



## Global Digital Compact Submission

April 2023

This submission is from a coalition of UK experts on violence against women and girls, including both civil society representatives and academics based in the UK. These include the End Violence Against Women Coalition, Glitch, Refuge, Carnegie UK, NSPCC, 5Rights, Suzy Lamplugh Trust, Professor Clare McGlynn (Durham University) and Professor Lorna Woods (Essex University).

This group came together for the first time in 2022 in response to the omission of any express mention of women, girls or misogyny within the Online Safety Bill, the UK's legislation for the regulation of certain internet services. The coalition developed a code of practice on violence against women and girls, to be added to the Bill's existing framework. This code of practice provides a ready-to-use set of guidelines to technology companies to enable them to understand, address and respond to the breadth of violence against women and girls online. The coalition continues to campaign for this code of practice to be introduced in the Online Safety Bill – currently going through the UK's House of Lords – to ensure technology companies are regulated to adequately tackle online violence against women and girls in the UK. The code of practice can be read [here](#).

Whilst the coalition's work has so far been focused on the UK's regulatory and legislative system, we believe this code of practice has global relevance along with the underlying principle of systemic regulation that informs it. Systemic regulation shifts the focus from individual items of content and looks instead to the underlying platforms on which content is found and the impact of design choices and business models on the communications environment created by the internet service. This set of guidelines has the potential for adaptation by other national jurisdictions, for the regulation of technology platforms operating elsewhere. Furthermore, it serves as a useful tool for supranational bodies, such as the UN, to promote solutions to online violence against women and girls to their member states. Finally, the guidelines can be adopted by technology companies with global reach, as a tool for them to self-regulate against online violence against women and girls. It is a model that can be used to tackle different problem areas, as well as capable of being deployed in regulatory, self regulatory or supra national contexts. This approach also fits with the UN Guiding Principles on Business and Human Rights which specify<sup>1</sup> that companies should have 'a human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights.'

Tackling violence against women and girls is a significant omission from the key digital issues that the Common Agenda Report suggests should be included in the Global Digital Compact. As will be illustrated in more detail in our response, women and girls across the globe experience the online world in a gendered way. As we outline in more detail in Section 4, violence against women and girls online is part of the continuum of gendered violence that affects society at a global scale. In the same way as offline violence, this type of gender inequality intersects with multiple structural inequalities including race, disability, sexuality, religion and age. The perpetuation of violence against women and girls in a digital sphere creates wider societal and cultural harm, such as preventing women and girls' political

1 [https://www.ohchr.org/sites/default/files/Documents/Publications/GuidingPrinciplesBusinessHR\\_EN.pdf](https://www.ohchr.org/sites/default/files/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf)

participation and freedom of expression in the digital space without abuse. Therefore, an "open, free and secure digital future for all", as the UN's Global Digital Compact aims for, cannot be achieved without naming violence against women and girls online as a key issue.

This response references the relevance of online violence against women and girls to key issues included in the Common Agenda Report, namely 'applying human rights online' and 'accountability for discrimination and misleading content'. However, the coalition also highlights coverage of violence against women and girls itself as a key omission from the list of issues mentioned.

## 4. Apply human rights online

### a) Core Principles

Women and girls' right to live free from violence is internationally recognised. The UN has long upheld this right, including in the UN declaration on the elimination of violence against women (1993)<sup>1</sup>. General recommendation 35 has recognised that "the prohibition of gender-based violence against women has evolved into a principle of customary international law".<sup>2</sup>

It is also internationally recognised that violence against women and girls (VAWG) committed in the digital sphere is part of a continuum of abuse which threatens this right both online and offline. This was reported by the UN Special Rapporteur on Violence Against Women and Girls:

"Women and girls across the world have increasingly voiced their concern at harmful, sexist, misogynistic and violent content and behaviour online. It is therefore important to acknowledge that the Internet is being used in a broader environment of widespread and systemic structural discrimination and gender-based violence against women and girls." It has repercussions for the enjoyment of their human rights by women and girls as well as the elimination of discrimination.

The Council of Europe group GREVIO (Group of Experts on Action Against Violence Against Women and Domestic Violence) has stated<sup>3</sup> that they consider "this obligation to cover all expressions of violence against women, including digital expressions and violence perpetrated with the help of or through technology." The European Council's Commissioner for Human Rights also stated<sup>4</sup> "Not only does violence perpetrated in the digital sphere amount to gender-based violence against women and girls, breaching a wide range of human rights as protected by international and European human rights standards, but it also has a chilling effect on democratic discourse."

Similarly, the United Nations has emphasised<sup>5</sup> that the Convention on the Rights of the Child calls on State parties to take legislative and administrative measures to protect children from violence in the digital environment... Such risks include... gender-based violence'. Furthermore, UNESCO's Internet for Trust work highlights<sup>6</sup> the negative impact online violence has on women's participation in public life: "Even worse, online gender-based violence and harassment silence women and deter them from participating in the public sphere – for example, in journalism, where nearly three-quarters of women have experienced online violence, and just under a third self-censor as a result." Refuge, a UK based organisation working to tackle domestic abuse, found that 38% of women who experienced abuse on social media from a partner or formal partner said they felt unsafe or less confident online as a result<sup>7</sup>.

An intersectional approach that accounts for all forms of overlapping discrimination of unique and protected characteristics must be applied broadly when ending online gender-based violence. State and technology companies' responses need to consider and address different types of discrimination women and other marginalised communities experience to create effective ways to prevent and intervene. Studies show that marginalised groups, such as women and people of colour, are more likely to experience online abuse, which is why a better understanding is needed regarding how different

2 Un Convention on the Elimination of Discrimination Against Women, General Recommendation (CEDAW/C/GC/35), 26 July 2017, para 2: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N17/231/54/PDF/N1723154.pdf?OpenElement>

3 GREVIO, General Recommendation No. 1 on the digital dimension of violence against women, 20 October 2021 <https://rm.coe.int/grevio-rec-no-on-digital-violence-against-women/1680a49147>

4 <https://www.coe.int/en/web/commissioner/-/no-space-for-violence-against-women-and-girls-in-the-digital-world>

5 UN Convention on the Rights of the Child, General Comment 25: <https://www.ohchr.org/en/documents/generalcomments-and-recommendations/general-comment-no-25-2021-childrens-rights-relation>

6 <https://unesdoc.unesco.org/ark:/48223/pf0000384620.locale=en>

7 <https://refuge.org.uk/wp-content/uploads/2021/10/Unsocial-Spaces-for-web.pdf>

forms of discrimination intersect and contribute to these issues. To combat abuse, there needs to be an acknowledgement of the varied experiences of different groups.

Research shows that women are 27 times more likely to be harassed online<sup>8</sup> than men and that Black women are 84% more likely<sup>9</sup> to be the targets of abusive tweets than white women. Despite these alarming figures, the experiences of Black women are often overlooked and not taken seriously.

Women and girls' sexual and reproductive health rights (SRHR) can also be threatened in a number of ways online, from invasions of privacy with significant legal implications<sup>10</sup> to the online harassment and abuse of health professionals and those accessing sexual and reproductive health services.<sup>11</sup> Research has also demonstrated the prevalence of misinformation and often coordinated disinformation regarding sexual and reproductive healthcare, including unsafe abortion methods and deliberately misleading or false health advice.<sup>12</sup> Analysis of tech platform responses to these threats have found significant policy loopholes as well as inconsistencies in their enforcement.<sup>13</sup>

There is already wide international recognition that preventing, addressing and responding to online violence against women and girls is vital to the general application of human rights online, and should therefore be included in the UN's Global Digital Compact.

## b) Key Commitment/ Pledges/ Actions

Violence Against Women and Girls Code of Practice can be read [here](#).

Tech companies should acknowledge and respond to the fact that their products can facilitate, and even encourage, harm and adopt a 'safety by design' approach when developing and operating their services, taking into account the characteristics and experience of all users. 'Safety' must be understood as a context that enables all women and girls to exercise their freedom of expression online and freedom of access to platforms without fear of VAWG. It is an approach that recognises that women and girls already remove themselves from online spaces and refrain from expressing their views. It should also be acknowledged that women and girls also currently have to exercise a degree of "safety work" that inhibits and curtails their experiences and free expression, and so should not place the burden of doing further "safety work" on women and girls.

A Violence Against Women and Girls Code of Practice has been produced by a coalition of civil society organisations and academics in the UK: Carnegie UK, End Violence Against Women, Glitch, NSPCC, Refuge, 5Rights Foundation, Professor Lorna Woods and Professor Clare McGlynn. This code of practice provides detailed guidance for technology companies to help them understand and respond to the breadth of online violence against women and girls. It has 'safety by design' at its heart, requiring that consideration of gendered harms be built in, not bolted onto service design taking into account an assessment of the risks faced by women and girls. It recognises that platforms are not neutral as to the content and behaviours those services facilitate and encourage. This approach is not limited to ex post interventions (content moderation and take down) but at a range of different points in the content distribution chain, which we see as a four stage model:

- content creation (including account creation) – for example, in the VAWG context security of accounts and defaults to safety are important; availability of anonymous and disposable accounts constitute risk factors (though we do not suggest that anonymity should automatically be banned);

8 [https://www.womenlobby.org/IMG/pdf/hernetherrights\\_resource\\_pack\\_2017\\_web\\_version.pdf](https://www.womenlobby.org/IMG/pdf/hernetherrights_resource_pack_2017_web_version.pdf)

9 <https://www.google.com/url?q=https://www.wired.com/story/amnesty-report-twitter-abuse-women/&sa=D&source=docs&ust=1682605145629654&usq=AOvVaw3UhlRzKaG6f7sPlMgWiz2M>

10 <https://blogs.lse.ac.uk/humanrights/2022/12/14/rethinking-explicit-consent-and-intimate-data-collection-the-looming-digital-privacy-concern-with-roe-v-wade-overturned/>

11 <https://www.reliasmedia.com/articles/148882-privacy-breaches-and-reputation-terrorism-plague-abortion-providers>

12 <https://www.opendemocracy.net/en/5050/global-anti-abortion-misinformation/> <https://www.isdglobal.org/digital-dispatches/keeping-it-in-the-family-hungarys-pivotal-role-in-the-global-network-against-sexual-and-reproductive-rights/>

13 <https://www.isdglobal.org/isd-publications/analysis-of-social-media-platforms-response-100-days-after-us-supreme-court-decision-overturning-roe-v-wade/> <https://www.isdglobal.org/isd-publications/evaluating-platform-abortion-related-speech-policies-were-platforms-prepared-for-the-post-dobbs-environment/>

- content discovery – the role of social media companies and search in rewarding and prioritising misogynistic content is one of the issues that could be considered here;
- user response concerns the availability of user empowerment tools and how effective and appropriate they are (though responsibility for safety should never be the sole responsibility of women and girls); the role of user flagging mechanisms as well as the impact of features such as likes/upvotes on user behaviour;
- platform response includes moderation, complaints processes and also appeals against company decisions – in this context questions could include the question of whether some sorts of situation require special response mechanisms (think about the victim of image based sexual abuse, or the victim of domestic violence suffering harassment from an ex-partner).

Not only does this approach give rise to a more holistic range of policy interventions but it also provides a steer for companies when balancing potentially conflicting priorities. It also provides a greater foundation for collaboration between technology services and those with expertise on violence against women and girls, to gain a robust understanding of the breadth of risks related to this issue, so that they can effectively mitigate against them.

## 5. Accountability for discrimination and misleading content

### a) Core Principles

Both discrimination and misleading content impacts women and girls online. While there is discrimination offline, online services may increase and amplify the problems (rather than simply mirroring them); the fact that problems exist off line should not be a justification for failing to take action online, especially when the business and design choices of these services exacerbate the problem, or create new ones (for example, problems of trolling and organised attacks such as brigading have been noted).

Discrimination and misinformation not only affects individuals targeted, but creates wider societal harms. There is ample evidence<sup>14</sup> that gendered disinformation online undermines women's political participation and weakens democratic institutions. It has been suggested that:

"Sexualized disinformation mixes old ingrained sexist attitudes with the anonymity and reach of social media in an effort to destroy women's reputations and push them out of public life."<sup>15</sup>

Significantly, however, gendered disinformation is not always recognised as a form of online violence though it is clearly discriminatory and often relies on stereotypes; disinformation is rarely seen as contrary to the criminal law and its potential harm perhaps underplayed as a result.

Discrimination against women online limits their ability to express themselves safely in online spaces<sup>16</sup>. UNESCO's Internet for Trust work highlights<sup>17</sup> the negative impact online violence has on women's participation in public life: "Even worse, online gender-based violence and harassment silence women and deter them from participating in the public sphere – for example, in journalism, where nearly three-quarters of women have experienced online violence, and just under a third self-censor as a result."

There is widespread international agreement that the online services this occurs on, and the States in which these online services exist, are accountable for tackling issues related to violence against women and girls.

CEDAW, the Committee on the Elimination of All Forms of Discrimination Against Women, the committee monitoring implementation of CEDAW (adopted by the UN in 1979) states that any States ratifying

14 Inter-Parliamentary Union, Sexism, harassment and violence against women parliamentarians (2016), <https://www.ipu.org/resources/publications/issue-briefs/2016-10/sexism-harassment-and-violence-against-women-parliamentarians> and (2018) <https://www.ipu.org/resources/publications/issue-briefs/2018-10/sexism-harassment-and-violence-against-women-in-parliaments-in-europe>

15 Nina Jankowicz "How disinformation became a new threat to women: Female politicians and other high profile women face a growing threat from sexualized disinformation" Dispatch, 11 December 2017, <https://www.codastory.com/disinformation/how-disinformation-became-a-new-threat-to-women/>

16 [https://she-persisted.org/wp-content/uploads/2023/02/ShePersisted\\_MonetizingMisogyny.pdf](https://she-persisted.org/wp-content/uploads/2023/02/ShePersisted_MonetizingMisogyny.pdf)

17 <https://unesdoc.unesco.org/ark:/48223/pf0000384620.locale=en>

the convention are legally obliged to: "eliminate all forms of discrimination against women in all areas of life" and "ensure women's full development and advancement in order that they can exercise and enjoy their human rights and fundamental freedoms in the same way as men"<sup>18</sup>.

Furthermore, the UN Special Rapporteur on Violence Against Women concludes<sup>19</sup> in their report on online violence against women and girls that "To achieve the above-mentioned goals, any effective response to online gender based violence against women will require the cooperation of States, Internet intermediaries and all other stakeholders on the acceptance and implementation of all core international human rights instruments, including those on women's rights."

This provides a strong argument that state actors have an obligation to ensure online services are held accountable for discrimination and misleading content on women and girls which occurs on their platforms. This accountability, of both national jurisdictions and technology companies, specifically for tackling violence against women and girls online, should be explicitly named in the UN's Global Digital Compact.

## b) Key Commitment/ Pledges/ Actions

### Violence Against Women and Girls Code of Practice

Violence Against Women and Girls Code of Practice can be read [here](#).

The Code of Practice and the systemic approach noted in Section 4 are relevant to the fight against discrimination and gendered misinformation and fit in with the approach noted in the UN Guiding Principles. While there are many concerns relating to gendered misinformation and women in public life, we also note the problem of gendered health misinformation (noted in Section 4a) which could also be tackled by a safety by design approach. The four stage model (above) shows that interventions can be made at a range of stages. While the general principles and concerns noted in relation to VAWG in general remain relevant, specific issues in relation to disinformation could relate to duplicate and anonymous accounts, the financial incentives around advertising revenue for content that receives a lot of engagement, a rebalancing of recommendation tools towards reliable information; effective support for trusted flagger programmes and consideration of how to train moderation systems.

### Tech Tax

Several countries have benefitted from internet innovation, and the revenue generated from the taxation of technology services operating in their country. Nonetheless, a host of societal harms also stem from online services, including online abuse. Therefore, it is appropriate that an appropriate proportion of governments' tax revenue from online technology companies should be ring fenced for civil society organisations which tackle online abuse, including violence against women and girls online<sup>20</sup>.

18 <https://www.ohchr.org/en/treaty-bodies/cedaw/introduction-committee>

19 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/184/58/PDF/G1818458.pdf?OpenElement>

20 <https://glitchcharity.co.uk/tech-tax-campaign/>