**Gender Dimensions of Disinformation and its Effects on African Women's Right to Opinion and Expression**

**Introduction:**

In parallel with the violations of media disinformation or violations of gender-based disinformation, especially against African women, under the pretext of prevailing cultural stereotypes and variables of gender-based violence, which in turn undermines women’s enjoyment of their rights, especially the right to freedom of opinion and expression, this statement on **Gender Dimensions of Disinformation and its Effects on African Women's Right** **to Opinion and Expression** to the Special Rapporteur on freedom of expression and opinion, by reviewing the features of gender misinformation in the African continent, monitoring its effects on women's rights to opinion and expression in Kenya, Uganda and Libya, and concluding with number of recommendations about it.

**First: Features of Gender Disinformation in Africa:**

Africa includes multiple forms of gender disinformation, being a state of manipulating false or misleading information for the purpose of deliberate deception, harm, confusion, and disruption of societal peace and social relations. Disinformation cannot be prohibited under international human rights law unless it rises to advocacy of hatred that constitutes incitement to enmity, violence and discrimination.[[1]](#footnote-1)

In this context, more than 30% of African women have been subjected to gender-based violence, including gendered disinformation, which is prevalent in Africa due to cultural and fixed stereotypes hostile to women and their rights, the widening gender gap in African countries, and poor accessibility to information and Internet, which in turn is considered a major challenge for African women in their enjoyment of political and civil rights, especially their right to opinion and expression.[[2]](#footnote-2)

Throughout March 2022, in 19 African countries, only 25% of African National Parliamentarians are women, 45% of them have been subjected to gender-based violence online, including harassment, bullying, false information, and 80% of them have been subjected to psychological violence, including sexual comments, threats, and acts of intimidation by fellow citizens, terrorist groups and unknown persons.[[3]](#footnote-3)

**Second: Gender Misinformation and its Impact on the Rights of Kenyan Women to Opinion and Expression:**

Kenyan government offers a wide range of policies, measures, legislations, and human rights commitments to combat gender misinformation and mitigate its impact on freedom of opinion and expression. Article 31 of the Kenyan Constitution criminalizes propaganda and incitement to violence, hate speech and advocacy of hatred. Section 13 of the National Cohesion and Integration Act (NCI Act) restricts the definition of hate speech to “hate”; Articles 22 and 23 of the Computer Misuse and Cybercrimes Act criminalize the dissemination of false and misleading information. However, this did not prevent the spread of disinformation, as at least 75% of Kenyan news consumers cannot distinguish between real and fake news published online, which always takes gender dimensions and targets Kenyan female politicians.

Perhaps the observer of the rights of Kenyan women, especially their right to opinion and expression in its various forms, will notice the severe suffering of Kenyan women from lack of enjoying of their political and civil rights, especially their rights to political participation, opinion and expression, in which gender disinformation contributes a major role through attempts to exclude women and deprive them of their rights on gender grounds and subject them to campaigns of defamation, abuse, violence and harassment.

As a result, Kenya has become home to the lowest level of political participation for women in East Africa at 23%. Women are excluded from assuming high political office to the extent that only 3 women are elected as governors out of 47 counties, and fewer than 2,000 out of 16,000 women are candidates in the Kenyan general elections in 2022[[4]](#footnote-4). Disinformation and hate speech against women were spread, with more than 1,746 violations and gender-based and elections-related sexual violence cases carried out during the period between April and September 2022, with about 45% and 23% for hate speech and cyberbullying against Kenyan women. [[5]](#footnote-5)

Other women were also subjected to a kind of gender disinformation, just hours after she was chosen as the vice-presidential candidate in 2022 general election in Kenya, as fake retweets were published portraying her as an attention seeker. Besides, her videos were cut off so that her statements appear humiliating, dumb, and funny.[[6]](#footnote-6)

On August 1, 2022, a Kenyan psychologist who wanted to stand for a county assembly seat, was one of dozens of women candidates, received threatening phone calls and text messages while running for a county assembly this year to force her to step down.[[7]](#footnote-7)

**Second: Gender Misinformation and its Impact on Ugandan Women's Right to Opinion and Expression**

Online violence and gendered disinformation against Ugandan women, especially politicians, women rights activists and journalists, is so prominent that Ugandan contexts report low rates of Ugandan female politicians using social media at a much lower rate than their male counterparts.

Among the 76 accounts of female candidates, 39% are not used to disseminate any campaign-related information due to gendered misinformation images of hate speech, verbal abuse, forms of fishing, body shaming, and sexual and gender insults on social media, which is estimated to have been subjected to 50% of female Ugandan politicians compared to 41% of male Ugandan politicians, according to 2022 statistics, and then to prevent Ugandan women from enjoying the right to freedom of opinion and expression.

**Third: Gender Misinformation and its Impact on the Right of Libyan Women to Opinion and Expression:**

Despite Libya’s legal and constitutional guarantees of the right to freedom of opinion and expression, including the Interim Constitutional Declaration issued in 2011, especially its articles 13 and 14 regarding the right to freedom of opinion and expression, and its international and regional obligations in the International Covenant on Political and Civil Rights, and the African Charter on Human and Peoples’ Rights, Libyan women human rights defenders, politicians, and journalists suffer from crude attempts and intense policies of gender media disinformation, as one of the attempts to silence them and remove them from the public space in light of the absence of the rule of law and the complexity of Libya’s security and political paths. In turn, this constitutes widespread violations of their rights, especially the right to freedom of opinion and expression at the level of official, academic, media, and social media platforms and domains, highlighting discrimination and specific violence in all its forms, including kidnapping, assault, arrest, detention, enforced disappearance, slander, hate speech and discrimination.[[8]](#footnote-8)

Libyan women and men face legal restrictions represented in the Publications Law of 1982, the Defamation Law, criminalizing “insulting the constitutional and popular authorities” and “publicly insulting the Libyan people”, and the Cybercrime Law issued in October 2021, as well as the spread of hate speech, violence and discrimination against women by the television programs and works and made them a subject of ridicule.[[9]](#footnote-9)

As a result, 70% of Libyan men and women refused to have women at the top of sovereign institutions, this is represented in the Libyan government's failure to fulfill the right of Libyan women to hold 30% of executive positions, with women only present at 2%, and the perception that Fathi Bashagha's government did not take into account gender dimensions in distributing ministerial portfolios.

**Suggests policies and recommendations:**

After analyzing the facts of gender misinformation, monitoring its features in the African reality, and monitoring and analyzing its effects on the rights of African women to freedom of opinion and expression, focusing on the Kenyan, Ugandan and Libyan contexts, we present a set of recommendations as follows:

1. Elizka Relief Foundation recommends the Rapporteur on Freedom of Opinion and Expression **to present technical support to African governments in a way that ensures the creation of a sound media environment**, prevent false information, its sponsorship and dissemination, and ensures access to information by increasing transparency and proactive disclosure of data and eradicating media, digital, and informatics illiteracy.
2. Elizka Relief Foundation recommends that African governments, especially the Libyan, Kenyan and Ugandan governments, **launch programs to build and strengthen women's capacity to withstand the deterioration of the information structure and to keep them safe from gender misinformation.**
3. Elizka Relief Foundation appeals the Rapporteur on Freedom of Opinion and Expression to discuss and encourage African governments to **launch awareness and educational campaigns about the dangers of gender misinformation in its various forms, especially hate speech and violence based on gender and campaigns of defamation of women, in parallel with launching awareness campaigns that will bring about changes in social and cultural attitudes and remove gender norms and stereotypes, while promoting respect for fundamental rights in the online space.**
4. Elizka Relief Foundation recommends that African governments, and in particular the **Libyan government, avoid ineffective and restrictive methods for the right to freedom of opinion and expression, such as imposing censorship, shutting down the Internet, and attacking independent media** under the pretext of combating disinformation, especially with gender dimensions.
5. Elizka draws the attention of African governments to the need for **African women to participate side by side with civil society and stakeholders in the processes of updating and revising the legal and legislative system concerned with the right to freedom of opinion and expression in order to ensure that African women** enjoy full and equal rights, non-discrimination and criminalize violations of gender misinformation in its various forms of abuse Hate speech and sexual and gender-based violence online.

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2. Fortune, only 1 in 3 African women have access to the internet–compared with half of men. The cost to the continent’s economy could be in the billions, June 2023, <https://shorturl.at/aBFHJ> [↑](#footnote-ref-2)
3. Global, 5 Stunning Facts About Abuse of Women in African Parliaments, access date July 2023, <https://shorturl.at/qOQ89> [↑](#footnote-ref-3)
4. Nation, Political misogyny will ruin Kenya Monday, March 13, 2023, <https://shorturl.at/lpERX> [↑](#footnote-ref-4)
5. United States Government, 2022 Country Reports on Human Rights Practices: Kenya, March 2023, <https://shorturl.at/luvBP> [↑](#footnote-ref-5)
6. CIPSA, Smell The Coffee Kenya, Disinformation Is Brewing, Access date July 2023, rb.gy/2atgq [↑](#footnote-ref-6)
7. Reuters, Women candidates in Kenyan elections endure abuse and attacks, August 2022, <https://rb.gy/dfcaz> [↑](#footnote-ref-7)
8. Human Rights Defender, Libya: Towards Reforming the Relationship of the Civil Society Commission and Human Rights Organizations, 7, May, 2021, <https://bit.ly/34CORwO> [↑](#footnote-ref-8)
9. Libyan Center for Freedom of the Press, 33 Libyan platforms and civil society organizations condemn the violations that were broadcast on a number of Libyan TV programs during Ramadan 2020, 23, May, 2020, <https://cutt.ly/2nkTNEx> [↑](#footnote-ref-9)