, people can now be open about their sexualities. People who got married abroad are now throwing receptions to celebrate their marriages. This was unheard of in India before September. It is quite new for people to declare willingly that they are gay and be seen as a normalised part of society. We will, hopefully, become a more pluralistic society, at least in terms of sexuality.



Indian LGBTQI campaigners successfully challenged the country’s colonial-era ban on gay sex.

Credit: Debajyoti Chakraborty/NurPhoto via Getty Images

The struggle for this fundamental right was a long and difficult one, demanding many years of civil society dedication, and requiring a combination of astute legal action and public campaigning, as Anand relates:

This was a big and hard-won victory for civil society. The process was kicked off by the Lawyers' Collective in 2001 – or even earlier, because it all started with HIV. We began advocating for the rights of people with HIV in the late 1980s, and lost many times, but got our largest victory in 1997, when the Bombay High Court ruled against discrimination in public sector employment on the basis of HIV status.

After we won the HIV case, many gay men started coming to our office in Mumbai to seek legal advice. And that's when I realised that the main issue for them was Section 377. It was the biggest impediment to the full expression of sexuality and personhood of LGBTQI people.

We first decided to challenge Section 377 in 1999 or 2000 but couldn't file a petition because no gay men were ready to come forward. Homosexuality was so stigmatised that nobody wanted to come forward. In the meantime, someone else filed a petition in Delhi and it was dismissed. We then had to challenge the constitutionality of Section 377 in Delhi High Court. The Naz Foundation had also reached the same conclusion: Section 377 was one of the biggest obstacles to access to health services by gay men, who tried to stay under the radar due to fear of prosecution.

In the Delhi High Court, we argued that Section 377 made it difficult for the Naz Foundation to do its job of providing sexual health advice to gay men. We also challenged Section 377 on the grounds that it violated the rights to equality, non-discrimination and freedom of expression, life and personal liberty, which included the rights to privacy, dignity and health.

In 2009, the Delhi High Court declared that Section 377 was unconstitutional, and therefore decriminalised adult consensual same-sex relations in private. However, 15 Special Leave Petitions (SLPs) against the Delhi High Court's decision were filed in the Supreme Court, mostly on behalf of faith-based groups, and the government did not file an appeal. Among other interventions in support of the judgment, the Lawyers Collective filed a comprehensive counter affidavit against the SLPs, on behalf of the Naz Foundation. In 2013 the Supreme Court overturned the judgement of the Delhi High Court on the grounds that amending or repealing Section 377 should be in the hands of parliament rather than the judiciary. The Naz Foundation, through the Lawyers Collective and others, then submitted curative petitions. In the meantime some other petitions were filed and in September the Supreme Court eventually revised its 2013 judgment and concluded that Section 377 was indeed unconstitutional. They basically said: oh, we made a mistake, sorry.

As this suggests, decriminalisation was fiercely opposed by conservative groups. Even as the ban was repealed, the leader of one such group, All India Hindu Mahasabha, **claimed** that “we are giving credibility and legitimacy to mentally sick people.” But, Anand believes, a corner has been turned in public attitudes:

From 2001 to 2018 we developed a lot of advocacy through the media, and over time the public started understanding the issues, so there's hardly any backlash now. The process took a long time, so it also gave us time for changes to catch within the mindset of the people.

I think anti-rights groups are weak on this particular issue, because all major religious groups eventually took sides against criminalisation. We will eventually see backlash when the issue of marriage equality is raised, but not around the decriminalisation

of gay sex. And even gay marriage will eventually happen, because it is the logical next step.

While a major advance, decriminalisation is not the end of the road for India's LGBTQI activists, who emphasise that legal change must be accompanied by social changes, including to ensure equal access to jobs, healthcare and education. Anand outlines the next stages of the struggle, and is optimistic about the prospects for further change:

Now we need to move to the next stage in terms of equality between LGBTQI people and the rest of the population, including equality and non-discrimination in the private sector, regarding employment, education, health services and so on. Also, laws about sexual assault and rape need to be gender-neutral. This also applies to marriage – it should be defined as a relationship between two people, and so the definition should be gender-neutral. The same goes for inheritance and other things.

The lesson is quite simple: you need to realise that when justice is on your side, you have to keep on fighting and you will eventually win. That is what happened here: we knew that this law, arbitrarily imposed by the British, was unjust. We encountered lots of challenges, the fight was a long one, but we were ultimately victorious.

PROGRESS AROUND THE WORLD ON LGBTQI RIGHTS

India wasn't the only country where civil society took to the courts to win progress on LGBTQI rights. In August, **Costa Rica's** Supreme Court **ruled** that the country's ban on same-sex marriage was unconstitutional. The court gave the government 18 months to pass legislation to enable equal marriage; civil society urged the government to comply quickly, and to encourage this, **called** on the court to publish its decision in full when it failed to do so. Ahead of the decision, Costa Rica's April presidential

election run-off had represented something of a litmus test on changing social attitudes as the two candidates took starkly different stances: a pro-same-sex marriage candidate soundly **defeated** a candidate opposed to LGBTQI rights.

Also in Central America, progress was made in **Belize**, when in March, the Catholic Church **withdrew** its Supreme Court appeal against a ruling that overturned a constitutional ban on gay sex. This was another case that was brought and won by **civil society**.

LGBTQI civil society in **Portugal** claimed a further **victory** in July, as a new law on Gender Identity and Sexual Characteristics was passed, giving people the legal right to change their name and sex. Even in **Kenya**, where homophobia comes from the top – President Uhuru Kenyatta has **described** the denial of LGBTQI rights as a cultural issue rather than a human rights issue – and where LGBTQI refugees were physically **attacked** in December, a small **victory** came in September, when the High Court temporarily lifted the ban on screening the film 'Rafiki', a Nairobi-set lesbian love story. The film had been banned in April ahead of its Cannes Film Festival screening.

Civil society's success in fighting antiquated laws in India is inspiring activists in **Singapore**, where the **Ready 4 Repeal** movement is campaigning for repeal of the colonial-era penal code's section that criminalises sex between men. In September, they presented the government with a repeal petition containing **44,650 signatures**, while a town hall discussion that same month gathered together 800 people. A **legal challenge** is being made on the grounds that the law is incompatible with constitutional guarantees of liberty. While the criminal provisions in the law are no longer applied, it still helps foster a climate of discrimination, including by making it harder for same-sex couples to access public housing. Thousands also participated in Singapore's 10th **pride** event, organised by leading LGBTQI CSO **Pink Dot SG** in July.

Public **consultations** were held in **Montenegro** during 2018 on a draft law to recognise same-sex partnerships. While the bill drew criticism from LGBTQI groups for not giving same-sex couples the same rights as heterosexual couples, most regarded it as offering a positive step in the right direction. Participants **called on** the government to adopt the law during the country's sixth annual pride parade, held peacefully in November. Conservative faith groups continued to demand the withdrawal of the proposed law.

But in a setback in **Taiwan**, voters **rejected** a proposal to endorse the legalisation of same-sex marriage in a referendum vote in November. A further proposal to support LGBTQI-inclusive education in schools was also rejected. Voters instead **endorsed** a proposal for a process other than marriage to recognise the status of same-sex unions. The referendum, of an advisory nature only, was brought after an initiative organised by conservative faith groups, which of course oppose same-sex marriage. The vote came after Taiwan's Constitutional Court ruled in 2017 that the country's current marriage law discriminates against same-sex couples. The court gave the legislature two years to amend existing laws or pass new legislation to give LGBTQI couples the same rights as heterosexual couples. In February 2019, the government's response to the divided public opinion indicated by the referendum was to **propose** a law that falls short of full equality; the proposed law would extend similar legal protections as heterosexual marriages to same-sex unions, but continue to define marriage as taking place between a man and a woman. The proposal made neither conservative groups nor LGBTQI groups happy, with LGBTQI groups noting that the proposed law would still leave LGBTQI people short of equal rights. Their campaign to make Taiwan the first Asian country to legalise same-sex marriage continues.

As the example of India indicates, advances may come from hard-fought legal battles that are won over time, demanding engagement over several years, resources, legal expertise and collaboration. Around the world civil society continues to confront highly organised conservative forces and deeply rooted ignorance and prejudice. To respond, civil society must win battles not only in the courts, but in public, and in hearts and minds.

Cuba, for example, is a country where LGBTQI activists have met with stiff opposition from conservative religious groups mobilising popular prejudice. As part of the process of developing Cuba's new constitution in 2018, it was proposed that the constitution would describe marriage as a union of two people, eliminating any reference to men or women. But the proposal, supported by LGBTQI rights activists, was particularly opposed by evangelical groups. While

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thousands marched in the capital, Havana, in support of LGBTQI rights on the International Day Against Homophobia, Transphobia and Biphobia in May, the following month, five evangelical groups **published** a declaration expressing their opposition to the proposal. In a country where gay men can recall being sent to work camps, evangelical groups tapped into a powerful reservoir of public homophobia. State media reported that most citizens who commented on the proposal opposed it, and by December the proposal had been quietly **dropped**, in favour of neutral language that at least leaves open the possibility of future change.

ROMANIA: DEFEATING A DISTRACTION

An October **referendum** to establish a constitutional ban on same-sex marriage in **Romania** was dismissed by many in civil society as an attempt to distract and appease the sustained public anger that has greeted the government's repeated attempts to weaken punishments for its corrupt officials (*see Part 1*). The referendum, brought following an initiative by a conservative group, Coalition for the Family, and supported by the government, seemed to have the intention of galvanising conservative support behind the government, in a context where there has been no serious movement towards same-sex marriage. It suggested, therefore, that the ruling party viewed Romania's LGBTQI community as little more than a convenient scapegoat, in a country already regarded as one of the worst EU member states for LGBTQI rights.

The constitution currently defines marriage as being between two people, using gender-neutral terminology; the proposal would have defined marriage as being solely between a man and a woman. As it happened, even though the government did everything it could to ensure success, allowing a voting period of two days rather than one and lowering the required turnout threshold from 50 to 30 per cent, the measure was **defeated** by an organised boycott: only around 20 per cent of eligible people voted, so that, although those who turned out

overwhelmingly voted to support the change, turnout was too low for the measure to pass.

Conservative religious groups were also active in neighbouring **Moldova**: in May, a religious association **held protests** against sex education and the promotion of same-sex relationships.

LATVIA: PREJUDICE AND PRIDE

Latvia is another country where civil society seeks to claim LGBTQI rights in the face of negative social attitudes and an influential Catholic Church that has the ear of many politicians. Since 2015, schools have been mandated to promote 'family values' and marriage – and in Latvia that only means marriage between a man and a woman. The influence of conservative forces, increasingly confident in Latvia as across much of Europe, meant that attempts to extend rights came to little in 2018, as **Kaspars Zālītis** of Latvia's only LGBTQI rights association, **Mozaika**, relates:

In March, parliament was quick to dismiss a Cohabitation Bill that would have granted basic rights to non-married couples, including same-sex ones. It did so on the grounds that couples could access these rights by getting married, even though the Latvian Constitution prohibits same-sex marriage. The initiative had started three years earlier through an online petition that gathered 10,000 signatures, which was why parliament had to consider it.

*The Catholic Church has a lot of influence, and it is taking the lead in fighting the LGBTQI community and pushing back against women's rights. There has been a lot of disagreement over the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence – the **Istanbul Convention**. Church leaders and many public officials oppose ratification of the Convention because one of*



its non-discrimination clauses concerns sexual orientation and gender identity. The Catholic Archbishop is rallying against it and has gathered considerable support among political parties and parliamentarians. He has managed to convince them that ratification is part of the secret agenda of so-called ‘genderists’ – an expression that originated in **Russia**, a country with a very strong cultural influence in Latvia. Church officials, right-wing activists and politicians and anti-LGBTQI and anti-abortion groups depict the Convention as contrary to Latvian traditional values and as being aimed at over-sexualising and ‘converting’ children. These arguments are gaining ground among the public.

This rhetoric is not the exclusive preserve of the Catholic Church: the Lutheran Church, which is the largest Protestant church in Latvia, is also taking a lead in fighting us and the Istanbul Convention. Additionally, new religious organisations with direct links with US evangelical groups are emerging. Some of their leaders have been trained in the **USA** and are quite good at influencing people.

Although religious leaders and organisations don’t have a direct and institutionalised role in policy-making, in practice they have a lot of influence. It is not uncommon for the Catholic Archbishop to meet with the ruling coalition’s leading party, and for the party’s leader to then say he has ‘consulted’ with the Catholic Church and has decided to vote in one way or another. You can see a direct link because all this happens in public. We, on the contrary, don’t have access to leading politicians because they are not willing to risk their reputations by meeting us in public. At the most, we can expect to have a private meeting here and there.

We see the religious right rising all over Europe. Religious organisations and right-wing parties are increasingly organised and coordinated to fight against gender equality and LGBTQI

rights at the European level, and they are getting a major influx of resources from the USA. They have way more resources than we do, and their message also resonates better with the latent homophobia in Latvian society, which is becoming increasingly vocal. And after the Brexit vote and the Trump victory, they are emboldened.

Civil society's responses to these pressures have been to monitor and report hate speech on social media, try to refute myths with facts and mount arguments for LGBTQI rights that are grounded in broader human rights commitments. In the face of opposition, civil society also takes the message to the streets through the Pride in Latvia and Baltic Pride events, as Kaspars relates:

*Pride in Latvia is the most visible LGBTQI event in the country. It draws widespread social and media attention to our cause, but it also attracts a large number of expressions of hatred and brings to the surface negative attitudes towards the LGBTQI community. Pride in Latvia grew from 70 participants who faced 3,000 protesters in 2005, to 5,000 participants at EuroPride 2015, which was held in the capital, Riga, and 8,000 in 2018's Baltic Pride. In between, it was **banned** by Riga City Council three times.*

Mozaika applied for permission to hold Baltic Pride in February. Latvian laws state that applications must be submitted no earlier than four months prior to the event and that if there is more than one application for an event to be held at the same time, priority will be given to the first applicant. Mozaika's representative arrived at Riga City Council an hour before opening to make sure that Baltic Pride was the first applicant, and just seconds after he entered the building Antiglobalists, an anti-rights organisation, arrived to submit another request for an event that would take place at the exact same time and venue, but under the name 'Promotion of paedophilia, zoophilia, necrophilia and

other perversions'. They wanted to make the statement that if 'homosexuals' can promote their 'perversions', they should also be allowed to promote any other perversion they could think of.

Since it became known in late 2017 that Riga would host Baltic Pride, Mozaika and Baltic Pride became targets. The leader of the Latvian Green Party-Riga Unit started a personal campaign against so-called 'genderists'. He insisted that Baltic Pride should be banned and set up a Facebook page to 'inspire' activists for 'traditional values'. Starting in January, Baltic Pride organisers received over a hundred personal attacks, warnings or threats. We were insulted, called sick and branded perverts on our Facebook pages on a daily basis. Hate campaigns were launched to convey the idea that Pride is a 'sex festival'. Countless posts were made showing rainbows and guns, to create fear among potential participants and the LGBTQI community and dissuade them from attending. Antiglobalists, Tautas tiesību kustība (National Rights Movement) and activists inspired by right-wing politicians constantly posted statements to encourage others to stand against Baltic Pride. Sometimes they provided details about our activities, forcing us to restrict them to registered participants to ensure safety. We also had to take unprecedented security measures for Pride events.

Fortunately, we could find common ground and work closely with the police. Counter-protesters attack and humiliate the police, but we treat them with respect. No public official or security officer supporting us would ever say so publicly, but we have been able to work together behind closed doors.

*In the end, Baltic Pride was a great success. We would have considered it a success if 2,000 people had attended, but **over 8,000** did. There were no major incidents, although at some point eggs and smoke bombs were thrown at participants.*

PRIDE AND PROTEST

Baltic Pride was one of many pride events held successfully around the world in 2018. **Swaziland's** first-ever **Pride Parade** took place peacefully in June, **Timor-Leste** held its second such **event** in July and a peaceful **pride festival** was held in Mongolia in August. **Serbia's** eighth **Pride Parade**, in September, demanded new laws on same-sex unions and gender identity, and was joined by Prime Minister Ana Brnabić, Serbia's first out gay prime minister.

People also took to the streets in **Georgia** to **protest** for LGBTQI rights on the International Day Against Homophobia, Transphobia and Biphobia in May, despite threats and a counter-protest led by the Georgian Orthodox Church. Another rally in May was held to protest against the police's use of violence in raids on nightclubs.

In many places, demands for transgender rights were to the fore. **Uruguay's** annual **March for Diversity** took place in September, mobilising thousands of people in support of a draft Comprehensive Law for Trans People. A transgender rights **protest** was held in **South Korea** in November.

As part of an evident wave of LGBTQI activism in Asia in 2018, in July in **Japan**, thousands **protested** outside the offices of the ruling Liberal Democratic Party, demanding the resignation of one of its members of parliament, Mio Sugita, who criticised same-sex marriage and called same-sex couples "not productive." Same-sex marriage is still not legal in Japan, although some local-level administrations recognise formal same-sex partnerships. Later that year, in October, the Tokyo metropolitan government **passed** a bill prohibiting discrimination on the basis of sexual orientation and gender identity, a positive move ahead of the city's hosting of the 2020 Olympics.

SETBACKS AND STRUGGLES FOR LGBTQI RIGHTS

But while pride events in many countries took place without obstruction, this was not the case everywhere. **Hadi Damien**, organiser of **Lebanon's** Gay Pride Week, was one who was targeted. He was detained on debauchery and public decency charges during the week's events and was only released after agreeing to call off the rest of the programme.

In **Turkey**, LGBTQI people are, predictably, targets of the state's ongoing repression of civic space, exercised by a ruling party that mobilises a conservative support base. Istanbul's **Pride March** has experienced a four-year ban on 'public order' grounds, and when people attempted to gather in July, they were dispersed with teargas, and at least 41 people were reportedly detained. A subsequent attempt to hold a pride parade in Adana province was also banned, while in Ankara, courts **refused** to hear lawsuits brought by two CSOs against an indefinite ban on LGBTQI events.

In **Bosnia and Herzegovina**, an attempt to mark the International Day of Transsexual Visibility in March was **blocked**. Local authorities in the capital, Sarajevo, cited security concerns to deny the Sarajevo Open Center permission to organise a protest, even though the Center had previously held protests in the same location. Permission was further denied when the Center tried to move to another venue. It quickly became clear that the problem was the CSO's focus on LGBTQI rights. Hate crimes also remain a challenge in Bosnia and Herzegovina, despite the passage of recent laws.

As in Turkey, in **Uganda**, the state's systematic restriction of civic space finds a particular focus on the civil society of LGBTQI people. In May, for example, the authorities **cancelled** planned celebrations of the International Day Against Homophobia, Transphobia and Biphobia, and the Ethics and Integrity Minister shut down a civil society conference on people living with HIV/AIDS on the grounds that it promoted homosexuality.

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In **Cameroon** in April, plainclothes police **detained** five staff members of Avenir Jeune de l'Ouest (AJO), including its executive director. AJO advocates for the rights of HIV-positive people, LGBTQI people and sex workers. During an interrogation, the five were told they were facing charges of homosexuality, which is criminalised under Cameroon's Criminal Code. The five faced a prison sentence up to five years if found guilty.

Particularly troubling developments came in **Tanzania**, where homosexuality remains illegal and President John Magufuli has increasingly demonised LGBTQI people as part of his populist divide-and-rule strategy. In November, hundreds of people in Dar es Salaam, Tanzania's most populous city, **went into hiding** as Paul Makonda, the city's Regional Commissioner and an ally of the president, **announced** he had formed a 17-person committee to identify and punish gay people. The committee will, he stated, pore through social media feeds and websites to identify people deemed to be posting gay content. Makonda called on citizens to report LGBTQI people, and in an indication of how widespread a challenge homophobia is, boasted of having received 18,000 messages of support for the policy and thousands of names. It was later reported that police were raiding the homes of those accused. The move can only force LGBTQI people underground, foster fear and self-censorship and encourage attacks on the LGBTQI community.

July offered further evidence of how entrenched homophobic attitudes are among Africa's rulers. Observer status at the African Commission on Human and People's Rights was **withdrawn** from the Coalition of African Lesbians, a South African-based network of CSOs in 10 African countries. The African Union, the Commission's parent body, described the Coalition's work as an affront to "African values." There is still a long way to go and much civil society work to be done before everyone can enjoy the same rights.

REFUSING TO BE VICTIMS: SPEAKING OUT ABOUT SEXUAL ABUSE IN THE CATHOLIC CHURCH

2018 saw the Catholic Church's own #MeToo moment. As survivors transformed themselves into activists, it was a year of mass action and increasingly high-profile campaigning to seek redress for the horrendous and systematic sexual abuse committed by many Catholic priests.

CHILE: PAPAL VISIT TRIGGERS ACTION ON ABUSE

Pope Francis' **visit** to **Chile** in January had been planned as a massive faith renewal event. Instead it became the starting point for a growing discussion of sexual abuse within the Church, with hundreds of allegations of abuse against bishops and priests.

As Pope Francis visited Chile, survivors of abuse accused the Pope and a high-profile bishop, Juan Barros, of overlooking decades of systematic abuse. Several **protests** also highlighted the use of public funds for the visit, in a country where many are poor. Trade unions joined together to organise a 'March of the Poor' in Santiago. This was targeted by security forces, who claimed the protest was unauthorised, and at least 20 people were reportedly arrested.

The intensity of the protests and the wide media coverage they attracted made it impossible to ignore them, leading Pope Francis to agree to a secret meeting with survivors before leaving Chile. **Cristián León González**, spokesperson of **Fundación Voces Católicas**, a CSO close to the Church, assesses the impact of the protests:

*Protests were key. But if Pope Francis had immediately listened to the **demands** that Bishop Barros, accused of covering up abuses, be removed from the diocese, the force of the protests would probably have diminished and the scandal would not have erupted – or at least not with the force it eventually had. During his visit, and especially after he left Chile, the Pope noticed the flaws and gaps in the reports he received from both the Chilean bishops and the nuncio – the papal ambassador – about the reality of the local Church. For that reason, after returning to Rome he immediately sent two envoys to investigate what was happening in Chile.*

As this suggests, the protests had an effect that was felt long after the papal visit. In April, Pope Francis received Chilean abuse victims in the

Vatican, in an attempt to amend what he described as an “error” and ask for **forgiveness**. In May, he went on to **call** for an end to the culture of abuse and concealment in the Church. In July, a **protest** took place during mass in Santiago's Cathedral. As pressure increased, Pope Francis expelled a Chilean bishop who had been singled out as a major sex offender and removed several others. Cristián takes up the story:

*After the visit, the Pope's fierce reprimand to our Episcopal Conference ended with all of Chile's bishops submitting their resignations. This made our Church slowly start taking actions to amend the grievances committed over decades to so many members of our congregation. Perhaps the most relevant action was the establishment of the **Abuse Prevention Department** within the General Secretariat of the Chilean Episcopal Conference.*

*A **Delegation for Truth and Peace** was also established to attend to the political, executive and investigative duties of the archbishopric of Santiago. It is responsible, among other things, for coordinating the complaints received by the Pastoral Office of Complaints and the Abuse Prevention Department and providing spiritual accompaniment to the victims. It also has investigative powers and a coordinating role with the Judicial Vicarage, the clergy and the archbishopric's chancery, and with civilian institutions – the Investigation Police and the Courts of Justice.*

All of which looks very nice on paper, but what is crucial is that these measures are actually implemented and for victims of abuse to feel that the Church is protecting and defending them. The weakest point of the Church's response has been the lack, to date, of genuine – humble, personal and heartfelt – requests for forgiveness by our clerics; instead there have only been impersonal statements issued through the media. In this aspect we remain indebted.

Civil society, Cristián concludes, has much to offer the investigation process, and the Church can learn from civil society:

*The National Prosecutor's Office, which investigates alleged sexual abuses and cover-ups, has **reported** that out of hundreds of cases brought against priests for these crimes, 148 are still open. These involve 255 victims, most of whom were girls, boys and teenagers when they were abused. Faced with these facts, which besides being sins are outright crimes, both civil society and the religious world have become aware of the Church's complete lack of accountability towards the community, and of the existence of very limited accountability of administrative and pastoral management through formal evaluation processes. The availability of expeditious ways to denounce crimes of sexual abuse of minors to the competent civilian authorities is key, including the ability to keep the victim's identity confidential. This is the main function of the National Council for the Prevention of Abuses and Accompaniment of Victims.*

The local Church has much to learn from civil society in terms of accountability, communication and management. Since it is governed by two laws – civil law and canon law – the clergy should have, if anything, an even greater responsibility.

USA: SURVIVORS DEMAND ACCOUNTABILITY

Chile's protests were part of a wider global movement for justice and accountability. In the **USA** in August, the Pennsylvania Supreme Court **released** a grand jury report on sex abuse in the Catholic Church going back 70 years. The 1,400-page-long document, the result of an 18-month probe, named at least 300 priests accused of child sex abuse by **more than 1,000** abuse survivors throughout the state, and detailed a systematic cover-up by senior Church officials both in the state and the Vatican. The Attorney-General **concluded** that "predators in every

diocese weaponized the Catholic faith and used it as a tool of their abuse." As a result of direct accusations against him, Theodore McCarrick, one of the highest-ranking Vatican officials in the USA, was forced to **resign**.

Several organisations have long helped enable abuse survivors to **speak out** and work to help hold bishops **accountable**, and there have been calls for a **#MeToo movement** within the USA's Catholic Church, where a lack of transparency and accountability contributes to impunity and the continuation of abuse. Protests have been led by Catholics willing to clean up the institution, who have peacefully protested, sometimes through prayer both **outside** and inside churches, and often during **mass**. Some Catholic groups started a **#TimesUp** movement to demand the truth. In October, the US Congress debated a bill to allowing survivors to sue perpetrators and religious institutions, although this became **stuck** in the Senate.

GERMANY: A SEARCH FOR TRUTH

In September, a 356-page **report** on sexual abuse in the **German** Catholic Church was released, detailing 3,677 cases spanning 68 years, with more than half of those abused – mostly boys – being 13 or younger.

Although the report included cases up to 2014, church authorities first argued that the reported cases were old and the problem had been addressed. The chairman of the German Bishops' Conference, however, eventually **recognised** the cover-up, and during a visit to **Estonia** in September, Pope Francis **acknowledged** the need for change.

Following the disclosure, the German Catholic Church established a "recognition fee" of up to €5,500 (approx. US\$6,300) to be paid to abuse survivors. Survivors responded that not only was this an absurdly low figure, they wanted truth rather than money. One person, for instance, **said** that he had only accepted the payment once his abusers had confessed their crimes. He also stated that, since the report only counted voluntarily reported abuses, the number of people abused could be as much as 10 times higher.

In October, Cardinal Reinhard Marx, one of the top papal advisers on the issue, **welcomed** public pressure to force reforms, and said the church needed to have a “frank discussion” about power, homosexuality, celibacy and training for priests, among other issues.

By then, the protests had spread to Vatican City itself: **Italian** victims of abuse held a **sit-in** on the opening day of the Synod of Bishops at the Vatican, where more than 300 clerics from 125 countries were discussing Church modernisation strategies. A further protest, held by women to demand that their voices be heard by the Church, was held outside. Protests continued in February 2019, when Pope Francis held a special **summit** on sexual abuse at the Vatican.

IRELAND: A CALL FOR JUSTICE

Ireland has a long and troubled history of abuse in the Catholic Church. Attention has focused on the Magdalene Laundries, in which many single mothers were confined between 1922 and 1996. In the mid-1990s, as mass child graves were discovered in a plot sold by one of the laundries, women stepped up and testified, revealing hundreds of cases of sexual, psychological and physical abuse. In 2013, the government established a State Redress Scheme and gave an official apology to abuse victims, a long-sought achievement for the advocacy group **Justice for Magdalenes**. This policy benefited some of those affected, but **not all**. Testimonies are still being **revealed** by the media.

At the same time the **Ryan Commission** unearthed many cases of sexual abuse in reformatory and industrial schools ran by the Catholic Church and supposedly supervised by the Department of Education. This also led to a redress policy to be implemented by both the state and religious institutions, although the state has so far **failed** to comply.

As in Germany, for survivors of abuse in Ireland, financial redress is not the highest priority; without the creation of structures to prevent the repetition of abuse, economic compensation is viewed as merely



Survivors of sexual abuse held a vigil in Vatican City in February 2019.

Credit: Simone Padovani/Awakening/Getty Images)

symbolic accountability. The CSO **One in Four** – an allusion to the fact that 27 per cent of Irish people experience abuse before the age of 18 – advocates for changes in canon law – the law of the Catholic Church – including mandatory reporting of abuses, and claim that the law is currently being used to protect abusers by keeping them out of reach of judicial institutions.

As Pope Francis visited Ireland in August, people protested while he was saying mass. Pope Francis initially claimed not to know about the Magdalene Laundries. After more survivors of abuse shared their experiences, he publicly asked for **forgiveness**. Protesters marched to **accuse** him of protecting sex abusers. The **Say no to the Pope** campaign organised a peaceful boycott of the visit by applying for free event tickets and not attending, an action that **irritated** the church authorities.

POLAND: THE END OF SILENCE

In October, the **Don't be Afraid Foundation** revealed a **map** of sexual abuse in **Poland**. Its report, based on court data and press accounts to overcome the lack of official figures, documented 255 cases of abuse against children under 15. According to Don't be Afraid, the Church has systematically covered up abuses. While more than 50 priests have been convicted of abuses, some were reassigned to new parishes after serving time.

Also in October, activists met with lawmakers to **demand** punishment for Catholic priests convicted of sexually abusing children and the extension of the statute of limitations for prosecution in such cases. In response, Church officials promised to publish a report on the scale of the problem.

A film released in September, '**Kler**' (the Clergy), about sexual abuse in the Church, stirred **controversy** and laid bare Poland's social divide: while some called for the film to be banned, others welcomed it for helping to challenge the culture of silence around abuse. In October it was **reported** that people close to the ruling party had pressured several

cinemas to stop showing the film. But still, over three million people saw it, making it one of the most-viewed films in post-communist Poland. The facts of abuse, as they are unearthed, will continue to fuel the demand for redress. The survivors of abuse, now they are speaking up, will not be silenced.