



## Gender disinformation in the context of LGBTI communities

*Submission to the Special Rapporteur on freedom of opinion and expression*

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### Submission by:

International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA World)<sup>1</sup>

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<sup>1</sup> ILGA World (International Lesbian, Gay, Bisexual, Trans and Intersex Association), <https://ilga.org>, established in 1978, is a federation of more than 1,700 organisations from over 160 countries and territories campaigning for lesbian, gay, bisexual, trans and intersex (LGBTI) human rights. ILGA World enjoys the ECOSOC status, consistently engaging with UN human rights bodies, and conducts legal and socio-economic research on the situation of LGBTI persons. ILGA World supports local LGBTI civil society groups engaging with United Nations treaty bodies, special procedures and the Human Rights Council. It also produces research publications on social and legal situation of LGBTI persons. This includes [Annual Treaty Bodies Reports](#), [Treaty Bodies Strategic Litigation Toolkit](#), [Special Procedures Factsheets](#) and [ILGA World Database](#).

## Introduction

Gender<sup>2</sup> disinformation impacts disproportionately marginalized communities such as LGBTI communities, perpetuating harmful stereotypes and further marginalizing them on a global scale.<sup>3</sup> This situation feeds a constant feedback loop of violence against LGBTI communities worldwide. Transgender and gender-diverse persons, especially trans women, find themselves at the forefront of targeted gender disinformation campaigns – especially led by right-wing and fundamentalist groups, enduring constant attacks on their identities and human rights. Consequently, every endeavor to address gender disinformation must have a SOGIESC approach properly implemented.

Laws and policies are rarely aligned and up to date with the fast spread of gender disinformation against LGBTI communities and therefore fail to respond to this problem. Furthermore, extremist and religious groups and institutions that spread gender disinformation and weaponize this for political ends against LGBTI communities are rarely held accountable.

At the same time, despite some efforts from the UN to conceptualize the problem of disinformation and formulate recommendations to address the issue, there have been no comprehensive attempts to focus on gender disinformation.<sup>4</sup>

## Working Definition of ‘Gender Disinformation’

*Disinformation* is when false information is knowingly shared and spread in order to influence public opinion or obscure the truth.<sup>5</sup> Disinformation campaigns use narratives to polarize public debates, undermine social cohesion, and/or spread fear.<sup>6</sup> *Gender disinformation* is when false narratives related to gender are knowingly shared to cause harm, drawing on, for instance, misogyny and societal stereotypes.<sup>7</sup> The focus of disinformation is on the act of sharing this information, the content of what is shared and weaponized, by whom and to what ends – not necessarily on the *impact* of the information on a specific person or group (as is the case with hate speech).

Gender disinformation, in the context of LGBTI communities, occurs when false, misleading or inaccurate narratives based on harmful stereotypes of LGBTI communities, particularly of trans women, are created and disseminated to achieve certain political, social or economic goals. The information spread through gender

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<sup>2</sup> In this document gender is understood as a broad concept referring to the socially constructed identities, attributes and representations around masculine/feminine/non-binary of different cultures, societies and persons, that are not biologically determined. For more information please refer to: ILGA World. (2021). [Input to a thematic report: Gender, sexual orientation and gender identity](#). Submission to the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity.

<sup>3</sup> For instance, see: France 24. (Jun, 2023). [Surge in anti-LGBTQ disinformation targets Pride in Europe](#); France 24. (Jun, 2023). [Misinformation targets LGBT community during Pride Month](#); Newtral. (Jun, 2022). [Así normaliza la desinformación el discurso de odio y los prejuicios hacia el colectivo LGTBI](#); The Dallas Morning News. (Apr, 2023). [Disinformation about health care for trans people is harming Texans](#); The Takeaway. (Nov, 2022). [Florida's Trans Care Ban is Rooted in Disinformation](#); Wired. (Jun, 2023). The US Is Exporting Anti-LGBTQ Hate Online.

<sup>4</sup> See Countering disinformation for the promotion and protection of human rights and fundamental freedoms: Report of the Secretary-General, UN Doc [A/77/287](#) (2022).

<sup>5</sup> [Definition of "disinformation"](#) by Merriam-Webster Dictionary (2023).

<sup>6</sup> HM Government, ["Quick-read guide: gender and countering disinformation"](#) (January 2020).

<sup>7</sup> EU DISINFOLAB, ["Gender-Based Disinformation: Advancing Our Understanding and Response"](#) (October 2021).

disinformation in the context of LGBTI groups does not only include sexual orientation, gender identity, gender expression and sexual characteristics, but also other factors of marginalization, such as intersecting identities and systems of oppression: race, disability, age, class and others. Importantly, it is not only disinformation portraying LGBTI persons as dangerous or bad, but also the usage of LGBTI-related narratives to attack other communities (for example, saying that migrants are inherently homophobic). Both types of narratives are dangerous and perpetuate stereotypes based on various intersecting factors. Gender disinformation is an integral part of the broader structure of cisheteropatriarchy, that rejects forms of expression and being that are different from a cis-hetero-abled-white-middle class-man and contributes to the marginalization of LGBTI and other communities.

## The inextricable link between Gender Disinformation and Gender-Based Violence

The concept of gender disinformation can be viewed within the broader understanding of Gender-Based Violence (GBV). According to The Committee on the Elimination of Discrimination Against Women (CEDAW Committee), GBV “takes multiple forms, including acts or omissions intended or likely to cause or result in death or physical, sexual, psychological or economic harm or suffering to women, threats of such acts, harassment, coercion and arbitrary deprivation of liberty”;<sup>8</sup> and given that gender disinformation involves the dissemination of false narratives, stereotypes, and biased portrayals that contribute to the marginalization and discrimination of gendered groups, including LGBTI individuals, it can be considered a *manifestation* of GBV. In this regard, gender disinformation indirectly contributes to the perpetuation of GBV by reinforcing harmful ideologies and attitudes.

Additionally, the CEDAW Committee includes “**technology-mediated environments**, such as contemporary forms of violence occurring online and in other **digital environments**”<sup>9</sup> under the frame of GBV and recommends States parties implement impactful measures to incentivize the media in eradicating discrimination against women by “encouraging the creation or strengthening of self-regulatory mechanisms by media organizations, aimed at the elimination of gender stereotypes”.<sup>10</sup>

Moreover, in 2018 the United Nations Special Rapporteur on violence against women and girls recognized the impact online violence has on lesbian, bisexual and transgender women and the fact that these forms of violence can be of an intersectional nature:

*Women are both disproportionately targeted by online violence and suffer disproportionately serious consequences as a result. Their access to technology is also affected by **intersectional forms of discrimination** based on a number of other factors, such as race, ethnicity, caste, **sexual orientation, gender identity and expression**, abilities, age, class, income, culture, religion, and urban or rural setting. These forms of discrimination are intersectional in that they are not only the result*

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<sup>8</sup> The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). (2017). General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19, [CEDAW/C/GC/35](#), para. 14.

<sup>9</sup> Ibid., para. 20.

<sup>10</sup> Ibid., para. 30(d).

*of a single particular individual characteristic but the result of the interplay between them, which can result in more severe consequences. Women who have multiple identities are often targeted online on the basis of a combination of these factors, including racial discrimination and hate speech. Some groups of women, such as women human rights defenders, women in politics, including parliamentarians, journalists, bloggers, young women, women belonging to ethnic minorities and indigenous women, **lesbian, bisexual and transgender women**, women with disabilities and women from marginalized groups are particularly targeted by ICT-facilitated violence.*

*Report of the Special Rapporteur on violence against women, its causes and consequences on online violence against women and girls from a human rights perspective (2018), [A/HRC/38/47](#), para. 28*

## Developments by international human rights law

International human rights law mechanisms have rarely explicitly relied on or referred to the concept of ‘gender disinformation’ in the context of LGBTI communities, let alone proposed solutions. Instead, the focus has been placed on addressing hate speech and hate crimes perpetrated against LGBTI individuals or LGBTI communities, including through the Internet and media. To illustrate, the Human Rights Committee, in its Concluding Observations on Ukraine, expressed its concerns “about reports of intolerance, prejudice, **hate speech and hate crimes** against vulnerable and minority groups, including lesbian, gay, bisexual and transgender and intersex (LGBTI), in the media and often perpetrated by extreme right-wing groups.”<sup>11</sup> However, international human rights bodies have not focused on the intentional dissemination and/or weaponization of false information related to LGBTI communities to cause harm or for political, social or economic ends.

Another international human rights legal framework to conceptualize gender disinformation is the concept of **gender stereotypes** – especially as understood by CEDAW Committee and in the light of its upcoming new general recommendations on the topic (article 5(a) of the CEDAW Convention). UN bodies have addressed stereotypical and discriminatory portrayals of members of the LGBTI community in the media, and condemned anti-LGBTI hate speech and hate crimes. For instance, the CEDAW Committee, in its Concluding Observations to Russia, noted with concern “the lack of a regulatory mechanism to address **stereotypical and discriminatory portrayals of women** in the media, especially as regards **lesbian, bisexual and transgender women and intersex persons**,”<sup>12</sup> and recommended that Russia “address the use of **misogynistic language, hate speech** against lesbian, bisexual and transgender women and intersex persons, and **sexist portrayals** of women in public discourse, the media and on the Internet.”<sup>13</sup>

However, human rights bodies failed to explicitly interrogate the spreading of such gendered disinformation by an actor knowingly intended to influence public opinion or obscuring the truth. The Inter-American Commission on Human Rights (IACHR) is

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<sup>11</sup> Human Rights Committee, [Concluding Observations to Ukraine](#), 132<sup>nd</sup> Session, 11 November 2021, 8<sup>th</sup> review, para. 15.

<sup>12</sup> Committee on the Elimination of Discrimination Against Women, [Concluding Observations to the Russian Federation](#) 80<sup>th</sup> Session, 30 November 2021, 9<sup>th</sup> review, para. 22.

<sup>13</sup> *Ibid.* para. 23.

another example of how the focus is placed on hate speech, and, in the Inter-American context in particular, on the **right to non-discrimination**, which does not interrogate the structural reasons why an actor or set of actors may choose to weaponize information about LGBTI communities to achieve a certain end, i.e., political or financial.

*The obligation of equality and nondiscrimination also entails the State's obligation to guarantee the exercise of individual human rights on the Internet under equal conditions. Articles 1.1 and 24 [of the American Convention on Human Rights] govern both "online" and "offline," and individuals have the right to exercise their rights to assembly, association, freedom of expression, access to information, freedom of religion, and so on, without discrimination. The Internet is an essential tool for vulnerable communities and communities historically subjected to discrimination to obtain information, assert grievances, make their voices heard, participate actively in public debate, and help shape public policies designed to redress their situation.*

*Nevertheless, instances of online discrimination against particularly vulnerable groups, including women, children, the LGBTI community, [...] have also been documented. The State must take measures to foster equality and non-discrimination both "online" and "offline," prohibiting **hate speech** that incites violence, documenting instances of **discrimination**, and promoting tolerance through social programs, training and education.*

*["Standards for a Free, Open, and Inclusive Internet"](#) (2017), paragraphs 65 and 66  
[Special Rapporteur for Freedom of Expression, Inter-American Commission on Human Rights](#)*

The IACHR has addressed misinformation, which is information that is harmful to LGBTI communities but that was not intentionally mobilized for a certain end:

*Despite such progress, the report also stresses threats of rollbacks concerning the rights of LGBTI persons in the region. Such challenges include persistent violence against such people; persistent criminalization of non-normative sexual orientations, sexual identities and gender expressions in several States; the adoption of laws and other State measures that violate the principle of equality and non-discrimination; **misinformation campaigns and initiatives that promote stigma and stereotypes about LGBTI persons, such as those that purport to counter "gender ideology"**; and the rise of groups and movements that oppose recognition of the rights of LGBTI persons. The Commission urges States to keep working to ensure the adoption of legislation and public policies that protect the human rights of LGBTI persons.*

*["IACHR Publishes Report on Progress and Challenges toward Recognition of the Rights of LGBTI Persons in the Americas"](#) (2019), [Inter-American Commission on Human Rights](#)*

The only example where gender disinformation in the context of LGBTI communities has been addressed by the IACHR has been through a press release and a report. First, the Commission recognized its concern about disinformation campaigns:

*Despite all these steps forward, the [IACHR] concurs with the concern expressed by various civil society organizations in the region regarding the danger of losing ground in the recognition of the rights of LGBT people. According to information the Commission has received, this situation is manifested in **disinformation campaigns about measures some States are taking in the area of LGBT rights. Such campaigns further stigmatize LGBT people, encourage violence, intensify hate speech, and hamper the implementation of certain measures already adopted by States.** The IACHR is concerned to observe situations in Mexico, Colombia, and Peru in which, according to information it has received, there have been incidents involving attacks, the spread of hate speech, and rejection of LGBT people by conservative sectors. Along these lines, the Commission observes that following the adoption of the new national curriculum for basic education in Peru, **campaigns were launched to spread disinformation about the content of the curriculum.** In response,*

the Ministry of Education undertook efforts to clear up questions about the content, making sure that it provided timely, reliable, and complete information about the national education curriculum.

[“IACHR Hails Regional Progress on Human Rights of LGBTI People in the Americas”](#) (2017), Inter-American Commission on Human Rights

Furthermore, the IACHR addressed its worry on the spread of disinformation promoted by sectors opposing LGBTI rights:

*Finally, the IACHR expresses its concern about the expansion of anti-LGBTI rights sectors in the region, including within the power of the State, which translates into the adoption of laws and other state measures contrary to the rights of LGBTI persons. Likewise, the Commission also notes with caution **the proliferation of disinformation campaigns and demonstrations promoted by sectors opposed to the recognition of the rights of LGBTI persons throughout the continent.***

*The Commission also notes with concern the proliferation of disinformation campaigns and demonstrations promoted by sectors opposed to the recognition of the rights of LGBTI persons throughout the continent. In this regard, the attention of the IACHR is drawn to the fact that, on many occasions, such acts are carried out as a reaction to the adoption of measures for the recognition of the rights of the LGBTI population.*

*(Recommendations) Develop and implement policies and programs to promote respect for the rights of LGBTI persons and their social acceptance, especially through education and general culture. a. **Elaborate and implement information campaigns to raise awareness in the public and private media about body and sexual diversity and the gender approach, promoting respect, acceptance and integral social inclusion of all people.***

[“Recognition of the Rights of LGBTI Persons: Advances and Challenges towards the Recognition of LGBTI Persons in the Americas”](#) (2018), paragraphs 15, 253 and Recommendation 4 Inter-American Commission on Human Rights

Even though an explicit connection has been made by the IACHR, this relationship must be further explored as these narratives are detrimental for LGBTI communities due to the normalization and reinforcement of discriminatory stereotypes that results in various forms of discrimination. International human rights bodies should explore gender disinformation aimed at LGBTI communities that use discriminatory stereotypes and disinformation towards a certain end or goal. LGBTI people, especially trans women, have become scapegoats of political and religious campaigns. It is crucial that in order to address this issue, human rights bodies pay attention to gender disinformation, and provide legal protection, as it is a phenomenon different from hate speech and hate crime, or an instance of discrimination.

## Policy frameworks

During the last 10 years, there has been an increase in policy regulations aimed at combating disinformation, reflecting the growing concern among states regarding its harmful effects. ILGA World has conducted a mapping exercise that highlights policy efforts taken by States to address gender disinformation.<sup>14</sup> It is worth noting that most of these initiatives originate from countries in the Global North, and unfortunately,

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<sup>14</sup> Including the Germany's [Network Enforcement Act](#) (NetzDG) from 2018, the Sweden's [Gender Equality Authority](#), the [Digital Services Act](#) of the European Parliament, the Finland's [Fact-Checking Collaboration](#) and the [“fake news project”](#) of Brazil.

almost none of them specifically address issues related to sexual orientation, gender identity, expression, or sex characteristics (SOGIESC).<sup>15</sup>

The **United Kingdom** has become one of the first states to incorporate a SOGIESC approach into its digital policy through the Online Safety Bill<sup>16</sup> and the Online Media Literacy Strategy.<sup>17</sup> While the Online Safety Bill primarily aims to make the internet safer, especially for children, it also acknowledges that the experience of online abuse can vary based on gender identity and sexual orientation. This recognition is supported by the findings of the Online Hate Crime Report 2020, which indicates that “80% of LGBT+ respondents had experienced online abuse, resulting in 40% of these individuals reducing the use of their online accounts”.<sup>18</sup> This Bill addresses abuse and incitement of hatred based on religion, sex, sexual orientation, disability, or gender reassignment.<sup>19</sup> On the other hand, the Online Media Literacy Strategy established “a new duty of care to make companies take responsibility for the safety of their users” by making informed and safer decisions online. Resembling the Bill, this Strategy also recognizes that experiences online are shaped by sexual orientation and gender identity.<sup>20</sup> Despite these efforts, the implementation of the SOGIESC approach is limited, and further actions to guarantee the online protection of LGBTI persons are needed.

Furthermore, it is important to highlight the case of the Loi Avia law, **France's** legislation against online hate speech, as it illustrates the significance of involving LGBTI individuals in the entire process of policymaking. The Loi Avia law aimed to tackle hate speech on social media platforms by requiring them to remove hateful content within 24 hours of getting the notification of receiving it. This applied to content that violated "human dignity" or incited hatred, violence, or discrimination based on ethnicity, religion, gender, sexual orientation, or disability.<sup>21</sup> However, French feminist and LGBTI movements have expressed their dissatisfaction with the law on various platforms, asserting that “the text does not respond to the need to fight against hate and cyberbullying on the network, and will open the door to censorship beyond any judicial control”.<sup>22</sup> According to them, the issue lies in the fact that the platforms themselves will determine what constitutes "harmful content," and as these platforms already restrict the dissemination of content related to SOGIESC concerns, there is no

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<sup>15</sup> In fact, the UN addressed this issue in a report made by the Secretary-General, but unfortunately, it does not focus on gender. See: Report of the Secretary-General. (2022). Countering disinformation for the promotion and protection of human rights and fundamental freedoms. [A/77/287](#).

<sup>16</sup> [Online Safety Bill](#).

<sup>17</sup> Department for Digital, Culture, Media & Sport (June 2021). [Online Media Literacy Strategy](#)

<sup>18</sup> The Online Safety Bill. [Impact Assessment \(IA\)](#), p, 7-8.

<sup>19</sup> [Online Safety Bill](#). Chapter 2. Providers of user-to-user services: duties of care. Pag. 13-14. The Bill understands *gender reassignment* as: “a person has the characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person’s sex by changing physiological or other attributes of sex, and the reference to gender reassignment in subsection (11) is to be construed accordingly”.

<sup>20</sup> Department for Digital, Culture, Media & Sport (June 2021). [Online Media Literacy Strategy](#)

<sup>21</sup> Library of Congress. (June 2020). [France: Constitutional Court Strikes Down Key Provisions of Bill on Hate Speech](#)

<sup>22</sup> Tribune. (2020). [Féministes, LGBTI et antiracistes, nous ne voulons pas de la loi Cyberhaine](#)

guarantee of freedom of expression for LGBTI communities and it does not prevent hate speech and gender disinformation.

In conclusion, the current policy frameworks designed to protect LGBTI communities from gender disinformation are inadequate and insufficient. These policies mark a new chapter in addressing the challenges of the digital era; thus, they need to be developed and implemented considering the diverse forms of discrimination and violence that LGBTI individuals encounter in the online world.

Besides, it is crucial to address the issue of gender disinformation broadly and not limit it to cyber-digital laws. For example, we strongly believe that applying **comprehensive sexuality education** can be a powerful tool to combat gendered disinformation in both offline and online spaces. Multiple research studies demonstrate, in particular, the effectiveness of comprehensive sexuality education to increased knowledge, awareness and appreciation of gender equity and sexual rights, and awareness of discrimination and oppression based on gender and sexual orientation.<sup>23</sup> **Argentina** has some of the most progressive laws for guaranteeing the rights of LGBTI persons, including a comprehensive sex education law<sup>24</sup> that nurtures the understanding of SOGIESC issues from an early age,<sup>25</sup> thus, preventing SOGIESC disinformation in the future. In this regard, the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity stated: “Lack of education and/or awareness and lack of understanding may **transmute into biases, prejudices and phobias** from a young age, **which underlie the violence and discrimination**. This is interlinked with the quality of the educational spectrum and how to nurture a sense of empathy for sexual orientation and gender identity as an inherent part of all of us”.<sup>26</sup>

## Negative impact of gender disinformation in LGBTI communities

Gender disinformation is often used against LGBTI communities in the form of disinformation campaigns. Particularly, in current times, gender disinformation has been a common practice from anti-gender movement actors.<sup>27</sup> Anti-gender movements generate tremendous challenges for LGBTI and gender equality campaigners. They have demonstrated the capacity to mobilize broad public support against legal and policy reform on priority issues for LGBTI and feminist campaigners, including same-sex partnerships, Comprehensive Sexuality Education (CSE), abortion

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<sup>23</sup> For an overview of different studies on the topic see eg Eva S Goldfarb and Lisa D Lieberman, ‘Three Decades of Research: The Case for Comprehensive Sex Education’ (2021) 68 Journal of Adolescent Health 13.

<sup>24</sup> Argentina, [Law Act No. 26.150](#) on Comprehensive Sex Education.

<sup>25</sup> Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity. (2018). Report on his mission to Argentina: [A/HRC/38/43/Add.1](#), para. 24, 25.; Report of the Special Rapporteur on the right to education. (2017). Inclusion, equity and the right to education, [A/72/496](#), para. 39.

<sup>26</sup> Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity. (2017). Decriminalization and anti-discrimination legislation, [A/HRC/35/36](#), para. 61.

<sup>27</sup> This international movement represents a coordinated effort to undermine and restrict the human rights of women and LGBTI+ persons and promote an essentialist, cis-heteronormative understanding of gender and sex, based on hegemonic religious fundamentals. For more information, see Damjan Denkovski, Nina Bernarding, and Kristina Lunz. (2021). “[Power Over Rights: Understanding and countering the transnational anti-gender movement Volume I](#)”. Centre for Feminist Foreign Policy.

rights, and trans rights. They have also demonstrated significant power to set political agendas and frame societal developments.<sup>28</sup> The anti-gender movement often employs disinformation tactics, presenting information that is false or presenting correct information in bad faith or out of context. The main aim of these tactics is to create polarization within society to destabilize coalitions or make governments fearful of backlash if they implement specific policy objectives.<sup>29</sup> These actors target cis (non-trans) women and LGBTI groups and use abortion, marriage equality, and freedom of expression as their main discursive topics to spread and gain support for their agenda. Various anti-gender groups coordinate campaigns against comprehensive sexuality education.<sup>30</sup>

When used against LGBTI groups, disinformation campaigns frequently use fear-based fake news and violent and discriminatory language to reinforce stereotypes, patriarchal systems of oppression and binary approaches towards gender and sex. For instance, pro-Russian government outlets in both the Czech Republic and Slovakia repeatedly published articles on the topic of sexuality education. Analyzing such articles in the period 2007-2016, Lucie Jarkovská identified coordinated efforts to misrepresent guidelines, demonize advocates for sexuality education, and instill a sense of panic.<sup>31</sup> Similarly, in Croatia, during the debate about introducing comprehensive school-based sexuality education, the anti-gender movement distributed leaflets arguing that sexuality education promotes child sex abuse, homosexuality, and is against family values.<sup>32</sup>

Anti-gender groups also spread false information about trans communities using TV, print media, local forum websites, social media and websites to communicate with audiences. Unfortunately, social media platforms do not sufficiently enforce their rules to prevent the spread of harmful and/or false news and/or the planning of violent actions. For instance, in Mexico the number of people supporting anti-gender groups on social media and participating in their events has increased exponentially. Anti-gender actors' political connections and easy access to funding also expands their ability to shape policies.<sup>33</sup>

Anti-gender campaigns skillfully note and exploit potentially divisive topics within the human rights community: sex work, trans issues, and certain sexual/reproductive technologies, such as surrogacy.<sup>34</sup> For instance, groups attacking trans persons' human rights and identities under the false pretext of feminism and the protection of non-

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<sup>28</sup> GATE (Global Action for Trans Equality) <https://gate.ngo/our-work/programs/anti-gender-movements/>

<sup>29</sup> Centre for Feminist Foreign Policy (2021). [Power Over Rights: Understanding and Countering the Anti-Gender Campaigns. Vol 1.](#) p.44

<sup>30</sup> GATE. (2023). [Impact of Anti-Gender Opposition on TGD and LGBTQI Movements: Latin America and the Caribbean \(LAC\) Report.](#) New York: GATE.

<sup>31</sup> Lucie Jarkovská. (2020). The European Union as a child molester: sex education on pro-Russian websites. *Sex Education*, 20(2), pp. 138-153.

<sup>32</sup> Centre for Feminist Foreign Policy (2021). [Power Over Rights: Understanding and Countering the Anti-Gender Campaigns. Vol 1.](#) p.44

<sup>33</sup> GATE. (2023). [Impact of Anti-Gender Opposition on TGD and LGBTQI Movements: Latin America and the Caribbean \(LAC\) Report.](#) New York: GATE.

<sup>34</sup> Centre for Feminist Foreign Policy (2021). [Power Over Rights: Understanding and Countering the Anti-Gender Campaigns. Vol 1.](#) p.45

trans women<sup>35</sup> are one of the main actors disseminating this kind of strategy. These groups oppose the LGBTQI+ work that promotes the recognition of trans identities, with several examples in Mexico, Spain and the UK.<sup>36</sup> For instance, in the UK, such groups have combined with pro-conversion therapy groups and right-wing religious movements to disseminate false information, host events and spread online hate and verbal attacks towards trans communities.<sup>37</sup>

Another example of gender disinformation's negative impact on trans communities is the result of Scotland's Gender Recognition Reform<sup>38</sup> discussions. After a convoluted consultation with government representatives, academics, civil society, and United Nations experts, the United Kingdom government blocked the bill from receiving royal assent.<sup>39</sup> In this case, the opposition from Scottish conservative groups such as religious coalitions and trans-exclusionary "feminist" groups used their public influence in media and other domains to affect the final outcome and even got validation from the UN Special Rapporteur on violence against women and girls, Reem Alsalem, who sent a communication<sup>40</sup> to the Scottish Parliament expressing her concerns about the proposed reform of the Gender Recognition Act and positioning the proposed simplified legal gender recognition process and its reliance on self-determination as a potential "threat" for survivors of gender-based violence. Unfortunately, The Special Rapporteur's public interventions against the right to legal gender recognition through self-determination in the Scottish case have amplified and furthered anti-trans narratives and stereotypes in the country. For instance, the opposition towards a simplified legal gender recognition has often been used or portrayed as the official UN position on the issue<sup>41</sup>, despite its contradiction with the established standards and other mandate-holders' positions<sup>42</sup>.

This example is particularly important since it could be considered a paradigmatic case of the high effect of gender disinformation on public opinion and the potential (in this case, real) scope of harm against the rights and freedoms of LGBTI groups.

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<sup>35</sup> A radical wing of feminism that rejects the assertion that trans women are women, the inclusion of trans women in women's spaces, and trans rights. This movement does not subscribe to the generally accepted definition of feminism, which is a movement primarily about gender equality. GATE. (2023). [Impact of Anti-Gender Opposition on TGD and LGBTQI Movements: Europe \(excluding Eastern Europe and the Caucasus\) Report](#). New York: GATE.

<sup>36</sup> Ibid. p. 46

<sup>37</sup> GATE. (2023). [Impact of Anti-Gender Opposition on TGD and LGBTQI Movements: Europe \(excluding Eastern Europe and the Caucasus\) Report](#). New York: GATE.

<sup>38</sup> [The Gender Recognition Reform \(Scotland\) Bill](#) ("the Bill") aims to amend the Gender Recognition Act 2004 of the Parliament of the United Kingdom and make it easier to legally change gender.

<sup>39</sup> See: <https://www.bbc.com/news/uk-politics-64288757>

<sup>40</sup> Mandate of the Special Rapporteur on violence against women and girls, its causes and consequences. (2022). Communication [OL GBR 14/2022](#).

<sup>41</sup> For instance see the following media articles: Evening Standard. (2022). [United Nations official concerned males could 'abuse' new GRA Bill](#); The National. (2022). [Scottish feminists hit back at UN gender recognition warning](#); The Guardian. (2022). [Sturgeon rejects UN concerns about reform of Scotlands Gender Law](#).

<sup>42</sup> The Coordination Committee of Special Procedures, which is mandated to enhance coordination among mandate holders and to act as a bridge between them and the OHCHR, the UN human rights system and civil society, sent [a letter](#) to the President of the Human Rights Council expressing concern about the recent views and actions of the SR on VAW and the harm caused. The letter raised questions about the SR's understanding of the scope of her mandate and her commitment to the universality of human rights.

In this regard, the Independent Expert on Sexual Orientation and Gender Identity Victor Madrigal-Borloz also sent a letter<sup>43</sup> to the UK government expressing his concerns about the misrepresentation of the existing consensus within the bodies and entities of the UN Human Rights System about the international human rights imperative of legal recognition of gender identity, and the principle of self-identification.

## Recommendations and good practices

- Collecting accurate data and measurement of disinformation.
- Compiling disaggregated data about types and characteristics of disinformation against LGBTI communities.
- Recognizing that disinformation supports fake narratives based on discriminatory stereotypes against LGBTI communities, particularly trans women.
- Establishing a legal definition of “gender disinformation” with SOGIESC lenses. The lack of alignment and up-to-date regulations leaves a gap in providing effective responses for combatting gender disinformation and protecting the rights of LGBTI individuals.
- To effectively tackle gender disinformation, it is essential to adopt a multistakeholder approach (considering all the actors, public and private, in this issue), to promote incentives to work towards coordinated solutions.
- Recognizing the significance of context is crucial when implementing content moderation measures with a balance between freedom of expression and security.
- Recognizing the fact that the persons promoting gender disinformation (religious institutions, politicians, and anti-gender movement actors) are in a better social and economic position (including digital divide) than the LGBTI communities affected by this, which makes the issue more difficult to tackle because the actors involved have an asymmetric relationship towards information.
- Create and implement fact-checking processes with a SOGIESC approach. In the fact-checking processes with artificial intelligence (AI), consider the discrimination gaps of the AI.
- Provide remedies, including public apologies and the right to reply (legal instruments) when gender disinformation is carried out against LGBTI communities.
- Promote accurate and inclusive education about gender and the experiences of transgender and gender non-conforming individuals. Work with schools to develop LGBTI-inclusive curricula and promote SOGIESC education about disinformation<sup>44</sup>.
- Recognize early signs of low-scale threats against a specific target.
- Centering local expertise is fundamental, as members of LGBTI communities are directly affected by disinformation and are cognizant of the context. LGBTI persons should be allowed to detect gendered disinformation.

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<sup>43</sup> Mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity. (2022). Communication [OL GBR 15/2022](#).

<sup>44</sup> See for example the online course on disinformation by the collective SOGI-campaigns: <https://courses.sogicampaigns.org/disinformation/>