

Interlinkages between women’s rights and digital technologies, civic space, data and privacy, and freedom of expression

Office of the United Nations High Commissioner for Human Rights (OHCHR)

Summary of text:

Open, secure, affordable, and high-quality Internet access has opened space for women and girls, including those with diverse sexual orientation, gender identity or sex characteristics, to engage in new channels for influencing public debate and decision-making. Nevertheless, women and girls remain particularly vulnerable to threats and attacks in online spaces, especially in the case of those who do not conform to social norms which justify gender stereotypes and gender-based discrimination. In particular, women human rights defenders, female journalists and politicians who speak out on feminist issues, or who come from racial, ethnic, religious or minority groups, face abuse at higher rates and in different ways than men.

Surveillance technology, such as Pegasus spyware, and other tools enabling systematic monitoring of online and offline public spaces, has facilitated mass and targeted surveillance by governments, private actors and individuals, with disproportionate impacts on freedom of expression on women human rights defenders, activists, and victims of violence and abuse. Surveillance is particularly relevant for women given the recurrent use of private information and communications in attacks against them. Nearly every detail of women’s intimate lives is vulnerable to multiple forms of surveillance, from domestic violence to sexual objectification and reproduction.

In addition to surveillance, women and gender nonconforming people also face censorship. Online content moderation by social media companies and platforms involves a mix of human review and algorithms. The removal of content and imagery produced by women, especially those from minority groups, has been consistently reported.

Key recommendations:

- Governments must commit to expanding the online civic space for women and girls human rights activists. Efforts to eliminate OGBV must be carefully formulated so as not to create space for expanding censorship and surveillance. Regulations with overly broad definitions may inadvertently lead to content removal, ultimately undermining women's ability to use their voice. Legislation prohibiting ill-defined concepts, such as “obscenity” or “immorality”, may be used to limit critical discussions about sexuality, gender and sexual and reproductive rights.
- Human rights law provides a solid foundation for regulating online spaces. Governments, together with the private sector, should adhere to the UN Guiding Principles on Business and Human Rights in all their practices and systematically conduct human rights due diligence throughout the lifecycle of the AI systems they design, obtain or operate and incorporate a gendered lens.