



Submission by the

National Democratic Institute for International Affairs (NDI)

to the

**UN Special Rapporteur on the Promotion and Protection of
the Right to Freedom of Opinion and Expression**

**to inform the Special Rapporteur's thematic report to the 78th session
of the UN General Assembly on freedom of expression and the gender
dimensions of disinformation**

Submitted on 7 July 2023

ABOUT THE NATIONAL DEMOCRATIC INSTITUTE

The [National Democratic Institute for International Affairs \(NDI\)](https://www.ndi.org) is a nonprofit, nonpartisan, nongovernmental organization that responds to the aspirations of people around the world to live in democratic societies that recognize and promote basic human rights. Since its founding in 1983, NDI and its local partners have worked to support and strengthen democratic institutions and practices by strengthening political parties, civic organizations and parliaments; safeguarding elections; and promoting citizen participation, openness and accountability in government.

NDI is a leading organization working to advance women's political participation around the world. Mobilizing its global networks and drawing on three decades of experience in 132 countries, NDI supports women's aspirations for gender equality, and for inclusive and responsive government. NDI's multinational approach reinforces the message that while there is no single democratic model, certain core principles are shared by all democracies.

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INTRODUCTION

This submission is presented by the National Democratic Institute for International Affairs (NDI), a leading non-partisan, non-profit, nongovernmental organization in the field of democracy and governance globally and advancing the political participation of women in all their diversity¹ around the world. NDI's submission draws on four decades of experience in 132 countries supporting political women's aspirations for gender equality and inclusive and responsive governments.

The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression has recognized the "full participation of women at all levels of decision-making is essential for the achievement of equality, sustainable development, peace and democracy."² In her 2021 report focused on gender and freedom of expression, the Special Rapporteur concluded that "[t]he most pervasive and pernicious form of gendered censorship is the use of online sexual and gender-based violence, hate speech and disinformation to silence women" by State and non-State actors who specifically target "(f)emale politicians... and feminist activists" aiming to "intimidate them and drive them off the platforms and out of public life. That has serious consequences for human rights, diversity in public debates and the media, and ultimately, democracy and development."³

Based on its years of analysis and programming in this area, the National Democratic Institute (NDI) understands that the scope and adverse impact of such silencing, distortion, and degradation of information integrity, in large part through gendered disinformation, goes farther than censorship and exclusion from the public square; it erodes core democratic principles and human rights protections while reinforcing negative global inequalities. As such, this submission encourages the Special Rapporteur to consider situating the focus on censorship and exclusion firmly within the continuum of violence against women (VAW) and gender-based violence (GBV), in this case happening online (O-VAW) or by tech-facilitated gender-based violence means (TFGBV). As with other human rights, the right to freedom of expression must be applied equally and universally and must not be curtailed for certain populations - here women in all their diversity - due to the positionality, status, and power of other segments. In this way the impacts of censorship and exclusion are confirmed as aspects of the structural violence and disempowerment that women experience. While there is a pressing need to focus on dismantling **all harmful gender norms and political masculinities** that reinforce violence against women in politics and spread gender disinformation, this is a much bigger societal issue and not a solvable problem for states and governments alone. At NDI we hold that misogyny and abuse online *is* solvable.

This submission aims to highlight current critical elements and gaps by i) encouraging a **reframing of "gendered disinformation" by the Special Rapporteur**; ii) situating **gendered disinformation as a form of GBV** which undercuts women's right to freedom of opinion and expression as a prerequisite to civic and public participation; and iii) outlining **promising responses and recommendations** for effective interventions by state agencies and tech companies to stem gender disinformation as a form of TFGBV. In line with the Special Rapporteur on Violence Against Women's 2018 report on violence against women in politics (VAW-P), States must uphold "the obligation of due diligence and the principle that human rights protected offline are protected online."⁴

I. Defining “Gendered Disinformation”

“Disinformation” is typically defined as false information shared with the intent to cause harm. “Gendered disinformation” - as defined by NDI and its consortium partners - includes “false, misleading, or harmful content that exploits gender inequalities or invokes gender stereotypes and norms, including to target specific individuals or groups.”⁵ As such, gendered disinformation constitutes a form of violence against women or gender-based violence. While not all instances of hate speech, threats, or gendered attacks against women and gender-diverse individuals are instances of gendered disinformation, they all fall under the umbrella of O-VAW in politics (O-VAW-P) (see Figure 1).⁶

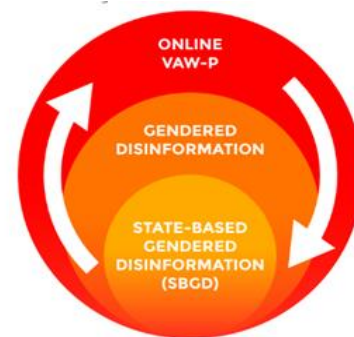


Figure 1

Gendered disinformation is directed toward women and gender-diverse individuals as part of broader tactics to exclude, censor, or discredit individual women, or to undermine their political leadership or a specific political position for a political end. However, as Figure 2 below shows, there are important areas of overlap between disinformation more broadly and other actions at a nexus of information integrity and intent to cause harm.⁷ In practical terms, these include the accidental or unknowing spread or false information (misinformation) or true information that is shared with intent to harm (malinformation).

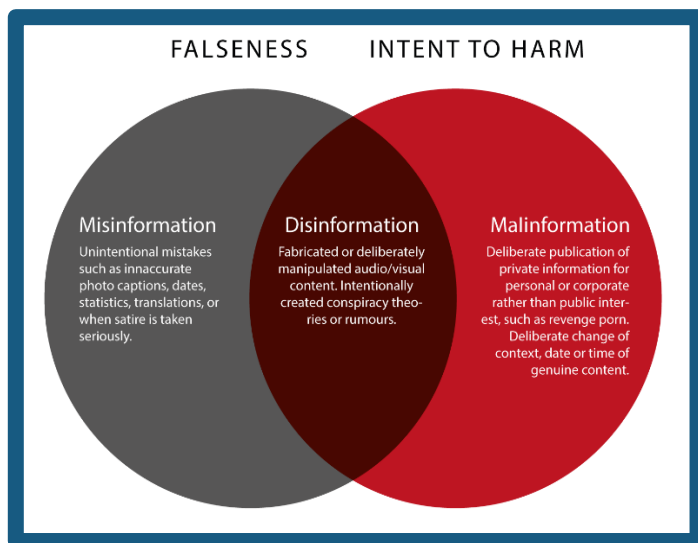


Figure 2

An example of malinformation with particularly negative gender characteristics is “doxxing,” which is the sharing of personal information online - including physical addresses - with the intent to cause the intended target harm. Considering the various manifestations of violence at the integrity/harm nexus -- dis-, mis- and mal-information -- allows for data collection, analysis, and interventions *that differentiate between* the content, targets, intention, perpetrators, impact, solutions, and remedial actions *in each category*.

II. Gendered Disinformation Constitutes a form of Gender-based Violence Gutting Women’s Right to Freedom of Opinion and Expression as a Prerequisite to Participation in Civic and Public Life

The current trend of democratic backsliding and increased authoritarian action encompasses a rollback of women’s and girls’ rights fueled by a patriarchal backlash.⁸ This is often part of a deliberate political strategy that relies on violence against politically-active women to silence and exclude them from engaging in political discourse and public life. Recent and growing data reveal that women in politics experience higher rates of psychological and physical violence, including threats, abuse, and coercion, than their male counterparts, and encounter sexist behavior and harassment due to their gender or their perceived challenge to traditional gender role norms. Such violence attacks them as individuals and because of their gender; it is also lacking in institutional response and encouraged by socio-cultural norms. However, these actions are intended to and are successful in chilling the ambitions of *all* women, particularly young women, girls, and new entrants to politics who desire to participate in political and public life. For example, young women aged 18 to 24 are more likely than other groups to experience online harassment, and within that some of the more severe forms of harassment.⁹

Such violence affects women in all sectors of politics, and critically, “undermin[es] democracy in all its key elements.”¹⁰ VAW-P occurs across the private to public sphere continuum and one form often serves as a gateway to others, as when online misogyny and harassment turns to in-person assaults and murder.

The UN Special Rapporteur on Violence against Women has specifically stated that “online violence against women in politics is a direct attack on the full participation by women in political and public life and their enjoyment of their human rights.”¹¹ NDI has developed a method for analyzing and categorizing politically-active women's experiences of violence in the physical realm versus the online realm as the manifestations are not identical.¹²

Gender disinformation thus severely, and at times irreparably, results in:

- causing women and gender-diverse individuals to withdraw from politics through fear (e.g., OVAW-P seeks to manipulate or stop their political participation using fake stories or images to instill fear and generate threats);
- shifting popular support away from politically-active women (e.g., entrenched gender norms are used to shift support away from women in politics);
- changing political outcomes by leveraging gender norms (e.g., propagating adverse gender norms to influence public support on issues and policies).¹³

When state-based actors utilize online violence, such as gendered disinformation, to conduct disinformation campaigns that target politically active women, they consciously and purposefully undermine the freedom and integrity of the political information space and ultimately threaten democratic processes.¹⁴ Gendered disinformation shared by state-based actors reaches a much larger audience and attacks on women combine personal attacks with political motivations, making online spaces dangerous for women, seeking to silence and exclude them from public life and discourse.¹⁵ Gendered disinformation can in turn be used either by non-state-based actors as a campaign of online VAW-P to their own ends, or be unintentionally amplified by media professionals and citizens who are not able to discern its lack of integrity.¹⁶ Consequently, if the digital ecosystem is not safe for women's self-expression of their views and perspectives, it is not safe for democracy.

III. Promising Responses and Recommendations

Over recent years, civil society has effectively documented “gendered disinformation” as a global phenomenon rooted in the spectrum of VAW and experienced by women in political and public life in every country, requiring multi-stakeholder strategies that engage technology companies, governments, courts, media hubs, and other institutions to action.¹⁷ According to a 2023 NDI assessment, the top three civil society-recommended interventions by governments are **legislation** (48.5%), related **legal approaches** (13.2%), and **transparency** requirements for government activities (10.3%).¹⁸ Global leadership is also becoming more pronounced and normative frameworks are acknowledging this challenge. A promising multilateral response to gendered disinformation as a form of GBV is the [Global Partnership for Action on Gender-Based Online Harassment and Abuse](#) (Global Partnership),¹⁹ launched in 2022 as a commitment from the inaugural United States government-organized Summit for Democracy and the Denmark [Tech for Democracy](#) initiative, seeks to reverse the chilling effect of harassment and abuse on speech and expression and the civic and political participation of women, girls, and members of the LGBTQI+ community. Grown to 12 leading countries, the Global Partnership has effectively deployed a multi-stakeholder Advisory Group composed of survivors, leaders, and select experts from civil society, including NDI, research and academia, the private sector, and international organizations²⁰ who pledged concerted actions.²¹ Further, one of the key findings of the 2022 Freedom on the Net report affirmed the importance of multi-sectoral approaches: the countries with the most progress on internet freedom had multi-sectoral coalitions in place.²²

Recommendations

Based on a decade of work on VAW in politics, including online and TFGBV that aims to deter and undermine women's participation and leadership in public and political life, and on consultations with more than 100 women leaders worldwide, NDI developed a suite of interventions and solutions that technology platforms, governments, civil society organizations (CSOs), and the media can take to make meaningful progress towards ending TFGBV against women in politics.²³ NDI also compiled a landscape analysis of interventions for governments recommended by CSOs around the globe.²⁴ While not exhaustive, this section will outline recommendations geared at governments that UN engagement could assist in scaling.

State parties should:

- Extend the same protections to women in the digital space and from TFGBV as to such threats, harassment, and violence experienced in person, including through stronger data privacy laws to prevent private information from being accessed and abused in attacks such as “doxxing,” a terrifying tactic often used against women in public life;
- Pass or update legislation addressing social media transparency to specify reporting requirements on online VAW against women in politics and gendered disinformation; push social media companies to develop and implement automated techniques to identify and take down intimidatory content posted on their platform and further enable users to report potentially illegal online activity to the police;²⁵
- Promptly introduce and implement laws that require transparency about algorithmic training given the rise in Artificial Intelligence and non-human moderation of digital platforms;
- Collaborate with civil society and tech companies to establish national and global initiatives and bodies to tackle the threat of online and TFGBV against politically-active women;
- Regularly engage survivors of TFGBV and VAW-P in survivor-informed interventions, such as gender-informed fact-checking and reputational defense and repair (especially due to inconsistent platform responses to addressing gendered disinformation which typically results in substantial and often irreparable reputational harms);²⁶
- Contribute to and reinforce efforts to connect civil society, especially women's rights groups, with women in elected, appointed, and administrative positions to jointly advocate for measures to address TFGBV and to increase women's representation;
- Resource and support civil society-led models of fighting online abuse convening multi-stakeholder coalitions;
- Provide essential support and resources to survivors of OVAW and TFGBV and related harms, including trauma counseling and support, as well as measures to mitigate and repair reputational and professional damage.

In addition, NDI urges the Special Rapporteur to continue to engage technology companies in creating accountability standards for addressing TFGBV in line with the UN Guiding Principles on Business and Human Rights²⁷ and other UN commitments.

IV. Links to Relevant Reports and Publications

Select NDI Publications:

- **Annex 1:** NDI, [Interventions to End Online Violence Against Women in Politics \(2022\)](#) (available in Arabic, English, French, Portuguese, Spanish, Ukrainian)
- **Annex 2:** NDI, [Addressing Online Misogyny and Gendered Disinformation: A How-to Guide](#) (2021)
- **Annex 3:** DEMOS, [Engendering Hate: The contours of state-aligned gender disinformation online](#) (NDI-Commissioned, 2020)

- NDI, [#NotTheCost: Stopping Violence Against Women in Politics, Renewed Call to Action](#) (2021)
- Consortium for Elections and Political Process Strengthening, [Complete Guide | Countering Disinformation: Understanding the Gender Dimensions of Disinformation](#)
- NDI, [Tweets that Chill: Analyzing Online Violence Against Women in Politics](#) (2019)
- NDI, [Examining State-Based Disinformation Campaigns During Times of Crises](#) (Lebanon and Brazil case studies) (2021)
- [Submission by the National Democratic Institute to the United Nations Special Rapporteur on Violence Against Women: Violence Against Women in Politics](#) (2016)
- [NDI's Submission to the CEDAW Committee on Equal and Inclusive Representation of Women in Decision-making Systems](#) (2023)

Select Articles:

- Moira Whelan, [Global Partnership to End Online Violence Against Women Presents Opportunities for Tech and Government to step up | National Democratic Institute \(April 13, 2022\)](#)
- Moira Whelan, [Opinion: System failure — online misogyny and democracy | Devex](#) (March 30, 2021)
- DEVEX Editor, [Q&A: How can civi-tech advance gender equality? | Devex](#) (March 10, 2021)
- Nina Jankowicz, Jillian Hunchak, Alexandra Pavliuc et al., [Malign Creativity: How Gender, Sex, and Lies are Weaponized Against Women Online | Wilson Center](#) (2021)
- Nina Jankowicz, [How Disinformation Corrodes Democracy | Foreign Affairs](#) (Nov. 30, 2021)

¹ The phrase “women in all their diversity” aims to encompass all women of all ages and to acknowledge their diverse and multiple intersecting identities and contexts, including social, ethnic and religious minorities, women with disabilities, and members of the LGBTQI+ community.

² UN, Report of the Special Rapporteur on the promotion and protection of freedom of opinion and expression, Gender Justice and Freedom of Expression, A/76/258 (2021), para. 5; See also, “Gender equality and freedom of opinion and expression are mutually reinforcing, indivisible, interdependent and essential to the achievement of peace, democracy and sustainable development” at para. 100.

³ UN, Report of Special Rapporteur on the promotion and protection of freedom of opinion and expression, Gender Justice and Freedom of Expression, A/76/258, para.102.

⁴ UN Special Rapporteur on Violence Against Women, its Causes and Consequences, [Violence against Women in Politics](#) – note by the Secretary-General, A/73/301, para. 83(g), (Aug. 6, 2018).

⁵ National Democratic Institute for International Affairs (NDI), [Addressing Online Misogyny & Gendered Disinformation \(2021\)](#), p. 3, note 1 *citing* the CEPPS, [Countering Disinformation](#) Guide. In addition “beyond gendered content, however, other important dimensions of gendered disinformation include: who produces and spreads problematic content (actor); how and where problematic content is shared and amplified, and who has access to certain technologies and digital spaces (mode of dissemination); who is the audience that receives or consumes the problematic content (interpreter); and how the creation, spread, and consumption of problematic content affects women, girls, men, boys, and people with diverse sexual orientations and gender identities, as well as the gendered impacts of this content on communities and societies (risk).” Ibid.

⁶ NDI, [Addressing Online Misogyny & Gendered Disinformation \(2021\)](#), pp. 3-4.

⁷ For a definition of gendered disinformation, see Consortium for Elections and Political Process Strengthening, [Complete Guide | Countering Disinformation: Understanding the Gender Dimensions of Disinformation](#).

⁸ Erica Chenoweth and Zoe Marks, [Revenge of the Patriarchs: Why Autocrats Fear Women](#), Foreign Affairs, March/April 2022 issue (contrasting the gains for gender equality of the last century, with this century “demonstrating that misogyny and authoritarianism are not just common comorbidities but mutually reinforcing ills”).

⁹ Submission by the National Democratic Institute to the UN Special Rapporteur on Violence Against Women, [#NOTTHECOST: Stopping violence against women in politics](#) (June 2018), para. 32.

¹⁰ NDI, [Tweets that Chill: Analyzing Online Violence Against Women in Politics](#) (2019), p. 12.

¹¹ Report of the UN Special Rapporteur on violence against women, its causes and consequences on violence against women in politics, [A/73/301](#) (2018), para. 14 (noting that “the extent to which such online violence is used by State and non-State actors to spread disinformation aimed at discouraging women from participating in politics, swaying popular support away from politically-active women and influencing how men and women view particular issues has yet to be fully understood”).

¹² The specific issue of violence against women in politics has three distinct characteristics: i) it targets women because of their gender; ii) in its very form it can be gendered, as exemplified by sexist threats and sexual violence; and iii) its impact is to discourage women in particular from being or becoming politically active. It encompasses all forms of aggression, coercion and intimidation against women as political actors simply because they are women. These acts—whether directed at women as civic leaders, voters, political party members, candidates, elected representatives or appointed officials—are designed to restrict the political participation of women as a group. This violence reinforces traditional stereotypes and roles given to women, using domination and control to exclude women from politics. NDI, [#Not the Cost: A Call to Action to End Violence Against Women in Politics](#) (2016).

¹³ Demo Finland, International IDEA, Oslo Center & NDI, [Preventing Violence Against Women in Politics – Benchmarks for Political Parties](#) (2022).

¹⁴ NDI, [Addressing Online Misogyny & Gendered Disinformation \(2021\)](#), pp. 3-4.

¹⁵ DEMOS, [Engendering Hate: The contours of state-aligned gender disinformation online](#) (NDI-Commissioned, 2020), pp. 5-6.

¹⁶ NDI, [Addressing Online Misogyny & Gendered Disinformation \(2021\)](#), pp. 3-4.

¹⁷ Successful civil-society-led models include public consultation and standing advisory groups in the European Union enable legislative intent to be citizen driven; and women’s rights organizations in Australia trained by the state’s pioneering e-safety office to address such harms. See Australia’s e-safety Commissioner at <https://www.esafety.gov.au/women>.

¹⁸ NDI, [Online Violence Against Women Landscape Tracker](#), Government Interventions.

¹⁹ See <https://www.state.gov/2023-roadmap-for-the-global-partnership-for-action-on-gender-based-online-harassment-and-abuse/>.

²⁰ See e.g., the [Committee on the Status of Women](#) elevated this issue as part of the 2023 session. UNESCO’s [Guidelines for regulating digital platforms](#) include a section on specific measures to counter online gender-based violence.

²¹ In addition, progress on the corporate front includes innovations such as [StopNCII.org](#), which is a free tool designed to support victims of Non-Consensual Intimate Image (NCII) abuse. The tool works by generating a hash (or “digital fingerprint”) from intimate images or videos which is shared with participating companies so they can help detect and remove the images from being shared online. Companies like Bumble have not only made platform changes to make the digital space safer for women, but have made it a central component of their business model and were also instrumental in passing laws such as California’s “cyberflashing” law. While frontline resources continue to decrease at Meta, its [Oversight Board](#) has established a gender team and has identified cases that will be binding for content moderation decisions on Facebook and Instagram.

²² Freedom House, [Freedom on the Net 2022: Countering an Authoritarian Overhaul of the Internet](#) (2022).

²³ NDI, [Interventions for Ending Online Violence Against Women in Politics](#) (Oct. 2022) (available in Arabic, English, French, Portuguese, Spanish, Ukrainian). In the past two years, other groups have engaged in similar activity and NDI has collated a portfolio of roughly 450 interventions that can be taken to end online violence against women. See NDI, [Online Violence Against Women Landscape Tracker](#), Government Interventions

²⁴ NDI, [Online Violence Against Women Landscape Tracker](#), Government Interventions.

²⁵ NDI, [Interventions for Ending Online Violence Against Women in Politics](#).

²⁶ See e.g., UNFPA, Technology-Facilitated Gender-Based Violence: A Growing Threat, Resources at <https://www.unfpa.org/TFGBV>.

²⁷ United Nations, [Guiding Principles on Business and Human Rights](#) (2011).