Submission to the Special Rapporteur on the promotion and protection of freedom of opinion and expression in response to the call for inputs to inform the thematic report on the right to freedom of opinion and expression and gender justice for the 76th session of the General Assembly

About She Leads

The She Leads consortium welcomes this call for submissions and the timely topic of the upcoming report of the Special Rapporteur on the right to freedom of opinion and expression and gender justice.

She Leads is a joint programme of Plan International Netherlands, Defence for Children - ECPAT the Netherlands (DCI-ECPAT), African Women's Development and Communication Network (FEMNET), and Terre des Hommes the Netherlands (TdH-NL).[1, 2] Equal Measures 2030 is a technical partner. The She Leads consortium, which will run from 2021-2025, aims to increase sustained influence of girls and young women (GYW) on decision-making and the transformation of gender norms in formal and informal institutions. The consortium envisages to achieve this goal by working through three interrelated domains:

1. Civil society domain: the enhancement of collective action of girls and young women in a gender-responsive civil society;
2. Socio-cultural domain: support by increased acceptance of positive social gender norms;
3. Institutional domain: by enabling meaningful participation of girls and young women in decision-making by political institutions.

The geographic focus of the programme is East Africa (Uganda, Ethiopia, Kenya), West Africa (Ghana, Mali, Sierra Leone, Liberia) and the Middle East (Lebanon, Jordan). In addition to programming in these countries, a considerable part of the programming is done at regional level (beyond the programme countries), targeting regional institutions and other stakeholders operating at regional level.

This submission will focus in particular on how girls' and young women's freedom of opinion and expression are manifested in the Middle East[3] and African regions. We would strongly encourage the report of the Special Rapporteur to focus not only on women, but also on girls and young women, as the barriers and needs of these groups differ. In this regard, we would urge the Special Rapporteur to refer consistently to "women and girls", and as relevant examine the difference between these two groups. Furthermore, it would be imperative to provide recommendations that are adapted to these age group, in light of the gender justice approach of the report.

Answers to questions

This submission will address a selection of the questions raised in the call for submissions. Please note that given the scope of the She Leads programme, we have modified the questions to talk about "girls and young women", instead of "women".

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[1] The She Leads programme is implemented in the global and regional programmes by Plan International, Terre des Hommes International Federation (TdH-IF), Terre des Hommes Lausanne Foundation, DCI-IS, DCI national sections, FEMNET, as well as each of these organisations' local partners.

[2] All of the She Leads consortium members have Special Consultative status with ECOSOC, with the exception of Plan International, who has General Consultative status with ECOSOC.

[3] The inputs of the She Leads Regional Middle East (ME) Program to this submission depend primarily on informal consultations on 8 June 2021 between She Leads regional (ME) consortium organizations with key young women activists, female lawyers and young women and women human rights defenders from the region. During this consultation, the She Leads regional (ME) program consortium (Plan International Jordan/Plan International Lebanon, DCI/ECPAT and Terre des hommes Lausanne Foundation – Tdh) discussed with the following organisations: Jordanian Women Union, Jordan River Foundation, Jordan National Commission for Women (JNCW)- Shama'a network, the Young Egyptian Feminists League (Egypt), Takatoat Movement - Jordan, Arab Women Legal Network AWL, Arab Human Rights Institute – Lebanon, The Lebanese Women Democratic Gathering (RDFL), Palestine, Amal Association (Lebanon), Dar Al Amal (Lebanon). In addition, the consultations brought in women/young women-led organisations and movements from the MENA region (particularly Jordan, Lebanon, Egypt and Palestine).

1.

a) What barriers, challenges and threats do girls and young women in the public sphere face in exercising their freedom of opinion and expression online and offline?

Worldwide, we witness a rise in girl-led and youth-led activism that is challenging gender inequality, exclusion and injustice. Every day, courageous girls and young women come together to claim their right to be included. The global increase of young people's involvement in civic space accounts for many breakthroughs worldwide[4].

Girls and young women's rights to engage in public decision-making and to freely express themselves are enshrined in international agreements[5]. However, most African and Middle Eastern governments exclude girls and young women's voices from the political domain. Girl and young women advocates confirm that engagement in decision-making spaces remains extremely challenging, even more for girls and young women who experience intersecting forms of discrimination[6].

With the worldwide trend of closing and changing civic space, it becomes harder for girls and young women to express opinions, assemble and associate. State and non-state actors increasingly intimidate and attack critical actors. Particularly in Africa and the Middle East, threats by traditional, anti-rights and fundamentalist forces concern girls' and young women's security, particularly those that conform the least to ruling gender ideology[7]. In conflict and humanitarian contexts, girls and young women actors risk additional security threats as easy targets of militarized and extremist forces. Since COVID-19 spread over the world, authoritarian and/or conservative forces are using the threat of the pandemic as a pretext to constrain civic space and to further silence progressive and feminist voices.

Social norms

Children and young people are not always allowed to exercise freedom of expression and opinion at home, school or in the community. Adults often do not believe it is appropriate or beneficial for them or for the children involved to share information or power with them, whether in family or formal "politics".[8] These dynamics are also highly gendered: social norms and power relations often particularly discriminate against girls and young women in all their diversity, whose role is seen to be in the family rather than in the public sphere. From an early age, they are often discouraged from speaking their minds and once adult, from engaging in politics, which is considered generally a "male domain". Across cultures and throughout history, politics has been the exclusive domain of privilege and power for older, male and often wealthy citizens, systematically excluding and marginalising other social groups –predominantly young people and women –from political discourse, debates and decision-making. As a result, the diverse needs and interests of numerous social groups have been historically –and hugely – underrepresented.[9]

Inequality, discriminatory social norms and negative attitudes towards girls and young women deny their voice, agency and autonomy to make decisions about their own lives. They also prevent them from engaging in political and public affairs. Prevailing social norms and cultural attitudes reduce girls' and young women's mobility, freedom, access to resources and information, their ability to develop broad social networks and limit their confidence. They are also a barrier to the family support that girls and young women need to encourage their political ambitions. Such harmful gender norms increase girls' lack of time as they maintain expectations that girls and young women will assume high levels of domestic responsibilities. Gender norms further deprive them of access to the financial resources[10] needed to pay for transport to meetings or membership fees to associations for their civic and political action. With little encouragement from within their direct environments and few strong female role models in public decision-making positions, levels of engagement in party activism among young women throughout much of the world is about two times lower than young men's[11].Tackling gender inequality requires the end of discriminatory laws and policies and adequate, equal distribution of resources. However,

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[4] https://www.civicus.org/documents/reports-and-publications/SOCS/2019/state-of-civil-society-report-2019_executive- summary.pdf

[5] UN CEDAW (articles 7,8); UNCRC (articles 12-15); Beijing Platform for Action; SDG 2030 Agenda (target 5.5); ACRWC (articles 7,8).

[6] Internal consultations (August 2019, January 2020) with young female advocates from African and Middle Eastern countries.

[7] https://youngfeministfund.org/wp-content/uploads/2017/05/frida-awid_young_feminist_organizing_research.pdf

[8] Inter-Agency Working Group on Children's Participation (2008) Children as Active Citizens. ECPAT International, Knowing Children, Plan International, Save the Children Sweden, Save the Children UK, UNICEF and World Vision.

[9] EC-UNDP Joint Initiative (2017) Youth Participation in Electoral Processes: Handbook for Electoral Management Boards. March 2017.

[10] Organization for Security and Co-operation in Europe (OSCE) (2016) Compendium of good practices for advancing women's political participation in the OSCE region(online) www.osce.org/odihr/224206?download=true (accessed: 10 July 2017)

[11] UN DESA (United Nations Department of Economic and Social Affairs) (2016) World Youth Report on Youth Civic Engagement (online) https://www.un.org/development/desa/publications/world-youth-report-on-youth-civic-engagement.html(accessed: 10 July 2017)

transformative, long-lasting change cannot be achieved without addressing and transforming social and gender norms that manifest into sexist behaviours, practices and attitudes towards girls and young women in all their diversity, and which hold them back from leadership and political participation. It is critical that investments be made starting from early childhood, and continuing throughout childhood and adolescence, in order to break the cycle of discrimination and prepare girls to become active citizens.

Funding

Girl- and young women activists constantly tell us about their need for financial and technical support to navigate adult-centric funding processes.[12] This will likely only become greater due to COVID-19. Only 1% of gender-focused international aid reaches women's organisations. This 1% is not disaggregated by age but we can assume the proportion going to girl-led groups is miniscule[13]. This sizable funding gaps and supply-side barriers mean that GYW-led organisations are faced with top-down, insufficient and restrictive funding mechanisms.

Legal and administrative obstacles can prevent girls and young women from accessing funding[14]. These include:

- Registration challenges: they are not officially registered (too young to register or do not want to);
- Compliance requirements, reporting mechanisms and application processes are onerous, time consuming and too technical;
- Limited organizational capacity and lack of financial and administrative infrastructure;
- They are young/under 18 and cannot open bank accounts, having no means to receive money;
- Funding often goes to older groups;
- Young feminist organisations and movements may not fall under the category of "women's rights organisations" imposed by donors to access funds destines towards work on advancing gender equality;
- Lack of technical capacities for accessing funding, developing proposals, implementing and monitoring and evaluating them.

Increased and earmarked funding that directly contributes towards the work of grassroots organisations is also critical to strengthening girl-and young women-led organisations around the world. There is a notable absence of funding available for youth movements from multilateral or bilateral agencies and governments[15]. Instead, income sources tend to come from self-generated activities including membership fees. This, in itself, could act as an exclusionary barrier to some individuals who do not have the financial means to participate. There can be funding available from women's funds, INGOs and foundations, but also with bureaucratic challenges[16]. Dedicated funding streams are needed for youth-led organisations working on human rights issues that values collaboration, not competition amongst grassroots groups and associations. Offering the opportunity to co-apply for shared grants is one way to do this. As youth groups and activists respond quickly to emerging rights issues, their agendas evolve as needed. It requires flexible funding and fast reaction from donors. Youth groups and associations also need flexible funding for technical equipment and organisational strengthening based on the needs they defined. Training on project management, financial management and general capacity is identified as a key area of support by youth activists.

Challenges online

Digital technology can be a powerful platform to amplify girls' and young women's voices and access new information. Digital media has an empowering impact in providing new spaces for freedom of expression and opinion to girls and young women in all their diversity, making it possible for girls to communicate across national and international boundaries and contributes to effective collaboration on a global scale to promote gender equality. Yet, challenges online curb their ability to exercise their freedom of expression and opinion.

Usage of misinformation and 'fake news' can impact girls and young women's ability to self-organise and leave them susceptible to external, adult interference and exploitation. Girl and young women activists need to be properly equipped to deal with the issue of misinformation and fake news.[17]

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[12] Plan International. Engaging Girls, Boys and Youth as Active Citizens: Plan International Position Paper. March 2020. Available at: https://plan-international.org/publications/engaging-girls-boys-and-youth-active-citizens#download-options
[13] AWID, 2019, Towards a Feminist Funding Ecosystem
[14] FRIDA Young Feminist Fund (2016) Brave, Creative, Resilient. The Global State of Young Feminist Organising.
[15] Ibid.
[16] Ibid.
[17] Article 19's recommendation was noted in the UN Committee on the Rights of the Child's Day of General Discussion 2019 outcome report on empowering and protecting children as human rights defenders.

Violence and harassment faced by girls and young women remains rife. Violence and harassment are being used, both incidentally and strategically, to silence the voices of girls and women, and to limit their engagement in political debates online and infringe on their freedom of expression and opinion. While many young people struggle with the pressures of social media, compared to their male peers, girls online are facing more threats of sexual violence, more comments about their appearance and behaviour, and are more often told not to speak out and have an opinion.

Whilst online platforms have statistics and reporting ability for certain issues such as terrorism, they do not produce statistics analysing gender-based violence (GBV) on their platforms. However, a 2020 global survey of young people's experience of online abuse and harassment was conducted by The World Wide Web Foundation and the World Association of Girl Guides and Girl Scouts. The survey found that 52% of young women and girls have experienced online abuse, including threatening messages, sexual harassment and the sharing of private images without consent.[18] Amnesty International conducted qualitative and quantitative research about women's experiences on social media platforms including the scale, nature and impact of violence and abuse directed towards women on Twitter, with a particular focus on the United Kingdom and the United States of America. The study demonstrated that the nature of the abuse included direct or indirect threats of physical or sexual violence, discriminatory abuse targeting one or more aspects of a woman's identity, targeted harassment, and privacy violations such as doxing[19] or sharing sexual or intimate images of a woman without her consent.[20]

Girl and young women activists face particular harassment online because of the things they say, especially in relation to perceived feminist or gender equality issues, which provoke considerable backlash and emerged as a significant theme in Plan International's 2020 "Free to be online?" research.[21] The study showed that 47% of interview respondents reported being attacked for their opinions. They felt that often the aim of the attack was to diminish their credibility and knowledge of an issue or to try and silence them altogether – girls shouldn't speak about certain topics. Several girls reported that posting about gender or feminist issues attracted comments, with one saying that they came from lots of different people – both men and women.

In some places, including in the Middle East, girls are at risk by simple being on social media. In this region, there is a taboo around girls' use or visibility on these platforms, and that is highlighted by the fact that many girls and young women are forced to navigate through these online spaces by creating fake accounts that do not display or reflect any identifiable personal features or information (fake name, profile picture, etc.). And the fear of reprisals felt by girls if discovered is real. For example, in Jordan in 2020, a 14-year-old girl was killed by her brother because she chose to open a Facebook account.[22]

Some of the common forms of abuse and harassment that girls and young women activists face online include:

- Sexual harassment: The most common offline and online risk faced by children and youth activists, especially for girls and young women, is sexual harassment.
- Pressure from governments and/or political actors: Some young activists fear being penalized by the government and also being at the mercy of the government or political actors in their work.
- Persecution by law enforcement agencies: In some contexts, this can take the form of repressing activists' rights to free association by means of brutality when they are protesting on the streets, and even imprisonment.
- Persecution by other individuals: Persecution can take the form of destruction of property, incitement to hate, beatings, arson, or vandalism.
- Intentional restriction of social and economic activity: Another risk identified by activists and their organisations is freezing of funds and other financial assets and economic resources including preventing their use, alteration, movement, transfer, or access.

[18] The World Wide Web Foundation, 12 March 2020. The online crisis facing women and girls threatens global progress on gender equality accessed at https://webfoundation.org/2020/03/the-online-crisis-facing-women-and-girls-threatens-global-progress-on-gender-equality/ on 9 June 2020.
[19] Internet-based practice of researching and publicly broadcasting private or identifying information (especially personally identifying information) about an individual or organisation.
[20] Amnesty International (2018) Toxic Twitter – A Toxic Place for Women accessed at https://www.amnesty.org/en/latest/research/2018/03/online-violence-against-women-chapter-1/ on 3 December 2019.
[21] Plan International (2020). Free to be online? https://plan-international.org/publications/freetobeonline
[22]   https://www.jordantimes.com/news/local/man-charged-manslaughter-stabbing-death-14-year-old-sister;   https://www.dw.com/en/social-media-uptick-in-honor-crime-in-middle-east/a-56370773

- Cyberbullying: Youth activists consider cyberbullying to be the most common online risk that they are currently facing and takes place on social media, messaging platforms, and mobile phones. It is repeated and willful behavior aimed at scaring, angering, or shaming those who are targeted.
- Threats on social media: Youth activists, especially girls, young women and LGBTIQ+ activists, also face threats on social media. Activists are reporting, informing, and denouncing action on social media and, as a consequence, they are attacked by third parties that are against their works and values. There have been incidents, for example, in which pro-abortion and LGBTIQ+ activists have received death threats through social media.
- Reputational damage: Youth activists also face reputational risks through adversaries spreading rumors or making false statements that expose activists to hatred, ridicule or contempt, and general defamation. Fake profiles are also created to attack their work. For girls and young women working on sexual reproductive health and rights, this is a common online risk. This has a detrimental impact on the girls and, as a consequence, their parents and families often prohibit them to continue their work and activities in order to avoid this reputational damage.

Marginalisation within civil society

In challenging, sometimes hostile political environments, girls and young women-led groups need support from other civil society organisations (CSOs). However, CSOs are generally adult-led with structures and agendas not responsive to girls' and young women's voices and needs, particularly the most marginalized. Even child-rights and women's rights movements are often blind to the specific needs/realities of girls. CSOs' siloed way of working undermines effective advocacy for gender equality and girls' civil-political rights[23]. The gender barrier has gained significant international attention, but it is not accompanied with a strong emphasis on the intersection with age, hence leaving girls and young women behind.

Girl-led associations are often not part of or connected to the mainstream women's rights movement, and given the difficulty of girls in many regions to access the internet (see below, Regional Spotlight: Africa), girls can miss out on the organising, networking and funding opportunities found online.

Here we see the double discrimination experienced by girls as they are pushed to the margins of both the women's rights and children's rights movements.

Tokenism

Participation in the public sphere, to be real, should be accompanied with decision-making power, which it is not normally the case for girls and young women. Risk of 'tokenism' is to be highlighted when girls and young women are brought to spaces, but their inputs do not convert into actions by decision-makers. It is essential, and thus an intentional focus should be applied, that young women are granted with decision-making roles, both in law making and in law enforcement. Specific representative spaces/bodies in which girls and young women have a seat is an urgent need to advocate for.

Regional spotlight: Middle East

Girls and young women in the Middle East region face multiple and interlinked challenges and barriers to exercising their freedom of expression and opinion. These come from governments and societies and peer women's organizations.

Girls and young women are not taken seriously in the public space, and efforts are taken by many different State and non-State actors to silence them. When they voice their rights and needs strongly, they are stereotyped and labelled as 'radicalized feminists', in an attempt to portray young feminism as something extreme, in order to discredit them. Social media has been instrumental for young women to voice their concerns, but it is not a safe space for girls and young women to exercise their freedom of expression and opinion. Social media platforms are increasingly controlled by authorities to punish those that do not align with the 'official narrative'.

The 2011 Arab Spring popular protests brought hope for improvements of the situation of young women and girls, but devastating wars, foreign intervention and instability have since made it an extremely dangerous environment forcing millions to leave in search of safety. There is a fierce attack on young women activists and human rights defenders (including journalists, lawyers, etc.) in the Middle East region, in particular those voicing gender justice concerns and speaking out about sensitive topics, for instance in the context of the Israel-Palestine conflict. They

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[23] http://nostraightlines.youngfeministfund.org/

are subject to harsh pressure, defamation, threats, detention and even killing. For example, during the CEDAW call for applications in the region, young women were ostracized, accused of challenging religion, family values and social cohesion at the community and national levels.

Furthermore, young women and their movements in the region also face censorship, particularly by legislation but also by deeply rooted in patriarchal social norms that are perpetuated by a dominant male majority in decision-making roles (institutional and societal). Religious arguments are usually used to control girls and young women's rights in general, strongly preventing freedom of opinion and expression.

Regional spotlight: Africa

In Africa, there are significant barriers to girls' and young women's freedom of expression and opinion, including in the online space in particular.

Internet access and the use of ICT for development in Africa has grown exponentially over the past 20 years, with over half a billion users in 2020. However, the number of girls who have access to internet is far lower than boys especially among low-income families. A report published by Plan International and ACPF in 2019[24] noted that countries in Africa are taking significant steps to promote and enhance girls' access to ICT. But there are still gaps in the actual investment by African countries to bridge the digital divide. According to the report, the challenges were not only confined to funding, there are other challenges which include weak policies and curricula, lack of role models to promote ICT for girls, the general perception about ICT being a predominantly male career and weak implementation of ICT policies at the educational level.

A group of girls in the region drafted a communiqué on online safety for girls and the ratification of the Malabo Convention on Cyber Security during a webinar in October 2020. They noted that, while there are notable efforts, girls and young women freedom of expression and opinion continue to be limited especially in the digital space due to the following:

- Lack of access to devices: the hardware needed to access the internet and interact on the social media platforms are not affordable to majority of girls and young women in Africa, hence they are being left out in the fourth industrial revolution.
- Lack of access to the internet: the cost of the internet in most parts of Africa is still very high for most girls and young women, who would rather purchase food and other essential materials and hygienic products.
- Online abuse and harassment.
- Unauthorized data collection and usage, with the increase in social media usage among girls and young, there has also been an increase in data mining by many online platforms for different reasons. Unfortunately, this data is not used ethically by some of the platforms, which has caused social disorders as girls are forced to view advertisements that they are not interested or for products that they cannot afford, the data being sold/shared to third party users who monetize the girls and young women's information and sadly the data is used by hackers and online exploiters to take advantage of the girls.

b) What are the distinct challenges faced by those who experience multiple and intersecting forms of discrimination?

Although girls' and young women's civic action and leadership in social change is on the rise overall, it is far from equitable within and across contexts. Globally, poor, uneducated girls and young women, rural girls and young women, girls and young women in humanitarian crisis contexts, migrant, displaced and refugee girls and young women, are less engaged in political action, whether formal or informal, than their more privileged counterparts[25]. For example:

- In contexts where the rights of indigenous groups aren't recognised, it can make it nearly impossible for those groups to access information and participate to public life.
- Young activists who identify as LGBTQI+ or who chose to take collective action around LGBTQI+ issues, are particularly vulnerable to hostile reactions and violence. In contexts where identifying as LGBTQI+ is illegal, resources for their work, including funding, tend to be scarce and these organisations will likely be excluded from decision-making spaces all together and may even be formally persecuted.

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[24] Plan International and ACPF. Getting Girls Equal, 2019.
[25] UN Committee on the Rights of the Child (2019) Day of General Discussion: Protecting and Empowering Children as Human Rights Defenders. Outcome report.

- A recent report found that "women and girls with disabilities have historically encountered many barriers to participation in public decision-making, due to power imbalances and multiple forms of discrimination, they have had fewer opportunities to establish or join organisations that can represent their needs as women and persons with disabilities".[26]
- Language differences may also prove a formidable barrier, for example, when trying to organize migrants from different linguistic backgrounds into a common association. Migrant women may particularly struggle with a lack of knowledge and information about existing opportunities to organize, or about the political system and institutions of the destination country.[27]

All marginalised and minority groups risk hostile reaction and backlash for speaking out, especially if such identities are more visible.

In order to address this:

- **Governments must ensure young women's appointment to leadership positions and young people's participation within formal political processes and institutions are not obstructed by discriminatory laws relating to their age, gender, ethnicity, ability, sexual orientation, socio-economic background or any other identity or condition.**
- **Governments, UN bodies and civil society organisations including child-and youth-led groups/associations should adhere to principles of inclusion and non-discrimination when it comes to creating spaces and platforms for children's and young people's substantial participation. They must not discriminate against any individuals or groups and should take proactive steps to meaningfully involve the most marginalised and excluded children and youth. Their structures and work should foster inclusive practices, acknowledging and responding to intersecting forms of exclusion.**

c) **How have the pandemic, economic crises and recent political unrests affected girls' and young women's ability to communicate, protest and access information online and offline?**

The COVID-19 pandemic has caused not only a worldwide health emergency, but also an unprecedented global economic crisis driven by the established measures to stop the spread of the virus, such as social distancing, quarantine, and lockdowns. Some States have utilized lockdowns to suppress citizen protest movements, and conversely, new movements and new forms of protest have emerged from the pandemic. In a myriad of ways, this pandemic is shaping the way girls and young women protest. Some repressive regimes also interrupted the internet or restrained access to social media. There is also a risk that special laws approved will be used to impose further restrictions on the medium and long term.

Use of digital media has transformed because of the pandemic. The Global Index Insights show that Generation Z (16-24 year-olds) consuming more media than older generations, with some notable differences by age, mostly online videos like YouTube and TikTok, making it their top media to consume right now[28]. Which according to JP Morgan is a permanent shift that has taken place across the industry from a linear platform to a digital platform[29]. This can be seen in the increase in subscription and consumption of social media platforms for instance Facebook's total use across its messaging services has increased by more than 50% in areas most affected by the virus[30].

Despite this progress, the gender gap in mobile internet use in low- and middle-income countries remains substantial, with over 300 million fewer women/girls than men accessing the internet on a mobile[31]. Despite a global increase, access remains a problem in many countries, and nine of out the ten countries with the lowest internet penetration are in Africa.[32] COVID-19 has laid bare and exacerbated existing inequalities among girls as

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[26] Report of the Special Rapporteur on the rights of persons with disabilities - http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/62
[27] Report of the Special Rapporteur on the human rights of migrants (2020, Right to freedom of association of migrants and their defenders) https://www.undocs.org/A/HRC/44/42

[28] "Coronavirus research hub: the latest on global consumer impact." https://www.globalwebindex.com/coronavirus. Accessed 9 Jul. 2020.
[29] "Media Consumption in the Age of COVID-19 | J.P. Morgan." 1 May. 2020, https://www.jpmorgan.com/global/research/media-consumption. Accessed 9 Jul. 2020.
[30] "Facebook Usage Soars, But Online Advertising Plunges - WSJ." 24 Mar. 2020, https://www.wsj.com/articles/facebook-warns-that-skyrocketing-usage-wont-lead-to-increased-revenue-11585083493. Accessed 9 Jul. 2020.
[31] "The Mobile Gender Gap Report 2020 - GSMA." https://www.gsma.com/mobilefordevelopment/wp-content/uploads/2020/05/GSMA-The-Mobile-Gender-Gap-Report-2020.pdf. Accessed 28 Sep. 2020.
[32] www.statista.com/statistics/725778/countries-with-the-lowest-internet-penetration-rate/ accessed 10 June 2021

many are unable to access online classes as a result of lack of access to devices and the internet. Furthermore, Interpol reports that due to COVID-19 there has been an increase in online child sexual exploitation and abuse (CSEA) across the world as a result of school closures and subsequent movement to virtual learning environments; increased time children spend online for entertainment, social and educational purposes; limited access to community support services, child care and educational personnel who often play a key role in detecting and reporting cases of child sexual exploitation.

5.

    a) What legislative, administrative, policy, regulatory or other measures exist in your State to promote and protect girls' and young women's freedom of opinion and expression online and offline? To what extent do these measures take into account intersectionality?

Regional spotlight: Africa

In regard to the promotion and protection of women's freedom of opinion and expression online and offline, most African countries have made efforts by putting in place various legislative, administrative, policy, and regulatory measures. For example, the African Union adopted its Agenda 2063, which calls for a more inclusive society where all the citizens are actively involved in decision-making and where no child, woman or man is left behind or excluded, on the basis of gender, political affiliation, religion, ethnic affiliation, locality, age or other factors. The Agenda also pledges to build an African population of empowered women and youths by 2023. Other relevant instruments at national and regional levels include the African Union's Maputo Protocol, the African Union Gender Policy, and the African Declaration on Internet Rights and Freedoms that seeks to promote human rights standards and principles of openness in Internet policy formulation and implementation on the continent.

Some of the principles in the declaration include:

- **Non-discrimination:** access to the Internet should be available and affordable to all persons without discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. This principle covers the aspects of intersectionality.
- **Everyone has a right to freedom of expression:** this right shall include freedom to seek, receive and impart information and ideas of all kinds through the Internet and digital technologies and regardless of frontiers. This principle is however challenged by the poor internet connection, restrictions, and lack of affordable services to some of the populations, especially women.
- **Right to privacy online, including the right to the protection of personal data:** Everyone has the right to communicate anonymously on the Internet, and to use appropriate technology to ensure secure, private and anonymous communication.

In terms of gender equality, the declaration talks of the elimination of all forms of discrimination on the basis of gender, women and men should have equal access to learn about, define, access, use and shape the Internet.

However, it should be noted that some of these regulations not only fail to protect human rights but violate established human rights norms and principles without adequate safeguards. This could be because many governments lack both the technical and legal resources to legislate appropriately and most importantly the political will to provide comprehensive protection to human rights in the context of the Internet and digital technologies.[33] For example, some of the African countries have violated their own constitutions by restricting freedom of association and the right to information. Uganda for example blocked Facebook and other media channels, besides heavily taxing internet access. The consequence has been the adoption of instruments which tend to invade privacy, repress freedom of expression online and violate other rights, such as the right to a fair hearing in a court of law.

Regional Spotlight: Middle East

Some of the key challenges in the Middle East in terms of legislative, administrative, policy, regulatory to promote and protect girls' and young women's freedom of opinion and expression include the following:

- Laws in the Middle East region are often drafted in strong biased gender language, which needs urgent revision. A gendered legal language is to be advocated for and applied.

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[33] https://africaninternetrights.org/sites/default/files/African-Declaration-English-FINAL.pdf

- Access to justice for girls and young women is very limited, in many instances even absent, since it does not incorporate gender-responsive procedures that protect but also that empower girls and young women.

More specifically per country:

- In Jordan:
  - **Gender inequality:** The existing laws in Jordan pose a great challenge to girls and young women, putting them in the position of "second-class citizens".
    - For example, the guardianship of a young woman's body by the family, and she cannot even choose her place of residence. Although the age of majority is 18 years, the father can keep her until the age of 30 under his guardianship without giving her the ability to choose her place of residence.
    - The sponsorship law (kafala) for women domestic workers limits their freedom, and there are no clear protection laws that applies to them. There is repression when any human rights organization try to protest and demand justice for them.
    - The same applies to the LGBTQI+ community and the very few civil society/movements that can defend their rights, only in a very private way.
  - **Freedom of expression:** the Cyber Law punish expressions and opinions against the 'public moral' but does not specify what's accepted and what's not.
  - **Freedom of association:** the Associations' Law imposes restrictions and shrinks the space of women's rights associations, making very difficult and challenging exercising their public roles and mandates.
- In Palestine:
  - **Gender equality:** there are many gaps in the legal and policy framework of both Gaza Strip and the West Bank when it comes to gender equality. Some positives steps been taken: for instance, the creation of a Ministry of Women's Affairs, a Legislation Committee in charge of monitoring the implementation of international conventions and a digital police unit. However, those measures are not sufficient. Palestinian laws generate gender inequality even between children: in the case of divorce, boys after puberty can choose between the parents, but girls cannot, they are forced to be with the father.
  - **Information and expression:** While Palestine has approved a Cyber Law, it does not really protect specifically girls and young women and it is urgent that an amendment process takes places on that direction.
  - **Freedom of association:** The new Associations Law and that the amended articles limit freedom of association, including those working with women, and also limit their rights to raise their voices and therefore their rights.
  - **Children's freedom of expression:** Although the Child Law emphasizes freedom of opinion and expression and the need to respect children's views, other laws applied on the ground greatly contradict the implementation of this right. This includes for example detention of some children on the basis of the political opinion.

b) In your view how effective are they in supporting girls' and young women's empowerment and public participation? Please provide statistical data and judicial decisions, where available.

Regional spotlight: Africa

In terms of women's empowerment and public participation, most of the African countries have made legal and policy frameworks that speak to that effect. For example, a number of countries including Rwanda, Burundi, Kenya, and Uganda have instituted affirmative action such as the women's representation quota in political institutions. However, despite the fact that quotas have significantly increased the number of women in decision-making bodies at all levels, including local governance, this to some extent has not necessarily led to substantial and effective representation of women or to significant reduction in inequalities between men and women. Women, especially those living in rural and peri-urban areas, continue to face major constraints such as poverty, lack of access to land and property, illiteracy and heavy domestic workloads. The adoption of a quotas system was not accompanied by a transformation of the political and institutional systems, which remain heavily masculine and hamper the

promotion of gender equality. Nonetheless, the increased representation of women in state institutions may be having gradual positive effects on social transformation.[34]

However, it should be noted that many countries in Africa lack the political will or resources to promote and enforce gender equality. This is coupled by lack of funding and low human resource capacity. Additionally, the culture of political participation is largely a male-dominated, further deterring women from public participation. Many African countries are party to several international treaties and charters on gender equality and promoting women's rights, but these agreements and obligations have not been ratified by every country on the continent, and for those that have, implementation is often slow or absent altogether.

Additionally, in order to support women's empowerment and public participation, access to education is important. Currently, women and girls have a much smaller chance to achieve higher education due to expectations that they marry at an early age, bear children, and take care of the household, especially if they live in rural or remote areas. This is further reinforced by gender stereotypes, religious factors and socio-cultural norms that hinder women's empowerment.[35]

6. What legal administrative, policy or other measures exist in your State to protect girls and young women from sexual and gender based violence and harassment online? How effective are they? What impact have they had on women's empowerment and public participation, including freedom of expression?

Regional spotlight: Middle East

- In Jordan:
    - Online:
        - Laws and regulations tackling cybercrime must be enforced, and there is a need to enhance government, civil society and service providers' efforts to fight cyber violence against women and girls.
        - Sexual harassment (whether in the workplace or elsewhere) is not punished. It is imperative that victims of harassment, including workplace harassment, especially young women, are afforded better legal protection by aligning the definitions found in the Jordanian legal system to the comprehensive definitions outlined by the International Labour Organization.
    - Offline:
        - The Domestic Violence Law only mentions violence within the family sphere and no other types of violence against women and girls. In this regard, it is imperative that Article 62 of the Jordanian Penal Code that deals with parents' punishment of their children, be amended, specifically closing loopholes that indirectly permit acts of gender-based violence suffered disproportionately by girls.
        - Denouncement of ill-treatment and/or threat of young women in so-called 'protection centers' comes with harsher punishment for them, forcing them to be silent.
        - There are gaps in the policy framework around violence, as well as mandatory reporting mechanisms that unduly expose survivors of rape and other forms of gender-based violence and jeopardise their right to confidentiality
        - Article 292 of the Jordanian Penal Code must be amended, in order to make marital rape punishable similar to other types of rape and sexual abuse. Furthermore, Article 340 of the Jordanian Penal Code which reduces the penalty if a man kills or attacks a female relative if she commits adultery, should be abolished.
        - More relevant data should be collected and collated around women's and girls' rights issues (for example, rates of gender-based violence, honour killings, early marriage, etc.). These data should be made publicly available by the government to better inform the work and programming of activists, INGOs and CSOs. This is important because in the Middle East, there is a so-called "data desert", and important statistics are not made available to the public on GBV and other human rights issues impacting girls and young women. This makes it makes it more difficult for girl and young women activists to monitor what crimes are occurring and how frequently/endemic the issue is.

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[34] https://www.international-alert.org/sites/default/files/publications/201209WomenEmpowermentEN_0.pdf
[35] https://community-democracies.org/app/uploads/2017/09/WPP-African-Consultation.pdf

- In Lebanon:
  - While the recent amendments to the Laws 293 and 204 have covered some important gaps, violence against girls and young women is on the rise, exacerbated by the pandemic and the very complex political and economic situation the country is facing currently.
  - There are very important gaps in the legal and policy framework: digital violence and abuse is not mentioned, hence not punished, while is increasing exponentially and severely impacting girls and young women.
  - The Sexual Harassment Law came as a very important step, that has helped girls and young women to speak out more, but law enforcement is still very weak and hence protection from harassers is still almost inexistent. The burden of proof is still on the victim/survivor.
  - The different religious confessions and, hence, the multiple personal status laws are very discriminatory particularly against girls and young women. At the same time, religion has a lot of political power. An example was cited pertaining the campaign led by feminist civil society in Lebanon to pass the Child Marriage Law; they stated to be strongly pressured by the authorities to remove all the billboards and media outlet they displayed around the cities to generate citizen awareness and to carry out their advocacy mandate.
- In Palestine:
  - Offline:
    - Palestine has taken several promising steps to combat violence and harassment against women and girls. These include the enactment of the Child Law and the Draft Law to Protect the Family from Violence; the establishment of a Committee to Combat Violence against Women; the establishment of a police unit specializing in cybercrime and family protection police; the creation of a cybercrime prosecution and a family protection prosecution.
  - Online:
    - One important gap however pertains to the cybercrime law, which contradicts international principles in imposing restrictions on freedom of opinion and expression. For example, the law toughens the penalty against the perpetrator of the crime of electronic blackmail against children, but there is no tightening if the crime committed against a woman.

7. What do you believe States should do to:

a) **uphold girls' and young women's human right to freedom of opinion and expression;**

Globally we recommend that:

- **Governments and civil society actors must collectively ensure spaces remain open, accessible and safe for children and young people to advocate in, especially for girls and young women. Any restrictions on civic space should be lifted immediately. This includes any laws and policies that restrict or censor online access and freedom of expression that are based on principles of human rights and gender equality.**
- **Civil society organisations should encourage intergenerational exchange and movement building between established groups and girl-and young women-led associations, and protect them from risk of intimidation, harassment or other forms of unwelcomed interference.**
- **Governments should not restrict access to online spaces, including social media platforms.**
- **As part of their Overseas Development Assistance, governments should consider allocating a proportion of foreign aid to support civil society strengthening within the recipient country. This should include earmarked funding towards grassroots youth-, girl and young women-led movements, groups, associations and organisations.**
- **All donors should provide flexible multi-year funding to unregistered, grassroots girl- and young women-led networks, organisations and associations. Donor required reporting, evaluation and accountability mechanisms should be co-designed with the children and young people themselves, making time for capacity building if needed.**
- **Donors, governments and NGOs must respect the autonomy of girl- and young women-led groups and associations, including where their organisational and decision-making structures may differ**

and follow non-hierarchical approaches. They should understand how the groups and associations operate and how to best support their work, including through financial and non-financial means.

- **States should champion efforts at the international, regional and national levels to advance a gender justice approach to the promotion of women's and girls' freedom of opinion and expression, including highlighting girls' and young women' barriers in exercising these rights, as well as their contributions, particularly those achieved collectively to support and promote girls- and young women-led activism and meaningful participation in the public sphere.**

African region:

- **Take advantage of the AU Science, Technology and Innovations Strategy and increase funding and opportunities for girls, including those living with disability and those who live in rural areas,**
- **Provide equal access to ICT and address the underlying gender discrimination caused by culture, policy and limited funding**

b) protect **girls and young** women from violence, harassment and intimidation online and offline and;

Globally we recommend that:

- **Governments should strengthen and enforce all national laws and policies targeted at ending violence against girls and young women as human rights defenders. This should include provisions that protect their right to speak out freely, and measures addressing the additional barriers faced by girls, young women and vulnerable youth both online and in physical spaces. Laws prohibiting violence against girls and women must extend to cover all private, public and digital spaces and include condemnation of gender-based violence and discrimination against women political leaders and other figures in the public eye.**
- **Ensure government policies on internet access are inclusive and actively ensure gender equality in accessing online spaces. This would include creating enabling environments for mobile network operators to enable increased connectivity and mobile internet access.**
- **Update and reform legislative frameworks to deal with online harassment and violence against all girls and young women, bearing in mind specific intersectional characteristics: including, amongst others, race, age, disability, ethnicity, LGBTIQ+.**
- **Enact innovative laws addressing violence against young women and girls, holding social media platforms and other third-party internet platforms to account.**
- **Enable the effective implementation, by all relevant government departments – such as the police, the judiciary, and the prosecution services – of laws and policies addressing online harassment of and online violence against all women and girls.**
- **Ensure access to justice for girls and young women who are targeted with online harassment and violence: including promoting awareness of reporting mechanisms, training law enforcement and judicial officers and establishing helplines.**
- **Consult girls and young women in order to understand what their specific requirements are and how to enact the appropriate laws and policies**
- **Ensure appropriate education and awareness raising that:**
  - o **Requires education departments to develop and deliver digital curricula on how to be safe online; giving students the skills to recognise, avoid and prevent online harassment and violence against women and girls, including the ability to use reporting mechanisms.**
  - o **Trains government officials on the risks of online violence for girls and how to manage reports of online harassment, including the investigation and prosecution of related crimes.**
- **Establish a public health campaign that:**
  - o **Reaches out to the wider community with information about the impact of online harassment on mental and physical health, including collecting and publishing disaggregated data on online gender-based violence, with a focus on intersectionality.**
  - o **Operates as a public-private partnership to create awareness and deliver a broad range of support services, including helplines, primarily to girls, but also to their families and communities, with a focus on mental health and self-care.**

African region:

- **African Union (AU) Member States should ratify the Malabo Convention on Cyber security as a matter of urgency and put in measures to protect the safety of girls online and adequately resource state institutions that have been mandated to fight cyber-crimes.**
- **Adopt clear legal, regulatory, and policy frameworks for the protection of these rights, in full compliance with international standards and best practice, and with the full and effective participation of civil society and other concerned stakeholders at all stages of their development;**
- **The AU should strengthen data management guidelines at the continental level to ensure safety, security and ethical usage of girls and young women's data that is shared every day on different social media platforms.**
- **The AU should develop child rights specific guidelines to the Malabo convention, to ensure girls interacting in the social media platforms within the continent are secure.**
- **AU State Parties should:**
  - **Incorporate cyber security in School curricula and provide psycho-social support to victims of abuse.**
  - **Institute and implement stronger and stricter legislations to counter and hold perpetrators of online abuse to account (including those who benefit from it).**
  - **Engage girls during policy-making and regulations, especially when reviewing the Malabo Convention.**

c) promote **girls and young** women's public participation?

Globally we recommend that:

- **Governments should partner with civil society organisations to implement outreach programmes and public campaigns at the community, local and national level focusing on promoting gender equality, active citizenship and access to public spaces across all members of society including girls and young women.**
- **Governments should recognise the role of education in the empowerment of girls and young women as active citizens and gender equality champions and must ensure all girls and young women receive human rights and civic education at primary and secondary levels. As outlined in the SDGs target 4.7t, governments, UN bodies, and civil society organisations should help children and young people, especially girls and young women, to understand and claim their rights, including through gender equality and human rights education and dissemination of human rights information in child-and youth-friendly formats.**
- **Governments should undertake a gender review of their Education Sector Plans including on curricula, textbooks, pedagogy and teacher training, to ensure that learning materials are non-discriminatory, gender responsive, inclusive and do not reinforce gender stereotyping around leadership roles and styles.**
- **Governments should ensure child and youth participation in schools and other learning settings as a crucial component of their learning process, where children learn to express themselves, develop their opinions and critical consciousness, listen to others, and build the necessary skills to become active citizens. Schools should provide spaces and opportunities for girls in particular to exercise their leadership and citizenship skills including through student councils, mock elections, and active engagement in school governance structures where they can liaise with their peers, teachers and parents.**
- **Governments should encourage local and national media to use their platforms to promote positive content around gender equality and women's leadership. They should amplify messages portraying a positive image of young women and men as leaders and change-makers. Furthermore, they should introduce legislation and policies that prevent and address the use of negative and harmful gender-stereotypes across public and commercial broadcasting and advertising.**
- **Governments should develop national frameworks for girls' and young women's participation and design implementation strategies in order to ensure that girls are listened to and their voices considered at all levels of decision-making.[36]**

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[36] African Child Policy Forum. "Unheard stories of girls in Africa: My voice counts. Background study to The African Report on Child Wellbeing 2020." https://www.africanchildforum.org/index.php/en/featured-publications/unheard-stories-of-girls-in-africa-my-voice-counts-background-study-to-the-african-report-on-child-wellbeing-2020

- **Governments, in collaboration with other stakeholders, need to initiate programmes to make girls' and young women's participation an integral part of their policymaking. The first step in this regard is to provide legal guarantees of girls' participation and support these with policies, administrative structures and budgets for effective implementation.**
- **Governments should consider the adoption of temporary measures such as quotas, to secure an increase in more young women's representation in all their diversity in political leadership.**
- **Governments should take measures to ensure an enabling and fear-free environment in every sphere of government to encourage more young women to take up leadership positions. These include policies to address sexual harassment in the workplace.**
- **At the international level, UN committees should welcome, encourage and facilitate girls' and young women's groups to engage in practices such as shadow reporting.**
- **Governments should reform any laws or policies and remove all discriminatory barriers that prevent young people and women from voting in regular, fair and free elections and/or running for public office. This includes ensuring eligibility is aligned to international and national age of majority and that participation is not dependent on consent for subject to interference from any relatives.**

8.

a) **What specific measures have platform providers and intermediaries taken to i) protect girls' and young women's freedom of opinion and expression; ii) protect girls and young women from online gender based violence, harassment, intimidation and disinformation; iii) promote women's equal access to the digital space; iv) address grievances and provide remedies to girl and young women users; v) ensure accountability of the intermediaries?**

b) **To what extent do you find these measures to be fair, transparent, adequate and effective in protecting women's human rights and promoting girls' and young women's empowerment?**

Case study: Plan International Girls Get Equal Listening Sessions with social media companies

Following the launch of Plan International's #FreeToBeOnline campaign and research on the abuse and harassment girls face online[37], Instagram, along with Facebook and WhatsApp, committed to a series of listening sessions with girls around the world. Kicking off last year, the Girls Get Equal #FreeToBeOnline Listening Sessions have brought together girl leaders[38], aged 15 to 22, from different countries to directly engage with Instagram, Facebook, and WhatsApp and contribute to keeping the internet safe for girls and young women. During the Listening Sessions, the girls made the following asks: improvements on reporting mechanisms, content moderation, and community guidelines.

Social media companies should engage more actively and regularly with stakeholder groups and users in this way, including girls and young women, to understand their experiences on their platforms and get recommendations on how to address them.

9. What do you think internet intermediaries should do to protect girls' and young women's right to freedom of opinion and expression and make the online space safe for women?

We recommend that internet intermediaries:

- **Create stronger, more effective and accessible reporting mechanisms specific to online gender-based violence, that hold perpetrators to account and are responsive to all girls' needs and experiences, taking into account intersecting identities (including race and LGBTIQ+ youth).**
- **Implement their corporate responsibility to respect human rights in line with the UN Guiding Principles on Business and Human Rights.**
- **Work with girls and young women globally in all their diversity to co-create policy and technical solutions to address and prevent gender-based harassment and violence on social media platforms.**

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[37] Plan International. Free to be online? 2020. https://plan-international.org/publications/freetobeonline
[38] Plan International "The Power of Girls to Keep the Internet Safe: A Q&A with Dorothy of Girls Get Equal" 9 March 2021. https://plan-international.org/blog/2021/03/power-girls-keep-internet-safe-qa-dorothy-girls-get-equal

- **Strengthen and improve content moderation to identify and remove gender-based violence in a timely fashion, also ensuring that there is parity, proportionality and transparency in their approach to content moderation across the globe.**
- **Hold perpetrators of gender-based online harassment to account, including by timely sanctioning of perpetrators, consistent with other platform violations.**
- **Take responsibility for creating a safe online environment for girls and young women in all of their diversity by initiating discussions on the topic of gender-based online harassment amongst social media users; providing reliable information on the topic to increase awareness, and providing digital citizenship education for all users.**
- **Collect and publish gender and age disaggregated data, in partnership with private entities and civil society, that provide insight into the scale, reach, measurement and nature of online harassment and violence against women and girls and the digital gender divide.[39]**

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[39] The recommendations in this section have been taken from Plan International's 2020 Free to be online? Report, pages 51-52. Accessible at https://plan-international.org/publications/freetobeonline