

Introduction

DanChurchAid (DCA) is an international organisation working on the humanitarian, development and peace nexus. It operates in 20 countries in Asia, Africa, Middle East and Europe. Under its 'Fight Extreme Inequality' goal, DCA works to promote human rights, gender equality and an enabling civic space in online and offline spaces. Its Tech for Human Rights mandate focuses on the impact of technologies, and the role of stakeholders including tech companies on the rights of vulnerable groups, including women human rights defenders.

SUBMISSION

Conceptual issues

What do you consider to be 'gendered disinformation'?

Gendered disinformation (GD) as disinformation that utilises gender, gender norms, roles in efforts to silence women, individuals of diverse SOGIE, and sexual minorities. The EU Disinfo Lab highlights the intersection between gender and disinformation, and the use of various means such as cyber-attacks, threats of violence, and content that perpetuates gender stereotypes.¹

In countries and spaces with repressed civic space, and where the online space has become critical for advocacy, perpetrators including State actors have utilised GD to restrict the participation of these marginalised groups. GD has been utilised to discredit women human rights defenders, women journalists, politicians in countries with authoritarian governments. Where online social movements have become integral to advocacy, the use of GD has been effective in closing off these spaces, and thus cutting off fledgling movements to support.

DCA works in contexts where patriarchal norms are prevalent, and where gendered disinformation has been utilised to perpetuate existing inequities affecting these groups. Such cases GD are often rooted in existing biases and beliefs against women and girls, beliefs that limit their roles in the family or in the communities, to silence women or to discourage any dissent.

In its Online Harassment and Censorship of Women Human Rights Defenders' report', WHRDs discussed how GD was used as a tool to silence WHRDs, particularly when address sensitive issues or had been successful with political campaigns.² It has been used as a strategic tool to silence voices of opposition. The survey showed that the GD is sexist and is targeted not just against women, but also and their families. The impact of GD is oftentimes that the WHRDs withdraw from their public

¹ https://www.disinfo.eu/wp-content/uploads/2022/10/20221012_TechnicalDocumentGBD-2.pdf

² <https://www.danchurchaid.org/report-online-harassment-and-censorship-of-women-human-rights-defenders>

engagements temporarily, or for a longer period. The study demonstrated that GD was not a problem just for WHRDs but also for democracy as a whole.

As with all types of disinformation, GD also evolves to adapt to the current milieu, and incorporates salient events. During the pandemic, GD incorporated narratives that women were spreading COVID-19.³ As women increasingly strive to fulfil roles in the public space, GD has often been used to discredit them and their capacities.

How is 'gendered disinformation' similar to or different from online gender-based violence?

GD, in many cases such as through manipulated content seeking to cause harm, or through consolidated campaigns, qualifies as gender-based violence. GD can be a predecessor of gender-based violence, and is often used as a tool to incite it.

The recent years have further seen the rise of GD in social media, fuelled by algorithms that seek to capture the attention of wide audiences. Misogynist content, utilising 'incel' language, often target young men, radicalising them towards violence.⁴ GD including content that portray women in sexist or misogynist ways has played a part in several online and offline cases of harm, including stalking, and sexual abuse.

GD often bears the characteristics of online gender-based violence, with similar goals of delegitimising women, or individuals of diverse SOGIE, or minorities. It is a form of tech-facilitated violence that can often be misunderstood by States or social media platforms. While a single case of GD may not always seem an act of violence, it needs to be understood as a consolidated campaign by perpetrators that exploit existing norms against women, and the lack of access to factual information, to oppress these groups.

Regulating GD also requires ensuring States or platforms do not impose overbroad legislation that compromise users' safety, foster censorship or silence voices.

What measures have States, digital companies or international organizations taken to combat 'gendered disinformation'?

States and other actors have taken steps to address disinformation through laws and policies, media literacy programmes. In authoritarian regimes, efforts to address disinformation have often taken on the form of emergency legislation and policies seeking to address 'fake news'. These laws have often been overbroad and vague, and have led to abuse by authorities.

³ <https://www.disinfo.eu/publications/misogyny-and-misinformation:-an-analysis-of-gendered-disinformation-tactics-during-the-covid-19-pandemic/>

⁴ <https://www.cbc.ca/news/young-men-online-radicalization-1.6585999>

Below are some examples of efforts to address disinformation (EU, State and company examples), and their compliance with international standards.

POLICY / Guidelines	Compliance with international human rights law standards, including FoE	Effectiveness in addressing ‘gendered disinformation’?
<p>EU Digital Services Act</p> <p>The EU passed its Digital Services Act in 2022 which sought to address disinformation and incorporate human rights protections in the regulation of online platforms.</p>	<p>The DSA promotes safeguards for the protection of users, while ensuring platforms respect freedom of expression and fundamental rights online. It prohibits illegal content, and takes steps to regulate offensive speech that may not necessarily be illegal. It also requires platforms to provide transparency reports on their use of automated content moderation tools, requests to remove content by national authorities.</p>	<p>Disinformation is addressed as a whole topic, without necessarily looking into gendered disinformation as a separate category.</p> <p>The rights-based clauses of DSA can address GD, although guidelines or action plans can be further developed by States or social media platforms to provide direction in its implementation-.</p>
<p>Finland’s Literacy Curriculum</p>	<p>Finland implemented a media literacy programme in the educational curriculum which focused on critical thinking. Its primary focus on education, rather than on legislating against disinformation allows students to understand the nature of disinformation, without curtailing people’s right to freedom of expression. It has also enhanced the trust in democratic institutions such as the media.</p>	<p>The project has been hailed as being effective in enhancing children’s resilience to misinformation and disinformation.</p>
<p>Meta’s Community Guidelines</p>	<p>Meta’s community guidelines provide mechanisms to report abuse or limit the spread of disinformation. While it has taken steps to promote safeguards for its users, and states that it abides by the UN Guiding Principles for Business and Human Rights, civil society have raised that it has constantly failed to stem abuses on its platforms including hate speech and misogynist content. It has also at times been accused of censorship, for having</p>	<p>WHRDs have constantly raised Meta’s inability to stem the spread of disinformation, including GD, particularly in countries where there have been fewer resources accorded to content moderation</p>

	removed content on topics such as on Palestinian experiences, or content by human rights defenders.	
--	---	--

2. Finding solutions

What recommendations do you think the Special Rapporteur should make and to whom on combating gendered disinformation?

To all actors:

- Ensure policies around disinformation and GD take on a gender lens, incorporating gender sensitivity and recognising the specific vulnerabilities faced by women and girls, people of diverse SOGIE and minorities.
- Ensure greater collaboration, and coordination in the drafting of policies related to disinformation and GD. This also means allowing affected individuals to be part of, and to lead the conversation on policies related to them.
- Enhance the understanding of online gendered disinformation and online cultures and landscapes particularly among policymakers and decision-makers. These can be achieved through greater learning exchanges among tech experts, decision-makers, civil society and human rights defenders to ensure solutions are grounded on facts and a rights-based approach.
- Ensure an intersectionality approach in policies on GD, recognising the complex nature of intersecting identities and how these are used to perpetuate abuse in GD.

To the UN, and SPMH

- Develop norms for States and the private sector on the role of gendered disinformation on gender-based violence and sexist hate speech, including on how technology facilitates the spread of disinformation.
- Advocate for protections in the proposed EU AI Act to address gendered disinformation.
- Examine the role of gendered disinformation in the perpetuation of grave human rights violations and atrocity crimes, such as crimes against humanity, war crimes and genocide.
- Assess policies drafted by States supposedly to counter disinformation, and provide guidance on compliance to international human rights standards, including those related to freedom of expression and the rights of women, and LGBTQIA groups.

To State Actors

- Ensure that responses and policies seeking to address gendered disinformation (or disinformation in general) comply with international human rights standards including on freedom of expression, and the right to privacy. These include repealing overbroad and vague

legislation, including those covering ‘fake news’, criminal defamation or cyber-crimes that do not comply with rights standards.

- Recognise online gender-based violence as a violation of human rights within the national and domestic legislation.
- Take steps towards dismantling root causes of gender violence and GD, including patriarchal norms, inequalities, and lack of access to fundamental human rights.

To Companies / tech sector

- Ensure that community guidelines and policies abide by international human rights standards, including the UN Guiding Principles on Business and Human Rights.
- Incorporate a gender lens within existing fact-checking mechanisms and community guidelines. Cultural contexts and situations must be considered in the companies’ content moderation regulations.
- Tech companies must ensure human rights due diligence in the drafting and the development of their policies, including through ensuring the participation of target users in the design and use of any products.

To civil society

- Civil society needs to be part of the development of policies and products related to gendered disinformation, and should elevate their stories and narratives about its impact, particularly on marginalised communities.
- Civil society should utilise available mechanisms such as the Special Procedures, the Human Rights Council, and regional, national mechanisms to advocate for a rights-based approach to tackling gendered disinformation.

What issues or areas of gendered disinformation require further research in your opinion?

We ask the SR to also look into the following issues:

- ***Intersecting identities and gendered disinformation***

The role of intersecting identities such as on ethnicity, disability, age on gendered disinformation needs further research and focus, recognising that perpetrators of GD often target women with intersecting identities. The SR can initiate research on how best to address the use of identity-based abuse, through exploring the experiences of individuals with intersecting identities on ethnicity, disability, and other identities.

- ***The impact of AI and emerging technologies on GD***

As AI develops, it is increasingly being used to spread disinformation, with manipulated content being used to harass and intimidate women and minorities. The ease of accessing AI technologies, and a lack of regulatory frameworks has huge implications on the spread of AI and its ability to cause harms. The emergence of AI can also raise doubt on the verity of violations by discrediting narratives as mere AI.

- ***The role of States on tech-facilitated violence***

During the Commission on the Status of Women's 67th session negotiations with the theme "Innovation and technological change, and education in the digital age for achieving gender equality and the empowerment of all women and girls, it came through strongly that some States are very reluctant to adopt the new term "technology-facilitated gender-based violence", while other States pushed strongly for the acknowledgement of this term. Further research can be done on how the framing of online gender-based violence can become politically contested, and how States can push back against recognising such violence.