

# EXPANDING THE IMPACT OF OUR MISSION: A FRAMEWORK FOR THE FUTURE

## Introduction

Women's Link has a bold vision of a world where there is dignity, justice and equality for all. But for women and girls, this is far from reality.<sup>1</sup> Regardless of geography, experience, or identity, all women and girls experience discrimination and violence. Increasingly, international legal standards and national constitutions include guarantees of non-discrimination, thanks to the fearless work of feminists that have come before us. But, there is a gap between what is on paper, and what is experienced by women and girls in their day to day lives. Bridging this gap, and addressing structural discrimination, is why Women's Link exists.

For almost 20 years, Women's Link has used the law in creative ways to successfully get justice for women and girls – making sure that the law is a tool for bringing them closer to justice, to lives that are free from violence and discrimination, and where they are fully autonomous over their bodies and choices. In other words, able to live with dignity.

As we look to the next five years (2020-2025), the question we ask ourselves is how – in the historic moment that we are living in, with our unique expertise, with the courageous women we represent, and in collaboration with the partners who inspire us – can we get more rights for more women. This five year framework responds to the major shifts underway in the world, pulling forward insight as to what we must do to fulfill our mandate, mission and vision, how we

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<sup>1</sup> We envision a future of dignity, justice and equality, where all people, regardless of gender, can fully enjoy their rights. Throughout this document we will refer to women and girls, who are at the center of our mission. We are an organization that values autonomy and self expression and acknowledge that this phrasing is more binary and limiting than how people – including those we represent – experience gender identity.

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should do it, and how we can work in collaboration to also support others in their pursuit of our shared vision. It outlines a trajectory through which Women's Link will be able to increase our mission impact and ultimately contribute to ensuring that there are, in fact, more rights for more women.

Getting more rights for more women is how we define mission impact, with a particular focus on those women and girls who experience the most marginalization.<sup>2</sup> In other words, the long term impact we are contributing to is:

- Improved ability of women and girls who experience the most marginalization to access rights in their local context.
- Increased number of contexts where women and girls who experience the most marginalization are able to access their rights.

Through this framework, we lay out a roadmap for this organization to significantly scale this impact in the next five years.

## What is the purpose of this framework?

Women's Link has designed this framework to make clear the impact we seek and how, given our unique role and this moment in time, we can best serve those women and girls who are farthest from justice. This enables us to have strategic conversations with those who make our work possible – our staff, board, funders, allies, thought partners, and beneficiaries.

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<sup>2</sup> Throughout this document we will refer to women and girls who experience the most marginalization. By this we mean women and girls who experience how discrimination due to gender intersects with other forms of inequality due to factors such as migration status, socio-economic status, race, disability, sexual orientation and more. We also work in contexts where women and girls experience increased marginalization and a rise in rights violations, such as when they cross borders. We recognize that there are limitations to this vocabulary and it doesn't fully encapsulate the identity or experience of those we serve.

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This guiding framework describes how we can be most effective at achieving our mission within the increasingly dynamic and complex context in which we do our work and, more importantly, in which the women and girls we serve live.

It is meant to be dynamic, flexible and adaptive because that is the world we live in. When Women's Link is an organization that reflects this, we are most effective. Instead of being a prescriptive set of goals or criteria to fill, this framework is a guide for exploring and designing strategies that respond to the urgent needs those women and girls who are most marginalized face and ultimately seek structural changes that dismantle inequality and injustice for all.

## How the framework was developed

To come to this framework, in 2019, Women's Link underwent a scenario planning process. The process challenged Women's Link to step back from our day-to-day activities to identify and reflect on the main drivers of change in the world and in the fields of women's rights, human rights and strategic litigation, and the implications of these for Women's Link's mission and future priorities and strategies. Through conversations with external stakeholders (funders, allies, etc.) and internal consultations, the process revealed strong support for and relevance of our mission and respect and admiration for our legal expertise. It further affirmed that Women's Link achieves social change because it is highly strategic and innovative in the use of the law. It highlighted that building on Women's Link's principles of being flexible and adaptive is essential if we are to capitalize on changes in the context as these occur.

## Road Map 2020-2025

### 1. WOMEN'S LINK'S MANDATE

As we look to the next five years, our **mission** remains the same: to use the power of the law to promote the human rights of women and girls, especially those facing multiple forms of inequality. Increasing mission impact asks us to focus first and foremost on our beneficiaries – those women and girls who experience the most marginalization – why they are experiencing rights violations and what real access to justice means to them.

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In doing so, our mandate becomes clear. We must focus on contexts where women and girls experience an increase in rights violations. This includes times of humanitarian crisis, pandemic, conflict and institutional instability, where we can work in partnership with others to bring justice closer to women and girls. It also means looking directly at the structural inequality that blocks women and girls from their rights. Restrictive, discriminatory laws, stereotypes used by judges that block women from protection, and efforts by anti-rights organizations to roll back women's rights are the status quo, as are systems of oppression like racism, xenophobia and homophobia. We need to dismantle this, bringing women and girls who are in the most vulnerable situations closer to justice and increasing respect for human rights standards.

This mandate drives the **long-term goals** that we pursue as an organization:

- To uphold women's sexual and reproductive rights, especially access to safe, legal, dignified abortion.
- To uphold and advance the rights of women and girls to be free from gender-based violence.

We have seen in recent years how the demand for these rights has gone well beyond the women's rights movement, as people have taken to the streets across the globe. Women, and especially young women, activists and local organizations have collectively broken the silence about the inequality and violence that they face – from the *ola verde* in Latin America, to the million women around the globe who march on International Women's Day, to the #MeToo movement, physical and virtual women-led mobilization and campaigns are demanding a change. Incredible work done by sister movements to the women's rights movement, including environmental justice, LGBTIQ+, disability rights, indigenous rights and others, are making important gains that shine a spotlight on the experiences of people at the furthest edges of the margins and the need for an intersectional approach.

At the same time, there is an undeniable rise in anti-rights rhetoric and efforts to erode democratic and rights-based institutions. And one of the first targets of this movement is always women's rights. Thus, Women's Link has an imperative to respond to and strengthen the courts

and the rule of law - ensuring that they are not tools that oppress women and girls, but rather mechanisms that directly improve their lives, their families and their communities.

## 2. WHAT MISSION IMPACT LOOKS LIKE

Impact at Women's Link means that more women and girls who experience marginalization are better able to experience their rights and that there is an increase in the number of contexts where this happens. To fulfill our mandate, and contribute to this impact, Women's Link leverages its unique expertise, approach, methodology and network to bring about the following outcomes that will either bring women and girls at the margins closer to justice or justice closer to these women and girls.

- Increased access to legal avenues for women and girls in situations of vulnerability.
- Strengthened “body of law” that protects and expands women’s human rights and is used to hold states (and possibly other actors) accountable to uphold these rights.
- Improved application of existing laws or human rights standards to expand protection for women’s human rights and redress for violations of these rights.
- Stronger capacity, commitment and coordination (due to related strategies of communications, capacity-strengthening and partnership) - among key actors/movements to uphold and apply these standards.

## 3. OUR APPROACH TO STRATEGIC LITIGATION DRIVES IMPACT

The methodology that Women's Link uses in litigation – what we call strategic litigation(+) – expands on the innovations of strategic litigators that precede and accompany us. Our understanding of the power of strategic litigation is rooted in a redefinition of what ‘winning’ means. Often success in litigation is determined by whether or not a case is won. We take on cases that have the potential to contribute to structural change, which does not always happen inside the courts. Our cases create “legal platforms” for advocacy by us and by others, working as a catalyst for change. This requires us to design strategies that go above and beyond the high quality legal work we do inside the courtroom. In fact, most of our time isn't spent before a judge or legal body, but making sure that the path is clear for the greatest social impact possible.

To start, we look at the conditions currently in place that enable the law to be a tool for social change. This is because unleashing the power of the law for social justice can only be sustained if the recognition of human rights goes beyond the courtroom and engages government, civil society, and communities in a dialogue about how human rights should be interpreted and upheld.<sup>3</sup> Sometimes, this means that the conditions are not ready for litigation and we must consider how to lay the ground with judges and decision makers to ready them for litigation, while also looking at what can be done ‘now’ through amicus, capacity building and advocacy to address how the system is failing women and girls.

To catalyze broader systemic changes, we position our legal strategies and litigation as “platforms” that inform and mobilize key groups and decision makers; strengthen capacity within the judicial, legal and human rights communities; and over time help to shift social norms. Thus, Women’s Link carefully connects strategic communications and advocacy to its legal strategies and litigation to mobilize key audiences and educate decision makers (i.e. judges or judicial actors) to improve their ability to recognize and address rights violations. These strategies “shine a spotlight” on the violations, equip key audiences to understand how these violations affect women and girls and how to address the violations. Cumulatively, this approach positions us to win at the courts and thus set standards, amplifies the voices of those pushing for increased equality, and opens new terrain for other advocates to push for further structural change through the courts, other branches government or mobilization.

#### 4. THE PILLARS OF WOMEN’S LINK’S IMPACT

Women’s Link designs highly customized, well-targeted, quality legal, advocacy and alliance strategies that get to both the heart of the barriers to justice that women and girls in vulnerable

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<sup>3</sup> We are indebted to the thinking and research of Professor Charles R. Epp and his book, *The Rights Revolution: Lawyers, Activists, and Supreme Courts in Comparative Perspective*.

situations face and that also ensure a pathway for stronger legal standards and structural change. We're successful in building these tailored strategies because we read the context – the spokespeople, decision makers and public opinion – and then use that information to customize our approach, rooted in the following pillars that are integral to impact.

**Focusing on how women and girls experience discrimination:** Women's Link takes on legal actions with the potential to address systemic rights violations against the women and girls who experience the most marginalization, and that bring attention to the types of violence and discrimination that they experience (violence being the most extreme form of discrimination). We look at how these rights violations block these women and girls from their sexual and reproductive rights.

We accompany women and girls in their pursuit of justice. This means taking a feminist approach to how we show up as attorneys and advocates; seeing the women we represent as the agents of change, being deeply respectful of the expertise and insight of local organizations and women's movements. We listen, ask questions and then design our strategies so that our solutions best meet the needs of the women and girls we represent.

**Applying the law with a gender perspective:** Legal frameworks across the globe increasingly include guarantees of equality and non-discrimination. To leverage these frameworks to protect the rights of women and girls requires that the law be applied with a gender perspective – a technical expertise that is complex and specialized, but that can be learned and taught. Women's Link designs strategic litigation and legal actions with a gender perspective, adding to it an intersectional analysis. We link gender discrimination to other forms of discrimination — such as discrimination based on race, ethnicity, sexual orientation, economic or social status, migration status, etc. — and which includes an examination of the context in which such discrimination occurs.

We don't just bring this expertise to the table, but also look at how to expand the network of legal experts who understand the importance of this analysis and have increased capacity to apply it.

**Setting human rights standards nationally:** Women and girls live in countries, and so human rights standards won't make meaningful change in their lives unless those standards are set and applied at the national level. Women's Link identifies national contexts that are ripe for using the law to bring about structural change. Sometimes that means landing the strong human rights standards that have been developed at the regional and international level – or even taking great innovation from one country and applying it to another. At other times, it means recognizing that the standard does not exist yet and setting it to both make a difference in the lives of women and girls in one country, and to set up other national contexts, and even regional and international bodies, to adapt that standard as part of their commitment to human rights.

**Catalyzing a national, regional and international response:** Women's Link looks at how to take new legal precedents, models, knowledge and tools to strategic audiences and replicate and adapt them to new national contexts. We share what we are learning and what works with our partners to generate greater understanding and ability to protect the human rights of women and girls beyond one specific context. Through this intentional sharing and learning, we become stronger as an organization. In turn, we are able to catalyze mission impact beyond our own efforts. We strengthen the capacity of judges, law students and other key stakeholders and equip them and others (human rights defenders, women's groups) to use new legal standards and tools to defend women's rights in new countries and regions. By putting this into motion, we can influence the body and practice of human rights laws in multiple places, ultimately creating an upward spiral of diffusion, innovation and greater understanding.

**Creative lawyering:** Our strength is looking at the law as malleable – stretching its interpretation and application so that it benefits those women and girls who are most marginalized, even if the architects of that law did not have women and girls in mind and thus did not use a gender perspective when writing it. We need to be creative not just in our legal



analysis, but also in our strategy: creatively using existing laws, legal expertise and advocacy for legal gains – sometimes without having to litigate, especially when bringing an issue to the courts is not the best strategy or the timing is not right. Creative lawyering increases the number of opportunities where we can act, and broadens the avenues, arguments and partners we can work with, making the field stronger.

## 5. WOMEN'S LINK IN THE ECOSYSTEM

We design precise, customized strategies that we execute in coordination with national groups, based on the best legal standards globally, while also connecting the national to the international in order to strengthen the global human rights framework, with a feminist and gender perspective. This tailored approach means that we are effective in catalyzing the social change and service provision efforts of national civil society and multiplying their effects by taking the winning standards and strategies and replicating them in new contexts and using them to influence INGOs and international institutions at strategic moments.

In this way we are a new model of organization well equipped to respond to the global-nature of the challenges that block women and girls from their rights today, with tailored solutions that eliminate those barriers in the countries they live in.

To national civil society, we are the 'on call' organization who will closely partner with them to think about how to push for change at the courts on issues and in contexts when it feels like there is no path forward; where the entrenched and complicated (or invisible) nature of the problem, the restrictiveness of the legal framework, and the pervasiveness of the rights violations (or that those violations go unaddressed) make it seem like nothing can be done. In turn, these partners deepen our understanding of how women and girls are experiencing obstacles. We rely on their expertise about how to navigate national legal systems and what avenues for advocacy exist.

For national advocacy groups, we offer legal strategies that compliment and even bolster the work they are doing to push public debate, build movement and achieve policy wins. For the broad range of service providers – from legal to health – that are meeting the needs of women

and girls, we are able to take the problems that they witness firsthand and bring them to the courts as human rights violations that must be redressed. We have the benefit, from our vantage point, of taking a step back and examining the structural forces at play that perpetuate these problems and the experience of how similar situations were addressed in different national contexts.

We rely on INGOs to help us better understand broad global trends and to see the big picture of where the law and field is moving, and in return we are able to bring direct insight into what is happening to women and girls – especially those rights violations that are often overlooked unless you're bringing a close analysis and gender perspective. We're also able to bring forward the winning models, tools and arguments that we have tested so that these groups can adapt and more broadly disseminate them to others. In many INGO spaces, we are the only organization working with a gender perspective. When in conversations on pressing human rights and legal issues such as international criminal law, torture and migration, we bring to the table what is happening to women and girls.

## 6. SCALING IMPACT AS A NIMBLE ORGANIZATION

The previous sections lay out how we as an organization, when at our best, achieve mission impact. We're committed to scaling this impact in the next five years, because we see how drivers of change like increased migration, anti-rights trends and climate change are increasing demand for our work. It also means that we're trying to scale in an increasingly complex and unpredictable world.

Scaling impact as an organization means increasing the number of contexts where we are working, prioritizing those where women and girls experience rises in rights violations and vulnerability. This includes working outside capitals and major cities, seeking out places where there are greater barriers to the justice system, and humanitarian crises that are affecting the women and girls in the most vulnerable situations in the regions where we work.

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Scaling impact also means catalyzing and amplifying the efforts of others through partnership. Valuing partnership has always been core to the organization's identity, but we know that we must unleash this potential in order to pursue mission impact through the efforts of others. We need to ensure that those we partner with are strengthened and have lasting capacity and leadership because of our collaboration, especially those we work with on national-level change. We also need to challenge ourselves to think of new and unexpected models for partnership – looking beyond those in our field and sector.

What scaling impact does not mean for the organization is massive growth in the size of our staff or number of offices, because doing so would affect our nimbleness and flexibility. And being able to respond to changes in context and respond quickly is essential to our success.