

THE UN SPECIAL RAPPORTEUR ON FREEDOM OF EXPRESSION REFLECTS ON NDI'S SUBMISSION ON GENDERED DISINFORMATION



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The National Democratic Institute's (NDI) Democracy and Technology, and Gender, Women, and Democracy teams collaborated on a submission to the United Nations Special Rapporteur on Freedom of Expression and Opinion (SRFoE), Irene Khan, in response to her call for inputs to her report on gendered disinformation.

The Special Rapporteur submitted her report [A/78/288: Gendered disinformation and its implications for the right to freedom of expression](#), to the UN General Assembly at its 78th session in September 2023.

The Special Rapporteur concluded that gendered disinformation is “both a strategy to silence the free expression of women and gender nonconforming persons and a threat to their safety and health, as well as a possible form of online gender-based violence.”

Below are several takeaways from NDI's review of that report against its own submission to the Special Rapporteur.

The UN SRFoE's 2023 report on gendered disinformation cites the NDI submission itself directly multiple times and references three published NDI reports, namely: “Tweets that Chill: Analyzing Online Violence against Women in Politics;” “Addressing Online Misogyny and Gendered Disinformation: a How-to Guide;” and “#NotTheCost: Stopping Violence against Women in Politics - A Renewed Call to Action.” All of these are available at www.ndi.org.

NDI's submission argued that gendered disinformation experienced by women in politics should be characterized as a form of gender-based violence which occurs online (aka online violence against women (OVAW)). That framing was partially taken up by the SRFoE in this report echoing the view from her 2021 [report](#) on gender justice and freedom of expression. In that report SRFoE stated that “gendered

disinformation...is a subset of gender-based violence.” In the SRFoE's recent report to the UN General Assembly, the Special Rapporteur states that “while there is overlap among gendered disinformation, gender-based violence and gendered hate speech, the three phenomena are not synonymous.” The Special Rapporteur deems gendered disinformation as “both a strategy to silence the free expression of women and gender nonconforming persons and a form of online gender-based violence in certain circumstances.” In contrast, based on its previous research and exploration of the issue and the views of politically-active women who face substantial rates of such treatment, NDI asserted that “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 OVAW in politics.”

A number of the SRFoE's recommendations reflect points made in NDI's submission. For example, she mentions the need for “State regulation of social media [to] be focused on enforcing transparency, due process rights for users, and human rights and gender due diligence by companies.” In the excerpts below, NDI outlines several actionable recommendations by the SRFoE for social media companies to address online and tech-facilitated violence, which are closely aligned with NDI's submission.

- Companies should:
 - “provide easily accessible, trauma-informed reporting tools that are accessible to individuals with variable technical literacy and that allow for localized interpretations of online abuse [and for platforms to] develop coordination mechanisms at the country level with the involvement of community organizations to better identify cases of gendered disinformation, receive reports of such cases and escalate actions to combat gendered disinformation, and to develop preventive, proactive strategies;”
 - “publish comprehensive, detailed and contextualized transparency reports that include a breakdown of the actions taken against gendered disinformation-related content and appeals against those actions”; and
 - establish internal appeals mechanisms.

In addition, the Special Rapporteur instructs political parties to “introduce appropriate policies and processes to identify and support employees targeted by or at risk of becoming a target of gendered disinformation.”

One notable absence in the SRFoE's recommendations is that while the report devotes dedicated sections to survivors of tech-facilitated GBV and violence against women, including in politics, the Special Rapporteur does not explicitly include recommendations to engage them in survivor-informed interventions, as NDI's submission encouraged.

Finally, NDI notes that the SRFoE rendered this report “of an interim nature and ...intended to generate further consultations with States, companies and civil society.” The opportunities to do so will grow in significance as discussions on the Global Digital Compact to be released at the 2024 Summit of the Future gain pace.

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