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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Rights to freedom of peaceful assembly and of association

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément N. Voule, in accordance with Human Rights Council resolutions [15/21](#), [32/32](#) and [41/12](#).

* [A/75/150](#).



Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clement N. Voule

Celebrating women in activism and civil society: the enjoyment of the rights to freedom of peaceful assembly and of association by women and girls

Summary

In the present report, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clement N. Voule, recognizes and elevates the contributions of women in civil society and activism to the advancement of democracy, peace and sustainable development and examines the gendered and intersectional barriers, reprisals and backlashes faced by women to their full and equal enjoyment of the rights to freedom of peaceful assembly and of association. The Rapporteur provides recommendations to promote an enabling environment for the rights of women to assemble and associate.

I. Introduction

1. Women of all ages and backgrounds, working collectively and creatively, are leading and inspiring social movements, peaceful protests and civil society initiatives that seek to transform existing social, political and economic structures. They are at the forefront of today's most pressing global struggles, including tackling the greatest impediments to achieving the 2030 Agenda for Sustainable Development and responding to the coronavirus disease (COVID-19) pandemic. Whether it is speaking up against militarization and discriminatory policing, fighting poverty and economic inequality, reclaiming democracy and political freedom, advancing women's rights and gender equality, improving communities or organizing for fair work and climate justice, women are the drivers of change around the world.

2. The exercise of the rights to freedom of peaceful assembly and of association is central to these movements and initiatives. These fundamental freedoms empower women to “express their political opinions, engage in literary and artistic pursuits and other cultural, economic and social activities, engage in religious observances or other beliefs, form and join trade unions and cooperatives, and elect leaders to represent their interests and hold them accountable”.¹ Nonetheless, despite their vital importance, the voices of women and their contributions to activism and civil society continue to be undervalued, underresourced and undermined. While significant progress has been made to ensure women's participation in public life, State and non-State actors alike continue to violate women's rights to the freedoms of peaceful assembly and of association – both online and offline. In many cases, the situation has even deteriorated, with many women experiencing an increase in severe violations of these fundamental freedoms and backlashes against gender equality. The COVID-19 pandemic has exacerbated many of these challenges and constraints.

3. In the present report, the Special Rapporteur recognizes and elevates the enormous contribution to human rights, peace and sustainable development by women exercising their rights to freedom of peaceful assembly and of association, while examining the gendered and intersectional restrictions that they face to exercise these freedoms. The report concludes with recommendations to States and other stakeholders to promote an enabling environment for the rights of women to assemble and associate. The report is submitted pursuant to Human Rights Council resolution [15/21](#), which gives the Special Rapporteur an explicit mandate to “integrate a gender perspective throughout the work of the mandate”.

4. The report is informed by the lived experiences and testimonies of women interviewed in the preparation of the present report and obtained during an online consultation with civil society convened by the Special Rapporteur on 10 June 2020. It is also based on findings during country visits, communications sent to States and numerous discussions by the Special Rapporteur with women in civil society. In addition, the report builds on the work of various United Nations agencies, treaty bodies and special procedures,² including thematic reports by the mandate holder.³ The Special Rapporteur had the benefit of 15 submissions from States, 34 from civil society organizations and 6 from national human rights institutions.

5. References to “women” here include girls, as well as those transgender and intersex persons who identify as women and gender non-conforming persons affected by social constructions of women. Women's organizations and movements are understood in the present report as groups of individuals that join together to pursue a common agenda of change with a critical mass of women who “are the subjects, not

¹ Human Rights Council resolution [15/21](#), preamble.

² See, for example, [A/72/155](#), [A/HRC/38/46](#) and [A/HRC/23/50](#).

³ [A/73/279](#), [A/HRC/35/28](#) and [A/HRC/26/29](#).

objects or targets, of the organization and movement.”⁴ These organizations and movements are centred on meaningful women’s leadership. Their contribution includes and goes beyond gender equality to broader human rights, peace and development issues.

II. International legal framework

6. The rights to freedom of peaceful assembly and of association find expression at the global level in article 20 of the Universal Declaration of Human Rights and in articles 21 and 22 of the International Covenant on Civil and Political Rights. Under articles 21 and 22 of the Covenant, everyone is entitled to the rights to freedom of peaceful assembly and of association. Under the Covenant, States are obliged to promote the equal rights of women. Articles 2 and 26 of the Covenant ensure to all individuals the rights enshrined in the Covenant, without discrimination on the basis of sex and gender. Article 3 of the Covenant further provides that States must “ensure the equal right of men and women to the enjoyment of all civil and political rights” set forth in the Covenant.

7. To ensure equality between women and men in all areas covered by the Covenant, the Human Rights Committee has explained that articles 2 and 3 require States to respect, protect and fulfil the rights to women to enjoy all human rights without discrimination, including the rights to assemble and associate. This not only obliges States to provide legal protection and to abolish or amend discriminatory laws but also requires the adoption of positive measures in all areas so as to achieve the effective and equal empowerment of women.⁵ In so doing, States should take account of the factors which impede the equal enjoyment by women and men of each right specified in the Covenant, including recognizing that “discrimination against women is often intertwined with discrimination on other grounds such as race, colour, language, religion, political or other opinion, national or social origin, property, birth or other status”.⁶

8. In addition to the Covenant, several specific international treaties, declarations and frameworks ensure women the equal enjoyment of rights without any discrimination, including the rights to assemble and associate. Those instruments should be read together with the relevant provisions of the Covenant.

9. Under article 7 of the Convention on the Elimination of All Forms of Discrimination against Women, States are obliged to adopt all appropriate measures to eliminate discrimination against women in the political and public life of the country, including the rights of women to participate in non-governmental organizations and associations. In its general recommendation No. 23 (1997) on women in political and public life, the Committee on the Elimination of Discrimination against Women affirmed that “the obligation specified in article 7 extends to all areas of public and political life”, including many aspects of civil society, such as “public boards and local councils and the activities of organizations such as political parties, trade unions, professional or industry associations, women’s organizations, community-based organizations and other organizations concerned with public and political life”.⁷ To ensure compliance with article 7, the Committee called on States

⁴ Srilatha Batliwala, *Changing Their World: Concepts and Practices of Women’s Movements* (Toronto, Association for Women’s Rights in Development, 2012).

⁵ Human Rights Committee, general comment No. 28 (2000) on the equality of rights between men and women, para. 3.

⁶ *Ibid.*, para. 30.

⁷ Committee on the Elimination of Discrimination against Women, general recommendation No. 23 (1997) on women in political and public life, para. 5.

to “analyse factors contributing to the underrepresentation of women as members and officials of political parties, trade unions, employers’ organizations and professional associations” and adopt measures to eliminate or address those factors.⁸

10. The Committee on the Elimination of Discrimination against Women has recognized that women face a heightened risk of gender-based violence for their exercise of their rights to freedom of peaceful assembly and of association. In its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee affirmed that “harmful practices and crimes against women human rights defenders, politicians, activists or journalists are also forms of gender-based violence against women affected by such cultural, ideological and political factors”.⁹ The Committee reiterated that “women’s right to a life free from gender-based violence is indivisible from and interdependent on other human rights, including the rights to ... freedom of expression, movement, participation, assembly and association”.¹⁰ States parties have a due diligence obligation to prevent, investigate, prosecute and punish such acts of gender-based violence.

11. The International Covenant on Economic, Social and Cultural Rights enshrines the rights of women to form and join workers’ associations (arts. 3 and 8). In this regard, particular attention should be given to domestic workers, rural women, women working in female-dominated industries and women working at home, who are often deprived of this right.¹¹

12. Instruments adopted by the International Labour Organization (ILO) protect the right to freedom of association female workers, including the Domestic Workers Convention, 2011 (No. 189) and the Violence and Harassment Convention, 2019 (No. 190).

13. The Convention on the Rights of the Child enshrines the rights of the child to freedom of association and to freedom of peaceful assembly (art. 15) “without discrimination of any kind, irrespective of the child’s ... sex” (art. 2).¹² The Convention on the Rights of Persons with Disabilities also provides that States shall take measures to ensure women with disabilities the full and equal enjoyment of the rights to association (art. 29 (b)). Under the United Nations Framework Convention on Climate Change gender action plan, women’s participation and leadership are priority areas.

14. States also have an obligation to ensure that women are protected against discrimination committed by public authorities, the judiciary, organizations, enterprises or private individuals, in the public and private spheres.¹³ In addition, these international human rights norms and standards apply to all businesses as part of their responsibility to respect human rights under the Guiding Principles on Business and Human Rights.

⁸ Ibid., paras. 48 and 49.

⁹ General recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, para. 14.

¹⁰ Ibid., para. 15.

¹¹ Committee on Economic, Social and Cultural Rights, general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights (art. 3), para. 25.

¹² See also, Committee on the Rights of the Child, general comment No. 20 (2016) on the implementation of the rights of the child during adolescence, para. 45.

¹³ Committee on the Elimination of Discrimination against Women, general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, para. 17.

15. United Nations bodies have adopted several resolutions, guidelines and recommendations to address the specific threats faced by women when they exercise their public freedoms, including their rights to freedom of peaceful assembly and association, and called for their protection.¹⁴ The General Assembly, in its groundbreaking resolution on protecting women human rights defenders, calls upon all States to take appropriate, robust and practical steps to ensure that women, acting individually and in association with others, can defend human rights and perform their important role in the context of peaceful protests.¹⁵

16. The Beijing Declaration and Platform for Action, which marks its twenty-fifth anniversary in 2020, continues to provide the most comprehensive global policy framework for women's empowerment in public life and decision-making. Gender equality and the empowerment of women are both a stand-alone (Sustainable Development Goal 5) and a cross-cutting issue of the 2030 Agenda for Sustainable Development.

III. Celebrating women in activism and civil society

17. Women's activism and engagement in the wide range of organizations in civil society and social movements is integral to democracy, sustainable development and peace. Building on a long history of women's leadership, intersectionality and network building, women and girls are achieving the important promise to leave no one behind. They are calling attention to deep-rooted inequalities, including patriarchy and misogyny. Faced with narrowing civic space, mounting inequalities and rising fundamentalisms, women have persisted in their fight for structural change, speaking truth to power and building resilience in their communities. The free exercise of the rights to freedom of peaceful assembly and of association underpins the existence of these movements and organizations.

A. Democracy and peace

18. Women have long been at the forefront of struggles for meaningful and lasting democracy, where decision-making is inclusive of diverse voices from all parts of society, in particular those traditionally discriminated against.¹⁶ It was women who marched against apartheid in 1956 in South Africa. It was Black women who boycotted segregated buses which launched the civil rights movement in the United States of America. Following that long tradition, women – and particularly Muslim women and women students – led mobilizations in India against the Citizenship (Amendment) Act, 2019, which threatens to disenfranchise Muslims and other minority groups on the basis of their religion.¹⁷ Women in the Shaheen Bagh neighbourhood of New Delhi organized sit-ins, chanting, discussing politics and setting up tents. They used dance and song as a way to defuse violent responses to protests and show joy and defiance.

19. In the last decade alone, women around the world have collectively coordinated and inspired millions of people to join democratic movements and revolutions. For example, in Sudan, women accounted for an estimated 70 per cent of demonstrators on the streets since December 2018 (“the women's revolution”) that eventually led to

¹⁴ See, for example, Security Council resolution [1325 \(2000\)](#) and Human Rights Council resolutions [38/5](#), [38/11](#) and [39/11](#).

¹⁵ General Assembly resolution [68/181](#).

¹⁶ Committee on the Elimination of Discrimination against Women, general recommendation No. 23 (1997) on political and public life, para. 14.

¹⁷ IND 3/2020.

the removal of the President, Omer Hassan Ahmed Al-Bashir, after a 30-year reign.¹⁸ Women raised their voice not just against the military state but against the cultural and family restrictions of a traditional society reinforced by conservative State discourse and behaviours that impeded women's participation in public life. Similarly, women were central to the Velvet Revolution of 2018 in Armenia. They took to the streets to demand democratic change and their equal rights in public participation.¹⁹

20. Women are also at the forefront of efforts to defend democracy against threats of inequality, rising fundamentalisms, corruption and poor governance. In Lebanon, for example, women were key mobilizers of the October 2019 movements against political corruption and economic inequality. In Algeria, Iran and Iraq, women also played leading roles in protests for democracy in 2019. In Iraq, women defied a cleric's order separating women and men in the rallies. In Nicaragua, women's movements were leading street protests and participating in national dialogues demanding justice and free and fair elections. Young women and girls have been leading and actively participating in youth movements drawing attention to democracy gaps and deficits. For example, young women have been actively involved in the "umbrella" and pro-democracy movements in Hong Kong, China since 2014.

21. There are innumerable women-led movements and organizations around the world, and their context, strategies and approaches may vary. One of the most common strategies that has facilitated the growth of their movements is the building of broad-based coalitions and networks, including as a means to challenge social norms and practices that discriminate against them. Women's movements have also been both at the receiving end of rising fundamentalisms and the erosion of democratic values and at the forefront of addressing them; their resilience and expertise in this area should not be underestimated.

22. Indeed, while progress towards equality in political and public life continues to be slow and, in some cases has regressed,²⁰ women remain undeterred and committed to advancing women's equal representation. For example, in Brazil, the murder of prominent Afro-Brazilian community leader and Congresswoman Marielle Franco, who represented a district in the country's favelas, prompted women's groups to mobilize and get three additional women elected to Congress. After the first woman presidential candidate of a major party in the United States lost the 2016 election, a diverse group of women joined together to harness their political power and call for persistent gender discrimination to be addressed. Their efforts have yielded steady gains and more women have been elected to government office. In Nepal, 14,000 women, including 600 women rural leaders, won seats in local government in the first-ever local elections in 2017 after a decades-long civil war.

23. From ending prolonged conflict to challenging impunity, women have a long history of activism, often informed by their own lived experiences as survivors of violence. While their expertise and experience are often ignored and undermined, women have been engaging in peacebuilding processes for many years. At the global level, women in civil society secured the adoption by the Security Council of 10 resolutions on women and peace and security.²¹ Their advocacy also led to an increase in the number of women who negotiated peace agreements in the Philippines and Colombia, broadening the negotiation's agenda to address issues of equality, non-discrimination, human rights and inclusive democracy. In the Democratic Republic of the Congo, AIDPROFEN is a women-led organization inspiring a rural

¹⁸ Office of the High Commissioner for Human Rights (OHCHR), Sudan: Khartoum massacre victims and their relatives still waiting for justice one year on (3 June 2020).

¹⁹ A/HRC/41/41/Add.4, paras. 71 and 72.

²⁰ A/HRC/38/46, paras. 41 and 42.

²¹ Security Council resolutions 1325 (2000), 2106 (2013) and 2493 (2019).

peace movement in North Kivu that is grounded in human rights and gender equality. Similarly, the Cameroon Women's Peace Movement (CAWOPEM) has successfully empowered communities in the western regions of the country towards peace.

24. Women's organizations and movements led by Black women have made tremendous progress in highlighting the disenfranchisement of people of African descent and in protecting their rights. In the Dominican Republic, women of Haitian descent living in the bateyes (marginalized poor communities) coalesced in the Movement of Dominican Women of Haitian Descent (MUDHA) and Sociocultural Movement for Haitian Workers (MOSCTHA) to confront anti-Haitian racism and violence. In the United States, three Black women founded Black Lives Matter (#blacklivesmatter). In 2020, young Black women have continued that legacy, leading the most recent demonstrations against systemic racism in the country. The movement has become global, with peaceful protests spreading across the world.

B. Gender equality

25. Women in civil society and social movements are the main drivers of global and national action on gender equality. For generations, they have raised awareness of the multiple challenges that women and girls face in private and public life and advocated for measures to address those challenges. Their contributions in this field are simply vast. During the past decade, however, women's movements have enhanced their collective action achieved important breakthroughs with the use digital technologies.

26. The #metoo movement, for example, challenged the way people think about gender and power around the world and inspired local and national movements in countries including Azerbaijan, Egypt and Mexico, where women mobilized a renewed feminist movement and organized protest actions and public events to raise awareness of gender-based violence, feminism and lesbian, gay, bisexual, transgender and queer (LGBTQ) rights. Since the movement started, courts around the world have convicted very powerful men who once seemed untouchable. Men in power had to resign and face charges in many countries of the world, from France, to Israel, to South Korea. The indignation created by the movement led to legislative reform at all levels: from the comprehensive bill on sexual harassment passed in France in August 2018, to new legislation on violence against women, sexual harassment and forced marriage in Morocco, to some States in the United States banning non-disclosure agreements which were used to gag the victims.

27. Other movements, such as the "Primavera Violeta" ("Purple Spring") in Mexico and "Ni una Menos" (Not One Less) in Argentina, mobilized millions of people against sexist violence using digital technologies. Young women in Pakistan organized online to claim public spaces traditionally barred to women because of wrongful gender stereotypes and safety concerns. The #girlsatdhabas movement encouraged women to visit roadside eateries known as "dhabas" and simply have tea, by posting pictures of women doing exactly that. The pictures defied stereotypes that imply that "good women don't go to dhabas" and "good women are accompanied by men". The movement spread to other countries in South Asia, illustrating the power of young women – organizing in social media – to challenge unspoken patriarchal norms and transform their place and role in society. Women's organizations have also achieved important victories in legal reform. For example, after extensive campaigning and strategic litigation efforts by these groups, Mozambique passed a law to criminalize child marriage.

28. Women in civil society have played a vital role in combating fundamentalism and extremism and highlighting its impact on women. Malala Yousafzai's calls for girl's rights to education in Pakistan are well known. Yazidi girls and women

survivors of Islamic State in Iraq and the Levant (ISIL) rape have broken barriers of silence, stigma and fear to tell their stories. The Djazairouna association of families of victims of Islamist terrorism, produced a banner featuring photographs of Algerian women killed in the fundamentalist violence of the 1990s, which it attempts to display every year on International Women’s Day.²²

29. The decade also saw the rise of many critical intergenerational women-led movements around sexual and reproductive rights. Women, including in Chile, Ireland, Mexico, Poland, South Korea, Timor-Leste and the United States, successfully organized (online and offline) to protect and expand their reproductive rights, achieving major victories. Launched in Argentina, the Green Wave movement has become one of the most visible movements in Latin America, introducing the green scarf as an international symbol of the struggle for women’s sexual and reproductive rights.

C. Sustainable development

30. The Special Rapporteur has previously stressed that civil society is an essential actor in the achievement of sustainable development. He has recognized that the protection of the planet and the livelihood of communities “is wholly dependent on the participation of community and civil society actors, including women organizations, youth groups and indigenous communities”.²³ All over the world, women are collectively organizing their communities to defend their right to livelihood and protect their ancestral lands, natural resources and the world’s biodiversity.

31. Across the globe, women performing low-wage unprotected work are organizing to secure their legal recognition and protection. In Sudan, for example, women street vendors decided that they would no longer tolerate persistent police raids that violated their rights to be in the streets and demanded that the new government repeal the Public Order Law, often invoked by police to justify their attacks. Women-led unions organizing some 26,000 food and tea sellers began sit-ins at which they provided tea and food to thousands of other people who joined them. The actions were successful, and the law was repealed in November 2019.

32. Women workers have been pivotal in the fight against long hours for low wages, unsafe and unhealthy work environments, as well as exploitative conditions, including trafficking and slavery-like practices in many countries around the world. In June 2011, for example, women workers in telecom companies in Nigeria joined their male counterparts to protest against a 50 per cent cut in their salary and other working conditions which they say, “do not befit slaves”. Women used their numbers at the front of the picket line to create a shield for male colleagues against police brutality – and ultimately police did not disperse the protest action. In Cambodia, women in unions are particularly active on the front line of strike actions, even when pregnant. After consecutive strikes, the Khmer Employees’ Labour Rights Support Union of NagaWorld successfully achieved increased basic living wages, as well as reinstatement of its female Union president.

33. The women-led union movement successfully advocated for countries to adopt the ILO Domestic Workers Convention, 2011 (No. 189) and the ILO Violence and Harassment Convention, 2019 (No. 190), which include broad definitions of gender-based violence and harassment, ensure that protections for women extend to informal workers and view freedom of association and assembly as core to the realization of a right to work free from violence and harassment.

²² A/72/155, para. 34.

²³ A/74/349, para. 32.

34. More and more Indigenous and rural women are taking up positions of political leadership. In Indonesia in 2017, 5,000 people from 2,000 communities unanimously elected the first woman Secretary-General of the Indigenous Peoples Alliance of the Archipelago (AMAN). Similarly, the Coordination of Indigenous Organizations of the Brazilian Amazon (COIAB) elected its first female president in 2017. The Association of Community Forestry in Guatemala, Utz Che', which represents 113 indigenous communities, has approved new statutes giving women parity in leadership. In Zimbabwe, women in Tsholotsho "changed the course of history" by calling and chairing a community meeting for the first time in June 2020. "This meeting gave them the courage and fortitude to raise issues and discuss them openly without fear," said one of the women.

35. In many regions, the unsustainable exploitation of natural resources has led to community resistance through protest. In Colombia, Afro-Colombian women have organized collectively to defend their ancestral lands and water from illegal mining and pollution, in the face of fierce opposition and frequently at great personal cost. Girls and young women have also been some of the vibrant voices calling for climate and environmental justice, inspiring young activists around the world in joining the Friday for Future school strikes. Their movement has succeeded in mobilizing people across the globe to demand urgent climate action.

D. Shared humanity

36. Civil society has long been involved in empowering communities at the margins in meeting basic needs and providing public services, including addressing health emergencies.²⁴ Women have been notable leaders in this field, working for generations in cultivating communities of care for the most vulnerable. The COVID-19 pandemic is showing again the power of women's organizations and movements. Countless women have responded, providing care to the sick and most at risk of disease, children and the elderly, as well as people experiencing domestic violence, hunger, homelessness or job loss.

37. Globally, women represent more than 70 per cent of the global health and social care workforce,²⁵ particularly at the grass-roots level and at the front lines – including as nurses, midwives and health workers and community organizers. Their efforts tend to be more inclusive, benefiting all members of communities. For example, women in the Complexo da Maré in Rio de Janeiro, Brazil, organized their communities to protect their 140,000 inhabitants from the spread of COVID-19, forming the "Maré Mobilization Front" tasked with disseminating information about the virus and organizing the distribution of food and hygiene donations. Women volunteers in the Rohingya refugee camps in Cox's Bazar organized networks to prevent the spread of COVID-19, sharing crucial prevention information, while observing physical distancing. Similarly, women peace mediators, who resolve community disputes and challenges, have joined the fight against the pandemic in refugee settlements in the districts of Yumbe and Adjumani, in Uganda, bordering South Sudan and the Democratic Republic of the Congo and organized the dissemination of knowledge on safety measures within their communities. Grass-roots and women's organizations have also been front-line responders to increased domestic violence during the COVID-19 pandemic. The ability of women to work collectively, organize their communities and (often) volunteer their time and resources has been central to these efforts.

²⁴ A/HRC/35/28, paras. 83–88.

²⁵ See www.who.int/hrh/resources/en_exec-summ_delivered-by-women-led-by-men.pdf?ua=1.

IV. Gendered and intersectional barriers, reprisals and backlashes

38. Both women and men face the well-documented threats to closing civic space.²⁶ However, women also experience persistent gendered barriers, discrimination and impunity for the violation of their rights to peaceful assembly and of association. In particular, women who exercise these rights are frequent targets of gender-based violence by State and non-State actors. In many countries, the situation is worsening, as women face a backlash against the exercise of their human rights. This trend places renewed emphasis on “traditional values” with an insistence that “the role of women should be limited to the private sphere, family and procreation.”²⁷ As explained by the Working Group on the issue of discrimination against women in law and in practice, “an unprecedented pushback has been progressing across regions by an alliance of conservative political ideologies and religious fundamentalisms. Retrogressions have been occurring, often in the name of culture, religion and traditions, and threaten the hard-fought progress in achieving women’s equality.”²⁸

39. These persistent barriers and renewed attacks affect women in all facets of their lives. They have an aggravated negative impact on women who experience intersecting forms of discrimination, disadvantages and barriers, including on the basis of their age, race, ethnicity, national origin, disability, sexual orientation and/or gender identity. The result is to further impede their efforts, silence their voices and render invisible their contributions. The COVID-19 pandemic has heightened these gendered and intersecting inequalities,²⁹ threatening to further constrain civic space around the world.

A. At home, in the family and in the community

40. Some of the most significant barriers to women’s enjoyment of the rights to freedom of peaceful assembly and of association are deeply rooted at home, in the family and in the community, where women and girls continue to live under patriarchal control and experience wrongful stereotyping, both of which prevent and punish participation in public life. Despite progress made towards guaranteeing gender equality in the family, too many women and girls continue to be “undervalued, may be limited to certain roles, experience harmful practices and patriarchal oppression, and suffer other human rights abuses, including domestic violence and sexual abuse.”³⁰

41. Indeed, gendered norms and practices that perpetuate harmful stereotypes that relegate a women’s role to the family and procreation (e.g., “good girls don’t protest” or “women’s rights defenders are bad mothers or promiscuous”), deny women’s access to assembly and association rights even before they leave home. In this way, they are often discouraged from or targeted for participating in collective public actions or movements. Women who belong to marginalized populations, in terms of race, class, ethnicity, religion or belief, health, disability, status, age, class, caste and sexual orientation and gender identity, face multiple stereotyping that negatively affects their enjoyment of the rights to peaceful assembly and of association.

²⁶ [A/HRC/44/50](#).

²⁷ [A/HRC/40/60](#), para. 27.

²⁸ [A/HRC/38/46](#), para. 24.

²⁹ See OHCHR, Responses to the COVID-19 could exacerbate pre-existing and deeply entrenched discrimination against women and girls, say UN experts (20 April 2020).

³⁰ [HRC/38/46](#), para. 26.

42. Expectations around domestic duties and their role as caregivers also have real impacts on women's rights to assemble and associate. Women and girls continue to carry a disproportionate share of unpaid care and domestic work globally.³¹ As a result, their time, mobility and opportunities to engage in activism and civil society, including in trade unions, are often reduced. The current COVID-19 crisis has exacerbated this reality, as it puts increasing demands on women and girls to care for families and the sick.³²

43. Reprisals against women for exercising their rights to freedom of peaceful assembly and of association tend to exploit these harmful gender stereotypes and discriminatory family and cultural norms. The Special Rapporteur has expressed concern about threats and attacks against women human rights defenders that target their family members – in particular, their children, partners, and relatives – owing to gender stereotypes about their caregiving roles. These pressures give rise to guilt and affect women's health and well-being, while coercing them to stay silent, self-censor and give up their activism. Some women may face stigma and domestic violence within their own homes, including sexual violence, as reprisals for their activism.³³

44. These gendered norms and stereotypes are strengthened and legitimized in laws and policies affecting women's autonomy and role in family life, including guardianship systems, movement restrictions and denials of sexual and reproductive health and rights. While these laws have been repealed in some countries, they are still in force in a few others.³⁴

45. The full and equal enjoyment of the rights to freedom of peaceful assembly and of association by women and girls depends on the recognition in law and in practice of their right to be safe and equal at home and within their families. The Special Rapporteur joins other international human rights experts in reiterating that equality in the private sphere is fundamental to women's participation in public life and insists that the State must challenge family and cultural norms that discriminate against women and perpetuate structural discrimination or stereotypes based on gender.³⁵

B. In public places

46. Women's rights to freedom of peaceful assembly and of association are mediated through their access to and safety in public spaces, particularly in the streets, on public transportation, in public sites and parks. A significantly greater proportion of women than men report altering or limiting their activities and travel outside their home owing to the risk and occurrence of sexual harassment in the street and on public transport, and a heightened risk after dark. From unwanted sexual remarks to unwelcome sexual behaviour and threats of rape, these attacks instil fear and humiliation and impede meaningful access to public spaces for association and assembly. Women who face intersecting discrimination and exploitation, particularly on the basis of race, ethnicity, ability, country of origin and age, are at heightened risk of this form of violence. However, very few States have enacted laws prohibiting sexual harassment in public places³⁶ or during commutes to and from work and school.

³¹ UN-Women, "Progress on the Sustainable Development Goals: the gender snapshot 2019".

³² United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), Secretary-General's "Policy brief: the impact of COVID-19 on women".

³³ A/HRC/40/60, paras. 40 and 42.

³⁴ A/HRC/38/46, para. 26.

³⁵ A/HRC/29/40.

³⁶ A/HRC/26/39, para. 104.

47. The everyday threat of sexual harassment and violence that women face in the public arena can become much more severe during peaceful protests and demonstrations. Accounts from several countries suggest that women demonstrators are more likely than men to experience sexual violence if arrested by police, particularly in the context of repression of political dissent. This includes being dragged by the hair, inappropriate touching, exposing underwear during arrest, humiliating and unnecessary strip searches, threats of rape, forced nudity and gendered and sexist insults by law enforcement and detention personnel.³⁷ These attacks are also perpetrated by private individuals, such as counter-protesters, employers, private security guards and health service providers. For instance, women workers who protest in public spaces are often targeted and subject to abduction, sexual assault, loss of jobs, death threats and social stigmatization by employers and their proxies. The real possibility of being victims of such attacks inhibits women's participation in peaceful assemblies.

48. Rape continues to be used as a weapon by State and non-State actors against women who participate in peaceful assemblies. The use and threat of rape seeks to terrorize peaceful protesters and scare women away from the streets. In Sudan, women who were at the forefront of the peaceful protests in 2019 were the victims of rape, including gang rapes, during an attack on a protest camp in Khartoum reportedly carried out by security and paramilitary forces, in which hundreds of protesters were also reportedly killed.³⁸ Rape against women demonstrators often serves as a warning to other women in their networks, collectives and movements. Women who speak out and report sexual violence often face stigmatization and smear campaigns, which can isolate them and turn their families and community against them.

49. COVID-19 has increased the risk of attacks against women exercising their rights to peaceful assembly and association, with worrisome reports on the misuse of emergency measures or arbitrary application of criminal laws enforcing stay-at-home orders and limitations on public gatherings. For example, the Special Rapporteur condemned the abduction, torture and rape of three female opposition activists in Zimbabwe who were stopped at a police checkpoint in Harare on their way to participate in a peaceful protest and later charged with violating COVID-19 regulations on public gatherings and for purportedly intending to promote public violence and breach of the peace.³⁹ There are also reports of police using COVID-19 directives to attack and target lesbian, gay, bisexual, transgender and intersex (LGBTI) organizations.⁴⁰

50. In the context of rising fundamentalisms and backlashes against gender equality, peaceful demonstrations and public gatherings relating to women's rights have become a frequent target of attacks by State and non-State actors, especially when such demonstrations are perceived to challenge gender stereotypes or religious norms. The Special Rapporteur is concerned that demonstrations celebrating International Women's Day continue to be violently attacked in many countries around the world. Women's rights organizations are also targeted and subject to arbitrary closures and criminalization,⁴¹ with increased attacks on women working on sexual and reproductive rights and LGBTI issues. Women who exercise their rights to freedom

³⁷ UA CHL 4/2019; [A/HRC/41/18](#), para. 44; and [A/HRC/42/18](#), para. 30.

³⁸ OHCHR, Sudan: Khartoum massacre victims and their relatives still waiting for justice one year on.

³⁹ OHCHR, Zimbabwe: UN experts demand an immediate end to abductions and torture (10 June 2020).

⁴⁰ UGA 2/2020.

⁴¹ SDN 4/2014 and KHM 2/2020.

of peaceful assembly and of association are also at risk of femicide, killings, arbitrary arrests and enforced disappearances.

51. The Special Rapporteur is appalled at the pervasive violence against women in public spaces, which hinders their full and equal enjoyment of the rights to peaceful assembly and of association. These acts have no place in a democratic society. The fact that few perpetrators are brought to justice and victims are often blamed for their attacks demonstrates that gender-based violence continues to be accepted, tolerated or justified and measures adopted by States to combat it remain silent on gendered impacts, and wholly insufficient.

C. At work

52. Discrimination, abuse and relegation to jobs at the bottom of the global economy undermine women workers' ability to join and form organizations that defend their interests.⁴² According to ILO, over 2 billion people globally are likely working in informal sectors, and in often precarious and exploitative working conditions.⁴³ Women are overrepresented in the informal sector,⁴⁴ with 92 per cent of informal workers estimated to be women in developing countries.⁴⁵ These include women workers in garment factories, domestic workers, farmworkers, street vendors, sex workers, waste-pickers and more. Often women in these jobs also experience additional layers of discrimination, owing to their status as migrant workers, their race or ethnicity.

53. The informal economy often falls outside of the scope of labour legislation and collective bargaining agreements, with clear gendered implications. For example, labour laws may exempt sectors that employ large numbers of women, such as agriculture, domestic work and export-processing zones, thus preventing them from exercising the full range of assembly and association rights, including the right to strike or join trade unions. The COVID-19 epidemic has laid bare the discriminatory nature of these exclusions and their disproportionate impact on the rights of women in front-line work. For instance, around the world, COVID-19 has left predominantly female health and social workers in the untenable situation of not being able to organize and mobilize to demand protective equipment and medical essentials necessary to keep them and their families safe.

54. Short-term contracts – prevalent in female-concentrated sectors – also continue to serve as a barrier to women's access to assembly and association rights in the workplace. For example, in South Africa, where community health workers and nurses are on the front lines of epidemic responses, tenuous job security makes it difficult to organize for better working conditions, including personal protective equipment.

55. Where women workers are able to exercise these rights, they nonetheless encounter reprisals. The Special Rapporteur has recognized that perhaps the fiercest form of reprisal to the exercise of the rights to freedom of peaceful assembly and of association for women workers is gender-based violence.⁴⁶ Women union leaders report being frequent targets of threats of violence and harassment, which creates a culture of fear that deters and punishes the exercise of these fundamental rights. In

⁴² [A/71/385](#), para. 35.

⁴³ World Employment Social Outlook (2018).

⁴⁴ UN-Women, Facts and figures: economic empowerment.

⁴⁵ Florence Bonnet, Joann Vanek and Martha Chen, *Women and Men in the Informal Economy – A Statistical Brief* (Women in Informal Employment, Globalizing and Organizing, Manchester, United Kingdom of Great Britain and Northern Ireland, 2019).

⁴⁶ [A/71/385](#), para. 35.

countries with high rates of violence against women coupled with high rates of anti-union violence, women experience (an often unrecognized) “double jeopardy”.

56. The Special Rapporteur emphasizes that the ability to exercise the rights to freedom of peaceful assembly and of association is the most effective tool available to women to advocate for rights at work. Exclusions from labour legislation, barriers to forming and joining trade unions and reprisals for labour organizing leave women with “little leverage to change the conditions that entrench poverty, fuel inequality and limit democracy.”⁴⁷

D. In political and public participation

57. Women remain underrepresented in public office and in positions of decision-making within Governments. While many countries have made progress, the pace of change is slow. The percentage of women parliamentarians around the world, for example, stands at only 24.3 per cent and only 17 per cent of heads of State or Government are women.⁴⁸ If these trends continue, gender parity worldwide will not be achieved for the next 100 years.⁴⁹ Women face additional barriers to political participation, including gender-based violence, “sexist and derogatory comments about their gender” on social media as “part of ... everyday life”,⁵⁰ financial barriers, such as being blocked from financing or other party resources, as well as gender stereotypes and discriminatory attitudes, including from within their own political parties.

58. As noted, while women are on the front lines of global COVID-19 responses, making up some 70 per cent of health and social workers globally, a survey of 30 countries found that women represent an average of 24 per cent of national-level decision-making bodies on COVID-19.⁵¹

59. In addition, women’s voices and concerns are often excluded from peace agreements and rebuilding strategies. Security Council resolution [1325 \(2000\)](#) on women and peace and security is aimed at promoting and support women’s active and meaningful participation in all formal and informal conflict-prevention and conflict resolution mechanisms and institutions. Twenty years after its adoption, the commitments of this resolution remain unfulfilled. When women have been successfully included in peace processes, they are often pushed to the margins once negotiations end. By excluding the views, expertise and demands of half the population, the ensuing process of institution building becomes fragile.

60. At the regional and international levels, women human rights defenders have reported that a climate of intimidation directed towards women and non-binary civil society actors and delegates at the United Nations, including at the Commission on the Status of Women, has been growing.⁵²

⁴⁷ Ibid., para. 11.

⁴⁸ UN-Women, Facts and figures: political participation; Council on Foreign Relations, Women’s power index.

⁴⁹ World Economic Forum, *Global Gender Gap Report 2020* (Geneva, 2019).

⁵⁰ Danish Institute for Human Rights, *Hate Speech in the Public Online Debate* (Copenhagen, 2017).

⁵¹ CARE International, “Where are the women? The conspicuous absence of women in COVID-19 response teams and plans, and why we need them” (2020).

⁵² CIVICUS, *Against the Wave: Civil Society Responses to Anti-Rights Groups*. See also [A/72/155](#), para. 29.

E. In the digital public sphere

61. The Special Rapporteur has recognized the increasing use of digital technology to mobilize and connect women's movements and organizations. Women, however, continue to face additional barriers to fully enjoy their rights to freedom of peaceful assembly and association in the digital age. According to the most recent figures from the International Telecommunication Union (ITU), the digital gender and intersecting divides are growing,⁵³ with only 40 per cent of women globally connected to the Internet, compared with 58 per cent of men. The high cost of data and lack of access to mobile phones remained the most important barriers to women's connectivity, contributing to a greater digital divide in the least developed countries.⁵⁴ Other inequalities, including ethnicity and race, also play an important role in restricting women's ability to organize gatherings, connect with networks and access information.

62. Threats to connectivity, including Internet shutdowns, can have gendered impacts. For example, women have reported feeling unsafe when Internet shutdowns target protests because it cuts them off from reaching potential assistance if they are targeted with violence or sexual harassment.⁵⁵

63. Even when services are available and women are able to connect online, they face further obstacles that are due to entrenched patriarchal attitudes. For example, in some countries women's Internet use is closely monitored by (often male) relatives and allowed only through shared devices, with this mediation of women's access to the Internet exacerbated by long periods at home during COVID-19.⁵⁶

64. The Special Rapporteur has previously indicated that online gender-based violence remains a major barrier to women's rights to freedom of peaceful assembly and of association.⁵⁷ Social media, in particular, has become a hostile space imbued with extreme risks for women in civil society and activism. Women human rights defenders consulted in the preparation of the present report described rampant online harassment and massive social media attacks that seemed coordinated. These campaigns often include the dissemination of doctored pictures, usually of a sexualized and gendered nature; the spreading of information designed to discredit, often full of harmful and negative gender stereotypes; violent hate messages and threatening messages on social networks, including calls for gang rape and for murder; and breaches of privacy.

65. The Special Rapporteur continues to be concerned about the fact that efforts made by social media companies in content moderation and transparency have not been sufficient and have failed to keep women safe in exercising their assembly and association freedoms. Nonetheless, despite the prevalence and harmful impact, many States also continue to fail to protect women in civil society from online attacks and violence.

⁵³ ITU, *Measuring Digital Development: Facts and Figures 2019* (Geneva, 2019).

⁵⁴ Ibid.

⁵⁵ Deborah Brown and Allison Pytlak, "Why gender matters in international cyber security", Women's International League for Peace and Freedom and the Association for Progressive Communications, April 2020.

⁵⁶ UN-Women, Secretary-General's Policy brief: the impact of COVID-19 on women.

⁵⁷ [A/HRC/41/41](#), para. 48.

F. Within civil society and social movements

66. Women continue to face considerable barriers to gaining or meaningfully exercising leadership roles within civil society organizations and social movements.⁵⁸ Similarly, while there is a growing global trend of “feminization” of trade union membership, this does not necessarily translate into women leaders in trade unions, and despite the successes of individual women and the significant impacts of quotas, women are not found at the apex of the trade union pyramid.

67. As indicated by the Special Rapporteur on human rights defenders, many civil society organizations and social movements are still reluctant to address gender-based discrimination, violence and the marginalization of women in their own structures and practices.⁵⁹ Coupled with the gendered division of labour, patriarchal attitudes and wrongful stereotypes that portray women as “ineffective leaders”, “difficult”, “lacking experience” or “inherently vulnerable” continue to play a key role in perpetuating discrimination, excluding women from leadership positions and preventing them from engaging in collective actions on issues traditionally seen as “male.” Frequently, women’s contribution to civil society is not recognized or remunerated. It tends to be stereotypically relegated as “community support” or volunteering. The same is not often said of men.

68. Women who experience multiple marginalization, including on the basis of their sexual orientation or gender identity, race, ethnicity, caste, HIV status, ability and/or age report feeling unrepresented or excluded from groups that represent only one aspect of their identity. For example, as indicated by the Special Rapporteur on the rights of persons with disabilities, women with disabilities remain underrepresented in organizations promoting both the rights of persons with disabilities and the rights of women.⁶⁰

69. The Special Rapporteur believes that the collective power of civil society and social movements is a driving force for the realization of human rights. In a world of compounding complex crises – pandemics, racism, gender equality, climate change, migration, conflict and social inequalities – civil society organizations and social movements should promote and advocate for women’s enjoyment of the rights to freedom of peaceful assembly and of association, as an indispensable way to achieve the realization of human rights for all.

G. In the economic sphere

70. Women in civil society who were consulted in the preparation of the present report expressed concern about persistent gendered and intersectional barriers to domestic, international and foreign funding. While more research in this field is needed, available studies show that, globally, women’s organizations and programming relating to women and girls are disproportionately underfunded.⁶¹

71. The lack of adequate funding can be attributed to a variety of factors. Restrictive legal frameworks can play a significant role in many countries. In more than 100 countries, women still face legal barriers that prevent them from accessing credit, signing contracts, opening bank accounts or registering a business or organization in

⁵⁸ See <https://fairsharewl.org/more-women-in-leadership-positions/>.

⁵⁹ A/HRC/40/60, para. 36.

⁶⁰ A/HRC/31/62, para. 58.

⁶¹ Organization for Economic Cooperation and Development (OECD) DAC Network on Gender Equality (GENDERNET), “Donor support to southern women’s rights organizations” (November 2016) and UN-Women. Funding for gender equality and the empowerment of women and girls in humanitarian programming (June 2020).

the same way as men. Onerous and bureaucratic financial controls and reporting requirements,⁶² such as is the case with laws that mandate associations to route funding through State channels, to obtain authorization from the authorities to receive or use funds, or to report on all funds received from foreign sources can disproportionately impact women's organizations. These laws can provide excessive discretion to authorities to deny women's organizations access to foreign funds, exert extensive scrutiny over their internal affairs or subject women to intimidation or violence. In the context of rising fundamentalisms and backlashes against women's rights, women organizations working on sexual and reproductive rights, sexual orientation and gender identity rights and sex workers' rights can be especially impacted by the application of these laws. Laws that restrict foreign funding on the grounds of national security or counter-terrorism may directly impact women belonging to minority groups or women seen as promoting views threatening "religious" or "national" values. Women's organizations ability to access funding is also affected by legal constraints.

72. In addition, certain donor policies can (advertently or inadvertently) restrict access to funding by women's organizations and movements. For example, donor interest in short-term impact poses an obstacle to the work of women's organizations and movements in transforming traditional gender roles and addressing the structural causes of inequality. Restrictive inflexible donor policies and those with overly demanding reporting requirements can disproportionately affect organizing at the grass-roots and local levels, where women activists are highly concentrated. Funding for local women's organizations is lacking.⁶³ In a recent report, UN-Women concluded that these groups "are often asked to work in the hardest to reach places, because they are often the only ones that can reach into those places, and yet their expertise and knowledge from doing this work is not actively engaged in programme design, implementation and accountability mechanisms."⁶⁴ The impediments to funding for local women's organizations are further compounded when other intersectional barriers such as age, race and ethnicity come into play.⁶⁵

73. The United States policy entitled "Protecting Life in Global Health Assistance" (known as the "global gag rule") has severely affected access to funding to women's groups advocating and working for sexual and reproductive rights.⁶⁶ The Special Rapporteur is deeply concerned that the global gag rule has continued to be enforced through the COVID-19 crisis, exacerbating its negative impact.⁶⁷ The health crisis also threatens women's and gender equality organizations, especially at the grass-roots level, which often survive on foreign and international funding and with shifting of priorities may lose vital support.

74. The Special Rapporteur stresses that the underfunding of women's organizations and movements is related to women's structural disadvantages and discrimination in the economic sphere. Women, in particular women belonging to racial and ethnic minority groups, continue to be severely underrepresented in the top leadership of decision-making bodies in business, finance and international assistance and in the

⁶² [A/HRC/23/39](#).

⁶³ OECD DAC Network on Gender Equality (GENDERNET), "Donor support to southern women's rights organizations" (November 2016).

⁶⁴ UN-Women, *Funding for Gender Equality and the Empowerment of Women and Girls in Humanitarian Programming* (June 2020).

⁶⁵ Association for Women's Rights in Development (AWID) and the Young Feminist Fund (FRIDA), *The Global State of Young Feminist Organizing* (2016).

⁶⁶ International Women's Health Coalition, *Crisis in Care: Year Two Impact of Trump's Global Gag Rule* (New York, 2019). See also, [A/HRC/40/60](#), para. 26.

⁶⁷ USAID, Acting administrator John Barsa letter to UN Secretary-General Guterres (18 May 2020).

formulation of development policy. Their exclusion from these fields limits women's ability to influence decision-making relating to funding.

V. Efforts to promote women's rights to freedom of peaceful assembly and of association

75. While the threats to women's rights to freedom of peaceful assembly and of association worldwide are severe, the Special Rapporteur has identified important efforts by States to sustain a commitment to the protection of these rights. Although there remains much to be done, the following are some examples of positive actions that deserve recognition.

76. Some Governments have removed legal barriers that prevent women from fully exercising their assembly and association rights. For example, according to the World Bank Women, Business and the Law 2020 report,⁶⁸ States have made significant progress since 2017 in repealing laws that restricted the ability of women to move freely and work outside the home. In the same period, seven countries enacted new legal protections against sexual harassment in employment. In its submission to the Special Rapporteur, Portugal reported that Law No. 73/2017 strengthens the protection of workers against harassment.

77. A few Governments have adopted strong policies and regulations to ensure that women can enjoy in practice the right to association and public participation. In Finland, for example, gender is "part of the structural set-up of policy-planning mechanisms", since the Gender Equality Act requires a minimum of 40 per cent representation of both men and women in public committees. Finland also ensures core public funding for nationwide women's organizations, which can also apply for project funding from different sources.

78. Government and private donors are also making progress in ensuring that flexible funds are allocated to support women's organization and movement building. Governments with feminist foreign policies, such as Canada, the Netherlands and Sweden, were noted by women civil society actors as making significant progress toward achieving these forms of core and flexible funding. Donors are also responding to recent restrictions to funding sexual and reproductive health worldwide. For instance, #SheDecides was a one-year campaign led by the Netherlands to respond to the funding shortfalls created by the global gag rule.⁶⁹ Notably, funding for more local women-led organizations and gender analysis are also features of feminist foreign policies.

VI. Conclusion and recommendations

79. In 2020, the Beijing Declaration and Platform of Action marks its twenty-fifth anniversary. While there has been considerable progress since then, its commitments remain largely unfulfilled and women around the world continue to face gender and intersectional discrimination and impunity for violations to their human rights, including the rights to freedom of peaceful assembly and of association. In particular, until gender-based violence and the threat of it are systematically addressed, many women will be prevented from fully participating in public life and exercising these freedoms.

⁶⁸ World Bank, *Women, Business and the Law 2020* (Washington, D.C., 2020).

⁶⁹ See <https://www.shedecides.com/pledges/>.

80. Women are determined to achieve change and assert their fundamental freedoms. Despite persistent and mounting challenges, women's organizations and movements have shown no signs of relenting. Women in civil society continue to raise their voices demanding dignity and equality, refusing to be silenced, while making progress towards justice, peace and sustainable development. The Special Rapporteur calls for immediate action by States and other relevant stakeholders to fulfil women's rights to freedom of peaceful assembly and of association. There is no acceptable justification for the continued trends of discrimination and violence described in the present report, much less for regression of hard-fought gains.

A. Moving commitments into action

81. There are extensive normative frameworks and international and national commitments guaranteeing gender equality and women's full enjoyment of human rights, including the rights to peaceful assembly and of association. States need to mobilize resources and political will to ensure their effective implementation once and for all. In particular, States should:

(a) Take immediate action to identify and repeal those laws that discriminate (directly or indirectly) against women in all spheres of life. The removal of legal barriers that impede the exercise by women of their full capacity and autonomy in areas such as freedom of movement, association, assembly and equal access to work should be prioritized;

(b) Establish effective policies, public campaigns and educational programmes to combat discriminatory social norms, attitudes and harmful stereotypes about women's and girls' roles and capabilities that discriminate and discourage their involvement in public life and the exercise of the rights to freedom of peaceful assembly and of association. This includes engaging with institutions that most frequently convey and confirm patriarchal views and harmful gender stereotypes, including schools, religious institutions and the media;

(c) Accelerate efforts to eliminate all forms of violence against women, including domestic violence, sexual harassment, rape and online violence, and other acts of persecution, intimidation or reprisals, in order to secure women's full enjoyment of the rights to freedom of peaceful assembly and of association. In particular:

(i) Adopt laws that prohibit and punish sexual harassment in public places;

(ii) Set up gender-awareness training for all administrative, law enforcement and judicial officials;

(iii) Ensure that those State and non-State actors who commit acts of violence against women exercising their rights to freedom of peaceful assembly and of association are held accountable for such violations by courts of law;

(iv) Publicly condemn and duly investigate smear campaigns and online harassment against women exercising their rights to freedom of peaceful assembly and of association. Those holding power who advocate for or support violence against women in public life must be held accountable;

(d) Take extra steps to remove barriers to women's exercise of the rights to freedom of peaceful assembly and of association online, including by:

(i) Ensuring that the Internet is affordable, safe and accessible to all women, in particular women involved in activism and civil society at the grass-roots level and those living in poverty, in remote and rural areas, conflict-affected areas, informal settlements and refugee camps;

(ii) Taking measures to ensure that families create opportunities for women to equally access digital technologies.

82. The Special Rapporteur reiterates that, according to the Guiding Principles on Business and Human Rights, business enterprises have a direct responsibility to respect and protect women's rights to freedom of peaceful assembly and of association, to act with due diligence to prevent the violations of such rights and to provide women with effective remedies for violations connected to their operations. He stresses that digital technology companies, in particular social media companies, should effectively address online gender-based violence against women exercising their rights to peaceful assembly and of association, including women human rights defenders and women trade union members, by implementing the extensive recommendations made in his 2019 thematic report⁷⁰ and relevant reports by the Special Rapporteur on violence against women, its causes and consequences.⁷¹

83. National human rights institutions have an important role to play in promoting the effective implementation of international commitments, policies and practices that advance women's rights. The Special Rapporteur recommends that, in partnership with relevant stakeholders, including women's organizations and movements, national human rights institutions monitor the conduct of law enforcement during peaceful protests and develop systems to prevent and respond to gender-based violence against women in that context.

84. International human rights bodies and United Nations entities should safeguard, maintain and build on the existing international human rights framework, including norms and standards that recognize women's rights to freedom of peaceful assembly and of association. The Special Rapporteur recommends that the United Nations ensure that women are protected from reprisals and have access to United Nations forums.

B. Supporting women-led change

85. Effective strategies to address violations of women's rights to freedom of peaceful assembly and association should be grounded in supporting and empowering women's movements and organizations in all their diversity. To that end, the Special Rapporteur recommends that States should:

(a) Publicly recognize the crucial role that women's organizations and movements, including women human rights defenders in all their diversity, play in the advancement of democracy, peace and development;

(b) Adopt measures to empower and support women in all their diversity, including women belonging to indigenous and other marginalized groups to participate fully and equally in civil society, by providing non-binding funding and by supporting the development of independent women's funds;

(c) Apply a gender equality quota to all government decision-making bodies and adopt measures to ensure women's effective participation, including

⁷⁰ A/HRC/41/41.

⁷¹ See, for example, A/HRC/38/47.

by addressing unequal power relations and social norms and practices that reduce women's influence in those processes;

(d) Enable the formation of girl-led groups and young feminist associations and encourage and facilitate girls' participation in public life, including by providing them with relevant role models of women in civil society and activism and creating, in partnership with civil society, mentoring programmes.

86. The Special Rapporteur recommends that development and donor organizations provide longer-term investment (such as multi-year grants) and adaptive core support systems for women's organizations and movements, based on their real needs and interests. This includes multi-year funding for gender transformative work. He encourages the adoption of measures to increase and facilitate funding to local women's organizations, including unregistered organizations. Development and donor organizations can leverage their position in the international community to promote intersectional feminist values and principles in development programming and increase collaboration with women's organizations and movements.

C. Ensuring no woman is left behind

87. Measures adopted by States to promote the rights to freedom of peaceful assembly and of association should address the intersecting forms of discrimination against women, examining the social, economic and political factors that prevent particular groups of women from participating in public life. In particular, it is important to ensure that COVID-19 responses do not leave women further behind, by ensuring that COVID-19 budgets do not divert resources away from women-led programmes that support women most at risk, including gender equality, social protection, sexual and reproductive health and rights and gender-based violence services, including domestic violence services, particularly at the grass-roots level.

88. The Special Rapporteur also recommends that development and donor agencies increase funding and flexibility so that local women's organizations and movements can rapidly scale up their programmes and adapt to the risks posed by COVID-19, in particular groups led by women in living in poverty, in remote and rural areas, conflict-affected areas, informal settlements and refugee camps. These agencies should track and report how much funding towards the COVID-19 response reaches such groups.

D. Transforming the world of (paid and unpaid) work

89. Women's full and equal enjoyment of the rights to freedom of peaceful assembly and of association depends on ensuring systemic transformation of economic and social structures, institutions and norms that perpetuate gender inequality in the world of work. In this regard, the Special Rapporteur recommends that States:

(a) Give priority to the urgent formalization of the informal economy, in law and in practice, in line with ILO recommendation No. 204 concerning the transition from the informal to the formal economy (2015);

(b) Eliminate explicit exclusions in labour laws that deny groups of predominantly women workers, including domestic workers, agricultural workers and migrant workers, the rights to freedom of assembly and association.

States should also address the gendered impacts of exploitative employment arrangements, from the use of short-term contracts for work of indefinite nature to the use of various subterfuges intended to avoid the recognition of an employment relationship;

(c) Ratify the ILO Convention on Domestic Workers (No. 189) and the Violence and Harassment Convention (No. 190) and ensure their implementation;

(d) Adopt comprehensive policies which recognize, reduce and redistribute unpaid care work, including through subsidized affordable day care, and the promotion of equal sharing of family responsibility;

(e) Enact gender parity legislation, requiring women's representation in decision-making roles, including compulsory quotas for women leaders in trade unions. States should further support programmes that mentor women to assume such leadership positions, and train male workers to be partners in gender equality.

E. Looking inward

90. Civil society actors should proactively revisit their gender balance and increase efforts to meeting gender and intersectional goals in their practice and internal structures. The Special Rapporteur encourages civil society to:

(a) Commit to achieving gender parity in management leadership by 2030, in line with the Sustainable Development Goals. The adoption of intersectional feminist principles can help civil society to address and challenge oppressive and patriarchal structures and practices within their organizations;

(b) Adopt and implement policies to prevent and respond to sexual harassment and gender and intersectional discrimination across organizations. The effective implementation of these measures will require rigorous and well-resourced gender training and sensitization;

(c) Build solidarity with and among women's groups and movements, including those defending women's rights and gender equality.