



**WOMEN, PEACE AND SECURITY:  
BUSINESS AS USUAL?**

This article is part of the WPP Publication bundle “Women, Peace & Security: Business as Usual?”, providing a critical exploration of the link between the private sector and the implementation of the Women, Peace & Security agenda.

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#### About Alejandra Ancheita

Alejandra Ancheita, the founder and Executive Director of the Mexico City-based ProDESC (The Project of Economic, Cultural, and Social Rights), is a Mexican lawyer and activist who leads the fight for the rights of the migrants, workers, and indigenous communities. Since founding ProDESC in 2005, Alejandra and her team have run strategic campaigns aimed at protecting the economic, social, and cultural rights of Mexico’s marginalize people. The results of these campaigns include unprecedented accountability mechanisms between some of the world’s largest transnational companies, thereby ensuring the rights to dignified housing, health, education, and a fair wage, among others. In October 2015 she became the 2014 winner of the Martin Ennals Awards.



## The Challenges for Women Defenders Working on Business and Human Rights

By Alejandra Ancheita

(This piece was originally published on the International Service for Human Rights (ISHR) website.)<sup>1</sup>



The challenges and risks that human rights defenders (HRDs) are facing in Mexico and other Latin American countries are diverse and growing daily in the absence of comprehensive State action to address this situation.

The inadequate response of the Mexican government to the hundreds of cases of attacks and intimidation has become evident in various spaces. For instance in the recent Universal Periodic Review of the United Nations, the Mexican State received 24 recommendations on the situation of human rights defenders and journalists in the country, whilst the Protection Mechanism for Human Rights Defenders and Journalists, in the Interior Ministry, has received 130 applications for protection.

Its response has been insufficient, particularly for those groups of defenders who face particular and heightened risks. As a woman human rights defender who works on issues related to business and the environment, I ought to know.

#### Situations of particular vulnerability require a tailored response

The report of the Special Rapporteur on the situation of human rights defenders to the UN General Assembly (2013) informs that HRDs are commonly branded as being against development *per se* if their actions oppose the implementation of development projects that have a direct impact on natural resources, people’s land and the environment. But, rather than demonstrating opposition to development, such actions should be embraced as legitimate attempts to defend the rights of those affected directly and indirectly by development projects and policies, as long as such defense is pursued through peaceful means.

Importantly, the fact that women human rights defenders face specific threats has been well established. However, existing protection mechanisms have not yet adjusted to incorporate this reality into their functioning, thus leaving women defenders vulnerable to gender-specific threats and aggressions. This is a global phenomenon and, in over 15 years as a human rights defender in Mexico, I have personally suffered violations of my human rights because of my gender and numerous colleagues have found themselves in the same situation.

<sup>1</sup> See the original article here: <http://www.ishr.ch/news/challenges-women-defenders-working-business-and-human-rights>

Because women HRDs face gender-specific risks, it is essential to make protection measures gender-specific. Women defenders are convinced that their security requires a holistic approach. This involves not only applying a gender-specific interpretation of traditional security measures, but also addressing the root causes of insecurity for women HRDs and guaranteeing the conditions necessary to enable them to carry out their work.

Integral security for women defenders must also seek to transform public opinion to understand and support our work. The first step in this regard is for States to recognize that working to defend certain rights can make women HRDs particularly vulnerable, for example by working on indigenous land rights in Latin America. Public statements made by public officials on the importance of our role and the legitimacy of our work are key. Authorities must investigate and punish those responsible for statements that seek to defame or attack defenders or delegitimize their work, even when such statements are made by non-State actors like community leaders or company representatives. Given the severe impact inflammatory statements have on women defenders' work and wellbeing, they must be treated as aggressions in and of themselves.

### Governmental protection mechanisms: the Mexican example

In the vast majority of countries there are no specific mechanisms in place to protect human rights defenders. Where mechanisms have been created they are often hindered by operational failings, a lack of financial or human resources, the absence of gender-sensitivity, limited options for collective or community measures, and absent political will. Rather than taking preventive measures or tackling the structural causes of violence and discrimination against women defenders, these mechanisms focus on securing the physical integrity of individual defenders in the short term, using a rigid approach with a common set of measures applicable to all. States need to address this situation in order to comply with their obligation to create a safe and enabling environment for women defenders and those working on business and human rights.

As my work is based in Mexico, and due to my incorporation into the Federal Protection Mechanism for human rights defenders and journalists last year, this is the Mechanism I am best-placed to comment on. One very positive aspect of the mechanism is that four of the nine members of the decision-making body come from civil society. However, the Mechanism is also faced with several challenges.

The Mechanism falls short in the preventative aspect. Recently, various actors including Amnesty International, Human Rights Watch and the CEDAW Committee have highlighted impunity for violations against women defenders as the greatest obstacle in improving their safety. In spite of this concern, the law establishing the Mechanism does not guarantee the adequate investigation and prosecution of perpetrators.

The Mechanism also fails to incorporate a gender perspective to better understand the situation facing women HRDs. I believe that the Mexican authorities have the opportunity to set best practices in this regard, by providing gender-sensitive training to staff and by developing gender indicators to guide the granting, planning and implementation of protection measures.

Mexican authorities responsible for the Mechanism must also effectively involve defenders in the design and implementation of protection measures, as well as conducting risk assessments in a more transparent way. This is particularly important in the case of defenders working on issues that impact upon private actors such as business, or those defending land rights in isolated communities. Finally, cooperation and coordination between federal, state and local authorities in the implementation of protection measures need to drastically improve.

## Global business, global response

But the responsibility doesn't stop there. The international community also owes a duty to support the work carried out by HRDs. For example, in 2004 the European Union adopted Guidelines for the support and protection of human rights defenders, instructing EU missions to adopt a proactive policy for their protection. It is important to recall the responsibility which third States have to prevent human rights violations that arise from the activities of companies based within their jurisdiction, particularly given the lack of political will and weak institutional capacity which often exist in the countries where large transnational companies operate, such as Mexico.

## Human rights defenders: steadfast

Whilst States must take on these multiple aspects to ensure our security, as human rights defenders we will not tire of demanding impartial investigations, the sanctioning of those who perpetrate against us and guarantees of no-repetition. These are our rights of access to justice and it is crucial that we demand an end to the impunity which currently propitiates the painful maelstrom of violence in Mexico.