

CALL FOR PROPOSALS

Countering Judicial Harassment of Civil Society Representatives and Human Rights Defenders from Marginalized Communities

The International Center for Not-for-Profit Law (ICNL) is pleased to announce a call for proposals to counter judicial harassment of civil society representatives and human rights defenders (HRDs) from marginalized communities. Grants of up to \$25,000 are available for projects meeting the criteria below.

Applications are due by April 15, 2022.

Background

Authorities have moved to restrict civic space in recent years by a variety of means, including crackdowns on peaceful protest, criminalization of online and offline expression, onerous regulation of civil society organizations (CSOs), and stigmatization and delegitimization of civil society. Legal and judicial systems have often acted as key accomplices or contributors to these efforts, imposing civil and administrative fines and sanctions on CSOs and civil society representatives, and detaining, investigating, and imprisoning activists for exercising civic freedoms. Such practices of “us[ing] the legal and/or judicial system to silence and intimidate critics” may be generally labeled as **judicial harassment**.¹ Judicial harassment can take a variety of forms, from criminalization of human rights defenders,² to prosecution and imprisonment of those sharing information about the COVID-19 pandemic,³ to strategic lawsuits against public participation (SLAPPs) filed by powerful interests to discourage the exercise of fundamental freedoms.⁴

¹ See Business and Human Rights Resource Centre (BHRR), *Defending Defenders: Challenging Malicious Lawsuits in Southeast Asia* (Mar. 2020) at 5, https://media.business-humanrights.org/media/documents/files/documents/2020_CLA_Annual_Briefing_SLAPPs_SEA_FINAL.pdf.

² See, e.g., Protection International, *Criminalisation of Human Rights Defenders: Categorisation of the Problem and Measures in Response* (Dec. 2015), https://www.protectioninternational.org/wp-content/uploads/2012/02/ProtectionInternational_English_Update.pdf.

³ Amnesty International, *Silenced and misinformed: Freedom of expression in danger during Covid-19* (Oct. 2021), <https://www.amnesty.org/en/documents/pol30/4751/2021/en/>.

⁴ ICNL, *Protecting Activists from Abusive Litigation: SLAPPs in the Global South and How to Respond* (July 2020), <https://www.icnl.org/post/report/slapps-in-the-global-south-report>.

Judicial harassment is often deployed to discourage and punish the exercise of civic freedoms by members of marginalized communities. Criminalization efforts have particularly targeted members of indigenous communities,⁵ women’s CSOs⁶ and women environmental defenders,⁷ and LGBTI activists.⁸ ICNL has similarly identified numerous instances of SLAPPs targeting migrant workers, women, and indigenous peoples.⁹ Judicial harassment of members of marginalized communities only reinforces and deepens existing patterns of disproportionate closing civic space for these communities, in which “the denial of the rights to freedom of peaceful assembly and of association leads to the marginalization of [certain] groups,” and “marginalization exacerbates their inability to effectively exercise their rights.”¹⁰

Project Activities

ICNL invites proposals to implement advocacy, monitoring, capacity-building, public awareness, or collective defense strategies aimed at countering judicial harassment of civil society representatives and HRDs from marginalized communities.¹¹

Activities that may be supported include (but are not limited to):

- Advocating the adoption of policies by relevant ministries, regulatory bodies, law enforcement agencies, and courts to reduce the incidence of judicial harassment of civil society representatives and HRDs from marginalized communities, or to promote the ability of such representatives and HRDs to defend themselves against judicial harassment;
- Creating and implementing methodologies for tracking and reporting judicial harassment of civil society representatives and HRDs from marginalized communities generally, or from particular marginalized communities;

⁵ UN Special Rapporteur on the rights of indigenous peoples, *Report on attacks against and the criminalization of indigenous human rights defenders* (Aug. 10, 2018), A/HRC/39/17, <https://www.ohchr.org/Documents/Issues/IPeoples/SR/A.HRC.39.17.pdf>.

⁶ UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, *Report on the enjoyment of the rights to freedom of peaceful assembly and of association by women and girls* (July 20, 2020) at 13, A/75/184, <https://undocs.org/A/75/184>.

⁷ Red Latinoamericana de Mujeres Defensoras de Derechos Sociales y Ambientales, *Report on the risk situation and criminalization of women environmental defenders in Latin America* (2018), <https://esf-cat.org/wp-content/uploads/2018/01/Report-Risk-Situation-Criminalization-women-environmental-defenders-Latin-America.pdf>.

⁸ Protection International, *Criminalisation of Human Rights Defenders* at 47.

⁹ ICNL, *Protecting Activists from Abusive Litigation*.

¹⁰ UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, *Report on challenges faced by groups most at risk when exercising or seeking to exercise the rights to freedom of peaceful assembly and/or of association* (Apr. 14, 2014) at 5., A/HRC/26/29, <https://undocs.org/A/HRC/26/29>.

¹¹ Such communities may include, but are not limited to: women; lesbian, gay, bisexual, transgender and intersex (LGBTI) people; members of minority groups; indigenous peoples; internally displaced persons; and non-nationals, including refugees, asylum seekers and migrant workers.

- Developing resources and trainings to support the capacity of civil society representatives and HRDs from marginalized communities to exercise civic freedoms without being targeted by judicial harassment;
- Designing and deploying campaigns to raise awareness and mobilize the public against instances of judicial harassment of civil society representatives and HRDs from marginalized communities; and
- Setting up collective defense mechanisms to protect civil society representatives and HRDs from marginalized communities against judicial harassment, such as networks of attorneys and legal organizations to provide legal advice and support to those who are targeted.

This list is merely illustrative, and we strongly encourage applicants with innovative ideas and approaches not described above to apply.

Proposals may focus on countering judicial harassment of civil society representatives and HRDs from marginalized communities within a single country or across a region. Proposals may also combine more than of the elements listed above, i.e., advocacy, monitoring, capacity-building, public awareness, and collective defense strategies.

All project activities must be completed by November 15, 2022.

Application Instructions

To apply, applicants should submit the following items **in English, French, Portuguese, or Spanish**:

- Application coversheet (see below);
- Proposal (no more than five pages);
- Line-item budget (no more than USD \$25,000); and
- Resumes/CVs of person(s) responsible for the proposed project.

Content of Proposal

In five pages or less, please describe your proposal.

The proposal must address the following elements:

- The project concept, including
 - Description of the need for the proposed activities in your context or location, including a description of noteworthy instances of judicial harassment of civil society representatives and HRDs from marginalized communities in this context;
 - The project objectives and anticipated impact;

- Detailed description of project activities and how these activities will contribute to the project objectives and anticipated impact;
 - Other partners who will contribute to the proposed activities, including activists, CSOs, journalists, community members, academic institutions, attorneys, and legal organizations;
 - Actors whom the activities are intended to influence, including ministries, regulatory bodies, law enforcement agencies, courts, members of marginalized communities, and the public;
 - Outputs (e.g., meetings, trainings, reports, toolkits, media campaigns, and/or policy proposals); and
 - Timeline for completing the proposed activities.
- The applicant's specific experience and expertise related to the activities covered in the proposal, including experience with and connections to marginalized communities facing judicial harassment; and
 - The applicant's COVID-19 contingency plan, including policies with regards to travel and physical meetings, if applicable, and plans to address disruptions due to government measures (i.e., lockdowns) or staff illness.

Eligibility Requirements

This call for proposals is open to domestic civil society organizations located in countries currently listed on the [DAC List of ODA recipient countries](#).

Selection Criteria

Applications will be evaluated based on the following factors:

- Compliance with eligibility requirements and application instructions;
- Scale of threat posed by judicial harassment to civil society representatives and HRDs from marginalized communities;
- Quality of proposal, including that proposed activities are feasible and designed to have an impact in countering judicial harassment of civil society representatives and HRDs from marginalized communities;
- Diversity of selected proposals with special weight given to geographic diversity and diversity of proposed engagement with marginalized groups;
- Proposed budget and apparent value for cost;
- Demonstrated experience and expertise related to proposed activities, including experience with and connections to marginalized communities facing judicial harassment; and
- Demonstrated capacity to exercise responsible stewardship of received funds.

Terms of Reference

All grant recipients will be required to submit progress reports during the grant period and a final report on activities conducted and project outcomes prior to receiving their final grant disbursements.

All project activities must be completed by November 15, 2022.

How to Apply

Interested applicants can apply by completing the application coversheet and submitting it, along with all required documents, by email (see instructions below).

Deadline

Applications will be accepted on a rolling basis until April 15, 2022. Due to the number of expected applications, only shortlisted candidates will be contacted.

Application Coversheet

Please complete the coversheet and submit it, along with your proposal and other application documents, to ndutta@icnl.org. Please ensure that the subject of your email is "Judicial Harassment of Marginalized Communities -- Grant Application 2022."

Full Name:

Position:

Organization:

Mailing Address Line 1:

Mailing Address Line 2:

Mailing Address Line 3:

Country:

Email Address:

Telephone Number:

Fax Number:

Click on the boxes below to indicate that you have properly completed the application.

- I have attached a proposal that is no more than five pages in length.
- I have attached the CVs of person responsible for the project.
- I have attached a line-item budget of no more than \$25,000.

ABOUT ICNL

INTERNATIONAL CENTER FOR NOT-FOR-PROFIT LAW (ICNL)

ICNL works with governments, civil society organizations, and the international community in more than 100 countries to improve the legal environment for civic space around the world. We believe that when people have the space to come together, positive, lasting change can be made. To achieve this vision, individuals must be able to join together, speak out, and take action to make the world a better place. Since 1992, ICNL has worked with our partners at all levels to promote and protect an enabling legal environment for civil society. Our international staff includes experts in all aspects of the laws governing free association, assembly, and expression, spanning from the local to global contexts. We also foster a worldwide network of organizations and individuals with in-depth expertise on a diverse range of issues relevant to civil society. Learn more about our work and browse our research at www.icnl.org.