

**OVERCOMING OBSTACLES: EXAMINING THE CHALLENGES FACED BY
WOMEN HUMAN RIGHTS DEFENDERS IN KYRGYZSTAN**

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Legal Department | Human Rights | Central European University
In partial fulfillment of the requirements for the degree of Master of Law

LLM / Final Thesis

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ACKNOWLEDGMENTS

In this section, I would like to express my heartfelt appreciation to all incredible women human rights defenders who tirelessly fight for human rights and advocate for a better world despite the struggles and challenges they face every day. I want to dedicate this thesis to my fellow WHRDs from Kyrgyzstan, from whom I have learned so much, and who I am immensely proud of.

I am deeply grateful to my supervisor Professor Juliana Cesario Alvim Gomes for her unwavering support and dedication throughout writing this thesis. I would also like to extend my thanks to the entire CEU family, including professors, writing center, library service, career center, and staff members. I am truly grateful for everything I have learned from you.

A special thank you goes out to my amazing groupmates who have made my time in CEU truly extraordinary. From India to Brazil, from Nepal to Kosovo, the diversity of perspectives and experiences within our group has enriched my learning in immeasurable ways.

I want to extend my sincere appreciation to my family, whose unwavering support have been a constant source of motivation. Particularly, I want to express my gratitude to my sister, Baku, who has continuously inspired me to pursue an international degree and for always encouraging me to chase my dreams.

To A, who has been a beacon of light and love in my life, I am forever thankful. Your unwavering support and understanding during the challenges of this master's program have meant the world to me. Thank you for your help, motivation and love.

Finally, I want to take a moment to acknowledge and appreciate myself. This has been a long and intense journey of knowledge, but through perseverance and determination, I have reached this important milestone. I am immensely proud of my accomplishments and the personal growth I have experienced along the way.

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ABSTRACT

This thesis examines the challenges women human rights defenders (WHRDs) face in Kyrgyzstan in their activities to promote and protect human rights. By analyzing various sources, including scholarly articles and reports, this research sheds light on the specific challenges faced by WHRDs in Kyrgyzstan within the broader context of human rights activism. The findings highlight several key challenges faced by WHRDs in Kyrgyzstan. These challenges include the increasing and systemic attack on human rights and human rights defenders, the delegitimization of the rights-based perspective, limited access to resources and decision-making processes, and the persistence of gender stereotypes and cultural norms that perpetuate discrimination. Furthermore, WHRDs in Kyrgyzstan face obstacles such as legal restrictions, violence, cultural resistance, and marginalization. The persisting neo-traditionalist approach and the intertwined issues of women's rights, gender equality, and cultural narratives like "role of women"-based violence contribute to the complexity of WHRDs' challenges. Based on the findings, it is evident that the promotion and protection of women's rights and human rights in Kyrgyzstan require a comprehensive approach. This approach involves addressing legal and structural barriers, challenging gender stereotypes and cultural norms, increasing women's representation and participation, and strengthening the implementation of international human rights treaties and frameworks. By understanding and addressing the challenges faced by WHRDs in Kyrgyzstan, policymakers, civil society organizations, and international actors can contribute to creating an enabling environment for WHRDs to carry out their essential work in advancing human rights and gender equality in the country.

INTRODUCTION

The development of democracy and an inclusive society requires an environment in which all people can freely express their views, exercise their rights and fully participate in decision-making which affects their lives and their communities. Every day, communities, social movements, human rights defenders, journalists, and individuals do important work – they protect their lands and resources from destruction, fight for equal access to housing or education, expose corruption and abuse of power and advocate for transparency in budget spending¹. However, obtaining those fundamental rights can be challenging in some aspects and countries². In response to these challenges, individuals and organizations around the world have taken on the role of human rights defenders (HRDs). “Human rights defender” is a term used to describe people who, individually or with others, act to promote or protect human rights in a peaceful manner. Women human rights defenders (WHRDs) are indeed part of the overall category of human rights defenders, but the need for a separate designation arises to specifically highlight the unique challenges they encounter because of gender-based discrimination³. By recognizing them as women human rights defenders, emphasize the imperative of addressing and eliminating these distinct barriers, while promoting gender equality within the broader context of the human rights movement⁴.

The role of women human rights defenders is crucial to ensure that individuals and communities can enjoy their basic human rights. They work to expose human rights violations, document violations, provide legal and psychological support to victims, and advocate for changes in policy and legislation⁵. However, women human rights defenders face numerous challenges in their work, including harassment, intimidation, violence and prosecution. According to a Global Analysis conducted by Frontline Defenders, 401 human rights defenders were killed worldwide in 2022 alone in connection with the activities they carried out. 48% of the 358 human rights defenders killed for their work to protect human rights and fundamental freedoms defended their

¹ Núria Saura-Freixes, *Human Rights Defenders and the Law: A Constitutional and International Legal Approach* (London: Routledge, 2023), <https://doi.org/10.4324/9780429264016>.

² Emmanouil Athanasiou, “The Human Rights Defenders at the Crossroads of the New Century: Fighting for Freedom and Security in the OSCE Area,” *Helsinki Monitor* 16, no. 1 (2005): 14–22.

³ Jill Steans, “Debating Women’s Human Rights as a Universal Feminist Project: Defending Women’s Human Rights as a Political Tool,” *Review of International Studies* 33, no. 1 (January 2007): 11–27, <https://doi.org/10.1017/S0260210507007279>.

⁴ Steans.

⁵ Athanasiou, “The Human Rights Defenders at the Crossroads of the New Century.”

rights to land, the environment or the rights of indigenous peoples, 22% were from indigenous peoples, 17% of those killed were women, including trans* women⁶. Based on 2022 Frontline Defenders' Global Analysis common violations against human rights defenders were detentions or arrests, legal action, other harassment, raids or break-ins, smear campaigns, and torture or ill-treatment⁷. Despite these challenges, WHRDs continue to work in the promotion and protection of human rights around the world. In recent years, human rights defenders have received increasing attention and recognition, and international documents such as the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (HRD Declaration)⁸ was adopted and other normative acts provide guidance and protection for their work. It should be noted that international community as well recognize specific role and challenges faced by WHRDs in their work⁹.

The aim of this thesis is to examine the challenges faced by WHRDs in Kyrgyzstan and their role in promoting and protecting human rights. The lack of academic research on WHRDs in Kyrgyzstan presents a barrier to understanding and addressing the specific challenges faced by women in this field. Despite this, it is crucial to protect WHRDs using existing mechanisms and conduct further research to effectively overcome these challenges.

In expanding this issue, I employ a methodological approach based on a comprehensive review of the literature on human rights defenders, with a particular focus on women and their experiences with different challenges in protecting and promoting human rights. In addition, I intend to provide an overview of the challenges faced by women human rights defenders in Kyrgyzstan from reports produced by international human rights organizations, NGOs, and WHRDs.

In aiming to address the research question of understanding the challenges faced by women human rights defenders this thesis is structured into three chapters. Chapter I provides an overview of the concept of human rights defenders, their evolution, and the legal framework and

⁶ "Global Analysis 2022. Frontline Defenders.,"

https://www.frontlinedefenders.org/sites/default/files/1535_fld_ga23_web.pdf.

⁷ "Global Analysis 2022. Frontline Defenders."

⁸ "Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms" (n.d.).

⁹ "Women Human Rights Defenders International Coalition Global Report on the Situation of Women Human Rights Defenders , 2012," accessed June 5, 2023, https://defendingwomen-defendingrights.org/wp-content/uploads/2014/03/WHRD_IC_Global-Report_2012.pdf.

mechanisms for their protection. This will contextualize the importance of WHRDs and highlight the need for their protection. Chapter II focuses on the challenges and risks women human rights defenders face and defines the term “Women Human Rights Defenders”. Chapter III explores the roles and obstacles faced by WHRDs in Kyrgyzstan and analyzes the diverse roles of civil society, particularly WHRDs, in advancing human rights and social justice in Kyrgyzstan. The conclusion summarizes the key findings of the thesis and provides insights into the challenges and risks faced by WHRDs worldwide and particularly in Kyrgyzstan. I hope this thesis would contribute to a comprehensive understanding of women’s human rights defenders’ challenges in Kyrgyzstan and emphasizes the need for greater attention and protection.

CHAPTER I

WHO ARE THE HUMAN RIGHTS DEFENDERS, AND FOR WHOM DO THEY WORK?

1.1. The evolution of the concept of human rights defenders

In 1898, several men created French League for the Defence of Human Rights since they believe in innocence of Captain Alfred Dreyfus and they started to fight for protection of human rights¹⁰. In 1922, after World War I human rights organizations from 20 countries joined motto “Peace through human rights” and established International Federation for Human Rights (Federation Internationale Des Ligues Des Droits De L’homme – FIDH) organization which has been promoting and fighting for human rights for 100 years¹¹. Nevertheless, human rights are still being violated and the need for people who can protect these rights is more acute than ever.

Fight for human rights and seeking justice can be dangerous for human rights defenders since in most cases they stand against states and non-states actors’ actions as a national and transnational corporation, and other actors as media and individuals¹². Creation of United Nation and mechanisms of protecting human rights however did not mean that HRDs highlighted as a special group with additional needs¹³, discussion of recognizing of HRDs as a group with a special need started since 1975¹⁴. At 1975 West and East Communist Europe gathered at the Conference for Security and Cooperation in Europe as a conclusion of which Helsinki Final Act was adopted and which recognized that “Confirm the right of the individual to know and act upon his rights and duties in the (human rights) field.”¹⁵. Due to increased numbers of arrests of human rights defenders in Eastern Europe¹⁶. Helsinki Final Act supported human rights defenders and in 1980

¹⁰ “Histoire — 100 Years of Fight for Human Right, 1 Year of Celebration.” available at: <https://fidh100.org/en/history-federation-human-rights/>.

¹¹ “Histoire — 100 Years of Fight for Human Right, 1 Year of Celebration.”

¹² “Report of the Special Rapporteur on the Situation of Human Rights Defenders. A /65/223,2010,” accessed June 14, 2023, <https://www2.ohchr.org/english/issues/defenders/docs/a-65-223.pdf>.

¹³ Emmanouil Athanasiou, “The Human Rights Defenders at the Crossroads of the New Century: Fighting for Freedom and Security in the OSCE Area,” *Helsinki Monitor* 16, no. 1 (2005): 14–22.

¹⁴ “The History of the UN Declaration on Human Rights Defenders: Its Genesis, Drafting and Adoption,” *Universal Rights Group* (blog), March 11, 2019, <https://www.universal-rights.org/blog/the-un-declaration-on-human-rights-defenders-its-history-and-drafting-process/>.

¹⁵ “The History of the UN Declaration on Human Rights Defenders.”

¹⁶ “The History of the UN Declaration on Human Rights Defenders.”

Canada initiated a declaration on the right to promote and defend human rights which led to the development of UN Resolution 1980/23¹⁷. Based on the UN Resolution 1980/23 working group was established to prepare the text of the declaration on human rights. The adoption of a Declaration on HRD faced challenges due to opposition from some states, difficulties in defining the scope of HRDs, concerns over state sovereignty, and addressing sensitive issues related to freedom of expression and marginalized groups¹⁸. However, the international community recognized the importance of protecting HRDs, leading to the eventual adoption of the HRD Declaration in 1998 after 12 years of advocacy and fight of human rights organizations¹⁹ United Nations General Assembly in its 85th plenary meeting adopted The Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (HRD Declaration)²⁰ and created position of United Nation Special Rapporteur on Human Rights Defenders²¹. It affirms that individuals, groups, and civil society organizations have the right and the responsibility to promote and protect human rights and fundamental freedoms at the national and international levels. HRD Declaration also recognizes the important role that these actors play in promoting and protecting human rights and calls for greater cooperation between states and civil society in this regard²².

There is no specific definition of human rights defenders but based on HRD Declaration human rights defenders are “individuals or groups of individuals who work to promote and protect human rights, including civil and political rights, and economic, social, and cultural rights. They may work on behalf of themselves, their communities, or marginalized groups, and their efforts can take many forms, including activism, advocacy, journalism, legal work, and other forms of direct action”²³. Human rights defenders can work at the national, regional, or international level, and their activities may range from speaking out about human rights abuses, to providing legal or other support to victims of human rights violations, to advocating for the adoption and

¹⁷ Athanasiou, “The Human Rights Defenders at the Crossroads of the New Century.”

¹⁸ “The History of the UN Declaration on Human Rights Defenders.”

¹⁹ Aikaterini Christina Koula, “The UN Definition of Human Rights Defenders: Alternative Interpretative Approaches,” 2019.

²⁰ “Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, 1998”

²¹ Pakistani lawyer Ms Hina Jilani was appointed by the UN Secretary General as a Special Rapporteur on Human Rights Defenders

²² Amie Lajoie, “Women Human Rights Defenders,” in *International Human Rights of Women*, ed. Niamh Reilly, International Human Rights (Singapore: Springer Singapore, 2019), 209–26.

²³ Koula, “The UN Definition of Human Rights Defenders: Alternative Interpretative Approaches.”

implementation of human rights policies and laws²⁴. Nevertheless, lack of clear definition used by States to narrow activities of HRDs in the scope HRD Declaration led international and national NGOs and human rights institutions adopted an operational definition during the Lund Seminar in April 1997 which defines a human rights defender as “Each person victim or risking to be the victim of reprisals, harassment or violations, due to its compromised exercise individually or in association with others, in conformity with international instruments of protection of human rights, in favor of promotion and realization of rights recognized by the Universal Declaration of Human Rights and guaranteed by several international instruments.”²⁵ Although, the used wording still define anyone who promote human rights can be considered as HRD. The choice of a broad definition is not an omission, but rather a purposeful action, since a more detailed definition would exclude human rights defenders from the concept of “human rights defender”²⁶. As a result, such an expanded definition makes it possible and guarantees that the resulting breadth of the definition guarantees that every person can be included in it if they are fighting for human rights²⁷.

The important role that human rights defenders play in promoting and protecting human rights is recognized under international human rights law, which protects their rights to freedom of expression, association, and assembly²⁸. Human rights defenders are critical to promoting the rule of law, democratic governance, and the accountability of those in power. However, human rights defenders also often face challenges and risks, including harassment, intimidation, violence, and imprisonment, because of their work²⁹. The protection of human rights defenders is therefore crucial to ensuring that human rights are respected and protected globally.

²⁴ Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

²⁵ Athanasiou, “The Human Rights Defenders at the Crossroads of the New Century.”

²⁶ “Model Law for the Recognition and Protection of Human Rights Defenders. Expert Meeting, 2016,” 2023.

²⁷ Yumpu.com, “Silencing the Defenders - Commonwealth Human Rights Initiative,” yumpu.com, accessed April 12, 2023

²⁸ Athanasiou, “The Human Rights Defenders at the Crossroads of the New Century.”

²⁹ Alice M. Nah et al., “A Research Agenda for the Protection of Human Rights Defenders,” *Journal of Human Rights Practice* 5, no. 3 (November 1, 2013): 401–20.

1.2. The legal framework and mechanisms for the protection of human rights defenders

UN mechanisms' role are important in safeguarding the rights of WHRDs in countries like Kyrgyzstan, particularly since Kyrgyzstan is not a part of regional Human Rights courts³⁰. These mechanisms ensure coherence in human rights policies, ratification of international treaties, promotion of women's rights, and recognition of WHRDs' efforts globally³¹. Firstly, UN efforts to ensure coherence in human rights policies and on-the-ground approaches aid in protecting HRDs in third countries, including Kyrgyzstan Bennett³². Secondly, international human rights treaties ratified by Kyrgyzstan provide a framework for safeguarding women's and human rights³³. Thirdly, UN mechanisms have been vital in promoting and protecting women's rights globally³⁴. Furthermore, promoting gender equality and addressing women's emancipation is central to UN mechanisms, including in Kyrgyzstan³⁵. Moreover, WHRDs have been recognized by the UN for their efforts in fighting against harmful practices like female genital mutilation and child marriages³⁶. The vulnerability of WHRDs necessitates the protection provided through legal norms and obligations at the national level system³⁷. Finally, UN mechanisms operate at national, regional, and international levels to ensure the security and protection of human rights defenders³⁸. The United Nations has established various mechanisms to protect human rights defenders. The United Nations Secretary-General's Special Representative for Human Rights Defenders, created

³⁰ Karen Bennett, "European Union Guidelines on Human Rights Defenders: A Review of Policy and Practice towards Effective Implementation," *The International Journal of Human Rights* 19, no. 7 (2015), <https://doi.org/10.1080/13642987.2015.1075303>.

³¹ Niken Savitri and Dyan Franciska Dumaris Sitanggang, "Legal Status and Protection for Women Human Rights Defenders in Indonesia," *Fiat Justisia* 16, no. 4 (November 1, 2022): 297–320, <https://doi.org/10.25041/fiatjustisia.v16no4.2455>.

³² Bennett, "European Union Guidelines on Human Rights Defenders," 2015.

³³ Aizhan Erisheva, "Gender Equality and International Human Rights Law in Kyrgyzstan," in *Human Rights Dissemination in Central Asia: Human Rights Education and Capacity Building in the Post-Soviet Space*, ed. Anja Mihr and Cindy Wittke, SpringerBriefs in Political Science (Cham: Springer International Publishing, 2023), 115–27, https://doi.org/10.1007/978-3-031-27972-0_9.

³⁴ Justina Kehinde Obaoeye and Tian Wenli, "International Regime on Human Rights System for the Protection of Women's Right," *Asian Journal of Multidisciplinary Research & Review* 3, no. 5 (October 31, 2022): 132–54, <https://doi.org/10.55662/AJMRR.2022.3504>.

³⁵ Gulsara Kuldysheva et al., "Providing Women Equality in Kyrgyzstan: Legal and Historical Analysis," *Open Journal of Social Sciences* 9, no. 1 (January 11, 2021): 328–33, <https://doi.org/10.4236/jss.2021.91024>.

³⁶ Nathalie Laflamme, "The Right to No Rite: Ending Female Genital Mutilation Through Human Rights Education Practices," n.d.

³⁷ Niken Savitri and Dyan Franciska Dumaris Sitanggang, "Legal Status and Protection for Women Human Rights Defenders in Indonesia."

³⁸ Karen Bennett Savage Danna Ingleton, Alice Nah, James, ed., *Critical Perspectives on the Security and Protection of Human Rights Defenders* (London: Routledge, 2018), <https://doi.org/10.4324/9781315544809>.

in 2001 by Kofi Annan, this mandate advocates for HRDs, raises their visibility, and collaborates with states to develop legal frameworks safeguarding their rights³⁹. The mandate was changed to the Special Rapporteurs on the situation of human rights defenders in 2008, appointed by the UN Human Rights Council, investigate violations against HRDs globally, conduct fact-finding missions, and report to the Council⁴⁰. The Universal Periodic Review process, overseen by the Human Rights Council, allows HRDs to express concerns about human rights in their countries. The UN Treaty Body system supervises state parties' compliance with international human rights treaties⁴¹. UN mechanisms, such as the Office of the High Commissioner for Human Rights, the Human Rights Council, and the Committee on the Elimination of Discrimination against Women, are important in protecting WHRDs in Kyrgyzstan and other countries⁴². They monitor the human rights situation, receive reports on violations, and provide a platform for redress. By documenting cases and raising awareness, these mechanisms increase visibility and advocate for HRDs' protection and justice. Through statements, recommendations, and resolutions, they pressure governments and engage in dialogue to address issues. They also offer guidance on human rights standards, establishing a legal framework for defending defenders. Additionally, UN mechanisms provide capacity building and support, strengthening the advocacy skills of HRDs and fostering international collaboration⁴³.

UN resolutions on human rights defenders

UN resolutions on WHRDs highlight the importance of promoting and protecting the rights of women who are engaged in the defense of human rights, gender equality, and the elimination of discrimination. These resolutions recognize the specific challenges faced by WHRDs and call for action to ensure their safety, enable their work, and address the barriers and threats they encounter. One significant resolution is the UN General Assembly Resolution 68/181 on "Women human rights defenders," adopted in 2013. This resolution acknowledges the vital role of WHRDs in advancing human rights and calls for their protection from violence, discrimination, and intimidation. It urges states to ensure an enabling environment for WHRDs to carry out their work

³⁹ "Special Rapporteur on Human Rights Defenders," OHCHR, accessed June 7, 2023, <https://www.ohchr.org/en/special-procedures/sr-human-rights-defenders>.

⁴⁰ "Human Rights Council Resolution 7/8. Mandate of the Special Rapporteur on the Situation of Human Rights Defenders," accessed June 7, 2023, https://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_7_8.pdf.

⁴¹ "Report of the Working Group on the Universal Periodic Review* Kyrgyzstan," 2020.

⁴² "Human Rights Defenders: Protecting the Right to Defend Human Rights Fact Sheet No. 29. OHCHR, 2004," accessed April 24, 2023, <https://www.ohchr.org/sites/default/files/Documents/Publications/FactSheet29en.pdf>.

⁴³ Alice M. Nah, *Protecting Human Rights Defenders at Risk* (Routledge, 2020).

without fear of reprisals or restrictions⁴⁴. Another notable resolution is the UN Human Rights Council Resolution 32/29 on “Accelerating efforts to eliminate violence against women: preventing and responding to violence against women and girls, including indigenous women and girls” adopted in 2016. This resolution specifically focuses on the protection of WHRDs and highlights the gender-specific risks and challenges they face. It emphasizes the need to address violence, discrimination, and harassment targeting WHRDs and calls on states to create an environment where they can operate safely and effectively⁴⁵. Furthermore, the UN Security Council Resolution 24/93 on “Women, peace, and security,” adopted in 2019, recognizes the importance of women’s participation and leadership in peace and security efforts. This resolution highlights the need to protect WHRDs and women activists in conflict-affected areas, ensuring their active involvement in peace processes and decision-making⁴⁶. These resolutions collectively emphasize the significance of recognizing and supporting WHRDs as crucial actors in advancing human rights and gender equality. They call on states to take measures to prevent violence, provide adequate protection, and ensure accountability for violations against WHRDs. The resolutions also stress the importance of promoting an enabling environment for WHRDs to freely operate and express their views without fear of persecution. While these resolutions provide an important framework for the protection of WHRDs, it is essential for states to translate these commitments into concrete actions, including the implementation of national laws and policies that safeguard the rights of WHRDs. Additionally, civil society organizations and human rights defenders themselves play a crucial role in advocating for the effective implementation of these resolutions and holding states accountable for their obligations.

UN Special Rapporteur on human rights defenders. In order to monitor and assist with the implementation of the HRD Declaration, the United Nations Commission on Human Rights asked the Secretary-General to create a Special Representative on human rights defenders in 2000⁴⁷. In 2008 mandate of the Special Representative on HRDs was extended and named as a

⁴⁴ United Nations, “Promotion of the Declaration on the UN Resolution A/RES/68/181. Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms: Protecting Women Human Rights Defenders” (2013), <https://doi.org/10.18356/9789210021753>.

⁴⁵ “Accelerating Efforts to Eliminate Violence against Women: Preventing and Responding to Violence against Women and Girls, Including Indigenous Women and Girls. A/HRC/RES/32/19, 2016,” accessed June 16, 2023, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/158/00/PDF/G1615800.pdf?OpenElement>.

⁴⁶ “UN Security Council Resolution on ‘Women and Peace and Security’, S/RES/2493(2019),” accessed June 16, 2023, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/339/37/PDF/N1933937.pdf?OpenElement>.

⁴⁷ “The History of the UN Declaration on Human Rights Defenders.”

Special Rapporteur⁴⁸. The most recently mandate was extended by Human Rights Council in 2020 with stating that “Recognizing the urgent need to address, and to take concrete steps to prevent and stop, the use of legislation to hinder or limit unduly the ability of human rights defenders to exercise their work, including by reviewing and, where necessary, amending relevant legislation and its implementation in order to ensure compliance with international human rights law”⁴⁹. Mandate is aimed to “seeking, receiving, examining and responding to information on the situation and rights of those who acting individually or in association with others seek to promote and protect human rights and fundamental freedoms; establishing cooperation and conducting a dialogue with governments and other interested stakeholders on the promotion and effective implementation of the declaration; recommending effective strategies to better protect human rights defenders and following up on these recommendations.” The UN Special Rapporteur on the Situation of Human Rights Defenders assumes a critical role in the protection of WHRDs by addressing their challenges and advocating for their rights. In fulfilling this mandate, there are several key aspects to the Special Rapporteur’s role that are of utmost significance. Firstly, the Special Rapporteur plays a pivotal role in raising awareness about the specific challenges and risks faced by WHRDs. Through the deployment of reports, statements, and public engagements, the Special Rapporteur accentuates the importance of safeguarding WHRDs and highlights the far-reaching impact of their work in promoting human rights and gender equality⁵⁰. Secondly, the Special Rapporteur undertakes the vital task of monitoring and reporting on the situation of WHRDs on a global scale. They actively receive information and reports pertaining to violations committed against WHRDs and take it upon themselves to investigate cases involving attacks, threats, harassment, and other forms of rights infringement. By documenting and reporting these violations, the Special Rapporteur contributes to the accountability of perpetrators and fosters wider recognition of the prevalent challenges faced by WHRDs⁵¹. Furthermore, the Special

⁴⁸ “Human Rights Council Resolution 7/8. Mandate of the Special Rapporteur on the Situation of Human Rights Defenders.”

⁴⁹ “Resolution Adopted by the Human Rights Council on 22 June 2020 43/16. Mandate of the Special Rapporteur on the Situation of Human Rights Defenders,” accessed June 7, 2023, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/163/38/PDF/G2016338.pdf?OpenElement>.

⁵⁰ United Nations, Promotion of the Declaration on the UN Resolution A/RES/68/181. Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms: protecting women human rights defenders.

⁵¹ Michel Forst and UN Human Rights Council Special Rapporteur on the Situation of Human Rights Defenders, “Situation of Women Human Rights Defenders. Report of the Special Rapporteur on the Situation of Human Rights Defenders, A/HRC/40/60. 2019.” January 10, 2019, <https://digitallibrary.un.org/record/1663970>.

Rapporteur engages in advocacy efforts and provides targeted recommendations to governments, urging them to create an enabling environment that allows WHRDs to fulfill their roles without fear of retribution. These recommendations may entail legislative reforms, policy changes, and the implementation of protective measures intended to safeguard the safety and security of WHRDs⁵². The Special Rapporteur also actively engages in dialogue with governments, civil society organizations, and relevant stakeholders to address the multifaceted challenges faced by WHRDs. By promoting dialogue on issues such as gender-based violence, discrimination, legal restrictions, and access to justice, the Special Rapporteur aims to effect positive change and improve the conditions encountered by WHRDs⁵³. Collaboration with other UN mechanisms and treaty bodies is another essential aspect of the Special Rapporteur's mandate. Working closely with the UN Human Rights Council, treaty bodies, and other pertinent special procedures, the Special Rapporteur ensures a comprehensive approach to protecting WHRDs. This collaboration seeks to address specific issues related to WHRDs and champion their rights within the broader framework of human rights⁵⁴. Through their efforts, the Special Rapporteur contributes to the recognition, empowerment, and safety of WHRDs, fostering an environment where they can continue their important work in advancing human rights and promoting gender equality. During the period from 1 January 2020 to 30 June 2021 alone, the Special Rapporteur sent 28 communications to 22 Member States on the long-term detention of 148 human rights defenders, including 37 women human rights defenders and 110 male human rights defenders. The Office of the United Nations High Commissioner for Human Rights also tracked one defender in long-term detention who identified as lesbian, gay, bisexual, transgender, queer or intersex⁵⁵.

Interestingly first country which Special Representative Ms. Hina Jilani on HRD visited under her mandate was Kyrgyzstan in 2001 and in country visit report following was stated: The Special Representative notes with satisfaction that the legal environment in Kyrgyzstan is in accordance with international standards in the field of human rights. However, there is continuous legislative activity in terms of changes to laws, which does not always go in the direction of the

⁵² "Special Rapporteur on Human Rights Defenders."

⁵³ "Mandates of the Special Rapporteur on the Situation of LGBTI Human Rights Defenders in Kyrgyzstan. 15 July 2021.," accessed June 6, 2023, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26532>.

⁵⁴ Nah et al., "A Research Agenda for the Protection of Human Rights Defenders."

⁵⁵ Report of the Special Rapporteur on the situation of human rights defenders, Mary and Lawlor, "Situation of Human Rights Defenders," 2021.

improvement of human rights. In addition, there are restrictions in practice on freedom of assembly, expression, and association. The lack of freedom of expression and the press is in this regard of serious concern to the Special Representative. She is further concerned that the right to protest against human rights violations has been repressed; this is one of the major causes of the strained relationship between the Government and human rights activists. The Special Representative notes that the Government's tolerance of criticism of its policies and conduct that violate human rights has diminished over the years. The Special Representative considers that the State should recognize the importance of the civil society and its essential role in Kyrgyzstan's transition to democracy. Despite the Government's stepping back from its commitment to democratic governance and protection of human rights in more recent years, the Special Representative is convinced that the possibility of renewing that commitment is not remote"⁵⁶. Moreover, Special Representative stated that the significant number of HRDs at risk are women and reassertion of traditional attitudes toward women has led to actions that violate women's human rights despite the fact that they play a significant role in public affairs⁵⁷. Unfortunately, third chapter of this thesis shows that Kyrgyz government has been playing back and forth in 22 years and nothing changed. Additionally, Kyrgyzstan has not been responding to Special Rapporteur's request to visit country⁵⁸.

In conclusion despite that in an ideal vision of a world in which the State and human rights defenders work together to protect human rights. In practice, in many countries of the world, human rights defenders are persecuted for their activities and even die for the glory of the idea of the rule of law. The recognition and protection of HRDs as a special group with specific needs have significantly evolved over time. The United Nations has also established various mechanisms and mandates, such as the Special Rapporteur on Human Rights Defenders, to monitor, investigate, and advocate for the rights of HRDs. International frameworks, resolutions, and mechanisms have been established to support HRDs and address the challenges they face. Despite these advancements, challenges persisted in defining the scope of HRDs, addressing sensitive issues, and especially protect WHRDs. The role of HRDs in advancing and protecting human rights is

⁵⁶ "HUMAN RIGHTS DEFENDERS Report of Ms. Hina Jilani, Special Representative of the Secretary-General, Pursuant to Commission on Human Rights Resolution 2000/61. Mission to Kyrgyzstan, 2001.," accessed June 7, 2023, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G02/113/24/PDF/G0211324.pdf?OpenElement>.

⁵⁷ "HUMAN RIGHTS DEFENDERS Report of Ms. Hina Jilani, Special Representative of the Secretary-General, Pursuant to Commission on Human Rights Resolution 2000/61. Mission to Kyrgyzstan, 2001."

⁵⁸ "Special Rapporteur on Human Rights Defenders."

vital and recognized under international human rights law, which safeguards their rights to freedom of expression, association, and assembly. However, HRDs continue to face risks and challenges due to their work, including threats, violence, and imprisonment. Protecting HRDs is crucial to ensure the respect and protection of human rights globally. In the next chapter I will focus more on those challenges and risks which HRDs faces, however, with a specific focus on women human rights defenders.

CHAPTER II

CHALLENGES WOMEN HUMAN RIGHTS DEFENDERS FACED

2.1. Defining Women Human Rights Defenders

As it showed in the first chapter every person who promotes and fight for human rights can be considered as HRD and faced challenges by promoting and defending human rights. Nevertheless, women human rights defenders separated in special category, since their position as women makes them a vulnerable group, as they are subjected to violence that targets their bodies, sexuality, and identity by exploiting gender biases against women⁵⁹. WHRDs are women active in human rights defense who are targeted for who they are, as well as those active in the defense of women's rights who are targeted for what they do. This includes human rights activists who are women, as well as other activists (whether male, lesbian, gay, bisexual, transgender or intersex) who also defend the rights of women and sexual rights⁶⁰. Along with this specific type of vulnerability and violence, women human rights defenders also face the same types of violence that all human rights defenders face, including physical violence, verbal abuse, and violence through digital media, among others⁶¹.

WHRDs may work on behalf of themselves, their communities, or marginalized groups, and their efforts can take many forms, including activism, advocacy, journalism, legal work, and other forms of direct action⁶². Many women exercise rights described in the HRD Declaration without identifying as women human rights defenders, some of them are unfamiliar with the HRD Declaration or the term “human rights defenders”⁶³.

Role of women human rights defenders are enormous in advocating for the rights of marginalized communities and ensuring that they are not excluded from the benefits of society.

⁵⁹ Michel Forst and UN Human Rights Council Special Rapporteur on the Situation of Human Rights Defenders, “Situation of Women Human Rights Defenders. Report of the Special Rapporteur on the Situation of Human Rights Defenders, A/HRC/40/60.” January 10, 2019.

⁶⁰ “Women Human Rights Defenders International Coalition Global Report on the Situation of Women Human Rights Defenders , 2012.”

⁶¹ Forst and Defenders, “Situation of Women Human Rights Defenders.”

⁶² Niken Savitri and Dyan Franciska Dumaris Sitanggang, “Legal Status and Protection for Women Human Rights Defenders in Indonesia,” *Fiat Justisia* 16, no. 4 (November 1, 2022): 297–320.

⁶³ Forst and Defenders, “Situation of Women Human Rights Defenders.”

Their work may involve raising awareness about human rights issues, promoting legal and policy reforms, providing support to survivors of abuse, and advocating for the rights of women, children, ethnic and religious minorities, people with disabilities, LGBT+ individuals, and other groups who are marginalized or at risk of being marginalized. Through their tireless efforts, women human rights defenders help to create a more tolerant and equal world for all of us⁶⁴.

In 2004, the Office of the High Commissioner for Human Rights offered the following brief overview of the “particular situation” of “women human rights defenders”⁶⁵:

“In many parts of the world, the traditional role of women is perceived as integral to a society’s culture. This can make it especially hard for women human rights defenders to question and oppose aspects of their tradition and culture when they violate human rights. Female genital mutilation is a good example of such practices, although there are many others. Similarly, many women are perceived by their communities as an extension of the community itself. If a woman human rights defender is the victim of a rape because of her human rights work, she may be perceived by her extended family as having brought shame on both the family and the wider community. As a human rights defender woman must carry the burden not only of the trauma of the rape, but also of the notion within her community that, through her human rights work, she has brought shame on those around her. Even where no rape or other attack has occurred, women who choose to be human rights defenders must often confront the anger of families and communities that consider them to be jeopardizing both honor and culture”⁶⁶. This comment highlights the unique challenges which WHRDs face while questioning and opposing cultural practices that violate human rights. They may encounter societal perceptions of shame and jeopardizing honor and culture, even when experiencing violence.

Necessity of making special attention regarding work of WHRDs led to creation of Women Human Rights Defenders International Coalition (WHRDIC) which was founded in 2008 and consists of 28 NGOs focused on human rights, women’s rights, and LGBTI rights that works to support the activities of “women human rights defenders”⁶⁷. The foundation of WHRDIC was followed by recommendations made by over 200 delegates from 70 countries on International

⁶⁴ Niken Savitri and Dyan Franciska Dumaris Sitanggang, “Legal Status and Protection for Women Human Rights Defenders in Indonesia.”

⁶⁵ Lajoie, “Women Human Rights Defenders”, 2019.

⁶⁶ “Human Rights Defenders: Protecting the Right to Defend Human Rights Fact Sheet No. 29. OHCHR, 2004.”

⁶⁷ Real MJ, Chai M ‘Resource Book on the International Consultation of Women Human Rights Defenders’, 2006.

Consultation on Women Human Rights Defenders on 29 November 2005⁶⁸. During the 2005 consultation, the term “women human rights defender” was clarified to encompass both women who actively engage in defending human rights and are targeted based on their identity, as well as those targeted based on their actions⁶⁹. However, the association of grassroots activists and NGOs in support of the coalition of women and LGBT+ activists demonstrates that both these groups have been excluded from the traditional understanding and norms of “human rights defenders”⁷⁰. International and regional NGOs used the solidarity created by the Women’s Movement for Human Rights to protest against male dominance and heteronormativity in the existing system of protection of rights and freedoms⁷¹.

Nonetheless, many women human rights defenders do not want to associate themselves with the identification “woman” and instead call themselves “human rights defenders”⁷². It seems like an attempt to avoid marginalization and ensure that their work is recognized within the broader human rights framework. This is particularly significant in patriarchal societies where women’s work often considered separate or less important. It allows them to advocate for human rights equally with men⁷³. The ambiguity and inconsistency in the discussion on this topic may indicate that there is some misunderstanding about WHRD identity’s contested meaning and its residual status⁷⁴. In addition, such an attitude to defining oneself as a woman human rights defender may have to do with the fact that identification as a WHRD can create an illusion of vulnerability or some kind of inferiority⁷⁵.

To understand why WHRD often separated into their own category and face distinct challenges, it is crucial to examine the role of gender stereotypes. Gender stereotypes influence numerous aspects of women’s lives, and their impact is also felt within the realm of human rights

⁶⁸ Real MJ, Chai M ‘Resource Book on the International Consultation of Women Human Rights Defenders’, 2006.

⁶⁹ “Real MJ, Chai M ‘Resource Book on the International Consultation of Women Human Rights Defenders’, 2006.”

⁷⁰ “Lajoie A ‘Challenging Assumptions of Vulnerability: The Significance of Gender in the Work, Lives and Identities of Women Human Rights Defenders’. PhD Thesis, NUI Galway. 2018”.

⁷¹ “Lajoie A ‘Challenging Assumptions of Vulnerability: The Significance of Gender in the Work, Lives and Identities of Women Human Rights Defenders’. PhD Thesis, NUI Galway. 2018.”

⁷² “Lajoie A ‘Challenging Assumptions of Vulnerability: The Significance of Gender in the Work, Lives and Identities of Women Human Rights Defenders’. PhD Thesis, NUI Galway. 2018.”

⁷³ Niken Savitri and Dyan Franciska Dumaris Sitanggang, “Legal Status and Protection for Women Human Rights Defenders in Indonesia.”

⁷⁴ Lajoie, Women Human Rights Defenders, 2019.

⁷⁵ “Lajoie A ‘Challenging Assumptions of Vulnerability: The Significance of Gender in the Work, Lives and Identities of Women Human Rights Defenders’. PhD Thesis, NUI Galway. 2018.”

activities. Gender stereotypes are preconceived notions and expectations about how individuals should behave based on their gender. These stereotypes create unequal power dynamics and perpetuate discrimination and marginalization. It is through the lens of these stereotypes that WHRDs face specific challenges in their human rights work. These stereotypes often lead to limited participation of women in important processes and decision-making and harms their work and public perception⁷⁶. The work of women human rights defenders is devalued and complicated by the fact that they become the target of stereotypes. Thus, the activities of women human rights defenders are underestimated because of far-fetched “emotional instability”, which often again creates only conditions for a patriarchal perception of human rights. Perhaps one of the most important stereotypes is “the role of women in society”, based on traditional gender concepts⁷⁷. It assumes that women should take care of the family and household chores, and not participate in active and independent professions, such as work in the field of human rights protection⁷⁸. In particular, such a representation of the role is strong in a traditionally patriarchal society where a woman is not free to dispose of her life, not that she is engaged in human rights activities. It is also important to note that women in human rights activities are often determined to engage in certain rights, for example, the rights of women themselves, children, persons with disabilities, domestic violence, areas that require high empathy and in undemocratic countries do not attract much attention from the state⁷⁹. Additionally, this statement reflects a binary view of gender identity, which prescribes women to follow traditional gender roles, and men to follow more “masculine” professions and activities⁸⁰.

These stereotypes lead to the fact that women do not receive deserved recognition and respect in their field of knowledge. This limits their opportunities for professional growth and

⁷⁶ Niken Savitri and Dyan Franciska Dumaris Sitanggang, “Legal Status and Protection for Women Human Rights Defenders in Indonesia.”

⁷⁷ “Lajoie A ‘Challenging Assumptions of Vulnerability: The Significance of Gender in the Work, Lives and Identities of Women Human Rights Defenders’. PhD Thesis, NUI Galway. 2018.”

⁷⁸ “Lajoie A ‘Challenging Assumptions of Vulnerability: The Significance of Gender in the Work, Lives and Identities of Women Human Rights Defenders’. PhD Thesis, NUI Galway. 2018.”

⁷⁹ Niken Savitri and Dyan Franciska Dumaris Sitanggang, “Legal Status and Protection for Women Human Rights Defenders in Indonesia.”

⁸⁰ “Report of the Study on the Situation of Women Human Rights Defenders in Africa, 2019,” accessed January 31, 2023, https://www.achpr.org/public/Document/file/English/report_of_the_study_on_the_situation_of_women_human_rights_defenders_in_africa.pdf.

participation in important processes⁸¹. Gender stereotypes regarding WHRD contribute to the emergence of negative associations on the part of society, which can lead to a distortion of reality and misunderstanding of the importance of women's work in the human rights field⁸².

2.2. Challenges and risks faced by Women Human Rights Defenders

When examining the challenges faced by WHRDs, it becomes evident that understanding the connection between their personal characteristics and their protection needs is of significant importance⁸³. Factors such as gender, class, sexual orientation, geographical location, and ethnicity have an impact on the experiences and vulnerabilities of WHRDs. WHRDs encounter a range of obstacles and dangers in their pursuit of justice and human rights. However, these challenges are not uniform across all WHRDs. Based on their sex, WHRDs face discrimination, including gender-based violence, stereotypes, and societal expectations that undermine their legitimacy and impact their ability to advocate for human rights⁸⁴. Moreover, the intersections of gender with other factors such as class, sexual orientation, geographical location, and ethnicity further compound the challenges faced by WHRDs. These intersecting identities amplify the risks and vulnerabilities they confront, making it imperative to address the specific protection needs arising from these multiple dimensions⁸⁵.

Frontline Defenders in its 2022 Global Report stated that the most violations against WHRDs organized by States through using law as a weapon and its failure to properly investigate cases of violence against WHRDs⁸⁶. While State actors may bear responsibility in many cases, it is equally important to acknowledge the role of non-state actors in perpetrating violations against human rights defenders. The actions of non-state actors can significantly impact the safety and well-being of human rights defenders. Groups promoting national and conservative views, for

⁸¹ "Real MJ, Chai M 'Resource Book on the International Consultation of Women Human Rights Defenders', 2006."

⁸² Forst and Defenders, "Situation of Women Human Rights Defenders."

⁸³ Niken Savitri and Dyan Franciska Dumaris Sitanggang, "Legal Status and Protection for Women Human Rights Defenders in Indonesia."

⁸⁴ Nidhi Tandon et al., "Women Human Rights Defenders," *Gender & Development* 31, no. 1 (January 2, 2023): 1–10, <https://doi.org/10.1080/13552074.2023.2186632>.

⁸⁵ Mary Jane N. Real Mary Jane N. Real and Michael Chai, "Resource Book on Women Human Right Defenders," 2005.

⁸⁶ "Global Analysis 2022. Frontline Defenders."

instance, may target defenders due to their activism, ideology, or advocacy for marginalized groups. Private actors, such as corporate organizations, social media users or landlords, may employ various forms of harassment, discrimination, or even violence to discourage defenders from challenging their practices or advocating for human rights⁸⁷.

Women human rights defenders often targeted for gender public shaming and stigma for destroying traditional values and reconsidering women's role in the society⁸⁸.

While WHRDs face a number of issues that are specifically related to their gender, it is important to recognize that these issues can differ dramatically depending on the social context in which a WHRD operates. Cultural standards, religious convictions, political environments, and historical backgrounds are just a few examples of the elements that influence how different regions' WHRDs experience different things.

While my research on this thesis focuses on the challenges faced by WHRDs in Kyrgyzstan, it is crucial to explore the experiences of WHRDs in different contexts. Examining challenges faced by WHRDs in other regions allows for identifying common patterns, and unique struggles.

For instance in Africa WHRDs confront distinct challenges in their work, particularly in addressing issues related to their context such as genital mutilation, polygamy, and early marriage⁸⁹. These challenges are rooted in deeply ingrained patriarchal norms and structures that perpetuate gender inequality and discrimination⁹⁰. Women human rights defenders often experience gender-based violence, including sexual harassment, assault, and threats, both online and offline⁹¹. Waris Dirie advocates against female genital mutilation and has faced persecution and threats due to her activism and become a target for those who wish to maintain the practice and silence her voice. Waris Dirie has encountered personal risks to her safety, including threats to her life and physical harm⁹². WHRDs may encounter barriers in accessing resources, such as

⁸⁷ Forst and Defenders, "Situation of Women Human Rights Defenders."

⁸⁸ Mary Jane N. Real Mary Jane N. Real and Michael Chai, "Resource Book on Women Human Right Defenders."

⁸⁹ "REPORT ON THE CHALLENGES FACED BY WOMEN IN CIVIL SOCIETY IN AFRICA, 2011," accessed June 15, 2023,

https://www.civicus.org/view/media/Challenges_Faced_by_Women_in_Civil_Society_in_Africa.pdf.

⁹⁰ "Human Rights in Middle East and North Africa," Amnesty International, accessed June 7, 2023, <https://www.amnesty.org/en/location/middle-east-and-north-africa/report-middle-east-and-north-africa/>.

⁹¹ "Report of the Study on the Situation of Women Human Rights Defenders in Africa, 2019."

⁹² Laflamme, "The Right to No Rite: Ending Female Genital Mutilation Through Human Rights Education Practices."

funding, education, and leadership positions, due to systemic gender biases⁹³. Similarly, as in Kyrgyzstan cultural and societal expectations of women's roles and responsibilities can limit their participation and influence in public spaces and decision-making processes. Additionally, WHRDs who challenge traditional gender roles and advocate for the rights of marginalized groups, such as feminists, LGBT+ people, women of color, and women with disabilities, may face even greater resistance and backlash⁹⁴.

Unlike in Kyrgyzstan, WHRDs in Latin America, notably those from indigenous groups, face particular difficulties⁹⁵. Indigenous WHRDs deal with intersecting kinds of discrimination because they must deal with both the marginalization of indigenous peoples and gender-based inequality⁹⁶. Some of the most dramatic cases of the persecution of WHRDs include Berta Cáceres from Honduras, an indigenous and environmental activist who was assassinated in 2016 for her work defending indigenous lands⁹⁷. Lesbia Yaneth Urquia, an environmental and indigenous rights activist in Honduras, was also murdered in 2016 for her opposition to destructive hydroelectric projects⁹⁸. Marielle Franco, a prominent Afro-Brazilian human rights activist and city councilor, was shot and killed in 2018 for advocating against police violence and discrimination⁹⁹. While murderers of Berta Cáceres and Lesbia Yaneth Urquia were arrested authorities refuse to relate their murder to their activities as WHRDs. Killers of Marielle Franco have not been arrested yet. WHRDs in Latin America frequently encounter cultural obstacles, such as conventional attitudes and behaviors that restrict their ability to participate in and take leadership positions within their own communities. As they work to defend their land rights, cultural traditions Indigenous WHRDs also experience disproportionate levels of violence and discrimination, including threats, physical

⁹³ "REPORT ON THE CHALLENGES FACED BY WOMEN IN CIVIL SOCIETY IN AFRICA, 2011."

⁹⁴ "Human Rights in Middle East and North Africa."

⁹⁵ Danielle Goldberg et al., "Global Report: Civil Society Organization (CSO) Survey for the Global Study on Women, Peace and Security CSO Perspectives on UNSCR 1325 Implementation 15 Years after Adoption," 2015, <https://doi.org/10.7916/D8PV6JTH>.

⁹⁶ J. M. Kirby and Rene Uruena, "Understanding Threats against Afro-Descendant Women Human Rights Defenders: Re-Envisioning Security Afro-Colombian Voices in the Colombian Peace Process," HRLR Online 4, no. 3 (2020 2019): 324–62.

⁹⁷ "Remembering Berta Cáceres: Seven Years on, the Fight for Justice Continues," Global Witness, accessed June 15, 2023, <https://en/blog/remembering-berta-c%C3%A1ceres-seven-years-on-the-fight-for-justice-continues/>.

⁹⁸ Jacobo García, "Killers of Second Honduran Environmentalist Arrested," EL PAÍS English, July 14, 2016, https://english.elpais.com/elpais/2016/07/14/inenglish/1468503582_677508.html.

⁹⁹ "Five Years Later, the Mystery of Marielle Franco's Assassination Has Not Been Solved," accessed June 15, 2023, <https://jacobin.com/2023/03/marielle-franco-assassination-five-year-anniversary-brazil-far-right-militias-organized-crime>.

assaults, and criminalization based on their ethnicity¹⁰⁰. They face structural barriers to justice, resources, and decision-making spaces, which makes them even more vulnerable and limits their capacity to successfully fight for their rights and the rights of their communities¹⁰¹.

The distinctive social, cultural, and political circumstances of the region have a significant impact on the obstacles that WHRDs in East Asia must overcome¹⁰². Roles and participation of women¹⁰³, particularly WHRDs, in public and political realms are frequently constrained by gender inequity and conventional patriarchal standards¹⁰⁴. They face barriers that hinder their freedom of expression and assembly, including limited access to resources, restrictive laws and policies, censorship, and surveillance¹⁰⁵. Conservative cultural forces frequently retaliate against, stigmatize, and threaten WHRDs who support women's rights, gender equality, and concerns of sexuality and reproductive health¹⁰⁶. Their job is further hampered by the growing influence of authoritarian governments and restrictive regulations, which also endangers their safety and wellbeing¹⁰⁷.

Europe's political, social, and cultural landscape has an impact on a unique set of problems that WHRDs have to address. Although Europe is frequently regarded as a progressive region when it comes to human rights, WHRDs nonetheless face challenges in their work¹⁰⁸. As a result of their activism, they may experience threats, harassment, and even violence, especially when they stand up for underrepresented groups or contentious causes like migrant rights, LGBTQ+

¹⁰⁰ "Protection of Human Rights Defenders: Best Practices and Lessons Learnt," accessed June 7, 2023, <https://www.protectioninternational.org/wp-content/uploads/2022/12/Protection-of-human-rights-defenders-best-practices-and-lessons-learnt.pdf>.

¹⁰¹ Kirby and Uruena, "Understanding Threats against Afro-Descendant Women Human Rights Defenders."

¹⁰² Inmaculada Barcia, "URGENT RESPONSES for WOMEN HUMAN RIGHTS DEFENDERS at RISK: MAPPING and PRELIMINARY ASSESSMENT," 2011.

¹⁰³ "Human Rights in Asia and the Pacific Regional Overview," Amnesty International, accessed June 7, 2023, <https://www.amnesty.org/en/location/asia-and-the-pacific/report-asia-and-the-pacific/>.

¹⁰⁴ Niken Savitri and Dyan Franciska Dumaris Sitanggang, "Legal Status and Protection for Women Human Rights Defenders in Indonesia."

¹⁰⁵ Pooja Chetry, "Politics of Gender: Challenges of Being a Feminist Male Women Human Rights Defender in the North-Eastern Periphery of India," *Gender & Development* 31, no. 1 (January 2, 2023): 125–41, <https://doi.org/10.1080/13552074.2023.2177018>.

¹⁰⁶ Barcia, "URGENT RESPONSES for WOMEN HUMAN RIGHTS DEFENDERS at RISK: MAPPING and PRELIMINARY ASSESSMENT."

¹⁰⁷ Barcia.

¹⁰⁸ "TOOLKIT FOR THE EUROPEAN UNION ON WOMEN HUMAN RIGHTS DEFENDERS," accessed June 7, 2023, https://www.frontlinedefenders.org/sites/default/files/whrd_toolkit_en.pdf.

rights, or gender equality¹⁰⁹. Their ability to communicate divergent views and promote change can be constrained by societal pressure or legislative restrictions on freedom of expression¹¹⁰. Additionally, WHRDs are subject to surveillance and harassment online, which can stifle their advocacy. The difficulties that women and minority groups confront might be made worse by discrimination and prejudice¹¹¹.

WHRDs endure extreme challenges and persecution in the Middle East's repressive environment as a result of the predominately held religious ideas. Their difficulties are made more difficult by the tight adherence to conservative interpretations of Islam, which also hinders their capacity to promote women's rights and question religious standards¹¹². Religious leaders and conservative communities frequently scrutinize, harass, and threaten these WHRDs¹¹³. In a harmful climate where WHRDs are denied fundamental liberties and suffer harsh repercussions for speaking out, gender and religion intertwine. In a harmful climate where WHRDs are denied fundamental liberties and suffer harsh repercussions for speaking out, any expectations for advancement are stifled by the Middle East's rigid social mores and theological ideologies, and WHRDs are in the great risk for their activity¹¹⁴.

In conclusion, WHRDs worldwide work in advancing and defending human rights, especially for underserved groups of people. However, because of their gender and the prejudices attached to it, they confront particular risks and challenges. WHRDs frequently experience violence directed at their bodies, sexuality, and identities that takes advantage of gender biases against women. This vulnerability is further exacerbated by the common dangers that all human rights advocates must deal with, such as physical harm, verbal abuse, and online harassment. The

¹⁰⁹ Karen Bennett, "European Union Guidelines on Human Rights Defenders: A Review of Policy and Practice towards Effective Implementation," *The International Journal of Human Rights* 19, no. 7 (October 3, 2015): 908–34, <https://doi.org/10.1080/13642987.2015.1075303>.

¹¹⁰ Karen L. Bennett, "Assessing the Implementation of the European Union Guidelines on Human Rights Defenders - The Cases of Kyrgyzstan, Thailand and Tunisia," Monograph (EU Policy Department DG External Policies, June 18, 2013), [http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/410221/EXPO-DROI_ET\(2013\)410221_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/410221/EXPO-DROI_ET(2013)410221_EN.pdf).

¹¹¹ Nah et al., "A Research Agenda for the Protection of Human Rights Defenders."

¹¹² "Women Human Rights Defenders in the Middle East and North Africa: An Introduction," NWI Women Human Rights Defenders, accessed June 7, 2023, <https://unfinishedrevolution.nobelwomensinitiative.org/>.

¹¹³ "Human Rights in Middle East and North Africa."

¹¹⁴ "Gender Justice and the Right to Freedom of Opinion and Expression, to the Special Rapporteur on the Promotion and Protection of Freedom of Opinion and Expression, Submitted by the Regional Coalition for Women Human Rights Defenders (WHRDs) in MENA," accessed June 7, 2023, <https://www.ohchr.org/sites/default/files/2021-11/Regional-Coalition-for-Women-Human-Rights-Defenders-in-the-Middle-Eas.pdf>.

work of WHRDs is significantly impacted by gender stereotypes, which also work against them. These preconceptions restrict women's participation in crucial activities and minimize their contributions. The socially imposed traditional gender roles support the idea that women shouldn't pursue independent, aggressive careers like human rights advocacy. These prejudices limit women's professional advancement and admiration in the human rights sector, which in turn also contribute to inequity. WHRDs experience persecution from the State as a result of their activities, which frequently involve critiquing government policies. Human rights organizations are portrayed in state propaganda as being foreign agents or opponents who wish to harm the nation's customs and culture. These stories are employed to disparage and repress the work of WHRDs. The term "WHRDs" has come to mean both women who actively defend human rights and who are targeted because of their identification as well as those who are targeted because of their activity. The difficulties that WHRDs encounter are not all similar because they are impacted by intersecting factors such as gender, class, sexual orientation, location, and ethnicity. These overlapping identities increase the dangers and weaknesses that WHRDs experience, making it necessary to pay special attention to their protection requirements.

Although violations against WHRDs are frequently caused by the actions of State actors, non-state actors also contribute. Due to their work in protection of underprivileged groups, WHRDs may come under attack from nationalist and conservative organizations. Private actors, such as businesses and users of social media, may use harassment and discrimination to discourage defenders from contesting their policies or standing out for human rights.

CHAPTER III

EXPLORING ROLES AND OBSTACLES FACED BY WOMEN AS A HUMAN RIGHTS DEFENDERS IN KYRGYZSTAN

3.1 Analysis of the diverse roles of civil society and particularly WHRDs in advancing human rights and social justice in Kyrgyzstan

General overview of the relations between the State and WHRDs in Kyrgyzstan

Kyrgyzstan recognized as “consolidated authoritarian regime” and on the global freedom freedom ranking received a score of 27 out of 100 from Freedom House, which measures how well the country’s citizens exercise their fundamental human rights in accordance with the Universal Declaration of human rights¹¹⁵. In its Rule of Law Index, the World Justice Project ranked 140 nations, with Kyrgyzstan coming in at position 114¹¹⁶. This data demonstrates that human rights are under the threat in Kyrgyzstan and that the country is undergoing a significant transition to an authoritarian regime, following Russia’s lead in demonizing western democracies and HRDs as security threats and “foreign agents”.

Frontline defenders describe situation with HRDs in Kyrgyzstan as - “Human rights defenders in Kyrgyzstan are subjected to smear campaigns, attacks, intimidation, and harassment. Although there are no laws in place which directly target the work of HRDs, the legal system still does not offer protection for HRDs due to consistent corruption at all levels of government, the continuous practice of ill-treatment and torture with impunity, and the lack of independence of monitoring and oversight bodies.”¹¹⁷

Kyrgyzstan is a country that has undergone turbulent journey toward political transition and building its own path of growth or failure through revolutions. These significant events have not only changed the political landscape of the country, but also led to revisions in its constitution and form of governance, wavering between presidential and parliamentary systems and back again. Studies conducted in the 1990’s and early 2000’s highlighted liberal reforms and raised hopes for

¹¹⁵ ‘Kyrgyzstan: Freedom in the World 2023 Country Report’ (Freedom House, no date) <<https://freedomhouse.org/country/kyrgyzstan/freedom-world/2023>> .

¹¹⁶ ‘WJP Rule of Law Index’ (2022) <<https://worldjusticeproject.org/rule-of-law-index>>.

¹¹⁷ ‘Kyrgyzstan, Country Profile.’ (Front Line Defenders, 2023) <<https://www.frontlinedefenders.org/en/location/kyrgyzstan>>

further democratic progress in the region¹¹⁸. At that time, there was optimism that the efforts of rights activists would contribute to advancing human rights and democratic principles. During that period, Kyrgyzstan experienced a degree of political openness and witnessed the emergence of civil society organizations and human rights defenders who actively advocated for democratic reforms¹¹⁹. These activists played a significant role in promoting human rights, advocating for political pluralism, and challenging authoritarian practices.

The first revolution in 2005 marked a turning point in the country's political history, leading to the overthrow of President Askar Akaev and the establishment of a more democratic system¹²⁰. However, political instability continued in the following years, culminating in a second revolution in 2010, prompted by dissatisfaction with corruption and authoritarian practices. This revolution led to a Constitutional reform that shifted power from a presidency to a parliamentary system¹²¹.

The search for a stable political framework has continued, however, and in 2020 Kyrgyzstan experienced another wave of national uprising. This time, the protests were provoked by accusations of vote-buying and political manipulation in parliamentary elections. As a result, the country underwent another constitutional transformation, returning to the presidential system through chaotic legislation changes¹²².

In the context of political instability in Kyrgyzstan, HRDs have played a crucial role in identifying and exposing corruption, diligently monitoring, documenting, and exposing human rights abuses perpetrated by both state and non-state actors, as well as advocating for greater transparency in the electoral process¹²³. HRDs efforts have been instrumental in promoting accountability and ensuring fair and democratic governance. Despite the challenges inherent in the

¹¹⁸ "Kyrgyzstan | 10 | The Colour Revolutions in the Former Soviet Republic," 2010, <https://www.taylorfrancis.com/chapters/edit/10.4324/9780203848951-10/kyrgyzstan-david-lewis>.

¹¹⁹ Charles Buxton and Kazbek Abraliev, "Leadership in Transition - Developing Civil Society Leaders in Kyrgyzstan," 2007.

¹²⁰ Yevgeny Ivanov, "Revolutions in Kyrgyzstan," in *Handbook of Revolutions in the 21st Century: The New Waves of Revolutions, and the Causes and Effects of Disruptive Political Change*, ed. Jack A. Goldstone, Leonid Grinin, and Andrey Korotayev, Societies and Political Orders in Transition (Cham: Springer International Publishing, 2022), 517–47, https://doi.org/10.1007/978-3-030-86468-2_20.

¹²¹ Eric McGlinchey, "Foreign Policy and Aging Central Asian Autocrats," 2012.

¹²² Aksana Ismailbekova, "Native Son Japarov: The Embodiment of Injustice?," *Anthropology Today* 37, no. 5 (2021): 14–17, <https://doi.org/10.1111/1467-8322.12677>.

¹²³ "'Protecting Freedom, Dignity and Personal Immunity in Kyrgyzstan!'" Nationwide and International Civic Campaign, 2007," accessed June 7, 2023, <https://www.osce.org/files/f/documents/f/a/26086.pdf>.

country's political landscape, threats, harassment, and violence, HRDs in Kyrgyzstan remain committed to upholding human rights and challenging oppressive practices¹²⁴.

The term “civil society”, “NGOs” and understanding of who human rights defenders and civil activists are appeared in Kyrgyzstan in the early 90s, when the country began to receive grants from international donors who supported the ideas of civil society¹²⁵. The independent Kyrgyz state and society began to understand that through the activity of NGOs it is possible to influence the state and participate in the decision-making process¹²⁶.

As was previously mentioned, Kyrgyz civil society went through a period of significant upheaval at the beginning of the 2000s. Kyrgyz civil society was crucial to the overthrow of President Akaev during the Tulip Revolution in 2005 and President Kurmanbek Bakiyev in 2010¹²⁷. This period witnessed the consolidation of civil society's presence in the public debates. Since 2010, civil society in Kyrgyzstan has been operating in a favorable environment, allowing NCOs to freely express criticism of the government and its policies¹²⁸. However, every President of Kyrgyzstan had been trying to shut and control civil society and voices of human rights defenders. Nowadays, with ceasing power by the President S. Japarov and establishing his nationalistic and conservative viewpoint HRDs are facing unprecedented pressure¹²⁹.

Currently, there are 20,776 registered HGOs (as well called Non-Commercial Organizations) in Kyrgyzstan, however among them about 1/3 operational by the International Centre for non-profit law¹³⁰. Significant number of registered NGOs are nominally active and have little influence. Women have an important place in civil society it is also a motto stating that “The civil sector in Kyrgyzstan has a female face.”¹³¹ This can be attributed to women's active

¹²⁴ Kgalalelo Gaebee, “Kyrgyzstan: Joint NGO Report for UN Human Rights Committee Review,” September 27, 2022, <https://www.civicus.org/index.php/media-resources/news/6059-kyrgyzstan-joint-ngo-report-for-un-human-rights-committee-review>.

¹²⁵ ‘Сотрудничество между Государством и НПО в Сфере Здравоохранения, А.И. Пугачев, 2008’.

¹²⁶ “Exploring Civil Society Perspectives on the Situation of Human Rights Defenders in the Commonwealth of Independent States,” accessed June 6, 2023, <https://www.tandfonline.com/doi/epdf/10.1080/02634937.2022.2113034?needAccess=true&role=button>.

¹²⁷ Buxton and Abraliev, “Leadership in Transition - Developing Civil Society Leaders in Kyrgyzstan.”

¹²⁸ ADB Kyrgyz Republic Resident Mission, Publication Stock No. ARM113650 November 2011, “Civil Society Briefs: The Kyrgyz Republic,” n.d.

¹²⁹ Анар Мусабаева, ‘Власть и гражданское общество Кыргызстана: трансформация от А. Акаева до С. Жапарова’ (Central Asia Analytical Network, 2021) <<https://www.caa-network.org/archives/author/anar-musabaeva/>> .

¹³⁰ ‘Kyrgyz Republic. Profile of the Country’ (ICNL, 2022) <<https://www.icnl.org/resources/civic-freedom-monitor/kyrgyz>>

¹³¹ Buxton and Abraliev, “Leadership in Transition - Developing Civil Society Leaders in Kyrgyzstan.”

participation in community life and their commitment to solving social problems and understanding that this is only way to participate in public discussion since Kyrgyzstan's government "has a male face".

Area of WHRDs work in Kyrgyzstan is broad and started from advocating for social issues, such as healthcare, civic education, gender equality, and the environment. WHRDs played a vital role in ensuring democratic political relations and monitoring development programs. They also promoted human rights, environmental protection, and the well-being of various marginalized communities in the country¹³². WHRDs in Kyrgyzstan face significant challenges as their rights and activities are increasingly restricted and controlled. WHRDs supporting women, LGBT+ community, ethnic minorities and other marginalized groups encounter threats, harassment, and physical attacks both by state and non-state actors¹³³.

The role of civil society in Kyrgyzstan is strong, as proved by the repeated attempts of the state to adopt laws toughening their activities and the persecution of individual human rights defenders for criticizing the authorities¹³⁴.

Some historical overview of the persecution of WHRDs by the state.

During the presidency of the first president Askar Akaev so called "liberal president" WHRDs witnessed a deterioration in the treatment because of their demand for transparency, equal participation in decision-making, and the protection of civil and political rights as guaranteed by the Kyrgyz Constitution. The situation worsened when the Canadian gold mining company Centerra Gold began its operations in Kyrgyzstan¹³⁵. Consequently, the political environment for NGOs became increasingly restricted since HRDs started questioning conditions of the agreement and investigating environmental damage which mining can cause¹³⁶. As a result, state started restricting freedom of speech and prosecuting WHRDs who demanded transparency and accountability in regard to mining in Kyrgyzstan¹³⁷. Journalists Zamira Sydykova and Tamara

¹³² 'Galina Plakhotnikova, Aida Kurbanova. Profile of an NGO Leader, 2008'.

¹³³ Nina Bagdasarova, "Securing an LGBT Identity in Kyrgyzstan. Case Studies from Bishkek and Osh," International Quarterly for Asian Studies 49, no. 1–2 (2018): 17–40, <https://doi.org/10.11588/iqas.2018.1-2.8659>.

¹³⁴ IPHR, "Kyrgyzstan: Tightening the Screws on Free Speech and Civic Engagement," IPHR (blog), May 17, 2023, <https://www.iphronline.org/kyrgyzstan-tightening-the-screws-on-free-speech-and-civic-engagement.html>.

¹³⁵ "Kumtor: The Gold Mine That Could Make or Break Kyrgyzstan," openDemocracy, accessed June 7, 2023, <https://www.opendemocracy.net/en/odr/kumtor-gold-mine-could-make-or-break-kyrgyzstan/>.

¹³⁶ 'Report of the Special Representative of the Secretary General on Human Rights Defenders during Her Visit to Kyrgyzstan from 30 July to 4 August 2001'.

¹³⁷ Tolekan Ismailova, Aida Baijumanova, and Lira Asylbek, "Kyrgyzstan: Women Human Rights Defenders, Their Role and Prospects," 2019.

Slashcheva were arrested for seeking information about the agreement between the Kyrgyz government and Centerra Gold¹³⁸. Zamira Sydykova had previously published critical articles exposing corruption within the Kyrgyzaltyn group which manages the country's gold mining companies. She, along with three other journalists, was sentenced and faced punitive measures¹³⁹. Similarly, Kaliya Moldogazieva, the director of the Institute for Environmental Protection, and environmental activist was dismissed from her position after publishing an article highlighting pollution in Issyk-Kul Lake caused by the mining¹⁴⁰. Moldogazieva faced attacks from government-affiliated media outlets for her interviews regarding the extractive industry's practices and the government's failure to enforce environmental standards¹⁴¹. At the same time, attacks began on human rights defenders who were monitoring the presidential and parliamentary elections. In 2001, Tolekan Ismailova, President of the Coalition for Democracy and Civil Society, NGO which organized election observation mission and was subjected to a physical attack by unknown persons near her house, the attackers were never found, Ismailova herself links this as an attempt to intimidate her¹⁴².

During second president Kurmanbek Bakiev Kyrgyzstan witnessed a troubling escalation of harassment and repression against entire civil society¹⁴³. Following President Akaev's forced departure from the country due to a revolution on March 24, 2005, Bakiev as a leader of opposition assumed power¹⁴⁴. However, his focus shifted towards consolidating personal power, expanding the family-clan system, and promoting relatives and close associates to political and business positions¹⁴⁵. This power consolidation resulted in large-scale repression against political opponents, including stifling media pressure that led to the closure of popular radio stations like

¹³⁸ Lori M Handrahan, 'Gendering United States Democratic Assistance in Kyrgyzstan: Understanding the Implications and Impact of Gendered Ethnicity' (Ph.D., London School of Economics and Political Science (United Kingdom) 2001).

¹³⁹ 'HUMAN RIGHTS WATCH/HELSINKI OVERVIEW, 1996.'

¹⁴⁰ Ismailova, Baijumanova, and Asylbek, "Kyrgyzstan: Women Human Rights Defenders, Their Role and Prospects."

¹⁴¹ Ismailova, Baijumanova, and Asylbek.

¹⁴² Ismailova, Baijumanova, and Asylbek.

¹⁴³ Erica Marat, "March and after: What Has Changed? What Has Stayed the Same?," *Central Asian Survey* 27, no. 3-4 (December 1, 2008): 229-40, <https://doi.org/10.1080/02634930802536506>.

¹⁴⁴ Sally N. Cummings, "Introduction: 'Revolution' Not Revolution," *Central Asian Survey*, December 15, 2010, <https://doi.org/10.1080/02634930802536811>.

¹⁴⁵ 'KYRGYZSTAN. A WEAK STATE, POLITICAL INSTABILITY: THE CIVIL SOCIETY CAUGHT UP IN THE TURMOIL. 2010.'

Azattyk and BBC, along with several independent newspapers¹⁴⁶. Furthermore, the unresolved murders of prominent political figures and independent journalists added to the climate of fear and impunity¹⁴⁷. The Parliament lost civilian control and participation, becoming a mere instrument of the ruling regime¹⁴⁸. Meanwhile, the police force, instead of fulfilling their functional duties, became a political tool used to control activists and political opponents¹⁴⁹. Election processes were tightly controlled by security forces and the police, causing discontent among ordinary citizens and fueling conflicts¹⁵⁰. Citizens' demands for access to information and peaceful rallies were brutally suppressed, resulting in a growing number of activists and politicians being imprisoned for their political activities. Human rights activists, especially WHRDs, faced significant pressure and were subjected to targeted persecution¹⁵¹. Notably, WHRDs such as Asiya Sasykbaeva, Cholpon Djakupova, and Aziza Abdirasulova were specifically targeted by the National Security Service and the General Prosecutor's Office. They were accused of inciting the government's overthrow and opposing its initiatives¹⁵². Following the early parliamentary elections in 2007, activists who disagreed with the falsified results were arrested, including Tolekan Ismailova, Nazgul Turdubekova, Aigul Kyzalakova, and 12 young activists who were detained and sentenced to 5-7 days in prison¹⁵³. They endured degrading and torturous conditions but were eventually released due to international pressure. The journalist Jyparkul Arykova faced charges of high treason and espionage, but she was acquitted after over 8 months of detention¹⁵⁴. Tajik WHRD Nigina Bakhrieva who came to Kyrgyzstan to prepare a submission on the unrest in Nookat area to the UN Human Rights Committee was deported from Kyrgyzstan in 2009 without any

¹⁴⁶ "KYRGYZSTAN. A WEAK STATE, POLITICAL INSTABILITY: THE CIVIL SOCIETY CAUGHT UP IN THE TURMOIL. 2010."

¹⁴⁷ Marat, "March and After."

¹⁴⁸ "KYRGYZSTAN. A WEAK STATE, POLITICAL INSTABILITY: THE CIVIL SOCIETY CAUGHT UP IN THE TURMOIL. 2010."

¹⁴⁹ "'Protecting Freedom, Dignity and Personal Immunity in Kyrgyzstan!'" Nationwide and International Civic Campaign, 2007'.

¹⁵⁰ 'Kyrgyzstan | 10 | The Colour Revolutions in the Former Soviet Republic' (no date)
<<https://www.taylorfrancis.com/chapters/edit/10.4324/9780203848951-10/kyrgyzstan-david-lewis>>

¹⁵¹ Marat, "March and After."

¹⁵² "KYRGYZSTAN. A WEAK STATE, POLITICAL INSTABILITY: THE CIVIL SOCIETY CAUGHT UP IN THE TURMOIL. 2010."

¹⁵³ Ismailova, Baijumanova, and Asylbek, "Kyrgyzstan: Women Human Rights Defenders, Their Role and Prospects."

¹⁵⁴ 'Espionage Case: Jyparkul Arykova Partially Acquitted, Chinese National Sentenced to 12 Years in Prison' (no date)
<https://akipress.com/news:3906:_b_Espionage_case__Jyparkul_Arykova_partially_acquitted,_Chinese_national_s_entenced_to_12_years_in_prison_/b_> .

justifications¹⁵⁵. The Bakiev presidency witnessed a troubling period of increased repression, curtailed freedoms, and targeted persecution of HRDs. These actions undermined human rights, democratic principles, and the overall fabric of Kyrgyzstan's society¹⁵⁶.

In 2010, Kyrgyzstan faced significant challenges. The country experienced a violent change of power during the April Revolution, leading to inter-ethnic conflict between Kyrgyz and Uzbeks in the south, resulting in the loss of many lives and widespread destruction¹⁵⁷. Women human rights defenders played crucial roles in mediating and preventing further violence. However, their efforts faced criticism and attacks from nationalist groups. HRDs who advocated for the rights of victims faced open hostility, including death threats and organized attacks¹⁵⁸. Azimzhan Askarov, an ethnic Uzbek human rights defender, was arrested and sentenced to life imprisonment¹⁵⁹, Askarov died in prison in 2020¹⁶⁰. Lawyers defending ethnic Uzbeks and victims of the conflict also faced criticism and attacks, with instances of assault in courtrooms¹⁶¹. Due to threats against her and her family, Tolekan Ismailova was forced to leave the country temporarily¹⁶². During the trials related to the events of April 7, 2010, human rights lawyers representing the accused individuals faced threats and harassment. Head of the NGO Legal Clinic "Adilet" Cholpon Djakupova and lawyer Hurnisa Mahaddinova received death threats from individuals attending the hearings. Hurnisa Mahaddinova as a non-Kyrgyz origin also experienced racist insults¹⁶³.

After the April 2010 events in Kyrgyzstan, Roza Otunbaeva became a transitional president and significant changes occurred in the political landscape of the country. Following the

¹⁵⁵ 'Travel Ban Imposed against Ms. Nigina Bakhrieva | OMCT' (2007) <<https://www.omct.org/en/resources/urgent-interventions/travel-ban-imposed-against-ms-nigina-bakhrieva>> .

¹⁵⁶ "KYRGYZSTAN. A WEAK STATE, POLITICAL INSTABILITY: THE CIVIL SOCIETY CAUGHT UP IN THE TURMOIL. 2010."

¹⁵⁷ Andrew R. Bond and Natalie R. Koch, "Interethnic Tensions in Kyrgyzstan: A Political Geographic Perspective," *Eurasian Geography and Economics* 51, no. 4 (July 1, 2010): 531–62, <https://doi.org/10.2747/1539-7216.51.4.531>.

¹⁵⁸ Ismailova, Baijumanova, and Asylbek, "Kyrgyzstan: Women Human Rights Defenders, Their Role and Prospects."

¹⁵⁹ Tol Tol, "Around the Bloc: Kyrgyzstan Retries Ethnic Uzbek Activist," *Transitions Online*, no. 10/11 (2016): 19–20.

¹⁶⁰ "Kyrgyzstan: Death of Human Rights Defender Azimjan Askarov a Stain on Country's Reputation, Says UN Expert," OHCHR, accessed June 7, 2023, <https://www.ohchr.org/en/press-releases/2020/07/kyrgyzstan-death-human-rights-defender-azimjan-askarov-stain-countrys>.

¹⁶¹ "KYRGYZSTAN. A WEAK STATE, POLITICAL INSTABILITY: THE CIVIL SOCIETY CAUGHT UP IN THE TURMOIL. 2010."

¹⁶² "KYRGYZSTAN. A WEAK STATE, POLITICAL INSTABILITY: THE CIVIL SOCIETY CAUGHT UP IN THE TURMOIL. 2010."

¹⁶³ FIDH, "KYRGYZSTAN (2010-2011). SITUATION OF HUMAN RIGHTS DEFENDERS," 2011.

revolution, Kyrgyzstan did experience some progress in the field of political rights and freedoms. The transition to a parliamentary republic was one of the key changes implemented¹⁶⁴. The new constitution adopted in 2010 redistributed power between the president, the parliament, and the government, with a stronger emphasis on parliamentary governance. The shift to a parliamentary republic aimed to distribute power more broadly and limit the concentration of authority in the hands of the president.¹⁶⁵ This change was seen as a step towards greater democratic governance and the establishment of a system that would be less susceptible to authoritarian tendencies. While the events of the revolution played a significant role in initiating these changes, it is important to note that the progress made in political rights and freedoms was not solely due to the actions of the authorities. Civil society and particularly WHRDs played a crucial role in pushing state for greater political openness and democratic reforms¹⁶⁶.

In 2011, Almazbek Atambaev became fourth and first peaceful obtaining office President, strengthening the state hierarchy and not allowing family nepotism, however, Atambaev also showed signs of returning to authoritarianism¹⁶⁷. From 2013 onwards, fundamental rights and freedoms of citizens, such as freedom of association, freedom of speech, freedom of the media, freedom of religion, freedom of peaceful assembly, fair trial, and political rights, deteriorated rapidly¹⁶⁸. In 2014, a draft law on “Foreign agents” aimed at controlling NGOs was proposed but rejected thanks to advocacy campaigns. Changes were made to the law on peaceful assembly, eliminating the notification-permission procedure and introducing administrative liability for illegal blocking of roads. These changes had a negative impact on human rights defenders who faced aggressive defamation and prosecution¹⁶⁹. Almazbek Atambaev had started lawsuits with substantial compensation demands against journalist Dina Maslova, former member of the Parliament and HRD Cholpon Djakupova, and others for criticizing the President which also included travel ban¹⁷⁰. In 2018, Atambaev withdraw his claims against Ms. Djakupova saying “it

¹⁶⁴ Ivanov, “Revolutions in Kyrgyzstan.”

¹⁶⁵ Chotaev Zakir, “Kyrgyzstan after 2010: Prospects for a Parliamentary Republic,” *Central Asia and the Caucasus* 14, no. 2 (2013): 92–102.

¹⁶⁶ Erica Marat, ‘Kyrgyzstan: A Parliamentary System Based on Inter-Elite Consensus’ [2012].

¹⁶⁷ Eric McGlinchey, ‘Foreign Policy and Aging Central Asian Autocrats’ [2012].

¹⁶⁸ Freedman Eric, “Press Rights and Constraints in Kyrgyzstan: The First Year of President Atambaev,” *Central Asia and the Caucasus* 14, no. 1 (2013): 144–56.

¹⁶⁹ “Nazarbek, Zhuzupbekov. ‘External Factors of Authoritarianism: Influence of Russian Policies on Regulations of Civil Society in Kyrgyzstan.’ PhD Diss., Central European University.” (2017).

¹⁷⁰ ‘Kyrgyzstan: President Targets Critics’ (Human Rights Watch, 12 May 2017)

<<https://www.hrw.org/news/2017/05/12/kyrgyzstan-president-targets-critics>> accessed 1 June 2023.

was a mistake”¹⁷¹, WHRD Djakupova commented it saying that she understand why it happen since situation in the country has changed, however she mentioned that it is a regret that it did not happen in court, where the judge could demonstrated honesty and respect rule of law. This case is a perfect example judicial dependance and harassment. Violations of rights of WHRDs in his presidency also identified. Thus, Gulgaaky Mamasalieva, the Head of the Interbilim Center, defended the rights of residents in Jalal-Abad and opposed the demolition of residential buildings. As a result, the mayor of Jalal-Abad, accused her of sabotage and told her to “get out of the city”¹⁷². Violence against two women human rights lawyers, Aisalkyn Karabaeva and Mukhaiyo Abduraupova, who were beaten because of defending a woman a citizen accused of fraud and murder of a police colonel. The Coalition Against Torture in Kyrgyzstan reported gross violations during the trial, including pressure on the judges and defense. The lawyers filed a statement against the investigator, alleging that the information was leaked to the complainant party, possibly leading to the attack¹⁷³. In 2018, WHRDs stated about excessive document checks at the border, which they believed infringed on their freedom of movement. Some international WHRDs were also banned from entering the country. Inga Sikorskaya, the program director of the School of Peacekeeping and Media Technologies in Central Asia, reported undergoing unnecessary checks at the border multiple times¹⁷⁴. Mihra Rittmann, a WHRD and human rights expert who has been working with Human Rights Watch as Central Asia researcher for several years, went on vacation and was not allowed to cross the border upon her return¹⁷⁵.

In 2020, during fifth president Sooronbai Jeenbekov a significant incident occurred involving the detention of WHRDs and participants of a women march that took place on March 8. The original march was planned in the Pervomay distrrict of Bishkek city, but the authorities prohibited organizing march in this district due to spread of the COVID 19, organizers changed

¹⁷¹ “Ongoing Surveillance of NGO Workers despite Presidential Assurances on Human Rights,” Civicus Monitor, accessed June 16, 2023, <https://monitor.civicus.org/explore/ongoing-surveillance-ngo-workers-despite-presidential-assurances-human-rights/>.

¹⁷² Ismailova, Baijumanova, and Asylbek, “Kyrgyzstan: Women Human Rights Defenders, Their Role and Prospects.”

¹⁷³ ‘Избиение Адвокатов в Зале Горсуда Оша. Дело Не Возбудили’ (2017) <https://kaktus.media/doc/361348_izbienie_advokатов_v_zale_gorsyda_osh_a._delo_ne_vozbydili.html> accessed 1 June 2023.

¹⁷⁴ ‘BLACK LISTS FOR JOURNALISTS AND HUMAN RIGHTS ACTIVISTS IN KYRGYZSTAN » Школа Миротворчества и Медиатехнологий’ (2018) <http://www.ca-mediators.net/en/en_news/5287-black-lists-for-journalists-and-human-rights-activists-in-kyrgyzstan.html> accessed 1 June 2023.

¹⁷⁵ “HRW’s Bishkek Chief Barred Reentry,” Radio Free Europe/Radio Liberty, 13:46:14Z, sec. Kyrgyzstan, <https://www.rferl.org/a/kyrgyzstan-hrw-office-director-banned/27406915.html>.

the route and selected the other district as the venue¹⁷⁶. At the start of the march, unidentified men wearing kalpaks¹⁷⁷ attacked the participants which were mostly women and children¹⁷⁸. However, instead of apprehending the attackers, the police detained the march participants. Approximately 70 women were detained in total, but most of the victims were released without charges after two hours of detention at the Sverdlovsk police department¹⁷⁹. The police claimed to have detained and fined five provocateurs, while approximately 30 attackers were involved. In November 2020, the Supreme Court overturned the rulings of the Bishkek and Sverdlovsk district courts, which had deemed the detention of the march participants as lawful. However, the court did not pass a judgment on the legality or illegality of the police officers' actions. Consequently, the State failed to ensure an open investigation of the situation and a fair judicial process. Shortly thereafter, counter-events were organized, propagating a narrative about the traditional role of Kyrgyz women and openly expressing hostility towards the march participants, labeling them as bad feminists, representatives of the LGBT+ community, and agents of the West¹⁸⁰. Kanykei is a woman human rights defender who faced daily threats since she openly declared that she is a transgender woman due to raising awareness and visibility for transgender rights. Her phone has become inundated with messages that include threats to "kill" her, "tear off her head," "find" her, and "drive her out of Kyrgyzstan." Despite enduring these threats, she remains steadfast in her desire to live openly in Kyrgyzstan while advocating for the rights of transgender individuals. However, past experiences have eroded her confidence in law enforcement. In 2017, when she and her lawyer reported an assault and abduction that left her physically injured, the police ignored her pleas for help on three separate occasions, likely due to their knowledge of her transgender identity. As a result, because of fear and lack of protection from the state, she has chosen not to involve law enforcement any further and sought asylum in a foreign country due to hatred¹⁸¹.

¹⁷⁶ Mohira Suyarkulova, "'Your Traditions, Our Blood!': The Struggle against Patriarchal Violence in Kyrgyzstan," n.d.

¹⁷⁷ Traditional male hat in Kyrgyzstan

¹⁷⁸ "Masked Men Attack Women's Day Demonstration In Kyrgyzstan," Radio Free Europe/Radio Liberty, 13:09:52Z, sec. Kyrgyzstan, <https://www.rferl.org/a/hooligans-attack-women-s-day-demonstration-in-kyrgyzstan/30475849.html>.

¹⁷⁹ Suyarkulova, "'Your Traditions, Our Blood!': The Struggle against Patriarchal Violence in Kyrgyzstan."

¹⁸⁰ Kim Elena, "The War on Women in Kyrgyzstan: Navigating between Nationalism, Extremism, and Patriarchy," in *Negotiating Gender in Central Asia: The Effect of Gender Structures and Dynamics on Violent Extremism*, 2022, 43–70.

¹⁸¹ Партнерский материал на Kloop.kg, "«Мы тебя найдем!» Меня преследовали и запугивали за активизм," *KLOOP.KG - Новости Кыргызстана* (blog), May 14, 2021, <https://kloop.kg/blog/2021/05/14/my-tebya-najdem-menya-presledovali-i-zapugivali-za-aktivizm/>.

With the change of power in 2020, Sadyr Japarov has become a six President of Kyrgyzstan, since then he actively opposes non-governmental organizations human rights defenders¹⁸². The President has signed a law introducing additional requirements for the financial reporting of NGOs¹⁸³. One of the laws aimed at restricting freedom of speech and combating dissent is the “Law on false manipulative information”¹⁸⁴ under which the authorities are already attempting to shut down the independent media outlet “Azattyk”¹⁸⁵. The draft law on “foreign agents” has been reintroduced in Parliament and draft law “On protection of children from malicious information” which has a provision on LGBT+ propaganda discussing again¹⁸⁶. In 2021, anti-war rallies in Kyrgyzstan faced opposition and legal restrictions. The Pervomaysky Court of Bishkek banned rallies near the Russian Embassy, the Jogorku Kenesh (Parliament), the presidential administration, and Ala-Too Square, citing complaints of noise and obstruction. Human rights defenders and activists criticized the court’s decision as unconstitutional, asserting the right to freedom of peaceful assembly¹⁸⁷. Despite the restrictions, some WHRDs as Dinara Oshurakhunova, and Aziza Abdrasulova, participated in a rally near the Russian Embassy. They were detained and charged with “petty hooliganism” and “disobeying lawful police demands”¹⁸⁸. The court dismissed the hooliganism charge but fined them 3000 soms for disobeying police demands. Sadyr Japarov’s presidency in three years are already well known for political persecution of those who criticize his decisions. In October 2022, 24 persons were detained in conspiring to organize mass riots against government, among them human rights defenders, local activists, journalists, and political figures who opposed the transfer of the water reservoir from Kyrgyzstan to Uzbekistan¹⁸⁹. Among these 24, women human rights defenders Gulnara Dzhurabayeva, Klara Sooronkulova, Rita Karasartova, and Asya Sasykbayeva were arbitrarily

¹⁸² Ismailbekova, “Native Son Japarov.”

¹⁸³ Gaebee, “Kyrgyzstan.”

¹⁸⁴ Gaebee.

¹⁸⁵ “Kyrgyzstan: Closure of Azattyk Radio (RFE/RL) Is a Major Blow to Media Freedom - Amnesty International,” accessed June 7, 2023, <https://www.amnesty.org/en/latest/news/2023/04/kyrgyzstan-closure-of-azattyk-radio-rfe-rl-is-a-major-blow-to-media-freedom/>.

¹⁸⁶ “Kyrgyzstan Plows Ahead with Foreign Agent Law, Ignores Foreign Critics | Eurasianet,” accessed June 7, 2023, <https://eurasianet.org/kyrgyzstan-plows-ahead-with-foreign-agent-law-ignores-foreign-critics>.

¹⁸⁷ “Kyrgyzstan: Suppression of the Right to Freedom of Peaceful Assembly in Kyrgyzstan,” Amnesty International, March 16, 2023, <https://www.amnesty.org/en/documents/eur58/6559/2023/en/>.

¹⁸⁸ ‘Kyrgyzstan: Repeal Protest Ban’ (Human Rights Watch, 24 March 2022) <<https://www.hrw.org/news/2022/03/24/kyrgyzstan-repeal-protest-ban>> accessed 2 June 2023.

¹⁸⁹ “KYRGYZSTAN: UNPRECEDENTED MASS ARRESTS OF CRITICS,” accessed June 7, 2023, <https://freedomeurasia.org/kyrgyzstan-unprecedented-mass-arrests-of-critics/>.

detained and sentenced to 2 months of pre-trial detention on October 25, 2022. The Court refused to take into account that two women human rights defenders have young children, and two women human rights defenders are over 60 years old¹⁹⁰. On 12 April 2023, after six months in the detention and severe health problem the Court ruled to release women human rights defenders Gulnara Dzhurabayeva, Klara Sooronkulova, and Asya Sasykbayeva from their pre-trial detention and place them under house arrest, however, they still will face trial¹⁹¹. Rita Karasartova is the only woman human rights defender from Kempir-Abad Water Reserve case who remains in pre-trial detention. On 19 April 2023, the Court ruled to extend her pre-trial detention until 20 June 2023. Since her detention in October 2022, Rita Karasartova's health has significantly deteriorated¹⁹². According to her daughter the conditions in Pre-trial Detention Center #1, where she is held, are extremely inhumane. The daughter mentioned that the facility is not designed or equipped for long-term detention, as it is meant for temporary placement. Additionally, the detention center authorities have denied Rita Karasartova visitation rights and she is unable to use the phone to contact her relatives. By June 2023, she will have been in detention for eight months. On April 25, 2023 all 24 persons being accused of "forcible seizure of power", under this charge alone women human rights defenders can face up to 15 years of prison time¹⁹³.

Based on the above historical overview of the persecution of WHRDs in Kyrgyzstan, it can be concluded that WHRDs experienced a deterioration in their treatment, marked by restrictions on freedom of speech and prosecution of those demanding transparency and accountability in State's action. Under every President of Kyrgyzstan, repression increased against civil society, stifling of media, and targeted persecution of WHRDs and political opponents. WHRDs, journalists, and NGOs advocating for transparency, accountability, and environmental protection faced attacks, arrests, and pressure from the government and affiliated media outlets, highlighting the government's attempt to suppress voices questioning its policies and actions. WHRDs working with the LGBT+ community and marginalized groups mostly faced violence, threats, and physical attacks, often without proper investigation or accountability for the perpetrators, contributing to a

¹⁹⁰ Tandon et al., "Women Human Rights Defenders."

¹⁹¹ "Kyrgyzstan: Ministry of Interior to Seize the Property of Woman Human Rights Defender Rita Karasartova," Front Line Defenders, April 28, 2023, <https://www.frontlinedefenders.org/en/case/kyrgyzstan-ministry-interior-seize-property-woman-human-rights-defender-rita-karasartova>.

¹⁹² "Kyrgyzstan: Ministry of Interior to Seize the Property of Woman Human Rights Defender Rita Karasartova," Front Line Defenders, April 28, 2023, <https://www.frontlinedefenders.org/en/case/kyrgyzstan-ministry-interior-seize-property-woman-human-rights-defender-rita-karasartova>.

¹⁹³ "Kyrgyzstan."

culture of fear and undermining the rule of law. Besides, some presidents, such as Almazbek Atambaev created new persecution of WHRDs by initiating civil cases with multimillion compensations, foreclosing on assets, and restrictions to leave the country. In recent years Kyrgyz civil society witnessed a regression in human rights and freedoms. Restrictive laws targeting NGOs, freedom of speech, and peaceful assembly were introduced in order to limit WHRDs' work.

WHRDs faced specific forms of targeting and attacks, including threats, violence against them and their families, damaging reputations through various tools such as paid articles, videos, or social media harassment of trolls, and speculation about the role of women in society and how WHRDs are not fulfilling it due to their work. The treatment of transgender WHRDs demonstrated a lack of protection and support from the state, leading some to seek asylum abroad.

Furthermore, State detained WHRDs for their activities without taking into account their age or having minor children¹⁹⁴. The state failed to provide adequate service in pre-trial detention centers which endured inhumane conditions, denial of visitation rights, and deterioration of their health. The extended period of detention without trial further violated their rights and well-being.

It is important to note that none of the cases regarding the violation of the rights of WHRDs in Kyrgyzstan find justice in the judicial system. This lack of accountability perpetuates a culture of impunity and undermines trust in the legal system. Systemic flaws, including corruption, political influence, and non-willingness to handle cases involving WHRDs hinder the path to justice and deter others from seeking legal recourse. In this regard, for WHRDs in Kyrgyzstan only way to find justice is a use of UN mechanisms such as sending communications to Special Rapporteur on Human Rights Defenders¹⁹⁵, submitting alternative reports to Universal Periodic Review, submitting communication to the UN Committee on Human Rights¹⁹⁶.

3.2 Examination of the various challenges and risks encountered by WHRDs in Kyrgyzstan

¹⁹⁴ "Kyrgyzstan."

¹⁹⁵ "Communication of Special Rapporteur on the Situation of Human Rights Defenders Regarding Cholpon Djakupova. AL KGZ 1/2017," accessed June 16, 2023, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=23179>.

¹⁹⁶ "Ongoing Surveillance of NGO Workers despite Presidential Assurances on Human Rights."

In order to understand what kind of risk and challenges WHRDs face in Kyrgyzstan and what obstacles they must overcome important to realize how women in general portrayed in Kyrgyzstan and what expectations from the society they should meet.

Modern Kyrgyzstani women¹⁹⁷ represent a diverse and dynamic group. They come from various backgrounds, including different ethnicities, religions, socio-economic statuses, and geographic regions within Kyrgyzstan. They encompass a wide range of professions and roles, including professionals in fields such as medicine, education, law, business, arts and more. Nevertheless, modern Kyrgyzstani women must be obedient, keeper of the home, person who must sacrifice own ambitious for family and never has to be before men. Women in the society mostly seen as a part of the family, as an addition to the man and certainly those who are demanding to exercise own rights, protection from violations, being a part of decision-making process and criticizing masculine state shown as a “buzuku” (destroyer) of traditional family and moral values¹⁹⁸. Since WHRDs in Kyrgyzstan challenge bad traditional gender roles and face negative portrayals due to their activism. Because of that WHRDs are mostly portrayed through the lens of being “foreign agents” who are perceived as advancing a Western agenda solely to access donor funding. This framing suggests that their work and advocacy for human rights are driven by external influences rather than genuine concerns for the well-being and rights of people¹⁹⁹.

The government has even established a group called OBON, which promotes a traditional image of Kyrgyz women, contrasting with the ideals of liberty and empowerment²⁰⁰. WHRDs, on the other hand, are often depicted as lacking moral guidance, being without children or a husband, and deemed inappropriate for society²⁰¹. Those WHRDs, who have been active in human rights since the 1990s, are now mature individuals advocating for rights. Despite their efforts to promote

¹⁹⁷ Modern Kyrgyzstani women – in this term I refer to every woman in Kyrgyzstan despite of their ethnicity, sexual orientation or gender.

¹⁹⁸ Michele E. Commercio, “Women in Kyrgyzstan—Electorally Marginalized but Legislatively Influential: A Theory of Transactional Activism,” *Politics & Gender* 18, no. 3 (September 2022): 605–39, <https://doi.org/10.1017/S1743923X20000689>.

¹⁹⁹ “Exploring Civil Society Perspectives on the Situation of Human Rights Defenders in the Commonwealth of Independent States.”

²⁰⁰ Judith Beyer and Aijarkyn Kojobekova, “Women of Protest, Men of Applause: Political Activism, Gender and Tradition in Kyrgyzstan,” *Central Asian Survey* 38, no. 3 (July 3, 2019): 329–45, <https://doi.org/10.1080/02634937.2019.1631258>.

²⁰¹ “Exploring Civil Society Perspectives on the Situation of Human Rights Defenders in the Commonwealth of Independent States.”

equality, they face criticism, particularly on social media, where they are told to prioritize their role as caregivers (grandmas) and conform to traditional expectations of a respected woman²⁰².

In Kyrgyzstan, alongside the establishment of OBON, there exists of an ultranationalist group known as “Kyrk choro” which consists only men with conservative views²⁰³. “Kyrk choro” actively persecutes and harasses WHRDs, aiming to suppress their efforts towards achieving gender equality and promoting inclusivity and who particularly focus on feminism, women’s rights, ethnic minority rights and those advocating for LGBTQ+ rights. Their actions contribute to an environment of fear, intimidation, and discrimination, posing significant challenges for WHRDs²⁰⁴. The existence of such ultranationalist groups highlights the obstacles and risks faced by WHRDs, further emphasizing the importance of addressing not only gender-based discrimination but also the broader issues of intolerance, extremism, and violence against WHRDs in Kyrgyzstan²⁰⁵.

WHRDs working with marginalized groups such as the LGBT+ community, sex workers, drug users, and people living with HIV/AIDS, often confront pervasive stigma and discrimination rooted in the specific nature of their activities not only by other actors but even within civil society itself²⁰⁶. Unfortunately, some members of civil society unfairly blame WHRDs, accusing them of inciting the anger of the state and society, and seeing them as reason why government exerting control over NGOs. This unwarranted criticism arises from lack of understating of the indivisibility of human rights and created a situation to dismiss “secondary rights” as unimportant²⁰⁷. Besides, it shows prejudice, arrogant attitudes towards these marginalized communities²⁰⁸. However, these people did not think about harm which this anti LGBT+ rhetoric brings to community. Using LGBT+ narrative as a shield by the state and created hate among other Kyrgyzstanis led to the attacks of representatives of the community and their HRDs²⁰⁹.

²⁰² “Kyrgyz Government Turns Up The Heat On Critics,” accessed June 6, 2023, <https://www.rferl.org/a/majlis-podcast-kyrgyzstan-crackdown/32139120.html>.

²⁰³ Meerim Aitkulova, “Kyrk Choro: A Neo-Nationalist Movement in Kyrgyzstan,” *Journal of Religion and Violence*, April 16, 2021, <https://doi.org/10.5840/jrv202141585>.

²⁰⁴ Margo Kitts and Philosophy Documentation Center, “Introduction to *Journal of Religion and Violence* 9(2–3),” *Journal of Religion and Violence* 9, no. 2 (2021): 143–48, <https://doi.org/10.5840/jrv202192/390>.

²⁰⁵ Kitts and Philosophy Documentation Center.

²⁰⁶ “Less Equal: LGBTI Human Rights Defenders in Armenia, Belarus, Kazakhstan, and Kyrgyzstan,” Amnesty International, December 22, 2017, <https://www.amnesty.org/en/documents/eur04/7574/2017/en/>.

²⁰⁷ “Less Equal.”

²⁰⁸ “Less Equal: LGBTI Human Rights Defenders in Armenia, Belarus, Kazakhstan, and Kyrgyzstan” (Amnesty International, 22 December 2017) <<https://www.amnesty.org/en/documents/eur04/7574/2017/en/>>.

²⁰⁹ ‘Mandates of the Special Rapporteur on the Situation of LGBTI Human Rights Defenders. 15 July 2021.’ .

In addition to the aforementioned difficulties, WHRDs in Kyrgyzstan expressed fear as a result of the increasing online abuse and hatred among the public that not only targets WHRDs but also their families, creating an unsettling and unsafe environment for them all²¹⁰. Thus also included State actions against WHRDs family members which characterized as restricting their business activities²¹¹. Dissemination of sex videos²¹² and blackmail attempts aimed at exposing their sexuality²¹³ or publicly humiliating them are alarming tactics used against WHRDs in Kyrgyzstan. Additionally, there have been cases in which WHRDs' private information, including personal data, has been published on social media platforms without their permission²¹⁴. WHRDs claim to have ongoing worry because they suspected that they are surveillance, and their phones are wiretapping²¹⁵. These disgusting intimidation and harassing strategies try to reduce the legitimacy and significance of WHRDs. They foster a hostile climate in an effort to suppress and dissuade WHRDs²¹⁶. Most of the time, WHRDs live in fear since there is no urgent options to protect them and inability of WHRDs and their families to relocate or ensure their safety increases their vulnerability and limits their capacity to flee the hazardous environment²¹⁷. Due to the fact that their partners won't be accepted as spouses for the purposes of relocating, WHRDs in same-sex relationships confront additional challenges²¹⁸.

Like its predecessors, the government systematically demonizes NGOs and opposition politicians in the information space. These restrictive measures, coupled with growing anti-Western sentiment, pose significant obstacles for HRDs in Kyrgyzstan. The tightening of regulations and the targeting of specific groups hinder the crucial work of defending human rights

²¹⁰ “«Пожарная Команда Власти»: Как Легко Создать Фабрику Фейков в Кыргызстане,” accessed June 7, 2023, <https://kloop.kg/blog/2020/12/31/pozharnaya-komanda-vlasti-kak-legko-sozdat-fabriku-fejkov-v-kyrgyzstane/#>.

²¹¹ “Безопасность правозащитников и гражданских активистов | Сайт ассоциации Смарт-Жаран,” accessed June 7, 2023, <https://civicspacemonitor.kg/library/bezopasnost-pravozashhitnikov-i-grazhdanskih-aktivistov/>.

²¹² «Клооп» радио «Азаттык» OCCRP и, “Inside Kyrgyzstan’s Campaign to Silence Bolot Temirov,” KLOOP.KG - Новости Кыргызстана (blog), January 31, 2022, https://kloop.kg/blog/2022/01/31/temirov_english/.

²¹³ Fiachra Bourke, “Kyrgyzstan: Alleged Privacy Violations, Harassment, and Ban on Entry Imposed on Sergey Marinin (Joint Communication),” UN SR Human Rights Defenders (blog), January 12, 2023, <https://srdefenders.org/kyrgyzstan-alleged-privacy-violations-harassment-and-ban-on-entry-imposed-on-sergey-marinin-joint-communication/>.

²¹⁴ “Mandates of the Special Rapporteur on the Situation of LGBTI Human Rights Defenders in Kyrgyzstan. 15 July 2021.”

²¹⁵ “Безопасность правозащитников и гражданских активистов | Сайт ассоциации Смарт-Жаран.”

²¹⁶ Анар Мусабаева, “Власть и гражданское общество Кыргызстана: трансформация от А. Акаева до С. Жапарова.”

²¹⁷ “Безопасность правозащитников и гражданских активистов | Сайт ассоциации Смарт-Жаран.”

²¹⁸ “Безопасность правозащитников и гражданских активистов | Сайт ассоциации Смарт-Жаран.”

and promoting rule of law²¹⁹. Even though Kyrgyzstan has signed major human rights treaties and is bound by international agreements, questions about the rule of law's practical application still exist²²⁰, particularly in situations involving political opponents and women human rights defenders. The country's commitment to respecting human rights norms is called into question by the insufficient enforcement of legislative safeguards and protections. The absence of adequate protections for WHRDs' rights is highlighted by incidents of harassment, arbitrary detentions, and limitations on their activities as shown above.

In conclusion of Chapter III WHRDs play a variety of important roles in furthering social justice and human rights despite significant challenges and dangers in Kyrgyzstan. The political landscape of Kyrgyzstan, which has been characterized by revolutions, constitutional changes, and shifting power dynamics, has consequences for HRDs and civil society organizations. They contribute significantly to the advancement of political plurality, accountability, and human rights. However, the environment is difficult due to corruption, a lack of protection, and ongoing mistreatment. Due to patriarchal norms, WHRDs have additional challenges and are frequently seen as "foreign agents" furthering Western goals. The difficulties experienced by WHRDs are further exacerbated by the existence of organizations that support conventional gender norms and ultranationalist organizations. As result of State actions against, it appears that both WHRDs and the entire civil society are just exhausted²²¹.

²¹⁹ IPHR, "Kyrgyzstan."

²²⁰ "Kyrgyz Republic. Profile of the Country."

²²¹ Анар Мусабаева, "Власть и гражданское общество Кыргызстана: трансформация от А. Акаева до С. Жапарова."

CONCLUSION

Through this thesis I was analyzing the role and challenges which WHRDs faced in Kyrgyzstan and worldwide. Despite international frameworks and mechanisms, WHRDs in the country are subjected to persecution, threats, and violence for their activities. WHRDs face additional obstacles due to societal prejudices and gender-based discrimination. The lack of structured academic research on challenges faced by WHRDs and what was the role of the State in demonizing WHRDs and the entire civil society in years appeared as a negative perception of them in the eye of society. Being WHRD from Kyrgyzstan left me no option but to face all these challenges alone. Thus, it was important for me to raise awareness regarding WHRDs and provide recommendations to address these issues and overcome obstacles and ensure the protection of WHRDs in Kyrgyzstan. It is essential for Kyrgyzstan to take immediate action. The government must prioritize the implementation of international norms and increase awareness among its agencies about the HRD Declaration. This includes actively promoting and disseminating information about the rights and responsibilities of WHRDs. Moreover, Government must fulfill its responsibility in protecting WHRDs in case of the violation of their rights and judicial system must be truly independent in considering such cases. In addition, the State should take proactive measures to counter smear campaigns and stigmatization of WHRDs, both by state actors and third parties. Public recognition and appreciation of their work, highlighting their achievements, and emphasizing the importance of their role in society can help enhance the legitimacy and standing of human rights activities.

Civil society organizations should mobilize and collaborate to establish a comprehensive security mechanism that addresses the specific risks and challenges faced by WHRDs and civil activists. This can involve developing strategies for risk prevention, establishing support networks, and providing resources and assistance to individuals and organizations facing persecution or threats. Civil society organizations in Kyrgyzstan should engaging in critical discussions, promoting inclusive narratives, and actively work towards dismantling systemic discrimination and inequality and must prioritize indivisibility of human rights inside of the society.

International donor community also has a vital role to play in supporting the protection of HRDs in Kyrgyzstan. Donors should prioritize providing financial and technical support for institutional development and capacity-building of grassroots organizations. Long-term and strategic support is essential for the sustainability and resilience of civil society, ensuring their

equal and fair access to resources. Furthermore, donors should recognize the importance of addressing the well-being and safety of HRDs. This can be achieved through the development of comprehensive security policies and response strategies, providing resources for mental health and well-being support, and facilitating safe relocation to third countries for those facing immediate threats to their life and well-being.

Moreover, As I concluded my thesis, I was struck by the realization that conducting interviews with WHRDs from Kyrgyzstan would significantly enhance the depth of my research. By engaging in these interviews, I could delve into the challenges they have faced in a more personal and nuanced manner, capturing insights that may have been overlooked in formal research. The informal dialogues would allow WHRDs to share their experiences, shedding light on aspects not adequately addressed in previous studies. Including personal narratives would enrich the understanding of the challenges faced by WHRDs in Kyrgyzstan and provide a more comprehensive analysis. Despite this I hope my thesis would provide valuable insights for policymakers, civil society organizations, and other researchers, enabling them to develop more effective strategies to support and protect WHRDs.

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